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QUESTION OF AN INTERNATIONAL REGIME FOR JERUSALEM AREA AND PROTECTION OF THE HOLY PLACES

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Working paper prepared by the President of the Trusteeship Council

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Note by the Secretariat:

The present working paper is reproduced at the request of the President of the Trusteeship Council in accordance with the Council's Resolution 113(2-S) of 19 December 1949 on the completion of the preparation of the Statute of the City of Jerusalem (T/426).

Part I is identical with the suggestions made by the President in his statement to the Council on 30 January, 1950. Part II contains the only communication received from a Member Government which contained suggestions for the President's consideration, although a note was received from the United Kingdom delegation reserving the right of that Government to submit its views at a later date. Part III contains in extenso important communications received by the President from other sources.

I. SUGGESTIONS SUBMITTED BY THE PRESIDENT OF THE TRUSTEESHIP COUNCIL CONCERNING THE INTERPRETATION TO BE GIVEN TO THE GENERAL ASSEMBLY RESOLUTION OF 9 DECEMBER 1949 IN MAKING THE NECESSARY CHANGES IN THE DRAFT STATUTE DRAWN UP BY THE TRUSTEESHIP COUNCIL IN APRIL 1948

1. The territory of Jerusalem would be constituted as a "corpus separatum" with the boundaries indicated in the General Assembly's resolutions of 19 November, 1947, and 9 December, 1949, and placed under a permanent international regime ensuring the demilitarisation and neutralisation of this zone, free access to the Holy Places, full freedom of movement throughout the territory and the integrity of, and respect for, the Holy Places and religious buildings and sites.

2. The territory would also be constituted an economic free zone and the authorities would have no power to collect any duty on goods or merchandise entering or leaving it. Goods consigned to, or coming directly from, Jerusalem and passing through Israeli or Jordanian territories in Palestine would be exempt from all import and export duties and could only be subject to a possible transit charge.

The Governor of the Holy Places would agree with the State of Isreal and the Hashemite Kingdom of the Jordan on all necessary measures to ensure the smooth working of the special economic regime in the interests of all parties concerned.

3. The Territory of Jerusalem would be divided into three parts:

- (a) The Israeli zone under the authority and administration of the State of Isreal.
- (b) The Jordanian zone under the authority and administration of the Hashemite Kingdom of the Jordan.
- (c) The "International City" would be placed under the collective sovereignty of the United Nations and administered, under the supervision and responsibility of the Trusteeship Council, by a Governor of the Holy Places appointed by the Council.

Practically the whole of the New City, together with the station and the railway from Jerusalem to Tel-Aviv, would remain under the sovereignty of Isreal.

The Arab quarters of the Old City, together with the Haram-el-Sherif, the Wadi-el-Joz and Bab-el-Zahira sections, the American colony, the whole of the Jericho road, the Nablus road to the north of Sheik Jarrah and the Hebron road to the south of Bethlehem would remain under the sovereignty of Jordan.

The "International City" consisting of land taken in almost equal parts from the occupation zones defined by the Armistice Agreement between Isreal and the Jordan, would include all the Holy Places covered by the "status quo" of 1757.

4. The Governor of the Holy Places would ensure that the provisions of the statute relating to the demilitarisation and neutralisation of the Territory of Jerusalem, to the free economic regime, to freedom of access to the Holy Places, to full freedom of movement throughout the Territory, and to the integrity of and respect for the Holy Places and religious buildings and sites were duly observed by the State of Isreal and the Hashemite Kingdom of Jordan in their respective zones of administration.

5. Until such time as the two States have established their common frontier across the territory of Jerusalem, where they are not separated by the boundaries of the International City, a provisional line of demarcation would be drawn by agreement between the two States and, if necessary, with the assistance of the Governor of the Holy Places.

The Governor of the Holy Places would intervene, if necessary, to settle any dispute arising between the authorities of the two neighbouring States in the territory of Jerusalem.

6. The inhabitants of the International City could either retain their present nationality or opt for citizenship of the International City. They would elect, by universal suffrage, a municipal council whose composition would be determined in such a manner as to ensure equitable representation of the various religions, and which would administer the International City under the supervision of the Governor of the Holy Places.

The Governor of the Holy Places would accredit representatives to the State of Isreal and to the Hashemite Kingdom of the Jordan to ensure the protection in those States of the interests of the International City and its citizens.

7. The Governor of the Holy Places would be assisted by a General Advisory Council whose composition would have to be determined, and whose main function would be to ensure good relations between the various religions and to settle religious disputes. He would also be assisted by three Commissions for the Holy Places, religious institutions and sites, responsible for ensuring the good order and maintenance of the Holy Places with which they were respectively concerned, and the integrity of, and respect for, acquired rights in respect of religious institutions. Any dispute between the Commissions which could not be settled by direct agreement between the parties concerned, would be brought before the General Advisory Council.

8. The Governor of the Holy Places would also exercise, on behalf of the United Nations, the right to protect the Holy Places, religious institutions and sites, situated outside the Holy City in any part of Palestine, in accordance with the provisions of Article 37 of the Draft Statute prepared by the Trusteeship Council in April 1948.

9. In the exercise of his powers in respect of the Holy Places, religious institutions and sites, he would ensure, in the International City of Jerusalem, the integrity of, and respect for, existing rights, which could not be subject to either supervision or impairment. He would also ensure that such rights were similarly respected throughout the "corpus separatum", under conditions to be fixed by agreement between the State of Isreal and the Hashemite Kingdom of the Jordan.

10. The Governor of the Holy Places would direct the external affairs of the International City.

11. He would have at his disposal an international Police Force recruited by him without distinction as to nationality.

12. Justice in the International City would be administered by a court of first instance and by a supreme court. The Chief Justice of the Supreme Court would be appointed by the Trusteeship Council and would in turn appoint the other officers of both courts by agreement with the Governor of the Holy Places.

13. The International City would fly the flag of the United Nations.

14. The Statute would remain in force for a period of ten years, in the first instance, unless the Council thought it necessary to review its provisions at an earlier date, in which case the Council would amend those provisions as it thought fit.

On the expiry of the ten-year period referred to in the preceding paragraph, the whole of the Statute would be reviewed by the Trusteeship Council in the light of the experience acquired during the application of its provisions. The population of the International City would then be entitled to make known, by referendum, their views on possible changes in the regime of the City. The Trusteeship Council would in due course prescribe the procedure for carrying out the referendum.

II. COMMUNICATIONS FROM MEMBER GOVERNMENTS

1. Letter dated 4 January 1950 from the Permanent Representative of Egypt to the United Nations to the President of the Trusteeship Council

With reference to the resolution adopted by the Trusteeship Council at its seventh meeting on Monday 19 December 1949, inviting the States participating without vote in the deliberations on the question of Jerusalem to present their views on the provisions of the draft Statute, I have the honour to transmit to you herewith the suggestions and observations formulated by the Arab League Committee for Palestine and endorsed by the Egyptian Government.

(1) BALANCE OF POPULATION - To maintain the balance of population between the two demographic elements as at 29 November 1947, the population residing in Jerusalem should be frozen as at that date, the inhabitants then possessing Palestine nationality to be regarded as Jerusalem citizens enjoying full rights of citizenship rights. Those not so qualified, and those who have established themselves at Jerusalem since 29 November 1947, would be considered merely as residents.

(2) TRANSFER OF LANDS - With the object of ensuring the welfare of all inhabitants of the Jerusalem zone, an appropriate clause should be included in the Statute to maintain the proportion of urban and rural property between the two elements of the population at its figure on 29 November 1947.

(3) THE JERUSALEM ZONE'S QUOTA OF PALESTINE PROPERTY AND REAL ESTATE - The Statute of Jerusalem should embody the zone's right to its due quota of the property of the former Palestinian administration, such as monetary reserves and cover for currency notes etc., and of the real estate and public utilities of the whole of Palestine.

(4) WAQF PROPERTY - The Statute of Jerusalem should provide safeguards for Waqf property, wherever located, which is used by religious, humanitarian and cultural institutions in the Jerusalem zone, by ensuring its unhindered exploitation and the enjoyment by the beneficiaries of the income derived from it.

(Signed) M. FAWZI

III. COMMUNICATIONS FROM CHURCHES AND QUALIFIED ORGANIZATIONS

1. Letter dated 31 December 1949 from the Greek Orthodox Archbishop in North and South America to the President of the Trusteeship Council.

In accordance with the Resolution adopted by the Trusteeship Council on December 19, 1949 I have the honour to submit herewith for your and the Council's consideration the general outline of the views held by the Orthodox Patriarchate of Jerusalem on the matter of the future of the Holy City and its administration under the Resolution of December 9, 1949 of the Fourth General Assembly.

