

AMERICAN COMMITTEE FOR JUSTICE IN THE MIDDLE EAST

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The American Committee for Justice in the Middle East, San Francisco Bay Area Chapter, is particularly concerned with the very real necessity for a clear definition of United States' policy in the Middle East. America's position in that region's affairs was very important prior to 1967 and since that time, the American posture has become the single most critical element in reaching a lasting settlement. Implicit in a lasting peace would be these factors: Justice for all the people and all the States in the area; An improvement of U.S. relations through the area as a whole which would enhance American national interests; And finally, the humanitarian goal of an end to war with the resultant loss of innocent lives and destruction. Believing strongly in this spirit, which is shared by all Americans, this Committee offers the following statement.

Despite the absence of open warfare, the Middle East remains a constant hot spot into which America could be drawn at any moment - with dire military, economic, political, as well as human consequences. This is the basic tenant which since 1967 has formed the single most potentially dangerous entanglment confronting the United States. This belief has been repeated in the columns of such media as The New York Times and The Christian Science Monitor.

Soon after the creation of Israel in 1948, the United States issued its first and only direct, official policy on the Middle East, namely, that our government would support the territorial integrity and political independence of all nations in that region. Whether rightly or wrongly, this pronouncement was violated essentially by the Armistice lines of 1949, in which an enlarged Israeli state came into being which included territory taken by victory of arms beyond that area stipulated by the United Nations Partition Plan. It is not our intent to argue the question of who began what; that could be interminable with a number of seemingly plausible positions emerging. From the 1948-1949 hostilities however, two bodies were created: an Israeli State and a displaced Palestinian entity.

In 1956, the Tripartite attack by France, Great Britain and Israel against Egypt, brought forth from the Eisenhower Administration a restatement of U.S. position on territorial integrity and political independence. This episode offers ample evidence of (1) the applicability in practice as well as theory of true American neutrality and (2) that the World Community, led by the United States, could impose a settlement, not only upon Israel and Egypt, but also upon France and Great Britain, the two powers considered members of the Big Four.

The Six-Day War of 1967 resulted from a long build up of many facets of Mideast friction. Authorities on that region concur that there was no clear single party solely responsible for the conflict. Whatever the provocation, Israel launched a "preemptive attack" on June 5 and actual war commenced. The result left an expanded Israel territorially and population wise, with a substantial number of Arabs in the occupied areas. A new flood of refugees left the occupied areas, some voluntarily from panic, others expelled - and the latter continues. Israeli military superiority has never been in doubt, either by American military and intelligence groupings or by the Institute for Strategic Studies. This point should be kept in mind as Israel is now an occupying power, having also annexed unilaterally Old or Arab Jerusalem and carrying on an active settlement program in all portions of the occupied territory.

In short, defending Israel proper is one thing, but defending Israeli conquests is quite another - and one which the American public assuredly is not prepared to support, either financially or militarily. Numerous samplings of opinion uphold this contention the latest being through the Congressional Polls as those of July 7, August 3, September 16, and 23, 1971 (Congressional Record, pp. E7082, E9687, E9550).

Let us put aside for a moment questions of morality, of right or wrong, or of justice and injustice to both peoples and states.

For now, there are a few unavoidable economic facts of life, perhaps unpleasant for some of us, which need to be recognized so that the cost of certain political realities, decisions and stances can be more fully calculated.

By 1980, only eight years hence, projection for U.S. petroleum demand are for 22.7 million barrels per day (b/d) with no less than one-third supplied by Arab sources. More thought provoking is the opinion of an energy expert of our own Department of State who estimates the 1980 share of Middle Eastern (Arab and Iranian) and North African oil to be half of the total needs of that commodity for the U.S.

Apart from meeting energy demands, the changing pattern and extent of oil imports to the U.S. contain potentially sweeping ramifications. In the past years and to date, the United States has experienced a favorable trade surplus with the Arab nations of at least \$500 million annually, a bright note when one recalls that in 1971 our country registered its first trade deficit since 1893. As we import oil and natural gas from the Arab bloc, two things will occur. First, American companies will continue the returns on investment with an inflow and positive impact on the balance of payments as their activities continue and increase. Second, there will be a rapidly rising level of outflow as the U.S. pays for its oil imports from the Arab World. The trade race will pick up considerably since the balance of trade should move from a surplus for the U.S. to a deficit with commensurate rises in dollar holdings by Arab nations.

