

ZIONISM

back-
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papers
for an
evalua-
tion

The Right of the Jewish People to the Land of Israel

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no. 2

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THE RIGHT OF THE JEWISH
PEOPLE TO THE LAND OF ISRAEL

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AN EVALUATION (NO. 2)

Z I O N I S M

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The Right of the Jewish People to the Land of Israel

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WHOSE IS THE LAND?

by Moshe Beilinson

To whom does the land belong? To the Jewish people and to the Arab community living there.

This assumption must be the basis of Zionist and British policy. The first paragraph of the Balfour Declaration is based on it, and so is the Mandate. The latter charges the Government with concern for the Jewish people, establishing its national homeland in the country, and for the Arab population of the country, whose rights must not be ignored and whose development must be fostered.

The first conclusion is to assist Jewish immigration, since the national home is not designed simply and only for Jewish settlers actually in the country but for the Jewish people. At the same time, there should be restriction of all other immigration, since the logic of the case demands concern solely for the Arabs who are in the country. Additional non-Jewish immigration, which permits the entry of nomadic Beduin or of cheap Egyptian or Syrian labour, and perhaps from more distant countries, must necessarily frustrate all efforts to establish the national home and to bring about peace between the Jewish and Arab communities. Peace can be maintained with the hundred thousand Arabs living in the country, but not with the hundreds of thousands now living outside the country's borders and who are ready at any moment to burst into it. The situation that exists today - free immigration to non-Jews and restricted immigration for the Jews - is a mockery of the Mandate and its function.

The second conclusion is: if the country has been bequeathed to these two communities, it is inconceivable that such sharp differences in their standard of living, as now exist, should continue. A hard life and hard work, but also high material demands, sanitary services, Europeanization, schools, newspapers, books, labour organization, European human and social concepts, equality of rights and roles for women, modern techniques in industry - all these we find among the Jewish community. And in contrast, in the same country, in adjacent neighbourhoods: an Oriental way of life, effendis and muftis ruling over undeveloped masses, illiteracy, filth, sickness, women treated as chattels, workers the slaves of employers, and abysmal poverty. On such soil no true partnership, no true understanding, can grow. This is scorched earth, burned by jealousies, social if not religious. This society, built up on such strong conflicts, on such profound contradictions, is liable to burst at any moment, and overnight become two hostile camps locked in combat.

How can these two communities be even gradually directed to equality, however relative or approximate? Are we to deteriorate? But we are deteriorating. The life of a member of a moshav or kvutza is far removed from that of the German farmer. The life of the urban worker is far from the standard of the English or American labourer. We are deteriorating but we dare not fall below a certain level. It is hard to build the Jewish homeland on a volcano, but it cannot be built at all on the level of abysmal poverty that prevails among the Arab population. Zionism can be a mass phenomenon, a movement of hundreds of thousands or even millions, but only on condition that it holds out prospects of a viable life that makes provision for the satisfaction of needs which the masses of Jews cannot forgo. This standard is lower than that of the German or Czech farmer, of the English or American labourer, but there is a tremendous gulf between it and the standard of living of the Arab masses in the country. The key to equality is not deterioration. *Raising the standard of life of the Arab community must be the "Arab Programme" of the Zionist Movement.*

Can it be done? Can the country bear such a burden as this? The Jewish community has proved that it is possible. The very same soil supports us and the Arabs, but to us it yields other fruit. It enables us (or will - at any rate that is the basic assumption of our pioneering work) to satisfy our material and spiritual needs. Why is this impossible with regard to the Arab population?

Jewish settlement has two advantages socially and economically (aside from personal advantages: initiative, education, etc.). In the first place, it is being constructed on a broad popular base. We have not achieved a classless society, but we have nothing even remotely resembling the feudalism among the Arabs, a system which constitutes a crucial obstacle to the development of the Arab community. The second advantage which the Jewish community has, is working capital, great and small, from Hovevei Zion ("Lovers of Zion"), Baron Rothschild, PICA, Keren Hayesod and the Jewish National Fund, and it is this working capital, this national capital, which provides the funds with which our settlers start working, and which directly or indirectly provides the wages for our workers which are higher than those of the Arab worker. These advantages must be granted to the Arab community.

The first question is who will provide the working capital, the financial means that will enable the Arabs to "stand on their own feet" within a new social system. Not the Mandatory Government. To expect this would be a delusion. If only the British Government would return to the country all that it is taking out of it. In any case, it will not pay large sums for the benefit of the Arab masses out of its own pocket, or the pocket of the English taxpayer. Will the Jews provide it? It is doubtful. One wishes that what the Jews should and must give would be sufficient for their own people! So far it has not been enough. Maybe it will be sufficient in the future. One cannot hope for more. The means required to raise the standard of living of the Arab masses must be found within the Arab community itself. The owners of the Arab estates must give them. Thus this advantage, which must be given to the Arab population, is bound up with another advantage: the collapse of feudalism. The two things constitute a single social process: a war against the upper classes of the Arab population for the sake of better conditions of life for the lower classes.

Who will undertake this task? It is incumbent on both sides: the Mandatory Government and the Zionist Movement.

The Mandatory Government must understand that through its customary administration, be it ever so exemplary and well-ordered, it will not be fulfilling the unique task it has assumed in this unique country. The Mandatory Government must understand that without a certain orientation on its part, without fidelity to a bold process, it cannot fulfil (in all seriousness, that is, not just as a gesture) either of the Mandate's fundamental tasks providing the national home for the Jewish people or developing the Arab community. The Zionist Movement must understand that it cannot carry out its work within a system of slavery, within a constant situation of national contradiction, and that the two paragraphs of the Balfour Declaration are bound up with one another not only formally and politically, but also intrinsically, socially, economically and humanly. And any trend towards peace - whether it comes from the Mandatory Government or from the Zionist Movement or even from the Arab community, in part or in whole - will always remain precarious, "political," or based on weak foundations, so long as the two communities are separated by such a gulf in their way of social, economic and cultural way of life. The two bodies interested in raising the standard of living of the Arab community, seeking fulfillment of their aims - the Mandate and the Zionist Movement - must unite in order to carry out this task.

For this purpose wide-ranging reforms must be introduced into all areas of life, the administrative machinery must be adapted to a solution of the special problems facing the Mandatory Government. Large-scale public works, schools and vocational (especially agricultural) education, hospitals and sanitary services, labour laws ending the shameful exploitation that now prevails among the Arab population (exploitation that is in fact supported by the Government), protection of women and children, a limited work day, a minimum wage, workers' insurance, systematic support of cooperation in all its forms, must provide the specific viewpoint for the drafting of the Government Budget. This means war against feudalism, assistance for improving the standard of living of the poverty-stricken, through both budgetary income and expenditure in direct taxes and inheritance taxes, particularly on landowners.

Here the main expedition commences. The basis of Palestinian slavery is feudalism

on the land. This can be destroyed either by a slow process of socio-economic disintegration, or by a mass revolution, or by agrarian reform. Zionist affairs, the country's interests and those of the Mandatory Government would find in a solution of reform one that is preferable to all others, and its general lines should be the parcelling up of land that is not cultivated by its owner. The tenant, the *fellah*, will receive his share on the basis of what is required for intensive farming, while the rest will go to a land reserve to serve the needs of Jewish immigration. This land - not governmental but of the estate owners - will not be given to Jewish settlers free of charge, but for a fixed price - not like the speculative-political prices we are forced to pay now. Part of this money will go to the estate owners as compensation for the expropriation of the land, and in part to the tenants as capital for more intensive farming.

Such an agrarian reform will certainly be in keeping with the functions of the Mandate - assistance in establishing the national home and protection of the Arab community. It will liberate the Arab community from despotic rule, it will break the feudal chains that are now hampering its development, it will free the Arab sharecropper, and it will enhance the status of the Arab agricultural worker. It will free the Jewish settlement institutions - particularly the Jewish National Fund - from a most difficult political-financial involvement and from having to worry about the fate of the tenants living on the lands it buys from the owners. It will reduce the cost of Jewish settlement and will make large areas available to it, at one time, and will thus make our work possible on a truly national scale. More intensive farming by Arab tenants, an integral part of this agrarian reform, will release large areas of land for our settlement. The presence of these *fellahin* in the land of Israel permanently is a concrete fact, so that we have no other hope of obtaining the three-quarters of the land on which they are living except by giving them the opportunity of maintaining themselves, and in greater affluence, on the one-quarter they will keep and which will be entirely adequate, after intensive agriculture, just as our settlers reconcile themselves to limited areas.

This policy is not an easy one. It is bound to arouse the opposition of those circles now recognized as rulers among the Arab community and which will denounce it as revolutionary. Undoubtedly, it contains revolutionary elements, in that it attempts to replace one class by another as the basis of their society. But, from a political viewpoint, it would be more correct to call it an anti-revolutionary policy, because it will prevent a terrible social upheaval in the future. What we saw in the spring of 1929, during the falsely-incited Arab "uprising" against the Jews, was child's play compared with the true uprising that is bound to come within the Arab community against the slavery of generations. And while that future revolt will be directed against the Arab feudal rulers, it will not be easy for the Jewish community to stay clear of the conflagration; such an eventuality can scarcely be imagined. The opposition of the feudal circles to a new social policy of the Mandatory Government will also be vigorous, but there are a number of ways of weakening and breaking down such opposition. The reforms must be introduced over a relatively protracted period. The estate owners must receive financial compensation for their lands. True, for the Middle East this agrarian policy for the benefit of the *fellah* will be quite an innovation. But such reforms were instituted after the war in practically all of eastern and central Europe (even in countries which are not distinguished for a particularly high cultural level). In England, which now governs our country, agrarian relations were still a short time ago, actually feudal. In Ireland, Scotland and England itself, the plight of the agricultural worker was unbearable, and the landowning class ruled in the country without political restraint; it not only ruled but created a powerful state and high culture. Nevertheless, England found the strength and the human and political vision to break this system, first in Ireland, then in Scotland, and in recent times in England proper. The process has not yet been completed, but it is nearing its end, and the English agrarian reform, which has been proceeding over the last 40 or 50 years without causing any shocks - at least without armed revolution or civil war - in ways hardly discer-

nible to the eye of a stranger, is surely one of the most lofty manifestations of the English political genius. There is something to be learned from such experience.

But however difficult the introduction of the new social policy may be, the benefits it may bring to all of us - to Zionist work, to the Arab community, to the Mandatory Government - are so great that any battle for it, and all the dangers involved in it, are worthwhile. The country's atmosphere will change completely. The objective and subjective conditions of Jewish labour here will be mitigated tremendously. The imminent danger of Jewish settlement deteriorating, owing to the prevailing system of slavery will disappear. A number of presumably internal settlement problems will find their solution. Many efforts made by the Jewish community which today founder on the rocks of Palestinian feudalism, will come to fruition. Prospects for a true peace, a stable peace, will appear, based on healthy and progressive social elements common to the Jewish people and the Arab community. Zionism will have a clear answer for the young Arab generation that will revolt against the present Arab rulers and will come to us demanding a reward for its consent to the establishment of the Jewish homeland. "The liberation of your people" - that will then be our answer to the innocent young Arab seeking allies in his social and emotional distress. Not by the force of propaganda alone, but by that of a great work, creative, liberating, revivifying, will Zionism's entire position towards the peoples of the East undergo a change. Wide horizons will be opened to "Zionist imperialism," the like of which only few of us now dare to dream: a Jewish State in the land of Israel, at the gateway to the East, which is working for a truly new political and social destiny. A Jewish State built on such foundations will have every right, social and spiritual, to the title of Pioneer of the New World in the East. The English Mandate will assume an entirely different aspect. No one will dare to rise up against it. All the progressive forces in the world will be with England in this work. No words need be wasted on the benefits which this progressive social policy is likely to bring to the Arab population.

Is this "Arab plan" utopian? Is there no hope that the Mandatory Government will accept it, in justice to us but also for strictly British reasons? I think that the political situation throughout the world, and particularly in the British Empire, gives us reason to be optimistic on this subject. For some time now the English people has been seeking new ways of building its empire on a new basis. All the political parties in England, which gives its mind to political thought - including the Conservatives and Liberals but particularly the workers - is looking for a programme, an idea, a slogan, a task that will not be in the category of ordinary "imperialism" but will have a "new world" character. The workers of England are prepared for bold steps and reform. And in general it is not unlikely that they will give an ear to the new socialist policy in Palestine. In any case, it is up to Zionism, and above all the Zionist worker, to be the driving force in determining this new policy, and there is no reason to assume in advance that England will refuse to accept it and carry it out. But, whatever the fate of this programme (since it is governmental) may be, this does not release the Zionist Movement or the Jewish community from continuing their efforts in various way and within the competence of their powers, to raise the standard of living of the Arab masses in the country.

by Moshe Beilinson, from "Zionist Anthology" by Shalom Wurm

OUR RIGHT TO THE LAND - OUR RELATIONS WITH THE ARABS

by A.D. Gordon

There is taking place a great national resurgence, compounded of a great idea and imbued with a mighty spirit, as when the Children of Israel rose up and went out of Egypt, or when the Arabs at the time of the Prophet of Islam not only grew in inner strength, but increased their power abroad. It is not a question of naked strength (to the extent that this is mentioned it is only a secondary factor); here it is a question of other forces, which have a magnetic quality and power. And they are obeyed, particularly when they emit such striking truth. This is what matters to us. Truth is the main element of our world. Truth is modest, but it is more forceful than the power of such slogans as "Liberty, Equality, Fraternity" inscribed on banners. It is even more powerful than love. The truth is not only powerful in relation to man with his fellow men, but also in relation to one people with another. "One people should not raise up the sword against another," truth decrees, and where love is absent truth will restore it. It is through the truth that we shall find a way to live together with the Arabs and to work together, so that both peoples will benefit. Heroism is necessary, supreme heroism! There is no need to grovel before the Arabs or to be arrogant. For our own sakes we must be men of truth and justice and not only for their sakes. All preaching about good relations with the Arabs "for reasons of our particular interest" is out of place. Our relations must be decent and honest with everyone. We must always do our best, in all our behaviour and actions, and keep a watchful eye on what is going on in our midst, and not be diverted to matters abroad. We shall do all we can - and truth will point the way. And if they (the Arabs) should go in other directions, and if they use physical force and falsehood, they can indeed harm us, but they will not have the power to divert us from our path, nor will we turn aside from it. They will harm themselves more than anyone else. We are natural allies: more than the racial kinship which unites us internally, are we united by the hatred directed towards both of us from external sources.

The main conditions for the realization of our aspiration are of course land and labour. But if until now (before the war) we were able to acquire only a right to the land by virtue of our labour, now, with the new situation, we must clarify to ourselves (and also to others) the question of our national right to the land and as the people of the land, how this affects our political situation.

We are accustomed to the saying that the right to a country is acquired only by blood. That is one of the sophistries that have gained credence in all nations where conventional justice permits them to be predatory animals - a lie that is accepted. In blood and fire they rob the indigenous people of their freedom, and enslave both the people and the land as long as the enslaver can maintain his conquest, but actually the land always remains in the hands of those who live on it and till it. The Romans for example conquered many lands in blood and fire, but they ruled them only so long as they were powerful enough to maintain control over them; when this lapsed the lands still remained in the hands of the settlers who tilled the soil. Similarly, Poland was conquered in blood and fire over and over again, but in fact it remained in the hands of its people and its workers. A land is acquired by living on it, by work and by creation. And thus we too shall acquire or restore our right to our land. We have a historic right to the land, and this right remains in our hands, so long as some other force of life and creation has not acquired full title to it. Our land, which formerly was "a land flowing with milk and honey," and has for all that the capacity for a high culture, has remained desolate, poor, inferior to that of all the cultured nations, and practically empty. This is a kind of endorsement of our

right to the land, a kind of hint that the land is waiting for us. By living, by work, and by creativity we shall acquire and confirm our historic right to the land. And therein from this aspect also lies the criterion of our relations with the Arabs. The Arabs are settled on the land, and we cannot deprive them of their rights nor eject them, but neither can they deprive us of our right to the land on which we live and work. True, we are the minority, but the same land that we acquired by our own labour is ours, and no majority in the world can deprive us of the right to it, to take from us what we have acquired through hard work and creative effort. The question is that of expansion. Who has more right of expansion over the land that has not yet been acquired through work and creation? But here the main principle is not quantity but quality: the force of life and of growth, as is the case in the biological world; the force of work and creativity and also the force of personal dedication. He who works more, creates more, is more dedicated, acquires a greater moral right to the land, and is a more vital force upon the land. This is peaceful competition. The right to this peaceful competition is ours particularly because of our historic right to the land. And in this we must really unite with us all Jews of all countries of the Dispersion. This right to peaceful competition for expansion in the land is not the right only of the small numbers living here; it is the right of a people of twelve million souls.

Here we must raise one point that is apparently just, and which is pronounced with horror by those amongst us. It is said that we, in coming to settle here, are robbing the Arabs, who are in fact the owners of the land, which they conquered, but not from us. But what is meant by "owners of the land"? If by owners we mean the nation that rules the land politically then the Arabs have long ceased to be the owners of the land, for formerly it was in the hands of the Turks and now it is in the hands of the English. We find that apart from the right of living and of work the Arabs too have only a historic right to the land, exactly like us, except that our historic right is undoubtedly greater. Consequently, we are not taking the land from them. And if the right of settlement, the fact that they are living in the land and working it, is put forward, we, too, are living in the land and working it. The difference between us and the Arabs in this sense is thus quantitative and not qualitative, and certainly not a difference of rights.

But, on the other hand, we must be very careful in our relations with the Arabs, in purchasing land and so forth, not to infringe, in any way, on their human rights, not to eject from the land those actually working on it, and so forth. Better that the land cost us two or three times more than its worth, or even more. Better that we grant the true owners of the land, who live on it and work it - if we really need their land - all sorts of compensations, involving great difficulties and efforts, such as offering them land elsewhere, than to infringe in any way on their rights. For us there is no price restriction; whatever it costs us, it is worth it. In general, it is our duty to establish human relations with the Arabs and not treat them from a negative aspect only, as anti-Semites act towards us. Obviously, this is not the place, nor am I qualified, to say how this should be done. I can only indicate that the matter calls for much consideration and attention and great efforts. Perhaps a special committee for this purpose should be formed of persons qualified in every sense of the word, whose function it would be to deal with all affairs involving Jewish-Arab relations. The relations must be at all times human in every respect, even if the other side does not always act as it should. They will learn from us, and not we from them. It would be much more valuable to deal with all these matters at our meetings, than to engage in politics. This is something that affects us directly, at any event it affects us no less than the Socialist International, and such matters. Here we have before us, on the one hand, concrete political and social matters, and on the other, a great tradition; more than that, a great historical moment in our life. Here we have before us the first direct lesson and opportunity of exercising

fraternity between two peoples. But the main principle here too is once again our individual lives. If we strive to be more human, more alert, we will discover the right relationship to man and to nations in general, and to the Arabs in particular.

All this on the one hand pertains to our political right, mainly our formal, legal right, to the land and all that this entails. But title to the land as a basis for the form of life and creativity for which we strive can be acquired only by right of the work we have done from the moment we came here. (In national life there is obviously room for non-manual occupations too, but experience will prove to what extent these are necessary; their form and under what conditions they will operate.) But from now on it is our labour power that will predominate in providing political rights morally and realistically, as we have seen. For the land in actuality is always the political property of those who work it, even at a time when the nation has been deprived of its political freedom. Hence we have a "categorical imperative", one that is objective, real and political, to work. To the degree that we work, the land will be ours; otherwise, all "national homes" and all the "blood and fire" will not avail.

In this context two main conditions for the achievement of our aspirations - and and work - face us with two principal and corresponding claims.

translated from "The Collected Works of A.D. Gordon"

OUR RIGHT OVER THE LAND OF ISRAEL

from an interview with Prof. B. Dinur

Interviewer: There were periods when we did not rule the Land of Israel, but there was never a time when we renounced our right over it. Today when we have begun to rule over it there are those, even amongst our own people, who once again begin to raise this question of 'right' to the land of Israel. As an expert on Palestinian history, what does "historic right" to Palestine mean to you?

Prof. Dinur: All the discussion about "historic right" in the dispute between the Arabs and the Jews is groundless, stemming primarily from ignorance at least amongst us of the history of Jewish life in the Land of Israel. This ignorance led to at least three illusions.

a. That the conflict between us and the Arabs started only in the last few generations, namely, since the beginning of modern settlement.

b. That we found the country already settled by another people who had lived in it for centuries.

c. That we returned to a country that for 2000 years was not inhabited by us.

The truth is that the conflict started in the year 640 C.E. when the Arabs took over this country from the Byzantines and for us it was merely substituting one conqueror for another.

Second: we did not find a people in Palestine, let alone one that was settled here for generations. Most of the Arabs that we found living in the Sharon and Jezre'el Valley came here in large numbers only a few decades earlier as immigrants and as fugitives from the oppression of Muhamed Ali in Egypt during the third and fourth decades of the 19th century.

Third: we never entirely abandoned the Land of Israel and during the entire history of Palestine under foreign rule and until the present day there was never a corner of the country where Jews did not live; sometimes in scores, sometimes in hundreds and at other times in tens of thousands. It is clear that in one way or another this also applied to the days of Byzantine, Arab, Crusader and Turkish rule. We did not live here as a minority among other minorities, but like the rest of our people that were sent into exile we regarded ourselves as a people whose land was in enemy hands and we waited and prayed three times a day for that time when it would once more be in our hands.

Ours was the generation which saw that the time had arrived. Thus, the situation today is not that we are returning to a country that we once abandoned, but that we are in the process of re-establishing ourselves in a country that was taken from us. This process both before the establishment of the state, and even more so after it, led to a conflict between us and the people living here. Many attempts

have been made in the past to settle the conflict and others will undoubtedly be made in the future. But, whatever the solution may be, no one can grant historic rights to one side and deny them to the other.

The conquest of a country does not create the power which history creates. The conquest of a certain piece of land can only be considered valid if the owner has been absent for a long period without bringing up charges against the plunder. But if the owner is still inhabiting the land, and the plunderer thrusts him into a corner of the country which he does not abandon, being prepared to suffer all the inconveniences in order not to renounce his ownership, what validity is there to the conquest? The fact that he stayed lodged in his corner for hundreds of years does not diminish his rights, but increases them, just as the fact that the conqueror has ruled this country for hundreds of years does not make him any the less a conqueror, but even more so.

Today conditions have changed and the owner can once more take back the land - not doing anything today which he had not previously intended doing. He only continues his struggle under different conditions. We only face a new development concerning this right over the land, which extends not from the time of Joshua but from the days of the patriarchs. Joshua conquered a land we already inhabited, and not because of God's promise to Abraham but because Abraham and our other patriarchs had settled in the land. Abraham dug wells in Beersheba, while it was the Philistines of those days who dammed them up. This is something symbolic from that day to this of our attachment to the land in contrast to that of conquerors: we dig wells here, we who are capable of creating life here - and our enemies are only capable of damming them up and of extending the wasteland. In this connection how characteristic is it of our historic tradition when it tells of the Roman Emperor Hadrian who uprooted all the olive trees in the land of Israel, and one hundred years later a Jew returned and replanted the whole land with olive trees.

I.: How would you define the relationships between a people and its country?

P.D.: The relationship between a people and a country is not defined by the occupation of a country by a people, but rather, by how important it is in the life of the people. Eretz Israel, as a country in which national history developed, existed only in the Jewish consciousness. For others, this country was a region, a province or a part of another country. It was a distinct historical fact only to the Jews. As a matter of fact, you can write the history of the Jewish people through the writing of the history of Palestine and settlement there. Even in the diaspora to use Yehuda Halevy's phrase, there was nothing that was not connected with it or about it.

I.: The connection that Yehuda Halevy is discussing was primarily spiritual. What repercussions did this spiritual connection have on the future of Jewish settlement in the country?

P.D.: Well, for one thing, there wasn't one spiritual movement in the entire diasporic experience that did not influence the community in Eretz Israel or was not influenced by it or directed towards it. The wars for and against the Rambam, the Kabala, Shabtaism, and the messianic movement all took place here in this country. But the country was not only a center for Jewish creation. It was the pulse and essence of Jewish life. Everything that happened here acted as a stimulant to the entire diaspora and by the same token, every event in the diaspora was mirrored in the fate of the Jewish community here.

Rulers come and rulers go, in the end nothing is left of them but the traces that their soldiers leave behind. During all these periods, if there was any genuine creation in Israel it was Jewish. It is interesting that during the period before the Crusades we find an Arab writer complaining about the scarcity of scholars among the Arabs in Eretz Israel and, in particular, in Jerusalem. Compare that with the fact that during this very period in Israel, liturgical poetry, Nikud (pointing and vowelling), and the beginning of Hebrew grammar were created. Furthermore, many yeshivot flourished embracing sages, genuises and men of nobility. Jewish communities in the diaspora turned to them when in doubt, as did Joseph, King of the Khazars according to his own testimony.

I.: During these centuries of different rulers, was there, on the part of the new conquerors, either directly or indirectly, recognition of the special relationship between the Jews and Palestine?

P.D.: Officially, during all the periods until our day, each foreign ruler that came to the country recognized these special relations and expressed it in his own way. In fact, I would say that the only common denominator for all these foreign rulers was this recognition.

Thus, for example, the Persian rulers who ruled here before the Arabs, made a pact with the Jews and even returned Jerusalem to them. The Arabs, during the rule of the first, the Khalif Omar, involved the Jews in the conquest of the country and enabled them to reconstitute the Jewish community. They went as far as to claim that they derived their right to hold this country because they are related to the Jews through a common ancestor Abraham. Even the Crusader conqueror of Jerusalem, Godfrey of Bouillon, wrote in his first message to the Pope that he was writing it from Terra-Israel (land of Israel). Sallah A Din, after conquering Jerusalem from the Crusaders, declared that every Jew was free to come to Jerusalem, according to testimony left to us by Alcharisi.

During the Mameluke period we find frequent statements in Jewish literature about the need to negotiate with the Mamelukes about returning to the Jews the entire country. During Turkish rule the appeal of Bayazed (Bayazet) to the Jews to return and settle in the country is famous. During his rule the Sefaradic community developed in Eretz Israel, particularly in Safed and Tiberias. The same happened during both Napoleonic and British rule.

However, just as all rulers recognized the special relation between the Jews and the country so, too, did they all without exception break their promises to the Jews. And the reason for this, visible or invisible, was, in my opinion, the real fear of what this profound attachment of the Jews to the land of Israel might lead to. It is also interesting to note in this context that all the foreign rulers utilized this emotional attachment of the Jews for their own benefit. The Arabs, for example, throughout their rule, economically exploited the Jewish willingness to suffer, sacrifice, and endure all the full severity of their laws and the insults involved in living in Palestine. They used to allow the Jews the right to reside in certain places, particularly in Jerusalem, and when the Jewish community there had grown and developed they would arrest the men on some pretext or other, and plunder their property.

After doing so, they allowed the Jews to return and build up their community before carrying out fresh plunder.

As late as 1840, the Sheiks in the Hebron area used to collect "protection money" from the Jews who paid from their "Chalukah" money (a subsidy given by the community to Yeshiva students to enable them to fully devote themselves to study). In the bookkeeping ledgers of the Chalukah, a Sheik was called "The Black Rabbi."

The Arab tradition of plundering Jewish property was one which was passed on from generation to generation, until our own day, and perhaps in this context it would be useful to point out that amongst plundered "property" was not only the land itself but also the "holiness" of the land. The Arabs, like the Christians, not only plundered the places holy to the Jews, but converted them by name-changing and falsifying their tradition, to places holy to Christianity and Islam.

I.: Let us go back for a moment to 6400.E. at which time according to you the conflict began. What was at that time the external manifestation of the conflict?

P.D.: The main manifestation was in the plundering of lands. While the formal control was taken by the Arabs from the Byzantines, the land in fact was plundered from the Jews who at that time were the owners and farmers of that land. In Tiberias alone, the Arabs confiscated half the Jews' houses and most of the Jewish farmers were coerced into the Arab army.

Depriving the Jews of their land did not commence immediately after the Arab conquest but 30 years after, because during the conquest itself the Jews cooperated with the Arabs and the Arabs needed all the Jewish help they could get. The Armenian Bishop Eusebius, who lived at that time, tells us that the Jews helped the Arabs in actual fighting against Byzantium as they had 25 years ago rebelled against this empire. In Galilee alone there were 25,000 Jewish soldiers, who assisted the Persian king to conquer the land of Israel, when he on his part promised to return the land to them and permit them to erect the holy temple. And when the Arabs came, their writers relate, and conquered the Temple Mount they found lying there the stones which the Jews had laid up for the erection of the Holy Temple. Even the Arab conquerors gave to the Jews, at the beginning of their conquest, the Temple Mount, a fact which has been confirmed by reliable documents of those days, which also relate that the Jews celebrated Succath on the Temple Mount.

Arab sources from that time, report that after the conquest the Arabs left the conquered cities to garrisons of Jewish and Christian residents. The Arab conquerors did not have people to settle a country; they had soldiers. You cannot settle a country with soldiers, only impose your rule. On the other hand, there was a continuity of Jewish settlement in the country since the destruction of the temple. During the Arab rule we settled in Haifa and Dan, in Tiberias and its surroundings, in Jerusalem and Jaffa, in Hebron and its surrounding area, and Arab historians from that period tell us that even Eilat was a Jewish city.

Even the cities that were settled by non-Jews were not completely Arab. The Arab historian El-Yakubi, writing in the 10th century, describes the town of Ramleh as inhabited by a mixture of Persians and Arabs, the City of Nablus as inhabited by a mixture of Arabs, Samaritans and Persians. Only the military district in the south is described by him as having an Arab majority.

Another Arab writer (Ibn Khwakail) writing in the same century observes that the region south-east of the Dead Sea is mainly inhabited by Arabs, so that from a host of "yesses" concerning that region you hear "noes" when it comes to other parts of the country.

It is also worthwhile to note that the non-Jewish inhabitants were by and large transient. In the 10th century, for example, a number of tribes penetrated the country from the desert and destroyed the community. In the 11th century the Arab community started to grow only to be disrupted by the Crusaders' conquest in the 12th century.

This is not the place for a thorough historical review. Any interested person can examine documents, if I should bring up the fact of the continuity of Jewish life in this country throughout all the generations in contrast to ever-changing conquest and rule. We remained, as people came and went, with alien populations, and this should explode the myth that the Jewish claim is only a verbal one.

Not only did we create much, we were an integral part of the country's fate, participating in all that occurred here and an active element in all its wars. During the Crusader Period for example the Jews were front-line soldiers and the last to fight against the Crusaders in Jerusalem and to defend the city. In this war too, they were captured and sold to the Arabs.

I.: If I am not mistaken this was an omission during the time you presided as Education Minister.

P.D.: I do not say that nothing was learned, but not nearly enough, both during the time I was in office and now. Nobody is infallible. What is needed is to emend the errors committed. But there are other real sources which create this guilt complex, and these are, in my opinion, those "experts" on Arab affairs who in their ardour to show themselves as being objective become subjective on behalf of the other side, and accept Arab claims as historic facts.

I.: Besides the question of "Historic Rights" there emerged in the last generation the question of the "Palestinian people." Aside from the fact that this question was used as a card in the political game of the interested parties, are these people a political entity?

P.D.: Historically speaking, such an entity never existed at any time. One who argues that while it is true that no Palestinian nation existed until now, if the Jews help in its creation it could be a reality. My answer is that it might very well be so, but in this case the same people should not come and argue about historical rights and the right of inheritance.

I maintain that the national emergence of the Palestinians did not begin as a result of organic impulses, but primarily as a result of external factors and pressures, first and foremost, the Zionist factor whose manifestation here encouraged them towards discovering their own identity.

When I deny Arabs their historic right to the Land of Israel and if I do not recognize the nationalism of the Palestine Arabs, this has no relation at all to individual or collective rights of the Arab inhabitants of the Land of Israel. In 1923 I was invited by the British High Commission to a joint Arab-Jewish reception. I proposed then to one of the Arab teachers, who were there to form a joint Hebrew-Arab pedagogical society, and he answered: "There is room in this country for only one nation." I answered: "There is plenty of room in this country for both of us if you would want to live here." The fact that the Arabs do not want to live with us might lead me to think whether I did everything in my power to convince them, but under no circumstances would it lead me to doubt my own "Historic Rights" over the country.