In the formulation of these views, as well as in its general attitude towards the question under consideration, the Orthodox Patriarchate of Jerusalem is guided by a paramount desire, shared, we believe, by all Christians, to preserve the peace of Jerusalem and to safeguard the Holy City from any developments which might jeopardize the security of the places of worship or cause troubles or even bloodshed in this city which has already suffered so much. With this in mind, the following points are made, which, at this stage, are necessarily of a more general character, while specific suggestions may come from the Orthodox Patriarchate of Jerusalem at a later date.

1. The fundamental principle adhered to until today with regard to the Holy Places, religious buildings and sites in Jerusalem and the surrounding area has been the maintenance of the existing rights. It is deemed essential to further adhere to this principle of the status quo and to find the way to express it in an unambiguous form, thus laying the basis for the international status of the Holy City.

2. On the basis of the principle accepted with regard to the status quo, as above, a provision should be made for the maintenance of the ethnological and linguistic peculiarity of any Church and for the preservation of the existing character of the Cloisters belonging to any denomination.

3. It would, furthermore, be necessary to include a provision in the Statute to the effect that the real and other property of the Church be exempt from taxes in any form and that they cannot be appropriated for any reason.

4. In addition, another provision should be included to the effect that no interference of civilian authorities or laymen is to be permitted in the administration of this property, according to the existing ecclesiastical law and the rules of the Church.

5. The Patriarch or head of any denomination, when selected according to the ecclesiastical rules, should eo ipso be considered as the representative of his denomination with all powers and privileges appertaining to his office, and should not need a separate formal recognition by the Governor of the City or any other civilian authority.

6. It might further be useful to recognize these Patriarchates or denominations as having a legal personality.

7. The education offered presently by any denomination and the jurisdiction exercised by the heads of these denominations should continue in its present form.

8. The free appointment of clergymen should be secured taking into account the ethnological and linguistic peculiarity of the Patriarchate or denomination concerned. Provision should be made for the regulation of their status as citizens of the City.

9. With regard to the person or persons to whom the administration of the Holy City will be entrusted, provision will be made, no doubt, to ensure that they will be selected or appointed from among persons whose impartiality is beyond question. An additional guarantee however, which the Orthodox Patriarchate is ready to suggest, is that these persons should not belong to any of the denominations having direct interest in the keeping of the Holy Places. The same considerations would apply to any judicial body eventually to be established with jurisdiction over disputes involving the Holy Places.

The above points do not represent a systematic and detailed layout for a statute of the Holy City and the surrounding area. They constitute a number of remarks of a general character and the Orthodox Patriarchate of Jerusalem remains, therefore, at the disposal of the Trusteeship Council and of the United Nations in general, with a view to presenting, if necessary, at a later stage its views in oral or written form in detail.

In concluding, I wish to avail myself of this opportunity to assure you, Mr. President, and the other honourable members of the Council that the Greek Orthodox Patriarchate of Jerusalem and the Orthodox Christians in general pray to God, that He may bless your work and guide your decisions towards establishing peace in the Holy City.

(signed) Archbishop Michael

2. Cablegram dated 18 January 1950 from the Greek Patriarch of Jerusalem to the President of the Trusteeship Council.

Archibishop of Thyateira Germanos Attorney and representative of Jerusalem Patriarchate will appear before your Council to explain rights privileges our Patriarchate. Patriarch Timotheus.

3. Letter dated 11 January 1950 from the Primate of the Armenian Church of North America to Dr. Ralph Bunche, Director of the Trusteeship Division and attached memorandum.

I have been entrusted by the Locum Tenens of the Armenian Patriarchate of Jerusalem with the duty of presenting the views and the position of the said Patriarchate concerning the future status of Jerusalem.

The enclosed memorandum has therefore been prepared to be submitted to the Trusteeship Council of the United Nations Organization, which will be sitting in Geneva on the 19th of this month to prepare the statute of Jerusalem governing the Holy City, when eventually internationalized.

It is my request therefore, that you be good enough to transmit this Memorandum to the abovementioned Trusteeship Council for their consideration during their forthcoming session.

(signed) Bishop Tiran Nersoyan

A MEMORANDUM

ON THE RIGHTS OF THE ARMENIAN CHURCH IN THE HOLY PLACES, AND ON THE PROPOSED INTERNATIONALIZATION OF JERUSALEM, AND ON THE STATUS OF THE HOLY PLACES, PRESENTED BY THE MOST REV. BISHOP TIRAN NERSOYAN, PRIMATE OF THE ARMENIAN APOSTOLIC ORTHODOX CHURCH OF AMERICA, ON BEHALF OF THE ARMENIAN PATRIARCHATE OF JERUSALEM, TO THE TRUSTEESHIP COUNCIL OF THE UNITED NATIONS ORGANIZATION, FOR CONSIDERATION AT ITS FORTHCOMING SESSION TO BE CONVENED TO DRAW UP THE STATUTE OF JERUSALEM.

A Historical Note

From the early centuries of the history of the Christian Church Armenians have been established in Jerusalem and have used and cared for the Holy Places, together with other Christian communities, themselves being from one of the countries of the Near East. Through the many and turbulent vicissitudes, which the Holy Land has endured under many rules and regimes, the Armenian Church has maintained her position in Palestine, and Armenian monks have led a life of prayer and worship on and near the Holy Sites. In the sixth century these monks formed their separate national groups. Thus in the seventh century the Armenian Church had great many large and small monastic establishments in different parts of the Holy Land, supported by the gifts of the Armenian princes, sent from the mother country. Archeological remains found in Jerusalem attest to these flourishing establishments under the jurisdiction of their own bishop. During the Arabic reign in the Holy Land the Armenian bishopric in Jerusalem has been recognized and maintained as a national community, together with other church groups. During the period of Crusades the Armenians have continued to live in Jerusalem on friendly terms with the Latin princes and the Roman Church. With the conquest of Salahaddin, the position of Armenians was enhanced, their head was known as Patriarch and their rights and privileges were recognized by

the sultans of the Arab dynasty, as attested by historians of the time. In the XIII century we find the Armenians holding a prominent position in the Holy Places. At that time the Cathedral of St. James was the seat of the Armenian Patriarchate, exercising custodianship over the Holy Places in common with other communities. After the advent of Memlouks of Egypt, Armenians continued to maintain their position in the Holy City and in 1311 A.D. the Memlounk Sultan confirmed formally the established rights of the Armenian Church on the holy shrines. After the Memlouks, when the Ottomans occupied Jerusalem (1517 A.D.), Sultan Selim in his turn confirmed by edict the same rights, which have been preserved and maintained by the Armenian Church in the Holy Places up to the present time. In 1720 A.D. the Armenians participated in equal share with the Greek and the Latin Patriarchates in the work of restoration of the Church of the Holy Sepulchre which they have continued to use equally with them ever since. After the great fire of the Church of the Holy Sepulchre, in 1808 A.D., bitter and prolonged dissensions arose among the three Patriarchates, and although Sultan Mahmoud II adjudicated between them in 1812 A.D., the disputes did not subside until 1853 A.D., when the Status Quo Ante was finally established, regulating the determination of the rights of the three principal communities and others in the Holy Places, and making for peaceful relationship between the three communities.

The Necessity of continuing the maintenance
of the Status Quo.

The Armenian Church, as represented by the Armenian Patriarchate of Jerusalem, firmly believes that it is absolutely necessary to maintain the principle of the Status quo in the Statute to be drawn by the Trusteeship Council of the United Nations for eventual adoption by the authorities of the United Nations Organization for the care and responsibility over the Holy Places. During the British Mandate over Palestine this principle was judiciously maintained and all the interested communities enjoyed their rights and privileges peacefully to the benefit of all concerned. Any new and radical disposition concerning the maintenance and the use of the Holy Places would undoubtedly re-create among the Christian communities of the

Holy Land dissensions and disputes, which for many years have been gradually eliminated by the continued application of the Status Quo, resulting in harmonious agreements and accords. We believe that rights and privileges which have prevailed for over a thousand years should be respected to the extent in which they are exercised at present. Countless generations of the members of the Churches sharing the use and the responsibilities in the Holy Places, have made heavy sacrifices in order to be able to worship their Lord in accordance with their own religious rite on the very places which have been hallowed by the acts of His earthly life; any disregard of this fact would result in grave injustice. Therefore we believe that the centuries old principle of the Status quo is, and should continue to be, the sole legal basis for the disposition of the Holy Places provided in the future status of Jerusalem. The Status quo should further be the guiding principle in any adjustments and accommodations in the use of the Holy Places, which may be made in the future owing to the eventual structural repairs and alterations in the various edifices on the Holy Sites.

