

THE HOLY FATHER SPEAKS ON PALESTINE

The following is the official text of Pope Paul's apostolic exhortation "concerning the increased needs of the Church in the Holy Land". It was given on March 25, 1974 and released to the press on April 5, 1974. It is to be noted that this is not the Statement given at his General Audience on April 10, 1974, which seemed to indicate a shift in the Vatican position on Jerusalem, but was clarified within two hours of its delivery lest it be misunderstood.

The purpose of this exhortation was to focus the attention of all Christians on the necessity to support the continued presence of the "living witness" of the Christian community in the Holy Land.



Venerable Brothers and dear Sons and Daughters: Health and the Apostolic Blessing

We turn to you, venerable Brothers and dear sons and daughters, in order to draw your attention to the duty we have of showing the Christian communities of the Holy Land the meaning of the ecclesial charity that unites us all.

The Church in Jerusalem, in fact, has a privileged place among the cares of the Holy See and of the whole Christian world. Interest in the Holy Places, and especially in the city of Jerusalem, is shown also in the highest assemblies of the Nations and by the major International Organizations. This interest aims at protecting their safety, and guaranteeing the free exercise of religion and worship.^[1]

Today, this interest is all the more necessary because of the grave religious, political and social problems existing in the Holy Land: the complex and delicate problems of the coexistence of the peoples of the region, of their living in peace, and questions of a religious, civil and human nature which involve the life of the different communities that live in the Holy Land.

With sentiments of anxiety, yet enlightened by a ray of hope, we recall again what we said recently, namely that the continuation of the state of tension in the Middle East, without conclusive steps towards peace having been taken, constitutes a serious and constant danger. This danger imperils not only the peace and security of the people there—and the peace of the whole world—but also threatens certain values which for various reasons are supremely dear to such a great part of mankind. In addition, the continuing existence of situations lacking a clear juridical basis internationally recognized and guaranteed, far from contributing to a fair and acceptable solution which takes account of every-

one's rights, can only make such an achievement more difficult. We are thinking especially of Jerusalem, the Holy City and the capital of monotheism, towards which there turn more intensely in these days the thoughts of Christ's followers, and of which, on a par with the Jews and the Moslems, they ought to feel fully "citizens".^[2]

For our part, we cannot but recall the pilgrimage we made to the Land of Jesus in January 1964. We wanted to go there so that in the Holy Places, where Christ was born, died, rose again and ascended into heaven, we could personally honour the mysteries of our salvation.^[3] Nor can we forget the meeting with those Christian religious leaders, including the Greek Patriarch and the Armenian Patriarch of Jerusalem, and with the crowds of the faithful who pressed about us in, as it were, an exuberant embrace of faith and charity.

Speaking of this intention of ours to the Council Fathers we explained the purpose of the journey: it was necessary "to intensify prayers and deeds",^[4] in order that the Council might come to a happy conclusion. For this reason we decided "to become ourself a pilgrim to the Land of our Lord Jesus",^[5] "the land where the Patriarchs, our fathers in faith, once lived; the land which echoed with the voices of the Prophets, who spoke in the name of the God of Abraham, Isaac and Jacob: the land, above all, that the presence of Christ made for ever blessed and sacred for Christians, and—we may say—for the whole human race".^[6] "No one can forget that when God, as man, wished to choose for himself a country, a tongue and a family in this world, he chose them in the East."^[7]

"We seem to find a mysterious relationship between that land, Jesus Christ, Peter, his succession and Rome," as we recalled on the evening of our return to Rome from our pilgrimage to the Holy Land.^[8]

This blessed land has thus become in a certain sense the spiritual heritage of the Christians of the whole world, who dream of being able at least once in their lifetime to visit it as pilgrims and to express their devotion and manifest their love for God who became the Infant in Bethlehem, the young Worker in Nazareth, the divine Master and Wonder-worker throughout the whole region, the Crucified Christ of Calvary, the Redeemer risen from the tomb, which is in the "Temple of the Resur-

rection" (*ho náos tis anastaseos*)—as this church is called, in an evocative phrase, by the Greek-speaking Christian brethren.

But it is also a country in which, besides the Shrines and the Holy Places, a Church—a community of believers in Christ—lives and works. It is a community that in the course of history has undergone innumerable trials and has suffered painful difficulties. Internal divisions, persecutions from without and, for some time now, emigration have weakened it, leaving it no longer self-supporting, and therefore in need of our understanding and of our moral and material help.

These brothers and sisters of ours, "who live where Jesus lived and who, in the vicinity of the Holy Places, are the successors of the very first Church, which gave rise to all the other Churches",^[9] enjoy precious merits in the sight of God and a high spiritual credit with all of us. In a unique way they share daily in the sufferings of Christ, and live up to their name as Christians by the testimony of a lively faith, open-hearted love and genuine poverty, in accordance with the spirit of the Gospel. Were their presence to cease, the Shrines would be without the warmth of this living witness, and the Christian Holy Places of Jerusalem and the Holy Land would become like museums. We have already had occasion to express openly our anxiety at the decreasing numbers of Christians in the ancient regions that were the cradle of our faith.^[10]

From the very day of the Resurrection, when the Divine Master's most faithful followers went to visit his tomb, the first Jewish-Christian nucleus had the merit of preserving the memory of the most important Holy Places, showing the remains of them to the pilgrims who began to visit them at a very early date.