As far as "Rights" are concerned the situation here remains as it always was: The Arabs in the land of Israel should enjoy all the rights; but over the land of Israel they have no right.

from Ma'ariv, June 7, 1969

THE MITZVOT, THE MESSIAH AND THE TERRITORIES

by Michael Rosenak

It is one of the fascinating and perplexing aspects of Israeli public life that the issues which agitate great controversy seem invariably to resolve around the destiny of the state, while people merely sigh about the critical day to day problems. Ultimately, the latter seem to stir little overt anxieties; indeed, one senses an almost stoic trust in the ability of those who must deal with them to do so successfully. Thus, observers have remarked on the almost uncanny calm that prevailed here before the Six Day War, on the atmosphere of sombre confidence that the somehow magnificently efficient (and incredibly civilized) army would not fail to provide for the defence of the country.

On the other hand, and in blatant contradistinction to this curious calm, the post-war period has seen an unending and acrimonious furor over the at-the-moment theoretical question of the disposition of the held territories, a debate that features dogmatic and dramatic pronouncements on the nature of Zionism, the Biblical promises of redemption and the ideal shape of the peace that will, someday, descend upon this troubled region.

In short, Israelis tend to regard concrete political problems with the serenity that men usually reserve for philosophy, while they treat "philosophical" problems with the nervous intensity usually found in politics. The man on the street, when asked how he views the increasing Soviet penetration into the area, the headaches occasioned by the economy, or the latest threatening speech by Nasser, is most likely to calmly respond: "*yihyeh beseder*, it will turn out all right"; he is, however, likely to have fiery opinions on the sanctity of Jerusalem or the priority of peace - even while he knows full well that not a single Arab state has declared its willingness to make a meaningful peace under any rational conditions whatever.

To a large degree, this was always so in Israel. Controversy in this society has a peculiarly spiritual intensity; at the same time it is something of a pastime, almost (*L'havdil*) like archeology. It is both playful, yet terribly serious. It concerns itself with making the present situation meaningful via the search for historic roots and conjecture about future hopes. For the past 20 years, the basic issue in Israel has been physical survival in the face of Arab threats, but the most prominent *public question* during this period has been - "What is a Jew?" Survival is more or less serenely entrusted to the government and army; the people prefer to debate whether Judaism is a religion or a nationality. The most pressing problems are little discussed but are, amazingly, successfully resolved, while the issues of public debate, always somewhat Platonic in nature, never seem to really get anywhere. That they are nevertheless kept alive and debated with unflagging gusto, shows how playful they are - and how serious.

Public figures too, are judged not "merely" by their concrete achievements, but by their views of the Jewish past and future. The appreciation bestowed on Ben-Gurion for his feats of statesmanship is expressed almost academically, but his thesis that only 600 families left Egypt at the Exodus is (in these matters the only tense is the existential present) hotly defended or denounced. The brilliant strategy of former Chief of Staff Yitzhak Rabin is a source of calm pride, but his address on Mount Scopus in which he dealt on the nature of the Jewish people and its army almost evokes tears. And Moshe Dayan is not liked or disliked for his administration of the territories (which is considered almost unanimously brilliant) but for his alleged views on "the future of the territories." (He is, accordingly, liked and disliked most cordially.)

It makes little difference that the debate about the future of "the territories" is, politically speaking, a monologue, and that none of the Arab countries would today make a formal and secure peace with Israel on even the most "dovish" Israeli terms. The debate goes on, playfully, seriously. Not a week goes by without some public discussion of "the territories", without either the appearance of some large and much-signatured manifesto demanding "not to give back an inch" or an interview with some prominent professor

or novelist pronouncing his utter disinterest in "the territories", without lectures, symposia and demonstrations *ad nauseam*. The Arabs in the territories as well as to an outside observer, generally misunderstand these debates, which are couched in the language of politics. They fail to understand that the discussions are basically philosophical and deal with questions of almost abstract principle. The Arabs sometimes fail to grasp that the "hawks", in demanding "the realization of the historic dream of the Jewish people in its entire homeland" are not conscious of having any practical political designs upon them, and are, likely as not, more sensitive to Arab feelings in daily political intercourse than the "doves". (Recently, when members of the maximalist "Land of Israel Movement" were accused of favouring the gradual expulsion of the Arabs, Natan Alterman, one of the most articulate members of the movement, expressed shock at the charge which had been levelled, he said, to libel and discredit his movement. He was not, he said, in principle opposed to the idea of an eventual "population transfer" for those who desired it, but that would obviously become possible only under conditions of a most sublime peace. Dr. Yisrael Eldad, the man who had been specifically charged with advocating an expulsion, did not, Alterman wrote, speak for his movement. Soon thereafter, Dr. Eldad, Israel's most extreme maximalist, granted an extensive interview to "Ma'ariv" in which he stated that the imputation of such an idea to him was "a lie". It is, incidentally, no accident that the main spokesmen for both the minimalist and maximalist movements tend to be professors, novelists and rabbis, while those who wish to "wait and see" are, often as not, professional politicians.) As for the most "dovish" people who, it would appear, can hardly wait to return the territories, it must not be thought that they mean to terminate the occupation in the foreseeable future.

The entire issue has, like former centre-pieces of Israeli public life, taken on the features of a too-much-performed play. But this play, unlike some of the others, is definitely a hit. One knows all the lines in advance, but there is always something stirring about it. When the play is performed with a full cast, as for example on the floor of the Knesset, the most polished lines are spoken by the actors hugging the right and left wings of the stage. In every discussion those deliver learned, routine, but still passionate expositions on the problems of Israeli security, Arab demography, Zionist history and Jewish redemption, in ascending spiritual order and descending order of concrete political significance. There is hardly a child in Israel who is not yet versed in the main arguments. The air is thick with self-contained, logical, but curiously windowless constructions pertaining to the sanctity (or utter insignificance) of holy places; the perversity of the "cosmopolitans" (or "chauvinists") and the birth-rates of Arabs on the West Bank (or future Aliya waves from the West and Russia).

When pressed to the wall, both of the clearly defined groups (i.e., those who would return everything and those who would return nothing) begin to redefine their positions, in varying degrees of consciousness and self-consciousness. Almost all maximalists would agree to concessions in exchange for "a real peace" (including treaties, open borders, embassies, free trade, etc.); almost all minimalists agree that there can be no withdrawal without peace - "and, it must be granted, Jerusalem is a special case." The maximalists, in practical terms, wish for Israel to proceed as though peace had already achieved on their terms, especially through settlement of the territories. As for the minimalists, their concern is that nothing be done to change the de facto situation in the territories, changes that, they fear, might create psychological or political impediments when the hoped-for day of negotiation dawns. But the former privately (though not always publicly) admit that the immediate task of controlling the territories requires tact and restraint. As for the latter, they pretend not to notice the settlements on the Golan Heights and in the Jordan Valley that the immediate task of security requires.

The fact is that a calculated and too-drastic change of the present situation would jeopardize its relative stability by posing a direct provocation to the Arabs, while not changing it at all would be interpreted as timidity and would invite insurrection. *Hazman ose et shelo*, as the Israelis say; time makes demands and creates situations which an intelligent ideological vision can hope to channel but never to completely control. In this connection, the laying of telephone lines between Shechem and Haifa is more

significant than abstract discussions on *Eretz Yisrael Hashhelema*. The telephone lines were laid not primarily to make Israelis out of the West Bank Arabs, but rather for the sensible reason that people, forced to live together by circumstances, must be able to talk to one another. Obviously, no one who wishes to return the territories is *against* the laying of telephone lines to Shechem. Likewise, if a certain professional group of East Jerusalem joins an Israeli professional association, it is not because they are Israelis but because they are businessmen. Their protestations that they are and remain Jordanians and that the incorporation of Jerusalem into Israel is a scandal, are freely offered and casually accepted. But they are reminded that complaint is neither here nor there and that it is for statesmen to discuss, not for businessmen. Today, Israeli Jews and non-Israeli Arabs mix in the cities of Israel, but this reflects not ideological imperialism, but the demands of common sense and a distaste for apartheid. The maximalists and their opponents may be either pleased or disgruntled at this or that development and may, through various devices, encourage, discourage or occasionally manipulate a social or political situation, but they cannot ignore the complexities of society and politics. Thus for example the establishment of kibbutzim on the Golan Heights furthers the interests of the maximalists, but the minimalists are not blind to the security requirements of Israel and can oppose such settlements only by advocating longer stretches of reserve duty for more men in order to patrol the Heights. Those who would oppose civilian settlements would, in our present situation, have to support Golan military camps. But obviously this is the last thing that will arouse the enthusiasm of the minimalist.

What happens when ideological notions of religious goals are treated as simple questions of political ends is well illustrated by the much-discussed resettlement of Hebron. This settlement, designed to "redeem in practice" the city of the patriarchs has, to date, probably complicated the task of the military occupation. After having spent several months in Hebron's Park Hotel, the settlers were given quarters in the military compound overlooking the city where, as one reporter noted, their status was more that of wards of the military government than redeemers of what is, after all, an Arab city. This is not to say that Jews should not have the right to live in Hebron which is, no matter what its demographic composition, a holy city; one, furthermore, in which there has been no Jewish population since 1929 because of a cruel pogrom. If, as is likely, a Yeshiva is re-established there, it will perhaps serve to teach the local population that pogroms do not (or should not) create social and religious facts. (For that matter, even if Hebron should, in some future settlement, be returned to Jordan or given to a possible Arab Palestinian state, there is no reason why it should be, on that account, *Judenrein*.) But the highly ideological fashion in which the present settlement was undertaken is hardly likely to decrease the yearning of Arab Hebronites for a release from the Israeli occupation - indeed, it may even have aggravated the possibility of an eventual reconciliation.

II

To the extent that the entire dispute over the territories concerns itself with the immediate political problems of Israel and not only with its destiny, the argument is readily summed up, since it revolves around 2 concrete questions: security and demography. The maximalists claim, with justice, that it is far better to have the avowed enemies of Israel on the far side of the Suez Canal than in the Gaza Strip, and that the Jordan River is a better frontier than the ridges of Tulkarem, 15 kilometers from Natanya and the sea. To this concrete political argument the minimalists can only answer with the "theoretical" (for the moment, at least) vision of peace. In the event of this vision materializing, the latter maintains the proximity of the Egyptians will not longer be threatening. But there is no peace, nor is there any immediate prospect of any agreement that will not be suicidal for Israel.

As for the minimalists, their objective "political" argument is the so-called demographic one. They point out the predictable inability of Israel to absorb the new Arab populations without losing its Jewish character. The million and a half Arabs now under Israeli jurisdiction enjoy an extraordinarily high birth rate while the Jewish birth rate is exceedingly low and can, even by the most strenuous educational efforts, be raised only slightly. It can therefore be foreseen, say the proponents of the "small Israel," that within 2 deca-

des the Jews of Israel will be outnumbered in their own state. Against this "hard" (i.e. political) argumentation, the maximalists can only respond with the vision of large-scale Aliya. But this unfortunately is at the moment almost as remote as genuine peace. And so, looking at the argument from either side as a *political* issue, we are given one strong political point which can be countered only by a "visionary" one. And since security is the most important political consideration, the maximalists clearly have the upper hand. In the absence of peace the argument remains playful.

III

But, if the casual observer, aware of the immediate political sterility of the debate, deduces that the argument, being somehow playful, is a mere game, he may be said to misunderstand the Jewish people, the nature of Jewish realism and idealism and the place of the State of Israel in that eternal Jewish quest for significance which made Zionism such a potent yet problematical expression of modern Jewish spirituality. It is, in short, to be doubted whether he comprehends the subtle relationship that obtains between the 2 poles of Jewish existence, Torah and the Messiah.

The Torah is both a yoke and a joy. Shavuot is the day of the giving, more than of the accepting, of the Torah, and we celebrate this festival with a wearying all-night vigil of study. Mt. Sinai was raised over our heads and we were offered the choice of death or submission.¹ For the Jewish people there is thus no life without it, but our history records how difficult we found it to live *with* the Torah. From the days in the desert when our forefathers nostalgically recalled the fish that they ate *free* in Egypt - "free of mitzvot," explains the *Sifre*² - until the various movements of assimilation of our day, we encounter, again and again, the desire of Jews to be freed from the burden of their Jewish tasks. For the Torah is an ever-present task; it makes immediate demands at every moment of our lives, never relaxing its hold - and we are often sorely tempted to seek meaning in nostalgic romanticisms of the past or in future utopias (such as those of our revolutionary assimilationists) rather than in the present situation which demands, first and foremost, not the dream but the halakhah.

And yet, even while it is a burden, the Torah is a joy and a light. Once we bind ourselves to it wholly, it brings the eternal and Divine into our everyday existence. Through the Torah, we find the spiritual stamina to perform prosaic tasks unprosaically. In the knowledge that God is to be found and obeyed in the everyday, the routine becomes sacred. When we live by the mitzvot, we realize that we have been blessed with a Torah of truth, through which everlasting life has been planted in our midst. This is the Torah that was given as though today, to give meaning and a redemptive quality to today's act. And then we recall that the Torah was not only imposed upon but also freely accepted by our forefathers and that the covenant was made not with our fathers alone but with each of us who is alive today. And having realized this, we make God's Torah our own, never tiring of constant repetition, rejoicing on Simchat Torah that we are privileged to begin it anew at the moment we have completed it.

The Torah is very serious and not at all playful; having a mountain held over one's head or freely entering into a solemn covenant with the Sovereign of the world is not a game. It is wearying with its incessant demands, but at the same time the knowledge that the demands are God's and that it is fully within our power to carry out His commandments makes it a source of courage and strength. Unlike the believer in Original Sin, whose social acts of righteousness are riddled with anxiety, for he knows that actually only God can do the right, the Jew rejoices and is tranquil in the knowledge that "It hath been *told unto thee*, O man, what is good..." (Micah 6:8)

But, while the Torah accords significance to the act, it is the waiting for the Messiah, the expectation of redemption, that gives meaning to history. Like the Torah, the vigil for the Messiah is very serious, since without redemption, the mitzvah might be ultimately absurd, a beautiful stitch in a non-existent tapestry. It is the promise that the entire world will some day see God's wonders just as we have "*seen* the sounds"³ of the Torah and witnessed His great deeds that assures us that the Word we have heard is not merely a delusion or an artful construction of our minds. Without the eventual coming of the Messiah, God's kingdom, which we accepted at the Red Sea, will always be foiled by

Amalek. And we, the first subjects of the kingdom, will remain the citizens of an exotic principality, despised by "the Powers" for our seclusions and pretensions. Thus, as we make our way through history, from Titus to Auschwitz, armed only with the Torah that we have seen and that we hear, we wait to see once again God's clearly revealed Hand. And this time, all mankind, having seen His mighty deeds "will willingly receive the yoke of His sovereignty."

This vigil fills us with tensions and anxiety. We must ask, in each epoch of darkness, How long, O Lord? In the ages of Galut, the song of redemption sung by our forefathers at the sea, "Who is like unto Thee, O Lord," is transformed into the bitter plaint of Rabbi Yishamel's disciples: "Who is like unto Thee, O Lord - Who is *silent* as You are!"⁴ Our anxiety, our endless quest for the redemption, our futile calculations when the redeemer will come (in which we persist despite the fact that the Halakhah frowns on them) derives from the fact that the advent of the Messianic era, unlike the observance of the Torah, depends on the redeeming act of God. It is for us, through the Torah, to begin the work; we cannot, by our own powers, complete it.

Thus, though the festival on which we contemplate the future redemption is "the season of our rejoicing," since we are certain that, as we read in the Haftorah of the first day, "God will be one and His name will be one", and all the nations will ascend, year by year, to prostrate themselves before the King, the Lord of Hosts, and to celebrate the festival of Succot,⁵ yet it is also the festival of sitting in huts, of wandering through the wilderness. "It is not without good cause that the book full of corroding doubt, Ecclesiastes, is assigned to be read at the Feast of Booths."⁶ For we realize that "everything having been heard," all that we can do is "to fear God and keep His commandments." But in the realm of the redemption for which we yearn, "God is in Heaven and you are on earth, therefore let your words be few."

But, because of this anxious waiting, the vision of the Messiah must also be somehow playful. Until he comes we, after all, have the Torah. And, in any case, we must remain sane. We must dream, but the Torah does not allow us to lose ourselves in dreams. In the words of Maimonides:

*"No man knows how these events will occur until they have actually happened, for they are not clearly described by the prophets, and the sages have no tradition concerning them... One should not occupy oneself with the aggadot and midrashim dealing with these subjects and their like... for they lead neither to the fear of God nor to the love of Him. Neither should one calculate the dates... instead one should wait and believe in these matters generally as we have explained."*⁷

We must wait for the Messiah with utmost seriousness, but we dare not sit idle while waiting. And we know that if we remove the element of playfulness, if we occupy ourselves with hypnotic seriousness in matters of Redemption, we may fall into a trance and awaken to the call of a false Messiah who will leave us naked, stripped bare of the Torah without which we cannot hope for the authentic redemption.

Thus it is that, while we celebrate the festival of the hope of redemption with a mingled joy and melancholy, the festival on which we were given a veiled inkling of God's redemptive power, when the king could not sleep and thus, Israel was spared, is both joyous - and comic. The joy of Purim has an element of the absurd in it. True, it was a salvation, but after all, Purim is not the Redemption. Israel is still in Galut, its poor are still hungry, the ludicrous Ahashverosh, though he was an instrument of salvation, is still ludicrous, and he still sits on his throne. Purim is only a prelude and we, yearning for the full realization, to avoid crying, laugh. And in the meanwhile we continue to maintain our hold on the Torah, bestowing gifts upon the poor.

IV

It is the intricate relationship between Torah and Redemption and in the aspiration of the Jew to transform the Torah that is forced upon him into the Torah that he gladly accepts as his destiny,⁸ that both the nobility and the problematics of Zionism may be understood.

Zionism and the State of Israel represent, on the one hand, the response of the Jewish people to their fate. Deprived of security, of human dignity, often of their lives in the lands of their dispersion, they have had, in our age as in ages past, no choice but to

begin their perennial wanderings once again. The Jew was brought to Eretz Yisrael as to America and Argentina, *al pi hadibbur* (following the Word of God), in the shadow of pogroms and Holocausts which threatened him with extinction. But for some of those who retraced their steps of Eretz Yisrael, there was the conscious decision to choose this particular refuge because of the conscious hope that in this land their fate would be transfigured into a freely chosen and joyfully accepted destiny. They hoped in Israel to make the Torah a light, a blueprint for a just society and a guiding pattern for an exhilarating Jewish experience, pointing the way towards ultimate redemption. They called upon their fellow Jews to escape the spiritual and physical fate that threatened in the Galut, believing that the demise of Galut existence would solve "the Jewish problem" of extermination and assimilation. And, whether articulately or not, they hoped that with the change in the situation of the Jewish people, the world too would be "changed"⁹ - it would finally be enabled to transcend the tragedy of "la Condition humaine" and awaken to the Divine word: "...and He blessed them and called their name Man..." (Genesis 5:2)

Yet, if Zionism is the great Messianic movement of our time, it is still not the Redemption; it is rather, whenever it remains loyal to the Jewish tradition, *an approach to the Torah for the sake of redemption*. And since, in our age of religious doubt and of the substitute enthusiasms of nationalism, it is often difficult (and *was* difficult for some theoreticians) to maintain the distinction between a redemptive approach to Torah and a Torah-less redemptiveness, Zionism must constantly struggle against the perverse pseudo-Messianism into which it can all too easily degenerate. Wishing to free itself from the *burden* of the Torah, it is tempted to reject the Torah itself. Wishing to lay the ground for redemption and believing that the Messiah will only come to those who are spiritually free enough to receive him, it is tempted to free itself from the mitzvot which are no longer "necessary", since Zionism is the very redemption. The Torah is thus threatened to be replaced by a pseudo-Messiah whom we ourselves have brought. Man would, in this perversion, undertake to do God's work and leave man's work, the mitzvot, to those benighted souls who refuse to extricate themselves from the bonds of an unnecessary fate. (On the popular level, this argument has it that "religion is good for Jews in Galut - we don't need it, for we have Israel.") And this Messiah, seemingly a liberator, enslaves the Jew and holds him fast in the grip of necessity. "The world" remains hopelessly and eternally unredeemed, since "we" are the "redeemer" and we happen to have neither the Divine power nor a Providential concern for the world's redemption. This unredeemed world will always be against us; therefore let us trust in our might. The nations are eternally anti-Semitic; therefore let us be "proud" nationalists. Messianism becomes chauvinism; redemption becomes a real-estate affair. And ironically the redemption moves further away, becomes more remote, because without the Torah man cannot realistically hope for salvation. A redemption brought by man alone, venturing forth without the Torah, simply heightens the tragedy of man's fate - he is repulsed by the sinister powers of the world and remains a wanderer in the desert of an unredeemed situation.

This lesson has already been taught to us by the father of prophets:

"Wherefore now do ye transgress the commandment of the Lord, seeing it shall not prosper?.. For there the Amalekite and the Canaanite are before you, and ye shall fall by the sword; forasmuch as ye turned back from following the Lord, and the Lord shall not be with you!" But they presumed to go up to the top of the mountain; but the ark of the covenant of the Lord, and Moses, departed not out of the camp. Then the Amalekite and the Canaanite... came down and smote them and beat them down, even unto Hormah."¹⁰

Indeed, immediately after this tragic episode, God speaks to Moses, commanding the children of Israel to observe divers commandments, *mitzvot hateluyot ba'arets*, "when ye are come into the land of your habitations which I will give unto you." The lesson to be derived from the dangers of self-redemption is not that the Jew should not observe those mitzvot that pave the way to God's redeeming deed, as some of our theological polemicists would have it, but that *in observing them* we must guard against the corruption of Zionism that would betray the Torah in the name of a collective human redemption.

That the State of Israel has, on the whole, never been seriously tempted to commit itself or to succumb to this perversion of Zionism, may be attributed in part to the realization that, even in Israel, Jewishness has remained a fate and has required the performance

of mitzvot that are "forced upon us." The daily chores of defence and the absorption of immigrants under pressure constituted clearly halakhic tasks. The military situation in which we have found ourselves and the circumstances from which our brethren in the ruins of Hitler's Europe or in the ghettos of North Africa had to be extricated did not permit us to disband the army or to plan a slow and orderly Aliya; the mountain was held over our heads. Under these circumstances, soldiering has been a mitzvah, since suicide is forbidden; the ingathering, even under adverse conditions, is required, for Jewish fraternity is our fate.

But whatever the reason for the refusal of Israel to succumb to the disease to which it is most susceptible (and of which disturbing symptoms have appeared from time to time) the fact is that basically Israeli Zionism has remained faithful to the principle (though not always, in our secular age, to the required detail or even to the formal theory) of Halakha. And this is demonstrated by the phenomenon of "philosophically serene" politics which we noted at the beginning of our exploration. The Torah is still our burden, since we have no choice but to perform the daily deeds required by our situation, daily deeds such as building an army that will protect our existence, deeds that seem to have little in common with our Messianic dreams of peace and brotherhood, but which, we realize, are necessary to preserve us alive for the day of redemption. And because Zionism has had the conscious or unconscious goal of making the Torah a light, in its destined habitat, the Israeli did not merely build the army required by his fate - he made it a Jewish army, a civilized and humane one. Fated by his expulsion from other lands to set up a new society, he has attempted to build it with Jewish vision - to make it the kind of society in which, even before the coming of the Messiah, life can be an occasion of joy and self-realization.

The tasks that are forced upon us day by day, by the realities of our situation, have also illuminated, therefore, our way towards tomorrow. Even while the Torah remained a burden, it revealed its inner light. We have thus realized that, while waiting for the sight of God that will signal the redemption, we have His word - and that there is significance and reward in the prosaic day-by-day confrontation with the task. We have therefore been taught that the adage, *hasman oseh et shelo* is not quite accurate. It is not merely time, but we, armed with the halakhic discipline to live today as it must be lived, who are moving events, in a mysterious manner not quite within our ken of understanding, towards their fulfillment. Cultivating another dunam of the Negev, teaching illiterate women from Morocco in an Ulpan, negotiating another international loan and playing host to another international convention may seem like trivial things in the account book of redemption; teaching group after group of 18-year-olds how to use weapons and keeping watch in the skies and on the borders may seem like irrelevancies in the drama of redemption - but these are the mitzvot of our situation. And because we realize that they are mitzvot and that a great truth is embodied within them, we can do them without undue anxiety, without a crippling impatience for "the big things" and for "the great day." This is, I believe, the key to the serenity that characterizes the everyday sphere of our lives.

And conversely, this may be the key to the political and anxious atmosphere which marks our great controversies. For in these controversies, more often than not the debate revolves round the Messianic issues that will ultimately reveal the significance of our prosaic tasks. They are terribly important because, once we lose interest in them, we are well on the way to losing the spiritual stamina for the day-to-day task as well, and as long as we remain anxious, we have the serenity to labour diligently in the Torah.

Thus, a member of Hapoel Hamizrachi could pour fire and brimstone on the secularists in the country, and the latter could grow virulent in denouncing the religious Jew's "mediaevalism" with the result that each would attempt to outdo the other in the establishment of kibbutzim and schools. A young Cherutnik could passionately declare that "there are two sides to the Jordan," while his Mapam opponent might heatedly denounce such "fascism" and both of them would get on the same Egged bus to travel together to their month of military reserve duty. The type of Jewishness that would ultimately be vindicated and the envisioned boundaries of the ideal Jewish state were, after all, Messianic questions; terribly important, anxious, distressing, but also somewhat playful - since the resolution did not really rest with us. Neither the religious nor the anti-religious Jew

seriously meant to force his view on his opponent. For that matter, the Cherutnik had no intention of preaching an actual "war of liberation" and the Mspammik had no wish to expel the "fascists" or to stake his life on the sacredness of exactly these borders. In these questions the rule was, despite all the fierce discussions, *l'et ata, zehu zeh*, for the time being this is it. But the building of kibbutzim and the reserve duty were matters of discipline, of the clearly perceived and immediate task. It was for each in terms of his own dream, Torah.¹¹ Pending the sight of redemption, one could only keep faith with the word.

V

The State of Israel came into being in the wake of the Holocaust. And throughout the night of the post-Auschwitz age, scorched by memories of more-than-Jobian proportions, the Israeli Jew acted as though the Redeemer still lived (even when he did not formally believe it). He kept faith with the Word - determined to survive in spite of everything. Because, whether or not there still was a God in the world Who cared and saw, the Jewish people had to remain true to itself, if only because "the hypocrite shall not come before Him."¹² Thus, before the Six Day War, certain in the righteousness of Jewish self-defence, he could scorn the intimidation of cynical powers, the pious lectures of callous churchmen, the sly advice of "friends". But, like Job, the Jew of Israel felt instinctively that his steadfastness with the word might, even now after Auschwitz, move God to show Himself, might set the stage for the redeeming act of God which would vindicate him (and Him) "in the eyes of all the living."

But one does not rely on a miracle - nor, realistically, may one do so. On that night of watching, that night before the war imposed on Israel because of the commandment to live, Israel could only hope that the mitzvah had been properly observed. If there was confidence in that evening of mobilization, it was because, at least our fate was no longer subject to the whims of the nations who, for millenia of exile, had taught the Jews to rely on their uncertain mercies. God, Who had not yet revealed His Glory, had already taken us out of Egypt. And when the morning came, we saw the salvation of the Lord.¹³ In his radio commentary in the evening of June 5, Brigadier Chaim Herzog could declare that "all of us, whether we generally pray or not, are hoping that the Guardian of Israel neither sleeps nor slumbers." But by the time he spoke, it was already self-evident from the incredible successes of the air force that, on this particular night the King had not slept.¹⁴ And while, like Job, we had been vouchsafed no answer to the problem of Divine justice and we understood neither the sufferings of Jews in Poland or even that of Jewish - and Egyptian - boys in burning tanks in Sinai, we could, like him, proclaim; "I had heard you with the hearing of my ears, but now my eyes have seen Thee."¹⁵ It was for pious and sceptical Jews alike a moment of salvation, a Divine vindication of Judaism and an historic affirmation of that redemptive path that constitutes Zionism at its best.

And in this moment of its greatest triumph, Zionism as a Jewish road revealed its Achilles' heel; it threatened to degenerate into false Messianism. And some, repelled by this threat, over-reacted and declared themselves ready to relinquish the Zionist - and Jewish - vision of redemption.

VI

Certainly, something marvellous had transpired. But what had been clearly perceived by all on the day when the thick night was pierced with brilliant lightning, was quickly forgotten by some and reworked by others into an ideology which sought to capture the ash of light and reshape it into a facsimile of daylight. While some began to claim that nothing of religious significance had happened at all, there were others who shrilly hailed the advent of total redemption.

What had indeed happened was that Eretz Yisrael, parts of which had been more remote from us than the far side of the moon, was suddenly and wondrously in the palm of our hands. The Arab states that had risen against us in a rare display of unity, had fled before us in 7 directions. No longer did the Jordan valley end mysteriously at Tirat Zvi; no longer was Jerusalem grotesquely carved up by asphalt walls astride Jaffa Road. The

strong had been delivered into the hands of the weak; the many into the hands of the few. Few Israelis perhaps had really anticipated defeat, but none had expected such a victory. And when we made our way to the Western Wall on Shavuot of 1967, we were like those who dreamed.

All this was certainly true, and religiously experienced. but the interpretation of the events, though sometimes couched in religious terminology, was often secular and self-satisfied. The maximalists declared that what had happened in the course of these 6 days constituted the totality of the Jewish dream of the ages. Sensing that Biblical verses had come to life in the 6 days of a new creation, they argued that the events not merely echoed the Bible, but fulfilled it. Now the Jewish people would speedily be ingathered in the land that awaited its sons. We could afford now, they said, to ignore the sanctimonious and cynical demands of the nations. In the day of distress, had they not left us to our fate? The God of Israel (or was it "the spirit of Israel"?) alone had guided us in the hour of battle. Indeed, it would be disobedience to God (or the "spirit of Israel"), ingratitude and rebelliousness to return to our former frontiers. How many times would God give us Sinai and Gaza (this was the second time in 11 years!) before we would per-versely stop returning them? Several rabbis, among them very prominent ones, declared it impermissible to return "a single inch" of holy soil. For was this not what we had prayed for? Could we honestly persist in our liturgical entreaties to be returned to "Jerusalem, Thy city," and then act as though it belonged to Hussein? If God had scattered the nations before us as in the days of David, if He had returned us to the Temple Mount and Rachel's Tomb and the resting place of the patriarchs, from which we had illegally been barred, could we even consider relinquishing them?

The "humanitarians," scoffed the maximalists, demanded the return of Shechem and Hebron, of Jenin and Bethlehem. But if this was the way of morality and justice, by what right did the Jewish people demand their right to be in Haifa and Tel Aviv - which the Arabs considered stolen no less than Jenin and Bethlehem? Either Zionism was a Messianic movement that envisioned the return of the Jews to their land - in which case there was no difference between Jaffa and Jericho - or the Jewish people had no right to any portion of the homeland. If settling the lower Jordan Valley was an injustice in 1968 then the settlement of the Jezreel Valley had been no less just. This too had been an Arab area! And if "demography" posed problems today, how much greater had been the disproportion between Arabs and Jews at the beginning of Shivat Tzion. Aliya had been the vision and task then; it remained the vision and task now. And if the Jewish people remained loyal to this vision now, there would eventually be peace. A betrayal of Eretz Yisrael and the Zionist scheme of redemption could bring naught but successive wars for without the vision all nations (and the Arabs included) would conclude that Zionism was merely a kind of collective robbery. (And we too, bereft of the vision, would eventually come to the same conclusion.) However, once the world - and the Arabs too - understood our redemptive dream, they could come to terms with it and be blessed through it. But one could hardly expect the Arabs to understand it until the Jews did so and acted upon it. A return to the caricature state that was pre-war "Israel" would maintain the enmity between ourselves and our neighbours. Indeed, this unnatural "garrison state" had fostered suspicion and hatred for 20 years. For as long as we did not demand the whole of our homeland, the Arabs could not understand on what basis we claimed the right to any of it.

The arguments of the maximalists has the virtue of consistency ; it refuses to see Zionism other than as a movement leading to redemption. Moreover, to be fair to the maximalists, "the redemption" is not, ideologically at least, meant to deny civil or human rights to the Arabs. But, as already noted, events are always likely to overtake theoretical ideological formulas. If the Arabs "unreasonably" rebel against this "redemption", will the liberalism and good will of the maximalists withstand this inevitable test? Can "the redemption" be permitted to be foiled by the "stubbornness" of the Arabs who have their own vision to pursue? It would seem that, when they are truly consistent (as most maximalists probably are not) they are either insensitive or naive. In either case, the course of events might, all too easily, lead them to brutality. For there is, in the position of the maximalists, an ominous blurring between the human realm of Torah and the Divine realm of redemption. The scorn heaped on the noble-hearted (*y'fai nefesh*) indicates

how close the enthusiasts are to the abyss of false Messianism, how great the temptation might become to abandon the "humanitarian" Torah which leads to the redemption of all men for the all-too-human Messianism which sees only the "nation", and may, if pursued to its logical conclusion, terribly distort the Halakhah and the dual vision that lies at the bases of Jewish existence.