The Desirability and justice of the eventual
Internationalization of Jerusalem.

The Armenian Church, through the Armenian Patriarchate of Jerusalem, hereby voices its support, together with other churches concerned and other nations, of the resolution of the General Assembly of the United Nations in favor of the Internationalization of Jerusalem. Considering the International character of the Holy Places in Jerusalem, and its sacredness to the three great religions of the world, it is wholly appropriate that the Holy City should not be ruled by any one nation, or should not be under any one regime. It is requisite that free access to and use of the Holy Places should be safeguarded by an international authority. It is further appropriate that the international status of Jerusalem should be a symbol of international amity and harmony befitting a city of religious shrines.

Armenian Patriarchate entitled to a place
on the administrative council.

In this connection, the Armenian Patriarchate of Jerusalem wishes to state that in view of its past and present position in Jerusalem, it is entitled to have its seat, along with other Patriarchates or communities in Jerusalem, in any future council or governing body which may be formed and established in the Holy City.

(Signed) Bishop Tiran Nersoyan

4. Cablegram dated 29 January 1950 from the Locum Tenens of the Armenian Patriarchate of Jerusalem to the President of the Trusteeship Council.

"We have delegated Bishop Tiran of New York as the Authorized Representative of our Patriarchates See of Jerusalem. Locum Tenens Armenians Patriarchate Jerusalem."

5. Letter dated 3 January 1950 from the Director of the Commission of the Churches on International Affairs to the President of the Trusteeship Council and two attached memoranda.

As director of the Commission of the Churches on International Affairs, I submit to you, herewith two documents which bear upon the work of the Trusteeship Council in giving effect to the General Assembly action on the internationalization of Jerusalem. The Churches' Commission is jointly constituted by and represents the World Council of Churches and the International Missionary Council.

"The first document, entitled 'The Protection of Religious Interests and Activities in Palestine', has been formally endorsed by our Commission's Executive Committee. This memorandum was transmitted to the United Nations Palestine Conciliation Commission at Lausanne last spring in response to an invitation by the General Assembly and was subsequently communicated to

all delegates serving on the Ad Hoc Political Committee at the General Assembly's Fourth Session. It stresses particularly the necessity of protecting the contemporaneous interests and activities of all religious faiths. We respectfully submit that the three minimum conditions advanced on pages 16 18 of the memorandum be explicitly met in the Statute by which Jerusalem is to be internationally administered.

The second document is a memorandum on 'The Future of Jerusalem,' prepared by the Archbishop of Canterbury and supported by leaders in the Church of England. Since the proposals in this memorandum were compiled only a short time before the General Assembly's debate on Jerusalem, the Churches' Commission had no opportunity to review them or to act upon them. They should therefore be construed as representing the judgment of one segment within the Commission's constituency. In submitting to you the memorandum by the Archbishop of Canterbury, I fully realize that its provisions do not comply with the terms which the action of the General Assembly requires. However, I trust that you will not consider inappropriate my view that, during the work of drafting the Statute for Jerusalem and seeking measures for its implementation, variant plans or elements thereof may profitably receive consideration.

(Signed) O. Frederick Nolde

THE PROTECTION OF RELIGIOUS INTERESTS AND ACTIVITIES IN PALESTINE

The Ad Hoc Political Committee of the Third Session of the General Assembly, Part II, in its report on the Application of Israel for Admission to Membership in the United Nations took note of requests by representatives of various governments that the United Nations Conciliation Commission should, "when studying the question of the internationalization of Jerusalem and the problem of the protection of the Holy Places and free access thereto," take into account the views of the Holy See, the Orthodox Patriarchate, Moslem religious authorities and the Commission of the Churches on International Affairs. (United Nations document A/855, 10 May 1949) The report of the Ad Hoc Political Committee was adopted by the General Assembly on 11 May 1949.

In pursuit of the opportunity thus afforded, the Commission of the Churches on International Affairs submits this memorandum to the Palestine Conciliation Commission established by the United Nations General Assembly at its Third Session in Paris.

The Commission of the Churches on International Affairs has been formally constituted as the joint agency of the World Council of Churches and the International Missionary Council. The World Council of Churches includes in its membership one hundred and fifty-five churches in forty-four lands; its offices are in Geneva, New York and London. The International Missionary Council is composed of fifty-two national organizations, Conferences and Committees in sixty-eight countries and territories; its offices are in New York and London.

I. Manifest Concern about Settlements in Palestine
as they Bear Upon Religious Interests and Activities

Numerous expressions of opinion by segments of the constituency represented in the Commission of the Churches on International Affairs testify to the concern which Christians entertain about settlements in Palestine and particularly in Jerusalem. Some of these have been in the form of statements by recognized Christian leaders, acting in their personal or representative capacity. Others have been incorporated in formal resolutions by member bodies of the World Council of Churches or the International Missionary Council.

A few illustrations of such statements and resolutions are here presented to emphasize the importance which is attached to the Jerusalem settlement and to indicate the nature of the political arrangements which many believe to be imperative.

- (1) Excerpt from a letter (April, 1948) to the Patriarch of Jerusalem signed by the five Presidents of the World Council of Churches (Dr. Marc Boegner, President of the Federation Protestante; Dr. Erling Eidem, Archbishop of Upsala; Dr. Geoffrey Fisher, Archbishop of Canterbury; Dr. S. Germanos, Archbishop of Thyateira; Dr. John R. Mott, U.S.A.,
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"Your Beatitude may rest assured that we shall constantly bear in mind, and seek to forward the following aims:

"(1) We desire that Christian people throughout the world should continue in prayer for the peace of the Holy Land, and especially for their fellow Christians.

"(2) We desire that the land of our Lord's earthly ministry shall be a land where men can live in peace and quietness and where the status of the Holy Places shall be secured and access to them freely maintained.

"(3) We desire to see the human rights and liberties of all men in Palestine guaranteed, and fully embodied in whatever settlement of provisions are eventually effective, and especially the right to worship God according to conscience, and to teach and preach the faith in which they believe.

"Your Beatitude is well aware that the political settlement of this matter rests with the United Nations. The attitude of Christian people to that organization may be deeply affected by the action resolved upon. We shall take every step open to us to ensure that the decisions of the United Nations, or of other authorities concerned, may agree with these ends."

(2) Excerpt from a statement (April, 1948) submitted to the Honorable Warren R. Austin and approved by the Executive Committee of the Federal Council of the Churches of Christ in America

"Christian people are profoundly disturbed at the prospect of an increase of violent warfare in Palestine upon the withdrawal of British troops on May 15th. Our concern for the lives of all those involved - Christians, Moslems and Jews - and our conviction that adjustment of differences should be sought by peaceful methods lead us to urge with all our strength that the present effort of the United Nations to arrange a truce be supported by the responsible leaders on both sides.

"We have an especially deep concern for the Holy City of Jerusalem, sacred around the world to those of all three faiths, and containing places whose destruction we cannot accept as permissible. Under the partition proposal of last fall Jerusalem was to be a trust territory. It is obviously a part of the trust territory under the recent trusteeship proposal. Surely it should have a trust status under any arrangement, and it should be given now the character of an 'open city'."

- (3) Resolution (dated April 27, 1949) by the Near East Christian Council, a constituent member of the International Missionary Council. The Near East Christian Council is a body which unites the Protestant missions and churches of the following areas: Arabia, Balkans, Egypt, Ethiopia, Iran, Iraq, Lebanon, North Africa, Palestine, Sudan, Syria, Transjordan, and Turkey
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"The Near East Christian Council unanimously urges you to transmit to the highest authorities its belief that it is essential for the preservation of peace.

"1. That the greater Jerusalem area be placed under United Nations administration so as to constitute a center of religious freedom for all faiths, and"

"2. That speedy provision be made for the rehabilitation of the Palestine refugees including where possible their return to their former homes and in other cases their resettlement with full compensation for property lost."

- (4) An appeal to the United Nations on May 6, 1949, by the Ecumenical Patriarch
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"It is with a vivid interest that the Ecumenical Patriarch is following the sincere endeavors made by the United Nations during the negotiations held for the protection of the Holy Places.

"The Ecumenical Patriarch believes that the only appropriate solution of the problem is the application of an international status, under the guardianship of the United Nations, over the whole city of Jerusalem and the sacred shrines of Palestine as well."

II. Conditions to be Met in the Palestine Settlements in Order that Religious Interests and Activities May be Appropriately Safeguarded.

From the various statements made by different parts of our worldwide constituency, we draw the basic conditions which we believe must be met by

the political arrangements under which Palestine, and more particularly, Jerusalem, shall be governed. In citing these conditions, we are confident that they reflect the view of our constituency as to the minimum requirements to be observed and that they will command the active support of the member churches and councils in the World Council of Churches and the International Missionary Council.

1. Human rights and fundamental freedoms, and, particularly, full religious liberty must be safeguarded for all without distinction as to race, sex, language or religion.
-

When governments are, to any considerable extent, animated by a special religious conviction and committed to the predominant protection of its expression, there exists the danger of discrimination against those who hold other convictions and desire to give expression to them. This danger is present in all Palestine and is most acute in areas where historic religious monuments are concentrated and where current religious work is most actively pursued by adherents of a faith differing from that represented in the government.

In order that the religious interests of all men and of the religious communities with which they are affiliated - Christian, Jewish, Moslem - may be adequately protected, arrangements for Jerusalem, and in fact, for all Palestine should include specific provisions to safeguard human rights and fundamental freedoms. The religious issues at stake call for the full application of these articles in the Universal Declaration of Human Rights which bear on religious liberty, particularly articles eighteen and nineteen:

"ARTICLE 18 - Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

"ARTICLE 19 - Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

The presence in Palestine of adherents of three faiths requires explicit safeguards for observing the traditional right of religious freedom, including freedom to extend one's faith by processes of persuasion and the appeal to reason and conscience.

2. The protection of holy places, religious buildings and sites in Palestine and free access thereto should be recognized as a matter of international responsibility
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Our primary concern is with people, not places, and therefore we have stressed first of all the rights and freedoms of all men. Nevertheless, we cannot ignore buildings and sites which are monuments of sacred events in the past and which stand indeed as holy places for people today and for generations to follow. Their combined significance transcends any single faith or nationality. Their protection and the opportunity of free access to them should be accepted as an international responsibility.

We do not presume to define the political mechanisms by which this international responsibility shall be fulfilled. We do, however, express the strong conviction that artificial separation of historic religious sites from the community in which they are located - particularly in the Jerusalem areas where such sites are numerous - would be an inadequate method of exercising international responsibility. Whatever plan is devised it should reckon with the current life of the three faiths represented in the population as well as with the historic interest which a large part of the world professes. This will require, we believe, political arrangements wherein measures for the protection and world-wide use of the holy places are integrated with the guarantee of human rights and freedoms for all inhabitants.

3. All church-owned and mission-owned properties in Palestine that have been occupied by either Arabs or Jews should be returned to their owners.
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During the period of disturbance in Palestine, numerous ecclesiastical properties have been seized for governmental or military purposes. Practically all the reported violations have occurred in areas occupied by Jewish authorities.

At the Third Session of the United Nations General Assembly in Paris, the Government of Israel submitted a memorandum to a number of Member States wherein it stated:

"One matter under discussion with certain church authorities concerns properties which were formerly requisitioned by the British military forces and are now in the occupation of the Israeli Army. It has been made clear that these properties will be returned to their rightful owners as soon as the military situation makes it possible for them to be derequisitioned. There is not, and there never has been, the slightest intention to expropriate church properties."

A similar commitment was subsequently made to various Christian leaders, including officials in the World Council of Churches and the International Missionary Council.

We respectfully submit that the Palestine Conciliation Commission should establish the principle that all ecclesiastical properties in Palestine that have been occupied by either Arabs or Jews should be returned to their owners; and further, should take appropriate steps to see to it that the property claims are promptly and justly settled.

In advancing the above minimum conditions for effecting a settlement in Palestine which will be adequate to protect religious interest and activities, we disclaim competence as to the specific political arrangements whereby they can satisfactorily be met. At the same time, we believe that the political arrangements can be designed to comply with these requirements and that their acceptability must be appraised by the extent of such compliance.

Submitted by: Kenneth G. Grubb, Chairman

O. Frederick Nolde, Director

May 1949

ADDENDUM

an additional illustration may be cited in connection with those listed under Section I, Manifest Concern about settlements in Palestine as They Bear Upon Religious Interests and Activities, pages 16-17.

- 5) Near and Middle East Committee of the Conference of British Missionary Societies, Extract from Minutes of a Meeting on Friday, March 4, 1949.

"It was proposed by the Rev. Dudley Dixon, seconded by the Right Rev. Bishop L. H. Gwynne and RESOLVED that:-

"The Committee recommends to Standing Committee that every possible action should be taken by the British Council of Churches and the Churches Commission on International Affairs to secure by negotiation with the Government and United Nations that:-

- "1. Jerusalem should be preserved as an International Zone.
- "2. There should be guarantees from the Israeli Government that they will uphold the Declaration of Human Rights.
- "3. That negotiations should be continued which would lead to the return of church property now in the hands of the Israeli Government.

Private Memorandum by the Archbishop of Canterbury

- October 31st, 1949

THE FUTURE OF JERUSALEM

I. The Present Plan

The proposal at present before the United Nations is that of the Conciliation Commission, which divides the area which is to be under international control into two municipal zones, one Jewish and one Arab. It is proposed that the demarcation line between the two zones shall be the present armistice line, without prejudice to the establishment of a final definitive line at a later stage.

The proposal is open to very serious criticisms as follows:-

- (a) The essential thing is that a settlement should be made now which can be upheld as final and binding. But a demarcation line between zones within the international enclave establishes an abiding element of uncertainty and friction. The present armistice line bears the marks of its derivation from military operations and is not the product of reasoned thought. For many reasons it is unsatisfactory. But if it is declared that it may be adjusted later, at once an element of uncertainty and jockeying for position is introduced which must cause jealousy and friction.
- (b) Whether, as is most likely, the demarcation line remains unaltered for an indefinite period or whether it is adjusted, the fact will remain that there is an artificial boundary separating the two zones across which Jews and Arabs will confront one another. Even if the international control were moderately effective, it would not allay Arab fears of Jewish designs upon the old city, while to those Jews who are determined to possess themselves of the old city the sight of it just beyond their zone across an artificial line would be a constant irritant.
- (c) Even moderately effective control would be possible only if the plan had the real goodwill of Jews and Arabs; but that goodwill

is not to be expected. The plan is not welcome to the Arabs and has already been rejected outright by spokesmen for the Israeli Government who claim for the Israeli State the large Jewish population resident in the new city.

(d) Without such goodwill and full co-operation by Jew and Arab, the position of the international authority responsible for the enclave would be certainly difficult and in all probability would become impossible. Prevention of breeches of the peace along the artificial boundary line would be a constant worry. The detection of offenders against the peace, who could find refuge among their own people, would prove as exasperatingly difficult as it has proved, in the past. Extremists on either side would escape detection and punishment. It is hard to believe that the international authorities could exercise a really efficient control. If by the employment of sufficient forces they were able to do so, they would be sitting permanently on a volcano: and past bitter experience goes to show that from time to time the volcano would erupt.

For such reasons it ought to be said that a plan of municipal zones separated by a demarcation line is unwise in itself and since it has not the goodwill necessary to make it in any degree workable, is unworkable also.

II. A New Start

It is urgently necessary to discover a new plan which may break the present deadlock, which may be presented to Jew and Arab as a fair and reasonable settlement, which may again give room for manoeuvre on an assured basis and which may then be adopted by the United Nations with conviction as a permanent and definitive solution.

Let it be said first that if Jerusalem is to take its rightful place as a spiritual centre for the whole world, Jew, Moslem and Christian should play their full part in making it a living city in which adherents of all three Faiths would take their share in the

building up of cultural and spiritual life. There must be from the nature of the case an international enclave. It must be of such a kind as to win the goodwill of the three great faiths and give room for them to develop worthy religious and cultural institutions so that visitors, tourists, scholars and pilgrims who come to Jerusalem from all parts of the world may see and perceive a city which while embracing members of three Faiths is yet at unity in itself. The problem is to discover an international enclave which may be accepted with reasonable goodwill by all concerned.

III. A New Plan

The areas of Jerusalem which are here considered are those lying immediately to the North, West and South of the old city.

(a) It is proposed that the large Jewish residential area in the north and west should not be a part of the international enclave but should be incorporated in the Israeli State. The area may be defined as that lying to the north and west of a line beginning from the junction of the Nablus Road with St. Paul's Road and running southwest along St. Paul's Road, then west along the Street of the Prophets and then south along King George Avenue as far as Terra Santa College.

In this area a large number of Jews live. Its exclusion from the international enclave and its inclusion in the Israeli State is reasonable in itself and should be a cause of satisfaction to the Jews.

(b) With this exception, the whole area originally assigned to the international enclave should remain under international authority, but without any division into zones. Within the enclave Jews and Arabs would dwell together with equal rights. But there are certain points which call for special comment.

(i) The area lying south and east of the roads mentioned under (a) above and between those roads and the old city constitutes the main shopping centre of the modern city.

It also contains a large number of public buildings such as Barclays Bank, the General Post Office, King David Hotel, the international Y.M.C.A., the Electric Power Station, the Railway Station. Moreover, it contains the big Arab Cemetery and a number of religious buildings.

Thus this area serves in a special degree the whole region and should most properly be in the international enclave. Even more important, it would thus interpose an international area between the limits of the Israeli State (as defined above) and the old city.

The present plan perpetuates two irritant demarcation lines, one between the Israeli State and the international enclave, another inside the enclave between the Jewish municipal zone and the Arab municipal zone. This new plan has only one demarcation line, that between the Israeli State and the enclave and drawn as here suggested it should be widely acceptable to the Jews as at least an improvement on the present plan. At the same time by putting the line as here suggested at some distance from the walls of the old city, it should greatly diminish fears of aggression on the one side and covetous aspirations on the other.

- (ii) Mount Scopus and the Mount of Olives with the Hebrew University would be in the international enclave where Jew and Arab have equal rights, but not (as in the present plan) in an Arab municipal zone. Thus Jews will have free access to the University. They should be encouraged to consider this University as their most important intellectual contribution to the international city, functioning side by side with Moslem and Christian higher institutions of learning, and so contributing to make Jerusalem a great spiritual centre for the world.

(iii) The area to the south of Terra Santa College bounded by Mamillah Road, King George Avenue and the Bethlehem Road would be in the international enclave, but not (as in the present plan) in a Jewish municipal zone. It was, before the departure of the British, an Arab residential area; on their departure it was immediately occupied by Jewish forces; the Arab population has mostly gone away and their homes have been largely occupied by Jewish families. Under international control every facility should be given for the development of an Arab residential population in this area.

(iv) Finally in the old city itself, removed as one would hope for ever, from strife and contention, facilities should be given for the return of Jews to the former Jewish quarter from which they have gone. And once again the old city would contain its Moslem, Jewish and Christian quarter.

IV. In short, the proposal is for a return to an international enclave without division into Jewish and Arab zones. By handing over the area of the new city described above to the Israeli Government a great cause of contention is removed. Within the international zone control could be complete and effective. Old wounds could be healed, and Jerusalem set free to fulfil its great message to mankind. If such a proposal found general support in the United Nations it could be carried through with conviction as a fair and a hopeful plan of action. The deadlock must be broken. The interminable process of discussions must come to an end. Here is suggested a plan which (after discussion and with any necessary modification of details but without any change of its principles) the United Nations could promote strongly and unitedly, thereby setting Jerusalem apart for all time from world strife and giving fresh hope and encouragement to those who strive for the cause of peace on earth.

V. A note should be added on Nazareth. With the international enclave in Jerusalem it would be easy to arrange some degree of international supervision of Nazareth or of any other Holy Place outside Jerusalem as a safeguard against any possible misuse of these Holy Places.

6. Letters dated 18 and 19 January 1950 from an unofficial Fact-Finding Mission of the American Christian Palestine Committee to the President of the Trusteeship Council.

The undersigned have just completed an extensive visit to Israel as an unofficial, completely independent Fact-Finding Mission of the American Christian Palestine Committee. We have observed conditions existing in both Jewish and Arab areas. Cities and localities covered include Tel-Aviv, Jaffa, Haifa, Jerusalem, Nazareth, Tiberias, Beer-Sheba, and many intervening points in the Negev, Judea, and Galilee. We discussed the problem of the internationalization of Jerusalem with representatives of the Israel government, the Coptic church, the Greek Catholic church, the Copt Catholic church, the Roman Catholic church, Protestant churches, and with Arabs (both Christian and Moslem), as well as with many city officials and administrative officers. From these discussions, we have come to the following conclusions:

1. We believe that the plan to internationalize the Jerusalem area is dangerous and unnecessary. The overwhelming majority of leaders of religious groups we interviewed expressed the belief it would not work. Many held it was impractical and certain to add confusion and impede peace negotiations now in progress.

Total internationalization is not necessary for the protection of the Holy Places. Neither the Arabs nor Israelis has any other plan or purpose than to protect and preserve them. Moslems have kept these places inviolate for many centuries, and virtually all of them are now in Arab hands. There is not the slightest evidence that Israel will molest or limit the use of any religious institution or shrine.

There is complete religious freedom in Israel. The many leaders of religious institutions interviewed all declared they were in no wise interfered with in their functions.

2. The prevailing conviction was that when the bitterness created by the recent war will have diminished, Israel and the Arabs would yet come to an agreement in these controversial matters, provided external interference did not complicate the problem.

An illustration of such adjustability between Arabs and Israelis is to be found in Nazareth. A predominantly Moslem community, with a Moslem mayor (Yousef Fahoum), this city nevertheless has about three thousand Roman Catholics,

three thousand Orthodox, and several thousand Protestants. This city is under Israeli military administration. However, the mayor assured us that he was free in the exercise of his functions. Thus in a city, the Arab authorities of which had wisely decided that the people would remain in their homes and not flee to Arab Legion territory, the same peace, harmony, and freedom exist which are characteristic of all Israel. This area is represented in the Knesset (Parliament) by three Arabs! It is our conviction that the cooperative and harmonious relationship existing between Israeli officials and Christian institutions in Nazareth is the strongest possible evidence against any need for the maximal internationalization of the Jerusalem area.

3. We regard as utterly false and without any factual support the report that Israelis have desecrated religious institutions, churches, or shrines since the fighting ceased. The government of Israel has established a Department of Religious Affairs, dealing constructively and fairly with the complex religious communities in her territory. A special division concerns itself with Christian organizations to see that Christian communities and activities are protected and to maintain agreeable relationships with the government of Israel. The actions of this division are greatly encouraging to all religious leaders. We would add with conviction and appreciation that the prevailing spiritual attitude of the people and government of Israel is a further guarantee of all religious rights. These people have undergone the trials of a bitter war. They are building a society, established on the principles of full equality and liberty, and they should be encouraged and sustained by all Americans who believe in these principles not only for the Middle East, but for all the world.

Numerous Christian and Moslem institutions have been protected by express orders of the Israel government, with signs conspicuously posted, and it was evident from our inspection of the premises that these orders are carefully obeyed. In many cases, where the building has been caught in the line of fire, restitution has been made and restoration is in process.

4. On the basic issue of internationalization, we would caution against the drafting of a Jerusalem statute by the United Nations that would interfere with the just territorial sovereignty of any nation, in this case the territory of Israel and Jordan. Both of these nations properly object to the U.N. plan on this ground. Freedom of access and protection of the Holy Places can easily be secured without the internationalization of territory or people.

time compose their differences. This making of the peace will be accomplished all the more speedily if Israel and Jordan are encouraged in their negotiations by the Western powers.

Accordingly, we call upon our government to press for a reconsideration of the United Nations Assembly decision and to urge the adoption of a plan such as outlined above. We would point out to all who are justifiably interested in the prestige and power of the U.N. that the reconsideration of its decision is within the prerogatives of the international organization, and that the formulation of a just and workable plan for guaranteeing the sanctity of the Holy Places will enhance its prestige and power.

(Signed) Dr. John W. Bradbury
Dr. Victor Obenhaus
Mrs. M. E. Tilly
Dr. Samuel Guy Inman
Dr. Ralph W. Riley
Dr. Charles J. Turck

The following introductory paragraph was inadvertantly omitted from the letter on the Internationalization of Jerusalem sent to you January 18 by the American Christian Palestine Committee Fact Finding Mission:

"We find ourselves in hearty agreement with the action of the American delegation at the last meeting of the United Nations Assembly in opposing the internationalization of Jerusalem and the Holy Places and regard it as a wise position for our government to have taken. We are in accord with the statement of Hon. Francis B. Sayre, the U.S. representative on the Trusteeship Council, that 'the United States favored a practical solution of the Jerusalem problem and that no solution is practical that has to be enforced with the aid of an American Army'."

(Signed) Dr. Samuel Guy Inman
Dr. Charles J. Turck
Mrs. M. E. Tilly
Dr. Ralph W. Riley
Dr. John W. Bradbury
Prof. Victor Obenhaus

5. The Garreau plan for Internationalization is, in our opinion, a decided improvement over previous maximal schemes but is still too inclusive.

It is hardly justifiable to exclude so obvious a Holy Place as the Mosque of Omar of the Old City from an internationalized zone, and then to include a portion of the business district of the New City, and the entire Mount Scopus where absolutely no legally established Holy Places are to be found. To advance such a plan on the ground that the territory to be taken from Israel and Jordan must be equalized is to condemn the plan by demonstrating that the major consideration is not concern for the Holy Places.