Sentiments of faith and piety impelled the first Christians to seek almost physical contact with the Holy Places and to hold impressive liturgical ceremonies there.

It is of course true that Christianity is a universal religion, not linked to any one country, and that its followers "worship the Father in spirit and truth."^[11] But it is also a religion based upon an historical revelation. Alongside the "history of salvation" there exists a "geography of salvation". Thus the Holy Places possess the invaluable quality of providing faith with an indisputable support, enabling the Christian to come into direct contact

with the setting in which "the Word became flesh and dwelt among us."^[12]

Recent archaeological excavations, carried out by important cultural institutes, including the Biblical School of the Dominican Fathers and the Studium of the Franciscan Fathers of the Custodia di Terra Santa, have brought to light fresh remains dating from the time of Christ and the Apostles.^[13]

There are documents from the fourth century onwards which speak of pilgrims travelling to the Holy Land and indicate routes to make their journeys easier.^[14]

Later, the well-known Arezzo Codex describes both the monuments in the Holy Land and the ceremonies held there, especially in Jerusalem during Holy Week.^[15]

Saint Jerome, through his sojourn in Palestine and the impulse that he gave to Biblical studies, increased to a notable degree the interest in the Land of Jesus on the part of the Western Christian world and of cultural groups. It was in his time that two religious houses and a hospice were built in Bethlehem, a clear sign of a considerable flow of pilgrims.^[16]

Later, too, the Holy Land continued to attract numerous pilgrims, in spite of the dangers of the journey and the limited and slow means of communication. Through the help of generous benefactors there was a consequent increase in religious houses and churches; the city and even the desert came to be populated by monks and penitents of every country and every rite, who discovered in the Land of the Lord the well-springs of the Christian life.

Down through the centuries the changing pattern of history has had its effect on the flow of pilgrims, which has known flourishing and less happy times. Since the last century there has been a constant increase in the number of pilgrimages, made easier by modern means of transport and motivated by a deeper sense of faith.

It is worthy of note that during the Second Vatican Council many of the Fathers went on pilgrimage to the Holy Places. And it is encouraging to see that many priests and Religious like to spend a few days of retreat in Jerusalem on the occasion of their ordination or of special anniversaries. We would like to see even more of such visits to the Holy Land. This is why it has been our desire that the Notre-Dame Hospice in Jerusalem should be reopened for the purpose, among others, of receiving groups of priests.

Such pilgrimages have been able to favour meetings with peoples of dif-

ferent beliefs, since not only the Christian communities—Catholic and non-Catholic alike—but also the Jewish and Moslem communities look to and travel to that blessed Land, especially to Jerusalem, as to their spiritual centre.

We earnestly hope that these contacts will increase and contribute (as we think and trust that they will) to mutual knowledge and respect and to the coming together of brethren, sons and daughters of the same Father; we hope, too, that they will lead to a deeper understanding of the primary need for peace among peoples.

Saint Paul had at heart the well-being of the faithful in Palestine and organized a collection for the poor among the faithful at Jerusalem. His appeal was answered generously by the Churches in Macedonia and Achaia and the disciples determined, everyone according to his ability, to send relief to the brethren who lived in Judea. The newly-founded communities among the Gentiles felt themselves indebted to the members of that Church from which they had received the riches of spiritual goods, which they repaid with the fruits of their charity. The Apostle took the contributions personally to the Holy City, valuing the collection as a bond of unity between the new communities of believers and the original Church in Jerusalem.^[17]

It was not outside of God's plan that the historical events of the thirteenth century brought the Order of Friars Minor to the Holy Land.

Ever since that time the sons of Saint Francis have been in the Land of Jesus—for an unbroken series of years—serving the local Church and guarding, restoring and protecting the Christian Holy Places. Their fidelity to their Founder's desire and to the Holy See's mandate has often been sealed with acts of extraordinary virtue and generosity.

The Friars Minor appealed directly to the great and to the humble for alms, and those entrusted with this task had the official title of "Procurators" or "Commissaries of the Holy Land".^[18] However, with the passage of time and increased need, their work proved insufficient. Therefore the Supreme Pontiffs on several occasions with paternal solicitude ordered the "Collection for the Holy Places", specifying the purpose of the collection and the times and means whereby the offerings were to be sent to their destination through the Ordinaries.^[19]

From the second half of the nineteenth century there was an important increase in pastoral, social, charitable and cultural works for the benefit of the local population without distinction and of the ecclesial communities of the Holy Land.

Unfortunately the local Church is

lacking in material means. It is also suffering from the serious and prolonged consequences of the war that, it can be said, has been going on for decades. And it is not possible to ask the local faithful for sufficient help, since most of them have barely enough to keep themselves alive.

If this Christian community which originated in Palestine two thousand years ago and is still there today is to ensure its continued survival, if it is to make its presence active and effective also in the service of the other communities with which it shares its home, then the Christians of the whole world must be generous and help the Church in Jerusalem with the charity of their prayers, the warmth of their understanding and the tangible expression of their solidarity.

At this time we renew our hope for and our fervent encouragement of sincere and willing efforts towards a just and prompt peace, in the equitable recognition of the rights and legitimate aspirations of all the peoples concerned.

It is obvious to everyone, in fact, that the various civilizations that have sprung up in the Holy Land in the course of the centuries must come together, so that the groups of people belonging to them, though different for many reasons, may establish a form of cooperation and may remain in that region as in a "*syn-odos*", to give the Greek word its basic meaning of going forward together.