There is much truth also in the feeling of the minimalists that there is something ludicrous about this "redemption" that we have experienced in the wake of the Six Day War. For what kind of redemption is it, they ask, that increases the hatred of our enemies, brings us daily bereavement, adds the Russians to the ranks of our sworn enemies - and aggravates the tension of the world at large? How ironic the "redemption" of a Jerusalem that greets our every entry with hostile stares, how disillusioning the Messiah who demands the lives of men for a wall or a tomb! Rabbi Goren may exult in the acquisition of Mt. Sinai - but in truth, Mt. Sinai is not primarily a geographic location; it is a moral imperative.

As for the Biblical promises upon which the maximalists build their castles in the sky, they are, say the minimalists, either immoral (thus the anti-religious minimalist) or irrelevant (thus the religious one).¹⁶ And if they are the promises of the Jewish people to itself (for what else can agnostic enthusiasts about "Biblical promises" mean by declaring that "the Bible promises...") these promises have no moral claim upon or meaning for the Arabs; if they are God's promises, they are being misapplied. For neither are the Arabs the "seven nations" nor is Moshe Dayan Moshe Rabbeinu.

The State of Israel, they say, arose to solve the problem of Jewish homelessness. It posited a justified claim which, tragically, conflicted with the also justified position of the Arabs living here. The partition plan, though absurd to pseudo-religious or clerical Messianists, was a reasonable compromise between equally just claims. As for the argument of the maximalists that the Arabs have vast territories that are indisputably theirs, while the Jews have only Eretz Yisrael, this defies the fact of Palestinian nationalism (uncomfortable perhaps, but existent) and it can be meant only to prepare public opinion for the transfer of the Arabs to other countries. For some the halakhic responsa of rabbis forbidding the return of the territories illustrate the subservience of religion to crass nationalism. The freethinker is bound to see in this yet another indication of organized religion's insensitivity to human values; the sober religionist is required to summon the courage to repudiate his acknowledged leaders' surrender to a romantic chauvinism.

It is, claim the "humanitarians," a false Messianism to see redemption in terms of material benefits accruing to the Messiah's favourites. Of such Messianism the world has had its fill; such Messianism in fact has been invariably burned into Jewish backs. The Six Day War was certainly not a redemptive occasion in the sense of the maximalists. And whether God "interfered" in this war is neither here nor there - this is a question for theologians or parlour conversations. What is relevant to the discussion of the "significance" of the war is merely that it was a legitimate exercise of the right to self-defence. To change the "war aims" after the war blemishes the good name of Israel and desecrates the memory of those who died. These latter, after all, gave their lives not for Eretz Yisrael Hash'lemah but for Medinat Yisrael; not for ancient shrines in Hebron but for their families in the shikunim of Holon. Should we hold the territories on principle, we shall within a generation have created a garrison state far worse than that in which we previously lived. We shall have to learn to rule another people and we shall in the process become cruel and coarse. We shall no longer be a peace-loving people, forced against its will to a grim proficiency in the military arts; we shall become Spartans, militarists held in the iron grip of a clerical-nationalist ethos. We shall fall prey to a coalition of mediaeval dreamers and romantic non-believers. The former will make Israel into an unsavoury anachronism; the latter, armed with religious notions that have been secularized, will lead us into totalitarianism.¹⁷

Thus the minimalists. Their position, perhaps even more than that of their opponents, remains "theoretical" since they admit that there can be no withdrawal without peace and security.

If the minimalists are adept at revealing the moral blemishes in their opponents'

position, their rhetoric does not conceal their own inconsistencies. For if the maximalists stand in the precarious position where their fascination with redemption threatens to divorce them from the imperatives of Jewish morality, the minimalist argument, carried to its logical conclusion, would sacrifice the vision of redemption in order to protect morality. This may be traditionally a more just way to *live* since we, after all, are responsible for the Torah more than for the redemption, but it is not quite honest as a vision. Besides, the Torah, to remain Jewish, must remain anchored to a Messianic hope.¹⁸ The fact is of course that the settlement of Holon too was part of the dream of restoring the Jewish people to Eretz Yisrael. Zionism, after all, rejected the Uganda project though that country might very well have been an adequate refuge. The vision was one in which Eretz Yisrael played a vital part. The minimalists are in the position of taking advantage of their fathers' dreams, while self-righteously repudiating their principle. Thus they will consider settlement of new areas immoral, but they justify previous enactments of such immorality. They now consider the borders of May 1967 legitimate, but they must admit that these too were drawn by war. If they are not ready to go back to the borders of the partition plan of 1947 (and they are not!) because the areas taken over in the wake of the War of Independence have already been settled, on what basis do they denounce the settlement of new areas? If "just" facts are by definition those already established, one may suspect their vision is not as idealistic as it seems at first glance. Indeed it seems to be *overly realistic*, based on little more than the facts of a recently congealed past. It might uncharitably be said that their approach constitutes an invitation to the Eretz Yisrael Hash'leimah group to settle the new areas for, presumably the minimalists will ex post facto justify it.

In short, since the maximalist places a practical priority on redemption and sees Messianism as his *task* in an admittedly imperfect situation, he is likely to eventually negate the mitzvot of morality, destroying thereby the life of Judaism, replacing Judaism with a heretical Zionism. But the minimalist implicitly denies the claims of the historic Jewish vision of redemption and is left with a morality that, having no redemptive goal, threatens to become dishonest - and to destroy the Jewish dream of Zionism. For many of the maximalists, the Messiah came in June 1967; for many of the minimalists nothing of religious significance happened then. Were the State of Israel to commit itself to either reading of our recent history, the delicate balance between Torah and Messianism would be upset. And without this balance, Judaism cannot remain true to its God, and the State of Israel will not remain Jewishly significant. For is it Jewish to preach apathy to the Temple Mount and to Eretz Yisrael? Conversely, may Jews set out on a course that will, for Zion's sake, perpetrate wrongs against human beings? May a moral Jew forget that Hebron is an Arab city - or that it is a holy city?

Zionism, to remain viable, must be no less realistic and no less moral than the Judaism for which it hopes to speak. It must remember that realistically every nation in the world today lives on territory that was once another group's - the "right" to which it secured either through settlement or through conquest with the intent to settle.¹⁹ And while Zionism, stemming from the Jewish tradition, cannot consider it unjust for the Jews to acquire through peaceful settlement or defensive war what, according to the Midrash, the Lord of creation set aside as Israel's inheritance,²⁰ neither can it abandon the moral law for which alone Israel was promised an inheritance. Without the Torah, Israel forfeits the right to its land; this is stated clearly by the same Bible that makes sundry "promises."²¹ Thus it cannot, for the sake of territories, deny the Torah, since Eretz Yisrael was given to Israel only on condition that it observed the Torah. "God does not give any portion of the earth away, so that the owner may say, as God says in the Bible: 'For all the earth is Mine' (Exodus 10:5). The conquered land is, in my opinion, only lent to the conqueror who has settled on it - and God waits to see what he will make of it." ²²

What we make of our situation constitutes our destiny. The maximalist may come to believe that he is fated "by God's will," to insensitize himself to moral imperatives. The minimalist, by appealing to the de facto situation created by the first Zionist settlers, would convince himself that it his historic "situation" (i.e. over which he has no control) to live in Holon. Are these "philosophies of fate" true to the central vision of Zionism, which tries to transform the Torah into the freely accepted destiny of the Jew - paving the way for God's free act of redemption?

VI

Obviously something happened in June 1967. But, considering the persistence of strife and evil in the world, we cannot believe that what we have witnessed is the redemption for which we wait; the Messiah of Succot has not come. The nations are not ascending to the mountain of the Lord and no one is turning swords into ploughshares.

But neither, recalling the wonders we have seen, can we believe this was merely the victory of one Middle Eastern state over others in a petty war. There was an authentic element of salvation in what happened - every Jew felt it then, though not all admit it now. That there were elements of the ludicrous in this redemption, that there was suffering and death, and that the world was not much improved by it, is undeniable. And certainly there is something comical (i.e. sad) in a redemption that requires of us an increase in military expenditures. But though we realize that this redemption is far from complete we cannot but be happy about it and "changed" by it. Though the goal of history, both for Israel and the world, is clearly not consummated and remains, until God wills it otherwise, "theoretical", we cannot but gain a new lease on our faith in the ultimate vindication of our belief and our way in the world through what has transpired before our very eyes.

In other words, what we have experienced is a redemption of Purim. But it is a redemption of Purim that, through the partial return of our people to its homeland, points perhaps more clearly than the first one, our way to the redemption of Succot. It is, therefore, not merely "a moment of salvation," but we may hope "the beginning of redemption." Whether or not it will be so depends partly, I believe, on whether we understand the significance of the Purim miracle in the light of Jewish teaching.

For Purim, in our tradition, is the event that persuaded the Jewish people to transform the Torah that had been its fate and burden since Sinai, into their freely chosen destiny.

"And they stood under the mountain (Exodus 19:17). Said R. Avdimi b. Hama b. Hossai: From this we learn that the Holy One blessed be He suspended the mountain over their heads like a barrel and said to them: 'If you accept the Torah, well and good; and if not, here will your graves be.'... Said Rabba: Nevertheless, they accepted it (of their own free will) in the time of Ahashverous (Rashi: Because of the miracle that had been performed for them) since it is written: 'The Jews ordained and took upon themselves... (Esther 9:27); they themselves) ordained that which they had already taken upon themselves (against their will).'" 23

It is this free commitment to the Jewish deed, performed not for its survival value and not because it is required by "the absurd Jewish condition" by which the establishment of the State of Israel must ultimately vindicate itself as a redemptive event. It is the serenity with which it performs today's task even while it dreams and debates tomorrow's fulfillment which must remain its Jewish hallmark. And today's Jewish task in Israel, for which we have gained new conviction and courage through God's saving act - which, thanks to the miracle, we can now accept more joyfully, is the road by which we must travel towards the end of days. Not time alone, but we, with the Torah which can now be observed against the background of the "light and joy" of salvation, must bring electricity to Gaza and telephone lines to Shechem. In which sense and for which time Jericho "is promised" to us, is a Messianic question, serious insofar as we may not forget it, playful insofar as the decision is God's. But talking to Arabs from Jericho on the bus and helping them to enrol at the Hebrew University, opening channels of communication is our task. Whether Jenin will (or should) eventually be part of the State of Israel is not really a halakhic question since it may depend on the developments in international politics more than on us, and on the dictates of morality in this specific situation more than on our dreams. But we must make certain that the poor of Jenin are provided for together with the needy of Tel Aviv, as long as the former are our responsibility and within the scope of our halakhic obligations. We cannot legislate against Arab hatred, but we can - and do - keep the bridges across the Jordan open so that goods and tourists and students can pass freely from one side to the other, even while we may not permit the return of malicious armies to the Golan Heights.

Whether Jenin or Jericho are to become a part of Israel depends on when there will be

talks and what will be decided there. And these things in turn depend on diverse factors that are so complex that they quickly cut our "Messianic ideologies" down to size, leaving the question of how the world is to be redeemed to Him who "looks to the end of all generations." The maximalists may legitimately hope, but they may not forget the moral priorities in the Halakhah; the minimalists may in the name of justice legitimately warn, but they may not abandon the dream or their trust that God, in the final act of redemption, will reconcile the paradoxes and teach us how to resolve that which now seems irreconcilable.

In the meantime, we must do what is required by our fate and we should do these things with the religious sense of purpose that derives from our free acceptance of the Torah. Our fated proximity to a people that bitterly hates us - *mainly for historical and social reasons that have nothing to do with us and for whose resentments we are merely a convenient focus*, forces us, if only for political expediency, to patiently build bridges towards understanding. But when we see the Torah as our free choice, we comprehend the commandment to demonstrate that it is possible, because of our common human dignity and despite years of strife and bitterness, to genuinely reconcile, to wholeheartedly forgo revenge, to love one's neighbour. This is not an easy task; the daily acts of savagery, of mine-laying in crowded markets and in the fields of peaceful settlements continue.

But we may not forget the Torah of destiny, even though, as we have always known, the Torah is very difficult. And so, even while we bring terrorists to trial and continue to train ourselves in the use of weapons, we shall, strengthened by the miracle, continue the endless negotiations with the elders of Hebron on the apportionment of Moslem and Jewish visiting hours in the Cave of Machpelah, send futile but meaningful notes to Dr. Jarring, and teach Hebrew to East Jerusalemites even while we learn Arabic on Kol Yisrael.

It is the classic Jewish belief that if we occupy ourselves with the Torah, interpreted as it always has been on the basis of our profoundest insight into both the commandment and the specific situation of the moment, we shall be shown the pattern of redemption. We do not know what that pattern is because "no one knows how these events will occur until they have actually happened, for they are not clearly described by the prophets" (no matter how loudly the maximalists claim the opposite). Perhaps, in occupying ourselves with *Torah lishmah*, we shall reach a peace settlement in exchange for territories and perhaps, in living together with the Arabs as we are obliged to do, we shall establish the dialogue that will ultimately lead to a different solution.

And perhaps there will be neither peace nor redemption until all Jews accept, in gratitude for the miracle, what they have already received at Sinai, meaning: for the Land of Israel Movement, under no circumstances to do to others what they would not have done unto them; for their ideological opponents, "not to forget the things thine eyes saw" (Deut. 4:19); for Ben-Gurion, tefillin, and for American rabbis, *yishuv Eretz Yisrael*. None of these things seem, at the moment, to be forced upon us. But now, after Purim 1967 more than ever, these are the commandments in which we may rejoice.

FOOTNOTES

1. Shabbat 82a.
2. Numbers 11:5 - and commentary of Rashi.
3. Exodus 20:15. For an illuminating discussion of the significance of "hearing" and "seeing" in religious life, with the former representing valuative understanding and the latter the direct experience, see Dr. Issachar Jacobsohn's essay: "על נאומי ה' בספר איוב" in his book: *לבעיית הגמול במקרא* - Tel Aviv (Sinai) 5719.
4. Gittin 56b. This is based on a play on the word אלים (the gods) which is read as though it were אלמים (the silent).
5. Zechariah 14:17.
6. Franz Rosensweig: The Feast of Booths, in Nahum Glatzer: *Franz Rosensweig: His Life and Thought*, Schocken, 1961, p. 325.
7. Maimonides: Mishneh Torah: Hilkhot Melachim, XII:2.
8. In his "קול דודי דובק" (which appeared *הדור והדור*, Tel Aviv 5724) Rabbi Joseph B. Soloveitchik discusses the problems and issues involved in contemporary Israel and Zionism and posits a halakhic philosophy of free choice as it applies to these problems. Central

concepts in his discussion are "fate" and "destiny" as they apply to the Torah and Jewish history, and I gladly admit my debt to Rabbi Soloveitchik in my use of these concepts here. The use that I make of them - and the responsibility - are of course my own.

9. The idea that with the end of Galut the world too will begin to "change" is very obvious in the writings of such thinkers as Moses Hess. But it also appears clearly in the writings of "political" Zionists such as Herzl, who believed that anti-Semitism is the major impediment holding the world back from the realization of its liberal ideals (i.e. the ideals of the "Messianic Enlightenment"). Since anti-Semitism will disappear when the Jews return to their homeland, Herzl feels justified in writing, in *The Jewish State*, that "The world will be liberated by our freedom..."

10. Numbers 14:41-45. Ibn Ezra explains *Chormah* to mean "until they destroyed them."

11. My use of the word "Torah" may strike many readers as overly latitudinarian. Indeed, at times, I would agree with them. But I should like to remind them (and myself) of the words of Rav Kook upon his visit, during a tour of the settlements, to the Halutzim of Poriah. There he found a flagrant desecration of the Sabbath and, of course, a total disregard of kashrut; needless to say this saddened him profoundly. However it happened that while he was visiting the settlers apprehended an Arab thief during the night and detained him until the next morning, for transfer to the police. In the words of Rav Kook: "It was wonderful to see the fine courteous behaviour of the workers (i.e. the settlers) vis-a-vis this lowly thief while he was in their hands. They gave him a decent place to sleep, they gave him food and drink. Here we saw a ray of that light that shines out of the uprightness of the natural Jewish heart, how it sparkles when it is revealed." (Quotation from Zvi Zinger: "Tolerance in the Teachings of Rav Kook," Niv Hamidrashia, Winter 1969.) That there is still such Torah in Israel, even when it is hidden behind the veils of agnostic ideologies, was clearly demonstrated during the Six Day War, and was beautifully articulated in such books as "Siach Lochamim".

12. Job 13:16.

13. My literary allusion is to Exodus 16:6-7. "In the evening and ye shall know that the Lord hath brought you out of the Land of Egypt; and in the morning, and ye shall see the glory of the Lord..."

14.. See Midrash R., Esther X.

15. Job 42:5.

16. It must be noted that the religious and irreligious minimalists, while willing to sign the same declarations, do not really proceed from the same assumptions. It is my impression that the religious "minimalist" is repelled by the false Messianism of the maximalist, while his irreligious counterpart is bewildered by Messianism as such. (My criticisms of the minimalist "distortion of vision" refer, therefore, to the avowedly secular exponents of this stand - see pp. 3-4.) To my regret, the distinction between religious and non-religious maximalists is more difficult to draw. It appears to me that the religious maximalists are scarcely less Sadducean than the irreligious ones. To me the regrettable fact that religious Jewry is more heavily represented in the latter group is symptomatic, I fear, of a deep spiritual crisis in the ranks of organized religious Jewry.

17. There is of course a measure of polemic exaggeration in such arguments, but only a measure. The maximalists, hearing such dire threats of "totalitarianism" are likely to respond that "these people don't understand the Jewish people; we would never do such things" - and to consider themselves confirmed in their view that the minimalists, as a group, are alienated men. The maximalists are sincere in their belief that "Jews are not like that" - but the minimalists may know more about the realities that govern the relationships between men - even when some of them are good men.

18. He may, of course, claim that his Jewish Messianic hope is peace, and surely this is a part and parcel of the Jewish vision. But peace in itself is not necessarily a vision at all. Neville Chamberlain, after all, also had this "vision" - unfortunately, his "vision" of Hitler was faulty. Indeed, we could have peace in Palestine immediately - by leaving, just as we could have "solved" the problem of anti-Semitism in the Middle Ages - by baptism. But this, and rightly so, is not what the minimalists suggest.

19. Martin Buber elucidates this idea in "An Open Letter to Mahatma Gandhi", parts of which appear in A. Hertzberg, *The Zionist Idea*, New York, 1959.

20. See Rashi, on Genesis 1:1. But obviously, this "promise" by itself is no more a total Jewish vision than "peace" which is also promised. If treating relative values as absolute ones is idolatry, then it may be said that taking partial visions as total ones is pseudo-Messianism.
21. See, for example, Leviticus 18:24-28.
22. Buber, *ibid.*, pp. 464-65.
23. Shabbat 82a.

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THE FIVE ROOTS OF ISRAEL

THE ARAB CASE ANSWERED

by Nissim Rejwan

Toward the conclusion of his book, A History of the Jewish People, Dr. James Parkes devotes a few paragraphs to "the new Jewry of Israel." By the second decade of independent existence, he notes, "certain patterns are beginning to emerge. Of the Jews born abroad half have an Islamic and not a European background. Their birth-rate is higher than that of the Europeans, but their future position in the state is still somewhat of an enigma though, with their children, they already form a majority of the Jewish population." As to the native-born of European parents, the Sabra, Dr. Parkes writes that he is "demonstratively not interested in Diaspora history," and that it would probably be two or three generations "before he really begins to feel himself part of a world-wide and tri-millennial history."

This isolation of the Sabra from Jewish history has the justification, according to Dr. Parkes, "that the Israeli is concerned with his new and contemporary problems in which the Diaspora cannot help him. His future depends on his relationship with the Arab world, and his ability to shape the policy of an independent government, relating itself to the rival ideologies of all the continents." Independence has thus confronted the Sabra with totally new issues, Dr. Parkes points out - and concludes: "It is a good thing that he feels withdrawn and out of sympathy with a history whose very complexity overwhelms him." (A History of the Jewish People, revised Pelican edition, 1964, pp.233-235).

Yet while the Sabra needs time to acquire his new perspective, and "cannot be hurried," Israel remains geographically where it has always been, and it seems that, totally new as the issues confronting the Israeli may appear to be, their resolution in no small measure depends on his success, first of all, in placing his present position in the perspective of that Jewish history whose complexity seems so to overwhelm him

and, secondly, in attaining a working relationship with the surrounding Arab world. It is a remarkable tribute to Dr. Parkes' moral standing and his searching mind that he should have contributed so much, more perhaps than any man living, to a clarification of both these fateful issues.

There are two central theses in Dr. Parkes' writings on this aspect of Jewish history. The first concerns the roots of Israel and the continuity of Jewish life in the Middle East, while the second concentrates on the relations between Israel and the surrounding Arab world. The two issues are remarkably interconnected in a way that only a scholar and a sympathetic observer of Dr. Parkes' stature can demonstrate. As early as June, 1948, our author was able to write that, though history shows that its emergence is a natural process and not the artificial creation which its enemies make it out to be, "the new Israel cannot be simply a repetition of the old. Jewry has to take into account the emergence of Christianity and Islam, as permanent factors in the new picture of the Holy Land, and find a creative relationship with them. That a bi-national state proved impossible was not the fault of the Jews; but there will be no peace in Palestine until there is reconciliation between Jewish and Arab needs." (A History of Palestine, London, 1949, p.362).

Before such a reconciliation can be attained, however, there was need for a moral-intellectual articulation of the question- and it is here that Dr. Parkes' contribution has been immense and invaluable. In his book End of an Exile, published six years after the establishment of Israel, he attempts to furnish an answer to the Arab case in Palestine by showing that "far more was involved in Zionism than just a nineteenth-century Jewish form of nationalism." This he does by examining the five roots of Israel which are deeply embedded in the experience of the Jewish people.

The first, and deepest, of these roots is Judaism, as the religion of a community. Just as contemporary secularism cannot undo the influence of Christendom in the formation of European civilization over the past millennium, he explains, "so secularist Zionism cannot alter the fact that the deepest root from which the state of Israel has sprung is the Jewish religion." For the nature of Judaism is such that, in all his wanderings, each individual Jew was conscious that he was a member of a single people... and that the fulfilment of his own destiny was inextricably bound up with the safety and restoration of his people. This Jew would not have understood had he been asked whether that people constituted a religious or a national community. Even though many of those who created

the modern Zionist movement were in reaction against the orthodoxy of their day, they inherited to the full this deep feeling for the whole people which orthodoxy had implanted in them."

The second root of Israel is the Messianic hope, intimately connected ever since the destruction of the Jewish state with the expectation of a return to the Promised Land. This hope of return found expression every year in the Passover service celebrated in every Jewish home.

The third root of the State of Israel is Jewish history itself, and the long experience of dispersion, insecurity and inequality under the rule of both Christendom and Islam, as well as the shattering disillusion which followed the high hopes of complete emancipation in nineteenth-century Europe. But it was not only the Jews of Europe who were to suffer this disillusionment. "In the heyday of nineteenth-century European optimism it seemed possible to the minority of the Alliance Israelite Universelle and the Anglo-Jewish Association that it was but a matter of time before the ancient and miserably depressed Jewries of the East would benefit from the general rise in the standard of living and education. In the French possessions of Africa, Jews were beginning to taste the joys and responsibilities of citizenship. In Egypt Jews benefited from the security of a British administration. Elsewhere schools were springing up; progress and prosperity seemed just round the corner. But even before 1914 the rising nationalism of the eastern peoples revealed how unsubstantial some of these dreams were likely to prove, and greater knowledge showed how little basic change was taking place within the miserable quarters in which most Jews lived under the stagnation of Muslim rule."

Another root of Israel, the fourth, is the continuity of Jewish life in Palestine through the ages. Though the number of Jewish inhabitants has constantly varied since Roman times, this was due to circumstances outside Jewish control, and not because Jews had themselves lost interest in living in their "Promised Land." But on the whole it may be said that the number of Jews inhabiting Palestine "was always as large as was possible in view of conditions existing at any one time."

The fifth root of the State of Israel is the relation of Palestine Jewry to the Jewish world. This is of even greater significance than the continuous physical existence in Palestine of a Jewish community; for on four critical occasions in Jewish history this community played a role which no other Jewry, however great its numbers, its power or its intellectual eminence, can claim to have done. This occurred when, at four moments

in its troubled passage through the last two thousand years, Jewish life found itself with but the narrowest margin separating it from final destruction. The first was the destruction of the Temple, when Jewry's political institutions were abolished, its religious practices proscribed, and when it was itself challenged from within by the increasing power of emerging Christianity. The second was when Turkish invasions destroyed the prosperity and stability of the Baghdad caliphate, at a time when Babylonian Jewry was the center of the Jewish world, and had no visible successors either elsewhere in Muslim lands or in Europe. The third occasion was when two centuries of persecution, expulsion and the destruction of their centers of learning culminated in the tragedies of the double expulsion from the Iberian peninsula in 1492 and 1496 - again with no successor in sight. The final occasion was when Tsarist persecution changed the whole face of Jewry, and when the train of modern anti-Semitism culminated in the death camps of Hitler's Europe. On all these fateful occasions it was the Jewish center in Palestine - in the last example based largely on modern Zionism - that held fast and prevented the threatening ultimate extinction of Jewish life and the Jewish religion.

These, then, are the five roots of Israel. Their understanding, according to Dr. Parkes, has an immeasurable relevance to Israel's present situation in the area and the role which it is destined to play in it. For Israel should be capable of playing a very important role in the Middle East, though this is possible only if the breach between her and the Arab States is healed. This role is not the grandiose one which Israeli propaganda sometimes envisages. "The rescue of the Arab countries from their material and spiritual disorder must be primarily their own affair, and the extent to which the West can help is limited by Arab pride and suspicion. Israel certainly can do nothing. But in an Arab world which was moving forward toward a more just society, she could play a part. To suggest that it is her destiny to lead the Middle East into a better way of life is to exaggerate to the point of absurdity. But to suggest that the interaction of an eastern-western Israel with the rest of the Middle East would increase the general progress and security of the region is neither exaggerated nor absurd." (End of an Exile, p.60).

What stands between Israel and this possibility so desirable for her own development, is the fact that only a few are beginning to share with her the understanding of the five roots discussed above. "They are her roots; they are the justification for her presence on the Middle Eastern scene; They are infinitely more important than the legality or the impropriety of the Balfour Declaration. It is they and not

British bayonets or the decisions of the League and the United Nations which give to her a solid basis for her hopes, an anchor in her perils." Dr. Parkes is well aware of the insufficiency of such historical arguments in themselves. Indeed, in conventional political terms, Israel is seen as being confronted with an impasse. "For history is capable of many interpretations, as well as many misrepresentations. Each one of her roots could be twisted, misrepresented, judged irrelevant, contradicted by a malicious enemy, as it could be sneered out of court by the mere fact that to put forward such claims at all marks her as unique ..."

And yet these are Israel's title-deeds. "I believe that she must put them forward, stated with all the scholarship, the objectivity, the moderation, of which her greatest scholars are capable; put them forward without arrogance and without exaggeration, but above all put them forward with clear recognition of the debt of honor which they entail, and the clear statement of acceptance of that debt." In the same passage Dr. Parkes expresses the hope that, the facts being so interwoven with the past of both Christianity and Islam, there will be some, "on the Christian side at any rate, but I hope on the Muslim also, who will know that in fact (Israel) is speaking the truth and will acknowledge it."

In this hope of his Dr. Parkes was soon to be disappointed - and on the Christian, not the Muslim side. In the course of his lecture on "The Continuity of Jewish Life in the Middle East," delivered in 1962 before the Anglo-Israel Association, Dr. Parkes referred to a correspondence he had had with Dr. Charles Malik, a Lebanese Christian who was a Professor of Philosophy before becoming Foreign Minister and his country's representative at the United Nations. Dr. Malik had published a lengthy article in the January, 1952, issue of Foreign Affairs entitled "The Near East: the Search for Truth." Dr. Malik began his article by describing Lebanon as playing the role of "spiritual and intellectual mediation and understanding of what is best and truest of East and West." He then went on to say that "some writers, whatever their motive, have depicted Israel as destined to reconcile East and West. But how can one reconcile two things by being outside them? The West is unthinkable apart from Christianity and the East apart from Islam. Israel is grounded neither in the one nor the other."

Insisting that Israel was an intolerable intrusion into the Middle East, Dr. Malik went on to say: "There is a profound intellectual and spiritual chasm between Israel and the rest of the Middle East. Two entirely different economies, two entirely different religions, two entirely different languages...

two entirely different mentalities, two entirely different cultures, two entirely different civilizations face each other across this chasm. I do not know of a single other instance in the world where there is such radical existential discontinuity across national frontiers. The 'ingathering' of the Oriental Jews may soften this discontinuity a bit, but not to the extent of making it at all comparable to the graded transition that obtains almost everywhere else in the world."

For Dr. Malik, Israel was thus "only geographically part of the Near East, and therefore her fundamental problem is not how to establish herself - a relatively easy matter, considering the world forces, both positive and negative, which aided her - but how to integrate herself, economically, politically, spiritually, in the life of the Near East; how to promote friendly, creative, sustained and sustaining, trustful, peaceful, internal relations with the Arab and Moslem worlds. Self-establishment by force is fairly easy - at least it is possible; but self-perpetuation by force is, in the nature of the case, absolutely impossible. At least history has not known an instance of a nation at permanent enmity with its immediate world."

In his lecture, Dr. Parkes relates that, seeing that Malik's meditations on the problems of the Middle East were of some importance, and that the article was widely quoted, he wrote to Dr. Malik, "pointing out that it was odd to complain that Israel was grounded in neither Judaism nor Islam, since both Christianity and Islam were grounded in the religion of Israel." Dr. Malik, however, was not prepared in any way to modify his original thesis, and the correspondence was closed.

But while rejecting the first part of Dr. Malik's thesis out of hand, Dr. Parkes makes some reflections on the second part. i.e. the one concerning Israel's future position in the area. If, he writes, Israel established herself in a completely alien territory simply by force of arms, "then one would have to agree that Dr. Malik was right." For such a situation is ultimately untenable. "Not only do comparative forces change their balance, but it is impossible to maintain, generation after generation, the same elan which once sufficed to secure a victory against enormous odds, and to maintain a foothold on alien soil."

Those who would argue on the side of Dr. Malik rest their case on what to them are two "quite evident facts," Dr. Parkes maintains. "The transformation of a small immigrant population, painfully wresting a living from the soil, charity, or petty commerce, into a 'National Home' with substantial self-government,

was in two fundamental qualities an alien decision, which in no sense grew out of the contemporary conditions or capacities of the Middle East":

The Balfour Declaration was a product of the last generation in which European and American powers could impose their will on the rest of the world; and

The Jewish forces which built up the political, social and economic life of the National Home were the product of European and American emancipation and European and American technical and political experience.

But, Dr. Parkes explains, in advancing his thesis Malik "was answering the usual arguments put forward at the time by the Jewish side." The legality of the Balfour Declaration, for instance, was then constantly stressed, while the economic advantage which the Arabs of Palestine were drawing from the vitalizing influence of Jewish settlement was almost always advanced as the ground for ultimate Arab acceptance of the Jewish National Home. Today, however, "both these arguments have crumbled." The European origin of the Balfour Declaration "damns it completely in Arab eyes," Dr. Parkes explains, while economic progress and stability have become "a fairly low priority in Arab political propaganda and dreams of the future." As for the Partition decision of the United Nations, Dr. Parkes maintains that it shares "the same origin and the same condemnation" as the Balfour Declaration.

The disappearance of the main arguments advanced during the past half century should, however, "have the effect of forcing us back on to the true foundations of Israel, and of revealing how false every one of Dr. Malik's arguments is." For the fact is that Israel today "is a Middle-Eastern country both in history and population." The majority of her population being Middle Easterners, "the only aspect of the matter which is a real subject for argument is the definition of the area within which these Middle Easterners ought to exercise their sovereign authority. That there are differences of various sorts between (Israel) and her neighbors is not a chasm, but the normal relationship between adjacent countries."

