

PALESTINE ESSAYS No. 19

THE JUDAIZATION
OF
JERUSALEM

By

ROUHI AL-KHATIB



PALESTINE LIBERATION ORGANIZATION
RESEARCH CENTER

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Introduction

The Judaization of Jerusalem, which the Israeli occupying authorities have been carrying out since June 7, 1967, is part of a series of well-prepared plans. They constitute a violation of all human, civil and international conventions. They aim at usurping Arab land, dispersing and liquidating its owners, and, gradually, seizing the Muslim Holy Places. The Israeli policy-makers are intent on changing the face of the city in as short a time as possible so that the Judaization of Jerusalem and the liquidation of Arab presence (Muslim presence in particular) from the city, be achieved before the Arabs succeed in closing their ranks, before Muslims and Christians respond to the Arab appeal to save the city and before the conscience of the world awakens. The Israeli authorities have been working, at the same time, towards cutting the Holy City off from neighboring Arab towns and villages, in the hope of confronting the world with a *fait accompli*.

The preliminary steps in this scheme were sketched out during the First Zionist Congress at Basle, Switzerland, in 1897. The Zionist design has been executed in stages, of which the most important are the following:

a) The Balfour Declaration in 2/11/1917 by the British Government granting Jews a National Home in Palestine.

b) The appointment of Sir Herbert Samuel, a British Zionist, in 1/7/1920 to be the first British High Commissioner in Palestine to prepare the ground for the implementation of the Balfour Promise.

c) The facilitation of Jewish immigration and settlement from 1920 to 1948, at first at the point of British bayonets, later with American and German assistance. The number of Jews in

Palestine, thus, rose from 56,000 in 1918 to approximately 650,000 in 15/5/1948; in Jerusalem it rose from a few thousand in 1918 to approximately 90,000 in 1948.

d) The United Nations Palestine Partition Resolution of 29/11/1947 and the occupation of the greater part of the city by the Zionist terrorist organizations before the evacuation of the British Army in 14/5/1948.

e) The proclamation of the State of Israel, 15/5/1948, and its recognition by the United Nations, the dispersion of the majority of the Arab inhabitants of the city and the usurpation of their property in accordance with what the Israelis term the Absentees' Property Law.

f) The proclamation of Jerusalem as the capital of the State of Israel, 23/1/1950, and the transfer of the Knesset to it, as well as the increase of Jewish immigration and settlement in the city. The number of Jewish residents, thus, rose from 90,000 in 1948 to 190,000 in 1967.

g) Finally, the Israeli military occupation of what remained of the city, 7/6/1967, followed by the realization of the final stages of its Judaization through a number of military, legal and administrative measures, as well as through terrorism. Following is a list of these measures in the order in which they have occurred. I have relied on my own observations during the nine months I remained in the occupied city, and on information I have collected since, from travelling Jerusalemites and from newspapers, periodicals and books, both Hebrew and Arabic, which have appeared in the occupied territories. I have relied also on documents and maps.

1. Murder, Arrest and Pillage

Upon occupying the city, the first step towards changing its status taken by the military authorities was identical to the methods the Zionist terrorist organizations had practised in the massacres of Deir Yassin, Kafr Kassem and elsewhere in the previously occupied territories. During the first day of fighting and

for the following two days, although the Jordanian Forces had withdrawn, there was continuous Israeli ground and air bombardment of the city. The Israeli Forces used incendiary bombs and machine guns. Three hundred civilians were killed. