

The Hon Kevin Rudd MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Thursday 20 March 2008

Dear Prime Minister

**Re: Motion for Israeli Independence Day (Yom Ha'atzmaut) (Letter 2)**

On Wednesday 12 March, you delivered a motion celebrating and commending the achievements of Israel in the 60 years since its inception. You then commented on the role of Australia in recognizing Israel and the significance of the Holocaust.

Two weeks ago I sent a letter to yourself questioning the timing, relevance and fairness of such a motion. I can only say I was disappointed with the words expressed in your motion.

I do not know who wrote the speech, but there are some things that need to be considered.

**1. Commemoration of the Holocaust should occur on a neutral date (such as on the 27 January - the UN International Day of the Holocaust) rather than on Israeli independence day. Israel's day of independence is a time of great trauma for Palestinians it is a time of *Nakba* (Catastrophe).**

Yes, Prime Minister the Holocaust is a blight on the human record and needs to be remembered lest it happen again<sup>1</sup>. However, unfortunately you have fallen into the common trap of associating the Holocaust with Israel. These are two different things. The Holocaust is a great evil that was committed in Europe. Unfortunately, the response to European barbarity was to create a Jewish State in a region which for millennia had been Arabic speaking and non-Jewish<sup>2</sup>. This act of creating a Jewish state in the Arab world in response to European atrocities only transferred the pain to another people through dispossession of their land and the deaths of their people. This injustice continues to be source of much instability in the world. Australia's security depends on our government acknowledging this injustice and seeking to encourage the Palestinian and Israeli authorities to humbly listen to the other and be prepared to show remorse for past acts of violence through words, sharing of resources, support for mutual security, compensation and territorial boundary changes.

Only a short while ago you apologized for the acts of our government who participated in the removal of indigenous children from their homes. Prime Minister our government at the same time as (including the likes of Doc Evatt) permitted the removal of children we also supported

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<sup>1</sup> Sadly genocide continues to this day and does not look to stop in the foreseeable future.

<sup>2</sup> Yes, there was an indigenous Jewish minority in many parts of the Arabic speaking world, however, this was a minority, to support the creation of a Jewish State in a region without local consensus smacks of European imperialism and will only encourage discontent, violence and reprisals.

the removal of Palestinians from their homes and land. Can you not see why the UN General Assembly Partition Plan (November 1947) would not anger people whose ancestors had lived in this land for generations? To give you an indication of how ludicrous the UN Partition Plan was consider:

- (1) Thirty years before 87 percent of the region was not-Jewish.
- (2) The region had not had a significant Jewish majority for millennia.
- (3) The Jewish State had a slim majority of 498,000 Jews to 407,000 non-Jews.
- (4) The number of Arabs living in the Jewish state was potentially greater than the number of Jews considering:
  - (a) Jaffa the largest Palestinian Arab town (with a population of 55,000 Muslims, 16,000 Christians and 30,000 Jews) was excised from the Jewish state and placed into the Arab state despite being geographically cut-off from the Arab state. To demonstrate the precariousness of such a decision Jaffa was a prime target for the Jewish military and was surrounded and defeated by Irgun (led by Menachem Begin) and Haganah on 12 May 1948 two days before the Jewish Agency declared the state of Israel.<sup>3</sup>
  - (b) 90,000 Bedouins were not included in the Jewish state despite being permitted to live in the Jewish State to graze during the dry season. This potentially underestimated the number of Arabs in the Jewish state.

	Non-Jews	Jews
The Jewish State (as proposed by UNSCOP)	407,000	498,000
The Arab State	725,000	1,000
City of Jerusalem	105,000	100,000
<b>TOTAL</b>	<b>1,237,000</b>	<b>599,000</b>
The Jewish State –if it included Jaffa and took into account Bedouins	552,000	498,000

**Table 1.** The demography of an Arab, Jewish state and international city of Jerusalem if the UN Partition Plan of 1947 was followed through.<sup>4</sup>

It is for these reasons that the indigenous community of Palestine and her Arab neighbours regarded partition of Palestine as a gross injustice. This is why the UN Security Council in March 1948 essentially rejected the General Assembly’s Partition Plan of November 1947. This point is rarely mentioned in the history of the Palestinian-Israeli-Arab conflict. Following the General Assembly’s agreement to a partition plan the UN Security Council was required to consider the

<sup>3</sup> The Conquest of Jafa. <http://www.etzel.org.il/english/ac18.htm>

<sup>4</sup> Report of UNSCOP, September 1947 <http://www.mideastweb.org/unscoop1947.htm>. Based on 55,000 Muslim and Christian residents of Jaffa in 1948 (a conservative figure) and 90,000 Bedouins in 1945.