Taking the whole of the Arab area today, from the Atlantic to the Persian Gulf, Dr. Parkes shows that the Jews, though numerically much fewer, share with the Arabs the claim to being an element in the population of every Middle-Eastern country. "The countries to which Dr. Malik insisted Israel was completely alien were Lebanon, Syria, Iraq, Saudi Arabia, Yemen, Jordan and Egypt. The glorious absurdity of his argument is shown by the fact that, apart from Neolithic survivals

and the Copts in Egypt, Jews are the longest settled of the present identifiable inhabitants in some, and have lived longer in all the others, than Arabs have in Palestine or Egypt.

Regarding Syria and Lebanon, the frontiers between the kings of Israel and the kings of Damascus fluctuated continually, and Jews lived scattered through the area before the Babylonian exile.

In Iraq, communities of Jews from the exile of the kingdom of Israel have been settled in Kurdistan ever since, while the exiles of Judah, settled between the Tigris and the Euphrates in an area south of the present city of Baghdad, provided a center for the whole Jewish people from the fourth century to the tenth, and in the Babylonian Talmud gave form to Jewish traditionalism up to the present day.

In Egypt, there were colonies of Jews from the Judean exile onwards, and at the heights of its prosperity, before the Arab conquest, the city of Alexandria was home to more than a million Jews.

In the Arab Peninsula, in western Saudi Arabia and the Yemen, Jews probably settled at the same time they settled in Egypt. Though Muhammed, when he found that they would not accept his new version of Monotheism, expelled them from the northern area, their importance can be judged from the fact that the second city of Islam is still known by its Jewish name of Medinah.

The origin of Jewish history in the Yemen is lost in the midst of antiquity. The Queen of Sheba may have come from there, and at one time there was an independent Jewish ruler in the area. It was from the Yemen, too, that Jews crossed the sea to form the fascinating Falasha community in Ethiopia.

Finally, the Jews of North Africa have been settled so long that they claim to date from the time of Joshua. They were probably there at least by the time of the Punic wars, and absorbed into their communities many of their Punic or Phoenician fellow Semites after the defeat of the latter by the Romans. In any case they extended their religion among the native Berbers, and it was a Jewish princess of Berber stock who led the resistance of Muhammed in the seventh century.

Concerning Jewish history in Palestine itself, Dr. Parkes' central thesis is that this history "is not anecdotal but continuous." The statement which one encounters quite often that the Jews left the country nearly two thousand years ago

"is as absurdly unhistorical as the statements of Dr. Malik which we have just been examining." Moreover, independently of its fluctuating size and wealth and influence, the Jewish community in Palestine has played a unique role in Jewish history. In the great breaks in the history of the Jews, political or religious, "it was always from the Jewry of Palestine that the new impetus came; that Judaism was cast into the new form which enabled Jewish history to continue its millennial development."

It is, of course, true that from the thirteenth to the twentieth century the Jewish communities of the Middle East experienced a sharp decline, and Europe occupied the center of the Jewish picture; "but it is less obvious than it appeared to be to nineteenth century historians that the Jewish future lies in the same area (Europe)." The fact is that the scientific study of Jewish history grew up in the nineteenth century, when the whole atmosphere suggested that Europe was the center and culmination of the world's evolution, with the American continent as its natural extension. "The East was romantic, it had been important in the past; but for nineteenth century historians of the Jewish people, whether Jewish or Christians, it had passed permanently out of the center of the picture with the death of Maimonides in 1204, and since then had only anecdotal importance." Yet the truth was that "the disappearance of the Jewries of the Middle East from their predominant position was not due to an internal decay or collapse of those Jewries but to the misfortune which fell upon the whole area, and from which Jews suffered little more than the rest of the population."

The point of Dr. Parkes' arguments here is that after a long period of decline all that the Middle East has needed were "injections of various kinds from outside to help it to regain the prosperity and dynamism which rightfully belong to it, both by the antiquity of its cultural heritage and the importance of its geographical position." This applies to the Jewries of the Middle East in the same way as to the population of the area as a whole. The reason that Nasser's Egypt is now able to assume a commanding position in the Arab world is that she had a longer period under European direction and control than any other part of the area. The Egypt which Nasser is moulding into twentieth century ways of life was created for him by men like Lord Cromer and Sir Ernst Cassel. Nasser, in fact, "is showing in various fields that it is the initial impetus which he has needed from outside. He is producing his own experts of a very high order, but it takes time to train them, and time to find the numbers which a modern economy needs. The picture is not one of a degenerate society which outsiders have to run; but of a society which, for various historic reasons, needs outside help to create the initial impetus and take up the backlog of centuries. That is the picture in modern Egypt. That is precisely the picture in Israel."

The totally unexpected development which has made Israel a Middle Eastern country in population as well as in history has been the result of an involuntary internal migration within the area itself. During the years 1930-1960 the Jewish population of Palestine-Israel grew from 175,000 to 1,900,000. During the same period the number of Jews living in the countries of the Middle East, excluding Palestine, declined in an equally sharp manner, and the percentage of Jews from Islamic countries living in Israel grew to some 65 percent of the whole population. Of the remaining 35 percent, an increasing number are themselves Middle Easterners, having been born in the country, though of European ancestry. "Moreover the birth-rate of the Jews from Islamic countries is much the higher, so that the high proportion of Israelis with no tradition of European experience in their ancestry will soon be the dominant feature of the Jewish population."

This fact is considered by Dr. Parkes to be of decisive importance. It means that Israel is facing the same problem that Nasser faces in Egypt and that the rulers of Syria, Iraq and Yemen will face, once there are stable governments in those countries. "It is the problem of creating and maintaining the standards of an affluent society while still at the beginning of creating that affluence." Both Israel and Egypt are facing the same immense problems "of educational and technical progress with a population unaccustomed to accept the tempo of life which such progress involves." In trying to solve these problems, moreover, both countries have sought the same help - know-how and financial aid from Europe and the West. Dr. Parkes concludes: "The parallels which have been drawn with Egypt could be drawn with other Middle-Eastern countries; but Nasser's Egypt, with its relative stability and its genuine determination to create new standards of living, offers the closest parallels, and also highlights the miserable tragedy of regarding Israel as alien to the area and an inevitable enemy."

It is worth noting here that in a brief comment following the lecture, Sir William Fitzgerald, formerly Chief Justice of Palestine, called Dr. Parkes' approach "emotional," and warned against the pitfalls inherent in relying on it. "I am glad," he said, "that ethnical considerations still influence events more than some people can bring themselves to admit; but we live in a world of stark reality and it is well to bear in mind, whether one likes it or not, that the present State of Israel has the sanction of international law as precise and effective in its application as the creation of Czechoslovakia and the other succession states that emerged from the Treaty of Versailles." As though in somewhat belated reply to this criticism, Dr. Parkes subsequently published an article in The Jewish Chronicle of London in which he elaborated on some of the points he had raised in his lecture.

Israel, Dr. Parkes reminds us, has unexpectedly become a Middle Eastern country by virtue of the fact that over sixty percent of her Jewish population "have never lived anywhere except in the Middle East since the beginning of recorded history." Moreover, this is a change "largely brought about by Arab action, legal or popular, which made life intolerable for Jewries as ancient as those of the Yemen, Iraq, Syria or Egypt. Dr. Parkes' main point is that, if the figures quoted above are correct, "they change the right of Israel to exist from the abnormal basis of the special arguments which lay behind the claims of Zionism and the issue of the Balfour Declaration to the normal basis of history and tradition." For, though Herzl would have been amazed at it, and though Balfour never envisaged it, "Israel exists today in the Middle East on the absolutely normal basis that the majority of its inhabitants are Middle-Easterners and never have been anything else." The fact that these Jews are now concentrated in the single area of the State of Israel is the result of "local" migration and "cannot" affect their character of Middle-Easterners.

The importance of this turn of events "cannot be exaggerated." It may be distasteful to accept, but Dr. Parkes considers it "a fact to be reckoned with" that, so far as ordinary opinion is concerned, "the ceaseless and expensive Arab propaganda has won the day. The ordinary man believed that a million Arabs were brutally 'driven out from their homeland,' that Israel is an intrusion in the Middle East and that she remains only by the right of force. He will hold all this while genuinely admiring what the Israelis have done, for he prides himself on being a realist ... But his deeper thoughts will never be disclosed to an Israeli or another Jew. That would be 'bad form.' But he doesn't mind telling me."

To balance, and offset this Arab propaganda line Dr. Parkes suggests that the Israelis set out to impress on world opinion that Israel has deep roots in the area and that she is statistically as well as historically a Middle Eastern country. "If the facts are true, they ought to be continually used, in innumerable different forms, whenever Israeli spokesmen are addressing the non-Jewish world." It is not as though this will have a direct or immediate effect on Arab propaganda. "But they will have considerable effect on pro-Arab opinion, whether in the United Nations, in the World Council of Churches, the Vatican and the world's Foreign Ministries. In so many ways Israel is today a typical Middle-Eastern country ... (that) it is not an impossible task to get it into the world's head that here is a country at home with itself and its problems."

Dr. Parkes goes even further when he writes that, though this line of reasoning may not have a direct effect at present on Arab propaganda, there is no reason why it should not be of immense importance in the shaping of future relations. For the development is completely unexpected: "The founders of Zionism, the first pioneers, the pilot planning, all were European. They meant to build up an ideal European State. Those Middle-Eastern Jews they found in Palestine they regarded as interesting survivals, not as partners. It is, then, possible for Nasser or his successor to say: 'We were unalterably opposed to an intrusion of European colonialism into our heartlands. But what has now happened is that there has been an involuntary exchange of population within the Middle-Eastern world. That we can accept'."

Finally, Dr. Parkes seems well aware of the prevailing tensions between East and West inside Israel herself: "I know there are innumerable tensions between Jews from Europe and those from Moslem countries. I find some Jews ashamed of their Sephardi brethren and convinced there is an unbridgeable gulf between them. But I refuse to believe that these tensions outweigh the immense value of proclaiming to the world that Israel is a Middle-Eastern country; and of announcing boldly that in helping forward its Sephardi elements, while keeping all that is of value in older ways of life, it is facing exactly the same Middle-Eastern problem as Nasser in Egypt or Ben Bella in Algeria."

The urgency in the tone of Dr. Parkes' impassioned appeal seems to spring from a somewhat pessimistic view of the present trend of Middle Eastern politics. "No country today is immune from surprise attack," he writes in the course of his Jewish Chronicle article. "A combination of circumstances might give Nasser a momentary opportunity to cripple or even crush Israel. Then the majority of the non-Jewish world would shrug its shoulders and say: 'What a pity. It's bad luck for this to happen after they lost all those people under Hitler. But, after all, it is an Arab country, and one couldn't expect the Arabs to overlook an opportunity like that, could one? I don't think there is any call for us to interfere. They ought never to have gone there'."

At this point, one feels, a word of caution will be in place. Dr. Parkes' views on Israel, as summarized above, may leave the reader with a feeling that by basing present-day Israel's right to exist in Palestine on the fact that she is now a Middle Eastern country both in history and population, Dr. Parkes seems to be relegating to second or third place Jewry's age-old relationship to the Promised Land. Besides, and perhaps more

significantly, Dr. Parkes may seem to be in fact largely ignoring the specifically Jewish point of view of Israel which regards Jewish interests and Jewish history as paramount in the matter of Israel's existence as a sovereign State, irrespective of her demographic composition at any given moment, or her neighbors' attitude.

Nothing could seem farther from the truth. On numerous occasions and in almost all his writings, Dr. Parkes has taken pains to stress the extent of this relationship and these interests. In an essay on Professor Arnold Toynbee's reply to his critics embodied in Vol. XII of his Study of History, Dr. Parkes takes issue with the author on the subject of the uniqueness of the Jewish people. Is a society or a system, he asks, "to be thrown out of court without further consideration the moment it declares itself, or is declared, unique?" Jewish society and Jewish history are unique, and not least of the manifestations of this uniqueness is Jewry's long and ineradicable attachment to the Promised Land. Jewishness, in fact, has one common root, which made Jews throughout the long years of their dispersion identifiable as Jews "from China to the Atlantic." This common root was "acceptance that they had only one homeland, and that was the Land of Israel, and only one center therein - Jerusalem." ("Toynbee and the Uniqueness of Jewry," The Jewish Journal of Sociology, Vol. IV, No. 1.)

It does not matter whether this attraction to an actual area of territory which has motivated two returns at an interval of two thousand years is unique or not. The essential point is that it is real, and that it is ineradicable. In the intervening centuries there had never been an abandonment of the relationship... The return under Zionism was merely a new form; it was not a new return.

from Midstream, Spring, 1964

WHO HAS THE RIGHTS OVER THE LAND OF ISRAEL

by A. Heller

Simon the Prince was the first of the Hasmoneans to achieve independence for Judea in the year 142 B.C.E., after a heroic 25 year struggle, which was launched by Judah the Maccabee. He aimed at extending the borders of truncated Judea, which in his day extended over a mere few hundred square kilometres, and he conquered the cities of Jaffa and Gezer. But Antiochus Sidetes, the Syrian, issued a sharp protest against having "extended thy sway over many parts of my kingdom; return the cities and the taxes of the lands beyond the borders of Judea, which you have prevailed upon," he commanded. Simon's ingenious reply to this can inspire us when it comes to the question of our right to the "conquered territories". "This is no foreign country which we have conquered and we do not rule over the patrimony of foreigners." These words are great by virtue of their simplicity and have not lost one whit of their pure truth to this very day.

Close to 300 years after the Destruction of the Temple and after the Roman Caesars, the Pagans and the Christians had all tried to defile the specifically Jewish character of the Land of Israel by giving Jerusalem a pagan name (Aelia Capitolina) and by changing the name of the land of "Judea" to "Palestine", Julianus the heretic promised "All of Israel" that "When I have successfully concluded my war with the Persians, I myself will restore the Holy City of Jerusalem, to its glory, as you desire to see it, and together we shall praise the Lord greatly." It is quite possible that at that time some zealous Jews engraved into one of the stones of the Western Wall a verse from Isaiah, recently uncovered by archaeologists: "And when you see this your heart shall rejoice, your bones shall grow strong like the grasses of the field". But Julianus fell in battle, and the hopes of the Jews were thwarted.

During the war between the empires of Persia and Byzantium for the control of this region in the years between 614 and 628 C.E., both sides vied for the friendship of the Jews. (Benjamin of Tiberias and his men participated in this campaign.) But finally both armies collapsed, and the country fell to the Arabs who invaded between the years 638 - 640. Omar recognized the special status of the Jews, and enlisted them as his allies in the campaign against Byzantium. He permitted 70 Jewish families to settle in Jerusalem, and to celebrate the Festivals on Temple Mount. The number of Arabs who entered the land of Israel was small and they served principally as a garrison force. However, the ethnic composition of the country's inhabitants did not change much, though from a religious point of view, a large proportion of the rural population converted to Islam, in order to improve their financial and social status.

The whole Land of Israel was nothing but a small and valueless province of the Arab Moslem Empire, and as such, is of little significance in Arab history. Though Islam, because of the influence of Judaism and Christianity, had elevated Jerusalem to the status of a Holy Place, the country took no part in the development of Islamic and Arabic civilisation. But the cultural works of the Jewish sages of that era flourished, and included those of liturgical poets and grammarians and those who fostered tradition. This situation angered the Moslem geographer, Jerusalem-born Al Makdassi, who wrote at the end of 400 years of Arab rule in Israel: "The Moslem religious sages have been abandoned, and the secular scholars do not exist... the Jews and the Christians have taken over Jerusalem a long time ago, and the Mosque is bereft of worshippers and priests."

It should be pointed out that in 1937 the Peel Commission also confirmed the fact of cultural sterility amongst the Arabs in Israel throughout the 500 years of their rule. In its report it wrote about the period of Arab rule in the following terms: "Palestine took no part whatsoever in all the activities and achievements of Islamic civilization... only one or two of the large number of sages were Palestinians and they were not among the most eminent. The only great artistic creation that has remained from the period of Arab rule is the Dome of the Rock."

The Crusader Conquest

The Crusaders had a rather strange and unique attitude towards the Jewish community in the Land of Israel. When the first storm of conquest commenced the attitude to the Jews was exceedingly brutal. Jews in the main centres were brutally slaughtered and not a soul survived. Only those who lived in small villages remained alive. When the first storm abated, however, the Crusaders changed their attitude. Prof. Prawer, an expert on the Crusader period, points out: "Strangely enough, those very Crusaders who wrote one of the blackest pages in the history of East European Jewish persecutions, finally improved the lot of the Jews in the Land of Israel, to a point unknown in the Christian realms of the 13th century, so that when most of the country was reconquered from the Crusaders, we actually find the centres of Jewish life were in the Christian, and not the Moslem, areas." And does this not really prove that even during the period of grimmest fanaticism the Crusader rulers recognized the special historical status of the Jews in the Land of Israel? In the first half of the 12th century, the Jews in the Land of Israel enjoyed freedom of movement as well as personal and material security. Famous sages and scholars, such as the Rambam, Benjamin of Toledo and Petachiya of Regensburg travelled freely throughout the country, in its length and in its breadth. Even Yehuda Halevi was not daunted from leaving the remote world to make his way to the Holy Land.

Having touched on the rule of the Crusaders, it seems worthwhile to consider the prophecy of the Arabs that the fate of the State of Israel today will be the same as that of the Crusader Kingdom for we can demonstrate the absolute differences between them.

1. The Crusaders came to Israel on the strength of an abstract religious idea, without any particular sentiment of patriotism for the country, unlike the Jews of the Diaspora, within whose hearts this feeling is firmly lodged and who, in coming to Israel, are realizing a vision of national redemption that has existed for many generations. This historical-national consciousness of Jews wherever they may be firmly binds them to the country, like those legendary creatures who are supposed to be bound to the earth by an "umbilical cord".

2. Because of this, modern Jews who have returned still cling to the Land of Israel tooth and nail, and refuse to leave even the most dangerous of places, whereas the Crusaders were conquerors only who never really plunged their roots into the country with every fibre of their being. The Crusader wars against the Moslems were not a matter of life and death; this was stressed by a Crusader writer when Jerusalem fell to the Moslems in 1187: "What agony! Did Jews ever relinquish the Holy of Holies without spilling their blood in a great struggle and did they ever willingly deliver it up? May these despicable fighters (i.e. the Crusaders) perish for they have willingly bartered the Holy City and the Messiah!" (from Prawer, the History of the

Crusader Kingdom in the Land of Israel.)

3. William Mazor, a Crusader historian and contemporary, asserted that the real reasons for the collapse of the Crusader Kingdom were personal jealousies, endless wrangling among the Latin princes and their self-interest, cupidity and bigotry. A propos of this interpretation, Prof. Prawer is justified in pointing out that still today after 700 years, these factors which can destroy a political state are still applicable and our great hope lies in their not being the cause of our failure.

4. The Crusaders failed particularly in agriculture. They did not seek to become peasants instead of the Moslems, and therefore their livelihood was largely dependent on the Moslem community.

5. After a few generations of Crusader "immigrations", the source began to dry up and this led to the weakening and final collapse of their kingdom. The number of Crusader settlements in the country reached a total of 50 or 60, while the overall number of settlements amounted to 1,200. Moreover, 75% of the Crusaders lived in three cities, Acre, Tyre and Jerusalem. The State of Israel is absolutely different from the Crusader Kingdom, and the Arab hopes that it will follow the same fate, by pointing to that which befell the Crusader Kingdom is but another of their illusions.

The relationship between the Turkish rulers and the Jews in the 16th century was particularly amicable, after they conquered the country in 1516. Sultan Suleiman the Magnificent presented his counsellor Don Joseph, the Prince, with Tiberias and the surrounding villages. Don Joseph dreamt of restoring Jewish settlement in Israel (in 1560); his right to Tiberias was inherited by another Jewish counsellor, Solomon ben Ya'ish, the Duke of Matilna (1593). For a number of reasons, the dreams of restoration were not realized. Possibly the main reason was that people were all waiting for a divine miracle to occur instead of initiating the sublime miracle of practical endeavour.

Napoleon's Proclamation to the Jews.

This extremely interesting document, which acknowledges the historical rights of the Jewish people to the Land of Israel, is known as Napoleon's Proclamation to the Jews of the Land of Israel and of the East, and was issued when he approached the gates of the Acre fortress. Here is an extract from his proclamation of April 20, 1799:

"Legal heirs of the Land of Israel! The great nation, that trades neither in people nor in countries, calls you! Do not try and conquer your inheritance, rather receive it, for it has already been conquered! You shall remain its rulers and protect it from all foreigners. Arise and awake! Prove that the forces that oppressed you in the past have not oppressed the spirit of the descendants of heroes... and prove that 2000 years of slavery have not made slaves of you. To action! The moment has come and may not return for thousands of years, to claim for yourselves a political existence as a nation among other nations!"

Napoleon's appeal to the Jews of the Land of Israel and Syria, and his promise to re-establish a Jewish State there reveals that the French general was aware of

the significance of the Land of Israel for the Jews. Moreover, as a general and a statesman, he was absolutely convinced that the Jews both needed and deserved a state in their historic homeland. Although Napoleon was guilty of exploiting the national feelings of other peoples to serve his own interests, and was not always sincere, this does show his understanding of the historical-national rights of the Jews to the Land of Israel.

In the 19th century, England was especially well-known for its sympathy towards the idea of the return of the Jews to their own country. One of the leading figures in support of the idea was Lord Shaftesbury, a minister in Robert Peel's government, and one of the closest friends of Lord Palmerston, Britain's Foreign Minister for a number of decades. In September 1840, Shaftesbury, in a memorandum to Lord Palmerston, drew the latter's attention to the importance of fostering Jewish settlement in the Land of Israel, as one of the methods of solving the Eastern problem.

"Without examining the exact reasons for the desire of the Jewish race to return to the land of their forefathers, we can state categorically that they are definitely preoccupied with thoughts of their return to the Land of Israel. Moreover, they believe that the day is at hand. All their memories of the past and their wishes for the future only serve to fortify their hopes. They associate the Land of Israel with all their past glory as well as that which awaits them in the future."

A clear and vigorous affirmation of the right of the Jews to establish a Jewish State in the Land of Israel was published in 1877 round about the time of the Congress of Berlin, which was scheduled to discuss the problem of the Near East. According to the historian N.M. Gelber, the compiler of an anonymous pamphlet was Lord Beaconsfield (Disraeli), the English Prime Minister at the time. He suggested a plan, destined later to become the Mandate which Britain was called upon to implement by the League of Nations.

"When the Turkish Empire crumbles and her territories are diminished as must necessarily occur, will not the Great Powers be compelled to return to the Jewish people, their ancestral territory, the Land of Israel, upon which a republic or a monarchy could be established. They should initiate the revival of the Jewish State, which was destroyed for a second time, 1800 years ago. And, just as, in the ancient times, the sublime Law went forth from Jerusalem and extended over nations of the pagan world, so today a new and great Law will shine forth - a law of unrestricted freedom of thought and of conscience. This will gladden the hearts of many and will spread enlightenment and knowledge in Asia and Africa, as well as in some of the adjoining European countries."

The British Commission of Enquiry of 1937 also arrived at a very similar evaluation of the history of the Jewish community in the Land of Israel.

"The history of Jewish Palestine is one of the most sublime chapters in the history of mankind... if we reflect on its main achievements... the embodiment of a faith in social and political ideals, that have been

"immortalized in prose and verse... we cannot but conclude that the contribution of the Jewish genius of ancient Israel to the modern world is equal to the contribution of Greece and Rome. Moreover, the Christians cannot forget that Jesus was a Jew, and lived on Jewish soil, and moulded his faith on the basis of Jewish life and thought."

Compare this to the statement that "For more than 1200 years since the Arab conquest, the Land of Israel has almost totally disappeared off the world stage." "Both economically and politically the country remained outside the main current of attitudes and ideas. And even in the fields of philosophy, science and literature, no contribution to civilization was forthcoming. Of late, the situation has become even worse than it was before."

This clear statement issuing from an international document produced by the Royal Commission of Enquiry supports the contention that the magnificent cultural contribution of the Jews when they lived in their own country should carry considerable weight in the discussion over their rights to return to their homeland, from which they were forcibly expelled in ancient times. Taking all aspects of the problem into consideration, the Commission recommended the establishment of a Jewish State in a partitioned country. Though the idea of partition was an obstacle to our work, the idea of a state was welcomed.

Jewish Rule - the Longest in the History of the Land.

This short historical survey is summarized in a list of the nations which ruled in Israel, and the length of their rule. This shows that, apart from the tremendous Jewish contribution to civilization (in the words of the above mentioned Royal Commission "are of the most sublime chapters in the history of mankind."), the period of Jewish rule and spiritual hegemony was the longest and most decisive era in the history of the Land of Israel.

This era, a period of political independence and spiritual hegemony, extended over more than 1200 years. It includes the First Temple Period (from circa 1200 B.C.E. to 586 B.C.E.) and the Second Temple Period (from the return to Zion in 538 B.C.E. to 135 C.E. the defeat of Bar Kochba.)

Babylonian Rule	c. 50 years	586 - 538 B.C.E.
Persian Rule	c.200 years	538 - 333 B.C.E.
Graeco-Hellenistic Rule	c.200 years	333 - 142 B.C.E.
Roman and Byzantine Rule	c.600 years	4 - 614 (C.E.)
Arab Rule	c.460 years	638 - 1099 C.E.
Crusader Rule	c.200 years	1099 - 1291 C.E.
Mameluke Rule	c.200 years	1291 - 1516 C.E.
Ottoman Rule	c.400 years	1516 - 1917 C.E.
British Rule	c. 30 years	1917 - 1948 C.E.

The different conquerors and rulers generally tended to impress their specific culture and character onto the country. Yet despite all their efforts, they could not ignore the special status of the Jews in the country, even though the latter in the course of time became a small minority.

The Balfour Declaration and the Mandate.

This situation continued until the end of the First World War, and when the Ottoman Empire collapsed the Jewish people won international recognition of its right to restore a political-national homeland in the Land of Israel. In 1920, the League of Nations, on the basis of the Balfour Declaration of 1917, decided to confer on the British Government the Mandate for the establishment of a Jewish national home in Palestine.

In the preamble to the Charter of the Mandate as issued by the League Council it was stated: "...recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country." The Mandate was based, principally as mentioned, on the Balfour Declaration, which referred to the establishment in Palestine of a "national home for the Jewish people", and safeguarding the civil and religious rights of the non-Jewish communities in Palestine. Thus we can see that these two important documents (the Balfour Declaration and the Charter of the Mandate) recognized the national and historical rights of the Jewish people to the Land of Israel, while the Arabs, who are not even mentioned by name in the Balfour Declaration, are accorded civil rights only. Their presence in the Land of Israel does not yet automatically grant them national rights. The Jews, also, never claimed national rights in the various countries where they lived. They, in all cases, claimed only civil rights even in countries where they had lived longer than the ruling nationals. The Jews of Egypt and Iraq were living in these countries before the Arabs conquered them, yet they did not regard these countries as their national homeland, and never demanded national rights. This should apply to the Arabs in the State of Israel; they are eligible for all civil rights, but under no circumstances does this apply to any national rights. Even the Emir Feisal, one of the recognized leaders and founders of Arab political sovereignty during the post-First World War era, accepted this.

The Weizmann-Feisal Agreement.

On January 3rd 1919, the Emir Feisal (who in 1921 was to become King of Iraq) signed an agreement with Dr. Chaim Weizmann, representing the World Zionist Movement. We quote from the agreement. "Mindful of the racial kinship and ancient bonds existing between the Arabs and the Jewish people, and realizing that the surest means of working out the consummation of their national aspirations is through the closest possible collaboration in the development of the Arab State and Palestine, and out of a desire to re-affirm once again the mutual understanding between them, agreement was reached on the following points:

Article 1. The Arab State and Palestine, in all their relations and undertakings, shall be controlled by the most cordial goodwill and understanding, and to this end, Arab and Jewish duly accredited agents shall be established and maintained in the respective territories.

Article 3. In the establishment of the Constitution and the administration of Palestine, all such measures shall be adopted as will afford the fullest guarantees for carrying into effect the British Government's Declaration of November 2nd 1917.

Article 4. All necessary measures shall be taken to encourage and stimulate immigration of Jews into Palestine on a large scale, and as quickly as possible to settle Jewish immigrants upon the land, through closer settlement and intensive cultivation of the soil. In taking such measures the Arab peasant and tenant farmers shall be protected in their rights and shall be assisted in forwarding their economic development.

Article 6. The Mohammedan Holy Places will be under Mohammedan control.

Article 7. The Zionist Organization will use its best efforts to assist the Arab State in providing the means for developing the natural resources and economic possibilities thereof.

On March 1st 1919, Feisal wrote to Prof. Felix Frankfurter:

"We Arabs, especially the educated among us, look with the deepest sympathy on the Zionist Movement. Our deputation here in Paris is fully acquainted with the proposals submitted by the Zionist Organization to the Peace Conference, and we regard them as moderate and proper. We will do our best, in so far as we are concerned, to help them through: we will wish the Jews a most hearty welcome home..."
"We are working together for a reformed and revived Near East, and our two movements complete one another. The Jewish movement is national and not imperialist. Our movement is national and not imperialist, and there is room in Syria for us both."

According to the terms of the agreement, civil and religious rights were guaranteed to the Arabs in the country, whilst national ownership over the land was that of the Jews alone.

Thus, Feisal, at the time of the first stages of establishing our Jewish national home, recognized our national and historical rights to the Land of Israel. As we know, the area of the Land of Israel (Palestine) at the time included Trans-Jordan. The Zionest claims seemed to him at the time, as he expressed in his letter to Frankfurter, "moderate and proper." But he did not continue to pursue this "ideology" for long. The colonialist wrangles between France and Britain tarnished our good relations with Feisal and fanned the hatred for Jews that had in any case been lingering in the hearts of the Arab masses for many centuries. Hence, murderous assaults on the Jewish community took place. A short while after the riots in Jerusalem in 1920, Lord Balfour turned to the Arabs with these words:

"With regard to the Arabs - I hope they will recall that the Great Powers, and especially Great Britain, liberated the Arab people from the shackles of despotism inflicted on them by their brutal conqueror, who had trampled them into the dust for many centuries; I hope that they will remember that we established for them the independent Arab Kingdom of Hejaz, and I hope that in recognition of all this, they will not be bigoted and begrudge the fact that this tiny patch of land - and geographically it is really nothing more, irrespective of its historical significance - be returned to that people from whom it was sundered some hundreds of years ago."

Russian Declaration at the U.N. in 1947.

In 1947, Andre Gromyko, the Russian delegate to the U.N., expressed his country's consent to the establishment of the State of Israel.

"The fact that no Western European State was capable of guaranteeing the fundamental rights of the Jewish people and of protecting them from their Fascist butchers, underscores the strivings of the Jews to establish their own state. It would be unjust not to take this into account and to deny the Jew the right to fulfill this aspiration."

Gromyko supported the partition proposal, but acknowledged the historic rights of the Jews to the Land of Israel. Gromyko's statement is particularly important in view of the struggle of Soviet Jewry for their right to emigrate to Israel. And finally, it will be interesting to recall the words of Gen. Charles de Gaulle to the Israel Ambassador in France on April 28 1955, a short while before he took over the reigns of government.

"The establishment of a Jewish State is a historical necessity. Thus the Jewish people is entitled to demand that wrongs be righted - those wrongs to which they have been subjected in the course of generations. Who has decreed that all the lands of the Eastern Mediterranean must be given to the Arab peoples? History teaches us that at no time did the Arabs hold sway over all territories of the Middle East. The Arab states were artificially established after the First World War. Throughout their history, the Arabs have always been subject to a foreign ruler, be they the Romans, the Byzantines, the Turks, or more recently the British and the French. And therefore what grounds do they have for their claim to the whole area? The fact that the Jewish people were expelled from the area should not be counted against them. It is my opinion that Israel will adjust her future borders including Jerusalem. She must be ensured of free outlet to the Red Sea, even if this should lead to war."

The Jewish Community in the Land of Israel During the Exile.

Although the war with the Romans ended with the destruction of the Temple and the loss of Jewish independence, the Jewish community in Israel continued to exist. Despite great bloodshed during that war, there still remained a great and closely settled Jewish population throughout the country, of about two million people. According to historic sources, after the Bar Kochba revolt, which broke out 62 years after the destruction of the Temple (132 B.C.E.) more than 1000 Jewish settlements, among them 50 fortified cities, were (according to Cassius) destroyed and the total number of those killed reached 580,000. Scholars maintain that this number is not exaggerated.