Today, the American share in the Arab market is quite small, only \$1 billion of a total Arab import from all sources of \$8 billion. Interestingly, the figure is about four times the value of Mainland China's imports from everywhere, yet the People's Republic of China is given much attention as an impressive new outlet for American products.

In view of its commitment to the principles of the United Nations Charter (including the principle of the inadmissibility of the retention of territory occupied by force); in view also of its oft-repeated desire to see a lasting and just peace prevail in the tortured Middle East; and in view of its specific commitments, solemnly made by four successive Presidents and their respective Administrations - in view of all these factors, the United States would be ill-advised not to put its weight behind efforts to ensure the speedy withdrawal of Israeli forces from Arab territories occupied by force.

As an immediate step towards that end, America's influence should be exerted in the direction of rescinding the unilateral annexation of Arab Jerusalem and all measures based thereon, and also rescinding all other measures calculated to lead to the de facto or de jure

annexation of all or some of the other occupied Arab territories.

This should be accompanied by simultaneous renewal of the Armistice Agreements (unilaterally abrogated by Israel in 1967) and re-activation, even reinforcement, of the supervision, and observation machinery created by those agreements.

In addition to its general obligations as a founding member of the United Nations and a permanent member of the Security Council, the United States is under a special obligation to associate itself actively with the adoption and the enforcement by the Security Council of a settlement of this question - a settlement involving complete and unconditional Israeli withdrawal. Such a settlement the Council is Charter-bound to adopt and enforce. Only the obstructive role played the United States representative in 1967 prevented the Council from deciding upon such a settlement, which would have demanded the Israeli withdrawal be not only immediate and complete but also unconditional.

The special obligation of the United States, to which reference is made, stems from two factors:

1. In the system of international law to which the United States subscribes, independently of its membership in the United Nations, the principle of the inadmissibility of acquisition of territory by military conquest, and the corollary of unconditional withdrawal, are fundamental. To cite but one illustration: Article 17 of the Charter of the Organization of American States enunciates these principles in the following words:

"The territory of a State is inviolable; it may not be the object even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, on any ground whatever. No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized."

2. With special reference to the Arab-Israeli situation, the United States is a signatory to the Tripartite Declaration of May 25, 1950, which successive American administrations have proclaimed to be a corner-stone of American policy towards the Arab-Israeli conflict, and in which the three principle Western powers undertook to "take action, both within and outside the United Nations," to "prevent" violation by any of the states in the area of "frontiers or armistice lines."

American policy-makers have not been aware of the skepticism with which Arab leaders and peoples viewed the assurance that the United States would take effective action to prevent Israeli territorial expansion; and successive American statesmen have tried to disabuse the Arab mind of this skepticism. Thus, Mr. Dulles stated in a report to the nation made on June 1, 1953, upon his return from the Middle East:

"That declaration, when it was made in 1950, did not serve to reassure the Arabs. It must be made clear that the present U.S. Administration stands fully behind that declaration. We cannot afford to be distrusted by millions who should be sturdy friends of freedom."

This claimed American concern for the territorial integrity of all states in the Middle East equally and without discrimination was reiterated by the Kennedy and Johnson Administrations. It continued to be voiced by President Johnson until the eve of the June War of 1967. On May 23, 1967, he stated: "To the leaders of all the nations of the Near East, I wish to say what three Presidents have said before...that the United States is firmly committed to the support of the political independence and territorial integrity of all the nations of the area." And as late as June 3, 1967, President Johnson reaffirmed that he was "determined to preserve the territorial integrity of all the nations involved in the area."

The question that the American Government must now face is this: Can formal declarations and public assurances, so unambiguously enunciated and so solemnly proclaimed by all four administrations of the past two decades, be now lightly ignored - without undermining the credibility of America's international undertakings, and thereby destroying the usefulness of any contemplated "major power guarantee" which President Nixon has described (in his press conference of March 4, 1969) as "an absolute essential to any kind of a peaceful settlement in the Middle East"?

The United States will greatly serve the cause of world order and a just peace in the Middle East if, at the same time, it proclaims itself strongly in favor of adjudication of all outstanding issues which, in the past twenty-four years, have been important manifestations of the conflict between the Arab States and Israel - such as the problem of shipping in the waterways of the region. Prior acceptance of the compulsory jurisdiction, and proclamation of readiness to comply with the decisions, of the International Court of Justice, in regard to all such issues, as well as prompt submission of all such issues to the Court, would go a long way towards removing what the past twenty-four years have shown to be some of the main immediate causes of friction between the parties.

