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PALESTINE IN FOCUS

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INTRODUCTION

The Arab-Israeli war of June 1967 made many people aware of the Arab-Israeli conflict for the first time. Most of this awareness remains limited to a vague knowledge that there is unrest in the Middle East, or more specifically between Israel and the Arab states. Sympathy in the West is largely directed to Israel. And this sympathy leads Israel's supporters to demand of the Arabs a certain behaviour with respect to the questions at issue that the Arabs are unwilling to accept. Hence there is no meeting of minds between the Arab world and much of the West with regard to Israel.

It is contended in this little book that the conflict cannot be understood without historical perspective—that is, if the conflict is viewed as a sudden eruption. Nor can the conflict be correctly comprehended if the main sufferers—the Palestinian Arabs—are not placed right in the center of the picture. Only with these two conditions satisfied can an examination of the causes of the conflict and a search for a solution be fruitful and meaningful.

But there is further need for a correction of the numerous misconceptions or irrelevant considerations that grew around the Zionist claim for Palestine before the establishment of Israel in 1948, and that have accompanied the transformation of the "Jewish National Home" into the state of Israel.

Early in the conflict between Arabs and Zionists, specifically since the Zionists turned themselves into an organized political movement and began to manoeuvre for Palestine at the turn of the century, the misconception in the minds of well-meaning Westerners aware of Zionism was that the Jews were entitled to Palestine because of their ancient, biblical connection with it. Few people took the trouble to find out how brief this connection had been, what limited

area it had had, and how irrelevant it was to present-day ownership of the country.

Later, after Britain issued the "Balfour Declaration" in 1917, promising the Jews a "national home" *in* Palestine, few people stopped to consider the illegality and immorality of Britain's generosity at Arab expense even before it had occupied Palestine, or to consider the contradiction between the promise and the undertaking in the Declaration not to prejudice the interests of the Arabs who then constituted 92 percent of the population of the country.

Later yet, when the inter-war years witnessed Nazi brutality to the Jews in Central Europe and the Zionists intensified their pressure to have more immigrants admitted into Palestine, few Westerners considered it their own duty to open their doors to Jewish immigration in order to lessen the pressure on tiny Palestine and to lighten the harmful impact of massive immigration on the Arab majority of Palestine that a forced inflow constituted. More significantly, few Westerners stopped to think that anti-semitism was a European disease from which the Arabs did not suffer and the penalty for which they could not justly be asked to bear.

Not many Westerners remember today that Israel was founded in 1948 against the will of the Arab majority of the country, on their private land, and that while the Jewish minority of Palestine was preparing itself for the transformation into statehood, and soon after statehood was achieved, both the Jewish community and later the state terrorized more than half the Arab population into an Arab exodus, a flight into the neighbouring Arab countries for safety. Thus, in their search for asylum from European persecution, the Jews expelled the Arabs from their homes and homeland. The persecuted turned persecutors.

The misconceptions about Israel since the establishment of the state have been of a different nature. Under skillful world Zionist and Israeli manipulation, Western public opinion has been made largely to forget the basic issue: that an alien community had, by

1948, thanks to world Zionism and to the support of a number of Western countries, dispossessed most of the Palestinians of most of their land. The dispossession was an example of colonialism in the classical sense. The larger part of Western public opinion was dexteriously made to move away from the basic issue and to ask questions about the "here" and the "now", to insist on "practical" and "realistic" solutions unrelated to the fundamentals of the problem, to get obsessed with fringe issues in order not to penetrate to the heart of the matter.

Hence, the type of question a typical Westerner now asks: Why do the Palestine refugees insist on going to Israel (most questioners not even remembering that this is a case of going *back*)? Why don't the Arabs settle the refugees in their midst? Why don't the Arab states recognize Israel, the reality, the state? Why don't the Arabs negotiate for peace? Why don't the Arabs look forward, to an era of mutually beneficial cooperation with Israel?

The war of June 1967 and the quick Israeli victory gave these questions further urgency in the Western mind. But it also has shed light on the position of the Palestinian and his Arab brothers. For, the worst of Arab fears of pre-June 1967 days have materialized. Israel's ruthless lack of concern for the rights of the Palestinians has had yet more tangible expression, and Israeli expansionism has been proved beyond doubt. The conquest of the whole of Palestine has been completed—plus the occupation of Arab territory beyond Palestine. The *whole* Palestinian Arab population is now either uprooted and homeless outside Palestine, or else is under Israeli subjugation.

The questions addressed to the Arabs about negotiation, recognition of Israel, peace, refugee settlement would be difficult to answer were the Arab to ignore the roots of the problem and its fundamental issues, and were he to allow himself to become an instrument of Israel's convenience. The questions would be embarrassing to the Arab only if we were to accept the supremacy of the law of the jungle in international relations, beyond hope, beyond recall.

But this would be a tragic admission that only the logic of the sword rules our world—a logic that is a two-sided blade.

The Arabs would still like to believe that the human conscience has not atrophied as hopelessly as all that, that the civilized world is still able to re-examine its misconceptions, to see the injustice done to the Palestine Arabs, and to exercise courage in redressing the injustice.

This little book is a manifestation of the hope. It is addressed to the minds and consciences of honest, fair-minded men and women, in the hope that they will ask fresh questions about Palestine in order to free themselves of the misconceptions. And, having asked the questions, they would look for honest and courageous answers. The Palestinian, like his fellow Arabs, is confident that the answers will be in his favour.

Beirut, 30 June 1968. Yusif A. Sayigh

I. THE ZIONIST MOVEMENT

Aims and Aspirations

The Zionist movement was launched officially in 1897 with the holding of the First Zionist Congress led by Theodor Herzl in Basle, Switzerland. The Congress summed up the aims of the movement in these words:

> "Zionism strives to create for the Jewish people a home in Palestine secured by public law. The Congress contemplates the following means to the attainment of this end:
>
> 1. The promotion on suitable lines of the colonization of Palestine by Jewish agricultural and industrial workers.
>
> 2. The organization and binding together of the whole of Jewry by means of appropriate institutions, local and international, in accordance with the laws of each country.
>
> 3. The strengthening and fostering of Jewish national sentiment and consciousness.
>
> 4. Preparatory steps towards obtaining Government consent where necessary to the attainment of the aims of Zionism."[1]

Borders of the "Zionist State"

While the Zionist movement set its eye steadily on Palestine as the "State of the Jews" (*Der Judenstaat,* as Herzl called it in his booklet of the same title published in 1896), it allowed flexibility in the drawing of the frontiers of the proposed state. Thus, according to Herzl, "the northern frontier is to be the mountains

(1) Stein, Leonard, *Zionism* (London: Kegan Paul, Trench, Trubner and Co., 1932), p. 62.

facing Cappadocia (in Turkey); the southern, the Suez Canal. Our slogan shall be: 'The Palestine of David and Solomon'. "[2]

On another occasion the area was described as "from the Brook [presumably meaning the 'Nile'] to the Euphrates."[3] On 29 October 1899, Davis Trietsch wrote to Theodor Herzl: "I would suggest to you to come round in time to the 'Greater Palestine' programme before it is too late... The Basle Programme must contain the words "Great Palestine" or "Palestine and its neighbouring lands" — otherwise it's nonsense. You do not get the ten million Jews into a land of 25,000 km²."[4]

In 1919, the Zionist delegation to the Paris Peace Conference circulated a plan of a 'Zionist state', the boundaries of which appear to have been narrowed:

"The boundaries of Palestine shall follow the general lines set out below:

> Starting on the north at a point on the Mediterranean Sea in the vicinity of Sidon and following the watersheds of the foothills of the Lebanon as far as Jisr El-Karaon, thence to El-Bire, following the dividing line between the two basins of the Wadi El-Korn and the Wadi Et-Teim, thence in a southerly direction following the dividing line between the eastern and western slopes of the Hermon, to the vicinity west of Beit Jenn, thence eastward following the northern watersheds of the Nahr Muganiye, close to and west of the Hejaz railway.
>
> In the east, a line close to and west of the Hejaz railway

(2) Lowenthal, Marvin (trans.), *The Diaries of Theodor Herzl,* New York: Dial Press, 1956), p. 124.
Quoted from *The Decadence of Judaism in Our Time,* (New York: Exposition Press, 1965), p. 44.
(3) Patai, Raphael (Ed.), *The Complete Diaries of Theodor Herzl,* (New York: Herzl Press, 1960), Vol. 2, p. 711.
(4) Rabinowicz, Oskar K., *A Jewish Cyprus Project,* (New York: Herzl Press, 1962), p. 17.

> terminating in the Gulf of Aqaba.
>
> In the south, a frontier to be agreed upon with the Egyptian Government. [It has been indicated that the southern border would extend from El-Arish in northern Sinai to Aqaba in the south.]
>
> In the west, the Mediterranean Sea."[5]

An explanatory note then followed, stating: "The boundaries above outlined are what we consider essential for the necessary economic foundation of the country. Palestine must have its natural outlets to the seas and the control of its rivers and their headwaters. The boundaries are sketched with the general economic needs and historic traditions of the country in mind, factors which necessarily must also be considered by the Special Commission in fixing the definite boundary lines. This Commission will bear in mind that it is highly desirable, in the interests of economical administration that the geographical area of Palestine should be as large as possible so that it may eventually contain a large and thriving population which could more easily bear the burdens of modern civilized government than a small country with a necessary limitation of inhabitants."

The explanatory note goes on to say, "The economic life of

(5) Halpern, Ben, *The Jewish State,* (Boston: Harvard University Press, 1961), pp. 303-304.
See Map 1. The Zionist demands comprise in current terms:
i) The whole of mandated Palestine;
ii) *Southern Lebanon,* including the towns of Tyre and Sidon, the headwaters of the River Jordan on Mount Hermon and the southern portion of the Litani River;
iii) *Syria* — The Golan heights, including the town of Kuneitra, the River Yarmuk and El-Hammah Hot Springs;
iv) *Jordan* — The whole of the Jordan Valley, the Dead Sea, and the eastern highlands up to the outskirts of Amman, running southwards along the Hejaz railway to the Gulf of Aqaba — leaving Jordan with no access to the sea.
v) *U.A.R.* — From El-Arish on the Mediterranean in a straight southerly direction to the Gulf of Aqaba.

Palestine, like that of every other semi-arid country depends on the available water supply. It is, therefore, of vital importance not only to secure all water resources already feeding the country but also to be able to conserve and control them at their sources. The Hermon is Palestine's real 'Father of the Waters' and cannot be severed from it without striking at the very root of its economic life... The fertile plains east of the Jordan, since the earliest Biblical times, have been linked economically and politically with the land west of the Jordan... It could now serve admirably for colonization on a large scale."[6]

In May 1942, a conference of American, European and Palestinian Zionists was held at the Biltmore Hotel, New York, under the sponsorship of an Emergency Committee for Zionist Affairs. The participants expressed their desire to insist on "a full implementation of the Basle program."[7] On 11 May 1942, the conference adopted a set of resolutions known collectively as the 'Biltmore Program'. In particular, they called for:

> "The immediate establishment in Palestine of a Jewish Commonwealth as an integral part of the new democratic world;
>
> The rejection of the 'White Paper' of 1939;[8]
>
> Unrestricted Jewish immigration and settlement in Palestine; Jewish Agency control of immigration and settlement in Palestine;
>
> The formation and recognition of a Jewish military force under its own flag."[9]

In October 1942, the Zionist Organization of America and

(6) *Ibid.*
(7) ESCO Foundation for Palestine, Inc., *Palestine: A study of Jewish, Arab and British Policies,* (New Haven: Yale University Press, 1947), Vol. II, p. 268.
(8) Command 6019 — Statement of Policy (known as the MacDonald White Paper), May 1939.
(9) ESCO Foundation, *Palestine: A study of Jewish, Arab and British Policies,* pp. 1084-1085.

Hadassah adopted the 'Biltmore Program', as did subsequently the Mizrahi and Labour groups, though the Labour Organization did not rule out the possibility of bi-nationalism.[10] Then on 6 November 1942, the General Council of the World Zionist Organization endorsed the 'Program', stamping it as the official policy of Zionism at large, so helping to build up . . . a climate in which Zionist statehood would be acceptable to the world.[11]

On 3 May 1943, General Patrick J. Hurley, personal representative of President Roosevelt in the Middle East, reported to the President:

> "The Zionist organization in Palestine has indicated its commitment to an enlarged program for:
>
> 1. a sovereign Jewish State which would embrace Palestine and probably eventually Transjordan;
> 2. an eventual transfer of the Arab population from Palestine to Iraq;
> 3. Jewish leadership for the whole Middle East in the fields of economic development and control."[12]

Present-day occupation by Israel of Jordanian, Syrian, and Egyptian territory can be better understood with the background of Zionist territorial aims explicit in the quotations just made. However, Zionist and Israeli current expansionism is discussed and documented in Chapter X below. Suffice it to say here that Israeli expansion in 1967 is in complete harmony with Zionist territorial aims of 1897.

(10) *Ibid.,* p. 1087.
(11) Taylor, Alan,, *Prelude to Israel,* (New York: The Philosophical Library, 1959), pp. 60-61.
(12) United States: *Foreign Relations of the U.S.: Near East and Africa,* (Washington D.C.: 1964), Vol. IV, pp. 776-777.

II. THE ARAB RIGHT TO PALESTINE

The Palestine Arabs of today — Moslems and Christians — are not, as is popularly believed, exclusively the descendants of the Islamic desert conquerors of 1300 years ago; they are, in fact, mainly the descendants of the previous native population — Philistines, Canaanites, Hittites, Jebusites, etc. They were long established there when the early Hebrews invaded the land in about 1500 B.C. and not only did they survive the Israelite occupation, but they retained possession of a large part of the country throughout the Israelite period, remaining in the land after the Hebrew dispersion, to be intermingled first with the Arab conquerors in the 7th century, then with the Crusaders in the 11th century. They continued their occupation of the land in their arabized character until the Zionist invasion of 1948. Such long and uninterrupted possession of a land constitutes the undisputable moral and legal basis of any people's right to its country.

However, because Zionist claims to Palestine depend heavily on the Balfour Declaration of 2 November 1917 (See Chapter III), it is appropriate here to refer to the promises made by the British Government to the Arabs before the Declaration, pledging support of Arab independence in return for Arab help in the war against the Turks.

During the period July 1915 to March 1916, a correspondence took place between the Sherif Hussein of Mecca on behalf of the Arabs, and Sir Henry McMahon, British High Commissioner in Egypt on behalf of the British Government. This correspondence — known as the Hussein-McMahon Correspondence[1] — culminated in a British promise of Arab independence in the area defined by

(1) Cmd. 5957.

the Sherif Hussein, which included Palestine, with the following exception:

> "The two districts of Mersina and Alexandretta and portions of Syria lying to the west of the districts of Damascus, Homs, Hama and Aleppo which cannot be said to be purely Arab, and should be excluded from the limits demanded."[2]

With the British promise of support of Arab independence, the Arabs entered the war on the side of the Allies. Their first important contribution was the occupation on 6 July 1916, of the strategic town of Aqaba. In addition to tying up large Turkish forces in Medina during the whole period of the war and harassing the enemy's lines of communication, "it was the Arabs almost entirely who wiped out the Fourth (Turkish) Army, the still intact force that might have barred the way to final victory," wrote Capt. Liddell Hart, chief military commentator with the Allied Forces.[3]

(2) *Ibid.*, Letter No. 4 dated 24 October 1915, p. 8.
For area defined by Sherif Hussein and area as finally agreed to by Sir Henry McMahon on behalf of British Government, see *Map* 2. A controversy later arose over whether or not Palestine was included in the area promised independence. In 1938, the Maugham Commission — appointed to investigate — reported that "His Majesty's Government were not free to dispose of Palestine without regard for the wishes and interests of the inhabitants of Palestine...", Cmd. 5974, Annex C., pp. 30-38.
In 1964, fresh evidence on this point was discovered. This was contained in two 'secret' documents: a 20-page memorandum on *The British Commitment to King Hussein,* prepared by the Political Intelligence Department of the British Foreign Office for use by the British delegation to the Paris Peace Conference, and a 12-page *Appendix on previous commitments by His Majesty's Government in the Middle East.* These documents belonged to the late Professor William Linn Westermann, one-time adviser on Turkish affairs to the American delegation to the Paris Peace Conference. They were deposited at Stanford University with instructions that they were not to be opened until after his death. In these papers, one passage in regard to Palestine is explicit. Section (iv) of the memorandum reads: "With regard to Palestine, H.M.G. are committed by Sir Henry McMahon's letter to the Sherif on October 24, 1915, to its inclusion in the boundaries of Arab independence." See *The Times* (London), 17 April, 1964— "Light on Britain's Palestine Promises."

(3) Jeffries, Joseph M.N., *Palestine: The Reality,* (New York: Longmans, Green & Co., 1939), pp. 234-235.

The Arabs accepted British pledges in good faith. They did not foresee that their revolt in 1915 against the Turks in support of the Allies would not result in the independence they sought and the British Government promised.

Nor did they foresee that Britain and France were soon after to replace Turkey as masters of Arab affairs. Later, United States policy statements went further to underline the divergence between Arab right to independence, supported by the promise and declared principles of the Allies on the one hand, and on the other, the actions of these same Allies in forcing the Jewish National Home on the Palestinians. Compare, for instance, the fate of the Arabs in general and the Palestinians in particular with President Wilson's two statements that follow:

> On 11 February, 1918: "People are not to be handed about from one sovereignty to another by an international conference or an understanding between rivals and antagonists."
>
> On 4 July, 1918: The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, [should be] upon the basis of the free acceptance of that settlement by the people concerned, and not upon the basis of material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery."[4]

The British Government, after promising to support Arab independence, concluded two secret agreements which conflicted with Arab aspirations — the Sykes-Picot Agreement, in 1916, dividing Arab territories between Britain and France;[5] and the Balfour Declaration, in 1917, for the establishment of "a national home for the Jews in Palestine."[6] The texts of the two documents

(4) Hoover, Herbert, *Ordeal of Woodrow Wilson* (New York: McGraw-Hill Book Co., 1958), pp. 23, 25.

(5) Woodward, E.L. & Butler, R., *Documents on British Foreign Policy, 1919-1939,* 1st ser., Vol. 4, pp. 241-251.

(6) Government of Palestine: *A Survey of Palestine 1945-1946,* p. 1.

were disclosed by the Bolsheviks on coming to power in Russia in 1917, and were widely publicized by the Turkish military commander as a sign of British betrayal of pledges to the Arabs.

The disclosure caused great anxiety in Arab circles, and Sherif Hussein requested an explanation from the British Government. Several assurances were given, among which the following: "Jewish settlement in Palestine would only be allowed in so far as would be consistent with the political and economic freedom of the Arab population."[7] "His Majesty's Government and their allies remain steadfast to the policy of helping any movement which aims at setting free those nations which are oppressed.". "His Majesty's Government repeats its previous promise in respect of the freedom and the emancipation of the Arab peoples."[8] "The policy of His Majesty's Government towards the inhabitants... is that the future government.. should be based upon the principle of the consent of the governed. This policy will always be that of His Majesty's Government."[9] "France and Great Britain agree to further and assist in setting up indigenous governments and administrations in Syria [which then included Palestine] and Mesopotamia [Iraq]."[10]

Strong and unequivocal as these assurances are, they are no more than an expression of the natural interests and rights of the Palestinian Arabs. To quote them is merely to underline the betrayal by Britain of her assurances to the Arabs in establishing the Jewish National Home in Palestine against Arab will.

(7) The Hogarth Message of January 1918, quoted in Antonius, George, *The Arab Awakening* (London: Hamish Hamilton, 1938), p. 268.
(8) "The Bassett Letter" of 8 February 1918, in Jeffries *op. cit.*, pp. 216-217.
(9) "The British Declaration to the Seven" of 16 June 1918, in Antonius, *op. cit.*, pp. 433-434.
(10) Jeffries, *op. cit.*, pp. 237-238.

III. THE BALFOUR DECLARATION

On 2 November, 1917, even before the British army had occupied Palestine, British Foreign Secretary Arthur Balfour issued his now-famous 'Declaration' in the form of a letter to Lord Rothschild, which read as follows:

> "I have much pleasure in conveying to you on behalf of His Majesty's Government the following declaration of sympathy with Jewish Zionist aspirations, which has been submitted to and approved by the Cabinet: 'His Majesty's Government view with favour the establishment in Palestine of a National Home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.'
>
> I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation."[1]

There is a substantial literature on the origins of the Balfour Declaration. Many factors are believed to have combined to make the British Government undertake to support the establishment of a Jewish National Home in Palestine. However, one theme seems to recur: The aim of winning the sympathy and support of Jews everywhere for the war effort, and to have Jews use their influence on the governments of their various countries to side with Britain. For instance, James Malcolm recounts how, before the entry of the United States into the War, Sir Mark Sykes, of the Foreign Office,

(1) Cmd. 5479, *Report of the Palestine (Peel) Commission, 1937*, p. 22.

told him that the Cabinet was anxious to have the U.S. join in Malcolm replied: "You are going the wrong way about it. You can win the sympathy of certain politically minded Jews everywhere, and especially in the United States, in one way only, and that is, by offering to try and secure Palestine for them."[2]

Winston Churchill is quoted as having said: "The Balfour Declaration must, therefore, not be regarded as a promise given from sentimental motives; it was a practical measure taken in the interests of a common cause at a moment when that cause could afford to neglect no factor of material or moral assistance."[3] Lloyd George was more explicit: "There is no better proof of the value of the Balfour Declaration as a military move than the fact that Germany entered into negotiations with Turkey in an endeavour to provide an alternative scheme which would appeal to Zionists";[4] The Palestine Royal (Peel) Commission, going even further, reported in 1937: "The Zionist leaders (Mr. Lloyd George informed us) gave us a definite promise that, if the Allies committed themselves to giving facilities for the establishment of a national home for the Jews in Palestine, they would do their best to rally Jewish sentiment and support throughout the world to the Allied cause. They kept their word."[5]

The Balfour Declaration may be divided into three parts:

The first, containing the undertaking, stated: "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object."