security impacts of such a plan. Their verdict was this plan would lead to full-scale war. As such the UN Security Council decided as custodians of international peace and security they could not support such the partition resolution so they convened a Special Session of the General Assembly<sup>5</sup>. This meeting, which was held 16 April-14 May 1948,<sup>6</sup> became meaningless when the British army withdrew and the Jewish Agency through their own force of arms declared the State of Israel on 14 May 1948. The international war which followed was a consequence of the Jewish Agency's attempt to establish a Jewish state in a region that for millennia had not been Jewish and only 30 years before contained a Jewish population of just 65,000 people (less than 13 percent of the population; see Figure 1).

The Australian Government should quite rightly commemorate the Holocaust. However the time to commemorate the Holocaust should occur on a less sensitive date for example on the UN International Day of the Holocaust which falls on 27 January each year. Not on the anniversary of the creation of the State of Israel. The events leading to the creation of Israel and the actions of Israel in the past 60 years are extremely painful and inflammatory to the non-Jewish community of the region.

Yes, the Jewish community has a cultural and religious heritage to the region, but so do Muslims, Christian, Druze, Bahai and Samaritan communities. Neither has exclusive right to the land. The attitudes of the early Jewish colonizers<sup>7</sup> of the late 1800s followed European colonial attitudes of other parts of the world an attitude of superiority and a higher right to the land. In the case of Ottoman Palestine and British mandate Palestine the suggestion that the Jewish community had some superior right to the land despite the region being non-Jewish for millennia seems extraordinary.<sup>8</sup>

Going down the path of establishing a state on the basis of ethnicity whether Jewish Israeli, Muslim Palestinian, Christian Palestinian or the like is dangerous as the past 60 years has shown. Gandhi disagreed with plan to establish a state for the Jews (especially European Jews) in the Arabic world and preferred that instead each nation should support the rights of Jews rather than create further tension by putting a European issue onto an Arabic-speaking community<sup>9</sup>. If the predominately European founding parents of Israel like Herzl, Ben Gurion,

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<sup>5</sup> The United States proposed to place mandate Palestine into a UN trusteeship for ten years.

<sup>6</sup> UN Security Resolution 44, New York, 1 April 1948.

<http://domino.un.org/UNISPAL.NSF/d744b47860e5c97e85256c40005d01d6/1b13eb4af9118629852560ba0067c5ad!OpenDocument>; S Mills, 'Why did the 'Arabs' (and th'e 13 other UN signatories) say no to partition in 1947?' <http://palestineisraeltrusteeship.blogspot.com/>;

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/310&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/310&Lang=E)

<sup>7</sup> Many people of Jewish heritage will contest the description of the modern Jewish occupation of Palestine as colonization. However consider (1) the biblical record identifies time an again the violence used by the ancient Hebrew people to destroy one of the traditional inhabitants of the land (the Canaanites). For example consider Joshua's invasion from Egypt and his part in the genocide against the Canaanites. And (2) before the modern Zionists arrived in the 1880s the region had been predominately non-Jewish for two millennia.

<sup>8</sup> What is more extraordinary is according to the Hebrew Bible the united Kingdom of Israel only lasted the lifetime of the judges and three kings Saul, David and Solomon. Civil war broke out and the kingdom divided into the Kingdom of Judea and Samaria. With both kingdom's allying themselves with different global powers at the time for stability.

<sup>9</sup> Mohandas K Gandhi, *Harijan*, November 26, 1938, <http://www.kamat.com/mmgandhi/mideast.htm> (Accessed 13 March 2008).

and the like thought they were creating a safe haven for themselves in an Arabic speaking part of the world they have sadly shown they were mistaken. The most dangerous place to live as a Jew is in the Middle East subsequent to the creation of the State of Israel. Ironically Europe which had for centuries persecuted the Jewish community is now a place of relative safety to the Jewish community as is the United States, Canada and Australia. The same number of Jews live in the United States as they do in Israel.<sup>10</sup>

Prime Minister please do not confuse the Holocaust and Israel. The tragedy of the Holocaust and the creation of the State of Israel need to be kept separate. Sadly the lessons of the Holocaust are being lost in the name of misguided self-interest and nationalism instead of mutual support and internationalism.