In this process of coming together, the Christian presence in the Holy Land, together with the Jewish and Moslem presence, can be a factor for concord and peace. This has a particular importance especially for us Catholics, confident as we are that "the future is in the hands of those who are able to pass on to the generations of tomorrow reasons for living and hoping."^[20]

This initiative of ours, however, is intended to have no other significance than a religious and charitable one, even though we cannot refrain from mentioning the particular importance of the question of Jerusalem and the Holy Places, a question that has been dealt with in other solemn papal documents.

Impelled therefore by the appeal that comes to us from that Land and by the commitment of our pastoral ministry, we renew and extend the norms laid down by our predecessors, in particular those of Leo XIII and

John XXIII, and we make the following provisions:

1. In all churches and oratories, whether belonging to the diocesan clergy or to religious congregations, there are to be special prayers offered for our brethren of the Church in the Holy Land, and a collection is to be taken up for them. This is to be done once a year, on Good Friday or on another day to be named by the local Ordinary. The faithful are to be informed in good time that the collection is to be used for the upkeep not only of the Holy Places but above all of those pastoral, charitable, educational and social works which the Church supports in the Holy Land for the welfare both of their Christian brethren and of the local communities.

2. The offerings are to be sent in due time by the pastors and rectors of the churches and oratories to their Ordinary, who will transmit them to the nearest Commissary of the Holy Land (whose activity, so praiseworthy in the past, seems to us still valid and functional), or through some other suitable channel.

3. The Sacred Congregation for the Eastern Churches, in accordance with the Instructions given by us, will take steps to ensure that the Custodia di Terra Santa and the local hierarchy can, within their respective competencies, continue to consolidate and develop their various projects, in full harmony among themselves and in close collaboration with the other bodies that have special links with the Holy Land and which concern themselves with the affairs of the local Church.

In addition to the Custodia di Terra Santa, there exist in fact other works worthy of support and assistance, among which we would mention the Pontifical Mission.^[21] In issuing this appeal, we hope that the faithful of the whole world, while increasing their offerings for the collection traditionally called the Collection for the Holy Places, will not fail to give their contributions and cordial support to all the Church's work in the Holy Land, so that witness to the Gospel may be kept lively and the presence of Christ's followers at the Shrines may be strengthened.

On this occasion we assure all these organizations of our lively satisfaction and offer them our encouragement, that their witness of charity towards their brethren in the faith and for the welfare of every man in need may be ever more effective.

Finally, we express our praise and support of all the charitable organizations and of all men of good will who are helping to alleviate the grave sufferings of the people of the Holy Land, who still face the fear of an uncertain and difficult future. God grant that their beneficial action, with the restoration of that peace which all desire, may prepare better days for those who live in the Holy Land.

With our Apostolic Blessing.

Given in Rome, at Saint Peter's, on the twenty-fifth day of March in the year 1974, the eleventh of our Pontificate.

POPE PAUL VI

FOOTNOTES

- [1] Treaties of Vienna, Sevres, Montreux, League of Nations, UNO.
- [2] Address to the Cardinals, AAS 65 (1973), p. 23.
- [3] Address to the Council Fathers, AAS 56 (1964), p. 39.
- [4] Ibid.
- [5] Ibid.
- [6] Holy Father's greeting to His Excellency Mr. Zalman Shazar, President of the State of Israel, in L'Osservatore Romano, 7-8 January 1964, p. 6.
- [7] Allocution to the Catholic Hierarchy, in L'Osservatore Romano, 7-8 January 1964, p. 10.
- [8] Il pellegrinaggio di Paolo VI in Terra Santa, Litretia Editrice Vaticana, 1964, p. 140.
- [9] Concluding discourse of Paul VI at the Stations of the Cross in the Colosseum on 9 April 1971, in L'Osservatore Romano, 10 April 1971.
- [10] Address to the Cardinals, AAS 62 (1970), p. 47.
- [11] Jn 4:23.
- [12] Jn 1.14.
- [13] Casa di S. Pietro a Cafarnao, Studium Biblicum Franciscanum, Jerusalem; VINCENT-ABEL, O.P., Jerusalem nouvelle, Gabalda, 1914-1926.
- [14] Itinerarium Burdigalense, ed. P. Geyger, in Corpus Scriptorum Ecclesiasticorum Latinorum, Vienna 1898, Vol. 39, p. 25.
- [15] Fr. G. Gamurrini, S. Silvae Aquitanae Peregrinatio, in Studi e Documenti di Storia e Diritto, 1888, pp. 97-184.
- [16] Cf. T. Tobler-A. Moliner, Itinera latina bellis sacris anteriora, I, 1877, pp. 43-47; II, 1880, pp. 133-142.
- [17] Cf. Acts 11:29; 24:17; Rom 15:25-31; 1 Cor 16:1-4; 2 Cor 8:1-9; Gal 2:10.
- [18] Martin V, His quae, 24 February 1421, in Pullarium Franciscanum, Vol. VII, Rome 1904, p. 549, no. 1471.
- [19] Sixtus V, Nostri Officii, 1589; Urban VIII, Alias fel. rec., 1644, in Bullarium diplomatum et privilegiorum etc., Turin 1868, Vol. XV, pp. 320-324; Innocent X, Salvatoris et Domini Nostri, 1645, ibid. pp. 403-404; Leo XIII, Salvatoris et Domini Nostri Jesu Christi, 26 December 1887, in Acta Ordinis Minorum, 7 (1888), pp. 17-18; Benedict XV, Inclitum Fratrum Minorum, 4 October 1918, in AAS 10 (1918), pp. 437-439.
- [20] Second Vatican Ecumenical Council, Gaudium et Spec, 31.
- [21] The Pontifical Mission for Palestine, whose current President is Monsignor John G. Nolan of the Catholic Near East Welfare Association, 1011 First Ave., New York, N.Y. 10022.