Two points have to be made here, before we move to parts

(2) Malcolm, James, *Origins of the Balfour Declaration* (Zionist Archives), pp. 2-3.
(3) Wise, Stephen, and De Haas, Jacob, *The Great Betrayal* (New York, Brentanos, 1930), p. 288.
(4) Lloyd George, David, *Memoirs of the Peace Conference* (New Haven Yale University Press, 1939), Vol. II, p. 738.
(5) Cmd. 5479, p. 17.

two and three. The first is that at the beginning the Zionists had not set their eyes on Palestine exclusively. Early attempts had been made by them to obtain Cyprus or the Sinai Peninsula, from the British. East Africa and Argentina had also been considered as a "Home". It was only when the "Palestine Faction" won in the Zionist Congress held in 1904, after Herzl's death, that Zionist demands concentrated on Palestine. This at least throws doubt on Zionist ex-post rationalizing that Palestine is the one and only haven acceptable to Jews in the Diaspora.

The second point to make is that the first part of the Declaration involves no more than a "National Home" *in* Palestine, not the turning of Palestine into a "National Home."

But even this limited undertaking is made conditional in the next two parts of the Declaration.

The *second* part, affecting the rights and position of the Moslem and Christian inhabitants, stipulated: "it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine." It will no doubt be observed here that the original Arab inhabitants of Palestine, Moslem and Christian, are referred to in such a way as to suggest that they constituted an insignificant proportion of the population, occupying a position subordinate to that of the Jewish Community. As a matter of fact, in 1918, the Arabs, who are not mentioned once by name in the declaration, numbered 644,000 (92% of the total), while the Jews numbered only 56,000 (8% of the total).[6]

The *third* part of the Declaration related to the position of Jews outside Palestine and stated that nothing should be done which might prejudice "the rights and political status enjoyed by Jews in any other country."

The strife that characterized the whole mandatory period, and

(6) Government of Palestine, *A Survey of Palestine,* Part I, p. 144.

which has continued since the establishment of the State of Israel in 1948, essentially goes back to two factors. The first is the injustice involved in the undertaking contained in the Balfour Declaration, where a Great Power, relying on sheer force, promised to deliver a part of a country (which was not even under its occupation at that moment) to a third party whose claim to the country in question was based on a most tenuous Biblical connection.

The second factor is the very obvious conflict in the undertakings contained in the Declaration. The undertakings were manifestly irreconcilable as became evident to the various commissions of enquiry sent in the 1920's and 1930's by the British Government to investigate the causes of strife in Palestine.[7]

On the one hand, the establishment of a "National Home" for Jews in Palestine could not but prejudice the civil rights of the majority — unless the size of the "Home" was to be minimal. On the other, to respect the content of the safeguarding clause was to empty the promise of a "Home" of its significance. Furthermore, into this already explosive situation was injected the aggravating factor of Zionist exaggerated interpretation of the "National Home" concept. To them Palestine in its entirety was to be the National Home of the Jewish people, and this was to be the first step towards the creation of a Jewish State.

The danger of the Zionist attitude was foreseen by the King-Crane Commission sent by the U.S. Government to the area in 1919. In its analysis of the situation, the Commission recommended a "serious modification of the extreme Zionist Program for Palestine of unlimited immigration of Jews, looking finally to making Palestine distinctly a Jewish state." The Commissioners explained that the Balfour Declaration "favouring 'the establishment in Palestine of

(7) The British Foreign Secretary admitted the conflict in the House of Commons on 18 February, 1947, when he said: "The obligations undertaken to the two communities had been shown to be irreconcible." See Government of Palestine, *Supplementary Memorandum to United Nations Special Committee for Palestine,* p. 27.

a national home for the Jewish people', was not equivalent to making Palestine into a Jewish state; nor could the creation of such a state be accomplished without the gravest trespass upon the 'civil and religious rights of existing non-Jewish communities in Palestine'." The Commissioners then recommended that "Jewish immigration should be definitely limited," that "the project for making Palestine a Jewish commonwealth should be given up," and that Palestine should be "included in a united Syrian state, just as other portions of the country..."[8]

In 1922, the British Government was obliged to clarify the meaning and dimensions of the Balfour Declaration. A statement was issued which declared: "Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that Palestine is to become 'as Jewish as England is English'."

The statement then explained: "His Majesty's Government regard any such expectation as impracticable and have no such aim in view..." It drew "attention to the fact that the terms of the Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded in Palestine."[9] It is worth adding here that this last statement was made by Winston Churchill, himself an ardent Zionist, as Secretary of State for the Colonies.

(8) U.S., Department of State, *Papers Relating to the Foreign Relations of the U.S., The Paris Peace Conference, 1919.* See pp. 787-802 and 841-848.

(9) Cmd. 1700, The White Paper of June 1922 (known as "The Churchill Memorandum"). Quoted from *A Survey of Palestine,* Part I, p. 87.

IV. THE PALESTINE MANDATE (1920-1948)

The Mandate System

Fighting with the Turks ended with the Armistice of 30 October 1918; and on 30 January 1919, the Supreme Council of the Peace Conference decided that the conquered Arab provinces, including Palestine, were not to be restored to Turkish rule. To circumvent the fulfillment of their promises of support for Arab independence, and to implement the Sykes-Picot Agreement of 1916 and the Balfour Declaration of 1917, the Allied Powers devised what became known as the Mandate System. On 28 June 1919, the Treaty of Versailles and the Covenant of the newly established League of Nations were signed. Article 22 of the Covenant stated, among other things, that "certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory."[1]

A draft Mandate for Palestine was submitted by Britain to the Council of the League of Nations on 24 July 1922, and an agreed text was confirmed by the Council on 29 September 1923, when the Mandate came formally into operation. The Palestine Arabs were not consulted in the selection of the Mandatory Power as stipulated in Article 22 of the Covenant; Britain thus became officially the governing authority, contrary to the wishes of the Arab majority.

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(1) League of Nations, *Responsibilities of the League Arising out of Article 22* (Mandates), No. 20/48/161, Annex I, p. 5.

The Mandate included in the *preamble* the text of the Balfour Declaration; in *Article 2,* responsibility "for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home" was assigned to Britain; in *Article 4,* provision was made for a 'Jewish Agency' to be recognized "as a public body 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 in *Article 11,* the Administration was authorized to arrange with the Jewish Agency "to construct or operate, upon fair and equitable terms, any public works, service and utilities, and to develop any of the natural resources of the country."[2]

The Mandate failed to recognize the principles stipulated in Article 22 of the Covenant of the League of Nations, namely, that Palestine — like Lebanon, Syria and Iraq — was entitled to be "provisionally recognized" as an independent state "subject to the rendering of administrative advice and assistance by a Mandatory until such time as (the inhabitants) are able to stand alone." Nor did the Mandate take into account the pledges of support of independence made previously to the Arabs by the Allies, or even to the safeguards in the 1922 British Statement of Policy (The Churchill Memorandum).

Area, Population, and Landownership

With the coming into force of the Mandate, the boundaries of 'Mandated Palestine' were established within a total land area of 10,163 square miles. In addition, there is an inland water area of 272 square miles comprising Lake Huleh (5 square miles), Lake Tiberias or the Sea of Galilee (62 square miles)and half of the area of the Dead Sea (405 square miles), making a total area of 10,435 square miles.[3]

(2) Government of Palestine: *A Survey of Palestine 1945-1946,* pp. 5-6.
(3) See Map 3. Figures of areas calculated from *Village Statistics 1945,* published by the Palestine Government.
Palestine is about the size of the state of Vermont in the United States, or about one and one-half times the size of Wales in the United Kingdom.

In 1918, when the Allies occupied the country, Palestine had a population of about 700,000 inhabitants. Of these 644,000 were Arabs, (574 000 of whom were Moslem and 70,000 Christian), and 56,000 Jews.[4]

In 1922, a census was taken and it showed the total population to be 757,182 (590,000 Moslems, 83,794 Jews, 73,014 Christians and 9,474 others).

In 1931, a second census was taken which showed the population to have increased to a total of 1,035,821 (759,712 Moslems, 174,610 Jews, 91,398 Christians and 10,101 others).[5]

In 1944, the total population was estimated by the Palestine Government to have reached the figure of 1,764,000 (1,179,000 Arabs, 554,000 Jews and 32,000 others).[6]

In mid-May 1948, using the same methods of estimation adopted by the Palestine Government, the total population of Arabs and Jews would have reached 2,065,000 (1,415,000 Arabs and 650,000 Jews).[7]

Thus, the proportion of Jewish to total population rose from 8 percent in 1918, to about 12 percent in 1922, to about 17 percent in 1931, to 31 percent in 1944 and in mid-May 1948. The pace of this increase in the size of the Jewish community is all the more startling considering the fact that the rate of net natural increase among Palestinian Arabs was about 50 percent higher than that among Palestinian Jews (3.2 percent and 2.2 percent respectively). It was large-scale immigration that accounted for the fast rise in the ratio of Jewish to total population.

(4) Government of Palestine: *A Survey of Palestine 1945-1946,* p. 144.
(5) *Ibid.,* Table 7c, p. 149.
(6) *Ibid.,* p. 143.
(7) These figures are adjustments of earlier figures given in the Report of the UNSCOP-U.N. Document A/364, Vol. I, Ch. IV, p. 54. The size of the Jewish community is in line with the size as on 8 November, 1948, when it was reported to have reached 716,000 because of large-scale immigration after the creation of the State. (For this last figure, see Israel Government *Yearbook 1950,* p. 359).

In 1918, the Jews owned only two per cent (162,500 acres) out of a total land area of 6,580,755 acres.[8]

During the ensuing thirty years, the Jews purchased additional land, bringing their total holdings on the date of the termination of the Mandate in May 1948, to 372,925 acres, or 5.67 per cent of the total land area of the country.[9] However, the Palestine Government estimated in 1946 that "the Jews held over fifteen per cent of the cultivable area of Palestine."[10]

Resistance to sale of land to Jews persisted throughout the period of the Mandate; and the extra area of 210,425 acres acquired between 1918 and 1948 was mostly purchased from Lebanese and Syrian absentee landowners living outside Palestine. The area sold by Palestinians during the Mandate is about 100,000 acres only, in spite of the high prices offered and the legislation that was designed until 1939 to facilitate transfer of land to Jews.

Zionist land policy was incorporated in the Constitution of the Jewish Agency for Palestine, signed in Zurich, Switzerland, on 14 August 1929, which in turn reflected itself in the lease contracts of the Keren Kayemeth (Jewish National Fund) and the Keren Hayesod (Palestine Foundation Fund). Sections (d) and (e) of Article 3 provided that "land is to be acquired as Jewish property and... the title to the lands acquired is to be taken in the name of the Jewish National Fund, to the end that the same shall be held as the inalienable property of the Jewish people." The provision goes on to stipulate that "the Agency shall promote agricultural colonization based on Jewish labour, and in all works or undertakings carried out or furthered by the Agency, it shall be deemed to be a matter of principle that Jewish labour shall be employed..."[11]

(8) Palestine: *A Survey of Palestine 1945-1946,* p. 242.

(9) Calculated from the *Village Statistics 1945,* published by the Palestine Government. To convert to dunums, multiply by 4.

(10) Palestine Government *Memorandum submitted to UNSCOP,* dated 12 July, 1947.

(11) Cmd., 3686, *The Hope Simpson Report, 1930,* pp. 53-54 and 78-79.

The effect of this Zionist colonization policy on the Arabs was that land acquired by Jews became extra-territorialized. It ceased to be land from which the Arabs could ever hope to gain any advantage. The stringent provisions of the lease contracts entered into with the Jewish settler made the latter undertake, under penalty of a fine and foreclosure, not to hire or employ 'non-Jewish' labour; also if the holder died leaving as his heir a non-Jew, the Fund was to obtain the right of restitution. Nor could anyone help the Arab by purchasing the land and restoring it to common use: it was mortmain and inalienable. The racist, discriminating policy which characterized the treatment by Israel of its post-1948 Arab minority, has its roots in the exclusiveness clauses referred to above.

Zionist Organization: A State Within The State

Zionist interference in the administration of the country began with the military occupation in 1918. The Zionists acted as though they were the majority and the competent authority in political and economic decision-making.

The first major case of interference occurred in 1919. On his arrival in Jerusalem in July of that year, U.S. Supreme Court Judge Louis Brandeis, an avowed Zionist, visited British Military Headquarters. He is reported to have told General Sir Louis Bols, the Chief Administrator, that "ordinances of the military authorities should be submitted first to the Zionist Commission." The General's aide-de-camp replied: "For a government to do that would be to derogate its position. As a lawyer," he told Judge Brandeis, "you realize this." But Brandeis persisted: "It must be understood that the British Government is committed to the support of the Zionist cause. Unless this is accepted as a guiding principle, I shall have to report it to the Foreign Office."[12]

In March 1920, General Bols complained to London. He said: "My own authority and that of every department of my Administra-

(12) Jeffries, Joseph M.N., *Palestine: The Reality* (New York, Longmans, Green and Co., 1939), p. 314.

tion is claimed or impinged upon by the Zionist Commission, and I am definitely of the opinion that this state of affairs cannot continue without grave danger to the public peace and to the prejudice of my Administration."

Sir Louis went on to say: "It is no use saying to the Moslem and Christian elements of the population that our declaration as to the maintenance of the *status quo* on our entry into Jerusalem has been observed. Facts witness otherwise: The introduction of the Hebrew tongue as an official language; the setting up of a Jewish judicature; the whole fabric of government of the Zionist Commission of which they are well aware; the special travelling privileges to members of the Zionist Commission; these have firmly and absolutely convinced the non-Jewish elements of our partiality. On the other hand, the Zionist Commission accuses me and my officers of anti-Zionism. The situation is intolerable, and in justice to my officers and myself, must be fairly faced."

Sir Louis further pointed out: "This Administration has loyally carried out the wishes of His Majesty's Government and has succeeded in so doing by strict adherence to the laws governing the conduct of the Military Occupant of Enemy Territory, but this has not satisfied the Zionists, who appear bent on committing the temporary Military Administration to a partialist policy before the issue of the Mandate. It is manifestly impossible to please partisans who officially claim nothing more than a "National Home" but in reality will be satisfied with nothing less than a Jewish state and all that it politically implies."[13]

Arab Rejection of the Balfour Declaration and Opposition to the Mandate

Arab opposition to the Mandate and the policy of the Balfour Declaration remained obstinate and unrelenting throughout the period of the Mandate.

(13) Barbour, Nevill, *Nisi Dominus,* (London; George G. Harrap & Co., 1946), p. 97.

When appeals, protests, arguments, demonstrations, and local riots failed to move the British Government to respect Arab rights or even to fulfill British pledges to the Arabs, the Palestine Arabs resorted from time to time to violence. The first countrywide demonstration of Arab feeling occurred in April 1920; the second in May 1921, the third in August 1929; and between 1936 and 1939 an all-out revolution developed which was preceded by a six-month strike.

The strike paralyzed the economic life of the country; and Government efforts to break it by force made the Arabs only more determined. Increased Government pressure brought about sporadic incidents of violence which eventually exploded into an open armed rising.

The factors leading to the revolution are easy to trace. They centered around Arab fears, manifestly legitimate and well-founded, that (a) the Jews would soon became a majority if immigration were to be allowed to continue, and if land transfers were not prohibited, (b) that the Arab right to self-determination was becoming increasingly threatened by the building up of the Jewish "National Home" and (c) that the Jews were becoming armed at a menacing pace.[14]

Three Arab demands were insistently and consistently made: (a) The immediate cessation of Jewish immigration; (b) the prohibition of the transfer of Arab lands to Jews; and (c) the establishment of democratic government in which the Arabs would have a majority share in accordance with their numerical superiority.[15]

When these demands were not met, the Arab Higher Commit-

(14) Just before the six-month strike in October 1935, a large quantity of arms and ammunition was accidentally discovered at Jaffa Port, smuggled in a large consignment of cement barrels from Belgium. And with regard to immigration, in 1935 alone 61,854 Jewish immigrants entered the country (not counting illegal entrants), compared with 16,500 in 1920, the first year of large-scale immigration
See Government of Palestine, *A Survey of Palestine,* Part I, pp. 33, 185.

(15) *Ibid.*, p. 33.

tee called for a general strike "to continue until the British Government changes its present policy in a fundamental manner..."[16]

Commissions of Enquiry and Statements of Policy

Armed struggle, strikes, and civilian disobedience by the Arabs during the Mandate led to the dispatch by the British Government to Palestine of several Commissions of Enquiry,[17] apart from locally-appointed committees set to investigate limited problems. In essence, the findings of the Commissions were invariably the same, namely:

1. Arab disappointment at the non-fulfillment of the promises of independence which had been given to them during World War I; and
2. Arab belief that the Balfour Declaration implied a denial of the right of self-determination and their fear that the establishment of "a National Home for the Jews" in Palestine would lead to their ultimate dispossession of home and homeland.[18]

The Commissions of Enquiry were each followed by the issue of a Statement of Policy, attempting to interpret the meaning of a "national home" and laying down a policy to be followed. In all, three principal statements were issued: The first, as a result of the 1920 and 1921 riots, became known as The Churchill Memorandum of June 1922. It stated that it had never been intended that "Palestine is to become as Jewish as England is English."[19] The second followed the 1929 riots and became known as The Passfield Memo-

(16) *Ibid.*, p. 35.
(17) There were the Palin Commission of 1920, the Haycraft Commission of 1921, the Shaw Commission of 1930, the Peel Commission of 1937, and the Woodhead Commission of 1938.
(18) In 1921, Dr. Eder, a member of the Zionist Commission of Palestine, said to a court of enquiry, "There can be only one national home in Palestine. and that a Jewish one, and no equality in the partnership between Jews and Arabs, but a Jewish preponderance as soon as the numbers of the race are sufficiently increased." See Ziff, William B., *The Rape of Palestine* (New York, Longmans, Greer & Co., 1938), p. 171.
Note the word 'race' in the quotation!
(19) Cmd. 1700 of June 1922.

randum. This statement recognized Britain's responsibility towards safeguarding the rights of the non-Jewish communities and acknowledged them as of equal importance to those of the Jews.[20] The third and the last was the White Paper of 1939 which became known as the MacDonald Memorandum. The Statement began thus: "The Royal Commission and previous Commissions of Enquiry have drawn attention to the ambiguity of certain expressions in the Mandate, such as the expression 'a national home for the Jewish people', and they have found in this ambiguity and the resulting uncertainty as to the objectives of policy a fundamental cause of unrest and hostility between Arabs and Jews." The Government was convinced that, in the interests of peace and well-being of the whole people of Palestine, a clear definition of policy and objectives was essential. Consequently, the British Government declared that neither their undertakings to the Jews nor the national interests of Britain warranted that they should continue to develop the Jewish national home beyond the point already reached. The Government therefore decided:

1. That the Jewish National Home as envisaged in the Balfour Declaration and in previous statements of British policy had been established;
2. That to develop it further against Arab wishes would be a violation of Britain's undertakings to the Arabs, and that such a policy could only be carried out by the use of unjustifiable force;
3. That, therefore, after the admission of a final quota of 75,000 more Jewish immigrants over a period of five years, Jewish immigration should stop;
4. That during this period of five years, a restriction should be placed on the acquisition of further land in Palestine by the Jews; and
5. That at the end of the period of five years, self-governing

(20) Cmd. 3692 of October 1930.

institutions should be set up in the country.[21]

Arab and Jewish Reaction to the 1939 White Paper

Arab reaction to the new policy of the 1939 White Paper was mixed. A certain section of the population was willing to accept it but doubted the sincerity of the British Government; the other decided to reject it as not meeting fully the aspirations of the Palestine Arabs, which were the abrogation of the Balfour Declaration and the Mandate, and the granting of independence to the country.

Zionist reaction, on the other hand, was one of unanimous rejection and condemnation. A general strike was called for the day following its announcement, and violent and inflammatory speeches were made by Zionist leaders. In Jerusalem, Arab shops were looted, the police stoned when they tried to maintain order, and a British constable was shot.[22]

In May 1942, the 'Biltmore Conference' was convened in New York. Its platform included an affirmation by the conference of "its unalterable rejection of the White Paper of May 1939 ... that the gates of Palestine be opened; ... and that Palestine be established as a Jewish commonwealth integrated in the structure of the new democratic world."[23]

On the basis of this program, the Jewish Agency presented the British Government on 22 May 1945, with the following demands:

1. That an immediate decision be announced to establish Palestine 'undivided and undiminished' as a Jewish state;
2. That the Jewish Agency be invested with the control of Jewish immigration into Palestine;

(21) Cmd. 6019 of 17 May 1939. In February 1940, the land transfer regulations were enacted prohibiting land sales to Jews in 'Zone A'; restricting them in 'Zone B'; and imposing no restrictions in 'Zone C'. Regulations published in *Laws of Palestine 1940*, Vol. II, p. 327.
(22) Palestine: *A Survey of Palestine 1945-1946*, p. 54.
(23) ESCO Foundation for Palestine, *Palestine: A Study of Jewish, Arab and British Policies*, (New York: Yale University Press, 1947), Vol. II, p. 1085.

3. That an international loan be raised to finance the immigration of the 'first million' Jews to Palestine;
4. That reparations in kind from Germany be granted to the Jewish people for the 'rebuilding' of Palestine; and — as a first installment — that all German property in Palestine be used for the resettlement of Jews from Europe;
5. That free international facilities be provided for the exit and transit of all Jews who wish to settle in Palestine.[24]

The reader is reminded that this program was presented while the Jews still constituted only 31 percent of the total population and owned about 5.5 percent of the land.

Zionist Acts of Violence

The Zionist movement had never ruled out the use of force to seize Palestine. In the 1920's the Hagana ('defence') was formed which gathered strength as Jewish immigration increased. In 1946, the Mandatory Government, in a White Paper, described the Hagana (including the Palmach, Hagana's shock force) as an illegal and well-armed military organization with an estimated strength of 60,000. There were also two splinter groups: the Irgun Zvei Leumi ('National Military Organization') and the Stern Gang (self-styled 'Freedom Fighters of Israel'). The strength of the first was estimated between 3,000 and 5,000; the second had between 200 and 300.[25]

As early in the war as 5 October 1939, forty-three Jews, wearing uniforms, were arrested while engaged in military manœuvres and carrying rifles and bombs; on 18 November of the same year, thirty-eight 'Revisionist' Jews, engaged in manœuvres and carrying arms, bombs, gelignite, etc., were arrested; and on 22 January 1940, a search of the Jewish settlement of Ben Shemen revealed a cache of

(24) Royal Institute for International Affairs, *Great Britain and Palestine 1915-1945*, pp. 139-140.
(25) Cmd. 6873 — Statement of Information Relating to Acts of Violence, 24 July 1946.

arms and ammunition.[26] Several other caches were found in subsequent years.

According to the Palestine Government, "During March 1943, there was a notable increase in the number and magnitude of thefts of arms and explosives from military establishments, and shortly afterwards there was revealed the existence of a large-scale stealing racket connected with the Hagana and with ramifications throughout the Middle East..."[27]

With such a build-up in military strength, the Zionists launched their attacks against British personnel and installations as a means of revoking the 1939 White Paper. On 10 October 1944, the Officer Administering the Government and the Commander-in-Chief, Middle East, issued a joint official statement in which they stated that the terrorists and "their active and passive sympathizers are directly impeding the war effort of Great Britain" and "assisting the enemy."

On 17 November 1944, Sir Winston Churchill, then Prime Minister, announced in the House of Commons: "If our dreams for Zionism are to end in the smoke of assassins' pistols and our labours for its future are to produce a new set of gangsters worthy of Nazi Germany, many like myself will have to reconsider the position we have maintained so consistently and so long in the past. If there is to be any hope of a peaceful and successful future for Zionism, these wicked activities must cease and those responsible for them must be destroyed, root and branch."[28]

There is no room here for a complete list of acts of terrorism committed by the Hagana, the Irgun, and the Stern Gang. But the largest single act deserves separate mention: On 22 July 1946, a wing of the King David Hotel in Jerusalem, in which the Government Secretariat and part of the military headquarters were housed,

(26) Government of Palestine, *A Survey of Palestine*, Part I, p. 58.
(27) *Ibid.*, pp. 67-68.
(28) *Ibid.*

was blown up, causing the death of about 100 Government officials — British, Arab and Jewish.[29]

On 24 July 1946, the Mandatory Government declared that the information which was in the possession of His Majesty's Government had led them to the conclusion that "the Hagana and its associated force the Palmach ... have been engaging in carefully planned movements of sabotage and violence under the guise of 'the Jewish Resistance Movement'; that the Irgun Zvei Leumi and the Stern Gang have worked since last Autumn in cooperation with the Hagana High Command on certain of these operations; and that the broadcasting station 'Kol Israel', which claims to be 'the Voice of the Resistance Movement' and which was working under the general direction of the Jewish Agency, has been supporting these organizations."[30] It should be added that full confirmation for these statements was found in Jewish Agency files seized by Government authorities after the blowing up of King David Hotel.

Further confirmation came from Menachem Beigin, the leader of the Irgun. Commenting on Cmd. 6873 of 24 July 1946, he had this to say with regard to secret telegrams exchanged between various Zionist para-military organizations and the Jewish Agency. "These telegrams mysteriously found their way to the British Intelligence, and were seized and decoded by its agents. They were published in a special White Paper by the British Government. I must record that this particular White Paper on 'Violence in Palestine' was one of the few British documents on Palestine that I have read in which there were scarcely any distortions ... Thus, for example, it quotes a broadcast of *Kol Israel* and adds that this broadcast is of particular importance in view of its having been approved by the Head of the Political Department of the Jewish Agency, Mr. Moshe Shertok."[31]

(29) Government of Palestine, *Supplementary Memorandum to UNSCOP*, p. 14.
(30) Cmd. 6873 "...Acts of Violence..."
(31) Beigin, Menachem, *The Revolt* (London, W.H. Allen, 1951), p. 185.

Termination of the Mandate

In 1947, the Mandatory Government made one last attempt to settle the Palestine Problem by suggesting to both Arabs and Jews that British trusteeship over Palestine should continue for another five years with the declared object of preparing the country as a whole for independence.[32]

The Arabs presented their own proposals for independence with guarantees for Jewish minority rights, but these proposals were unacceptable to the British Government; the Jewish Agency, on the other hand, rejected the Government's proposals outright and intensified its terrorist and sabotage activities.

On 18 February 1947, the British Foreign Secretary announced in the House of Commons that His Majesty's Government had found that "the Mandate has proved to be unworkable in practice, that the obligations undertaken to the two communities had been shown to be irreconcilable,"[33] and therefore announced its intention of giving it up.

(32) Cmd. 7088 — "Proposals for the Future of Palestine."
(33) Palestine: *Supplementary Memorandum to UNSCOP,* p. 27.

V. THE PALESTINE PROBLEM BEFORE THE UNITED NATIONS

On 2 April 1947, Britain, as the Mandatory Power, requested the Secretary-General of the United Nations "to place the question of Palestine on the agenda of the General Assembly at its next regular session."[1] And on 21 and 22 April 1947, Egypt, Iraq, Syria, Lebanon and Saudi Arabia requested the Secretary-General to include the following item on the agenda: "The termination of the Mandate over Palestine and the declaration of its independence."[2]

The General Assembly appointed a Special Committee (UNSCOP) to visit Palestine and investigate. The report it submitted on 31 August 1947, consisted of two plans: a *Majority Plan* of partition with economic union, and a *Minority Plan* of a federal state.[3]

The Partition Resolution

The partition resolution expressed as a recommendation, divided Palestine into six principal parts — three of which (56% of the total area) were reserved for a 'Jewish state', and the other three, with the 'enclave of Jaffa' (43%) for an 'Arab state'. Jerusalem and environs (0.65 per cent) was to be an 'international zone' to be administered by the United Nations.[4]

Within the 'Jewish state' all areas owned and/or inhabited by Jews were naturally included. But added to these were large areas owned and inhabited entirely by Arabs, but which were desired

(1) U.N. Document 3/364, Add/1, Annex II, p. 1.
(2) *Ibid.,* Annex II, pp. 1-2.
(3) U.N. Document A/364, Add/1, Vol. I.
(4) See Map 4.

by the Jewish community. For example, Southern Palestine (the Negeb), which comprises half the territory of Palestine, and in which Jewish ownership was less than 1/2% was included in the area assigned to the 'Jewish state'. The 'Arab State', on the other hand, was to include the least possible number of Jews and the smallest amount of Jewish property. As regards population, the 'Jewish state' was to comprise 498,000 Jews and 497,000 Arabs; the 'Arab State' was to include 725,000 Arabs and only 10,000 Jews. The rest of the Arabs and the Jews were to be in the 'international zone' of Jerusalem.

The Arabs rejected the partition on the grounds that it violated the provisions of the United Nations Charter which gives a people the right to decide its own destiny. Arab rejection was also based on the fact that while the population of the 'Jewish state' was to be 50 percent Arab and 50 percent Jewish, with the Jews owning less than 10 per cent of the total land area, the Jews were to be established as the ruling body.

By denying the Palestine Arabs, who formed a clear two-thirds majority of the country, the right to decide their own destiny, the United Nations violated its own Charter. The Partition Plan was also contrary to the principles enunciated in the Atlantic Charter of 12 August 1941, which specified that Britain and the United States "desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned." It added that the two Powers "respect the right of all peoples to choose the form of government under which they will live."

To ensure the passage of the Partition Plan, Zionist pressures inside and outside the United Nations increased. To the American public, the Zionist approach was through the Bible and the sufferings of European Jewry. To those who disapproved of Zionist acts of terror and sabotage in Palestine, the Zionists emphasized that their underground movement was engaged in the same kind of struggle that the American Revolutionists had waged against the very same British imperialist power, and that the establishment of a Jewish

state would be one of the loftiest acts of humanitarianism.[5] To the United States policy-maker, the Zionists waved the 'Jewish vote'.[6]

On the other hand, those United Nations member states, and others, who were opposed to partition, were threatened, intimidated or blackmailed. The Liberian delegate for example, reported to the U.S. State Department that the manner in which he had been approached to support partition amounted to "attempted intimidation".[7] When the vote came, Liberia — like Haiti and the Philippines which also had opposed partition at first — changed its vote to 'yes'.

Arthur Hayes Sulzberger, publisher of the *New York Times,* describing Zionist methods, said publicly: "I dislike the coercive methods of Zionists who in this country have not hesitated to use economic means to silence persons who have different views. I object to the attempts at character assassination of those who do not agree with them."[8]

A leading Zionist, summing up Zionist activities at the time, reported: "Every clue was meticulously checked and pursued. Not the smallest or the remotest of nations, but was contacted and wooed. Nothing was left to chance."[9]

On the eve of the final vote in the General Assembly, the Lebanese Representative appealed to his fellow delegates to resist Zionist pressures. He said: "... I can well imagine to what pressures, to what manœuvres your sense of justice, equity and democracy has been exposed during the last thirty-six hours. I can also imagine how you have resisted all these attempts in order to preserve what

(5) Bethmann, Erich W., *Decisive Years in Palestine 1918-1948* (Washington: American Friends of the Middle East, 1959), p. 35.
(6) Read conversation between U.S. Secretary of Defence James Forrestal and Senator Howard J. McGrath in *The Forrestal Diaries,* edited by Walter Millis (New York: The Viking Press, 1951), pp. 344-345.
(7) Lilienthal, Alfred, *What Price Israel?* (Chicago: Henry Regnery, 1953), p. 64.
(8) *Ibid.,* p. 124.
(9) Neuman, Emanuel, in *American Zionist,* 5 February 1953.

we hold dearest and most sacred in the United Nations, to keep intact the principles of the Charter, and to safeguard democracy and the democratic methods of our Organization." He then reminded them "of these democratic methods, of the freedom in voting which is sacred to each of our delegations. If we abandon this," he said, "for the tyrannical system of tackling each delegation in hotel rooms, in bed, in corridors and ante-rooms, to threaten them with economic sanctions or to bribe them with promises in order to compel them to vote one way or another, think of what our Organization would become in the future."[10]

The misgivings felt by member states which voted for partition were expressed by some of them. The representative of the Philippines said: "My delegation takes part in this final stage in the consideration of the Palestinian problem with profound misgiving;"[11] the Swedish delegate admitted that the plan "has its weak side and some dangerous omissions";[12] the delegate of Canada stated: "We support the plan with heavy hearts and many misgivings";[13] New Zealand's representative talked of the "grave inadequacies of the present proposals";[14] while Belgium's Foreign Minister said: "We are not certain it is completely just; we doubt whether it is practical, and we are afraid that it involves great risks."[15]

On 29 November 1947, the General Assembly adopted the Majority plan of partition of Palestine by a vote of 33 in favour, 13 against with 10 abstentions.[16]

Sir Zafrullah Khan remarked: "We entertain no sense of grievance against those of our friends and fellow representatives who have been compelled, under heavy pressure, to change sides

(10) Official Records of Second Session of General Assembly, Vol II, p. 1314.
(11) *Ibid.*, pp. 1313-1314.
(12) *Ibid.*, p. 1312.
(13) *Ibid.*, p. 1319.
(14) *Ibid.*, p. 1357.
(15) *Ibid.*, p. 1365.
(16) U.N. Resolution 181 (II) of 29 November 1947.

and to cast their votes in support of a proposal the justice and fairness of which do not commend themselves to them. Our feeling for them is one of sympathy that they should have been placed in a position of such embarrassment between their judgment and conscience, on the one side, and the pressure to which they and their Governments were being subjected, on the other."[17]

Jewish-American author, Alfred Lilienthal, in describing the manner in which the partition resolution was obtained, wrote: "The United Nations dealt a severe blow to the prestige of international law and organization by its hasty, frivolous and arrogant treatment of the Palestine question. The General Assembly turned down the only reasonable suggestions — a referendum in Palestine and submission of the legal problems to the International Court of Justice."[18]

The part played by the United States — Government and people - in bringing about a majority vote in the General Assembly, is described below:

1. *Congressman Lawrence H. Smith* declared in the U.S. Congress: "Let's take a look at the record, Mr. Speaker, and see what happened in the United Nations Assembly meeting prior to the vote on partition. A two-thirds vote was required to pass the resolution. On two occasions the Assembly was to vote and twice it was postponed. It was obvious that the delay was necessary because the proponents (the U.S.A. and the U.S.S.R.) did not have the necessary votes. In the meantime, it is reliably reported that intense pressure was applied to the delegates of three small nations by the United States member and by officials 'at the highest levels in Washington'. Now that is a serious charge. When the matter was finally considered on the 29th, what happened? The decisive votes for partition were cast by Haiti, Liberia and the Philippines. These votes

(17) Official Records of Second Session of General Assembly, Vol. II, p. 1426.
(18) Lilienthal, *What Price Israel?* pp. 73-74.

were sufficient to make the two-thirds majority. Previously, these countries opposed the move . . . The pressure by our delegates, by our officials, and by the private citizens of the United States constitutes reprehensible conduct against them and against us."[19]

2. *Journalist Drew Pearson* explained in his 'Merry-Go-Round' column that in the end "a lot of people used their influence to whip voters into line. Harvey Firestone, who owns rubber plantations in Liberia, got busy with the Liberian Government; Adolphe Berle, Advisor to the President of Haiti, swung that vote... China's Ambassador Wellington Koo warned his Government... The French Ambassador pleaded with his crisis-laden Government for partition."

   "Few knew it," he wrote after the vote, "but President Truman cracked down harder on his State Department than ever before to swing the United Nations vote for the partition of Palestine. Truman called Acting Secretary Lovett over to the White House on Wednesday and again on Friday warning him he would demand a full explanation if nations which usually line up with the United States failed to do so on Palestine..."[20]

3. *Under-Secretary of State* Sumner Welles affirmed, "By direct order of the White House, every form of pressure, direct or indirect, was brought to bear by American officials upon those countries outside the Moslem world that were known to be either uncertain or opposed to partition. Representatives or intermediaries were employed by the White House to make sure that the necessary majority would at least be secured."[21]

(19) U.S. Congressional Record, 18 December 1947, p. 1176.
(20) Quotations from Drew Pearson. Reproduced in *Chicago Daily Tribune*, 9 February 1948, Part 2, 8:1.
(21) Welles, Sumner, *We Need not Fail* (Boston: Houghton Mifflin, 1948), p. 63.

4. *James Forrestal*, then Secretary of Defence, stated "The methods that had been used... to bring coercion and duress on other nations in the General Assembly bordered closely onto scandal."[22]

The United Nations reconsiders Partition

The General Assembly recommended *what* should be done with Palestine; it did not prescribe *how* its recommendation should be carried out.

After the voting of the Partition Resolution, disorders broke out in the country — the Arabs calling for a three-day strike and demonstrations as a sign of protest; the Jews celebrating their political victory. During the first one hundred days, it is estimated that 1,700 persons on both sides lost their lives.

The United Nations became alarmed at the violence which its recommendation had started. The Security Council met on 19 March 1948, to consider the situation. The United States representative informed the Council that "since it had become clear that the Assembly resolution could not be implemented by peaceful means and that the Security Council would not be prepared to implement it, the Council should recommend a temporary trusteeship for Palestine under the Trusteeship Council; further, the Council should request the convocation of a special session of the General Assembly, and, pending the meeting of the special session, should instruct the Palestine Commission to suspend its efforts to implement the Partition Plan."[23]

On 24 March 1948, the representative of the Jewish Agency warned the Council that "the Jewish people would oppose any proposal designed to prevent or postpone the establishment of the Jewish State; that they rejected a trusteeship regime for Palestine;

(22) Millis, Walter, Ed., *The Forrestal Diaries*, (New York: The Viking Press, 1951), p. 363.
(23) U.N. Document A/565—Official Records of Third Session of the General Assembly, pp. 5-6 and 8-9.

that the provisional council of government of the Jewish State should be recognized by the Palestine Commission without delay; and that upon the termination of the Mandatory Administration, and not later than 16 May 1948, a Provisional Jewish government would commence to function in cooperation with the representative of the United Nations in Palestine."[24]

Zionists attack Palestine Arabs

To frustrate any attempt which the Security Council might make to render the partition resolution void, the Zionists decided to take the law into their own hands and to confront the United Nations with a *fait accompli.* Attacks were launched by the well-organized and well-equipped Hagana and its two splinter groups — the Irgun Zvei Leumi and the Stern Gang — on the Arab inhabitants.

"It was the Jewish policy," wrote Major Edgar O'Ballance, "to encourage the Arabs to quit their homes," and "they ejected those who clung to their villages;"[25] But the incident which accelerated the panic flight of the Arab inhabitants was the massacre of 250 men, women and children at Deir Yasin village on 9 April 1948. Jewish author Jon Kimche described the attack as "the darkest stain on the Jewish record;"[26] Dov Joseph, former Israeli Minister of Justice, said it was a "deliberate and unprovoked attack;"[27] while British historian Arnold Toynbee compared it "to crimes committed against the Jews by the Nazis."[28] Menachem Beigin, the leader of the attack wrote there would not have been a state of Israel without the 'victory' at Deir Yasin.[29]

(24) *Ibid.*
(25) O'Ballance, Edgar, *The Arab-Israeli War, 1948,* (New York: F.A. Praeger, 1957), p. 64.
(26) Kimche, Jon, *The Seven Fallen Pillars,* (New York: F.A. Praeger, 1953), p. 228.
(27) Joseph, Dov, *The Faithful City: Siege of Jerusalem, 1948,* (New York: Simon & Schuster, 1960), p. 71.
(28) Toynbee, Arnold, *A Study of History,* (London: Oxford University Press, 1953-1954), Vol. VIII, p. 290.
(29) Beigin, Menachem, *The Revolt: Story of the Irgun,* (New York: Henry Schuman, 1951), pp. 162 ff.

That the Zionists started war on the Palestine Arabs before the creation of the state of Israel is confirmed by the two outstanding Zionist leaders:

1. David Ben Gurion said: "As April (1948) began, our War of Independence swung decisively from defence to attack."[30] "Field troops and Palmach in particular were (thus) deployed and quickly showed the mettle that was soon to animate our army and bring it victory. In operation *Nachshon* the road to Jerusalem was cleared at the beginning of April, almost all of New Jerusalem occupied, and the guerillas were expelled from Haifa, Jaffa, Tiberias, Safad while still the Mandatory was present. The Hagana did its job; until a day or two before the Arab invasion not a settlement was lost, no road cut... Arabs started fleeing from the cities almost as soon as disturbances began in the early days of December (1947)..."[31]

2. Menachem Beigin, leader of the Irgun Zvei Leumi terrorist group, tells how "In Jerusalem, as elsewhere, we were the first to pass from the defensive to the offensive... Arabs began to flee in terror... Hagana was carrying out successful attacks on other fronts, while all the Jewish forces proceeded to advance through Haifa like a knife through butter. The Arabs began to flee in panic shouting 'Deir Yasin!'"[32] He added: "In the months preceding the Arab invasion, and while the five Arab States were conducting preparations, we continued to make sallies into Arab territory. The conquest of Jaffa stands out as an event of first-rate importance in the struggle for Hebrew independence early in May, on the eve of the invasion by the five

(30) Ben Gurion, David, *Rebirth and Destiny of Israel* (New York: The Philosophical Library, 1954), p. 296.
(31) *Ibid.,* pp. 291-292.
(32) Beigin, *The Revolt: Story of the Irgun,* p. 162.

Arab States..."[33]

The following is a list of the major attacks, occupations and expulsions which took place *before* the British left on 14 May 1948, *before* a single soldier from any Arab State entered Palestine.

(a) *In the territory reserved for the 'Arab state'*
The Arab villages of Qazaza,Salameh, Saris, Qastal, Biyar 'Adas and the towns of Jaffa and Acre were attacked and occupied in the period between December 1947 and mid-May 1948.

(b) *In the territory assigned to the 'Jewish state'*
The Arab inhabitants of the towns of Tiberias, Haifa, Safad and Beisan, and of hundreds of Arab villages, were attacked and either made to flee or were expelled prior to 15 May 1948.

(c) *Within the area reserved for 'Jerusalem International Zone'*
The massacre of Deir Yasin took place on 9 April 1948, and the Arab quarter of Katamon was attacked and occupied on 29 April 1948.

During this six-month period, some 400,000 Palestinian Arabs were driven out of their homes and became refugees. In other words, more than half the Arabs who became refugees had been expelled or made to flee *before* May 15, the day the Arab armies entered Palestine.

(33) *Ibid.*, p. 348.

VI. THE ISRAELI-ARAB WAR, CEASE-FIRE, ARMISTICE

Entry of Arab armies into Palestine

On 15 May 1948, the Mandate over Palestine came officially to an end, and the British High Commissioner and Administration withdrew from the country. The United Nations took no measures to ensure law and order pending a final decision on 'the future government of Palestine'.[1]

Chaos followed as hundreds of thousands of Palestinian Arab refugees continued to pour across the borders into adjacent Arab countries. Unprepared for such an emergency, the Arab States were faced with political, economic and social problems beyond their means to cope with. It was at this stage and in order to protect the Palestine Arabs that the Arab armies entered Palestine.

On 14 May 1948, the Secretary-General of the League of Arab States cabled the Secretary-General of the United Nations informing him that the Arab States "were compelled to intervene for the sole purpose of restoring peace and security and of establishing law and order in Palestine..." Their intervention was also "to prevent the spread of disorder and lawlessness into the neighbouring Arab lands; and to fill the vacuum created by the termination of the Mandate."[2]

The Cease-Fire

On 22 May 1948, after one week of inconclusive fighting the

(1) On 1 April 1948, the Security Council, in Resolution No. 44, requested the Secretary-General, in accordance with Article 20 of the U.N. Charter, "to convoke a special session of the General Assembly to consider further the question of the future government of Palestine." U.N. Document S/714, II. The special session was never convoked.
(2) U.N. Library Document UN. 956.9 — A/658.