The greatest criticism advanced against all plans outlined to date is that they were drafted without regard to the wishes of the citizens of the Old and New Jerusalem, but rather from the political considerations of the various member governments of the United Nations and by outside interests. The one exception is to be found in that part of the Garreau plan dealing with Bethlehem. There the wishes of the people seem to have been considered, for it is proposed that the Church of the Nativity alone be internationalized and that the remainder of the city remain under the administration of Jordan.

6. While this Fact Finding Mission had as its purpose the study of the internationalization of Jerusalem we could not escape the human problems arising out of the tragedy of war, such as homelessness, the displacement of peoples and the psychological problems besetting both peoples. We believe that these human tragedies must be alleviated in the spirit of attaining the maximum justice for both Jews and Arabs. It was apparent to us that these human problems cannot be resolved in any permanent fashion except as a part of an overall peace signed between the several Arab states and Israel. It is therefore of overwhelming importance, both for this purpose and for any permanent adjustment concerning the sacred sites, to effect a speedy peace settlement.

7. The plan we, as fact-finders, now propose is the setting up of a United Nations Commission, with no territorial sovereignty, but with full right to seek the removal of existing limitations of access to the Old City of Jerusalem and the Holy Places, all of which are in Arab territory. Guarantees should be given to such a commission by both Jordan and Israel assuring the freedom and sanctity of the sacred places within their territories. This is all that the Christian world has a right to require of two sovereign states, which we believe will in

7. Letter dated 13 January 1950 from the Reverend Charles T. Bridgeman to the President of the Trusteeship Council and attached memorandum

"Having lived in Jerusalem for twenty years prior to 1944, I beg leave to draw the attention of your Council to the enclosed memorandum which brings out what I believe to be a neglected aspect of the Jerusalem problem.

The vast majority of the 24,000 Christians and a good proportion of the 23,000 Moslems who live outside the walls of Jerusalem had their homes, businesses and charitable institutions in that portion of the Jerusalem area now held by the Israeli forces. Though the report appearing as of today in the New York Times suggests that your Council is considering a new arrangement of the international area which is an improvement on the suggestions made by Israel and the Kingdom of Jordan, I think the plan as reported still falls short of what is required, as it cuts up the city into too many sections and leaves too much of the area occupied normally by non-Jews in the Israeli sector.

Although not being on the spot I have been unable to check all details of my map,* I believe that you will find it substantially correct."

(Signed) Charles T. Bridgeman.

* Map not attached to the present document.

THE INTERNATIONALIZATION OF JERUSALEM
AND
THE CHRISTIAN POPULATION

by

Charles T. Bridgeman

The Assembly of the United Nations has reaffirmed its decision of 1947 to place Jerusalem, Bethlehem and an adjacent region of about 100 sq. miles under international control.

Israel and the Hashemite Kingdom of Jordan, whose respective military forces now occupy the western and the eastern halves of the area, have expressed their determination not to surrender the parts they hold to international administration; and Israel has gone so far as to begin making Jerusalem the capital of the State of Israel.

In the face of this defiance of the Assembly's action, the world is wondering whether the United Nations has the moral and military forces sufficient to impose its plan. Moral force springs from the strength of moral conviction. At the moment the strength of the case for partition rests not alone upon the trouble it would cause to have to impose the plan against possible military opposition, but also on the popular ignorance of what partition of the city of Jerusalem would really mean to the people living there and to the world at large.

Foremost among the popular misconceptions about Jerusalem are:

- (1) That the Jews have a greater claim to the city than anyone else;
- (2) That there are really two separate Jerusalems: the old Walled city occupied by Arab forces; and the "New Jewish City" mainly populated and created by Jews;
- (3) That in such a case as this where rival nations make a claim to the same city, and agree to divide it between themselves, it is but right to allow them to make this mutual compromise.

This paper is designed to bring out some neglected considerations concerning the actual situation, with the purpose of showing that in fact Jerusalem is one indivisible city, and that the existence of a large Christian population in Jerusalem makes the proposed division of the city into predominantly Israeli and Moslem Arab parts highly inequitable.

1. History. 1950 marks approximately the 3000th year since the Israelites under David took Jerusalem from the Jebusites. Out of that long period the Israelites and the Jews have governed the city for only

about 600 years, even including the years when Herod ruled as a vassal of Rome. (See Exhibit A). Even as the main element in the population the Jews largely disappeared after the wars of 70 and 135 A.D. Benjamin of Tudela, a Jewish pilgrim who visited the Holy Land about 1170/71 A.D. found but 1440 Jews in all Palestine; and Nahman Gerondi in 1267 found only two Jewish families in Jerusalem.

Christians began to appear in the first century, and under Christian Byzantine rule became a predominant element. Christians under the Roman Empire and the Crusades ruled the city for almost 500 years. Moslem Arabs conquered the country in 639 and ruled it for 425 years, being succeeded by the Moslem Turks who ruled it for 420 years.

The historical association of Christians and Moslems with Jerusalem is just as significant as that of the Jews; and the Christians, who have lived in the city continuously for 1900 years, have as weighty a claim to consideration as any others. And on religious grounds Jerusalem is a Holy City of great importance to Christians and to Moslems as well as to Jews. It is a city of three faiths.

2. The Geography of Jerusalem. The ancient walled city is bounded on the east and the south by steep valleys which cut it off from the adjacent hills. On the north and west opens a plateau which in modern times as in antiquity serves to provide room for expansion outside the historic walls.

In the middle of the last century Christians and Moslems as well as Jews began to expand into this suburban extra-mural area. Jewish settlers coming from Europe could find no place inside the small Jewish quarter of the walled city and so built outside. The better class Christians and Moslems sought the suburbs to find more room and a healthier atmosphere. The greater proportion of the many Christian communities coming to Jerusalem in the past century have also settled outside the walls. Meanwhile the Mount of Olives to the east of Jerusalem has been occupied by Christian churches and convents and Jewish cemeteries; and Mt. Scopus to the north has become the site of the Hebrew University and the Hadassah Hospital.

No Man's Land and the present military line between the two rival nations cut the city in half, leaving almost the whole of the western suburban area in Israeli hands and the walled city in Arab hands. See map.

3. Population elements in the Enclave and in Jerusalem. In the Jerusalem-Bethlehem enclave as a whole there were, before the recent fighting began, about 100,000 Jews, 65,000 Moslems and 40,000 Christians. The vast majority of the Christians were native stock, commonly called Christian Arabs.

In Jerusalem itself, the Mandatory Government estimated in 1946 that there were 99,320 Jews, 33,680 Moslems and 31,350 Christians.

Today we are informed that there are but 1,000 Arabs in the Israeli-held western part of the city. Such was not the case prior to the fighting. The following estimate, though necessarily sketchy for lack of exact figures, gives a fair picture of the condition before the fighting started.

	<u>Jews</u>	<u>Christians</u>	<u>Moslems</u>
Living within the walls	4,000	7,000	10,000
Living <u>outside the walls</u>	95,000	24,000	23,000

(For the basis of this estimate see Exhibit B.)

46,000 Christians and Moslems then occupied the extra mural area, most of which is now in Israeli hands and has but 1,000 Arabs.

4. Economic and Social Life of Jerusalem. Under the Turks and the British extra-mural Jerusalem grew up as a community in which people could buy land where they wished and settle where they liked. All three religious communities lived side by side and intermingled. There was a certain tendency for communities to settle in distinct quarters, but they were not contiguous separated by quarters of the other communities.

All communities shared in the migration to outside the walls. The homes of the better class Arabs, Christians and Moslems alike, were all found in the extra-mural area, leaving only the poorer families and the members of religious establishments inside the walls. This area was not therefore exclusively or mainly Jewish. All modern shops, hotels and factories, a goodly number of which are owned by the Arabs, are found in the part outside the walls.

Those who lived inside the walls went outside to do business in a bank, to attend a hospital, to attend school, or to buy at the modern shops. By the same sign, those who lived in the extra-mural area went inside the walls to worship at the shrines, Jewish, Moslem and Christian, to buy vegetables in the old market and to visit friends living in the old houses.

If the city were to be partitioned along the line of the present No Man's Land it would run a sword through the living body of a unified city, and erect an international frontier between people and their banks, schools and hospitals, places of business and places of worship. For example, the Jews of the western part would be cut off from the old Jewish quarter, the sacred Wailing Wall, the Hadassah Hospital and the Hebrew University, as well all the Jewish cemeteries. And the Moslem and Christian inhabitants now refugees from their homes, schools and places of business in the extra-mural area would be deprived of the very substance of their lives; and the ones normally living in the walled city would be cut off from access to the essential shops and hospitals outside.