The International Definition

THE RIGHTS OF THE PALESTINIANS

by Ghayth Armanazi*

Arab official declarations today abound with references to the "rights of the Palestinians" as forming a cornerstone of Arab moves for a peace settlement in the Middle East. Nevertheless, in spite of the constant repetition of the phrase concerning Palestinian rights, few attempts have been made to explain in concrete terms what the formula really means. This has sometimes led to interpretations within the Arab world to the effect that Arab leaders give pride of place to settling their own territorial problems and merely offer lip-service where the Palestinians are concerned. Moreover, it has been argued, such recognition of Palestinian rights as is made outside the Arab world is certain to be even more nebulous and perfunctory.

It is clear that much of the confusion surrounding Palestinian rights arises from the lack of attention paid to defining the term. This vagueness has been increased by the unwillingness of the Arab leaders to define the term more closely, for fear of impeding their current moves towards a peace settlement. But confusion over the precise meaning of the phrase, as it is understood internationally, is unwarranted since the content of Palestinian rights has often been clearly and concretely enunciated by the world community. The aim of this article will be to examine this international consensus, which has been built up over recent years.

The basic procedure followed will be an investigation of what the United Nations, as the international forum closest to representing the views of mankind, prescribes as being Palestinian rights. The United Nations General Assembly and Security Council have passed several resolutions on the subject in the last quarter of a century. Some of these are striking for the near-unanimity of international support that they attract. For example, the resolution guaranteeing the right of the Palestinians to return to their homes in those parts of Palestine that became Israel in 1948, numbers among its supporters not merely the friends of the Arab world, but also the United States, Israel's main ally.

The Partition Proposal of 1947

The origins of the United Nations' definition of Palestinian rights can be traced, ironically, to General Assembly resolution 181 of November 29, 1947, which laid the foundations of the state of Israel by providing for the partition of Palestine. In terms of its overall effects, the resolution constituted a denial to the Palestinians of one of the most basic of internationally recognized rights: the right of a people to self-determination. It carved out of the larger part of the territory of Palestine a Jewish state without reference to the Palestinians' repeated demand for the maintenance of the integrity of their country, and for its independence within its constituted boundaries. The Jews, in a minority of less than one-third, and owning less than 7 per cent of the total land area, were allotted 56 per cent of that area. Nevertheless, the partition plan specified a number of rights for the Arabs of the Jewish state (a "minority" of virtually 50 per cent prior to their mass eviction) which have long since partially or completely been suppressed by the Israeli state. The Arabs were to retain their rights to live in their homes, towns and villages; they were not to be discriminated against; their "adequate primary and secondary education" was to be ensured; and their property was not to be expropriated except for clear public purposes.

The resolution's articles include the stipulations that:

"No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex."¹ (Article 2)

"The state shall ensure adequate primary education for the Arab and Jewish minority,² respectively, in its own language and its cultural traditions."³ (Article 6)

"No expropriation of land owned by an Arab in the Jewish State (or by a Jew in the Arab State) shall be allowed except for public purposes. In all cases of expropriation, full compensation as fixed by the Supreme Court shall be paid previous to dispossession."⁴ (Article 8)

"Palestinian citizens residing in Palestine outside the City of Jerusalem, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine outside the City of Jerusa-

lem shall, upon the recognition of independence, become citizens of the state in which they are resident and enjoy full civil and political rights."⁵ (Chapter 3, Article 1)

The extent to which Palestinian Arabs in exile (and even those who remained behind) since 1948 have not enjoyed their "legitimate rights" is underlined by the briefest comparison between the principles laid down in the resolution — which constitutes Israel's "international franchise" — and the reality from which the Palestinians have suffered. The Palestinians were intended to be treated on a par with Jews in the area occupied by the Jewish state; the majority were instead dispossessed and exiled from their homeland. The minority remaining in Israel have seen a substantial portion of their property confiscated and turned over to neighbouring Jewish settlements.⁶ The discrimination practised against them in Israel is exemplified by Israeli official statistics on education which show their progress to have been worse not merely than that of Jews in Israel, but than that of Palestinians in the neighbouring Arab states that are less developed than Israel.⁷

The Right of Return

In reacting to the impact of the 1948 war on the area, the United Nations resorted to treating the Palestinians, now refugees, as an economic and humanitarian rather than a political problem. This was a reflection of the virtual absence of an independent Palestinian role in the area of the Arab-Israeli conflict after Palestine had been divided between Israel (predominantly) and Jordan. Nevertheless, there was no doubt in the international arena that peace could only be attained in the area if the Palestinian refugees from areas occupied by Israel were permitted the right to return to them. This principle was first embodied in General Assembly resolution 194 (III) of December 11, 1948, which set up the UN Conciliation Commission for Palestine. The resolution, in designating the duties of the Commission, established in paragraph 11 that the General Assembly:

Resolves 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 practicable date, and that compen-

* Ghayth Armanazi is Head of the Editorial Section at the Institute for Palestine Studies.

sation 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;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation.⁸

Israel's unwillingness to accept this resolution has sometimes been explained in terms of "security" — Israel does not wish to absorb Palestinians who might be hostile to her. But the wording of the resolution refutes this argument. By not accepting it, Israel is rejecting *in principle* the return of Arabs willing to "live at peace with their neighbours"; the reason is clearly a desire on racial grounds to have a purely Jewish state free of Arabs.