Security Council adopted a resolution calling upon "all governments and authorities, without prejudice to the rights, claims or positions of the parties concerned, to abstain from any hostile military action in Palestine, and to that end to issue a cease-fire order to their military and para-military forces."[3] On 29 May 1948, a second directive was issued, this time calling on the parties "to undertake that they will not introduce fighting personnel" into the area "during the cease-fire." The parties were also ordered "to refrain from importing or exporting war material" into the area "during the cease-fire."[4]

Later events proved that the Arab States complied with the cease-fire orders of the Security Council but the Israelis did not. Jon Kimche writes: "Israeli emissaries scoured the whole of Europe and America for possible supplies. American Jews were contributing generous supplies of dollars and the arms merchants were prepared to deal for dollars. The Czechs were most helpful. A regular airlift began to operate from Prague to 'Aqir in southern Palestine. Rifles, ammunition and guns were now arriving. So were the first bombers — Flying Fortresses smuggled from the United States — and the Beaufort fighter-bombers trickled out of England... When the truce ended, a coherent Jewish army with a tiny but effective air force and a small and daring navy was ready to give battle."[5]

On 10 June 1948 — during the period of the truce — David Ben Gurion declared: "...Our bounds are set wider, our forces multiply, and we are administering public services, and daily new multitudes arrive... All that we have taken we shall hold. During the cease-fire, we shall organize administration with fiercer energy, strengthen our footing in town and country, speed up colonization and *Aliyah* [immigration], and look to the army."[6]

Appointment of a United Nations Mediator

Count Folke Bernadotte was appointed U.N. Mediator and

(3) U.N. Document S/773 — Resolution 49 of 22 May 1948.
(4) U.N. Document S/801 — Resolution 50 of 29 May 1948.
(5) Kimche, *The Seven Fallen Pillars,* pp. 249-250.
(6) Ben Gurion, *Rebirth and Destiny of Israel,* p. 247.

entrusted with the task of bringing peace between the parties. On 17 September 1948, Count Bernadotte, together with his French aide Colonel Serot were assassinated in the Israeli-held part of Jerusalem by men wearing the uniform of the Israeli army. Moshe Menuhin, commenting on the assassination, said: "And thus Israel got away with murder. The United Nations demanded that Israel bring the assassins to justice; the answer was that she could not find the murderers. Count Bernadotte was the first martyr in the service of the United Nations reconciliation efforts in Palestine — a saint to the Arabs and, perhaps as is usually the case, an anti-Semite in the eyes of the fanatical 'Jewish' political nationalists. The saddest part is that Count Bernadotte's plan was the only answer to the Arab-Israeli War."[7]

In his final report, submitted one day before his assassination, Count Bernadotte drew the attention of the General Assembly to the fact that "no settlement can be just and complete if recognition is not accorded to the right of the Arab refugee to return to the home from which he has been dislodged by the hazards and strategy of the armed conflict between Arabs and Jews in Palestine." He warned: "It would be an offence against the principle of elemental justice if these innocent victims of the conflict were denied the right of return to their homes while Jewish immigrants flow into Palestine, and indeed, at least offer the threat of permanent replacement of the Arab refugees who have been rooted in the land for centuries."

On the question of what he described as the Zionist "large scale looting, pillaging and plundering, and of instances of destruction of villages without apparent military necessity," Count Bernadotte emphasized that "the liability of the Provisional Government of Israel to restore private property to its Arab owners and to indemnify those owners for property wantonly destroyed is clear."[8]

(7) Menuhin, Moshe, *The Decadence of Judaism in Our Time* (New York: Exposition Press, 1965), pp. 129-130.
(8) U.N. Document A/648 — *Report of U.N. Mediator,* p. 14.

Signing of the Armistice

Fighting was resumed on July 9th, 1948, for 9 days. A second cease-fire was called for by the Security Council and accepted on July 18th. Then, on 16 November, 1948, the Security Council adopted a resolution calling upon the parties to conclude an armistice which should include:

"(a) The delineation of permanent armistice demarcation lines beyond which the armed forces of the respective parties shall not move;

"(b) Such withdrawal and reduction of their armed forces as will ensure the maintenance of the armistice during the transition to permanent peace in Palestine."[9]

Armistice Agreements were accordingly concluded between Israel and Egypt, on 24 February; Israel and Lebanon, on 23 March; Israel and Jordan, on 3 April; and Israel and Syria, on 20 July 1949.[10]

As a result of these Agreements, Israel came into control of about 8,000 square miles of territory out of a total of 10,435 square miles, or 77.40% instead of the 56.47% allotted to the 'Jewish state' under the Partition Plan. Jewish land-holdings in the whole territory under Israeli control were only 360,941 acres (or 7.23%) out of a total of 5,104,505 acres.

The Israelis then argued that, with the signing of the Armistice Agreements, the Arab States could no longer claim the right of 'belligerency', hoping in this way to force the Arab States to a permanent peace on the basis of the *fait accompli*. The Arab States, on the other hand, maintained that 'a state of war' still existed between the Israelis and the Arab States, basing their attitude on the fact

(9) U.N. Resolution 62 (1948) of 16 November 1948 — U.N. Document S/1080.

(10) U.N. Documents S/1264/Rev. 1; S/1296/Rev. 1; S/1302/Rev. 1; and S/1353/Rev. 1. For map of 'Armistice Demarcation Lines', see *Map 5*.

that, according to international law, "armistices or truces in the wider sense of the term, are all agreements between belligerent forces for a temporary cessation of hostilities. They are in no wise to be compared with peace and ought not to be called temporary peace, because the condition of war remains between belligerents and neutrals, on all points beyond the mere cessation of hostilities."[11]

The more important provisions of the Agreements were:

1. The armistice was intended to "facilitate the transition from the present truce to permanent peace in Palestine."

2. The basis on which permanent peace would be established, including primarily the question of "the future government of Palestine," was still the subject of "consideration" by the General Assembly "in response to the request of the Security Council of 1 April 1948,"[12] and were not therefore to be defined by the Armistice Agreements themselves.

3. The Armistice Agreements were designed merely to: (a) delineate armistice demarcation lines; and (b) agree on "withdrawal and reduction of armed forces" to "ensure the maintenance of the armistice."

Each Agreement also included the proviso: "It is also recognized that no provision of this Agreement shall in any way prejudice the rights, claims and positions of either party hereto in the ultimate peaceful settlement of the Palestine question; the provisions of this Agreement being dictated exclusively by military, and not by political, considerations."

The Armistice Agreements with Egypt and Syria provided for four 'demilitarized zones' — three in the north on the borders of

(11) Oppenheim, L., *International Law* (London; Longmans, Green & Co., 1963), Lauterpacht Editions, Vol. II, pp. 546-547.

(12) Security Council Resolution 44 of 1 April 1948 — U.N. Document S/714, II.

Syria, and the El-Auja area in the south on the borders of the Sinai Peninsula.

The Agreement with Jordan provided for four 'No-Man's Land' areas — one on Jabal el-Mukabbir in Jerusalem comprising what used to be the residence of the British High Commissioner and later occupied by the United Nations Truce Supervision Organization; the second, the Hadassah Hospital-Hebrew University area on Mount Scopus; the third, a strip of land in Jerusalem separating the Israeli from the Jordan sectors of the City; and the fourth, an area of some 15,000 acres of agricultural land in the Latrun region on the Jaffa-Jerusalem road.

From the point of view of international law, demilitarization is a security measure of limited scope, established by treaty between two or more states, its purpose usually being — according to Oppenheim — "to prevent war by removing the opportunity of conflict as the result of frontier incidents, or to gain security by prohibiting the concentration of troops on a frontier."[13]

The Agreements assigned two roles to the 'demilitarized zones': one was the separation of the armed forces of the two parties "in such a manner as to minimize the possibility of friction and incident," and the second the provision for "the gradual restoration of normal civilian life in the area of the demilitarized zone, without prejudice to the ultimate settlement."[14]

The principal aspect of the Armistice Agreements — namely that they are not political documents but military instruments designed to remove friction between belligerents — is of major significance. The Agreements do not establish peace, though they are meant to facilitate the transition to peace. Nor do they legalize Israel's territorial occupation of 1948, since they merely delineate 'armistice demarcation lines'. Arab strict respect for these Agreements and insistence that they still constitute the operative legal

(13) Oppenheim, *International Law*, p. 244 (n. 1).
(14) U.N. Document S/1353/Rev. 1 — Israeli-Syrian Armistice Agreement.

instrument defining relations between the signatories is a fact that ought to be remembered.

In contrast, in many small ways and on several major occasions (including the campaigns of 1956 and 1967) the Israelis have not only violated the Agreements but have unilaterally even declared them inoperative and dead. Having in 1948 expanded illegally beyond what the Partition Plan had given them in 1947, and, having since the signature of the Agreements expanded beyond the demarcation lines, the Israelis have good reason to ignore the Partition Plan and the Agreements alike, and to try to make the world forget them, since these documents reveal Israel's expansionism. What is therefore surprising is the lack of concern by many of the members of the U.N. in the face of Israel's arrogant disrespect for U.N. resolutions and disrespect for her own signature affixed to the Agreements.

Conciliation Efforts and the Lausanne Protocol

On 16 September 1948 — one day before his assassination — Count Folke Bernadotte presented to the General Assembly his final recommendations for a solution of the Palestine question. His main point was his insistence on the need for prompt and firm action by the United Nations. He then recommended that the refugees must be allowed to return to their homes and be compensated for losses of or damage to property. He also recommended the modification of the Partition Plan in such a way as to include the *Negeb* in the 'Arab state' area, and in return, *Galilee and the enclave of Jaffa* in the 'Jewish state'.[15] His intention was apparently to give each side a solid and homogeneous block of territory, instead of the cross-overs, pockets and corridors in the Partition Plan. The towns of Lydda and Ramle were to return to the Arabs, and Jerusalem was to be placed under United Nations jurisdiction.

The report caused much consternation among the Israelis, and

(15) U.N. Document A/648.

they formally refused it.[16] Bernadotte was highly respected in international circles, and the Israelis feared that his recommendations would receive universal support. His murder removed the danger of approval of his recommendations.

On 11 December 1948, the General Assembly established a Conciliation Commission for Palestine and, among other things, instructed it "to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them."[17]

The Commission began its functions by first meeting in Beirut, Lebanon, and later in Lausanne, Switzerland. It reported to the General Assembly that "the exchange of views ... must be considered not only as bearing upon one of the specific tasks entrusted to the Commission by the General Assembly resolution of 11 December 1948, such as the refugee question or the status of Jerusalem, but also as bearing upon its general task of conciliation of the points of view of the parties with a view to achieving a final settlement of all questions outstanding between them."[18]

The Commission also reported that it had presented the parties with a Protocol "which would constitute the basis of work" and asked them to sign it. The 'Protocol', signed at Lausanne by both parties on 12 May 1949, states that the Commission, "has proposed to the delegations of the Arab States and to the delegation of Israel that the working document attached hereto (map of partition) be taken as a basis for discussions with the Commission." The Commission added that "the interested delegations have accepted this proposal ..."[19]

(16) See the statement by the Israeli representative to the United Nations, U.N. Official Records of First Committee of 3rd session, 23 and 29 November 1948.
(17) U.N. Resolution 194 (III) of 11 December 1948.
(18) U.N. Document A/927 of 21 June 1949. The resolution of 11 December 1948, deals with the repatriation and compensation of the refugees (paragraph 11).
(19) *Ibid.*, para. 10 and annex.

The Commission went on to report that when it then asked the two parties to make known their views on outstanding questions, the delegation of Israel submitted proposals regarding the territorial question, according to which it demanded that the international frontiers of Mandatory Palestine be considered the frontiers of Israel, with one provisional and temporary exception, namely, the central area of Palestine then under Jordanian military authority, in which the Israelis consented to "recognize the Hashemite Kingdom of Jordan as the *de facto* military occupying Power, "without entering into the future status of the area" for the time being.[20]

It is worth recording that during the debate on the report of the U.N. Mediator in November 1948, it was the Israeli representative who strongly objected to any alteration in the boundaries as resolved in the Partition Resolution of 1947. He argued that "It was logical that any conciliation effort should make the 29th November resolution its basis." At a subsequent meeting, the Israeli representative said: "In the view of his delegation, the Assembly's resolution of 29th November 1947, is a valid international instrument of international law, while the conclusions in the Mediator's report were merely the views of a distinguished individual which were not embodied in any decision of a United Nations organ."[21]

It is reasonable to assume that the Palestine Conciliation Commission accepted the Israeli argument when it suggested to the parties that the Partition Plan be taken as the basis for discussion; and when the Arab States had agreed, the Commission saw hopes for a settlement. Hardly six months later, Israel, ignoring her earlier stand, asked for all the territory occupied by force.

The Arab delegations protested Israel's repudiation of the terms of the 'Protocol' signed on 12 May 1949. The Israeli delegation retorted, "It could not accept a certain proportionate distribution of territory agreed upon in 1947 as a criterion for a territorial settle-

(20) *Ibid.*, paras. 24-29.
(21) U.N. Official Records of First Committee of Third Session, 23 and 29 November 1948.

ment in the present circumstances."[22] The discussions terminated and the Commission retired to New York.

The Israelis themselves later admitted that their signing of the 'Lausanne Protocol' had been connected with their application for membership of the United Nations. Israel's first application had been rejected in December 1948, because it was then felt that the 'Jewish State' did not fulfil the requirements of the United Nations Charter. At that time, the Israelis had encroached upon, and were still in occupation of, territory assigned to the proposed 'Arab State' and the 'International Zone of Jerusalem'.

In 1949, the Israelis again sought admission. Concurrently, the Conciliation Commission was conducting negotiations for a settlement in Lausanne, Switzerland. The signing of the 'Lausanne Protocol' on 12 May 1949, coincided almost to the hour with the approval of Israel's admission into membership of the United Nations on 11 May 1949, if the time difference between Lausanne and New York is taken into account. The signature, of which member-states of the General Assembly were informed, gave the impression that the Israelis were now ready to surrender the extra territory occupied beyond that assigned to the 'Jewish State' under the Partition Plan, and to allow the Palestine Arabs to return to their homes.

The Israelis made no secret of the strategy they adopted at the time. They admitted that "some members of the United Nations wished at this opportunity to test Israel's intentions with regard to the refugees, boundaries and Jerusalem issues, before approving its application for admission. In a way, Israel's attitude at the Lausanne talks aided its delegation at Lake Success [U.N. Headquarters at the time] to obtain the majority required for admission."[23]

Of all states admitted into membership since the establishment of the United Nations, Israel was the only state that was accepted on the understanding that specific resolutions of the General Assembly would be implemented. The Preamble of the resolution of admission included a safeguarding clause: "*Recalling* its resolution of 29 November 1947 [on partition] and 11 December 1948 [on repatriation and compensation], and taking note of the declarations and explanations made by the representative of the Government of Israel before the *Ad Hoc* Political Committee in respect of the implementation of the said resolutions, the General Assembly . . . *decides* to admit Israel into membership in the United Nations."[24]

(22) U.N. Document A/927 of 21 June 1949, Paris 24-29.
(23) *Israeli Government Yearbook 1950,* pp. 140-142.

On the question of Jerusalem, the General Assembly called upon the states concerned in 1949 to submit to United Nations authority "in the light of their obligations as members of the United Nations."[25] The Israeli answer was to transfer their parliament and government from Tel Aviv to Jerusalem and to declare the City their capital, in defiance of U.N. orders. In response to the request of the Trusteeship Council "to revoke these measures and to abstain from any action liable to hinder the implementation of the General Assembly resolution of 9 December 1949,"[26] the then Prime Minister, David Ben Gurion, countered with a declaration: "The United Nations . . . saw fit . . . this year to decide that our eternal city should become a *corpus separatum* under international control. Our rebuttal of this wicked counsel was unequivocal and resolute: The Government and Knesset at once moved their seat to Jerusalem, and made it Israel's crown and capital, irrevocably and for all men to see."[27]

Israel's disregard of U.N. resolutions — in this instance relating to Jerusalem — is identical with her much more recent disregard of resolutions S/RES/242 (1967) of 22 November 1967, and S/RES/252 (1968) of 21 May 1968, regarding withdrawal from territories occupied in the June 1967 war and cancellation of illegal annexation measures taken with respect to Jerusalem.

(24) U.N. Resolution 273 (III) of 11 May 1949.
(25) Resolution 303 (IV) of 9 December 1949 — U.N. Document A/1251 & Corr. 1 and 2.
(26) Resolution 114 (S-2) of 20 December 1949.
(27) Ben Gurion, *Rebirth and Destiny of Israel,* p. 362.

The chain begins with Israel's disregard for the Partition Plan which gave her statehood, followed by her cynical repudiation of her acceptance of the Lausanne Protocol, then by her numerous and serious violations of the Armistice Agreements, also duly signed by Israel and the neighbouring Arab States, and finally by her refusal to accept the U.N. resolutions, annually repeated after 11 December 1948, regarding frontiers and the return of the refugees. This record explains why the Arabs refuse to negotiate with Israel. Their disbelief in Israel's good will — a disbelief based on ample experience, and Israel's advance refusal to budge on the very issues around which any negotiation is to center, plus Israel's consistent failure to abide by U.N. resolutions, explain and justify the Arab stand. Recent experience since June 1967, is fully in line with experience preceding June. The weight of the evidence suggests that Israel uses the "desire to negotiate" as a cynical propaganda ploy. And, in any case, the Arabs believe they have already lost too much to risk losing more through negotiation.

VII. THE ARAB REFUGEES

Number of Arabs affected by creation of Israel

The number of Arabs who had left their homes by 14 May 1948, was in the neighbourhood of 400,000. By the time the last Armistice Agreement had been signed, another 350,000 had been forced to leave the country, bringing the total number of refugees who had been expelled from their homes inside Israel to some 750,000.

According to the 1966-1967 report of the United Nations Relief and Works Agency (UNRWA), the number of refugees registered with the Agency as on 31 May 1967, had risen, through natural population increase, to 1,344,576, of whom 860,951 were in receipt of rations.[1]

These figures do not include, however, Palestinians who have lost their means of livelihood but not their homes, and as such, do not qualify for relief according to UNRWA regulations. Also they do not include persons who have been able to re-establish themselves in neighbouring Arab countries without outside help and therefore are not in need of relief; or Palestinians who are now scattered throughout the world. The total number of Palestinian Arabs on the eve of the War of June 1967, was some 2,350,000. The approximate breakdown of this total follows:

	In 1000's
1. Refugees, whether or not on relief	1,345
2. Non-refugee population of the West Bank	475

(1) U.N. Document A/6713—UNRWA Report 1966-1967.

3. Non-refugee population of Gaza Strip		130
4. Persons never listed as refugees, living outside Jordan and Gaza		100
5. Arabs staying in Israel since May 1948		300
	Total	2,350

The U.N. Resolution on the Right of Return

On 11 December 1948, the United Nations General Assembly met to consider the report of the late U.N. Mediator Count Bernadotte, and, among other things, resolved "that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest possible date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible."[2]

On 14 December 1950, the General Assembly met once again, and this time adopted a resolution *"noting with concern* that agreement has not been reached . . . repatriation, resettlement, economic and social rehabilitation of the refugees and the payment of compensation have not been effected, *recognizing* that . . . the refugee question should be dealt with as a matter of urgency . . . *directs* the United Nations Conciliation Commission for Palestine to . . . continue consultations with the parties concerned regarding measures for the protection of the rights, property and interests of the refugees."[3]

Between 1950 and 1967, eighteen resolutions were adopted by the General Assembly affirming and reaffirming annually the right of the refugees to repatriation or compensation under the provisions of paragraph 11 of the resolution of 11 December 1948.[4] The Israelis continue to refuse implementation and to demand resettlement of the refugees in Arab countries.

(2) U.N. Resolution 194 (III) of the December 1948, Para. 11.
(3) U.N. Resolution 394 (V) of 14 December 1950, Para 2 (C).
(4) For numbers and dates of resolutions, see *United Nations Resolutions on Palestine 1947-1966,* ed. Sami Hadawi, (Beirut: Institute for Palestine Studies), pp. 73-111.

The Israeli position is contrary both to the desire of the refugees, who in their overwhelming majority want to return to their homes and homeland, and to specific U.N. resolutions affirming the refugees' right to return. The attitude of the refugees, on the one hand, and of Israel, on the other hand, need defining and exploring here.

Attitude of the Refugees

There is a myth current outside the Arab world that the refugees would accept to be resettled where they are, outside Palestine, and that it is the Arab governments that block resettlement for political reasons. This is the reverse of the truth. The Arab governments refuse resettlement because the refugees refuse it, not the other way round.

The attitude of the refugees has been made clear and has remained unaltered since 1948—namely, insistence on implementation of their right to return. It is true that the Arabs in the host countries are "brother Arabs" and that they and their governments have been hospitable to the refugees. It is true that land and work—all the material needs of life—could be found for them outside Palestine. What they insist on as a right, is to live in their own country, with a sense of collective identity as Palestinians.

Successive directors of UNRWA (the U.N. agency which looks after the refugees) have acknowledged the desire of the vast majority of refugees to return. This desire was no less strong and compelling in 1967 than it had been in 1948, and it is even stronger today after the expulsion by Israel of a few hundred thousand more since the June 1967 war.

(1) Ten years ago one UNRWA Director in reporting to the General Assembly said: "...the great mass of the refugees continues

to believe that a grave injustice has been done to them and to express a desire to return to their homeland."[5]

(2) Another report stated: "All that he [the new Commissioner-General of UNRWA Mr. Laurence Michelmore,] has so far seen and heard since assuming his present responsibilities *confirms the view recorded in previous reports* that the refugees in general strongly maintain their insistence on the idea and aspiration of returning to their homes ... The refugees have also expressed the wish that they should be enabled to receive redress for the loss they have suffered without prejudicing their claims to repatriation or any other political rights mentioned in resolution 194 (III). The modalities of implementing that paragraph of the General Assembly resolution may be differently conceived by the refugees, but *what is not in doubt is that their longing to return home is intense and widespread...*" The refugees "express their feeling of embitterment at their long exile and at the failure of the international community, year after year, to implement the resolution so often reaffirmed. They feel that they have been betrayed and their resentment is directed not only against those whom they regard as the chief authors of their exile, but also against the international community at large whom they hold responsible, for the partition and loss of their homeland, which they regard as an offence against natural justice."[6]

(3) In 1966, the Commissioner-General, Mr. Michelmore, emphasized: "*As year succeeds year, there is no sign that the refugees are becoming any less embittered* by their conviction that a grave injustice has been done to them through the loss of their homes and country and the continued deprivation of any benefit from the property they left behind. The implications for peace and stability in the Middle East of the continued existence of the Palestine refugee problem thus remains as grave as ever."[7]

(5) U.N. Document A/3686—UNRWA Report 1956-1957.
(6) U.N. Document A/5813—UNRWA Report 1963-1964. Emphasis added.
(7) U.N. Document A/6313—UNRWA Report 1965-1966. Emphasis added.

Israel Refuses Responsibility

To justify their rejection of United Nations directives to repatriate and compensate the refugees, the Israelis invented the myth that the Arabs left of their own accord under the orders of their leaders, and that they were not driven out. This being so, the Israelis claim, the refugees have forfeited their right to return and to their property.

Whether the Arabs left voluntarily or otherwise, their rights to freedom of movement and property ownership are governed by the Universal Declaration of Human Rights to which Israel is a signatory. Article 13 (2) provides that "Everyone has the right to leave any country, including his own, and to return to his country"; and Article 17 (2) prescribes that "No one shall be arbitrarily deprived of his property."

However, the following testimonies from neutral and Jewish sources prove that the Palestine Arabs did not leave of their own free will, nor at the orders of their own leaders.