Thus when most of the Jewish settlements in Judea had been destroyed, the important centre of Jewish life was transferred to Galilee, which became the seat of the Sanhedrin. The remains in the Galilee of splendid synagogues from the 3rd century testify to the endurance and character of this community even after the Destruction. In Book One of "Sefer Hayishuv" (On the Jewish Community) the names of 373 Jewish cities and villages are recorded, according to the testimonies of our ancestors of those days. Of these cities and villages 205 were in Galilee, 101 in Judea and the Negev, and 67 in Trans-Jordan and along the coast. From these early testimonies, scholars have drawn the conclusion that for a number of centuries after the failure of the Bar Kochba revolt, the Jewish community was settled on the land, and despite the ravages inflicted by foreign and hostile rulers, they were still a sturdy people. The two mass uprisings against Roman and Byzantine rule

testify to this; the first in Sephoris (Tsippori) in 351, which spread throughout the country reaching as far as Lydda, and the second at the beginning of the 7th century during the Persian and Byzantine wars, led by Benjamin of Tiberias at the head of an army of 20,000 soldiers.

After the country had been conquered by the Arabs, the lot of the Jews generally improved, and they were allowed to return to Jerusalem. But once the Arabs had begun to establish themselves (with the aid of the Jews) they began to plunder the Jewish community of their land. Nevertheless, many Jewish settlements in all parts of the country continued to exist, and we know from Arab records that even Eilat was a Jewish city.

The Jews built a synagogue at the entrance to the Cave of the Machpelah in Hebron. The community at Jericho was strengthened by the influx of refugees from Hejaz. A Jewish community also settled at Ramle, the only city established by the Arabs throughout all the years of their rule. The Arabs were intensely envious and their historians greatly exaggerated the size of the Jewish community at Caesaria, putting the numbers at 100,000. With the dissolution of the Sanhedrin at the beginning of the fifth century, the spiritual centre moved to Babylon, but Jews continued to come to the Land even during the Crusader campaigns. Sages such as Judah Halevi, Nachmanides and Maimonides (Rambam) were among those who came to the Land. Messianic hopes increased and enflamed the imagination of the Jewish people throughout the oriental countries. In the 13th century, the stream of immigration from Europe continued to increase. The Chief Rabbi of Rothenburg, one of the greatest Jewish sages in the Germany of his day - when questioned gave his famous response that no father should prevent his son from going up to the Land of Israel. At the same time, some 300 rabbis from France and England reached Israel and even the Chief Rabbi himself set out, but was halted by the order of the avaricious and rapacious Kaiser, who kept him under arrest until the day of his death.

The conquest of the Land of Israel by the Turks in 1516 led to a considerable influx of Marranos and Spanish Jewish exiles into their ancestral land. They were joined by other Jews from central Europe. A particularly strong manifestation of the Messianic yearnings at that period is reflected in the "Movement" of David Hareuveni and Shlomo Molcho, which spread from Italy to Spain and Portugal. We have already pointed out that the practical political activity of Don Joseph the Prince did not develop sufficiently, probably because the anticipation of divine redemption was far stronger than the faith in practical deeds, so that the reputation of Safed, where the Cabbalistic Temple of Peace was centred, was greater than that of Don Joseph's Tiberias, where he had founded the silk industry. In Safed, the number of Jews reached a peak of between 12,000 - 14,000 in the 16th century (according to a memorandum presented by the National Committee to the Anglo-American Commission in 1947).

Additional Jewish communities settled in Galilee included Acre, Kfar Alma, Ein Zeitim, Biria, Peki'in, Kfar Kanna, Kfar Hanania, Kfar Yasif and others. There were also Jewish communities at Hebron, Nablus, Ramle, Gaza and Jaffa, and of course, Jerusalem.

Jewish Highwaymen.

In the 17th century, the number of Jews in the country began to dwindle because of the vandalism of the Turkish officials and the repressions and tyranny of the Sheikhs. There were increasing assaults by Beduin and Arab fellahs against the Jews. Rumours of this reached Jewish communities abroad and deterred many Jews from emigrating. The situation in Europe at the time was also grave. Germany had been devastated by the 30 Years War and the repressive Polish Laws of 1648-49 had been passed. For these reasons, the deterioration of the Jewish community, both numerically and socially, in Israel is not surprising. For example, the numbers of Jews in Safed was reduced to 4,000. The French traveller and scholar, Roget, who travelled to the Land in the middle of the 17th century, related, *inter alia*, that the Jewish settlers at Zrayin, that is Jezreel, whose livelihood was based on agriculture would join forces with the Bedouin in acts of robbery, thereby, in his words, jeopardising the lives of travellers and pilgrims. And even Jewish highwaymen existed in the Land (according to the above mentioned memorandum of the Anglo-American Commission of the National Committee, 1947).

At the time of Shabbetai Tzvi (mid-17th century), Gaza was an important centre for the messianic movement. The "prophet" of the "messiah", Natan the Gazaite, lived there and would send "messages" to the various Jewish communities. During the 18th century, emigration to the Land of Israel increased. Rabbi Judah the Chassid and his great entourage, which originally numbered about 1300 people, arrived from Poland. Among them were the remnants of Shabbetai Tzvi's admirers. The failure of the movement caused great despair to many people, but from "strength came forth sweetness", that is, the courage and will to emigrate to Israel and thus *sui generis* bring redemption closer.

The most outstanding Jewish personality in the Land of Israel at the end of the 18th century, was Chaim Farhi, who gained the confidence of Ahmed El Jazer, appointed as governor of Acre by the Sultan himself. He appointed Farhi Minister of Finance. By virtue of his excellent administrative abilities, Chaim Farhi rose to the highest position in Ahmed Jazer's government. Some have even suggested that the ulterior motive behind Napoleon's Proclamation to the Jews was to win over Chaim Farhi. The Jewish minister remained loyal to his ruler, and paid no heed to Napoleon's promises. Despite this, he could not survive the jealousy of other powerful ministers, and was assassinated in 1819.

Immigration of Hassidim.

The improvement of the security situation in the Land of Israel at the beginning of the 18th century led to increased immigration. Many of the immigrants were the followers of the Baal Shem Tov or the Gaon Rabbi Elijah of Vilna. The first group totalled about 300, and they restored the settlements in Safed and Tiberias. After them came another group of the Gaon's disciples, the "dissidents", who settled in Jerusalem. These groups prepared the ground for the continuous immigration of hundreds of Hassidim who followed in their footsteps.

In 1827, Moses Montefiore made his first journey to the Land of Israel. From that day until his death, his interest in, and concern for, the Jewish community in Israel did not cease. As is well-known, he was the founder of the first suburbs outside the

Walls of the Old City, and many other community development projects can be credited to him.

One of the first people to arrive in Israel by steamship in 1841 was the famous Shmuel Salent. He endeared himself to the entire Jewish community, and was regarded by three generations of European immigrants as their spiritual leader. From the middle of the 19th century, the rate of immigration was on the upgrade, and not only of religious leaders exclusively. The number of merchants and artisans also increased, as did the number of intellectuals, among them the famous writer A.M.Luntz, Frumkin, and Yechiel Michael Pines. One American intellectual even came with the intention of establishing an agricultural village on the shores of the Kinneret. He did not succeed with his plan, but all these projects point to the new spirit which inspired the settlers. By virtue of this immigration, the Jewish community in Jerusalem increased and at the start of the 80's its numbers had swelled to about 14,000 people.

In 1872, the famous historian Heinrich Graetz visited Israel. Afterwards he wrote "An account of the situation of the Jewish communities in Israel, with particular reference to Jerusalem."

In his interesting description of what he discovered, he mentions that he found 900 Jews in Hebron, 134 in Acre, 100 in Haifa, and 50 in Shechem (Nablus). We shall not dwell on the whole question of the development of the Jewish community since the inception of the Hovevei Zion (Lovers of Zion) movement and the immigration of the first Zionists. Most of these events are well-known. Zionist immigration laid the foundations of the community that began to develop at a more rapid tempo particularly after the League of Nations declared its support for the establishment of the Jewish National Home. The decisive turning point in our history came with the establishment of the State of Israel.

In concluding our short survey of the continuity of Jewish community life in the Land of Israel throughout the generations, we quote the apt words of Professor Benzion Dinur, the venerable Jewish historian:

"We have never abandoned the Land of Israel entirely. Throughout the entire period of foreign rule here, there has not been one corner of the Land that was not settled, intermittently, by Jews. Sometimes they settled in scores, sometimes in hundreds, and sometimes in tens of thousands in one generation or another, during the days of Byzantium, also in the period of Arab rule, Crusader rule and during the rule of the Turks. We were not merely one minority group among others, but we were an integral part of the whole Jewish people in Exile. We saw ourselves as a people, whose Land was given over to our enemies, and we, this people waited patiently and prayed three times a day for the fateful hour when the Land would be restored to us. All discussion about the "historic rights" (of the Arabs) to the Land are totally groundless, stemming primarily from ignorance of the history of Jewish life in the Land of Israel. The Arabs living in the Land of Israel should enjoy full rights - but over the Land of Israel they have no right."

by A. Heller, from the book of that name (translated)

THIS COUNTRY MADE US A PEOPLE; OUR PEOPLE MADE THIS COUNTRY

by David Ben-Gurion

In evidence given to you (the Anglo American Committee of Inquiry on Palestine) in America, an American Arab, I believe it was John Hassan, said there was never a Palestine as a political and geographical entity; and another American Arab, a great Arab historian, Dr. Hitti, went even further and said, and I am quoting him, "There is no such thing as Palestine in history, absolutely not." And I agree with him. (That is not the only thing on which I agree with Arabs.) I agree with him entirely; there is no such thing in history as Palestine, absolutely, but when Dr. Hitti speaks of history he means Arab history, he is a specialist in Arab history and he knows his business. In Arab history there is no such thing as Palestine. Arab history was made in Arabia, in Persia and in Spain and North Africa. You will not find Palestine in that history, nor was Arab history made in Palestine. There is not, however, only Arab history; there is world history and Jewish history and in that history there is a country by the name of Judaea, or as we call it, Eretz Israel, the Land of Israel. We have called it Israel since the days of Joshua the son of Nun. There was such a country in history, there was and it is still there. It is a little country, a very little country, but that little country made a very deep impression on world history and on our history. This country made us a people; our people made this country. No other people in the world made this country; this country made no other people in the world. Now again we are beginning to make this country and again this country is beginning to make us. It is unique, but it is a fact. This country came into world history through many wars, fought for its sake by Egyptians, Babylonians, Assyrians, Persians, Greeks, Romans, Byzantines and others, but it was not these wars that gained it its place. It gained its own place in history. Our country won its place in world history as not many other countries have done, even bigger and richer countries, for one reason only: because our people created here, perhaps a limited, but a very great civilisation, which became the heritage of the whole of humanity. This country shaped our people, the Jewish people, to make it what it has been from then until today; a very exclusive people on one side and a universal people on the other; very national and very international. Exclusive in its internal life and its attachment to its history, to its national and religious tradition; very universal in its religious, social and ethical ideas. We were told that there is one God in the entire world, that there is unity of the human race because every human being was created in the image of God, that there ought to be and will be universal brotherhood and social justice, peace between peoples. Those were our ideas, this was our culture; and this was what won this country

its place in world history. We created here a book, many books; many were lost, many remained only in translations, but a considerable number, some twenty-four, remain in their original language. Hebrew, in the same language, Mr. Chairman, in which I am thinking now when I am talking to you in English, and which the Jews in this country are speaking now. We went into exile, we took that book with us and in that book, which was more to us than a book - it was ourselves, we took with us our country in our hearts, in our soul. There is such a thing as a soul, as well as a body, and these three - the land, the book, and the people - are one for us for ever. It is an indissoluble bond. There is no material power which can dissolve it except by destroying us physically.

The distinguished British Chairman of this Commission quoted something from a book by Sir Ronald Storrs and another gentleman, whose name I don't remember, to define our rights in this country. Sir, our rights and our attachment and our significance in this country you will find in a book, in one book alone. That book is binding upon us, and only that book. It is binding on us. Whether or not it is on anyone else is not for me to say - I know many Christian people who believe it is binding upon them too - but it is binding upon us. You cannot conceive of our people without this book, neither in the far away past nor in the present, just as you cannot conceive of our people without this country, in the past, present or future.

Somebody has told you in evidence, "All this is merely attachment to a mystical Zion, not to this concrete Zion." But now you will see 600,000 living human beings whom the love of Zion has brought over and kept here. They are attached to the living Zion. It has also for them a great and deep spiritual significance.

Then we are asked this question, which seems a very commonplace question: When the Arabs conquered Spain, didn't they create there a magnificent civilization? They did. They created a magnificent civilization in Spain and then they were driven out. Can they claim Spain for the Arabs? Have they a right to Spain? I know of no other objection which proves our case so forcibly as this one, and I am taking it up. Is there a single Arab in the entire world who dreams about Spain? Is there an Arab in Iraq or in Egypt or anywhere else who knows the rivers and mountains of Spain better than he knows his own country? Is there an Arab in the world who will give his money to Spain? What is Spain to him? What does he care about Spain? Is there a single Arab in the world who loves Spain? And is there a people other than the Jews that loves this country? There are many peoples who want to conquer and possess all kinds of countries as well as this one - not because of love for this country, but people who want power. This love is peculiar to our people alone, and you will find it among the Jewish people wherever they are, not only in countries of oppression like Germany and the Yemen, but also in free countries like England and Canada. Here are Jews who have been away for centuries, some of them many centuries, some of them thousands of years, like the Jews in Yemen. They have always carried Zion in their hearts, and they came back, and came back

with love. In no other country in the world will you find people loving their country as the Jews love this country.

In the first world war thousands of Jewish boys from America, from the United States of America, came over as volunteers to fight for the liberation of this country in a Jewish Legion in the British Army, in the Royal Fusiliers. I must deny the stories of Arab troops taking part at that time in the liberation of Palestine. I happened to be in America then and I had the privilege of taking part in that, and I, too, was a volunteer in the British Army and served under Allenby here in the 39th Battalion of the Royal Fusiliers. I know what happened then in Palestine. (I may not know what happened in the Hejaz.) There were Semitic soldiers who fought in Allenby's Army for the liberation of this country, many thousands. All these Semites were Jews. The Palestine Arabs fought on the other side, in the Turkish Army, and I don't blame them. It was their right and perhaps their duty. What brought over these thousands of American Jewish boys with the consent and blessing of the President of the United States of America, the late Woodrow Wilson? What brought them over if not the love of Zion? Perhaps it can hardly be explained, but it is there.

Another thing, and it has been mentioned to you: Jews tried to settle on the land in many other countries. It was tried in Russia. Czars Alexander and Nicolai I tried to settle Jews on the land. The Soviet Government has tried to settle Jews on the land - and it is a powerful government. Jews tried settling in Argentina; Jews tried to settle in the United States of America. It failed. It succeeded here. There was no love for the land there; there was love of the land here. Much as I love this country, I must tell you that Argentina is a much richer and more fertile country than this is. America certainly is more fertile, and so is Russia. And they failed there, they succeeded here. It is because of love of Zion.

What is the source of this love? A man can change many things, even his religion, even his wife, even his name. There is one thing which a man cannot change, his parents. There is no means of changing that. The parents of our people is this country. It is unique, but there it is.

More than 300 years ago a ship by the name of the Mayflower left Plymouth for the New World. It was a great event in American and English history. I wonder how many Englishmen or how many Americans know exactly the date when that ship left Plymouth, how many people were on that ship, and what was the kind of bread those people ate when they left Plymouth.

Well, more than 3,300 years ago the Jews left Egypt. It was more than 3,000 years before the Mayflower, and every Jew in the world knows exactly the date when we left. It was on the 15th of Nisan. The bread they ate was matzoth. Up till today all the Jews throughout the world, in America, in Russia, on the 15th of Nisan eat the same matzoth, and tell the story of the exile to Egypt; they tell what happened, all the

sufferings that happened to the Jews since they went into exile. They finish with these two sentences: "This year we are slaves; next year we shall be free. This year we are here; next year we shall be in the Land of Israel." Jews are like that.

There was a third reason why we came, and this is the crux of the problem. We came here with an urge for Jewish independence, what you call a Jewish State. I want to explain to you, since this is the centre of the entire programme, what is meant by that. When some people abroad talk about the State, it means power, it means domination. I want to tell you what it means to us when we speak of the Jewish State.

We came here to be free Jews. I mean free Jews in the full sense of these two words, 100 per cent free and 100 per cent Jews, which we couldn't be anywhere else. We couldn't be Jews in the full sense, we couldn't be free, in any country in the world; and we believe we are entitled to be Jews, to live a full Jewish life as an Englishman lives an English life and an American lives an American life; to be free from fear and dependence, not to be objects of pity and sympathy, of philanthropy and justice, at the mercy of others. We believe we are entitled to that as human beings and as a people.

We here are the freest Jews in the world. Not in a legal sense. On the contrary, here we are deprived even of equality before the law. We are living under a most arbitrary regime. I know no other regime in the entire world as arbitrary as the regime of the White Paper administration. The White Paper discriminates against us in land legislation and denies us the elementary right to the soil and freedom to settle in all parts of the country. In spite of all that, we here are the freest Jews in the world. Freedom begins at home, it begins in the human mind and the human spirit, and we are free men, and here we are building our Jewish freedom, more so than all the other Jews in the entire world. Why? Why do we feel freer than any other Jews? Because we are self-made Jews, made by our country, making our country. We are a Jewish community which is, in fact, a Jewish commonwealth in the making.

I will tell you in a few words how we are making it. When we say "Jewish independence" or a "Jewish State" we mean Jewish country, Jewish soil; we mean Jewish labour, we mean Jewish economy, Jewish agriculture, Jewish industry, Jewish sea. We mean Jewish language, schools, culture. We mean Jewish safety, security, independence, complete independence, as for any other free people.

I will begin from the foundation. You heard already from Dr. Hitti that there is no such thing as Palestine, absolutely not. We are not coming to Palestine; we are coming to a country which we are re-creating. Building a State means for us in the first place a return to the soil. We found hundreds of Arab villages, Moslem and Christian. We didn't take them away; we didn't settle there. Not a single Jew settl-

ed in all these villages. We established hundreds of new Jewish villages on new soil. We didn't produce soil, it is made by God, but what nature left to people is not enough, they must work. We didn't merely buy the land, we recreated the land. We did that in rocky hills like Motza, of which you will find a description in the Royal Commission's report. In the swamps of Chadera, hundreds of Jews died of malaria, and they refused to leave that place until it was made healthy, because of love of Zion, because of the need to create their own soil. We did it on the sand dunes of Kishon le-Zion. With our toil, our sweat, and with our love and devotion, we are re-making the soil to enable us to settle there, not at the expense of anybody else.

Now you are here and you may visit, you are cordially invited to visit these villages. You will find the land was reclaimed by our own toil. It was uncultivable, it was certainly uncultivated. We made it cultivable and we cultivated it. Land for us is not an object of trade, to be bought and sold. We considered it for the whole world, as the foundation for humanity; everything comes from there. It is a sacred trust to human beings. We shouldn't spoil it. We shouldn't neglect it. We should fertilize it, keep it up. This is what we are trying to do to the best of our ability. We did not entirely fail in our endeavours, although we had been living in towns for many centuries, and we are told there is a law, this time not a legal law but a scientific law, a scientific law that people go from the country to the town, but not from the town to the country. We didn't submit to that law because it was contrary to our existence, because we believed we had to go back to the land. We went back from the town to the country, and while we go against that law, I hope you will agree it is not illegal. We did it and we will continue to do it. Building a State means for us in the first place a return to the soil.

You heard the evidence of a representative of an Arab State about this country, that more than 60 per cent of this country is uncultivable. It is certainly uncultivated. These lands which from the Arab point of view are uninhabitable and uncultivable, we want to make cultivable, perhaps all of them, perhaps part of them, I don't know. We will make an effort. Is it a crime to make this effort?

A Jewish State means for us a return to labour, to manual work. We don't consider manual work as a curse, or a bitter necessity, not even as a means of making a living. We consider it as a high human function, as the basis of human life, the most dignified thing in the life of the human being, and which ought to be free, creative. Men ought to be proud of it. Our boys and girls, middle-class boys and girls, are encouraged before they finish high school to go out and work on the land, and if they cannot find land, to work somewhere else. The Jewish commonwealth means Jewish labour. You cannot buy a commonwealth; you cannot conquer a commonwealth. You have to create it by your own work. We are trying to do it, and you will find Jews working here in trades which were closed to them everywhere else in the entire world, in fields and factories, in quarries, everywhere.

By Jewish commonwealth we mean Jewish economy, Jewish agriculture, industry, seafaring trades, fishing. Independence means first of all reliance on yourself, creating your own economy and your own culture. We don't want to say that this is our country because we conquered it, but because we made it. We re-made it; we created it. That is what we are trying to do, and you will see it wherever you go. You cannot have a Jewish commonwealth without a great, continuous, constructive effort on land, on sea, in fields and factories.

A Jewish commonwealth means Jewish culture and Jewish language. If you had come here, not now, but 40 years ago and I had told you that we were going to revive the Hebrew language and make it a spoken language, a language of work and trades and industry, of schools, universities, science and art, you would have said we were mad, it couldn't be done, it is a dead language, it is an old language, it hasn't got all the modern words. Well, it was done, and those Jews came from America and England and Canada and Russia and Poland and Persia and Yemen, with all their many languages, and they now speak Hebrew. We have educated their children in Hebrew, and this is now the mother tongue of our children and of our grandchildren.

We don't believe that men live by bread alone, and we are creating a new Jewish society and we are trying to base it on high intellectual, scientific, cultural and artistic values. There are two Hebrew theatres in this country. There is a Palestine orchestra; there is an opera; there are scientific institutes. I wonder whether anywhere else so many books are being published, original and translated, taking the size of our population. We happen to be a people who have practised universal education for 2,500 years, and we had all these needs and we satisfied them in our own language.

A Jewish State means Jewish security. If there is one thing a Jew lacks everywhere, it is security; even in countries where he seems secure, he lacks the feeling of security. Why? Because even if he is safe, he has not provided his safety for himself. Somebody else provides for his security. Well, we want to provide for our own security, and we have been doing it from the beginning of our return, for the last 60 to 70 years. I came to Palestine 40 years ago and I went to work in Sejera, a little village in Galilee. I had never before been a worker and never before a farmer, and I had to learn two things at once, to hold a plough in my hands and a rifle. I had to provide for my security, for the security of the village, and I went to work in the fields of Sejera with a rifle on my shoulders. We had a special organisation to keep watch, called Hashomer. There were very few Jewish villages, and they were attacked from time to time by our Arab neighbours. When I stood watch in the long nights in Sejera and looked at the skies I understood the full meaning of that magnificent verse in the book of Psalms, that the heavens are telling the glory of God, because I never saw such glorious skies at night as when I was a watchman.

When we provided for our own security I went out to work in the field

with a rifle. We also tried to make friends with our neighbours. It wasn't easy. I don't know what their reasons were for attacking us. They sometimes attacked each other too, but us a little more frequently, and we had to stand watch. They have a great contempt for people who are afraid, and they looked upon Jews as weaklings, "tenderfeet." They learned to know we were not like that, that we could take care of ourselves, and they respected us; and we made an effort to win their friendship, and in many cases we succeeded, and we are making this effort all the time in all our settlements to maintain the best human relations with our neighbours, the Arabs. Even if sometimes they attack us we don't remember. We want to remember the good things, not the bad. But we had to provide for our own security because we came here to take care of ourselves. We never gave up our defence weapons, we always sought to keep our arms unstained and they were never used in our hands for aggression against anybody, only for our protection.

We are trying to build up a new society, a free society based on justice, human justice, and based on the highest human intellectual and moral endeavour. If you have time to visit our agricultural settlements, you will find some of that spirit there. In order to be able to live according to our own wishes, without external interference and coercion, we want independence. That means a Jewish State. We can't conceive of being independent and being ruled by somebody else. We are building a Jewish State for two reasons. One is in order to enable us, those Jews who are already in this country, to live our own lives, and the other is to help the solution of their tragic problem, the great tragic historic problem of the Jewish people in the world. Because, Sir, only a Jewish State will be able to build a Jewish National Home without hindrance. We need a Jewish State in order to continue building the National Home for the Jewish people, for those Jews abroad who for one reason or another will need, even if their fate is death, to come out here just as we came out here, and only the Jewish State can do it.

We began building the Jewish National Home under the Turkish regime. I am not going to describe all that. We continued it under the British Mandate, and I am not going to describe the British Mandate nor to make any complaints. But we learned from experience, I wouldn't say bitter experience, that no foreign administration, even of the best friends of the Jews and of the National Home, is able to fulfil that function of building up a National Home for the Jewish people and bringing to this country those Jews who want and have a right to come to it; is able to develop the country, is able to raise the general level for the benefit of all the people and those who have to come. It is the most difficult function, and it requires from the people undertaking it a full identity with the aims and purposes of the immigrants and the people of the country; this work requires love, devotion, and immediate connection with those for whom it is being done, and even from the best of peoples - and the British are not the worst - you cannot expect such identity and such devotion as is required to build up

a Jewish National Home. This can be done only by Jews. Not that we are more able than the British. Ah, no. I know what the British people have done in many countries, in Canada and New Zealand and Australia and others, but they have done it for themselves. Even then I am afraid that some English people in America some 150 years ago have revolted against the British administration. They made war on them. It was their own people. They thought that this administration coming from London - I don't know whether at that time it was Whitehall or not, but coming from London - could not satisfy the needs of the English settlers in America, and they made war on King George III. Well, really it would be too much to expect that what they couldn't do for their own kin in America they would be able to do for the Jews. In this country the task of the colonial administration is not the normal task of maintaining law and order. It is a dynamic function; it is a constructive function, a creative one which is beset with great difficulties, requiring initiative, imagination and drive.

We know the difficulties. Perhaps we are not more difficult than anybody else. They are our own difficulties, and require not only knowledge but something more. It requires devotion and love. We have the urge and the need and we can overcome the difficulties. Not every woman, even when she is just and fair, can bring up a child, but you can trust every child to its mother. It is more difficult than bringing up a child to bring up a Jewish National Home under these conditions. Only the Jews can build for themselves. Therefore we ask that the Jewish Agency, which means the Jewish people themselves, be authorised to conduct this business of immigration. They know the needs of the Jews and their abilities and the possibilities, and they will do it. The Agency, in accordance with Paragraph 11 of the Mandate, should be enabled to develop the country to the maximum in agriculture and industry, on land and sea, for the benefit of all the people here, Jews and Arabs. Only the Jews are able to do it.

Our ultimate aim is not a majority, Sir. A majority is not a solution of our problem. The number of non-Jews in Palestine has nothing to do with the number of Jews who need to return to Palestine, or with the number of people Palestine can absorb economically when fully developed. It isn't the numerical relations between ourselves and the number of non-Jews in Palestine. This is an accidental thing. The number of Jews who have the need to come back is much, much bigger. The majority is a stage, a very important one but not final. You need that merely to establish the commonwealth efficiently, but then the State will have to continue building up the National Home, settle new Jews as the country is more and more developed, until the problem of the Jewish people is finally solved.

The Jewish State will have two functions, one, the function to care for the welfare of the people of this country, all of them, without any difference between Jews, Arabs or others, to care for their security, to work for their welfare and to raise them higher and higher economically, socially and intellectually. The other function is to continue building a National Home.

We will have to treat our Arab and other non-Jewish neighbours on the basis of absolute equality as if they were Jews, but make every effort that they should preserve their Arab characteristics, their language, their Arab culture, their Arab religion, their Arab way of life, while making every effort to make all the citizens of the country equal civilly, socially, economically, politically, intellectually, and gradually raise the standard of life of everyone, Jews and others.

We are not afraid of the present tragic conflict between us and the Arabs. It is a passing thing. We are an old people and we have seen many, many changes in the world, small and big, and we never accept a position, if it is bad, as something final; it will change and it will improve. I know that the Arabs, at least some of them, don't want us to return and I understand it. I merely am convinced that their opposition is futile, but it is natural. We will return, and there will be understanding between us and the Arabs.

In the course of your inquiry you heard two reasons given against the Jewish State by representatives of our Arab neighbours. One was given, I believe, in London by the Chairman of the Syrian Chamber of Deputies, Faris Bey al-Khoury. I believe it was Dr. Aydelotte who asked him, "Why are you afraid of having this little Jewish State? Is this a threat to the security of the big Arab States and of the Arab people?" And this is what he answered, "Yes, a State like that is small in its place, but would depend upon 15 or 16 millions of rich, qualified, able people outside, who would always help in everything. It will be sufficiently strong to threaten peace and security." Then in Cairo another representative of the Arab States said just the opposite. "You cannot have a Jewish State. We will destroy it." Something like that. I haven't got the actual words. "We will destroy it. It would have to depend on British bayonets." I think both arguments are not very serious. I don't attach great importance either to the threat or to the fear, both are without foundation. As to the threat, we will take care of ourselves. We did it when we were few; I could tell you many, many stories from 60 years ago and 40 years ago and 20 years ago. Perhaps you heard about Tel Chai. I am not going to take up your time now. We will take care of ourselves. Still less is there any foundation for fear that the Jewish State will threaten the mighty Arab nations, some 40 millions or more, with their big and numerous States. I have more respect, more faith in the Arabs than I find in that answer by that gentleman. The Arabs, too, will take care of themselves. There is nothing to be feared and there is nothing to be threatened, and we certainly will not be affected either by threats or by fear.

There is now tension, perhaps a little more, between us and the Arabs. It is very unfortunate, but it is a passing thing. It is not a danger. We will come together and help each other, just as numbers of Jews and Arabs are helping each other now, as in the past. I believe we need each other. We have something to offer each other as equals, only as equals. We are not going to be "schutzjuden" here, Jews protected by the British or the American or the United Nations Organisation, just as the Arabs don't want to be "schutz-Arabs" nor does anybody else.

We are not going to rely on the Arabs for protection or the British or Americans. We are going to be independent as a free and equal people.

No people in the world can stand alone, neither a small people nor even big Powers. There is interdependence. We shall be no more independent than Belgium, Sweden, Switzerland or Norway. Norway is the best example for us in many ways. They have something in common with us there, on the human, the social side. There will be not only peace between us and the Arabs, there will be an alliance between us and the Arabs, there will be not only interdependence, but close friendship and cooperation. It is a historical necessity, just as the Jewish State is a historical necessity and will come to pass. It is a moral, political and economic necessity.

We are here as of right. We will not renounce Zion and Jewish independence, as we never renounced our religion and our nationality, whatever the price may be, and we will not renounce a Jewish commonwealth. Just as I am convinced there will be a Jewish commonwealth, so I am convinced there will be not only an alliance, but peace and friendship - permanent, true friendship.

From a statement by David Ben-Gurion, printed in
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THE RIGHTS OF THE JEWISH PEOPLE IN THE LAND OF ISRAEL

by Abba Eban

INTERVIEWER: The State of Israel's responsibility to the Jewish people has a profound historic connotation. On the problem of "Who is a Jew" you have stated that you are in favour of the broadest definitions which should encompass the widest periphery of an all-embracing Jewish heritage and tradition. How is it that on the question of "What is the Land of Israel" you do not favour the broadest definitions; definitions appertaining to the history and tradition of our people? To be more precise, let us take as an example the question of Jerusalem. Undoubtedly, Jerusalem has been included in the question of "What comprises the Land of Israel", by all generations and is reflected in our tradition. How was it possible for the government of Israel to be prepared before the Six Day War to forgo a united Jerusalem, and sign an agreement on the final boundaries of the State even without Jerusalem?

ABBA EBAN: The question should be phrased differently. Before the Six Day War, we were prepared to make peace even though Jerusalem remained divided. That is to say, we would have agreed to this, not because we wanted to give up Jerusalem, but because we did not want to forgo a peace settlement. Incidentally, it is interesting to note that at that time no one suggested that should we not obtain Jerusalem through diplomatic means, we should acquire it by conquest. The fact is that not only no one in the Government make such a demand, but there was no demand from the people to do this. Yielding up parts of the country, when reality demanded it, was acceded to by the rulers of Judea and Jerusalem, both in the days of our ancestors and in our own era. Peace is as much a specific Jewish value as is the Land of Israel.

INTERVIEWER: But today, according to some of your pronouncements, you are not prepared to give up Jerusalem even for peace. What has changed?

ABBA EBAN: I do not believe that there could be peace today without Jerusalem. There is no contradiction between a united Jerusalem and the existence of peace. Our point of departure is that peace is the chief Jewish and human value and it disturbs me when people quote verses from the Bible without quoting those relating to peace; those verses by virtue of which our Bible has an ethical code for humanity itself.