Between 1950 and 1973 subsequent resolutions repeating these Palestinian rights were passed nineteen times.⁹ The latest, resolution 3089 adopted on December 7, 1973, stated that the General Assembly:

Notes with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by the General Assembly in paragraph 2 of resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern . . .¹⁰

The resolution was endorsed by almost every world government, including the US and all European nations, the vote being 121 for, 0 against and 3 abstaining (Israel, Bahamas, Central African Republic). The near-universality of approval refutes a common argument offered from within Israel that all United Nations resolutions are passed against Israel only by virtue of the existence of an Afro-Asian majority in the UN.

The right of the Palestinians to return to the territory occupied by Israel in 1948 is therefore beyond question and has been a matter of solemn assertion and reconfirmation by the international community. Their right to the value of their property, in case they choose compensation rather than return, is also repeatedly registered in the records of the United Nations.

The Right of Self-Determination

However significant the rights thus acknowledged may be for the Palestinians, it has only been in recent times that the most important change of all has occurred in international thinking on the problem. This has been the recognition that the Palestinians are more than a faceless group of refugees; they are a separate Arab people with the right to self-determination that this status entails. Thus, our purpose now will not be to concentrate on the numerous UN resolutions that deal with the purely humanitarian ramifications of the problem since 1967, such as the right to return of Palestinians displaced in the June War; it is our task instead to trace and describe international thinking on Palestinian self-determination.

It was in 1969 that the breakthrough occurred. As part of its annual resolution extending the mandate of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), the General Assembly affirmed that the problem of the Palestinian Arab refugees "has arisen from the denial of their inalienable rights to self-determination under the Charter of the United Nations and the Universal Declaration of Human Rights"¹¹ and that the General Assembly, "desirous of giving effect to its resolutions for relieving the plight of the displaced persons and the refugees, reaffirms the inalienable rights of the people of Palestine. . . ."¹²

The voting on this section of the resolution was 48 for, 22 against (including Israel and the United States) and 47 abstentions.

Even more forthrightly, in the following year the General Assembly declared that the Palestinian people were entitled to equal rights (with other peoples) and self-determination. Section C of Resolution 2672 stated that the Assembly:

1. *Recognizes* that the people of Palestine are entitled to *equal rights and self-determination* [my italics], in accordance with the charter of the United Nations;

2. *Declares* that full respect for the inalienable rights of the people of Palestine is an indispensable element in the establishment of a just and lasting peace in the Middle East.

After two annual repetitions of similarly worded resolutions, a really remarkable increase in international support for Palestinian rights, as reflected both in the wording of the relevant clauses and in the voting for them,

occurred during the 28th Session of the General Assembly. Section D of Resolution 3089 (adopted on December 7, 1973) stated that the Assembly reaffirmed the rights mentioned above, and

1. *Expresses* once more its grave concern that the people of Palestine has been deprived by Israel from enjoying its inalienable rights and from exercising its right to self-determination;

2. *Declares* that full respect for and realization of the inalienable right of the people of Palestine, particularly its right to self-determination, are indispensable for the establishment of a just and lasting peace in the Middle East, and that the enjoyment by the Palestine Arab refugees of their right to return to their homes and property, recognized by the General Assembly in resolution 194 (III) of 11 December 1948, which has been repeatedly reaffirmed by the General Assembly since that date, is indispensable for the achievement of a just settlement of the refugee problem and for the exercise by the people of Palestine of its right to self-determination.¹³

An overwhelming majority of 87 countries voted in favour of the section, with only six against (Barbados, Israel, Costa Rica, USA, Bolivia and Nicaragua) and 33 abstentions.

The importance of this resolution is that for the first time a clear link is established between the right of the Palestinians to self-determination and their right to return to Palestine. The latter is determined as an "indispensable" condition for the exercise of the former. Nowhere is there a more clearcut international espousal, and by a strong majority, of the basic demands of the Palestinians as they have been defined from the earliest beginnings of the Palestine conflict. From its hesitant start in 1969 of recognizing the vague principle of the "inalienable rights" of the Palestinians, the General Assembly, in only four years, moved dramatically towards backing the essence of the Palestine liberation programme.

The Right to Struggle

Finally, coupled with this recognition of Palestinian rights has been a position of support for the right to struggle to achieve those rights. Resolution 2649 of November 30, 1970 was the historical move in this respect. After noting in its preamble that "many peoples are still denied the right to self-determination and are still

subject to colonial and alien domination," the operative part of the resolution subsequently:

1. *Affirms* the legitimacy of the struggle of peoples under colonial and alien domination recognized as being entitled to the right of self-determination to restore to themselves that right by any means at their disposal.

2. *Recognizes* the right of peoples under colonial and alien domination in the legitimate exercise of their right to self-determination to seek and receive all kinds of moral and material assistance, in accordance with the resolutions of the United Nations and the spirit of the Charter of the United Nations. . . .