## **2. Why champion the democracy of Israel when:**

**(a) self-determination, specifically a plebiscite, was not an option given to the various inhabitants of the region following World War I and World War II.**

Yes, the Jewish community has a right to self-determination, but what does that mean? How is that right balanced alongside the right of self-determination for non-Jewish Palestinians? A simple approach is to accept at face value a two state solution. Essentially that was what the partition of Transjordan and Palestine (1924), The Peel partition plan (1937) and the Generally Assembly Partition Plan (November 1947) was. However, partitioning land is highly divisive, especially if someone has lived on that land for generations are then evicted or flee for their life and then are denied compensation. A fact which is more disturbing given the fact that the German Government continues to give compensation to the Jewish community as a means of compensating losses for the barbarity of the Nazi period.

How do indigenous people from around the world argue their case for land rights? If the Jewish community can initiate 2000 year-old land claims, what land claims can those descended from the Zulu, Native Americans, Celts, the Inuit, the Sami, the Mosquit, the Hawaiians, the Maori and the indigenous Australians claim? How could Britain to promise in 1917 on the one hand support for a Jewish Home in former Ottoman Palestine and yet on the other stipulate that any such home would not infringe the rights of the non-Jewish community. It seems ludicrous that such a promise could be made the British Jewish community given 87 percent of the population at the time living in Ottoman controlled Palestine (i.e over 500,000 people) were not Jewish.<sup>11</sup>

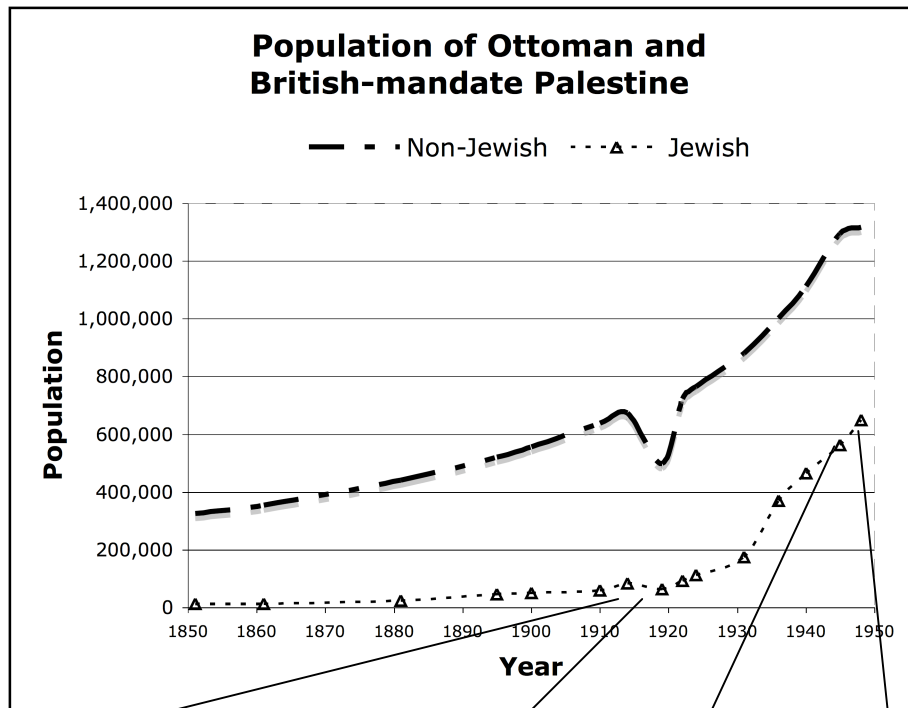
### **Figure 1. The demographic situation of Ottoman Palestine and British-mandate Palestine (1850-1948)<sup>12</sup>**

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<sup>10</sup> <http://www.jewishvirtuallibrary.org/jsource/Judaism/jewpop.html>

<sup>11</sup> MidEastWeb, The Population of Palestine Prior to 1948 <http://www.mideastweb.org/palpop.htm> (Accessed 4 March 2008); <http://palestineisraelpopulation.blogspot.com/>

<sup>12</sup> See Appendix for references



July 1915- January 1916 - British support Arab claims for independence (through the McMahon-Hussein letters). Following this the Arab Revolt (June 1916) against the Ottomans starts and is led by T. H Lawrence (Lawrence of Arabia) and Feisal, son of Hussein the Sharif of Mecca.

16 May 1916 - The British and French sign a secret agreement (the Sykes-Picot Agreement) to divide the Levant (eg Ottoman Syria and Palestine) amongst British and French areas of influence.

1917 – Arthur Balfour British MP promises a Jewish homeland to British Jews. This is despite 87% of the population were not Jewish. No plebiscite following World War I.