If it were possible to secure all the Land of Israel and also peace, it would certainly be a great accomplishment. But this is not possible. These are the two supreme values and we must strike a harmonious balance between them - not excessively subordinate one to the other. Again - our people talk too much about territory and too little about people. They forget that when we talk about "Zion, Your City", this is in the same context as "Your people, Israel". This means that the Jewish character of our state is no less a vital condition than the extent of its territories. The human composition of a state is no less important a quality than the form of its territories. Our historic inheritance is not expressed only by attachment to places, because places, however holy they may be, are always connected with our Jewish values. And especially so Jerusalem.

(from an interview in "Ma'ariv")

In my opinion, the mission of the State of Israel to be Jewish, that is, to have a Jewish majority, is a characteristic not inferior to any other. The Kingdoms of Israel all had various maps, but what distinguished each kingdom was its Jewish character. In 1948 in order to attain a sovereign state of Israel, we accepted that a part of the Land of Israel would be sealed off from us. It was a difficult decision but any other decision would have been lacking in a sense of history. You cannot achieve anything without paying a price for it. I know there are those who think we can be a Jewish state eternally, even in larger areas if we should receive territories without their inhabitants - and we could "invite" the Arabs to leave. But the word "Jewish" already ties our hands and rules out this kind of "solution". Being Jewish we cannot look for non-Jewish solutions. Our sages spoke of the "burden of mitzvot" and it is true that mitzvot are sometimes a burden. This means foregoing complete happiness.

INTERVIEWER: Would you say that a lack of confidence in our "sole" rights to the land and the feeling of guilt which it engendered are just what caused, and still cause perplexity in the State of Israel; in its relations to the places conquered in the Six Day War, and as was recently indicated very markedly in the Government's puzzling decision over the Hebron issue?

ABBA EBAN: Our tradition increasingly causes us to talk about "our rights", but the phrase "sole rights" is not familiar to me. Our ancestors all shared the country with our neighbours in order to maintain their independent rule. The problem of whether only one people has a right to the Land of Israel exists. And whether our rights became invalidated with the destruction of the Second Temple, and whether the thirteen hundred years that have passed since have not also produced some sort of rights or some place for our neighbours - is a poignant question. And if one right conflicts with another - one must arrive at a compromise. Do not forget that our tradition tells us that because of our sins, we were exiled from our land, and in all events, this exile throughout the generations cannot but have brought about certain consequences. Because of these "sins" something occurred in this geographical vacuum - the Land of Israel - and that was the price we paid. Certain attachments were created to which we must give great thought and consideration. It is true that we have a prior claim to the country, and not only because historically we were there first, but also because the Arabs have other possibilities of national expression. This claim of ours is greater than theirs, but does not refute their right. The presence of many Arabs here for many centuries creates a political and moral fact and we cannot pretend that it does not exist.

INTERVIEWER: Had the Arabs agreed to peace in accordance with the 1967 borders, before the Six Day War, do you think it would have been possible to fulfil the "Return to Zion" - to realize the Zionist "Idea" within these boundaries?

ABBA EBAN: David Ben-Gurion has declared on numerous occasions that it was possible to fulfil our national destiny within those borders - if they could be peaceful borders. There was virtually no one who challenged that. Today we are not prepared to return to the borders of 1967 because a new security fact has been created - a new fact of life. And yet I do not agree with those who describe Israel before the Six Day War as a ghetto or use other derogatory terms. It was not a ghetto but one of the most splendid "kingdoms" of Israel. We built a state, we gathered in the exiles and we established valuable public institutions, the like of which we have never known in any other twenty-year period of our history. All this was a result of our being a re-united Jewish society, undisturbed by any non-Jewish destiny, devoted to the needs of the Jewish people and guided by Jewish vision, education and culture. Since the Six Day War we talk more about the problems of the Arab than the problems of the Jews. Each day we think: "What shall we do for the Arabs in Jenin?", "How shall we solve the problem of Gaza?", "What sort of schools should there be in Bethlehem?". We are perturbed about them; we wrestle with their problems - and obviously this

is necessary - but our thoughts should not be distracted from those Jewish intentions for which we have united. When we think of the borders, we think more in terms of where they will be instead of the sort of borders they should be. That is, if they will be open or closed frontiers, a barrier or a bridge over which anyone can cross to reach any particular place within the entire area of the Land of Israel - on both sides of the Jordan - a land which will include two states, both interlinked in various ways.

INTERVIEWER: How do you explain the fact that we have always extended our borders as a result of the initiative of our neighbours?

ABBA EBAN: Because we have the "dibuk" in us, a "demon" for peace; and I am not ashamed of having it. For the last twenty years we have had enough military strength to mount a war and reach the Jordan river. It is interesting and instructive that such a proposal was never raised amongst us. Israel won, wins and will win every war, after she has done everything in her power to prevent them. Our three victories resulted from the fact that our enemies made war inevitable.

INTERVIEWER: Mr. Eban, during the twenty years before the Six Day War, you have appeared before the United Nations, but made no claim to our rights to those parts of the country which today are in our hands; and yet today our representatives there are compelled to raise the subject of our rights to a unified Jerusalem. for instance, or to the Golan Heights? Doesn't this cause you personal embarrassment? And on the other hand, doesn't it seem rather logical that the world should regard us today as conquerors because of this?

ABBA EBAN: Our version of the situation, before the Six Day War too, was this: We have the rights in the entire country, but we also value peace which gives us the right and obliges us to fulfil our right in part only and not completely. For the sake of peace, we have compromised and shall continue to compromise. This has been the will of the people, and this will be its decision if the prospect of peace appears again. Again, in a certain article of the Rhodes agreement it was stated that the cease fire borders were not to be regarded as permanent boundaries. Just as we were prepared then to pay the price for peace by compromise, and by forfeiting certain sections of the country, - then all the more so must the Arabs pay the price for starting the war by forgoing the territories which they held before the Six Day War. This is because by starting a war in 1967, the Arabs have exempted themselves from certain rights which we would have recognized had they not started a war.

INTERVIEWER: And if they once more try to start a war, and we once again win, and cross the Jordan, for example, will they then once again deprive themselves of those rights which you are prepared to grant them today?

ABBA EBAN: If there is a war, and we press forward, the war will determine, as today, what the cease fire lines would be, but these would not be binding on us as peaceful borders. We are free men as far as determining our borders in accordance with our needs and possibilities, and History does not bind us. If a person here were to maintain that we should not yield up even an inch of land for peace, it would be an observation that we could respect even though opposing it. But if a Jew in Brooklyn were to say that we must heed no one who encourages us to stick to each square centimetre, this would have no historical significance.

INTERVIEWER: The sacrifices that the Jewish people suffered over the generations in order to realise the dream of returning to the Land of Israel were not made on account of the dream itself, and not, inter alia, on account of the Land of Israel, but on its own

account. Namely, Jews of all generations were even prepared to sacrifice their lives for the cause, and not the contrary, not to jeopardise the cause itself in order that they should survive physically. In weighing up the situation the Government of Israel must take into consideration not only her security requirements, but also her past and future needs spiritually and historically - and from this point of view the Government is not only that of the State of Israel, but also of the Jewish people, so that it never has the arbitrary right to renounce forever that the Jewish people has never been willingly prepared to forgo.

ABBA EBAN: History is not only what happened in the distant past. We too are authorised to create our own history. King David did not consult us when he fixed his boundaries as he did. If I foresee a possibility of achieving peace which offers also a better security potential, than previously was the case, for instance including Jerusalem, the Golan Heights and other places in the State of Israel together with a recognized peace - I do not have to consult King Solomon, or apologise to him if Israel does not include Shechem, which was part of his kingdom (but not of his inheritance). Our commitment and responsibility are towards the present and the future. If, Heaven forbid, the Jewish people should cease to exist in the present, or lose its Jewish character, there will, it seems to me, be no one to remember the past nor to look to any future. It is just this historic responsibility for the People of Israel, (a people who, in order to keep alive, also know how to compromise sometimes) which obliges us to concern ourselves with our security and existence under conditions of peace.

After the principle of security comes the question of the decisive Jewish character of our State in the scale of priorities. The type of our borders must be appropriate to these two principles and not to one alone. If the alternative is - to be "a Jewish community" within the borders set by King Solomon or a Jewish State within peaceful borders which are created in the seventies - it is clear to me that the second alternative is preferable and I doubt whether a large percentage of the people would decide otherwise.

CONCERNING OUR RIGHT TO THE LAND

by Yitzhak Tabenkin

I

THE FORCE OF REALITY AND HISTORIC JUSTICE

How the "Return to Zion" Changed the Situation

In considering the fate of the liberated areas of the Land of Israel we must examine the interrelationship between ourselves and the Land of Israel.

Our examination is a twofold one: What does the Land of Israel mean to the Jewish people, what place has it occupied and still occupies in our development; and what have we, the Jewish people, created in the past and in the present that has affected the fate and character of the Land of Israel? In so doing, we do not refer to a dead past, whose traces have been erased; we turn to the actual history of the Jewish people and the Land of Israel, both of which are inextricably blended both into the character of the people and the Land today.

Jewish immigration to the Land of Israel began about ninety years ago. That immigration discovered a land characteristic of Middle Eastern life of that time. It was the sort of life typifying the level of existence of the neglected provinces of the Ottoman Empire in its decline. Its Arab inhabitants consisted of scanty and moribund village communities and nomadic Beduin tribes, who came and went, following the grazing of their cattle according to the seasons of the year. Such was the life in the Land of Israel to which we returned in order to realize our national independence - a desolate land neglected both by its rulers and its inhabitants.

The return of the Jews caused a mighty upheaval. We altered the face of the land and its entire character, including the character and the way of life of its Arab inhabitants.

The Land of Israel that was partitioned in the middle of the twentieth century bore an entirely new face. Even that part of it sealed off from our development and ceded (against the wishes of its inhabitants) to the king of "Jordan", and most certainly that part on which the State of Israel was established, were a revelation without parallel in any other country in the region. This was the result of the Zionist enterprise, effected without political rule over the country and lacking the full support of the Jewish people in the Diaspora.

Was development of the land by Zionist immigrants incidental? Is the map of Jewish settlement and its forms, is the standard of production and education, is the rate of development, and is the way of life - the work of a number of stubborn idealistic thinkers, or of the audacity of seamen who conquer lands and plunder them?

One cannot comprehend either the driving force which produced this phenomenon or the trend of historical development if one does not recognize historic necessity and justice, by sole virtue of which we have achieved these goals.

That which makes the return to Zion essential, and provides us with the strength

to succeed in implementing it, is the fact that the very survival of the Jewish people in our generation depends on it. The persecution of the Jews in southern Russia in the 1880's and the pogroms after the Russian Revolution; the weakening and stifling of the centres of Judaism in Poland and the other countries of central Europe; the horrors of the Holocaust and the "Final Solution"; the rescue of the Jews of Yemen and other Arab countries; and the precarious situation of the Jews in the Soviet Union, South Africa and South America in our own time - all of these reflect the danger to our people's future survival. For in the unstable world of today, the Jewish people is the only one which faces possible extinction in time of crisis. It has lived under an open threat of extermination - from the time of Hitler and the indifference of all the "great men" of the free world who fought him, to Nasser and his cronies, who are supported by the "revolutionary world". It is this which has enforced the words of the Zionist leaders, and it is this that has influenced the deeds of its pioneers; this is what transformed the remains of European Jewry into a force to be reckoned with when we triumphed over the British, and achieved the State of Israel. It is this which, consciously or otherwise, enlists the economic and political support of most of the Jews of the world and causes them to identify themselves with the State of Israel in times of trial.

Jewish Self-Preservation - a Determining Factor

For the sake of Jewish self-preservation, those who immigrated were determined that the Land of Israel should be different - different in character from that which Arab inhabitants would have given it, and different from what its fate would have been had its Jewish immigrants lived in the way they live in the countries of the Diaspora.

Only a sense of responsibility for the fate of the nation, and continuous stress and dangers, forced us to seek out every possible form of development in this land, even in areas and under conditions which others would not consider worth the risk.

Neither the scope and rate of the country's development, nor its progress, are, or were ever of primary concern to the Arabs of the land or of the neighbouring countries. For us, the country's absorptive capacity, was dependent on the objective conditions of a land that was desolate and backward, after generations of neglect when we first "returned" to begin the process of "Ingathering of the Exiles". But our necessity to increase its absorptive capacity at a rate that would respond to our national needs obliged us to adopt intensive methods in agriculture and to discover sources of water in areas that had been arid for many generations. It was this necessity that led us to adopt forms of social organization which enabled settlement and engendered our capacity for labour even under the hard conditions of our country, with its paucity of natural resources.

The fusing of historical facts determined the course of Zionist development in our generation: on the one hand, the looming destruction, spiritually and physically, of Jewish communities in the Diaspora, and, on the other hand, the historic fate of the Land of Israel, which was for the most part unsettled, desolate and neglected by its rulers and its few inhabitants.

The Zionist Mission of the State of Israel

In the present century, the Jewish communities in the Diaspora continually face threats of annihilation. Most Jewish people at the beginning of this century were forced to emigrate or faced destruction. Zionism, settlement in the Land of Israel, and the establishment of the State of Israel - are justified in that they offer a chance of life to Jewish communities facing the danger of extinction.

However, there have been periods of temporary stability in the life of the Diaspora, and today Jewish life is relatively free in most countries. Because of this, there is the danger that the lessons of persecution and our future tasks in securing the survival of the Jewish people and the State of Israel in our times will not be understood.

Today, this is a great danger and it is reflected in a mood of scepticism concerning the Zionist mission of the State of Israel. That mission not only expresses Zionist faith, but is a sheer necessity for Jewish survival in all countries of the Diaspora and for the survival of the State of Israel. Even in periods of ostensible and transitory stability in Jewish Diaspora life, our struggle for the peace and independence of the State of Israel must be principally a Zionist one.

Israel's right of existence as a state is not a result of its Partition which brought us to our present situation, but by virtue of the right of the Jewish people to return and settle the unpopulated areas of its homeland. By doing this, they ensured the very existence of the State of Israel. The Arabs challenged this right and attacked us from the time of the 1921 riots until the Six-Day War, but inspired with our Zionist faith we repressed all attempts to destroy the Jewish community of Palestine and later of the State, and extended the areas of our settlement in the Land of Israel.

It was not to secure peace for the Jews of "Zion" that Herzl sought to negotiate with world rulers, nor for whom Weizmann struggled and obtained the Balfour Declaration, nor for whom the war against the White Paper was waged; nor was it for them alone that the struggle was carried on for the establishment of the State of Israel in a part of the Land, to be recognized by the nations of the world. Our struggle was carried on and succeeded because of the Holocaust. The death camp survivors of the Holocaust brought pressure to bear so that the struggle of the Jewish people for its right to political independence in its historic homeland was recognized.

Thus, today and in the future, as in the past, the true mission and strength of Zionism are not based on the fact that we constitute a majority or on that of the security needs of the Jewish community in the Land of Israel. On the contrary, it is by virtue of the fact that we were pursuing the justifiable and necessary process of realizing Zionism that we attained a majority which we shall continue to maintain, and have extended and shall continue to extend the areas of Jewish settlement in the Land of Israel. This is the truth permeating all our development activities. All calculations and statistics that refer to the "present" situation only as a static proof (of our rights to the land), without taking into account the trends of development, are misleading. One who engages in this kind of reasoning fails to understand the course of change, of which the Six-Day War and our victory are only one of its sharp turning points. It is both a political blunder and untrue to say that we are striving towards a peace that will be based on the recognition by the

by the Arabs of the existence of the State of Israel; on condition that the Land of Israel is re-partitioned, (with our consent), for the sake of peace. The borders set in 1948 never became peaceful frontiers during the twenty years of their existence because by their very nature they are front lines for war.

It is at once a political blunder and false for us to accept the argument that the annexation of Judea and Samaria to the Kingdom of Jordan, the annexation of the Golan Heights to Syria, or the annexation of Sinai to Egypt may strengthen the prospects of peace or ensure its stability. On the contrary, the momentum of Jewish development and settlement will prevent the liberated areas from becoming bases for a renewed war and will ensure peace, for them and for their neighbours on all sides.

It is at once a political blunder and untrue for any pronouncement to be made that bases our interest in the new borders solely on Israel's defence needs, denying that they are the borders of the liberated areas of the homeland of the entire Jewish people. The only basis for a real peace lies in the fact that the Arabs be reconciled to the idea that the Jews have the right to return to the Land of Israel as their homeland and to establish there their independent homeland, and it is also the only condition for secure borders to the State, in the framework of an overall settlement of the problems of the Middle East.

It is a distortion to maintain the contrary is the case and make us out to be "conquerors of territory" which we hold only by virtue of our military strength and for purposes of political bargaining. This distortion of our image is not only a political blunder, which weakens our power to resist pressure in the international arena, but it is a denial of the true feeling of the whole generation who fought the Six Day War. That generation fought and won that war, carrying on and completing the War of Liberation and was by no means a "conqueror of foreign territories."

II

PUTTING INTO EFFECT OUR MORAL RIGHT TO SETTLE THE LAND

Examining the Conflict

The moral aspect is very important to those struggling to achieve their purpose. Being conscious of the rightness of our cause and a sense of its justice are a very real factor in mobilizing strength to stand firm at every crucial test.

From its inception, Zionism has been embroiled in a conflict that springs from the radical changes that we are effecting here. There is a conflict between what is required for the continued existence of "Palestine" as an Arab province, poor and underpopulated, and annexed to one of the Arab States, and what Zionism is accomplishing. There is likewise a conflict between the particular economic policy and social system necessary for achieving the goals of Zionism and the economic policy and social system appropriate to the interests of the powers that dominate the region, whether they be Turks, French, Anglo-Saxons or Russians.

This conflict is imbedded in the historical conditions of our cause, and is expressed more acutely at every stage in our progress. In our efforts to overcome the conflict between ourselves and the Arabs on the political fate of the Land of Israel, the moral force of our national resurgence greatly affects our own sentiments and the consciousness both of friends and enemies.

Moral Doubts And Their Result

First of all, it is a fact that doubts about our moral right to put Zionism into practise without making this conditional on the consent of the Arabs, are no new phenomena in the history of Zionist thought and in the life of the Socialist-Zionist workers' movement. Each time we face a trial of military strength and each time the Arabs are driven back in their attempt to halt our progress by armed force, this doubt serves an auxiliary purpose for two political attitudes which take a stand on problems of the day:

(a) The anti-Zionist which joins those who justify our assailants. They raise moral objection in order to label as "aggression" our very struggle for survival. Their purpose is to distort both our image and the real situation. In this - now as before - they are oblivious to the aggression which time and again compelled us to resort to force. It "purges" the Arab attacks of the fact that they were planned, prepared and proclaimed as assaults to wipe out the Jewish community of the Land of Israel and later the State of Israel. Principally, this "moral attack" is part of the argumentation which demands that we withdraw from, and relinquish all those new prospects that have been opened up for progressive Zionist settlement - prospects which have resulted from our having repulsed Arab aggression. This "moral attack" is merely a desperate attempt to rescue our assailants from the consequences of their abortive aggression, in order to grant them, in the name of morality, some of the gains they failed to achieve through bloodshed and genocide.

(b) The second approach is that of Brit Shalom, in its various manifestations and guises. Supporters of this approach seek a way to peace with the Arabs through which the Arabs would recognise what Zionism has achieved up to the present time. In their opinion, such recognition would be obtained in exchange for our agreement to make the continuation of Zionist settlement (development and settlement of additional parts of the country, mass immigration, and the Jews becoming a majority) conditional on an arrangement to which the Arabs would agree.

The doubt of our moral right to return and establish our national sovereignty and our political independence in the Land of Israel does not serve as the only basis for this group. It also has doubts as to the necessity of realizing Zionism in our time for the sake of the survival of the Jewish people; restricting itself as a matter of principle to advocating the role of a "spiritual centre" which served the Jewish community in the beginning and should serve the State of Israel today; it has fears concerning our ability to stand "against the whole world" and the actual risk we take for precarious objectives, etc. etc. At times of crisis, this group has continuously been affected by such fears, and it wishes to reduce the Zionist image.

The doubt of our moral right to the land, combined with the attitude of the Brit Shalom group serves in a double role: although on the one hand, it apparently

underscores the fact that we are ready to reach an agreement and make peace, yet by its very nature its stand for any sort of peace has been weakened in principle; on the other hand it invests every concession to Arab threats of renewing the war with the aura of "conscience" and being "lovers of peace" in principle.

The Moral Right - Tested by Reality.

Moral law possesses absolute validity, but at no time is it a "natural" fact or necessarily decreed by any absolute formula: it involves taking a decision about the justice of a person's action when conditioned by his situation. Since the situation changes, so do the alternatives which a person faces. Hence the force of the moral obligation is forever absolute, whilst moral conduct changes in accordance with the standard of social development and the actual dilemmas of the society. This "relativity" does not reduce the impact of the moral force or the responsibility involved in the moral decision; on the contrary, it is this "relative social conduct" which can be a means to the implementation of moral obligation. A change has taken place also in the ethical behaviour of each of the sides to the conflict following the objective development in our situation, and its subsequent needs, and in the actual alternatives open to us and to the Arabs.

The opposition of the Arabs and their attacks on the Jews of the Land of Israel eighty years ago, when they were the population of a backward Turkish province; their opposition to the Zionist cause at the time of the Holocaust, under the leadership of the Mufti, an ally of Hitler; their opposition to the State, after the United Nations resolution on Partition, when they were aided by the invasion of the Arab armies; and their present opposition to the cease-fire lines, after they attempted to wipe out the State of Israel and were driven back - all these constitute, ostensibly, decisive stages of that conflict; but at each stage the means of opposition were different, and even their moral significance changed as the general situation changed - a changed situation which actually had been created by their very opposition to Zionism in the first place.

The supreme principle, which determines moral judgment, is the equal right of every man to live - not man as an abstract concept, but the man-in-the-flesh who is always a son of his people and of his times. In passing moral judgment on Jewish conduct in our generation, what must be taken into account is the sort of conduct that will ensure the fulfillment of the Jew's right to live under conditions which ensure his existence within the historical social development of our time. Historical social development determined that our generation became the generation of the Holocaust and also the generation facing the danger of destruction together with the State of Israel.

Moral considerations come into question when a man faces ways of survival, based on the equal right of every man to self-preservation and how he makes use of his life. The right to live is given to every man by the fact of his birth and a man is endowed with the capacity and the will to live. But the right to live does not guarantee self-preservation, this can only be achieved through the actual life force of a man, within the conditions that prevail. Life is not automatically guaranteed to any man by some "right" that is in no way dependent on his actual capacity for using this "right".

The Moral Validity of the "Return to Zion"

A nation in a historical process of unifying its dispersed social units, thereby increasing the capacity of these units to succeed in the struggle for survival, has *ipso facto* changed the conditions of existence for the individuals of these units belonging to the nation. To be part of a nation is an objective fact, one of the conditions of a man's existence. And this also is what gives moral force to the right of existence, equally, to every living nation. Genocide has been defined as a crime to humanity, branding those who plan and carry it out as an abomination of mankind. For what applies to the individual also applies to the nation: the right to exist in itself cannot ensure the capacity to remain alive but provides the source. The right to live is tested through its vitality to rouse the nation to make the great efforts which objective conditions of its existence demand, if it is to survive. Nations which lost this vitality disappeared in the course of history, and their progeny who were not destroyed, have in most cases been assimilated, and continue their existence as members of one of the nations alive today.

Two thousand years of exile and about one hundred years of emancipation have resulted in the fact that in our generation most Jews belong to the Jewish people willingly or unwillingly - and this is a decisive factor in their personal lives. This fact is the historical reality that determines the vitality of the Jewish people; it is this that rallies the life force of the Jews to pave ways of survival; and that imbues the Return to Zion in our generation with a supreme moral force, the force of the elemental right of the survival and rescue of the only nation living under conditions of dispersion endangering its continued existence.

In trying to make moral decisions over the Jewish-Arab conflict in relation to the future of the Land of Israel, we must examine the extent of the danger which threatens the survival of each of the protagonists, historically and nationally, and the alternatives which exist for them.

Conditions of Jewish existence are exemplified by those of the Jews living in Arab countries, oppressed and persecuted in the mediaeval tradition; by those of East European Jewry, silenced and sealed off in the "revolutionary" countries; it is by those of French Jewry, stunned by hearing De Gaulle's demand for "loyalty" phrased *a la* Dreyfus Affair; and by the hostility surrounding the State of Israel following the Six Day War.

The Demographic Situation

The population of the Land of Israel under our jurisdiction comprises about 1,300,000 Arabs, and about two and a half million Jews. This is a large national minority, whose rate of natural increase is twice as great as ours, and whose feelings about the very existence of the State of Israel are inimical. If the Israel Defence Forces had been defeated, there is no doubt that by far the greatest number of this Arab minority would have joined forces with our would-be killers. That is the situation of today.

The younger generation, born and bred in a partitioned State and fighting, for the first time, in the Six Day War faces a new complex of problems. Therefore it

is particularly important to clarify problems as part of the life and death struggle imposed on us over and over again.

The situation is not essentially new, for from the beginning of Zionism - and through all stages of its fulfillment until the partition of the country - there was a corollary of warnings by those who doubted our capacity to settle the land with a Jewish majority, in view of the opposition of the Arab majority, supported by the neighbouring Arab States.

In the light of this problem (one that is "organic" to a people engaged in the process of fulfilling Zionism, which takes on various actual forms at every stage of advance or retreat), there are those today who propose that we "rid ourselves of" most of the Arabs added to the area under our control, by returning the areas in which they live (half of them in refugee camps). Thus, they would "solve" the problems raised by our gains in victory, by forfeiting the gains themselves.

At every stage of our strife with the Arabs including their threats of destruction, both external friends and foes, and even Zionists lacking in faith, have proposed a "Brit Shalom" - a treaty of peace - with the Arabs, based on our agreement to proceed with Zionist fulfilment under conditions depending on Arab consent. This doubt is always followed by challenging our right to return in large numbers and to settle the land. This is a moral challenge questioning our right to return and restore our national independence and hence imposing on the Arab inhabitants of the country the unwilling fate of a national minority in a Jewish State. This raises more doubts of our right to decide that the State for many years to come should be the instrument for the renascence of the Jewish people and the focus for the ingathering of its exiles.

And today, in view of the demographic situation, there arises the danger that the ever-increasing Arab minority will so increase its corresponding strength and influence in the country that the Jewish character of the State will be jeopardised.

Now appear those who delude themselves in the name of "realism" and believe there is a prospect of the State of Israel surviving as a Jewish State even if it is not actually an implement for Zionism. There are those who go so far as to adopt the ideological premise of "Canaan-ism", while there are others who recoil from this stand and assign to the State of Israel the mission of a "spiritual centre" for Jews living in the Diasporas of the affluent countries.

Although they are diametrically opposed in their orientation towards the "mission" of Israel, advocates of both these proposals meet at two points:

- (a) they are both prepared to despair of large-scale immigration and of the prospects of successfully achieving it, and object to the risks involved in holding on to areas for the sake of an immigration that "is not real";
- (b) they both submit to the pressure of those who would induce us "to assimilate to the region" in one form or another, and are prepared to make the extension of our settlement areas conditional on the consent of the Arabs.

The development of the Jewish community of the Land of Israel and later of the State of Israel, as part of the struggle of the Jewish people for its survival, is connected with situations which raise problems that cannot be "dismissed", but which must be solved by actions which alter the situation. No evasion of the issue

will avail. In fateful and perplexing problems, no positive solution can succeed which relies solely on existing statistics and includes no effort to change things.

Every revolutionary development causes a certain wavering, as a result of problems raised by its advent; every revolutionary development arouses a fear of taking further risks in meeting new challenges; every revolutionary development is followed by a reaction, which forgoes all efforts towards a progressive future by beating a retreat to a situation whereby the events of the past now reach a crisis.

III

A FURTHER EXAMINATION OF THE MORAL ASPECT

The moral imperative itself in the conduct of an individual or a nation is a human development restricted to social relationships, whether between one individual and another, between the individual and society, or between one human society and another. Morality is not a fact of nature, but a faculty operating in man's consciousness, so that he can cooperate with other human beings, as one of the conditions for self-preservation in the fight for survival against crude natural forces. Infinite evolutionary processes from prehistoric to historic times have transformed and transmuted this objective condition for human survival into a human instinct.

In fact, it is the social instinct in man that has enabled him to fulfil his right to live. The history of man's faculty to live with his fellow man reflects a historic development towards a moral way of life between all men. The social instinct contributes to society's struggle for survival and development, as well as motivating the individual to identify himself psychologically with this social struggle to fulfil its social right of existence and development, each society to be on a par with the other. In the absence of this social instinct, or where degeneration sets in, the individual's right of existence as well as that of the nation loses its moral validity. An individual or a nation that does not live from its own work, and that cannot rally its internal strength to risk engaging in the struggle for its particular and equal right to create the suitable conditions for life and development, but is a parasite living off the work done, and by virtue of the risks taken, by others, loses moral validity to existence. Even if, a temporary superiority provides it with the power of a pressure group in that it has gained material and cultural advantages its real weakness will eventually be revealed, whenever there is a time of supreme trial that calls for total self-defence.

Hence the fact of our historic, and even moral right to return and establish our national home in the whole of the Land of Israel, or even to establish the State of Israel in part of the country - constitute three "rights": the historic, the political, and the moral - but these are only potential factors for our survival and their actual weight varies according to the historic fluctuations in the Jewish people's conditions of existence, and in those of the Jews of the Land of Israel and their neighbours. The actual validity of these historical, political and moral rights depends on whether the Jewish people are able to fulfil them in a way and at a pace and extent of development that will not prove to be futile.

Neither our methods, extent, nor pace of development should be dependent on our historic right to return *en masse* to the Land of Israel, since that right is not merely theoretical - a mystic legacy from the past granting us power; it is based on the need for ensuring the survival of the Jewish people and on the situation of the Land of Israel from the historic angle today when the Return to Zion is taking place. The fulfilment of our political rights and the moral rectitude of Zionist settlement are liable to be affected adversely if the ways sought for their achievement are inappropriate.

In our discussion, we have tried to clarify the fundamental assumptions in any analysis of social conflict aiming to arrive at a decision on what constitutes justice or injustice. These provide us with an objective standard from which we can present a moral judgement on a social conflict, where a subjective sense of justice is possessed by each of the sides involved. This objective standard which we have proposed is necessary in order to determine morally how just are the claims made by each side, generally, and including its motives and its aims. All discussion in terms of a morality that ignores any demand for a standard based on a moral decision between conflicting claims invalidates the moral judgement, theoretically and practically, of all authority to influence the course of events and turns it into mere lip service, akin to dishonesty. Only one who evades responsibility for actions which morality demands can talk in this fashion.

From "Lessons of the Six Day War - Settling an Undivided Land", December, 1967.

JEWISH RIGHTS IN PALESTINE

by Arnold J. Toynbee

Rights may perhaps be defined as claims which are recognised as being valid not merely by the claimants themselves but by a general consensus of disinterested parties. In the current dispute over Palestine, the immediate claimants are the Palestinian Arabs on the one side and the Jews now in Palestine on the other, while many other Arabs and other Jews sympathise in varying degrees with those Arabs and those Jews who are immediately concerned. All the Arabs and all the Jews in the World, added together, amount to no more than a small minority of the human race. The majority, to which I happen to belong, is also concerned in the Palestine dispute, though it is disinterested in the sense that it has no local claims. Nevertheless, its concern is a most legitimate and most respectable one. We are concerned that, in Palestine as everywhere else, human rights shall be vindicated, whatever these rights may be deemed to be by a consensus of the disinterested majority. We are concerned that wrongs shall be righted and that sufferings shall be relieved. We are also concerned that a local quarrel in Palestine shall not give rise to a world war that might destroy the human race.

In this world forum, claims based on alleged divine revelation to the Jewish, Christian, and Muslim communities must be left out of account, because the adherents of these three religions together, and, a fortiori, the adherents of any single one of them, are only a minority of the human race. The majority does not recognise the doctrines of any of the three as being true. The Jewish, Christian and Muslim communities each claim to be 'the chosen people' of one and the same god. The rest of the human race does not agree that any of these three mutually incompatible claims entitles the claimants to special privileges. The Jews claim that, in the second millenium B.C., this same god made a gift of Palestine to their Israelite forefathers and authorised, or even commanded, them to conquer the country by force of arms and to exterminate its existing inhabitants. The Christians claim that the Jewish founder of their religion, Jesus, was the son of the same god, and that he was born in Bethlehem, was brought up in Nazareth, and was crucified, was buried, and came to life again on the outskirts of Jerusalem. The Muslims claim that the prophet Muhammed ascended to Heaven from the Temple area at Jerusalem on the Night of Power. These claims have no validity for agnostics, Hindus, Buddhists, Confucians, Shintoists. Therefore, in the world

forum that has the last word to say about rights, there is no place for any claims on Palestine that are made, in the name of alleged divine revelation, by Jews or by Muslim and Christian Arabs. The case must be argued in terms of human rights that are more or less universally recognised as being valid.