5. The International Character of Jerusalem. Jerusalem is not just an Arab-Jewish city. It is international in its very constitution.

Practically all of the 60 living languages spoken in Palestine are represented in Jerusalem. Christians in Jerusalem come from 30 different countries. Moslems speak 17 different languages. The Jews themselves, though now seeking to stress the need for speaking Hebrew and taking Israeli nationality, come from many countries and speak 26 different languages as their native tongues.

Foremost among the foreign Christian nations were the French, the Italians, the Russians and the old German settlers. Of course, the British community has shrunk to small proportions since the giving up of the Mandate; and the Christian American community has been less than 100 persons. But the international character of the city is proclaimed by the many different styles of architecture used by the different nationalities; and heard in the babel of tongues in the streets.

6. The Interconfessional Character of the City. It is hardly necessary to observe that Jews and Moslems of every important sect are found in Jerusalem. But the same is true of Christians. The following figures taken from the Census of 1931, though much smaller than they would have been in 1946 when the city was much larger, suggest something of the variety and importance of the various Christian bodies.

Orthodox Patriarchate of Jerusalem

(Native Arabs, Greeks, Russians, Rumanians,
Bulgarians, etc.)

13,595

Syrian Orthodox (Jacobite)

979

Armenian Orthodox (Gregorian)

2,154

Coptic (Egyptian Christians)

90

Abyssinian Church

93

Roman Catholic

Latin Rite 8,756

Greek Rite 351

Maronite 130

Armenian Catholic 273

Syrian Catholic 142

Assyrian Catholic 46

9,708

Anglican

British about 1,000

Arab 391

1,391

Presbyterian

34

Lutheran

67

German Temple Society

about 200

Unclassified, including American Protestants,
Armenian Protestants, Pentacostal, Baptist,
Methodist, Hebrew-Christian, etc.

2,292

By 1946 the total number of Christians had increased to 31,350.

7. The Christian Stake in the Holy City. The real Christian stake in the Holy City lies in the lives of the 31,000 Christians who normally inhabit the city and constitute the oldest Christian community in the world.

The attempt has been made to becloud this fact by speaking as though the only interest Christians had in the Holy City lay in a few Holy Places whose protection could be assigned to a small commission of the United Nations.

There are indeed certain very sacred "international shrines", among them the Church of the Holy Sepulchre, the Temple Area and the "Wailing Wall", which have preoccupied the attention in turn of the Turkish and British Governments because being owned by several different religions they have been the object of special attention. Even these are but a fraction of the recognized places of religious interest. The situation in the international shrines has for nearly two centuries been stabilized by a recognized status quo. The proper administration of this status quo is of course an important matter for the United Nations.

But still more important to every Christian community is the wholesome life of its members and the continuance of the Christian community as a vital part of the complex life of the Holy City.

At the present moment the vast majority of the Christians are refugees from their homes, their businesses, their churches, their schools and their hospitals, and if under a partitioned Jerusalem they are prohibited from repossessing the homes now occupied by new immigrants they will have been permanently dispossessed of their stake in the Holy City.

8. Christian Institutions in Israeli-held Areas. How considerable is the share which Christians have in the Israeli-held parts of the city can be seen from the following long, but still incomplete list of important institutions. See map for numbers showing approximate locations.

It will be noted that all six Christian Hospitals, caring in a normal year for 7,000 patients (including 1,000 Jews), are in the Israeli-held area. So also are 12 parish churches, 14 convents, 16 schools, including almost all the high schools used by Christians and Moslems, and other such institutions as the American YMCA, the Jesuit Biblical Institute, and the like.

1. English Hospital.
2. German Hospital
3. Italian Hospital
4. Ophthalmic Hospital of the Order of St. John of Jerusalem
5. Moravian Leper Hospital
6. French Hospital
7. American Y.M.C.A.
8. American Protestant Church (Armenian Protestant)
9. The American Church (C. & M.A.)
10. The American Pentacostal Church
11. The Newman School of Missions (Methodist)
12. American Baptist Mission
13. Russian Church & Convent
14. Abyssinian Church & Convent
15. Scottish Church of St. Andrew
16. German Temple Church
17. St. Paul's Arab Anglican Church.
18. Greek Church of Nicophoria.
19. Greek Convent of St Simeon the Just, Katamon.
20. Greek Church of Abu Tor.
21. Ratisbon Convent & School (RC)
22. Terra Santa College (RC)
23. Jerusalem Girls' College (Anglican)
24. Schmidt's Girls High School (RC)
25. Convent of the Soeurs de Marie Reparatrice (RC)
26. Convent & School of the Soeurs de Rosaire (RC)
27. Convent, School and Orphanage of the Soeurs de Charité (RC)
28. School of the Sisters of Zion (RC)
29. Convent & hospice of the Sisters of St. Charles (RC)
30. French Sisters' School in Talbiyeh (RC)
31. Convent of the Sisters of St. Claire (RC)
32. Convent & school of the Sisters of St Joseph (RC)
33. Syrian Orthodox School
34. Greek Orthodox Lay School
35. Greek School in Katamon.
36. Bishop Gobat Junior School (Anglican)
37. Talitha Kumi School (Luth)
38. Jesuit Biblical Institute
39. Greek Orthodox Convent of the Holy Cross
40. The American (Protestant) Cemetery.
41. The Benedictine Convent with the Church of the Dormition of the Blessed Virgin.
42. The Armenian Church of the House of Caiaphas.
43. The Cenacle (Moslem Tomb of David) where Franciscans have rights.

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| 44. The residence of the Apostolic Delegate. | 49. The Hospice of Notre Dame (French RC) |
| 45. The British-German Cemetery | 50. The Greek Convent of Mt Zion |
| 46. The Orthodox Cemetery | 51. The Italian School |
| 47. The Latin Cemetery | 52A. The Syrian Orphanage (Lutheran) |
| 48. The Armenian Cemetery | 52B. The Rumanian Orthodox Church. |

Christian Institutions in No Man's Land

- | | |
|----------------------------------|------------------------------------|
| The Franciscan Boys' School | The Church and Convent of the |
| The Swedish School | Assumptionist Fathers at Church of |
| The Syrian Orthodox Patriarchate | St Peter of the Cock Crowing. |

9. Christian Institutions in Arab-held area North of City. There are also many Christian institutions in the Arab-held areas outside the walled city. Those in the northern suburb are here treated separately because possession of this area by the Arabs cuts off the Israelis from access to their highly important Hebrew University and Hadassah Hospital on Mt Scopus. If an effort were made to secure this area for the Israelis, it would affect the following institutions in part of whole.

- 53A. St George's Anglican Cathedral and Hospice
- 53B. St George's Junior and High School for Boys.
- 54. St. Stephen's Church and the Dominican (RC) Convent with its Ecole Biblique.
- 55. Convent and school of the Soeurs Franciscaines de Marie (RC)
- 56. The "Garden Tomb", considered by many Protestants the real tomb of Christ.
- 57. The Lazarist Convent and former school building.
- 58. The American Colony.
- 59. The Augusta Victoria Foundation on the Mt of Olives (German Lutheran)
- 60. The American Colony Cemetery
- 61. The British War Cemetery (World War I).

10. Other Christian Institutions in Arab-held areas outside the Walls.

- 62. The Garden of Gethsemane, with the Franciscan Church of the Agony (RC)
- 63. The Tomb of the Blessed Virgin (Orthodox, Armenian, Syrian and Moslem)

64. Russian Gethsemane and Church of St Mary Magdalene with convent.
65. The Greek Orthodox Shrine of the Stoning of St Stephen.
66. The Greek Orthodox Convent of "Ye Men of Galilee".
67. The Russian Orthodox Convent on the Mt of Olives.
68. The Carmelite Sisters Convent, with the Churches of the Creed and the Lord's Prayer.
69. The Church of the Sacred Heart on the site of the Eleona.
70. The Church of the Ascension (now a Moslem mosque in which Latins, Orthodox, Armenians and Syrians have rights to hold services at times).
11. Jewish and Moslem Institutions cut off from their People. The partition of the city along the present unnatural line would affects Jews and Moslems as well as Christians.
 - a. Jewish Institutions in Arab-held areas, inside and outside the Walls.

The Wailing Wall, part of the old Jewish Temple
The Hebrew University
The Hadassah Hospital with its laboratories
The Jewish Quarter of the Old City with its old synagogues
All the Jewish Cemeteries on the slopes of the Mt of Olives and Mt Zion
 - b. Moslem Institutions in Israeli hands

The great Moslem Cemetery of Mamillah
The building of the Moslem Charities foundation
Numerous Moslem villages with their mosques including the infamous Deir Yassin
12. The Practical Consequences of Partition. The above mentioned Christian institutions are not mere buildings but the core of a living community. They are part of the life of the 31,000 Christians who normally inhabit Jerusalem, and more especially of the 24,000 who live outside the walls.