(1) *Erskine B. Childers,* British writer, reported in 1961: "Examining every official Israeli statement about the Arab exodus, I was struck by the fact that no primary evidence of evacuation orders (by Arabs) was ever produced. The charge, Israel claimed, was 'documented'; but where were the documents? There had allegedly been Arab radio broadcasts ordering the evacuation, but no dates, names of stations, or texts of messages were ever cited. In Israel in 1958, as a guest of the Foreign Office and therefore doubly hopeful of serious assistance, I asked to be shown the proofs. I was assured they existed, and was promised them. None had been offered when I left, but I was assured again. I asked to have the material sent to me. I am still waiting."

Childers went on: "I next decided to test the undocumented charge that the Arab evacuation orders were broadcast by Arab radio—which could be done thoroughly because the B.B.C. monitored

all Middle Eastern broadcasts throughout 1948. The records, and companion ones by a U.S. monitoring unit, can be seen at the British Museum. There was not a single order or appeal, or suggestion about evacuation from Palestine from any Arab radio station, inside or outside Palestine, in 1948. There is repeated monitored record of Arab appeals, even flat orders to the civilians of Palestine to stay put. To select only two examples: On April 4, as the first great wave of flight began, Damascus Radio broadcast an appeal to everyone to stay at their homes and jobs. On April 24, with the exodus now a flood, Palestine Arab Leaders warned that 'Certain elements and Jewish agents are spreading defeatist news to create chaos and panic among the peaceful population. Some cowards are deserting their houses, villages and cities ... Zionist agents and corrupt cowards will be severely punished'. Even Jewish broadcasts (in Hebrew) mentioned such Arab appeals to stay put. Zionist newspapers in Palestine reported the same; none so much as hinted at any Arab evacuation order."[8]

(2) *Sir John Bagot Glubb,* former Officer Commanding the Arab Legion, said: "The story which Jewish publicity at first persuaded the world to accept, that the Arab refugees left voluntarily, is not true. Voluntary emigrants do not leave their homes with only the clothes they stand in. People who have decided to move house do not do so in such a hurry that they lose other members of their family—husband losing sight of his wife, or parents of their children. The fact is that the majority left in panic flight, to escape massacre. They were in fact helped on their way by the occasional massacres—not of very many at a time, but just enough to keep them running."[9]

(3) *Professor Arnold Toynbee,* British historian, wrote: "If

(8) From an article entitled 'The Other Exodus', published in the *London Spectator,* 12 May 1961. The same finding was made independently by Mr. Walid Khalidy after research undertaken at the British Museum. See Walid Khalidy in *The Middle East Forum,* Beirut, December 1959; and in *Arab Review,* London, January 1960.

(9) Glubb, *A Soldier with the Arabs,* p. 251.

the heinousness of sin is to be measured by the degree to which the sinner is sinning against the light that God has vouchsafed to him, the Jews had even less excuse in A.D. 1948 for evicting Palestinian Arabs from their homes than Nebuchadnezzar and Titus and Hadrian and the Spanish and Portugese Inquisitions had had for uprooting, persecuting and exterminating Jews in Palestine and elsewhere at diverse times in the past. In A.D. 1948 the Jews knew, from personal experience, what they were doing; and it was their supreme tragedy that the lesson learned by them from their encounter with the Nazi Gentiles should have been not to eschew but to imitate some of the evil deeds that the Nazis had committed against the Jews."[10]

(4) *Professor Erich Fromm,* a noted Jewish writer and thinker, had this to say: "It is often said that the Arabs fled, that they left the country voluntarily, and that they therefore bear the responsibility for losing their property and their land ... But in general international law, the principle holds true that no citizen loses his property or his rights of citizenship; and the citizenship right is *de facto,* a right to which the Arabs in Israel have much more legitimacy than the Jews. Just because the Arabs fled? Since when is that punishable by confiscation of property and by being barred from returning to the land on which a people's forefathers have lived for generations?"[11]

(5) *M. Stein and A. Zichrony,* of the Third Force Movement in Israel, wrote in 1961 in connection with the trial of Adolf Eichmann: "...with deep sorrow and shame we ask: Does Israel, which for 13 years has been imposing exile and misery on hundreds of thousands of men, women and children, whose only guilt is that they are Arabs; which has deprived her Arab inhabitants of elementary human rights, confiscated most of their lands and forces them to beg for a permit for every move in the country—does the Israel of Kibya, Gaza, Kafr Kassem and the wanton attacks on Egypt have

(10) Toynbee, *A Study of History,* Vol. VIII, p. 280.

(11) *Jewish Newsletter* (New York), 19 May 1958.

the moral right to sit in judgement? Israeli leaders and newspapermen vehemently denounce those Germans who were silent during the beastly Nazi reign. Even the 'good Germans' profitted from the plunder of Jews. Even German liberals and leftists became Nazis, it is said. But how do the Jews in Israel behave? Do they not approve—not tacitly, but quite loudly—the inhuman actions of their Government? Are there many Jewish houses in Israel that do not harbour Arab property? Do not the Kibbutzim build 'socialism' on robbed Arab land? What a spectacle: In the City of the Prophets and under the eyes of Humanity, they are sitting in judgement!"[12]

June 1967

During the Six-Day war the impetus of the Israeli attack took them right through the West Bank of Jordan as far as the River Jordan (now the cease-fire line). Surprised by the suddenness of the attack and terrified by modern war weapons, such as napalm, of which they had had no previous experience, the Arab villagers again fled in panic, along with some refugees from the 1948 war, many of whom had been settled in camps in Western Jordan. Altogether about 200,000 people fled during the brief war. Another 210,000 have since followed them, impelled by fear, the dynamiting of their houses or loss of their menfolk, to leave their homes and land.[13]

Pressure at the United Nations[14] after the cease-fire squeezed out of the Israelis a reluctant promise to readmit the refugees, who were now mostly assembled in makeshift camps along the east bank of the Jordan River. Out of the original 200,000, over 176,000 filled the appropriate return forms under the supervision of the International Red Cross. The return was set for July 1967. In fact, only 14,000 have since been allowed back.

(12) *Ibid.*, 3 October 1960.
(13) See Halim Barakat and Peter Dodd, *Refugees: Uprootedness and Exile* (Institute for Palestine Studies, Beirut, 1968)—A sociological field study on the June refugees.
(14) U.N. Resolution 2252 (ES-V) of 4 July 1967.

Until February 1968 most of the refugees clustered in 6 large camps along the Jordan Valley. But after two air and artillery attacks in which over 100 refugees were killed and wounded, the refugees moved again to higher, safer ground farther to the east. To their number is now added a fourth category of refugee: Jordanians from the Ghor Valley, forced to leave their farms by Israeli shelling and strafing. The ratio of refugees to non-refugees in Jordan is now (June 1968) 2:1.[15]

Ever since their attack on June 5th, the Israelis have been trying to prove to the world that, because *they* are safer, the Palestinian problem is solved. Far from it. The whole Palestinian people is now either under occupation or uprooted. It would be most unrealistic to expect them to accept this.

(15) See *Orient* (Beirut daily), 1 June 1968, p. 7.

VIII. ARABS UNDER ISRAELI RULE 1948-1968

Words and Deeds

The number of Arabs who remained in occupied Palestine after the establishment of the state of Israel on 14 May 1948, was estimated to be about 170,000. Of these 119,000 were Moslems, 35,000 were Christians and 15,000 were Druze. About 32,000 were city dwellers, 120,000 were villagers and 18,000 were beduins (nomads).

By the end of 1966, the Arab population stood at 223,000 Moslems, 58,500 Christians, and 31,000 Druze, making a total of 312,500.[1]

The Arab inhabitants are concentrated mainly in the Galilee region — originally assigned to the 'Arab State' under the Partition Plan; the second largest concentration is in the 'Little Triangle', in the centre of the country bordering Jordan; and the third largest is in the south (Negeb).

The Arab minority in Israel has been subjected to a number of restrictions and to severe hardships, ever since 1948. These have been inflicted through a series of laws and regulations placing the majority of the Arabs (about 80% of them) under military rule. The severity with which they have been treated is epitomised by the notorious massacre of 29 October 1956 (referred to further down in this chapter).

Economically, the Arabs of Israel have been hard pressed as a result of discriminatory and restrictive laws. About 70% of their land has been expropriated as a result of these laws; they are discri-

(1) *Statistical Abstract of Israel* 1967, p. 19.

minated against in education, jobs, and the availability of water for irrigation; and their movements remained restricted from 1948 till December 1966, by the need to obtain a permit for each trip.[2]

While it is true, as Israelis so often point out, that members of the Arab minority are enfranchised and can stand for election to the Knesset, this is small recompense for the hardship and discrimination that they have to put up with in everyday life. Unfortunately, their sense of insecurity and lack of contact with the outside world makes protest difficult. Furthermore, there is no reason to assume that, had the Palestine Arabs remained in their country and obtained political independence, they would have progressed politically, socially and economically, as their Arab brothers have progressed in the neighbouring countries. Indeed, it is legitimate to argue that the Palestine Arabs would have developed faster than their neighbours because they started from a higher socio-economic base. The spotty and limited progress achieved by the Arab minority is too high a price for the insecurity of this minority and its severance from the rest of the community that fled the country.

Restrictive and discriminatory measures are justified by the Israeli authorities on the grounds of security, although the Arab minority has at no time threatened the security of the State. Samuel Divon, Ben Gurion's Advisor on Arab Affairs, summed up official opinion when he said to Walter Schwarz in an interview in 1958:

(2) The hardship imposed by the laws and regulations in operation and the arbitrariness with which they are implemented can be verified by an examination of the laws and by reference to:

a. Don Peretz, *Israel and the Palestine Arabs* (Middle East Institute, Washington, 1958);

b. Walter Schwarz, *The Arabs in Israel* (Faber, London, 1959);

c. *New Outlook* (an Israeli periodical), especially March/April issue, 1962;

d. Sabri Jiryis, *The Arabs in Israel* (Haifa, 1965), published originally in Hebrew, later confiscated. Translated into Arabic by the Palestine Research Center, Beirut, in 1967, 2 vols. Regarding the area of land expropriated (estimated at 1.2 million dunums or 300,000 acres), see *Jerusalem Post*, 29 June 1954.

> "Ben Gurion always reminds us that we cannot be guided by subversion which the Arab minority has *not* engaged in. We must be guided by what they *might* have done if they had been given the chance."[3]

Such a position represents Israeli attitude more honestly than the assurances given by the Jewish Agency to the Anglo-American Committee of Enquiry pledging equal treatment for Arabs in a Jewish State,[4] or stated in Israel's Proclamation of Independence.[5] Deeds are more eloquent than words.

Legislation Governing the 1948 Arab Minority

Legislation applicable to the Arab inhabitants in Israel since 1948 includes:

(1) *The Military Emergency Regulations 1948*.[6] Don Peretz sums up the effect of these 'regulations' on the Arab inhabitants as follows: "Arabs in these areas lived under a complex of legal restrictions. Their movement into, out of, and within security zones was regulated by the military. Legal residents could be banished and their properties confiscated. Whole villages could be removed from one area to another. The final authority regarding violations of emergency regulations was a military court, whose decisions were not subject to jurisdiction of the Civil Courts of Appeal."[7]

(3) Schwarz, *op. cit.*, p. 119. Emphasis in the original.

(4) Reference here is to the undertakings of equal treatment for Arab inhabitants made by the Jewish Agency to the Anglo-American Committee of Enquiry and published in *Statements and Memoranda* (Jerusalem, 1947), p. 43.

(5) ".. The State will be based on principles of liberty, justice and peace as conceived by the Prophets of Israel; will uphold the full social and political equality of all its citizens, without distinction of religion, race, or sex."

(6) Israeli Government, *Collection of Regulations, 1949*, pp. 169-170.

(7) Peretz, *op. cit.*, pp. 95-96. The past tense used by Peretz does not mean that the regulations had stopped being in force when he wrote. As indicated earlier, they were abolished only at the end of 1966. The other discriminatory regulations discussed further on in this chapter are all still in force at the time of writing (June 1968).

(2) *Civil Emergency Laws and Regulations.*[8] Explaining these laws, Don Peretz said: "Every Arab in Palestine who had left his town or village after November 29, 1947, was liable to be classified as an absentee under the regulations. All Arabs who held property in the New City of Acre regardless of the fact that they may never have travelled farther than the few meters to the Old City, were classified as absentees. The 30,000 Arabs who fled from one place to another within Israel, but who never left the country, were also liable to have their property declared absentee."[9]

(3) *The Land Acquisition Law (Confirmation of Past Actions and Compensation).*[10] The purpose behind this Law was to legalize 1948-1953 seizures of Arab lands and to ensure future acquisitions. Arab citizens of Israel protested this new act of injustice to the Israeli Parliament, to the United Nations, and to Western Powers; but without result. They were joined in their protest by a very few enlightened Jewish Israelis who condemned the law as oppressive, prejudicial and discriminatory.

Another Jewish writer, Derek Tozer, following a visit to the Middle East, described these laws as "extraordinary, even in modern times." He said: "The military governor will declare an Arab area a prohibited zone, thus debarring entry to any Arab wishing to tend his land. The 1953 law is then invoked and agricultural lands become liable to confiscation, since the owners have failed to tend and till their lands themselves. This means that the property of the Arabs automatically becomes the property of the State.[11]

David K. Elston, columnist of the *Jerusalm Post,* attacked the

(8) The Abandoned Areas Ordinance 1949, *State of Israel Laws,* Vol. I, pp. 25-26; The Absentee Property Regulations 1948, *Jerusalem Post,* 19 December 1948; The Emergency Regulations (Cultivations of Waste Lands), 1948-1949, *State of Israel Laws,* Vol. II, pp. 70-77.

(9) Peretz, *op. cit.,* p. 152.

(10) Text published in *Middle East Journal* (Washington D.C.), Vol. VII, No. 3, Summer 1953, pp. 358-360.

(11) From an article entitled "How Israel Treats Her Arabs," in the *American Mercury,* August 1957.

Land Acquisition Law as "perhaps the most serious factor creating embitterment among all Arabs." He pointed out that in Galilee, twenty villages had been deprived of their property by Jewish collectives, which "arrogated to themselves, through long-term leases granted by the Minister of Agriculture, lands of Arabs who were free from any guilt or wrong-doing."[12]

Dr. Shereshevsky of the *Ihud* Party, described the Land Acquisition Law as "robbery of land from people, inhabitants, of the State." He pointed out, "They are agricultural people, like you, citizens like you. There exists only one difference between them and you: they are Arabs and you are a Jew. This difference seemed to you so great and decisive that you were ready to trespass on all that is required by the Law of Israel and its tradition."[13]

Moshé Keren, another Jewish writer, described the Law as "wholesale robbery with a legal coating," and added: "The future student of ethnology will wonder how it came to pass that it was the Jewish people, striving to build their state on the foundations of justice and righteousness and having themselves been the victims of unparalleled acts of robbery and expropriation, that should have been capable of doing this to a helpless minority."[14]

(4) *Law of Limitation,* March 1958: this requires Arab landowners without a registered title to produce evidence that they have been in continuous undisputed possession of their lands for fifteen years, or forfeit them to the Israeli Government. Under the Ottoman Empire and British Mandate laws, landowners had to prove possession and cultivation for ten consecutive years to obtain title deeds. This meant that, with the new law, a significant number of Arab owners now had to produce fresh evidence of possession which was difficult, often impossible for them to obtain.

(12) Quoted by Peretz, *op. cit.,* p. 172.

(13) From an article entitled "We Accuse," published in the Hebrew paper *Haaretz,* 14 January 1955.

(14) From an article entitled "The Arabs Among Us," published in *Haaretz,* 14 January 1955.

As indicated earlier, the cumulative effect of laws and regulations so far referred to has been to expropriate about 70% of the land belonging to the Arab minority. It is obvious that this process has nothing to do with security, everything to do with the Israeli hunger for land.

(5) *The Law of Return and the Nationality Law.*[15] Under these two laws the right of Israeli residence and nationality is automatically and unconditionally conferred upon a Jew, of whatever nationality, the moment he steps on Israeli soil. Palestinian Arabs, on the other hand, are not so privileged, even within their own country. The fact that Palestine Arabs were born in the territory occupied by the Israelis is insufficient to confer upon them automatic citizenship, notwithstanding the specific stipulation in the United Nations Resolution on Partition.[16] To become an Israeli citizen, an Arab must be "naturalized." This is only possible by proving (a) that he was born in the country; (b) that he lived in Israeli-occupied territory three out of the five years preceding the date of his application for citizenship; (c) that he is qualified for permanent residence; (d) that he is settled or intends to settle permanently in the country; and (e) that he has a sufficient knowledge of the Hebrew language (though Arabic is regarded as an official language).

After this Law was passed, the Minister of the Interior admitted in Parliament that racial discrimination existed in Israel. But he pointed out that this stemmed, not from the *Nationality Law,* but from the *Law of Return* by which only Jews are given the right of 'return'. The former Law, he argued, intended to distinguish between those whose loyalty to Israel was sure and those who had to prove it.[17] Commenting on this Law, the Hebrew paper *Haaretz* reminded Israelis of the Jewish struggle for minority rights in

(15) *Israeli Government Yearbook 1952,* pp. 207-210.
(16) U.N. Resolution 181 (II) of 29 November 1947, Ch. 3, Para. 1
(17) Peretz, *op. cit.,* p. 125.

other countries and of Israeli neglect of Arab minority rights.[10]

Derek Tozer, previously quoted, said: "The official policy of the Government [of Israel] is unequivocal. Arabs, like Jews in Nazi Germany, are officially 'Class B' citizens — a fact which is recorded on their identity cards."[19]

Israelis as Rulers

While posing to credulous foreigners as enlightened protectors of their Arab minority, the Israelis have discreetly kept them submissive by methods which, if they had been carried out against Jews in the Arab countries would have had the world press in an uproar. Here are some illustrations:

(1) On 16 September 1953, the Arab inhabitants of Kafr Bir'im were expelled and their village subsequently destroyed. Israeli magazine *Ner* described the incident as follows: "Further proof of the intensification of the measures against the Arabs of Israel lies in the complete demolition of the village of Kafr Bir'im, the Maronite inhabitants of which were expelled by the military authorities in 1948 and are at present dispersed in adjacent Arab villages. The Maronite Patriarch and Bishop Mubarak had interceded on behalf of these villagers. Promises were lavishly made that they would be permitted to return to their homes and lands. In fulfillment of these promises, the village has been razed to the ground."[20]

(2) On Good Friday 1954, the Christian cemetery in Haifa was desecrated, 73 crosses were smashed and trampled underfoot. The Christian communities demonstrated in protest and expressed their condemnation. Since 1948, over 350 Christian churches and Moslem mosques have been destroyed.

Replying to Israeli press charges alleging that he was conducting a campaign of defamation against Israel, the late Monseigneur

(18) *Haaretz,* 3 April 1953.
(19) *American Mercury,* August 1957.
(20) *Ner* Magazine, September/October 1953.

MacMahon, Head of the Pontifical Mission in the Arab countries, said: "It is neither a campaign nor defamation when the Catholic press throughout the world expresses indignation over the destruction of villages and churches in Israel."

The Massacre of Kafr Qasem

On the eve of the 1956 attack on Suez, i.e. on 29 October 1956, the Israeli Frontier Force entered the village of Kafr Qasem, a border village in the 'Little Triangle', imposed a curfew while the villagers were still working in their fields. As they returned unsuspecting from their fields and gardens, 51 of them were murdered and 13 others wounded. Among the dead were 12 women and girls, 10 boys between the ages of 14 and 17 years and 7 children between the ages of 8 and 13.[21]

At first, efforts were made to hush up the matter, but when news of the massacre leaked out, and it transpired that the soldiers' orders had been "shoot to kill" the Israeli Government had no alternative but to hold a "trial." The cruelty of the massacre became all the more evident when it was realized that only 30 minutes separated the announcement of the curfew from its application, and that the villagers had given no cause whatsoever for the treatment they received.

The revelations made during the trial are shocking, even in a world used to cruelty.[22] But the sentences and later treatment received by the accused are even more shocking. According to the Hebrew daily *Haaretz* of 11 April 1957, "the eleven officers and soldiers who are on trial for the massacre of Kafr Qasem have all received a fifty per cent increase in their salaries. A special messenger was sent to Jerusalem to bring the cheques to the accused in time for Passover. A number of the accused had been given a vacation

(21) *Jewish Newsletter,* April 15, 1957.

(22) For a detailed description of the trial based on Court records see Jiryis, *op. cit.,* pp. 9-61.

for the holiday." The paper added: "The accused mingle freely with the spectators; the officers smile at them and pat them on the back; some of them shake hands with them. It is obvious that these people, whether they will be found innocent or guilty, are not treated as criminals, but as heroes."

The Jewish Newsletter carried an item on the attitude or hatred on the part of Israeli security forces toward the Arab citizens of Israel. Private David Goldfied is reported to have resigned from the Security Police in protest against the holding of the trial. When he appeared as a witness, he testified: "I feel that the Arabs are the enemies of our State... When I went to Kafr Qasem, I felt that I went against the enemy and I made no distinction between the Arabs in Israel and those outside its frontiers." When asked by the Judge what he would do if he met an Arab woman who wanted to get into her home and was not in any way a threat to security, the witness replied:" I would shoot her down, I would harbour no sentiments, because I received an order and I had to carry it out."[23]

On 26 February 1959 — two years and four months after the massacre — the Commander of the Border Police who gave the order was sentenced to "a token fine of *two cents* for exceeding his authority by imposing an absolute curfew on an Arab village in Israel in 1956."[24] It would be difficult to find an example of greater cynicism in the history of mankind.

Commenting on Israel's treatment of non-Jews, James Warburg, writer on international affairs, said: "Nothing could be more tragic than to witness the creation of a Jewish state in which the non-Jewish minorities are treated as second-class citizens... It is one thing to create a much-needed refuge for the persecuted and oppressed. It is quite another thing to create a new chauvinistic nationalism and a state based in part upon medieval theocratic bigotry and

(23) *Jewish Newsletter,* 8 July 1958.

(24) *New York Herald Tribune,* 27 February 1959.

in part upon the Nazi-exploited myth of the existence of a Jewish race."[25]

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What has been presented here is merely a few illustrations of the harsh and discriminatory treatment the Jewish authorities in Israel inflict on the Arab minority. These illustrations have been chosen out of many, and against a background of daily hardship. The Israelis have produced no evidence whatsoever that the Arab minority constitutes a security risk for them. The irony of the situation is that Israel is set by Western liberals as a progressive and liberal democracy to be emulated. This has a serious disillusioning effect on Arabs who see that the Western world is ready to condone suffering for Arabs.