But all these measures will remain confined to the dimension of the derivative conflict. They will not begin to touch the basic, underlying problem -namely, the fate of the Palestinian Arab people - until the rights of the Palestinians Arabs, individually and collectively, are recognized, and a real determination to do justice to them becomes a part of the zeal for effecting a lasting settlement.

At this juncture it is pertinent to refer to the three resolutions taken by the General Assembly of the United Nations during its last session (A/RES/2787 (XXVI) 17 December 1971, A/RES/2792 (XXVI) 22 December 1971 and A/RES/2851 (XXVI) 11 January 1972) which confirmed the "inalienable rights" of the people of Palestine, including their right to self-determination. It will also be recalled that the United Nations, with the full concurrence of the United States, has for twenty-four years constantly and consistently recognized the right of the Palestinian people to make a free choice between return to their homes and property, on the other hand. On 11 December 1948, the General Assembly recognized and proclaimed the inalienable right in a formal resolution; since then, it has "reaffirmed" and/or "recalled" that resolution 23 times. Subsequent waves of eviction of Palestinian Arabs from the El-Auja Demilitarized Zone gave rise to the Security Council resolution of 17 December 1950; expulsion of more Palestinian Arabs from the Demilitarized Zone created by the Syrian-Israeli Armistice Agreement gave rise to the Security Council resolution of 18 May 1951; and massive eviction of refugees during and since the June War of 1967 has already given rise to the Security Council resolution of 14 June 1967 and the General Assembly resolution of 4 July and 19 December 1967; as well as resolutions of 19 December 1968, 10 December 1969, 8 December 1970 and 6 December 1971. In short, during the span of twenty-four years, the two principal organs of the United Nations directly concerned have pronounced themselves categorically, in 33 formal resolutions, in favor of the right of the refugees to return promptly to their homes and an inalienable right has thus been reinforced by oft-repeated formal recognition by the organized community of nations.

It must be stated, in this connection, that this persistent attempt of the international community to restore the rights of the Palestinian Arabs is only a partial implementation of the guarantees, solemnly made by the international community prior to the dispossession of these Arabs, safeguarding their rights and position. These guarantees were explicitly made in the Balfour Declaration of 1917 (third clause), in the Mandate of the League of Nations (Preamble and Article II and VI), and in the General Assembly recommendation to partition Palestine (Part I/C, Chapter ii).

No progress towards settlement of the Palestine problem, which underlies the chronic Arab-Israeli conflict, can be envisaged,

without making good these guarantees, and restoring the inalienable and internationally-recognized rights of the Arabs of Palestine both Christian and Muslim.

The responsibility of the United States to contribute to the establishment of a just and lasting peace in the Middle East is clear - in its own interests, and in the interests of its principles and its proclaimed desire for peace and order in the region and in world at large.

The ability of the United States to make its contribution to that end is conditioned not only by the will and statesmanship of its leaders, but also by its display of a stance of authentic impartiality and fairness.

In the present year, nothing could better dispel any doubts about American impartiality and fairness, where such doubts exist, than a demonstration of real restraint during the campaigns for party nominations and for national elections, and in the formulation of the party platforms. What is needed is a statesmanlike avoidance by American political leaders of such pronouncements as may further persuade the Arabs that American partiality and commitment to Israel's ambitions and interests, in utter disregard of Arab rights and vital interests, are profound, far-reaching, and irrevocable.

Many Arabs are now convinced that America is partial and committed to Israel, to the detriment of fundamental Arab rights and basic Arab interests. Further evidence of such partiality, in the course of the coming months, will only deepen Arab alienation to the point where it might become virtually irreversible.

Mention should be made at this time of the deep division that has arisen in recent years between the United States policy and that of its major NATO allies on the Middle East issue. Israeli expansionist policy if allowed to continue with the overt and covert support of the United States could only lead to the same isolation from our allies that we found ourselves in Vietnam.

The recent past has already demonstrated that such Arab alienation serves to open the doors to influences in the Arab World from sources hostile to the United States, and also to place in jeopardy America's vast economic and other interests in the Arab World. If, in the next few months, statements of American political leaders and platforms of American political parties are such as to entrench the Arab conviction of American partiality to Israel, they will undoubtedly serve to further the process of Arab alienation and, as a result, to open wider the doors to Anti-American influences in the Arab World and to seriously menace vital American interests, economic and otherwise, in the area.