5. *Condemns* those Governments that deny the right to self-determination of peoples recognized as being entitled to it, especially of the peoples of southern Africa and Palestine.¹⁴

This resolution established, by international majority opinion, two fundamental principles of great relevance to the status of the Palestinian resistance:

a) The right of the Palestinians (Palestine being mentioned specifically in the context of a general treatment of colonialism and alien oppression) to struggle to achieve their right to self-determination "by any means at their disposal" [italics added];

b) the right of the Palestinians, along with other victims of oppression, to "seek and receive all kinds of moral and material assistance."

These principles are repeated and elaborated upon in Resolution 2787 of December 6, 1971, where the General Assembly

[reaffirms] the inalienable rights of all peoples, and in particular those of Zimbabwe, Namibia, Angola, Mozambique, and Guinea (Bissau) and the Palestinian people, to freedom, equality and self-determination, and the legitimacy of their struggles to restore those rights.

The resolution also "calls upon all States dedicated to the ideals of freedom and peace to give all their political, moral and material assistance to peoples struggling for liberation, self-determination and independence against colonial and alien domination."

Conclusion

It is clear that the General Assembly of the United Nations — the most representative body of politically-organized mankind — has produced a long record of judgements on what constitutes "Palestinian rights." In essence

the principles that have gained varying degrees of majority acceptance and have formed part of recurring resolutions are the following:

1. *The Right to Return*

This has been a persistent demand of the United Nations from the time the refugee problem first arose in 1948, and has been backed virtually unanimously.

2. *The Right to Self-Determination*

This has been affirmed in recent years by a series of resolutions, and, even more important, has been given teeth by the last session of the General Assembly which specified that such a right can only be exercised in the context of a Palestinian return. Both principles, the Right of Return and the Right of Self-Determination, are thus expressly linked and, notably, are not far from the slogan of the Palestinian resistance: "Self-determination of the Palestinian people on their land."

3. *The Right to Struggle*

United Nations resolutions have specifically mentioned the Palestinians as a people whose struggle, by all means at their disposal, is a legitimate and worthy cause.

4. *The Right to Receive Aid in their Struggle*

United Nations resolutions have also affirmed the right of the Palestinians, among other fighters for freedom, to receive aid, moral and material, from members of the United Nations committed to the ideals of the international body. This is a crucial principle with regard to Arab aid to the Palestinians, which must be seen in the context of this affirmation of rights.

The significance of these resolutions lies above all in their general drift. Treated as mere "refugees" until 1969, the Palestinians, through their resistance movement, have since been placed firmly on the political map of the world.

The question may well be asked whether all these General Assembly resolutions signify any binding definition of Palestinian rights in the light of the fact that such resolutions, according to the UN Charter, are "recommendations" as opposed to the compulsory nature of those adopted by the Security Council. It will be noted, in this respect, that the resolutions of the Security Council, particularly the famous resolution 242 of November 22, 1967, are totally absent from the above discussion. This is deliberate since, in essence, resolution 242 and other resolutions passed by the Council concerning the Arab-Israeli conflict have

largely been restricted to the relations between Israel and the Arab states and have been reactions to border flare-ups or to wars that erupted in the Middle East. The Security Council's concern, in accordance with its functions, has always been to urgently control a potentially explosive situation, and to impose cease-fires and armistices. The "Palestine Question" as such has traditionally been the realm of the General Assembly, while Security Council pronouncements on the conflict in the Middle East have only rarely touched upon the "Palestinian" foundations of the conflict.

Hence, it was not surprising that Resolution 242, while being substantially different from past Security Council resolutions (in its attempt to define the principles of a "lasting peace" in the Middle East), should largely ignore the Palestinians (except in calling for a "just settlement of the refugee problem"). The resolution was designed to alleviate the crisis situation resulting from the June War, and sought to accommodate the Israeli desire for recognition with the Arab states' desire for the return of their territory. These were, in a nutshell, the two principles and *raison d'être* of the resolution. Only *en passant* were the Palestinians alluded to, and then only as unidentified refugees.

Whether by intention or not, therefore, Security Council resolution 242 does not deal directly with the Palestinians. A solution to their problem has to be sought elsewhere and it is obviously the General Assembly, which was responsible first and foremost for the sufferings that befell the Palestinians after the partition resolution of 1947, on which the onus inevitably falls. Its resolutions offer a notable reflection of the process by which the Palestinians have wrested recognition from the world. It is common in pro-Israeli circles to detract from the importance of United Nations General Assembly resolutions, but those who do so must uncomfortably ponder one fact — that without a General Assembly resolution Israel itself, if it existed at all, would be without its most important birthright.

Taken from Journal of Palestine Studies, Spring 1974. Used by permission.

FOOTNOTES

¹ United Nations, Official Records of the Second Session of the General Assembly, *Resolutions*, 16 September-29 November 1947, p. 137.

² The reference is to the Jewish minority in the Arab state proposed by the UN in the rest of Palestine. This, in fact, was numerically insignificant, so in practice these safeguard clauses predominantly affected the Arabs in Israel.

3 United Nations, *op. cit.*

4 *Ibid.*, p. 138.

5 *Ibid.*

6 See Maxine Rodinson, *Israel and the Arabs* (London: Penguin, 1968), p. 51; Sabri Jiryis, *The Arabs in Israel* (Beirut: Institute for Palestine Studies, 1969), pp. 55-90.