(25) From a speech delivered at Mishkan Israel Synagogue, New Haven, Connecticut, on 27 November 1959. Quoted from the *Jewish Newsletter*, 30 November 1959.

IX. UNEASY TRUCE 1948-1967

The period between the establishment of Israel in 1948 and the war in 1967, was characterized by bloody incidents across armistice demarcation lines; Israeli occupation of demilitarized zones; the 1956 Suez campaign by Israel and her partners; and, above all disregard by Israel of U.N. resolutions relating to the refugees and to Jerusalem, and by Egypt with regard to the use by Israeli shipping of the Suez Canal so long as refugee rights are denied by Israel. The record of these events and attitudes will show, once more, Israel's cynical contempt for United Nations authority and her callousness towards Arab rights.

U.N. Resolutions on the Refugees, Jerusalem, and Arab Property Rights

There is a long line of unfulfilled U.N. resolutions, both from the General Assembly and the Security Council, beginning with Partition Resolution of 1947 and ending with the 1966 Resolution reaffirming refugee rights to return.[1] A brief snap-shot presentation of the more important of these resolutions will bring out the extent of Israeli disregard for the will of the international community.

(1) The Partition resolution (Resolution 181 (II) of 29 November 1947) has been ignored by Israel through her occupying a much larger area than that assigned to her in the Partition Plan, expelling Arab inhabitants from the area assigned to the "Jewish State" as well as from the excess area occupied, and confiscating the land and other immovable and movable property of the Arabs who had fled the country, and even most of the land of those who remained.

(1) Resolution 181 (II) of 29 November 1947, and Resolution 2154 (XXI) of 18 November 1966, respectively.

(2) The resolution relating to the return of the refugees (Resolution 194 (III) of 11 December 1948) — no doubt the resolution most frequently repeated and referred to — calls on Israel to admit all refugees wishing to return, and to compensate those who choose not to return for their material losses and those who return for any damage suffered by their property. Once again, Israel has simply refused to comply with the resolution, declaring it "obsolete" and based on "wishful thinking."[2]

(3) Resolution 303 (IV) of 9 December 1949, on internationalization of Jerusalem also remains a dead letter. In further defiance of the United Nations, the Israelis in 1950 transferred their Parliament and government from Tel Aviv to Jerusalem.

(4) The stand of the United Nations on the protection of the rights, property and interests of the refugees is embodied specifically in Resolution 394 (V) of 14 December 1950. Israel confiscated Arab property, and continues to refuse to allow the appointment of a United Nations trustee to look after Arab property on the grounds that this would constitute a limitation upon Israel's sovereignty and interference in her internal affairs.[3] Israel's position in practice amounts to a denial of the economic and property rights of the refugees, contrary to all concepts of international law and to specific U.N. decisions on the subject.

(5) The resolution admitting Israel into membership of the United Nations (Resolution 273 (III) of 11 May 1949) was conditional on this country's "implementation of United Nations resolution of 29 November 1947 [on territory] and 11 December 1948" [on refugee return]. The Israelis continue to ignore the undertaking to do so.

(6) In the Lausanne Protocol of 12 May 1949, Arabs and

(2) From Michael Comay, Israeli representative's statement at the U.N. See U.N. Document A/SPC/SR.433 of 19 October 1965, which is a recent assertion of Israel's long standing position.
(3) U.N. Document A/SPC/SR/447 of 9 November 1965. Again this attitude represents a continuation of Israel's official position.

Israelis undertook to settle the Palestine problem within the framework of the Partition Plan, but the Israelis repudiated their signature as soon as the state of Israel was admitted into membership of the United Nations. It is important to add that Israel signed this Protocol *after* the Arabs had declared their initial rejection of the Partition Plan and went to war with Israel. This invalidates Israel's argument that the Partition Plan is dead because the Arabs had rejected it in 1947 and fought against it in 1948.

(7) Against the resolutions listed or referred to and the Protocol signed under the auspices of the United Nations Conciliation Commission for Palestine, all of which are directed to and ignored by Israel, there is only one resolution directed to an Arab state: Security Council resolution 95 (S/2322) of 1 September 1951, calling upon Egypt "to terminate the restrictions on the passage of international commercial shipping and goods through the Suez Canal wherever bound and to cease all interference with shipping."

This resolution was adopted despite the strong objection of some Council members. The representative of India, for example, stressed that "the Security Council is not the most appropriate body for the adjudication of questions involving complicated legal aspects."[4] The representative of China went further. He said: "The draft seems to have assumed the validity of the claim that the measures adopted by Egypt in the Suez Canal are in violation of the general international law and the provisions of the Suez Canal Convention and the Armistice Agreement. In our opinion, this is a point to be proved. Armistice is a first step to peace, but does not mean the termination of a state of war... It is unreasonable to suppose or assume that the neutralization of the Suez Canal cancels every right of the territorial Power."[5]

It is worth noting that Israeli shipping used likewise to be barred from the Canal between 1948 and 1955, when Britain still

(4) U.N. Security Council Records: 553rd meeting, p. 30.
(5) *Ibid.*, pp. 10-11.

controlled this waterway. This clearly indicates the strength of the Egyptian legal argument against opening the Canal to Israeli shipping.

But there is a more fundamental argument. The Suez Canal controversy is but one major aspect of the whole Palestine problem, and no single aspect can be resolved outside an overall settlement. This view was shared by the late Secretary-General, Dag Hammarskjold, who said: "This issue has important legal aspects which may be considered as meriting further clarification, but it is also part of the general Palestine problem."[6]

The necessity of placing the Canal controversy into the appropriate perspective was made clear by President Nasser in an interview with two U.S. correspondents on 8 October 1959, when he said:[7] "The resolutions concerning Palestine are an indivisible entity — the right of the refugees to return to their homeland; their right to their properties or compensation for their properties; and their right to their Palestine territory cannot be divided... We are ready to accept a United Nations board or commission to put all resolutions into effect for both Israel and us. But it would be unfair if only we are asked to implement the resolution on our side while Israel does not implement those on her side." This is the attitude he still takes.[8]

General Armistice Agreements (GAA) and Armistice Demarcation Lines (ADL)

The GAA's on the Syrian, Jordanian, and Egyptian sides have been repeatedly violated by Israel even apart from the two wars of 1956 and 1967 when Israel declared these Agreements totally dead. The reader will be spared the detailed, violation-by-violation narrative. Instead, a small number of leading incidents will be brought to his notice.

(6) U.N. Secretary-General's Report for 1958-1959, p. 5.
(7) *Al-Ahram*, 9 October 1959.
(8) Interview with editor of *Look* magazine, reported in *Ahram* on 5 March 1968.

(1) The representative of the U.N.T.S.O. (i.e., U.N. Truce Supervision Organization), stated before the Security Council on 9 November 1953, that Israel had on the night of 30/31 March 1951, removed 785 Arabs from the Demilitarized Zone between Syria and Israel in contravention of Article V of the Agreement, and that these had not yet been allowed to return to their homes and property. The refusal was in total disregard of the ruling of the Chairman of the Mixed Armistice Commission, of the Chief of Staff of the U.N.T.S.O., and of the Security Council itself.[9] To this day, the return of these villagers is barred by Israel.

In four subsequent reports, the Chief of Staff drew the attention of the Security Council to the fact that the Israeli authorities had refused to implement the Council's resolution of 18 May 1951;[10] that Israeli police continued to occupy and to exercise general control over the demilitarized zone contrary to the Armistice Agreement which stipulated for local Arab police;[11] that Israeli police controlled the movements of the Arabs and interfered with the freedom of movement of the Chairman of the Mixed Armistice Commission (MAC) and U.N. observers;[12] and that Israeli police continued to maintain a checkpost on the main road to Mishmar ha Yarden in the central sector of the demilitarized zone, contrary to the request of

(9) U.N. Document S/2049, Section IV, Para. 3 and U.N. Document S/2088, Para. 8. The Security Council resolution in question is Resolution 93 (1951) of 18 May 1951 — U.N. Document S/2157. This resolution decided that "Arab civilians who have been removed from the demilitarized zone by the Government of Israel should be permitted to return to their homes and that the Mixed Armistice Commission should supervise their return and rehabilitation in a manner to be determined by the Commission." The Council further held that "no action involving the transfer of persons across international frontiers, armistice lines or within the demilitarized zone should be undertaken without prior decision of the Chairman of the Mixed Armistice Commission."
(10) Report dated 26 June 1951 — U.N. Document S/2213, Part II, Paras. 14 and 17.
(11) Report dated 16 August 1951 — U.N. Document S/2300, Para. 9.
(12) Report dated 6 November 1951 — U.N. Document S/2389, Paras. 14 and 16.

the Chairman of MAC to remove it.[13]

On 27 October 1953, General Vagn Bennike, the new Chief of Staff, reiterated the difficulties reported upon by his predecessor General Riley during the two previous years. He listed these as "the economic situation of the Arabs in the demilitarized zone, encroachments on Arab land, control exercised by the Israeli police over the greater part of the zone, Israeli opposition to the fulfillment by the Chairman and United Nations observers of their responsibility for ensuring the implementation of Article V of the General Armistice Agreement." He then suggested: "These difficulties can be solved if the provisions of Article V of the General Armistice Agreement are applied in the light of the Acting Mediator's authoritative comment, accepted by both Parties in 1949."[14]

General Bennike also drew attention to the statement made by Dr. Ralph Bunche to the Security Council on 25 April 1951, namely: "In the nature of the case, therefore, under the provisions of the Armistice Agreement, neither party could validly claim to have a free hand in the demilitarized zone over civilian activity, while military activity was totally excluded."[15]

Israel continued to violate the GAA, and was again condemned at the 72nd Emergency meeting of MAC on 12 December 1954, for failure to withdraw the regular police force it had established in the demilitarized zone.[16] On 16 January 1955, the new Chief of Staff, General E.L.M. Burns, reported that "police from the state of Israel, acting under orders from police headquarters outside the demilitarized zone, dominated the zone," and that repeated requests by the Chairman of MAC to remove the police had been rejected.[17] Finally, General Burns had to raise the matter to the Secretary-General of

(13) Report dated 30 October 1952— U.N. Document S/2833, Paras. 50 and 58.
(14) Report of General Bennike before Security Council at its meeting on 27 October 1953, Para. IV : 55.
(15) *Ibid.*
(16) U.N. Document S/3343, Annex C.
(17) U.N. Document S/3343, Para. 18.

the United Nations in May 1956, indicating that no change in the situation had taken place.[18]

(2) The El-Tawafiq "incident" was an attack on El-Tawafiq village on the Syrian frontier in February 1962. The attack and its damage will be recorded further below. It is mentioned here as another major violation of GAA, and because of the manner in which Israel's representative at the United Nations tried to influence the then Chief of Staff of U.N.T.S.O. General von Horn's attitude.

The General reports in his book *Soldiering for Peace* on a visit to his temporary office at the U.N. Secretariat soon after the incident, by Israeli U.N. representative Michael Comay. In General von Horn's words: "It would be best, he [Comay] advised me, to forget all about that out-dated United Nations idea of running a patrol boat on Lake Tiberias; the idea was stillborn and ought to be abandoned ... After all — why did I waste my time insisting on so many things which I knew the Israelis were opposed to? It would be wise to listen to his advice—otherwise my life was bound to become a great deal more uncomfortable."

General von Horn concluded: "I appreciated his [Comay] thinly-veiled threats, but it was really a waste of breath to attempt to intimidate the Chief of Staff of U.N.T.S.O.—especially on United Nations territory."[19]

(3) The Egyptian-Israeli Armistice Agreement was signed on 24 February 1949. According to the Agreement, the Israelis were permitted to remain in occupation of the territory held, which in the direction of the Gulf of Aqaba was limited to within half the distance between the Gulf shoreline and the area they then actually held.[20] The Israelis were therefore excluded from access to the

(18) U.N. Document S/3596, Annex VII, Para. 1.
(19) Horn, General Carl von, *Soldiering for Peace* (Cassell & Co., London, 1966), p. 263.
(20) U.N. Document S/1264/Rev. 1 of 24 February 1949, p. 11 (Annex II (b) to the GAA).

Gulf. But on March 1949—merely thirteen days after they had signed the Armistice Agreement— they launched an attack on the southern Negeb which brought their forces down to the Gulf of Aqaba. The Arab village of Umm Rashrash on the Gulf was occupied, the villagers were expelled and dispossessed, and Eilat was thus established on Arab-owned land. This is quite significant in view of the role Eilat was later to play in 1967 when the closure of the Straits of Tiran in Egypt and the denial to the Israelis of access to Eilat port were used as the excuse for aggression against Egypt. Few people in the outside world remembered in 1967 that the controversial port had been occupied in violation of the Armistice Agreement with Egypt.

(4) Another GAA violation by Israel on the Egyptian side, also turned out to be significant in the light of later events. On 20 March 1950, Israel occupied Bir Qattat within the demilitarized zone, contrary to the ruling of MAC.[21] When the Security Council was informed of the issue, Israel promised to withdraw its armed forces. On the strength of this assurance, the Council, in its resolution dated 17 November 1950, took note of Israel's promise of withdrawal, and specifically that "the Israel armed forces will withdraw to positions authorized by the Armistice Agreement."[22] However, Bir Qattat was re-occupied by the Israelis in September 1955, and served as a springboard for the invasion of Sinai on 29 October 1956.

(5) On 2 September, the Israeli army expelled some 4,000 bedouins from El-Auja demilitarized zone across Egyptian boundary into Sinai. In his report to the Security Council on 18 September 1950, on the new violation, the Chief of Staff of U.N.T.S.O. indicated that (a) the bedouins had lived in the Beersheba area under British Mandate but had moved to El-Auja about two years before, because of Israeli pressure; (b) that since 20 August, Israelis had conducted operations to clear the bedouins, employing army troops with armoured cars guided by reconnaissance aircraft; (c) that after driving

(21) U.N. Document A/1873, p. 55, Para. 514.
(22) *Ibid.*, p. 60, Para. 567.

the bedouins across the Egyptian international boundary, the Israelis burned tents, crops and possessions; and (d) that thirteen bedouins were killed by Israelis during these operations..."[23]

On 17 November 1950, the Security Council asked the Israeli-Egyptian Mixed Armistice Commission to give urgent attention to Egypt's complaint regarding the expulsion of the bedouins, and asked Israel to give effect to any finding of MAC concerning repatriation.[24] MAC decided that the expelled bedouins should be allowed to return. To this day, eighteen years later, MAC's decision remains a dead letter because Israel disregards it completely.

(6) On 21 September 1955, the Chief of Staff U.N.T.S.O. reported to the Security Council that the Israeli army had occupied the demilitarized zone of El-Auja.[25] About a year later, on 21 August 1956, he reported that Israel opposed "any meeting of [the] MAC at its Headquarters at El-Auja situated in the demilitarized zone which is now occupied by Israeli troops,"[26] and on 5 September 1956, the Chief of Staff reaffirmed his previous reports to the effect that "the Israeli army continue to occupy the El-Auja demilitarized zone," and stressed that "El-Auja is not only the center of the demilitarized zone ... it is also, under Article X, paragraph 2, the Headquarters of the MAC." Referring to a recent contact with Mr. Ben Gurion, the Prime Minister of Israel on 3 September 1956, he added: "Mr. Ben Gurion repeated his refusal to allow meetings of the MAC at El-Auja."[27]

No wonder Mr. Ben Gurion refused: El-Auja was being prepared to serve as a nerve center for the attack on Sinai that was to follow eight weeks later.

Traffic Across Armistice Demarcation Lines

Between 1949, when the Armistice Agreements were signed,

(23) U.N. Document S/1797.
(24) U.N. Document S/1907 — Resolution 89 (1950).
(25) U.N. Document S/3596, Annex VIII.
(26) U.N. Document S/3638, Para. 10.
(27) U.N. Document S/3659, Annex, Section II, Paras. 1, 9, and 10.

and the 1967 war, a large number of crossings by individual Arabs was made over the demarcation lines. In the vast majority of cases, these crossings were made by men, women, and boys going to their old homes to retrieve a piece of clothing, some hoarded money, or simply to pick some fruit from their orchard across the demarcation lines and carry it back. This form of petty violation of General Armistice Agreements had been specially frequent in view of the length of the demarcation lines and their isolation of villages from their land, particularly on the Jordanian side. In the words of a U.N. document: "The problem is particularly difficult because the demarcation line is long—about 620 kilometers— and because it divides the former mandated territory of Palestine haphazardly, separating, for instance, many Arab villages from their lands."[28]

The Arab states made every effort within their power to curb crossings and so reduce loss of life.[29] Israel, however, was very ruthless in her reaction to "infiltrators." It killed them. According to a former resident of Israel writing in *Forward* newspaper: "On average from five to seven such 'infiltrees' are being shot by Israeli soldiers every week as a matter of military routine."[30]

Israeli poet Nathan Alterman, referring to earlier Jewish illegal entry into Palestine, pointed out that "Jews have always been notoriously lax in their attitude towards illegal crossing of frontiers, false passports and other small formal offences against the state and never looked upon them as moral issues, certainly not as crimes punishable by death." Alterman then exclaimed with indignation: "Oh you Knesset members; you former passport forgers; you infiltrees,

(28) U.N. Document S/PV.630, p. 14, Para. 59.

(29) This is attested to by Commander Hutchison, among others. See E. Hutchison, *Violent Truce,* p. 102. In 1966, this was again confirmed by the representatives of the United States and France to the United Nations, both of whom paid tribute to Jordan's respect for her international obligations. See U.N. Document S/PV.1320 and S/PV.1321 of 16 November 1966.

(30) *Forward* Newspaper (New York), 27 December 1952. According to the *New York Times,* 394 Arab infiltrees were killed in 1952, 227 wounded, and 2,595 captured. (2 January 1953).

grand-children of infiltrees, how quickly you have learned the new morality of militarism!"[31]

In 1955, but more so in 1956, another type of Arab inflitration began to be reported: that of the guerilla fighter. Israel timed its Suez campaign of 1956, which was essentially a pre-emptive war aimed at destroying the new arms delivered to Egypt by Czechoslovakia before the Egyptian army had had the time to learn how to use them properly, to appear like a riposte to growing "feda'iyyin" (commando) attacks.

However, at no time between the signing of the General Armistice Agreement and the June War of 1967 was there an operation launched by Arab regular army units or a crossing of the demarcation line by such units.

Not so with Israel. It is a matter of record that all such operations reported have been by Israeli regular armed forces. And the operations have not always been directed at regular armed forces on the other side; often they have involved the mass murder of civilians and the mass destruction of village houses and other civilian property.

The Israelis launched over forty military attacks against Arab territories between March 1949 and May 1967. All of these have been condemned by the Mixed Armistice Commissions and, in addition, Israel has been censured by the Security Council for several of them. The most notorious of the attacks are:

Qibya, on 11-15 October 1953, in which 75 people were killed and the village demolished;

Nahhalin, on 28-29 March 1954, in which 14 people were killed and the village demolished;

The *Gaza Strip,* on 8 February 1955, in which 38 people were killed and 31 wounded;

(31) Quoted in W. Zukermann, *Voice of Dissent* (New York): Bookman Associates, 1964 , pp. 33-34.

Khan Yunis, on 31 August 1955, in which 46 people were killed and 50 wounded;

El-Buteiha, on 11-12 December 1955, in which 50 people were killed and 28 were taken prisoners;

Qalqilya, on 10-11 October 1956, in which 48 people were killed and 31 wounded;

El-Tawafiq, on 1 February 1962, in which the village was razed to the ground;

Samu', on 13 November 1966, in which 18 people were killed, 130 wounded and 125 houses (including the school, clinic, and mosque) demolished.

The reader will not be burdened by the detailed testimony condemning Israel in each of these major instances and in the many other slightly less bloody incidents. It is enough to indicate that almost invariably Security Council condemnation of Israel has been unanimous. The representatives of the United States and Britain, for instance, have rarely been less firm and clear-cut in their condemnation than the representative of, say, the U.S.S.R. and India. Yet Israel has pursued its course of murder and destruction, as though the General Armistice Agreements did not exist, or the Armistice Demarcation Lines were there merely for Israel to cross in force, set for the destruction of life and property.

On 29 October 1956, the invasion of Egypt began, and David Ben Gurion declared: "The Armistice with Egypt is dead, as are the armistice lines, and no wizards or magicians can resurrect these lines."[32] In the light of Israel's record, one wonders if the Agreements and the Lines were ever really alive in Israel's mind, in the sense in which Ben Gurion used the term.

(32) *New York Times,* 8 November 1956.

X. ISRAELI EXPANSIONISM

Israeli Designs of Expansion

Each time the Arabs point out the dangers to them of Israeli expansionism, they are met with emphatic denials. It is just not possible to reconcile such denials with Israeli planning and action. It has already been pointed out that the limits of *Eretz Israel,* as loosely defined by the Zionist movement in the late nineteenth and early twentieth century, coincide with the so-called "biblical" and "historical" boundaries of the "Promised Land", namely, from "the Nile to the Euphrates."

The concrete political steps leading to the realization of this objective began with the Balfour Declaration which gave the Zionists a foothold in Palestine in the form of a "national home," followed by the establishment of a "Jewish state" in 1948. Since the June 1967 war, there has been great pressure inside Israel to establish "Greater Israel," including the territories occupied in June 1967.[1]

(1) The evidence is voluminous, so we will select a few leading references:

a. On 18 July 1967, in Paris, Mr. Walter Etyan, Israeli Ambassador to France, declared that Israel had not taken anything that belonged to anybody else. See *The Times* (London), 27 July 1967.

b. On 29 October, Levi Eshkol, Prime Minister, spoke of Greater Israel as defined in the text above. See *International Herald Tribune,* October 30, 1967.

c. "A Movement for Greater Israel" has been formed in Israel. According to *Le Monde* (20 December and 28 December, 1967) this Movement insists on the annexation of the areas now under occupation. It includes in its membership many leading professors, journalists, Knesset members, and is supported by such members of the Israeli Cabinet as Menachem Beigin, Yosef Sapir, and Moshe Dayan.

d. Mr. Yigal Allon, Minister of Labour, announced that official maps of Greater Israel had been issued, and that the old maps (with the 5 June borders) had become merely historical. See *Le Monde,* 23 February 1968.

The extension of Israel's geographical horizons, to which we have just referred, is neither a recent nor an isolated phenomenon. Apart from the adoption of an expansionist, centrifugal policy by Zionism before the establishment of the State, there is no shortage of evidence of the same tendency since 1948, although one would expect a state to be more aware of international obligations than an ideological movement that is not tied by diplomatic constraints. The declarations of Israeli leaders make their expansionist intentions much clearer than Israel's Western sympathizers would like to admit.

