

MEMORANDUM



Summary Of Palestine Problem.

The Palestine question has been so thoroughly gone over during the last regular session and the present special session that it is difficult to imagine anything new that might be advanced by either side. The Jewish claims fall into two categories as to their basic concepts: (1) Juridical, and (2) Revolutionary.

The legal claims stem first out of the Balfour Declaration. This was a political paper that promised the Jews a "home" where they might feel safe from persecutions from which they had for centuries been the victims. Closely examined, this does not constitute much grounds for the legal establishment of a sovereign Jewish state in Palestine. The Jews have read into it much more than it contains.

The second legal claim is based on the UN recommendation for partition and economic unity passed by a two-thirds vote of the General Assembly on November 29, 1947. It is a stronger base on which to set up legally a sovereign state, but still not enough. That would require either the consent of the Arabs, who are in the majority in the present mandated territory, or the use of force by the UN to overcome their opposition. This concept was debated in the Security Council which refused to act--taking the position that there was no call upon the Council to use force, since no "aggression nor threat to the peace" was found. In both cases the Jews have read into the documents in the case more than they contained. The legal rights for the establishment of a sovereign Jewish state in Palestine are not clearly established. It seems quite obvious that they would lose in a free election to determine the issue. Where does this leave them? They have organized a revolutionary army which is attempting to take over the territory by force. Here they are on solid ground following the good old Latin American pattern. But in order to take over they must win a war. This war for independence is being carried out against both the Mandatory Power, which is the recognized legal authority, and the Arab majority in the area. They are, in their present conduct, trying to stand on two stools and between the two are likely to fall to the ground. They should either take a legal position and try to work out the matter politically and peacefully or take the field openly as revolutionists who are out to seize power by force of arms.

The UN should have a thorough appreciation of these two basic facts and not let itself become involved by taking sides in an armed movement. If the Jews wish to obtain their ends by legal means, the UN would go along

towards achievement of a peaceful settlement--it would necessarily be a compromise--and use all of the resources, material and spiritual, of its 58 members. If either side or both sides are bent on putting the issue to the test of war, it would be the duty of the Security Council to take steps to quarantine such a war, if it remains internal, or to smother it by overwhelming force if it develops into an "aggression or a threat to the peace" of the world. Those are the two alternatives that should be clearly set forth. If, as we are confident, it can be brought about that reason rules and the parties to the controversy decide to accept the temporary tutelage of the United Nations, an immediate Trusteeship should be set up to establish a government to rule the land and permit a peaceful evolution of its political and economic patterns under conditions of law and order.

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