November 1947 – The UN General Assembly supports turning 55% of British mandate Palestine into a Jewish state and the remainder to be an Arab state and an internationalized Jerusalem. Jaffa was to be included in the Arab state despite being geographically separated. If Jaffa was not included the Jewish state this would have meant the Jewish state had more non-Jews than Jews. There was no plebiscite and this is despite thirty years before 87 percent of the population was not Jewish.

March 1948 – The UN Security Council decides not to support partition because it will lead to international war and refers the matter back to a special General Assembly held April-May 1948. The United States supports placing Palestine into a UN trusteeship for a further ten years. The specially held General Assembly is futile meeting as the British withdraw on 14 May and the Jewish Agency declared a State of Israel. International war follows.

**(b) Israel is a result of military success not democratic processes**

Prime Minister you support the notion of Israel as a democracy. That may be true, but was Israel created through a democratic process? You may say 'Oh, but the United Nations created a Jewish and Arab State'. But think again what is democracy about. It is about the will of the

people. What did the people of Palestine want post World War I? Were they asked? Do you think 500,000 Arab Palestinians (i.e 87 per cent of the population) would have voted in favour of the Balfour Declaration? What about in 1947 do you think 67 percent of the population would have voted to partition the region into a Jewish and Arab State? Were the inhabitants given an opportunity to vote for their self-determination? The UN had given other countries a plebiscite such as Greece, Kashmir, Korea and Czechoslovakia. Why not for the Palestinians?

Instead the non-Jewish members of the community were subject to the decisions made by foreign powers (including thanks to our dear Dr Evatt) which varied between partition, a binational state, mandated country and placing it under a trusteeship council. Following the infamous November 1947 General Assembly Partition Plan (which only succeeded in achieving the minimum necessary votes through pressure on countries like Philippines, Liberia and Haiti to change their originally opposition to the plan<sup>13</sup>) the UN Security Council was entrusted in determining the implementation of such a plan. However, the United Nations Security Council, in March 1948, proposed to suspend the General Assembly's 1947 Partition Plan. The UN Security Council concluded that international peace and security could not be maintained by such a partition and so they called for a special meeting of the General Assembly in May 1948. This incensed the Jewish Agency who had already prepared for statehood and decided with or without UN support they would create a Jewish state. Consequentially, on 14 May 1948 with the withdrawal of British troops the Jewish Agency proclaimed the state of Israel on the basis of the UN General Assembly's decision of November 1947. This was despite the United Nations Security Council decision of March 1948. The April-May 1948 Special General Assembly of the UN became meaningless especially when President Truman personally recognized the State of Israel<sup>14</sup> as did the Soviet Union<sup>15</sup>.

#### **4. Israel's application for membership to the United Nations was initially rejected and then accepted on the condition of right of return and compensation**

Prime Minister you mention on 29 January 1949 that Australia announced it was one of the first countries to recognize Israel. You will note that Israel's admission was rejected on it's first application to the United Nations because it did not receive the necessary votes by the Security Council.<sup>16</sup> When Israel was finally admitted on 11 May 1949 it was done so on the condition that it would accept UN General Assembly resolution 194 which included among other things the right of return for refugees should be permitted and compensation should be paid for

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<sup>13</sup> Lawrence, Smith, *US Congressional Record - House*. pp.11652-11658, 18 December 1947.

<sup>14</sup> For further comments on this issue see: <http://palestineisraelappendicies1.blogspot.com/>;  
[http://www.trumanlibrary.org/whistlestop/study\\_collections/israel/large/index.php](http://www.trumanlibrary.org/whistlestop/study_collections/israel/large/index.php)

<sup>15</sup> For a comment on the Cold War politics in play here see: Arnold Kramer, 'Soviet Motives in the Partition of Palestine, 1947-48', *Journal of Palestine Studies*, Vol. 2, No. 2. (Winter, 1973), pp. 102-119. . The Soviet Union had hopes that Israel would be more open to a communist given assurances from individual Zionists and given the strong socialist heritage of Zionism as exemplified by the existence of kibbutzim.

<sup>16</sup> UN General Assembly Resolution 273 (III), 11 May 1949;  
1948<http://daccessdds.un.org/doc/RESOLUTION/GEN/NRO/044/44/IMG/NRO04444.pdf?OpenElement>

those who decided not to return.<sup>17</sup>

## **5. Australia's acceptance of 15,000 Jewish refugees prior to World War II is a blight on our record not worthy of praise**

I am not sure why you said “[t]hankfully, later in 1938 the Australian government took the decision to admit 15,000 Jewish refugees from Nazi Germany”. My impression when I read this at Yad Vashem was this was an indictment on Australia and example of how nations did not rally to support the Jewish community, not something to be praised for. Salt is placed in the wounds of this shame when you consider that only 6,500 Jewish refugees made it to Australia by the time the war began.