(1) *Dr. Chaim Weizmann,* President of the World Zionist Organization for more than three decades, and first President of Israel, during a visit to Jerusalem on 1 December 1948, told his audience: "Do not worry because part of Jerusalem is not now within the state. All will come to pass in peace. Again I counsel patience." He added: "Fear not, my friends, the old synagogues will be rebuilt anew and the way to the Wailing Wall will be opened again. With your blood and sacrifices you have renewed the Covenant of Old. Jerusalem is ours by virtue of the blood which your sons shed defending it."[2] Nineteen years later, the Israeli army followed the counsel of Weizmann and opened the way to the Wailing Wall: not peacefully or through patience, but by bombshell and napalm. The reader is reminded that Jerusalem means spiritually at least as much to the Arab — Moslem and Christian alike — as to the Jew. This is apart from Arab attachment to and identification with a city in which the Arabs have lived and which they have controlled for many centuries without interruption.

(2) *David Ben Gurion* said in an official publication that the state "has been resurrected in the western part of the land" of Israel and that independence has been reached "in a part of our small country." He added: "Every state consists of a land and a people. Israel is no exception, but it is a state identical neither

(2) Joseph, Dov, *The Faithful City: The Siege of Jerusalem 1948,* p. 332

with its land nor with its people... It must now be said that it has been established in only a portion of the land of Israel. Even those who are dubious as to the restoration of the historical frontiers, as fixed and crystallized from the beginning of time, will hardly deny the anomaly of the boundaries of the new State."[3]

(3) *David Ben Gurion,* speaking at a meeting of the Mapai Party in 1952 said: "I accept to form the Cabinet on one condition, and that is, to utilize all possible means to expand towards the south." Could the Sinai campaign in 1956, but have been a fulfilment of this undertaking?

(4) On 12 February 1952, *Moshe Dayan,* as Chief-of-Staff of the Israeli army, said on the Israeli radio: "It lies upon the people's shoulder to prepare for the war, but it lies upon the Israeli army to carry out the fight with the ultimate object of erecting the Israeli empire."[4] This is probably one of the clearest and most unhypocritical of statements by responsible Israelis. In using the term "empire", Dayan called things by their right name.

(5) On 12 October 1955, *Menachem Beigin,* leader of the *Herut* Party and member of Parliament and Government, said in the Knesset: "I deeply believe in launching preventive war against the Arab States without further hesitation. By doing so, we will achieve two targets: firstly, the annihilation of Arab power; and secondly, the expansion of our territory." Again an unhypocritical statement.

(6) Another spokesman of the *Herut* Party, declared in New York in 1956, months before the Suez campaign: "Peace with the Arab countries is impossible with the present boundaries of Israel which leave Israel open to attack." He advised that "Israel should take the offensive immediately and capture strategic points along its

(3) *Israeli Government Yearbook 1951-1952,* p. 64; and *Yearbook* 1952, pp. 63 and 65.

(4) From a statement broadcast on the Arabic Programme, Israel radio, 12 February 1952.

border, including the Gaza Strip and then should take over the British-backed Kingdom of Jordan."[5]

With these declarations as a recent background, and with earlier declarations before the establishment of the State (see Ch. I above), the Arabs cannot but view with apprehension the dangers which the creation of Israel represents to Arab territory and peace. And there has been no lack of concrete acts of aggression to substantiate Arab fears, as the last Chapter indicated.

The Invasion of Egypt in 1956

The reasons the Israelis gave for their action varied. In a communiqué issued on the eve of the invasion, the Israeli Ministry of Foreign Affairs described the campaign in terms of both a "preventive war" and a "retaliatory raid."[6] General Moshe Dayan's order to his troops read: "Today the Southern forces will fight across the border and will enclose the Nile army in its own country."[7] When asked to explain the Israeli action, the Liaison Officer for Armistice Affairs at the Ministry of Foreign Affairs qualified the terms of the official communiqué and confirmed that "this was not just a retaliatory raid, but that the Israel forces were going to stay in Sinai."[8]

In announcing the invasion of Egypt to the Knesset, David Ben Gurion was even more explicit. He said: "The army did not make an effort to occupy enemy territory in Egypt proper and limited its operations to *free the area from northern Sinai to the tip of the Red Sea.*" Referring to the occupation of the Island of Tiran, south of the Gulf of Aqaba, he described it as "the Island of Yotvat, south of the Gulf of Elath, which was *liberated* by the

(5) *New York Times*, 25 January 1956.
(6) For text of communiqué, see *U.S. Policy in the Middle East Documents)*, (Washington: Department of State, 1957), pp. 135-6.
(7) *Jewish Observer*, 9 November 1956.
(8) Burns, E.L.M., *Between Arab and Israeli* (New York: Ivan Obolensky, 1963), p. 180.

Israeli army."[9] The reader will remember that Elath itself (originally Um Rashrash) had been occupied merely half a month after Israel signed the Armistice Agreement with Egypt in which she undertook to respect the demarcation lines defined in the Agreement; these lines *excluded* Elath.

The repeated references to "liberation" and to old biblical names of places, like the indication of the intention to stay in Sinai, are reflections of the expansionism motivating the campaign. In any case, when Israel had to withdraw under pressure from the United Nations and more specifically from the United States, it still insisted on changing the *status quo ante* by making its withdrawal conditional on the Gulf of Aqaba being opened up for Israeli shipping. The Arab contention that the Gulf was without doubt territorial water was refused by Israel, as was the Arab suggestion to take the issue to the International Court at the Hague for a ruling. Few people recall that the International Law Commission in 1956 found no grounds for considering the Straits an international waterway subject to the rules appropriate to such waterways.[10]

The June War 1967

Because it is more sensitive to threats to Israel than threats to the Arabs, public opinion in the West believed that the June 1967 war *began* with the U.A.R.'s closing of the Straits of Tiran to Israeli shipping in May and with the entry of U.A.R. troops into the Sinai Peninsula; and that the Israelis had to attack to prevent the destruction of their state. Because of this, the Israelis got political, moral and financial support from many nations and were able to brand the Arab states as the aggressors. In fact, President Nasser's actions in May were in answer to Israeli threats and attacks against

(9) *New York Times*, 8 November 1956. Emphasis added.
(10) See reference to the report of the International Law Commission in a letter by Harvard Professor Roger Fisher to the Editor of the *New York Times*, 10 June 1967.

Syria in April, though, because these went almost unnoticed in the Western press, very few people realised their occurrence.[11]

A sampling of Israeli statements made before the June War and after it shows a wide gap: the statements preceding the war invariably containing assurances and pledges regarding Israel's innocence of expansionist aims; the ones after explicitly stating Israel's intention to hold on to certain occupied territories, no matter what outcome the negotiations demanded by Israel might have. The Israelis have adopted as the main plank in their Arab policy the idea of direct negotiations. Few Westerners have seen clearly the dishonesty of calling for negotiations, while declaring certain issues (e.g. Jerusalem) "non-negotiable."

Statements before the war

(1) On 8 November 1966, *Michael Comay,* then Israeli representative at the United Nations, told the Special Political Committee — in rebuttal of Arab accusations of Israeli expansionist designs on Arab territories: "I would like to inform the Committee quite categorically that the Government of Israel covets no territory of any of its neighbours, nor does it feel obliged to hand over its territory to any of its neighbours. We are all members of the United Nations. We have signed the Charter obliging us to respect each other's political independence and territorial integrity. My Government fully and reservedly accepts this obligation towards the other 120 Member States of the United Nations."[12]

(2) *Levi Eshkol,* Prime Minister, in an address to the Israeli Parliament "told Arab countries that Israel has no aggressive designs."[13]

(11) E. Rouleau, J.F. Held, and S. Lacouture, *Israël et les Arabes: Le 3ème Combat* (Paris, Editions du Seuil, 1967), pp. 73, 176. Also, John S. Badeau, "The Arabs, 1967," in *The Atlantic* (U.S. Monthly), December 1967, p. 108.

(12) U.N. Document A/SPC/PV.505 of 8 November 1966.

(13) *The Washington Post,* 23 May 1967.

(3) *Moshe Dajan,* Minister of Defence, said: "We have no invasion aims. Our only target is to foil the Arab armies' aim of invading our country."[14] On another occasion he was quoted as saying: "Soldiers of Israel, we have no aims of territorial conquest."[15]

(4) *Gideon Rafael,* Israeli delegate to the United Nations, read the following statement by the Israeli Defence Minister to the Security Council on 5 June 1967 — the day of the attack: "We have no aim of conquest. Our sole objectives are to put an end to the Arab attempt to plunder our land, and to suppress the blockade."[16]

(5) On the day of the attack *Levi Eshkol* declared: We do not demand anything except to live in tranquility in our present territory."[17]

Statements after the war

(1) *Levi Eshkol:* "A new political reality in the Mideast" has been created;[18] "Israel intends to keep the former Jordan part of Jerusalem and the Gaza Strip. Israel without Jerusalem is Israel without a head..."[19]

(2) *Abba Eban,* Foreign Minister: "Israel will, under no circumstances, return to the 1949 Armistice Agreements;"[20]

(14) From an Israel radio broadcast on 5 June 1967. However, compare this statement with that of General Hod, Commander of the Israeli Air Force, who indicated that the attack plan had been in preparation for 16 years in these words: "Sixteen years' planning had gone into those initial 80 minutes" [the air strike on 5 June 1968.] "We lived with the plan, we slept on the plan, we ate the plan. Constantly we perfected it." Article by Randolph and Winston Churchill, in *The Sunday Times* (London), 16 July 1967, p. 7.

(15) *The New York Times,* 5 June 1967.

(16) Statement made before the Security Council on 5 June 1967.

(17) From an Israel radio broadcast from Jerusalem on 5 June 1967.

(18) UPI Despatch, 9 June 1967.

(19) From an interview with *Der Spiegel.* Reported in *Jerusalem Post,* 10 July 1967.

(20) UPI Despatch, 17 June 1967.

"Sometimes you cannot gain peace and security without territorial gains."[21] "If the General Assembly were to vote by 121 votes to 1 in favour of Israel returning to the armistice lines... Israel would refuse to comply with that decision;"[22] "Israel has no intention of 'squandering' the position won by its Middle East war victory and will hold lands captured from the Arabs until a satisfactory peace settlement is reached;"[23] "The military victory is neither stable nor successful unless it is ratified by peace. What happened in 1967 happened because in 1957 Israel had been persuaded to give up the fruits of victory. This time there will be a different map of Israel... Israel does not have to be recognized. Israel exists."[24]

(3) *Yisrael Galilee,* Minister of Information: "Israel cannot agree to return to the status quo before this [conflict] happened."[25]

(4) *Yigal Allon,* Minister of Labour: "We must have depth, especially in the central part of the country and the vicinity of Galilee and Jerusalem."[26]

(5) *David Ben Gurion,* former Prime Minister: There are "no grounds for Israeli negotiations on Old Jerusalem."[27]

(6) *Moshe Dayan,* Minister of Defence: "The Gaza Strip is Israel's, and steps will be taken to make it part of this country;"[28] "Israel must not return to its 1948 borders. We need to consider the reality of 1967 and the map of 1967. We need, not only permanent borders, but borders that will ensure peace;"[29] "There are about a million Arabs whom we don't want, I should say as citizens of Israel, in the Jordanian part. We certainly don't want Egypt

(21) From an interview on West German television, 5 July 1967
(22) *New York Times,* 19 June 1967.
(23) Reuter Despatch, 14 August 1967.
(24) *The Daily Star* (Beirut), 19 September 1967.
(25) UPI Despatch, 10 June 1967.
(26) From a statement made on 12 June 1967.
(27) UPI Despatch, 19 June 1967.
(28) *The Christian Science Monitor,* 7 July 1967
(29) *The Guardian,* 11 August 1967.

to go back to the Gaza Strip. This is the same story like Sinai... I don't think that we should in any way give back the Gaza Strip to Egypt or the western part of Jordan to King Hussein." Asked whether there was any way whereby Israel could absorb the huge number of Arabs whose territory Israel now occupies, he said: "Economically, we can; but I think that it is not in accord with our aims in the future. It would turn Israel into either a bi-national or poly-Arab-Jewish State instead of the Jewish State, and we want to have a Jewish State... We want a Jewish State like the French want a French State;"[30] "On no account will we force ourselves to leave, for example, Hebron. This is a political programme but more important, it is a fulfilment of a people's ancestral dream."[31]

(7) It was reported from Jerusalem that all maps issued by the Israeli Survey Department with markings of the 1949 armistice lines have now been clasified as 'antiquated and historical'[32]

(8) The Israeli Government has now declared that the areas occupied as a result of the June 1967 war are no longer recognized as 'enemy territory'. This action has the double purpose, on the one hand, of overcoming criticism that the Israelis, in their treatment of the civilian Arab inhabitants, are contravening the 1949 Geneva Conventions; and, on the other hand, of acquiring freedom to expropriate property.[33]

Expansionism: The Recent Evidence

Merely for the sake of the argument, one could say that the foregoing quotations only suggest a growing appetite for territory on the part of the Israelis, not premeditated expansionism. This might be so. However, the record of events indicates that, once

(30) From statements on C.B.S. "Face the Nation" programme, televised from New York.
(31) UPI Despatch, 9 August 1967.
(32) Quoted in *The Daily Star,* 22 February 1968.
(33) For contraventions against the 1949 Geneva Convention, see *Israel and the Geneva Conventions,* The Institute for Palestine Studies, Beirut, 1968.

given the slightest chance, Israel does not take long before *actually expanding*. Admittedly, one is on firmer ground in condemning Israel on the basis of actions taken and adhered to, than on the grounds of intentions — no matter how strongly circumstantial evidence supports the accusation of expansionist intentions. It ought to be remembered that the circumstantial evidence is *not* limited to the immediate past of a year ago; nor are the expansionist acts limited to the aftermath of the June 1967 war.

Israel's expansionism can be said to be based on her occupation of Egyptian, Jordanian, and Syrian territory and her refusal to withdraw, in spite of the Security Council Resolution to this effect of 22 November 1967 (No. 242, 1967), and in spite of blanket condemnation in the U.N. Charter of occupation of the territory of other states by member states.[34]

But we will not use the evidence of occupation in broad terms. We will assume, again for the sake of the argument, that Israel is willing to negotiate partial withdrawal, against certain Arab concessions.

Therefore, the expansionist acts will, by elimination, involve those areas occupied by Israel and declared "non-negotiable" by Israeli leaders, that is, areas that Israel will unequivocally refuse to include in any "negotiation agenda," under any circumstances. The non-negotiable areas are those occupied in excess of the territory set for the Jewish state in the Palestine Plan of 1947 and held until 5 June 1968, plus parts of the territory occupied in the June war. These last, include Jerusalem, Gaza, the Golan Heights, and "certain parts" of the West Bank of Jordan "needed for strategic purposes," according to the Israelis.

The Israelis are most emphatic about Jerusalem. Its occupation is irrevocable, according to Israeli official sources at all levels, from Prime Minister Eshkol and General Moshe Dayan down. Indeed, Israel's Foreign Minister Abba Eban declared at the United Nations on 16 June 1947, that even if the whole membership voted against

(34) For territories occupied, see Map 6.

the annexation measures taken by Israel (regarding the Arab parts of the City and a few villages surrounding it), Israel would still not budge or remove these measures.[35] Gaza, the Golan Heights, and "certain parts of the West Bank" are likewise considered non-negotiable in Israeli statements, some of which have been quoted above.

Whether premeditated or not, the determination to continue the occupation of Arab territory has no other name but expansionism. Yet so far emphasis has been placed solely on territorial expansion. There is another aspect of expansion that also deserves examination. This is Israel's policy of emptying the occupied territories of as many of their inhabitants as possible.[36] This was done in the

(35) Three resolutions have been taken calling on Israel to cancel her measures to change the status of the city:
a. General Assembly Resolution 2253 (ES-V) of 4 July 1967;
b. General Assembly Resolution 2254 (ES-V) of 14 July 1967, which was taken when the Secretary-General was unable to report compliance by Israel with the first resolution; and
c. Security Council Resolution S/RES/252 (1968) on 21 May 1968. All these resolutions have been defiantly and totally ignored. More recently, reacting to the last quoted resolution, Israel had again stated its categorical refusal to comply with U.N. resolutions involving the cancellation of annexation measures.

(36) We will not stop long here to talk of the harsh treatment of the Arabs living in the occupied territories, including mass shootings, mass graves, large-scale dynamiting of houses, destruction of whole villages, plundering of shops and offices, depriving Arabs of their means of livelihood. Many cases like these have been reported on the Western press, particularly the destruction *after the war* of about two-thirds of the town of Qalqilya. See for instance:
a. David Holden, in the *Sunday Times*. 19 November 1967;
b. *Israeli Imperial News* (London), March 1968, pp. 9 and 10;
c. World Peace Council, Report on a visit to the Middle East, 27 September to October 1967, in *The Truth about the Middle East*, (London, undated), p. 4;
d. Jordan Government Letter of Protest to U Thant, 10 August 1967;
e. Letter from the Jordan Government to the United Nations regarding violations listed above, particularly the destruction of Qalqilya after the cease-fire dated 21 June 1967;
f. United Press International despatch on 11 June 1967, regarding strafing by Israel planes of large masses of refugees running for safety.
g. The same information was reiterated in a UPI despatch of 23 June 1967.

1948-49 war, as we saw in Chapter VII above. As indicated earlier, some 200,000 Arabs were expelled from the West Bank during, but mostly right after, the brief fighting in June 1967. Another 200,000 have since been expelled, many from the Gaza Strip. These figures do not include Syrians expelled from the Golan Heights, Egyptians from Sinai towns, or East Jordanians forced to move out of the Jordan Valley further east, beyond the range of Israeli artillery.

The United Nations took action regarding the "new refugees." Thus, the Security Council called upon the Government of Israel "to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place and to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities."[37]

As already indicated in Chapter IX above, only 14,027 refugees have been allowed to return, plus a total of 1,847 admitted under a "family reunion plan." It is worth noting that against the odd 16,000 permitted to return out of the 200,000 expelled in June 1967, some 200,000 *additional* Arabs have since been expelled from the West Bank and the Gaza Strip. And the flow continues.[38]

(37) Security Council Resolution 237 (1967) of 14 June 1967, and General Assembly Resolution 2252 (ES-V) of 4 July 1967.

(38) A great deal of propaganda accompanied the return of the 14,027 refugees—the Israelis providing photographers and journalists to cover the event. Commenting on this propaganda, Ian Gilmour and Dennis Walters, British Members of Parliament, in a joint statement commented:

> The Israeli attitude to the refugees becomes clearer when their return rather than their expulsion is considered. Most people in Britain probably believe that Israel has agreed to their return and that repatriation is now satisfactorily proceeding. Nothing could be farther from the truth. Certainly on one day, in front of television cameras, 144 were allowed to return over the Allenby Bridge. Unfortunately, there was no television to record that over the other bridges on that same day, more than three times that figure were still going in the other direction. And since July 10, so far as we could establish, not one single refugee has been allowed to return and the sad traffic of exodus has continued at a rate of about 1,000 a day.
> (*The Times* (London), 27 July 1967).

In addition to actual expulsion, whether or not accompanied by large-scale destruction of dwellings, there is another form of pressure used by the Israeli authorities in order to empty the occupied territories of their inhabitants. This is economic pressure. It takes many forms, hidden and overt, coarse and subtle. It is only the high morale of the Arabs living under occupation, plus the financial aid which the Jordanian Government sends that enables the West Bankers to hold on. This, and the fear of the fate of becoming refugees living on relief.

*
**

There is hardly any more need to establish the case that Israel, like Zionism, the ideology underlying it, is expansionist. To the Arab, and to the impartial observer, the establishment of the state in 1948 against the will of the Arab majority and in its land, was an act of aggression, of colonialism in the classical sense. To have further occupied more than the Partition Plan allowed it, made of Israel an expansionist state. To have occupied yet more territory in June 1967, and to announce blatantly the determination not to give up several parts of this territory, confirms the expansionist label, if confirmation is still needed.

The reader will no doubt ask why the Arabs have allowed themselves to be bettered, in diplomatic manœuvring and on the battlefield. He will ask why, this being the clear course of events, the Arabs do not negotiate to retrieve, and protect what they can in the face of Israeli expansionism.

The questions are legitimate. But the story carries the answer. World Zionism, in alliance first with Britain and then with the United States, has been far too strong for the Arabs to confront successfully. The Arabs have relied too heavily on the inherent justice of their case and on world conscience. But the new Arab does not believe that his fate permits any more self-pity or passivity. He refuses to negotiate with Israel because Israel's precondition for negotiation is advance acceptance of further loss of territory and

long-term humiliation. He does not trust Israel's word in view of its record of broken promises and of expansion. He does not negotiate because no United Nations injunction in existence asks him to do so, while the United Nations Charter and its many resolutions on Palestine all provide for the use of the intermediary of the United Nations and its agencies. He is yet to see one sign of Israeli compliance with United Nations orders, calls, requests, whether with regard to territory or the return of refugees. He refuses to take Israeli declarations of peaceful intentions seriously, because to him deeds are much more eloquent than words. And he has not yet seen one act that concretizes Israeli admission of guilt, or Israeli redress of the many injustices done to the Arabs.

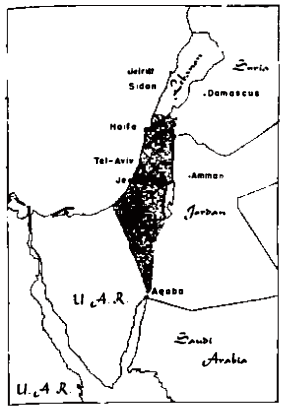
This is a sad story. But the sadness is more in the bitterness, frustration, and violence it is going to engender than in what it has so far engendered. A whole people, the Arabs of Palestine are today either under occupation or uprooted. They number 2,350,000 — exactly equal to the number of Jews in Israel. The Arab rightly asks: What has the creation of Israel solved? It has put into the land as many Jews as the Arabs uprooted or subjugated. But the Jewish inhabitants have not essentially solved even their own problem. Today they are harassed. Tomorrow they might be besieged. Can the Arabs be justly expected to do less than fight, dispossessed and continuously threatened as they are?