I submit that the human rights of the native inhabitants of a country have an absolute priority over all other claims upon that country, and that these overriding rights are not forfeited if the native inhabitants are dispossessed of their homes and property. This is a violation of their rights, not a cancellation of these. The native inhabitants' rights may not be the only valid rights in connexion with a country. But other peoples' rights in connexion with it, if there are any, are valid only in so far as these can be exercised without damaging the rights and legitimate interests of the native inhabitants.

What are the rights, if any, that can be claimed by outsiders? Outsiders may have rights that are religious. Palestine is a 'holy land' for the adherents of each of the three Judaic religions; so I should say that, subject to the overriding rights of the native inhabitants, the Jewish, Christian, and Muslim communities throughout the world have a right of access to Palestine for their pilgrims, a right of residence in Palestine for seminarists and religious devotees, and a right to maintain in Palestine places of worship and also hostels, hospitals, colleges, monasteries, and other religious or philanthropic institutions. Happily it is possible to arrange for the exercise of these religious rights in Palestine for all the three claimant religions side by side and simultaneously, and also to arrange for their exercise without encroaching on the overriding rights of the country's inhabitants.

This right of access to Palestine for religious purposes has, I believe, always been granted to Jews and Christians by Muslims during the long periods during which the Muslims have been in a majority among the inhabitants of Palestine and during which the government has been in Muslim hands. This Muslim policy is a consequence of the Prophet Muhammad's instructions in the Qur'an. He has ruled that Jews and Christians, as well as Muslims, are 'people of the Book', and that it is therefore the duty of a Muslim Government to tolerate and protect its Jewish and Christian subjects so long as these submit to its authority and pay a surtax. The right of access was not so well assured to Jews and Muslims, I believe, during the interlude of Crusader Christian rule in Palestine; and, in so far as Jews and Muslims were hindered, under this regime, from entering Palestine and residing there for religious purposes, they were, I should say, being wrongfully deprived of their religious rights.

Jews had previously been excluded from Palestine, except for

Galilee, by the Roman Government after the Romano-Jewish wars, until the liquidation of Roman rule in Palestine by the Arab conquest. This, too, was a violation of the Jews' religious rights, but in this case the blame is shared with the Roman Government by the fraction of the Palestinian Jewish community that was pre-dominant at the time of the Romano-Jewish wars, namely the Zealots. If the Pharisees, instead of the Zealots, had had the upper hand, it seems probable that these wars would not have been fought and that the Jews would not have been subsequently excluded from the greater part of Palestine by the Roman Government. The difference in attitude and policy between the Pharisees and the Zealots was that the Pharisees gave religion precedence over politics whereas the Zealots gave politics precedence over religion. Considering the Jewish Zealots' attitude and temper, the exclusion of the Jews from Palestine by the Roman Government was a safeguard for its military and political security that was perhaps inevitable.

The Jews also claim rights in Palestine on the ground that, during the greater part of the time between the conquest of Palestine by the Israelites in and after the second millennium B.C., and the extermination of the Jewish community in Palestine (with the exception of Galilee) by the Romans in the first and second centuries of the Christian Era, the greater part of Palestine was inhabited by their ancestors. The Israelite and Jewish occupation was never complete (it never extended to the Philistine country, for example). Moreover, the Israelites were only one of many peoples, ending with the Arabs, who established themselves in Palestine successively, and the Israelites were also far from being the first comers. They made their first entry into Palestine not more than about 3,400 years ago, and the pre-Israelite civilizations in Palestine date back to about 8,000 or more years ago on the evidence of the excavations at Jericho. At the same time, out of all the pre-Arab inhabitants of Palestine, the Israelites are the only community that has living representatives at the present day in the shape of the Jews; and, as living representatives of the former kingdom of Judah, which was one fraction of the historical Israel, the Jews do, in my opinion, have a right to a special position in Palestine which no other present-day non-Palestinians possess. At the same time, the Jews' historical rights in Palestine, like the Jews', Christians', and Muslims' religious rights in Palestine, are valid only in so far as they can be exercised without injury to the rights and the legitimate interests of the country.

The Jews' historical rights in Palestine and the native inhabitants of the country's overriding human rights were both recognised by Britain in the Balfour Declaration. In this instrument, the British Government recognised and undertook to uphold, the Jews' right to a 'national home' in Palestine, subject to the stipulation

that this undertaking was to be implemented without injury to the rights and interests of the existing inhabitants of the country. Thus, in the Balfour Declaration, Britain recognised the rights of two parties and entered into an obligation to uphold both sets of rights. This two-fold obligation was afterwards written into the mandate for the temporary administration of Palestine that was conferred on Britain by the League of Nations. This was a mandate of the so-called 'A' class, in which it was stipulated that the mandatory power was to prepare the country under mandate for eventual self-government and independence. At the dates when the Balfour Declaration was made and the mandatory regime was inaugurated, more than 90 per cent of the living population of Cisjordanian Palestine consisted of Muslim and Christian Arabs. In Transjordan, the population was and is wholly Arab except for a small minority of Circassian refugees who came from the Caucasus at the time of the Russian conquest of the Caucasus, and who were settled in Transjordan by the Ottoman Imperial Government.

Both the Balfour Declaration and the British mandate for Palestine were imposed on the Arab majority of the native population against their will by British force of arms. If the local Arabs had been allowed to exercise the human right of choosing a political regime for themselves, they would have voted for immediate independence. The native Arab majority of the population of Palestine has never agreed that the imposition upon it of the Balfour Declaration and the British mandate was either legally or morally valid. Let us, however, provisionally assume these to have been valid for the sake of argument. This would entitle Jews, as well as the native Arab majority, to be at home in Palestine, and would also entitle the Jewish community in Palestine to increase its previous numbers by immigration; but this Jewish right of immigration would still be limited by the overriding stipulation that the rights and interests of the existing inhabitants must not be injured. This would mean that Jewish immigration must not be admitted in so great a volume that it would overwhelm the native population of Palestine and would reduce them to the unfavourable position of becoming a minority in their own country. Thus the obligation undertaken by Britain, under the Balfour Declaration and under the mandate, to the existing inhabitants of Palestine required Britain, while fostering Jewish immigration into Palestine, to keep it within limits within which it would not prejudice the position of the Palestinian Arabs. It would also have been reasonable that these native inhabitants of Palestine should have had some say in the decision of the question of what the maximum amount of Jewish immigration should be.

In the event, the rights of the native Arab majority in Palestine that were recognised and guaranteed in the Balfour Declaration and the mandate have been violated (i) by the establishment of the Jewish state of Israel in Palestine, (ii) by the expropriation of

the great majority of the Arab inhabitants of the Palestinian territory on the Israeli side of the present armistice line, (iii) by the removal of all restrictions on Jewish immigration into the territory now held by Israel, while most of the native Arab inhabitants of this territory have become dispossessed refugees. The resulting situation is an unhappy one for all parties. The wrongs done to the Palestinian Arab refugees remain unrighted; Israel remains insecure.

The blame for this unhappy outcome of the Balfour Declaration and the mandate rests primarily on the former mandatory power, Britain. She has failed to carry out the obligation, undertaken by her, towards the native Arab inhabitants of Palestine. Their rights and interests have not been safe-guarded; a large proportion of them have been deprived of their homes and their property. On the other hand, the Jews have got much more in Palestine than they were promised and than is warranted by their historical rights. They got not merely a national home but a state, and this at the cost of grave injustice to the Palestinian Arabs.

In the second degree the blame rests on Germany. If the Nazis had not committed unprecedented atrocities against the European Jews, first in Germany and then in the other European countries that the Germans invaded and temporarily occupied in the Second World War, there would not have been the pressure that there was to turn Palestine into an asylum for the Jews fleeing from the threat of death at German hands. But German crimes against European Jews do not excuse Britain for having failed to fulfil her undertakings to the Palestinian Arabs. The genocide of six million European Jews was not committed by Arabs; it was committed by Germans. Yet it is the Palestinian Arabs, not the Germans, who have been made by Germany's fellow-Westerners, the Western victors in the Second World War, to pay for Germany's crimes. The Palestinian Arabs have, in fact, been treated as if they did not have human rights.

Britain ought not to have allowed Palestine to be swamped by European Jewish refugees - as it has been to the Palestinian Arabs' grave detriment. Britain ought to have abolished all restrictions on the immigration of European Jews into her own territory, and on their earning their living there. So ought the United States, and therefore a share of the blame for what has happened rests on her too. The United States alone could have absorbed all the Jewish refugees from Europe, and she would have gained greatly if she had performed this act of humanity.

An exponent of Jewish historical claims in Palestine may perhaps plead at this point that the establishment of a state of Israel in Palestine in 1948 was a legitimate implementation of an historical Jewish right. It was, it may be argued, the re-establishment of a past situation. In the past, there has been a series of Israelite

and Jewish states in Palestine; the pre-Exilic kingdoms of Israel and Judah, and the post-Exile Jerusalemic Temple state, Hasmonaean kingdom, and Herodian kingdom. The previous existence of this series of states legitimises the establishment of the present state of Israel, according to this argument. The post-Jewish inhabitants of Palestine have no valid rights in Palestine as against the descendants of the previous Jewish inhabitants.

When the Jewish historical claim to a special position for Jews in Palestine is carried to the point at which its implementation inflicts wrongs and sufferings on the present-day Arab inhabitants, the Jewish claim runs up against the statute of limitations. This is an almost universally accepted principle of law. Its general acceptance is due to its being commended by both humanity and expediency. The principle is that ancient rights, even if valid originally, lose their validity in course of time if they have fallen into desuetude and have consequently been superseded by other rights that have been validated by a long period of usage. It is rightly held that the hardship and injustice that would be caused by the annulment of long-since-established subsequent rights is bound to outweigh the satisfaction that would be produced by a re-validation of the ancient rights for the benefit of remote descendants of the people, dead many generations ago, by whom those ancient rights were once possessed. This legal doctrine is humane, because it declares in favour of the lesser amount of suffering and injustice in cases in which a living and an extinct right conflict. The doctrine is also expedient because, without it, no right, however long exercised, would ever provide any legal security of tenure. Every current right could then be annulled at any moment by some more ancient one still, and so on, in an infinite regress.

In the Palestinian case in point, it was reasonable that the survivors of the deportees of 586 B.C., together with their children and grandchildren, should be repatriated in 538 B.C. Their living link with Palestine was still unbroken. We may guess that their re-installation in Palestine did cause some disturbance, and perhaps even hardship, to the Judean peasantry whom Nebuchadnezzar had left undisturbed and whom the restored exiles labelled, somewhat contemptuously, 'the People of the Land'. On this analogy, it would likewise be reasonable if the Palestinian Arabs who were deprived of their homes and property in A.D. 1948 were to recover in A.D. 1996. On the other hand, the interval between the date of the dispossession of the Palestinian Jews by the Romans and the date of the establishment of the present state of Israel is so long that the principle of the statute of limitations tells, in this case, decisively in favour of 'the People of the Land' who have become established in Palestine within the last eighteen hundred years. More than this length of time has

elapsed since the Romans evicted the Jews from Palestine, except for Galilee, in the Second Romano-Jewish War which ended in A.D.135.

As to any legal title to the ownership of Palestine, as distinct from the human title derived from long-standing possession of the country, none of the successive occupying peoples has any title unless we accept the barbarous claim that a valid legal claim can be derived from an act of military conquest. Military conquest was the means by which Palestine came to be possessed in turn by the Middle Kingdom of Egypt, by the Amorites, by the New Kingdom of Egypt, by the Hebrew peoples and the Philistines, by the Assyrians, Babylonians, Persians, Macedonians, Romans, Arabs, Saljuq Turks and Crusader Franks, by Saladin and his Mamluk successors, by the Ottoman Turks and their British successors, and, latest but not necessarily last, by the Israelis. Successful military revolt against the Seleucid Macedonian power was the means by which the Hasmonean Jewish kingdom in Palestine won its independence for the period of about two-thirds of a century running from the death of the Seleucid Emperor Antiochus VII Sidetes to the Roman occupation of Palestine in 63 B.C. The pre-Hasmonaeen Jerusalemic Temple-state and the post-Hasmonaeen Herodian kingdom were brought into existence by the fiat of a conquering power - the Temple-state by the Persian Empire and the Herodian state by Rome.

In 1947 the United Nations assumed to itself the right to partition Cisjordanian Palestine into two areas which were to be respectively under Arab and under Jewish rule, and it is this decision of the United Nations that gives the present state of Israel any legal title that it may have, as distinct from the so-called 'right of conquest'. This title deriving from the United Nations is, however, of doubtful validity for two reasons.

In the first place, the United Nations, as so far constituted, has no jurisdiction over the internal affairs of any country, and to decree that a country shall be partitioned is certainly an interference with its internal affairs. If, for instance, the Government of Continental China were one day to expel the Kuomintang Chinese from Taiwan, and if the United Nations were then to decree that the state of Delaware should be detached from the United States and should be placed at the disposal of the Kuomintang Chinese refugees, it is certain that the United States would deny that the United Nations possessed jurisdiction, and that it would resist by force of arms any attempt, made in pursuance of this imaginary decree of the United Nations, to instal the Chinese refugees in Delaware in place of the present American population of the state.

The second reason why the 1947 decision of the United Nations is of doubtful validity is because it has been rejected by both the Arabs and the Israelis. The Arabs rejected it in toto at the time. The Israelis claim that the United Nations' decision to assign a part

of Palestine to a Jewish state has given the state of Israel a legal title. At the same time, they reject, as being null and void, the frontiers, laid down in 1947 by the United Nations, between the parts of Palestine that the United Nations was assigning to a Jewish state and to an Arab state respectively. But the two provisions of the 1947 resolution of the United Nations necessarily stand or fall together. The United Nations could not, and did not, take it upon itself to partition Palestine without deciding, at the same time, where the dividing line was to run. Israel cannot have it both ways. In rejecting the United Nations frontier, she is at the same time rejecting any legal title that the United Nations resolution might be deemed to have given her. If she wishes to secure this title, then she must accept the frontierline that is part and parcel of it.

To my mind, claims made on legal grounds, as well as claims made on historical grounds, are of little consequence compared to present human rights. As I see it, Jews, and, equally, Christians and Muslims, have a human right of free access for religious purposes to a country that is their common holy land. As I see it again, the Jews, being the only surviving representatives of any of the pre-Arab inhabitants of Palestine, have a further claim to a national home in Palestine, but this only in so far as it can be implemented without injury to the rights and to the legitimate interests of the native Arab population of Palestine. In my opinion this population's human rights to their homes and property override all other rights in cases where claims conflict. This principle is, in my belief, valid in Palestine today because it is valid at all times and places. It has surely been violated by the establishment of the state of Israel and by the dispossession of those Palestinian Arabs who are now refugees.

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JEWISH RIGHTS IN ERETZ ISRAEL (PALESTINE)

by Solomon Zeitlin

From time to time sweeping statements by Dr. Arnold J. Toynbee concerning Palestine, Israel or Judaism appeared in the public press. As a rule, they were highly charged personal opinions couched as generalized statements without historical proof or validity. One of Dr. Toynbee's more recent utterances while on a lecture tour in Canada was an annihilating denial that the Jews had any rights in Palestine. This appeared to us an astounding declaration contrary to the logic and facts of history. We therefore invited Dr. Toynbee to present his views on this subject in the *Jewish Quarterly Review* in a scholarly manner as befitting a journal of this character, stating at the same time that I would also present my opposing point of view in the same issue.

Dr. Toynbee kindly accepted our invitation with this understanding. In all candor, it must be stated at the outset that the article here presented by Dr. Toynbee proved disappointing in not conforming to scholarly standards either in form or substance. It bears no documentation. None of the allegations is based on primary sources and it is marred by numerous historical inaccuracies of an elementary character. In brief, as we will show, the views stated herein are not what one would expect of a trained historian. They cannot be described otherwise than the personal views of Professor Toynbee without the support of literary sources and historical facts. They are *ex cathedra* statements, punctuated with half-truths and inspired with the eloquence of bias and prejudice. We propose to analyze his assertions and submit them to the test of original sources in the course of which the rights of the Jews in Palestine will be clearly vindicated.

Professor Toynbee's argument reduces itself to three major propositions: A. The religious claims of the Jews in Palestine confer upon them no special status, because Christians and Muslims likewise have religious claims to Palestine. B. The claim based on legal title to the land is not valid because Palestine was occupied by Jews for relatively short historical periods and on the other hand it was overrun by conquering armies and was occupied by various sovereignties for many more centuries. Consequently the tenuous legal title was torn to shreds. C. Finally, even if credence be granted to historical and legal claims, Dr. Toynbee appeals to the statute of limitations.

We shall examine these arguments seriatim, and in the process we shall quote copiously Dr. Toynbee's own words so as to retain as far as possible the flavor of Dr. Toynbee's style of arguments.

Regarding the Jewish religious identification with the land of Israel, Dr. Toynbee cites the alleged parallel claims of Christianity and Mohammedanism. He writes, "The Christians claim that the Jewish founder of their religion, Jesus, was the son of the same god and that he was born in Bethlehem, was brought up in Nazareth, and was crucified, was buried, and came to life again on the outskirts of Jerusalem. The Muslims claim that the Prophet Mohammed ascended to heaven from the Temple area at Jerusalem on the Night of Power."

He states further, "Palestine is a 'holy land' for the adherents of each of the three Judaic religions." Consequently, "The Jewish, Christian and Muslim communities throughout the World have a right of access to Palestine for their pilgrims, a right of residence in Palestine for Seminarists and religious devotees, and a right to maintain in Palestine places of worship and also hostels, hospitals, colleges, monasteries and other religious or philanthropic institutions."

Superficially, these statements may sound plausible and persuasive to the unguarded reader. What Dr. Toynbee fails to account for is the vital difference in the historic ties, in the spiritual quality and the degree of the indispensability of Palestine for the wholeness of the religion in Judaism in contrast to the two daughter religions.

The Christians did not consider Palestine, now Israel, of any great importance in connection with their religion. Only the places of Jesus' birth and burial were considered *loca sancta*, holy places. St. Augustine wrote in his book, *De Civitate Dei*, that in the early centuries of Christianity devout Christians used to go to Jerusalem to visit the holy places. Palestine as a whole was not the Holy Land to the early Christians. Christianity arose in Jerusalem but Paul gave up the earthly Jerusalem and spoke only of a heavenly Jerusalem. "But Jerusalem which is above is free, which is the mother of us all," wrote Paul to the Galatians. St. Jerome wrote in one of his letters, "The Court of heaven is equally open from Jerusalem and Britain." St. Augustine also spoke of a heavenly Jerusalem but not of the Jerusalem on earth. For him the true Jerusalem, the eternal one, was in heaven, "Whose children are all those who live according to God on earth." Judaism also speaks of a heavenly Jerusalem but emphasizes the earthly Jerusalem; the heavenly Jerusalem, however, can only be realized when the earthly Jerusalem has been established. It is well expressed in Talmud, G-d said, "I will not enter the heavenly Jerusalem until I re-enter the earthly Jerusalem."

Rome, the city where Peter and Paul were executed, became the center of Christianity and its symbol. For Western Christianity Rome became the Eternal City. Pope Urban II, in addressing the Council of Clermont in the year 1095, was the first to call Palestine, *Terra Sancta*, the Holy Land. His purpose was to inspire the Christians to join the crusade and organize armies to the land already known to them as Palestine to seize it from the rule of the Seljuks. (The Seljuks were not of Arabic stock). Neither in the New Testament nor in the writings of the Church Fathers was the term Holy Land applied to Palestine.

As to Mohammedanism, it can hardly be said that Palestine played an important part in Islamic thought. While the roots of Christianity stemmed from Judaea Islam came into being in the desert of Arabia. The Koran hardly makes mention of Judaea or Palestine; its religion is focused on Mecca. In the Koran, Sura 21, it is stated that Mohammed said, "We delivered him (Abraham) and Lot by bringing them into the land wherein we have blessed all creatures." Some commentators interpret the word "land" as referring to Palestine. Other commentators, however, take its meaning to be that G-d brought Abraham and Lot from Iraq to Syria. In Sura 5 it is stated that Moses implored the Jews to "enter the Holy Land which G-d had decreed you." Here too many of the commentators maintain that the Holy Land refers to Palestine. Baidawi, however, records the opinion that the phrase "Holy Land" in this passage refers to the Mountain (of Sinai). In Sura 17 it is related that Mohammed was transported at night from the sacred temple of Mecca to the Temple of Jerusalem and, according to tradition, he was carried through the seven heavens to the presence of G-d and was brought back to Mecca the same night. Apart from the above vague allusions, Judaea, or Palestine, never became an integral part of the Muslim religion. In order to break with Judaism, Mohammed ordered that *qiblah* - the direction to be observed during prayers - should be towards Mecca instead of Jerusalem. Pilgrimages were ordered to Mecca which became the holy city instead of Jerusalem. There is a tradition that if a Muslim had not made at least one pilgrimage to Mecca he might just as well have died a Jew or a Christian. The Muslims from time to time do go on pilgrimages to such places as the temple area, where the Jewish Temple stood during the second Commonwealth, also Hebron and the Nebi Musa, but these are only places of local pilgrimage. The center of the Muslim religion is the city of Mecca, not Jerusalem.

Judaea, or Palestine as a whole, did not figure to a great extent as the holy land in Christian or Islamic thought, whereas to the Jews Judaea was always a Holy Land integrated into the precepts and ceremonies of Judaism. The author of II Maccabees, which was composed before the destruction of the Second Temple called Judaea the Holy Land. It was holy to the Jews before the destruction of the State and throughout the ages. For Judaism Palestine, called *Eretz Israel*, the land of Israel, is the center of Jewish religion. To this day synagogues are built facing the East in order that the prayers should be directed toward Jerusalem. In their prayers, Jews implored God to rebuild the Holy Land and the Holy City of Jerusalem. The Jews of the Diaspora were always connected spiritually with *Eretz Israel*. They prayed for the coming of the Messiah when *Eretz Israel* would be the center of religion for the entire world, when the prophecies of Isaiah would be fulfilled, and the teachings of the sages of old about the universality of G-d and the fellowship of man would be realized.

In a word, to the Christians, only the places connected with Jesus' birth, his sojournings and the holy sepulchre are sacred. For the Muslims only those places which tradition connects with Mohammed and Moses and other figures of their religion are sacred. For the Jews *Eretz Israel* as a whole is a Holy Land. All of its cities are considered holy, even those which were built after the destruction of the Second Temple. For them, Tel Aviv, Haifa, the Negev are sacred.

Strange indeed is the statement of Toynbee: "These religious claims have no validity for agnostics, Hindus, Buddhists, Confucians, Shintoists. Therefore, in the world forum that has the last word to say about rights, there is no place for any claims on Palestine that are made, in the name of alleged divine revelation, by Jews or by Muslim and Christian Arabs." It is true that other religions, Hindu and Buddhist, etc., do not accept Judaism, Islam, or Christianity, but they do respect the conscience of other religious groups. They respect holy places of other religions. The Jews, Christians and Muslims also respect the holy shrines of Hindus, Buddhists, etc. Even agnostics, although denying divinity, would not act contrary to the religious feelings of a people. Only the militant atheists and the Nazi Germans would destroy the shrines of religious people and would not take into consideration the feelings of religious groups. Even in ancient times the Hellenes and Romans showed reverence to shrines of other gods. The Jews who believed in one G-d did not revile the gods of other people.

As was noted before, Toynbee said, "The Christians claim that the Jewish founder of their religion, Jesus, was the son of the same god." The term the "same god" would imply the existence of other gods. Is Prof. Toynbee not aware that the Jews of that period believed in the universality of G-d, the G-d was the Lord of the entire universe and that there was no other G-d, and that the same view was held by the early Christians?

From the religious aspects, we now turn to the Jewish historical claims on Palestine. Are they valid? For this purpose we shall present a brief historical survey since the ancestors of modern Jews occupied the land of Canaan, which later became known as the Land of Israel, or Palestine.

Approximately 13 hundred years before the present era, the Children of Israel, under the leadership of Joshua, conquered the Land of Canaan. In the early days there was no union among the tribes of Israel. The first real union came about when Saul was elected king some time at the end of the second millenium before our era. After him David ruled over the united nation, and was succeeded by his son Solomon. After Solomon's death the Kingdom became divided into two parts; one - the Kingdom of Israel - in the North, and the other - the Kingdom of Judah - in the South. From the latter state, the name of Judeans, or Jews is derived.

The Kingdom of Israel was conquered by the Assyrians. Later, in 587 BCE, the Kingdom of Judah was conquered by the Babylonians. Not all the Judeans were exiled from the land. The Babylonians carried the elite classes into captivity but allowed many Judaeans to remain. Gedalia, a Judaeans, was appointed governor of the country. During the period of turmoil many neighboring nations took advantage of Judaea's helpless condition and annexed part of her territory. The Edomites invaded from the south and reached beyond Hebron. The Ammonites and the Moabites from the east, pared off some of the Judaeans country as did the Philistines from the west.

When Cyrus, king of Persia, conquered Babylonia he gave the Judaeans permission to return to their homeland. The Temple was rebuilt and the Judaeans were settled as a free autonomous community in the land under the leadership of their high priests, who had religious and secular authority

over them. The captive Judaeans had been in exile less than fifty years, and during that time the common folk of the nation, the poor, the farmers, and many of the military caste, who escaped captivity remained in Judaea.

In the year 333 BCE, Alexander of Macedonia defeated Darius and became the ruler of the Persian Empire, including Palestine, which was then called Coelo-Syria, Lower Syria. With the conquest of Judaea by Alexander, the status of Judaeans was not changed. They were still ruled by their high priests. When Coelo-Syria became a part of the Ptolemean Empire and later a part of the Seleucid Empire, the Judaeans continued to live in the country uninterruptedly as an autonomous community. When Antiochus Epiphanes forced his policy of hellenization upon them many defied his decrees. Those who opposed him were persecuted and put to death. The Judaeans were ready to die for the truth of their religion. They were the first martyrs in history. The persecutions by Antiochus Epiphanes against Judaism brought about a great religious revolt, which developed into a national war under the leadership of the Hasmonean family. It proved successful. In the year 142 BCE Judaea became an independent state. Simon the Hasmonean was elected high priest and ruler of the new independent State of Judaea. Simon during his rulership concluded a political alliance with the Romans.

About a century later, a civil war between the two brothers, John Hyrcanus and Aristobulus served as a pretext for Rome to intervene in the internal affairs in Judaea. Pompey the conqueror of Mithridates and Tigranes was in Syria in 63 BCE. He received deputations from the warring factions including a party that was opposed to any form of monarchy and who were willing to live under a foreign government as had their ancestors under Persia, the Ptolemies and the Seleucides. Pompey made war against Aristobulus, captured the Temple, abolished the independence of Judaea, and placed the country under the supervision of the governor of Syria. Gabinus, who succeeded Pompey, partitioned Judaea into five confederacies, *sunodoi*, *sunedria*, each of which had its capital. A similar policy was applied by Paulus the Roman general when he conquered Macedonia divided it into four confederacies, *sunodoi*, *sunedria*.

After Julius Caesar defeated Pompey and hence became the ruler of Rome, he appointed Hyrcanus as the high priest and ethnarch, thus making him the ruler of Judaea. Thus, he not only nullified Gabinus' division of Judaea, but he restored her independence. He prohibited the stationing of troops in Judaea for their winter quarters and the exacting of money and provisions for their Roman army. He placed Judaea among the states known as *Civitates sine foedere immunes et liberae*. These communities had self government, and no auxiliary troops could be stationed among them. They also had the right to impose custom duties. Caesar recognized the Judaeans as *socii et amici populi Romani*. Judaea became again an autonomous state, but a satellite country, subservient to the interests of Rome. When the Parthians conquered Syria they made Antigonus king of Judaea; Rome appointed Herod king. In the time of Augustus Caesar, Herod was a *rex socius*, an allied king.

In 70 CE, Vespasian conquered Judaea and terminated its political independence. The Jews however were not exiled from the land. The Romans punished only those who participated in the war against them. The Jews continued to live in Judaea under the rule of their religious Sanhedrin.

After the unsuccessful revolt against Hadrian (132-135 CE), the Jews were forbidden temporarily from entering Jerusalem, but they continued to live in their country. The center of Jewish life was shifted from the south to the north, Tiberias becoming the main seat of Jewish learning, and the seat of the religious Sanhedrin. But there were other cities to the south where Jewish learning flourished, in the city of Caesarea, and in Judaea proper, in the city of Lydda. The Jews continued to live in Judaea, Gaza, Ascalon and Azotus (Ashdod). Many Jews continued to live in Jerusalem. The Judaeans Christians who still followed many of the Jewish customs and celebrated Pascha (Easter) on the 14th day of Nisan had their church in Jerusalem.

After Hadrian suppressed the revolt, the name of Jerusalem was changed to *Aelia Capitolina*. This name however was not perpetuated. The country was renamed Palestine. The Roman historian Dio Cassius who lived after the Hadrian period still called the country Judaea. The Church Father Jerome, in his letters, refers to the country as Judaea. The Jews never designated their country Palestine. They called it *Eretz Israel*, the land of Israel. In other words, the Jews never abandoned title to their country.

In the fourth century when the Roman Empire was divided, Judaea, then known as Palestine, became a part of the Eastern Roman Empire, Byzantium. Although the Jews were greatly humiliated and persecuted, and their religion was only tolerated by the Church, they still continued to live in *Eretz Israel*, their land.

For a short interlude (from 615 to 636) Palestine fell to the Persians and then again to the Byzantians under Heraclius. Finally in 636 an Arab invasion sweeping in from the desert put an end to the rule of the Byzantians over Syria and Palestine (Judaea). Under the Arabs, the Jews were allowed to live in Jerusalem, to practice their religion under the guidance and control of their religious leaders, who enjoyed high status under the rule of the Caliphate. This was equally true under the Omayyad Caliphate that ruled from its capital in Damascus till 750 and the Abbasid Caliphate that established itself in Baghdad since 750. The families of these two dynasties, the Omayyades and the Abbasids, were not Palestinian Arabs but came from South Arabia. In 969 the Fatamids (Shiites) from Northern Africa conquered Egypt and soon afterwards Palestine, but about a century thereafter the Turks captured Jerusalem and restored it to the Abbasids Caliphs. In 1098 the Fatamids again reconquered Palestine.

In the year 1096 the first Crusade was organized to march on Palestine to retake the holy places from the Muslims. In 1099, Jerusalem fell before the Crusades. The capture of Jerusalem by the Christians was celebrated by savage butchery of Jews and Muslims alike. For a while Jerusalem became the center of the Latin Kingdom.

Saladin, in the year 1187, defeated the Crusaders near Hittin (Lower Galilee) and recaptured Jerusalem, thus ending the Latin Kingdom. The last hold of Christianity in the extreme north of Palestine was destroyed by the Egyptian Mamelukes in the year 1291.

The Mamelukes who were a dynasty of slaves composed of different races and nationalities took over power in Egypt. (The word Mameluke has the connotation of slave). They ruled Palestine for more than two centuries. Their domination over it came to an end with the advance of the Osman Turks. In 1517 Selim I captured Jerusalem and brought Palestine under the rule of the Turks.

Turkey, in the First World War, joined forces with Germany. The Allies therefore declared war against her. In October 1917, the Allied forces under the command of General Allenby captured Jerusalem.

This brief outline of the changing rulers of Palestine shows that the Jews never left Palestine which they called the Land of Israel, and also that the Palestinian Arabs or the Arabs of Transjordanian never ruled Palestine; it had been conquered by the Arabs who came from the desert. The Omayyades and the Abbasids were not natives of Palestine. Of course the Mamelukes and later the Turks were not Palestinian Arabs; they were not even Semites. On the other hand, the Jews never renounced the title to their homeland. There was never a period when there were no Jews in Palestine.