7 See Uri Davis, "Palestine into Israel," *Journal of Palestine Studies* III, 1 (Autumn 1973), p. 97, n. 22; Nabeel Shaath, "Palestinian High Level Manpower," *ibid.*, I, 2 (Winter 1972), p. 86.

8 United Nations, Official Records of the Third Session of the General Assembly, *Resolutions*, 21 September - 22 December 1948, pp. 21-25.

9 The following are their numbers: 394; 818; 916; 1018; 1191; 1315; 1465; 1604; 1725; 1865; 2052; 2154; 2452; 2535; 2672; 2792; 2963; 3089.

10 United Nations, Press Release GA/4940, 19 December 1973, *Resolutions of the General Assembly at its 28th Regular Session*, 18 September - 18 December 1973, p. 59.

11 United Nations, Official Records of the General Assembly, 24th Session, Supplement No. 30 (A/7630), p. 54.

12 *Ibid.*, 25th Session, Supplement No. 28 (A/8028), p. 73.

13 United Nations, Press Release GA/4940, 19 December 1973, pp. 60-61.

14 *U.N. Monthly Chronicle*, vol. IX, no. 11, December 1972, p. 76.

the University of Cincinnati, he brings us the fruits of academic research but with a readable style free from technical terminology. Even more important, as a Palestinian who has found in the U.S.A. not only a refuge but professional advancement, he identifies warmly with the peoples both of his ancestral homeland and of his adopted country.

His book's repeatedly expressed longing is to contribute toward an honorable and workable peace between Arabs and Israelis. There was a time, its final chapter points out, when the U.S.A. was in a much stronger position than now to help effect such an outcome. From their acquaintance with American businessmen and missionary educators and doctors, the Arabs had come to believe in our country as a free, fair-minded, non-colonialist democracy ready to champion the right of self-determination of any nation.

That view, he records, was tarnished by U.S. backing of the partition of Palestine against the wishes of the overwhelming majority of Palestinians. Though, since 1948, the U.S. has voted regularly at the U.N. for the right of peaceable Palestinians to return to their homes and, since 1967, for the conditional ending of Israeli military occupation, in practice the American government has frequently supported the opposite positions financially, politically and militarily.

Dr. Abboushi believes that a better informed American electorate backing a more even-handed foreign policy can help restore our national influence constructively. To this end he devotes the first half of his book to delineating for us the historical, cultural and religious

heritage of the Arabs. The second half examines the ramifications of the complex causes and proposed cures for the Arab-Israeli and Zionist-Palestinian impasses.

His concern for justice for the Palestinians does not make him either uncritical of them or antagonistic to their opponents. Whether in agreement or criticism, however, he speaks out in compassion, patience and hope for all involved.

L. HUMPHREY WALZ

Janesville, Wisconsin

Taken from THE PRESBYTERIAN OUTLOOK, May 20, 1974. Used by permission.

Justice Dept. eavesdropped on spokesman for Arabs

Detroit

The Justice Department has said in court documents filed here that it used electronic devices 29 times to eavesdrop on lawyer Abdeen M. Jabara, a spokesman for Arab causes who represented the convicted killer of Sen. Robert F. Kennedy.

In a statement filed Tuesday in U.S. District Court in Detroit, the FBI and Justice Department admitted the surveillance—between October, 1972, and November, 1973—and said agents had exchanged information about Mr. Jabara with Zionist groups.

The statement did not name the groups, despite an order from Judge Ralph M. Freeman to do so.

The statement, filed in response to a suit Mr. Jabara filed October, 1972, charging that he was under surveillance in violation of his constitutional rights, said agents used "lawful national-security electronic surveillance . . . to obtain foreign intelligence information".

BOOK REVIEW

THE ANGRY ARABS. By W. F. Abboushi. Westminster Press, Philadelphia. 285 pp., \$8.95. Our price, \$5.75.

The Arab-Israeli conflict and the recent oil embargo have intensified the interest of many Americans in knowing the people of the Middle East more humanly and realistically. Dr. Abboushi is one of the most lucid and helpful of the new writers who have responded by providing insights into the Arabs' values, customs, traditions, faiths, dilemmas and dreams.

As a political science professor at

Use this CONVENIENT ORDER FORM for books, etc.

☐ W.F. Abboushi, *THE ANGRY ARABS*, 285 pp. \$8.95. Westminster Press. With a view to satisfying the awakening interest of the American public in the Arab world and with a desire to contribute toward an honorable and workable peace between Arabs and Israelis, the author clearly presents the Arabs' values, customs, goals, traditions, etc. Our price \$5.75.

☐ Ibrahim Abu-Lughod, editor, *THE TRANSFORMATION OF PALESTINE*. 522 pp. \$15.00. Northwestern University. Distinguished scholars reexamine the history and development of Palestine during the mandate period and the issues underlying the Arab-Israeli conflict. Our price \$9.00.

☐ Margaret Arakie, *THE BROKEN SWORD OF JUSTICE: AMERICA, ISRAEL, AND THE PALESTINE TRAGEDY*. 195 pp. £2.50 (hardback), £1.50 (paperback). Quartet Books. The author out of her vast experience with various U.N. agencies traces the development of U.S. foreign policy in relation to Israel and of pro-Israeli pressures on the White House and Congress. Our prices \$5.75 (hardback) and \$3.45 (paperback). Supply very limited.