MAPS

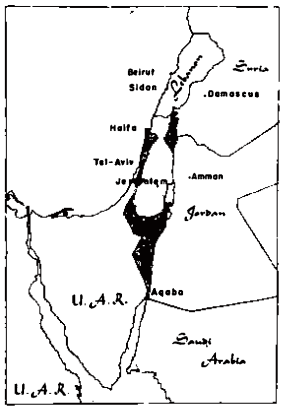
A 'JEWISH STATE' IN THE MAKING

The northern frontier is to be the mountains facing Cappadocia; the southern, the Suez Canal. Our slogan shall be — 'The Palestine of David and Solomon'.

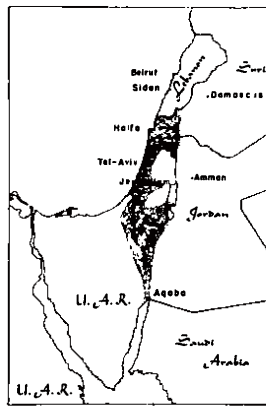
From the Diaries of
Theodor Herzl



Palestine Mandate
1920-1948

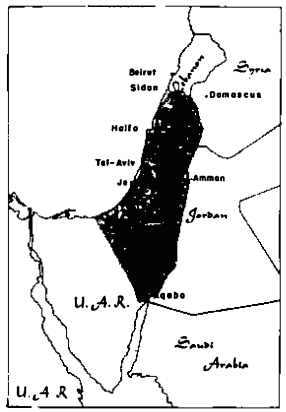


Palestine Partition
1947

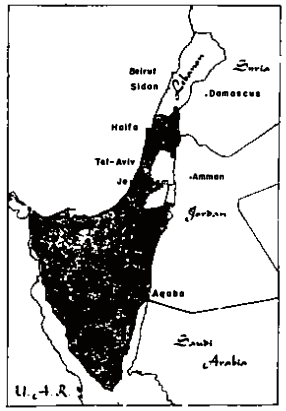


Palestine Armistice
1949

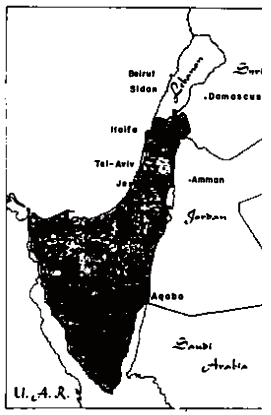
Zionist Plan, 1919



Area occupied 1956



Area occupied 1967

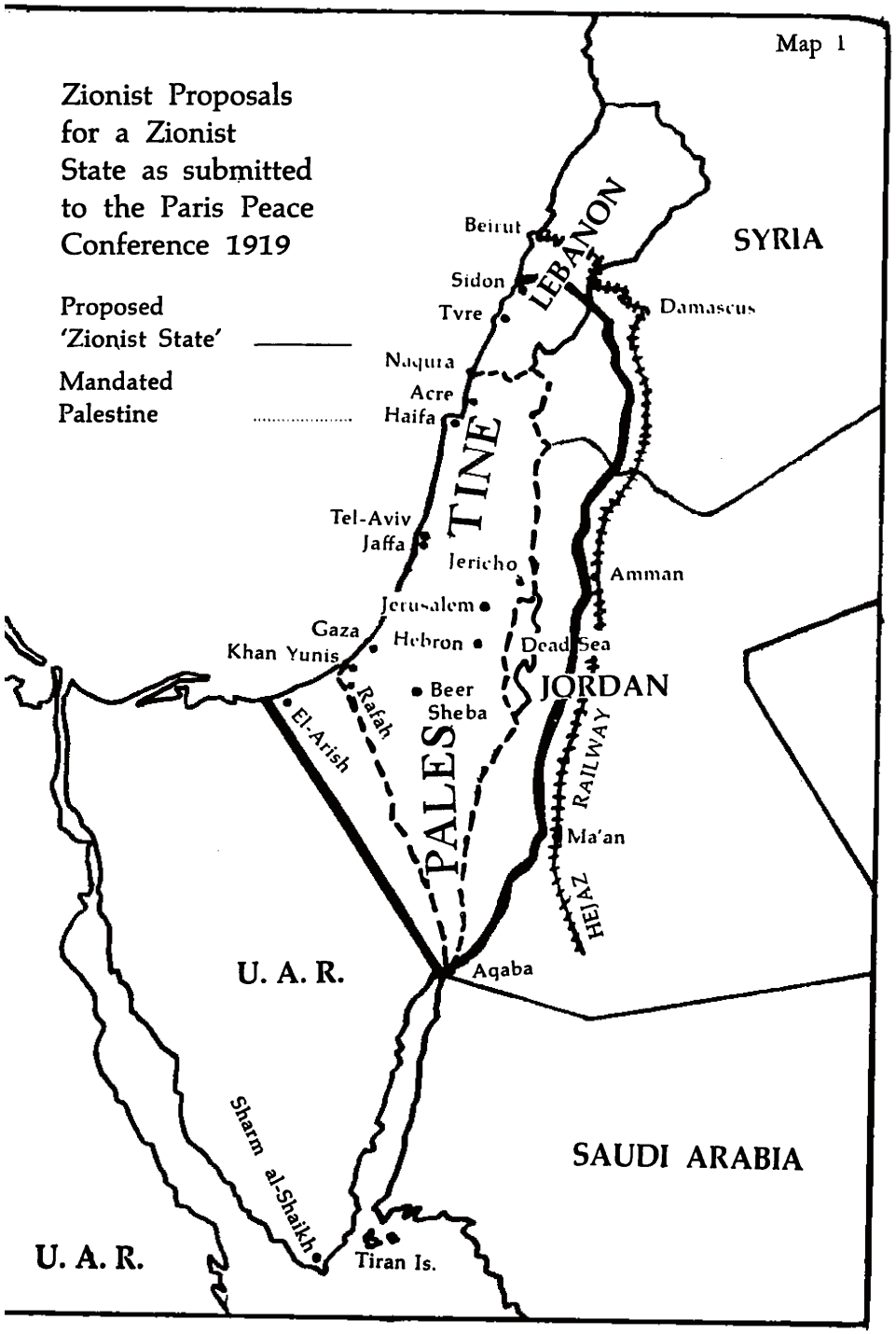


Map 1

Zionist Proposals for a Zionist State as submitted to the Paris Peace Conference 1919

Proposed 'Zionist State' ———

Mandated Palestine .....



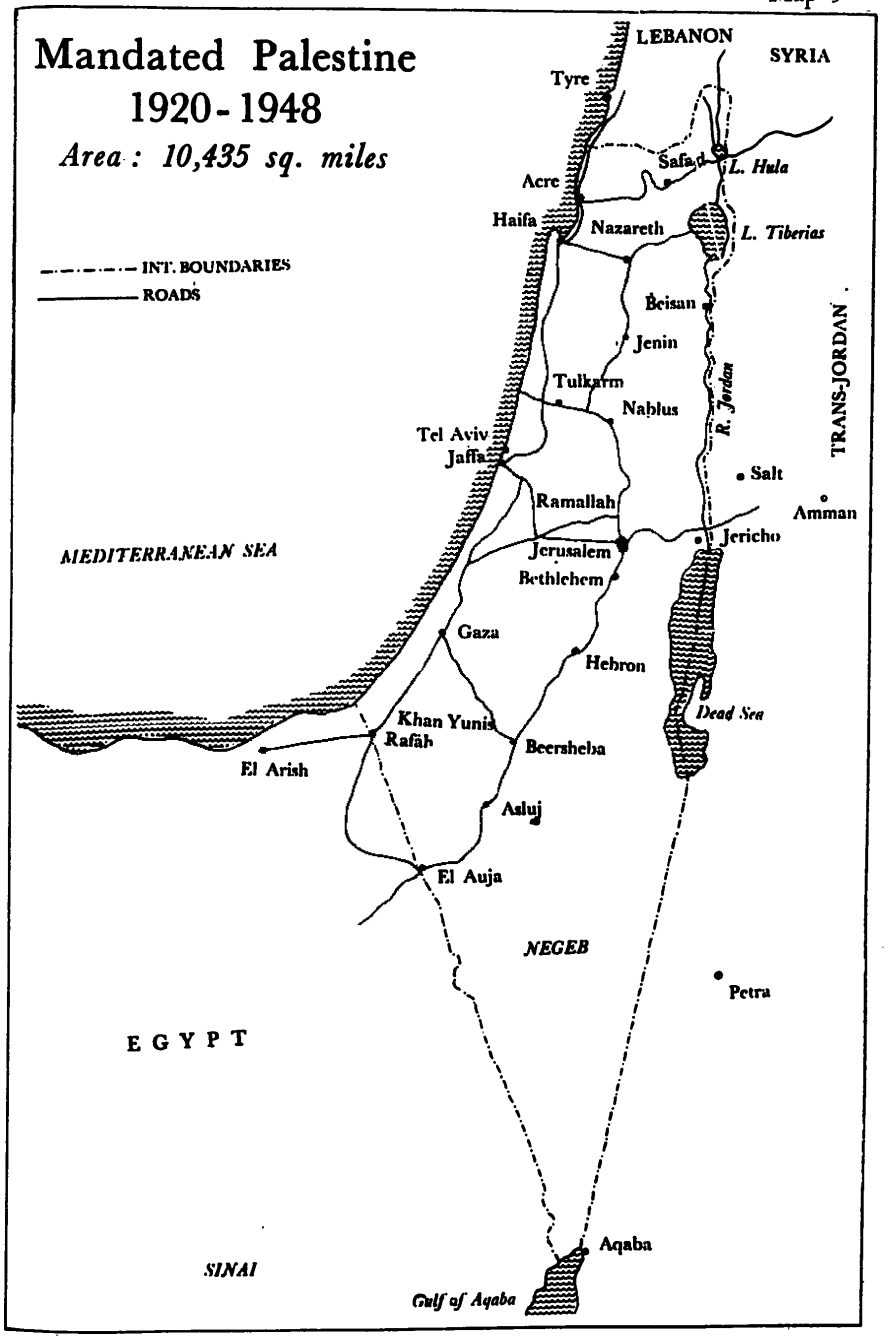
Map 2

The Eastern Arab World

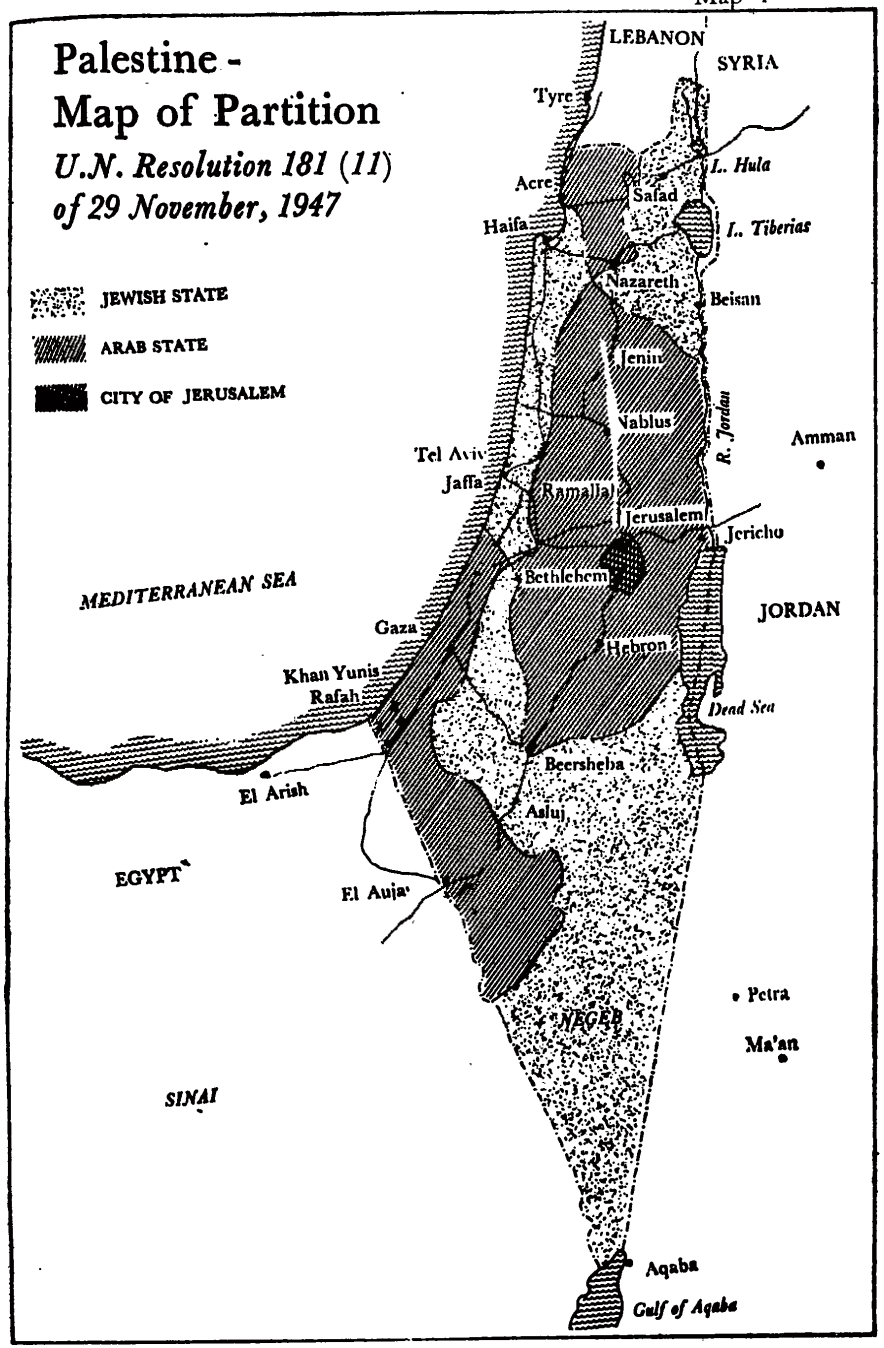
Area of Arab independence as defined by Sherif Hussein in his letter dated 14 July 1915 to Sir Henry McMahon, British High Commissioner in Egypt.

Area of Arab independence as understood to have been excluded from the Sherif's proposal.

Map 3

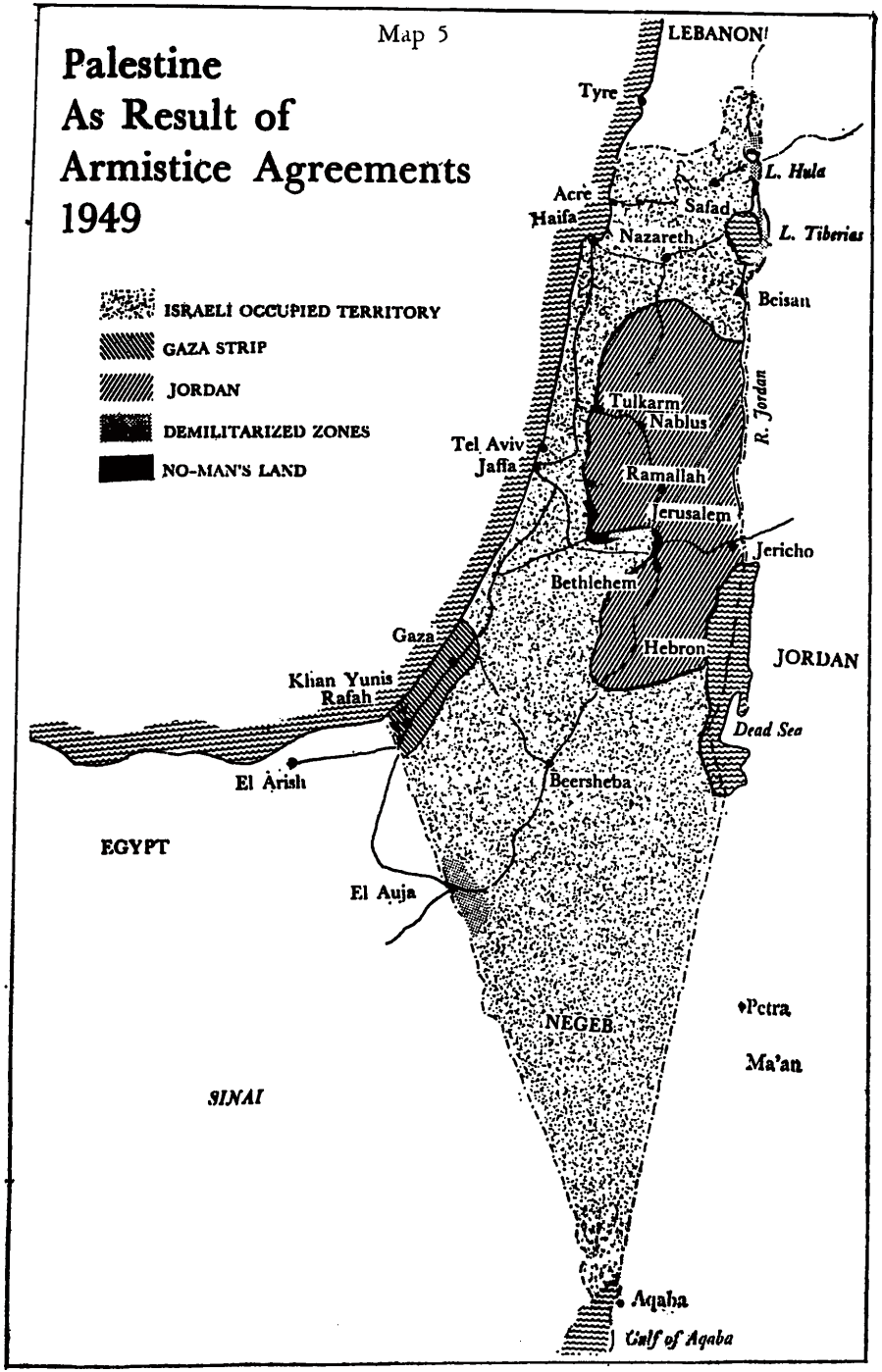

Mandated Palestine
1920 - 1948
Area : 10,435 sq. miles
INT. BOUNDARIES
ROADS
LEBANON
SYRIA
Tyre
Safad
L. Hula
Acre
Haifa
Nazareth
L. Tiberias
Beisan
Jenin
Tulkarm
Nablus
R. Jordan
TRANS-JORDAN
Tel Aviv
Jaffa
Salt
Amman
Ramallah
Jerusalem
Jericho
MEDITERRANEAN SEA
Bethlehem
Gaza
Hebron
Dead Sea
Khan Yunis
Rafah
Beersheba
El Arish
Asluj
El Auja
NEGEB
Petra
EGYPT
SINAI
Aqaba
Gulf of Aqaba

Map 4

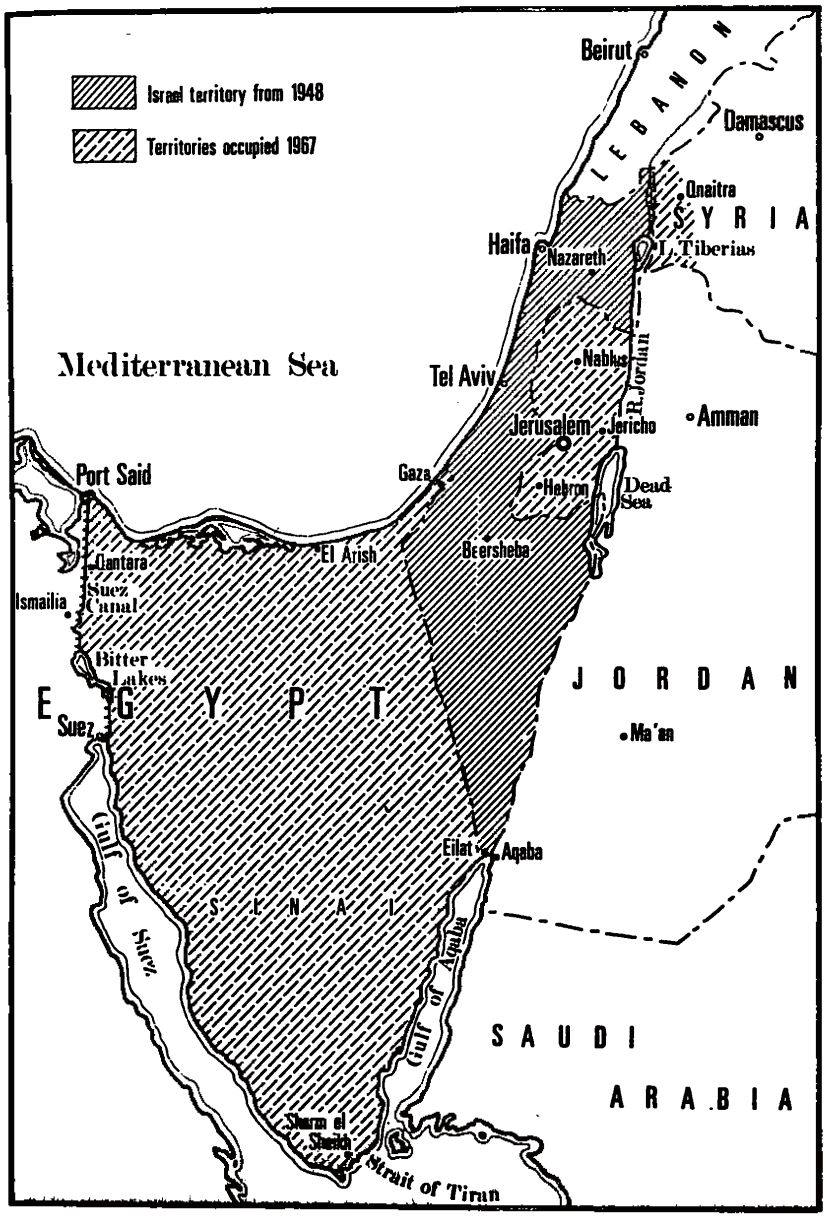

Palestine -
Map of Partition
U.N. Resolution 181 (11)
of 29 November, 1947
JEWISH STATE
ARAB STATE
CITY OF JERUSALEM
LEBANON
SYRIA
Tyre
L. Hula
Acre
Safad
Haifa
L. Tiberias
Nazareth
Beisan
Jenin
Nablus
R. Jordan
Amman
Tel Aviv
Jaffa
Ramallah
Jerusalem
Jericho
MEDITERRANEAN SEA
Bethlehem
JORDAN
Gaza
Hebron
Khan Yunis
Rafah
Dead Sea
Beersheba
El Arish
Asluj
EGYPT
El Auja
NEGEB
Petra
Ma'an
SINAI
Aqaba
Gulf of Aqaba

Map 5

Palestine As Result of Armistice Agreements 1949



Map 6



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