Now let us turn to Professor Toynbee: "As to any legal title to the ownership of Palestine, as distinct from the human title derived from long-standing possession of the country, none of the successive occupying peoples has any title unless we accept the barbarous claim that a valid legal claim can be derived from an act of military conquest." We here may agree with Professor Toynbee. Military conquest alone without a legal annexation is not valid. The Jews not only never gave up their title to Palestine, adhering to the country as *Eretz Israel*, but many remained to live in Palestine, even after the great catastrophe which befell them in the time of Hadrian; they were not considered *peregrini dediticii*, that is, aliens whose country had been conquered and who then had no homeland. When Emperor Caracalla conferred the Roman *civitas*, citizenship, on all aliens, excepting only the *peregrini dediticii* who had no country which they could claim as their own, the Jews were among those who did receive citizenship. They enjoyed all the rights in their land *Eretz Israel*, Palestine. They lived under their own religious administration, under a Patriarch, the head of the Jewish community in *Eretz Israel*. The Church Father Origen, who lived in the third century and spent some time in Palestine, observed that the Jews had their own Patriarch and their courts.

The Jews during this period had the privilege of accepting or declining public office in the Roman Government, a privilege which could not have been enjoyed by a people who had no country. The Jews continued to exercise the right of owning slaves as well as the right of manumission which *peregrini dediticii*, a people without a homeland, did not have.

The Roman authorities acknowledged the rule of the Jewish Patriarch. The Caesars recognized the authority of the religious Sanhedrin. *Peregrini* could not acquire property by *mancipatio*; they however could do so under *jus gentium*. The Jews, however, enjoyed their rights, not as individual

aliens, under *jus gentium*, but as an organized community in *Eretz Israel*, with their own Patriarch and their own religious codes. (The Jewish patriarchate was abolished through the influence of the Church). This proves that Romans, although they conquered the country, did not take away from the Jews the title to their land. Judaism was considered a *religio licita*, a lawful religion in Rome while all Eastern religious rites were prohibited. This privilege would not have been granted if the Jews did not have a homeland.

Though when the Romans conquered Judaea they appointed governors with armies, they were really armies of occupation for the purpose of suppressing any revolt or disturbances which might arise. According to international law, if a power conquers a country, the title to it passes from the vanquished people to the conqueror, either by treaty or even without treaty. In a country previously conquered whose conqueror was afterwards defeated by another power, the later conqueror acquires title to all the rights held by the previous government. When the Persians and later the Arabs conquered Palestine from the Romans they occupied the country, but could not annex the title which the Romans themselves did not have. When the Turks conquered Palestine from the Mamelukes they too held the country as an occupying power only. Thus the rights of the Arabs and the Turks to Palestine were based on possession but not on title. They never conquered Palestine from the Jews and the Jews never gave up title to the land Judaea.

Professor Toynbee concedes tentatively that a case could possibly be made for the legitimacy of the historical support for Jewish rights in Palestine: "An exponent of Jewish historical claims in Palestine may perhaps plead at this point that the establishment of the State of Israel in Palestine in 1948 was a legitimate implementation of a historical Jewish right. It was, it may be argued, the re-establishment of a past situation. In the past, there has been a series of Israelite and Jewish states in Palestine. The pre-Exilic kingdom of Israel and Judah, and the post-Exile Jerusalemic Temple state, Hasmonean kingdom. The previous existence of this series of states legitimates the present state of Israel, according to this argument..." Forthwith, however, he seeks to demolish such claims by projecting the legal principle of the statute of limitation: "When the Jewish historical claim to a special position for the Jews in Palestine is carried to the point at which its implementation inflicts wrongs and sufferings on the present-day Arab inhabitants, the Jewish claim runs up against the statute of limitation. This is an almost universally accepted principle of law. The principle is that ancient rights, even if valid originally, lose their validity in course of time if they have fallen into desuetude and have consequently been superseded by other rights that have been validated by a long period of usage."

Thus Professor Toynbee dismisses the Jewish historical rights in Palestine, which the Jews throughout the ages called *Eretz Israel*, the land of Israel, on the principle of the statute of limitations. He says, "This is an almost universally accepted principle of law." Professor Toynbee is certainly aware that the principle of the statute of limitations does not apply to all crimes. It does not apply to homicide. Neither is the principle of statute of limi-

tations applicable to peoples whose countries were taken away from them by force as long as they have not relinquished their legitimate rights. Poland was first divided in the latter part of the 18th Century. Finally, in the second decade of the 19th Century, it was divided among Russia, Prussia and Austria. Poland ceased to exist as a political state, but its national consciousness was not destroyed. After the First World War, when the Allies were victorious over Germany and Austria, Poland regained her political independence. The statute of limitations was not applied. Lithuania ceased to exist as an independent state at the end of the Middle Ages. At the time of the First World War much of her land was inhabited by Poles and Russians. After the victory of the Allies Lithuania became an independent state: the principle of statute of limitations was not applied. Many other examples can be cited. This principle is not applicable to peoples whose countries were taken by force and who never relinquished their rights to their country, regardless of whether their countries were conquered a hundred, five hundred or eighteen hundred years ago. Thus Toynbee's statement in dismissing the Jewish rights in Palestine on the basis of the statute of limitations is neither historically nor legally correct.

Professor Toynbee's opposition to the State of Israel leads him to attack the jurisdiction of the United Nations: "The United Nations, as so far constituted, has no jurisdiction over the internal affairs of any country, and to decree that a country shall be partitioned is certainly an interference with its internal affairs."

Again let us review the facts. Palestine was a part of the Turkish Empire. In the First World War, she joined with Germany. After the conclusion of the war, the League of Nations which was created by the Treaty of Versailles in the year 1919 empowered England to administrate Palestine.

In November 1917 Balfour issued a declaration in the name of the government which reads in part: "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people." In consequence of the Balfour Declaration, many Jews began to immigrate to Palestine. This greatly displeased some of the Arab leaders and led to violence on their part. In 1929 they organized a bloody massacre of the Jews in Hebron. The Arab leaders resisted the Jewish immigration, because they believed that it would undermine the Arab economy. On the contrary, we know from the Greek and Roman historians during the Hellenistic and Roman period the Jews made Judaea (Palestine) a very wealthy country, one of the wealthiest in Asia Minor. It had been a desert since it was overrun by the different califs and the Turks. When the Jewish immigrants started to come to Palestine they found the country, particularly Galilee, infested with malaria. They had to fight the very elements to make the land again flourish. Their coming not only did not impoverish the Arabs but brought them wealth.

After the Second World War, the Jews appealed to the mandatory government to facilitate immigration, particularly of those who survived the gas chambers and were still interned in concentration camps. The Arabs opposed this and persuaded the mandatory government to keep the immigration to a minimum. This led to further acts of violence on the part of the Arabs and the Jews and also the mandatory government.

England, tired as it were from sitting on a powder keg, decided to submit the question of Palestine to the United Nations, which was the heir of the League of Nations. In the spring of 1947 the United Nations sent a committee of investigation to Palestine. A majority spoke in favor of partitioning Palestine into independent Arab and Jewish states. The Arabs strongly opposed the idea, and neither were the Jews very happy. On November 29, 1947, the United Nations General Assembly voted in favor of partition. The Arabs were bitter, while the Jews accepted this resolution. England refused to carry out the resolution of the United Nations unless it had the consent of both the Arabs and the Jews.

England announced that it would resign its Mandate over Palestine on May 15, 1948, when it would draw out all troops from the country. Chaos broke loose in Palestine. In February 1948 an army under Fauzi el Kaukji entered Palestine from the north. This army received supplies from the Arab League. In March and April serious fighting took place between the Arabs and the Jews. In spite of their lack of equipment the Jews emerged the victors, they too suffered heavy losses. The aim of the Arabs was to prove that the United Nations' decision caused chaos and was unworkable.

In May 1948 the State of Israel was proclaimed. The surrounding Arab states, comprising Egypt, Transjordan, Syria, Lebanon and Iraq, now attacked her. Their army was completely routed by the newly organized army of Israel and they were forced to ask for a truce.

Where then is the logic of Professor Toynbee's contention that the United Nations has no jurisdiction to interfere in the internal affairs of Palestine? The League of Nations originally entrusted the mandate over Palestine to England. Since she relinquished her mandate, the United Nations, the heir of the League of Nations, had the jurisdiction to transfer Palestine to other agencies, which they did by partitioning it between the Arabs and the Jews.

Dr. Toynbee's animus toward Israel leads him from illogical positions to absurdity. Thus he says, "For instance, the Government of Continental China were one day to expel the Kuomintang Chinese from Taiwan, and if the United Nations were then to decree that the state of Delaware should be detached from the United States and should be placed at the disposal of the Kuomintang Chinese refugees, it is certain the United States would deny that the United Nations possessed jurisdiction, and that it would resist by force of arms any attempt, made in pursuance of this imaginary decree of the United Nations, to install the Chinese refugees in Delaware in place of the present American population of the state." What a pitifully absurd parallelism! It would be interesting to know how many Kuomintang Chinese lived in the State of Delaware before the United States became a nation.

Professor Toynbee accuses the Jews of expelling the Arabs from Palestine. This is historically not true. In the Declaration of Independence of Israel one paragraph reads as follows: "WE APPEAL - in the very midst of the onslaught launched against us for months - to the Arab inhabitants of the State of Israel to preserve peace and participate in the upbuilding of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions." The leaders of Israel made

every effort to persuade the Arab population to stay and to pursue their normal life.

The blame for the exodus of the Arabs from Palestine must be put on their leaders who urged them to leave their country. The leaders of the Arab League labelled all who remained in the country traitors. They assured them that their stay in the neighboring, brotherly States would be temporary. They promised them they would soon be able to return, and all the millions that the Jews had spent on land and on economic development would surely be easy booty for them, since it would be a simple matter to throw them to the bottom of the Mediterranean Sea. Only about 20% of the Moham-medan Arabs and about 50% of the Christian Arabs remained in the country. The entire Drusian Community remained in the State of Israel.

The sufferings of the Arab refugees invoke the sympathy of all men of good will, Jew, Muslim and Christian. This however can be solved in a peaceful manner by both Israel and the neighboring Arab states. The Karelians have been absorbed by the Finns when Karelia was annexed by the Soviet Union, and West Germany absorbed the refugees of Silesia when it was annexed to Poland. With good will of both parties a solution can be found and must be found.

Professor Toynbee's bias against the Jews is revealed in all his writings concerning them. In his newly published book *Reconsideration*, he writes: "In the Jewish Zionists I see disciples of the Nazis." Pace Professor! How many Zionists put Christians into gas chambers? Such a comparison is a libel upon the Zionists and an insult to the intelligence of the readers of his book.

Professor Toynbee denies that he is an anti-Semite: "I have never felt any inclination to be anti-Semitic." Perhaps so. But he certainly has a distaste for Hebrew and he has no interest in Hebrew literature. "I have never learned even a smattering of Hebrew," he says, "Since childhood Hebrew has left me cold, whereas I have had a passionate desire to learn Arabic." "I am ignorant of the Rabbinical Jewish literature and of the Jewish philosophy that flourished in an early Islamic and a medieval Western cultural environment. I know of the Pharisees, not through their own writings, but through the denunciations of them in the Gospels."

Yet he presumes to write about the Pharisees and about the history of a people whose literature he admits he does not know. Popular writers and dilettantes may depend on secondary literature, but not a serious historian. He knows the Pharisees through the denunciations of them in the Gospels. Could an unprejudiced American historian write objectively about the Democratic Party relying upon the attacks of the Republicans during an election campaign? Or vice versa? A serious historian must make use of the literature of both parties, otherwise he writes propaganda and distorted history.

Professor Toynbee's lack of knowledge of Jewish life is evident throughout his writings. He says: "And Ituraeans were forcibly circumcised." Josephus in his book *Ant.* 13.11.3 (318) wrote when Aristobulus conquered the Ituraeans he gave them a choice, either to leave the country or to follow the normal life of the Judaeans and be circumcised, if they wished to stay. He sought

to do away with some of the cruelties of war. In ancient times when the Greeks and Romans conquered a city they either slaughtered all the people or sold them into slavery. Aristobulus acted in a more humane manner.

Prof. Toynbee asserted that "Idumaeen contingent gave Jewry Herod; the Galilaean contingent gave Jesus." Professor Toynbee does not go into the historical forces that brought about the rule of Herod and the coming of Jesus. Professor Toynbee further asserts, "Jesus was not a Christian; he was a Jew in belief and practice, though, being a Galilaean, he may have been a gentile by descent." By implication he seeks to convey that Jesus was not a Jew by birth. He thus raises the racial question advanced by the well known anti-Semite H.S. Chamberlain and others. Here he rejects the accounts of Matthew and Luke who trace the genealogy of Jesus to King David, and even Mark who while he does not give the genealogy of Jesus states that Jesus was of the family of David. Paul also said that Jesus was of the seed of David. "Of this man's (David) seed hath God according to his promise raised unto Israel a Saviour, Jesus." If Jesus was of the seed of David he could not have been "a gentile by descent." John, who does not trace the genealogy of Jesus to David, maintains that he is the Son of God. According to John's opinion, neither could Jesus have been born of Galilaean gentiles.

No one denies that Professor Toynbee has the privilege of rejecting the accounts of the birth of Jesus, as recorded in the Gospels, but he supports himself on the accounts about the controversies between Jesus and the Pharisees. He cannot reject one and accept another.

Prof. Toynbee follows this with another statement: "There is no evidence that he (Jesus) was not an orthodox Jew." Apparently Prof. Toynbee does not know the definition of an orthodox Jew. "The claims to divinity," he says, "that are put in his (Jesus') mouth in the Gospels are not evidence of this; they are evidence only of what his Christian adherents in the next generation believed about him. This belief is blasphemous in terms of Judaism; but the blasphemy is Christian: Jesus himself cannot be convicted of it. Jesus was not a Pharisee; but a Jew could be an orthodox Jew without being a Pharisee in Jesus' time, as he can today." As a matter of fact an orthodox Jew is one who follows the laws enacted by the Pharisees and interpreted by the later rabbis. If he does not follow these laws he is a Jew, but not an orthodox Jew.

Professor Toynbee partially retracted his shocking description of Judaism as a fossil religion. He now states that "the contemporary Reform, Conservative, and Liberal movements in the Jewish diaspora have been 'defossilising their practice of Judaism... The unwritten Torah was dormant for 1,400 years, from the date of the closing of the Babylonian Talmud till the 'emancipation' of the Jews in the West in the Napoleonic Age." He apparently never heard of Rashi and Maimonides and other great Rabbinic luminaries during the Middle Ages. The Torah was not dormant for 1,400 years; it is Professor Toynbee who has not been awake to realize the spirit and the development of Judaism. During the Middle Ages a school of commentators on the Bible developed; great poets were produced by the Jews. A system of theology was formulated, to mention only one, that by

Maimonides, whose book, *The Guide for the Perplexed*, exerted great influence on the Christian theologians. Thomas Aquinas who in his lifetime was accepted by the Dominicans as the greatest authority in theology, was influenced by Maimonides' works.

These are only a few instances of his many misstatements and distortions of the history of the Jewish people.

Some reviewers praised his writings, saying that although he did not present microscopic details, he did present a true panorama. A panorama is true only when the details are authentic. When details are misrepresented and distorted the panorama cannot be true. Professor Toynbee's approach to history, his very method of writing history is fundamentally unsound. His writings are conditioned by personal bias, which may make them attractive as art. But they are dangerously misleading.

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LAND OWNERSHIP IN PALESTINE 1880 - 1948.

A great deal has been spoken and written over the years on the subject of land ownership in Israel - or, before 1948, Palestine, and conclusions have been drawn (or implied) with regard to (a) the sovereign rights of the State of Israel, and (b) the problem of the Arab refugees.

Our purpose, in this paper, is to marshal the facts pertaining to this very complex subject on the basis of the most reliable and authoritative information available, and to retrace the history of modern Jewish resettlement purely from the point of view of the sale and purchase of lands.

Pre-1948 conditions in Palestine.

A study of Palestine under Turkish rule shows that from the beginning of the 18th century, long before Jewish land purchases and immigration began - the position of the Palestinian fellah (peasant) had begun to deteriorate. The burden of taxation, on top of chronic indebtedness to moneylenders, led a growing number of farmers to place themselves under the protection of men of wealth or of the Moslem religious endowment fund (Waqf), with the result that they were eventually compelled to give up their title to the land, if not their actual residence upon it and cultivation of it.

Until the passage of the Turkish Land Registry Law in 1858, there were no official title deeds to attest to a man's legal title to a parcel of land; tradition alone had to suffice to establish such title - and usually it did. And yet, the position of Palestine's farmers was a precarious one for there were constant blood-feuds between families, clans and entire villages, as well as periodic incursions by rapacious Bedouin tribes, such as the notorious Beni Sak's, of whom H.B. Tristram (The Land of Israel: A Journal of Travels in Palestine, Society for Promoting Christian Knowledge, London, 1865) wrote that they "can muster 1,000 cavalry and always join their brethren when a raid or war is on. They have obtained their present possessions gradually and, in great measure, by driving out the fellahin (peasants), destroying their villages and reducing their rich corn-fields to pasturage." (page 488).

Two pages further on Tristram provides a highly revealing description of conditions in Palestine, on both sides of the River Jordan, in the middle of the 19th century. "A few years ago, the whole Ghor was in the hands of the fellahin and much of it cultivated for corn. Now the whole of it is in the hands of the Bedouin, who eschew all agriculture, excepting in a few spots cultivated by their slaves. With the Bedouin come lawlessness and the uprooting of all Turkish authority. No government is now acknowledged on the east side and unless the Porte acts with greater firmness and caution than is his wont...Palestine will be desolated and given up to the nomads.

The same thing is now going on over the plain of Sharon, where, both in the north and south, land is going out of cultivation, and whole villages rapidly disappearing. Since the year 1838, no less than 20 villages have been thus erased from the map and the stationary population extirpated. Very rapidly the Bedouin are encroaching and the Government is powerless to resist them or to defend its subjects."

For descriptions of other parts of the country, we are indebted to the 1937 Report of the Palestine Royal Commission - though, for lack of space, we can quote but the briefest passages. On page 233, the Report quotes an eye-witness account of the Maritime Plain in 1913:

"The road leading from Gaza to the north was only a summer track suitable for transport by camels and carts...no orange groves, orchards or vineyards were to be seen until one reached Yabna village...not in a single village in this area was water used for irrigation...

The area north of Jaffa...consisted of two distinctive parts... The Eastern part resembled that of the Gaza-Jaffa area...the Western part, was almost a desert... the villages in this area were few and thinly populated. Many ruins of villages were scattered over the area, as, owing to the prevalence of malaria, they had been deserted by their inhabitants..."

The Hulah basin, below the Syrian border, is described as "including a number of Arab villages and a large papyrus swamp draining south into Lake Huleh... a triangular strip of land some 44 sq. miles in area... This tract is irrigated in a very haphazard manner by a network of small, primitive canals. It is, owing to over-irrigation, now the most malarious tract in all Palestine. It might become one of the most fertile".

With regard to yet another region in Palestine - the Beisan (Beth-Shean) area, we quote from the Report of Mr. Lewis French, Director of Development appointed by the British Government in 1931:

"We found it inhabited by fellahin who lived in mud hovels and suffered severely from the prevalent malaria. Large areas of their lands were uncultivated and covered with weeds. There were no trees or vegetables. The fellahin, if not themselves cattle thieves, were always ready to harbour these and other criminals. The individual plots of cultivation changed hands annually. There was little public security, and the fellahin's lot was an alternation of pillage and blackmail by their neighbours the Bedouin."

The Palestine picture in the closing decades of the 19th century and up to the First World War was one of desert with nomads continually encroaching on the settled areas and its farmers. There was a lack of elementary facilities and equipment; the peasants wallowed in poverty and disease, inundated by debt (interest rate at times were as high as 60%) and threatened by warlike nomads or neighbouring clans. The net result was growing neglect of the soil and a flight from the villages with a mounting concentration of lands in the hands of a small number of large landowners, frequently residing in Beirut, Damascus, Cairo or Kuwait.

The Palestine peasant was being dispossessed by the local sheikh and village elders, the Government tax-collector, the merchants and money-lenders; and, when he was a tenant-farmer (as was usually the case) by the absentee-owner. By the time the season's crop has been distributed among all these, little if anything remained for him and new debts generally had to be made to pay off the old. Until the Bedouin came along and took their "cut" or drove him off the land altogether.

LAND PURCHASES

According to the Turkish census of 1875, Jews already by that date constituted a majority of the population of Jerusalem and by 1905, comprised two-thirds of its citizens (Enc. Brit. 11th ed. 1910 gives the population figures as 60,000 of whom 40,000 were Jews). This explains why the first modern Jewish farming village in Palestine was founded by a group of old-time Jewish families leaving the overcrowded Jewish quarter in Jerusalem, not by European refugees.

These first farmers founded the village of Petach Tikva in the Sharon Plain in 1878. Four years later a group of pioneering immigrants from Russia settled in Rishon-le-Zion. Other farming villages followed in rapid succession.

When considering Jewish land purchase and settlement, four factors should be borne in mind:

- 1) Most of the Jewish land purchases involved large tracts belonging to absentee-owners. (Virtually all of the Jezreel Valley, for example, belonged in 1897 to two people: the eastern part to the Turkish Sultan, the Western to the richest banker in Syria, Sursuk "the Greek".
- 2) Most of the land purchased had not been cultivated previously because it was swampy, rocky, sandy or for some other reason regarded as "uncultivable". This is supported by the findings of the Peel Commission (Report p.242). "The Arab charge that the Jews have obtained too large a proportion of good land cannot be maintained. Much of the land now carrying orange groves was sand dunes or swamp and uncultivated when it was purchased... there was at the time at least of the earlier sales little evidence that the owners possessed either the resources or training needed to develop the land".
- 3) While for this reason, the early transactions did not involve unduly large sums of money, the price of land began to rise as Arab land-owners took advantage of the growing demand for rural tracts. The resulting infusion of capital into the economy had beneficial effects on the standard of living of all the inhabitants.
- 4) The Jewish pioneers introduced new farming methods which improved the soil and crop cultivation and were soon emulated by Arab farmers.

The following figures show land purchases by the three leading Jewish land-buying organizations, as well as by individual Jews between 1880 and 1935:

<u>Organization</u>	<u>Land Acquired</u>	<u>From Government Concessions</u>	<u>From Private Landowners</u>	<u>% Large Tracts*</u>
PICA(Palestine Jewish Colonization Association)	469,407 dunams**	39,520	429,887	293,545 - nearly 70%
Palestine Land Development Co.	579,492	66,513***	512,979	455,169 - nearly 90%
Keren Kayemet Le-Israel (Jewish National Fund)	<u>Until 1930</u> <u>1931-1947</u>		270,084 566,312	239,170 - nearly 90% 50%
Individual Jews			432,100	50%

* The large tracts often belonged to absentee landlords

** 4 dunams - 1 acre

*** Land situated in the sandy Beersheba and marshy Hulah districts

"The total area of land in Jewish possession at the end of June 1947" writes A. Granott in The Land System in Palestine (Eyre and Spottiswoode, London, 1952, p.278) "amounted to 1,850,000 dunams; of this 181,100 dunams had been obtained through Concessions from the Palestine Government and about 120,000 dunams had been acquired from Churches, foreign companies, Government (otherwise than by concessions) and so forth. It was estimated that 1,000,000 dunams, or 57%, had been acquired from large Arab landowners. Together these account for 73% of the purchases. From the fellahin, about 500,000 dunams were purchased, or 27% of the total land acquired."

LEAGUE OF NATIONS MANDATE

When the League of Nations conferred the Mandate for Palestine upon Great Britain in 1922, it expressly stipulated that "The Administration of Palestine... shall encourage close settlement by Jews on the land, including State Lands and waste lands not required for public purposes" (Article 6) and that it shall "introduce a land system appropriate to the needs of the country, having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land". (Article 11).

Actual British policy was not in accordance with the terms of the Mandate. Of some 750,000 dunams of cultivable State Lands, 350,000 - or nearly half - had been allotted to Arabs by 1939 and only 17,000 dunams to Jews. This was in clear violation of the terms of the Mandate. Nor did it help the Arab peasants for whose benefit these transactions were ostensibly carried out.

Two examples of this policy are the case of the Beisan lands and that of the Hulah Concession.

Beisan Lands. Under the Ghor-Mudawwarra Agreement of 1921, some 225,000 dunams of wasteland - potentially fertile - in the Beisan (Beit Shean) area were handed to Arab farmers on terms severely condemned, not only by Jews, but by such British experts as Lewis French and Sir John Hope-Simpson. More than half of the land was irrigable, and, although even according to British expert opinion, eight dunams of irrigated land per capita (or 50-60 per family) was sufficient to maintain it on the land, many farmers received far more than this. Six families (of whom two lived in Syria) received a combined area of about 7,000 dunams; four families (some living in Egypt) received a combined area of 3,496 dunams; another received 3,450, and yet another 1,350.

Thus the Ghor-Mudawwarra Agreement was instrumental in creating a new group of large landowners. These owners, saddled with huge tracts, most of which they were unable to till, began to sell the surplus lands at speculative prices.

Hulah Area. From 1914 to 1934, the Hulah Concession - some 57,000 dunams of partly swamp infested but potentially highly fertile land in Northeastern Palestine - was in Arab hands. The Arab concessionnaires were to drain and develop the land to make additional tracts available for cultivation, under very attractive terms offered by the Government (first Turkish, then British). This was never done and in 1934 the Concession was sold to a Jewish concern, the Palestine Land Development Company, at an outrageous profit, for £192,000. Several onerous conditions were added by the Government concerning the amount of land (from the newly drained and developed tracts) that was required to be handed over - without reimbursement for costs of drainage and irrigation - to Arab tenant farmers in the area.

Official records show £854,796 to have been paid by Jewish individuals and organizations for Arab lands (mostly large estates) in 1933; in 1934 the figure was £1,647,836 and, in 1935 £1,699,488. Thus, in the course of three years, £4,202,180 (at the then rate of exchange more than 20 million dollars) was paid out to large Arab landowners. (Palestine Royal Commission Report, 1937, p.91).

To understand the order of prices paid for these lands, we need only to look at some comparative figures: in 1944, Jews paid \$1,000-\$1,100 per acre in Palestine, mostly for arid or semi-arid land. In the same year the rich black soil in Iowa was selling for about \$110 per acre (U.S. Dept of Agriculture).

EFFECTS ON ARAB POPULATION.

In those instances where Arab tenant-farmers were displaced - on one year's notice - as a result of land purchases, compensation in cash or other land was paid as required by the 1922 PROTECTION OF CULTIVATORS ORDINANCE, the Jewish land-buying associations often paying more than the law required.

Of 688 such tenants between 1920 and 1930, 526 remained in agricultural occupations, some 400 of them finding other land. (Palestine Royal Commission Report, 1937, p.240. Pollack and Boehm: Keren Kayemet LeIsrael.)

Investigations initiated in 1931 by Mr. Lewis French disposed of the charge that a large class of landless or dispossessed Arab farmers was created as a result

of Jewish land purchases. According to the British Government report (Memoranda prepared by the Government of Palestine, London 1937 Colonia No. 133 p.37) the total number of applications for admission to the register of landless Arabs was 3,271. Of these, 2,607 had been disallowed on the ground that they did not come within the category of landless Arabs. Valid claims were recognized in the case of 664 heads of families, of whom 347 accepted the offer of resettlement by the Government. The remainder refused because they had found satisfactory employment elsewhere or were not accustomed to irrigated cultivation or to the climate of the of the new areas.

Purchases of land by Jews in the hill country had always been very small and, according to the investigations by Mr. French, of 71 applications by Arabs claiming to be landless, 68 were rejected.

ARAB POPULATION CHANGES RESULTING FROM JEWISH SETTLEMENT.

Statistics published in the Palestine Royal Commission Report (p.279) indicate a remarkable phenomenon: Palestine, traditionally a country of Arab emigration, became after World War I, a country of Arab immigration. In addition to recorded figures for 1920-36, the Report devotes a special section to Arab illegal Immigration. Altogether, the non-Jewish element in Palestine (excluding Bedouin) grew by more than 75% between 1922 and 1929.

There are no precise totals on the extent of Arab immigration between the two World Wars; it was estimated that by 1939 at least one-third of the Arab population were newcomers. The principal cause of the change of direction was Jewish development, creating new and attractive opportunities for work and, in general, a standard of living unknown in the Middle East.

Another major factor in the rapid growth of the Arab population was of course the rate of natural increase, among the highest in the world. This was even further accentuated by the steady reduction of the previously high infant mortality rate and improved health and sanitary conditions, introduced by the Jews.

Jewish development served not only as an incentive to Arab entry into Palestine from neighbouring countries, but to Arab population movements within the country to cities and areas where there was a large Jewish concentration. Some idea of this may be gained from official figures:

Changes in towns: The Arab population in predominantly Arab towns rose only slightly between the two World Wars: Hebron from 16,650 in 1922 to 22,800 in 1943; Nablus from 15,931 to 23,300; Jenin from 2,637 to 3,900; Bethlehem from 6,650 to 8,800.

In the three major Jewish cities, the Arab population shot up during this period, far beyond the rate of natural increase: Jerusalem from 28,571 in 1922 to 56,400 (97%); Jaffa from 27,437 to 62,600 (134%); Haifa from 18,404 to 58,200 (216%).

Changes in rural areas: The population of the predominantly Arab Beersheba district dropped between 1922 and 1939 from 71,000 to 49,000 (the natural increase rate would have dictated a rise to 89,000). In the Bethlehem district the figure increased from 24,613 to 26,000. In Hebron it rose from 51,345 in 1922 to 59,000 in 1930 (the natural increase rate would have shown 72,000).

In the Nazareth, Beth-Shean, Tiberias and Acre districts - where large-scale Jewish settlement and rural development was underway - the figure rose from 89,600 in 1922 to 151,000 in 1938 (by about 4.5% a year as against a natural increase rate of 2.5-3%).

In the largely Jewish Haifa area during the same period the number of Arab peasants increased by 8% a year. In the Jaffa and Ramla districts (heavily Jewish populated), the Arab rural population grew from 42,300 to some 126,000 - an annual increase of 12%, or more than four times as much as could be explained by natural increase. (Y. Shimoni, *The Arabs of Palestine*, Tel Aviv 1947, p.422; Palestine Royal Commission Report, p.93).

One factor influencing the Arab gravitation towards Jewish inhabited areas - and from neighbouring countries to Palestine - was the incomparably higher scale of wages prevailing.

WAGE SCALES 1943

	<u>Unskilled worker</u>	<u>Skilled worker</u>
Palestine	220-250 mil	350-600 mil
Egypt	30- 50	70-200
Syria	80-100	150-300
Iraq	50	70-200

(A. Klonsky: *Brit Poalei Eretz Yisrael*, 1943, p.25).

The capital received by Arab landowners was used for improved and intensified cultivation or invested in other enterprises. Turning again to the Report of the Royal Commission (p.93) we find the following conclusions: "The large import of Jewish capital into Palestine has had a general fructifying effect on the economic life of the whole country. The expansion of Arab industry and citriculture has been largely financed by capital thus obtained. The reclamation and anti-malaria work undertaken in Jewish settlements have benefited all Arabs in the neighbourhood... The increase in Arab population is most marked in areas of Jewish development."

During World War II, the Arab influx mounted apace as is attested by the UNWRA Review, Information Paper No.6. (September 1952).

"A considerable movement of people is known to have occurred, particularly during the second World War... These wartime prospects and, generally, the higher rate of industrialisation in Palestine attracted many immigrants from the neighbouring countries and many entered Palestine without their presence being officially recorded."

LAND OWNERSHIP IN 1948.

The claim is often made that in 1948 a Jewish minority owning only 5% of the land of Palestine, made themselves masters of the Arab majority which owned 95% of the land.

In May 1948 the State of Israel was established in only part of the area allotted by the original League of Nations Mandate. 8.6% of the land was owned by Jews, 3.3% by Israeli Arabs and 16.9% had been abandoned by Arab owners. The rest of the land - over 70% had been vested in the Mandatory Power and, accordingly, reverted to the State of Israel as its legal heir. (Government of Palestine, Survey 1946, British Gov. Printers, p.257).

The greater part of this 70% consisted of the Negev area, some 3,144,250 acres. Known as Crown or State Lands, this was mostly uninhabited arid or semi-arid territory, inherited originally by the Mandatory Government from Turkey.

In 1948 this passed to the Government of Israel. These lands had not been owned by Arab farmers - neither under the British Mandate nor the preceding Turkish regime. They were now developed by Jewish-and Bedouin-settlers.

ISRAEL ACADEMIC COMMITTEE ON THE MIDDLE EAST, JERUSALEM.

AMERICAN ZIONIST YOUTH FOUNDATION, INC.

515 PARK AVENUE NEW YORK, N.Y. 10022 HA 1-4120

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