Prime Minister, as the nation's leader you have a tremendously difficult path to tread, especially when you encounter such issues as the Palestinian-Israeli-Arab conflict. However, it is clear that whoever researched detail for your motion left out significant parts of history that are needed to be raised to ensure a balanced reflection. Yes, acknowledge the importance of Israel's friendship with Australia, but the substance of the motion missed the trauma that has been forced upon Palestinian people because of heinous acts in Europe. I trust Prime Minister that you will continue to seek out and meet with Palestinian people to seek their perspective of why they feel wronged by what has happened in the 60 years since the establishment of Israel.

Yours Sincerely,

Stewart Mills<sup>18</sup>

## **Appendix**

### **References to the demographic situation of Ottoman Palestine and British-mandate Palestine (1850-1948)**

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<sup>17</sup> UN General Assembly Resolution 194 (III) 11 December 1948,  
<http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/043/65/IMG/NR004365.pdf?OpenElement>

<sup>18</sup> <http://palestineisraelsolutions.blogspot.com/>

Year	Non-Jewish Population <sup>a</sup>	Jewish Population	Percentage of Non-Jewish/Jewish (%)	Total
1851	327 000 <sup>7</sup>	13 000 <sup>7</sup>	96% Non-Jewish/ 4 % Jewish	340 000
1861	356 000 <sup>7</sup>	13 000	96/4	369 000
1881	442 000 <sup>7</sup>	25 000 <sup>4</sup>	95/5	467 000
1895	522 000 <sup>7</sup>	47 000 <sup>1</sup>	92/8	569 000
1900	556 000 <sup>7/3</sup>	50 000 <sup>1/3</sup>	92/8	606 000
1910	640 000 <sup>7</sup>	60 000	91/9	700 000
1914	675 000 <sup>7</sup>	85 000 <sup>1</sup>	87/13	760 000
1916	-	57 000 <sup>1</sup>	-	-
1918	-	57 000 <sup>1</sup>	-	-
<b>1919</b>	<b>500 000<sup>4</sup></b>	<b>65 000<sup>4</sup></b>	<b>87/13</b>	<b>565 000</b>
1922	723 000 <sup>7</sup>	93 000 <sup>7</sup>	89/11	816 000
1924	765 000 <sup>7</sup>	113 000 <sup>7</sup>	87/13	878 000 <sup>5</sup>
1931	881 000 <sup>7</sup>	175 000 <sup>1</sup>	83/17	1 056 000
1936	1 003 000 <sup>7</sup>	370 000 <sup>4</sup>	73/27	1 373 000
1940	1 113 000 <sup>7</sup>	467 000 <sup>1</sup>	70/30	1 580 000
1945	1 295 000 <sup>7</sup>	564 000 <sup>1</sup>	70/30	1 859 000
<b>1948</b>	<b>1 319 000<sup>2</sup></b>	<b>650 000<sup>6</sup></b>	<b>67/33</b>	<b>1 969 000</b>

1. Jewish figures: *Statistical Abstract of Israel*, no. 23 (1972), p.23—as cited in A.Shama & M. Iris, *Immigration without Integration: 3rd World Jews in Israel*, Massachusetts: Schenkman, 1977.
2. non-Jewish/Palestinian Arab figures: J. Abu-Lughod, *The Demographic Transformation of Palestine*—as cited in I. Abu-Lughod, *The Transformation of Palestine*, North Western University Press, 1971, p.139-163—as cited in A.Shama & M. Iris, *Immigration without Integration: 3rd World Jews in Israel*, Massachusetts: Schenkman, 1977.
3. *Encyclopaedia Britannica* 11th Edition (1910-11). Cambridge University Press.
4. *Palestine: Royal Commission* (1937).
5. *Report on the Tour of Investigation in Palestine in 1925*. League of Nations. Health Organization, Malaria Commission.(1925). Geneva.
6. *The Jewish Agency, Immigration Information Departments, 16 years of immigration to Israel* (1964). Jerusalem—as cited in A.Shama & M. Iris, *Immigration without Integration: 3rd World Jews in Israel*, Massachusetts: Schenkman, 1977.
7. McCarthy, Justin, *The Population of Palestine: Population Statistics of the late Ottoman Period and the Mandate*, Columbia University Press, 1990.

<sup>a</sup> Balfour in 1917, referred to the two communities as Jewish and Non-Jewish. Note the percentage of 'non-Jewish' persons two years after the Balfour Declaration i.e. **almost 9 persons out of ever 10 were 'non Jewish'**.