Partition means the erection of an international frontier down the middle of the city. Passage across this line, if allowed, would mean at least the carrying of passes and customs controls.

Furthermore both the Hashemite Arabs and the Israelis base their claim to their share of the city upon military necessity. Each says it is a vital element in their defence system. This means the permanent militarization of Jerusalem.

Israelis and Hashemite Arabs alike lay claim to the whole of the undivided city. Each regards partition as a temporary expedient. Eventually the fanatics in one camp or the other will precipitate a crisis when they think conditions favor their side and fighting will break out again in the City of Peace.

Partitioned Jerusalem will be a city of confusion ripe to become again a city of war.

13. The Inadequacy of the current Israeli Proposals. The Israeli Government, while proposing partition, suggests that Christian interests be protected by creating an international commission to supervise the "international shrines". Enough has been said to show how unrealistic this is from the Christian viewpoint.

But they have a second proposal: that the old walled city be emptied of its inhabitants and the whole made into an international shrine.

This is both cynical and impracticable. The Israelis suggest that while they be allowed to keep all their share, the Arabs be forced to surrender their share. Moreover the suburban area in Arab hands adjacent to the city is unsuitable for extensive erection of new homes for the 17,000 people who would be displaced.

14. The Plea that Internationalization against the will of the Israeli and Moslem Arab Inhabitants would be Undemocratic. Did we hear this argument put forward by the Arabs, who for years have been protesting, on democratic principles, for the right to have their voice heard in the disposition of Palestine, in which they had a two-thirds majority, one might be inclined to listen. But the Zionists, who have been replying to the Arabs that it was by right of the international judgment of the League of Nations and the United Nations that the Arabs inherent rights have been set aside in favour of the Jews, now hasten to assert the principles of self-determination.

It is by no means certain that all the Jews and all the Moslems in Jerusalem, faced with the full consequences of partition, are in favour of the plan. But even if they were, it should be noted 1) that they will not under internationalization lose their citizenship; and 2) they will have almost complete autonomy in local inter-communal affairs.

If in either Israeli or Moslem community the advantages of living in the Holy City are outweighed by the annoyance of being under international supervision, they are not compelled to remain there. But in fact one wonders whether many would indeed leave.

Meanwhile, under international control all the three communities and the citizens of the many countries could enjoy a peace and security which otherwise would be unknown, and with it free access to the whole of the indivisible city.

15. The Bogy of Predominant Vatican Influence. The Israelis have made a direct bid for Protestant support for partition. Ben Gurion recently was reported to have said that the supporters of internationalization were the Arabs, the Communists and the Roman Catholics.

Protestant leaders in America have been told that internationalization means that the Vatican will soon dominate the Holy City; while Orthodox Christian leaders in Jerusalem are warned that under internationalization the Vatican will take away their rights in the international shrines.

This unworthy suggestion is easily answered.

The respective rights of the various Christian communities who share the international shrines, such as the Holy Sepulchre and the Church of the Nativity at Bethlehem, were established nearly two centuries ago by the Ottoman Turks and have been sedulously maintained by the British. Any international commission, on which Orthodox and Protestant as well as Roman Catholic countries, and Moslem states as well as the State of Israel, would be represented would make it their primary duty to see that no painful changes were made in the well established status quo. Nor would the Vatican wish to be placed in the invidious position of altering so delicate a situation.

But granted such a thing were possible, what Christian is there who would prefer handing the holiest shrines of the Christian religion and the welfare of the Christian community over to non-Christians in preference to seeing them in the hands of fellow-Christians, even of a different tradition?

16. The Question of Force. In view of the fact that spokesmen for Israel and also for Hashemite Jordan suggest that they would oppose by force the attempt to internationalize the Holy City, the question arises whether the United Nations has the military force to impose its decision. As one pro-partition spokesman expressed it: Who among the Christians is ready to die to make Jerusalem an international city?

No realistic person can think that, if the United Nations is firm in supporting its decision to create the enclave, the Hashemite Arabs and still less the Israelis would dare to defy with armed force the considered judgment of the nations.

Israel is too dependent upon public opinion to risk such a calamity, which would ruin its much valued reputation for fairness and international decency. And both Israelis and the Hashemite Arabs could quickly be brought to terms by the mere application of those economic sanctions which lie within the power of the United Nations. Of the two Israel is even more vulnerable in this respect than the Arabs.

But there is a force stronger than that of military might.

Israelis and Moslem Arabs as well as Christians realize that mere nationalistic fervor must yield place to the superior claims of international brotherhood and religion. Jerusalem, sacred to the three great monotheistic religions, stands for something higher and more sublime than nationalism. It stands for the ideal which lies behind the very creation of the United Nations itself. Any attempt to oppose by force the internationalization of Jerusalem would be an affront to civilized men everywhere. It would be tantamount to the assertion that international goodwill, brotherhood and

toleration were dead, and that force alone ruled the destinies of men.

An international enclave where the three religions could live side by side in peace and the nations of the world lay aside their nationalism in the interests of something nobler and grander would be indeed an inspiration to men of good will everywhere.

New York,
Jan 6th, 1950.

EXHIBIT A

THE DOMINANT GOVERNMENTS IN
JERUSALEM 3000 B.C. - 1950 A.D.

		Years
Israelites	Davidic Kingdom to Fall of Jerusalem 1050-586 B.C.	464
Babylonians	Fall of Jerusalem to fall of Babylon 586-538 B.C.	50
Persians	Cyrus to Macedonian conquest of Persia 538-332 B.C.	206
Greeks	Alexander's conquest of Jerusalem to emancipation of city by Maccabees 332-166 B.C.	166
Jews	Maccabean Kingdom 166- 63 B.C.	93
Pagan Romans	Roman conquest of Jerusalem to fall of paganism 63 B.C. - 323 A.D.	386
	(Herod as vassel of Rome and his heir: semi-independent Jewish rule 37 BC - 6 AD)	43
Christian Romans	From Constantine to Persian conquest 323-614 A.D.	291
Persians	Period of Persian rule 614-628 A.D.	14
Romans	Reconquest of city by Byzantines 628-637 A.D.	11
Arabs	Conquest by Moslem Arabs 637-1072 A.D.	435
Turks	Rule by Moslem Turks 1072-1092 A.D.	20
Arabs	Reconquest by Arabs 1092-1099 A.D.	7
Christians	Crusading Kingdom 1099-1187 A.D.	88
Arabs	Reconquest by Arabs 1187-1229 A.D.	42
Christians	City ceded by treaty to Frederick II 1229-1239 A.D.	10
Arabs	Revived Arab rule 1239-1514 A.D.	275
Moslem Turks	Jerusalem under Ottoman Turks 1517-1917 A.D.	400
Christians	British conquest and mandate 1917-1947 A.D.	30
	Jerusalem seized by Israelis and Arabs 1947-1950 A.D.	3

EXHIBIT B

THE POPULATION OF JERUSALEM
OUTSIDE THE WALLS

All figures for the population of Jerusalem since the careful 1931 Census are estimates. At that time the population of Jerusalem was given as follows:

	<u>Total</u>	<u>Moslems</u>	<u>Christians</u>	<u>Jews</u>
Inside the walls	25,183	12,201	7,759	5,222
Outside the walls	65,320	7,693	11,576	46,000

Since that date there has been a steady movement away from the walled city, Moslems and Christians as well as Jews seeking better quarters outside.

In 1946 the British Mandatory Government estimated that the population of Jerusalem was 163,350, and included 33,680 Moslems, 31,350 Christians and 99,320 Jews. Allowing therefore for a small decline in the population within the walled city, this gives us for this date, prior to the fighting which made refugees of most of the Moslem and Christian inhabitants of the extra-mural area, the following rough estimate for the numbers living inside and outside the walled city:

	<u>Moslems</u>	<u>Christians</u>	<u>Jews</u>
Within the walls	10,000	7,000	4,000
Outside the walls	21,000	24,000	95,000

Of the 45,000 non-Jews living then in extra-mural Jerusalem, the greater proportion lived in the area now occupied by Israeli forces. Included in these Israeli held areas are the fine modern quarters of Talbiyeh, German Colony, Katamon, Upper and Lower Beka's and Abu Tor.

8. Letter dated 16 January 1950 from Mrs. Freda Kirchwey,
President of the Nation Associates, to the President
of the Trusteeship Council.

Note by the Secretariat: This letter was reproduced
separately in document T/350.