☐ Elisabeth Elliot, *FURNACE OF THE LORD: REFLECTIONS ON THE REDEMPTION OF THE HOLY CITY*. 129 pp. \$4.95. Doubleday. A probing investigation of conditions in Jerusalem from Arab and Israeli points of view. Our price \$2.90.

☐ E.M. Fisher and M.C. Bassiouni, *STORM OVER THE ARAB WORLD*. 429 pp. \$8.95. Follett Publishing. A chronicle of 20th Century developments in the Arab world, including a particularly revealing outline of the Zionist conquest of Palestine and the June 1967 War. Our price \$5.50.

☐ Fred J. Khouri, *THE ARAB-ISRAELI DILEMMA*. 435 pp. \$4.35 (paperback). Syracuse University Press. A scholarly, impartial and objective criticism of the policies of the Arab states, Israel, the United States and Russia. Our price \$3.00.

☐ Maxine Rodinson, *ISRAEL AND THE ARABS*. 239 pp. \$5.95. Pantheon Books. The author, a well-known contributor to *Le Monde* and professor of Oriental languages, is Jewish and has had long and extensive contact with the Arab world; he is therefore able to write critically, yet sympathetically, of both sides. Our price \$3.25.

☐ Abdullah Schleifer, *THE FALL OF JERUSALEM*. 247 pp. \$3.45. Monthly Review Press. An extraordinary account of the fall of Jerusalem, some of it observed through the windows of the author's own home. Forceful and informative. Our price \$2.50.

☐ Fawaz Turki, *THE DISINHERITED*. 156 pp. \$5.95. Monthly Review Press. The autobiography of one who grew up in the refugee camps, from which he drew his conclusions on the sufferings and the yearnings of his people. Our price \$3.70.

☐ Send Tour information.

☐ Contribution to AMEU, tax deductible.

☐ Free Pamphlet Collection.

A check or money order for \$..... is enclosed, payable to AMEU.

NAME

ADDRESS ZIP

IN BRIEF

Financial Aid

Inflation brings increased costs to all. AMEU is no exception. The continuation of our work is dependent upon the generous support of AMEU's donors. Your contributions are especially needed during the summer months. A receipt is sent within 24 hours after the gift arrives in our office. If you do not receive this acknowledgment, please notify us immediately. Your gift may have been lost in the mail.

Speakers' Directory

AMEU is updating its file of those it can recommend to speak on Middle East themes. From time to time free books, pamphlets and other information will be sent to these people. We invite our readers to suggest names to be included in this list.

ARAMCO WORLD Magazine

Have you received the second copy of the *Aramco World Magazine* which AMEU sent to you? It entered the mail a month ago. Have you returned your card for a free subscription? No better source of Middle East information is available. Send in your card today.

Interesting Projects

AMEU attempts to stay in touch with sister organizations across the country. We are especially interested in projects which have succeeded for we like to pass good ideas on to others. Are there ways in which AMEU could help you and your group foster understanding of the Middle East? Do not hesitate to ask our assistance.

Book Orders

To be more sure of getting the books ordered, please use the order form of the latest *Link* issue that has reached you. Even so, there is the possibility of a book's going out of print without our having prior notice. Books are sent out within 24 hours of receipt of the order.

Address Changes

When address changes are sent in, it takes some time to process them through the mailing company. If you receive a wrongly addressed issue after you have sent in a change, please be patient; you can be sure the process is *begun* promptly in this office. It would be helpful if the old *label* were sent along with your notification.

Third Class Mail

It has been our experience that at times third class mail arrives within a few days of being sent, while at other times it takes two or three weeks. Materials are sent from this office within a day of receipt of request.

THE LINK

aims at maintaining contacts among Americans who believe that friendship with the people of the Middle East is essential to world peace, who would contribute to this goal by spreading understanding of the history, values, religions, culture and economic conditions of the Middle East, and who would—in this context—press for greater fairness, consistency and integrity in U.S. policy toward that area.

It is published by A.M.E.U. (Americans for Middle East Understanding, Inc.) whose directors are:

John V. Chapple, former CARE director, Gaza Strip Project;

John H. Davis, former Commissioner General of UNRWA, International Consultant;

Harry G. Dorman, Jr., former Director, Middle East and Europe Department, National Council of Churches;

Henry G. Fischer, Curator in Egyptology, Metropolitan Museum of Art. (v.p.); Helen C. Hilling, Professor of Public Administration, N.Y.U.

Carl Max Kortepeter, Assoc. Prof. Middle East History, NYU (sec.).

John G. Nolan, National Secretary, Catholic Near East Welfare Association;

David C. Quinn, former Asst. Attorney General, N.Y. State;

Joseph L. Ryan, S.J., St. Joseph's University, Beirut;

Jack B. Sunderland, President of American Independent Oil Company—(pres.);

L. Humphrey Walz, Communications Consultant, United Presbyterian Synod of N.Y.;

Charles T. White, former Financial Executive, Near East Foundation and AID—(treas.);

John M. Sutton, Executive Director;

Mrs. E. Kelly, Administrative Assistant;

Miss H. Cassile, Travel Consultant.

All correspondence should be addressed to Room 538, 475 Riverside Drive, New York, New York 10027.



Americans for
Middle East Understanding, Inc.
Room 538, 475 Riverside Drive
New York, N.Y. 10027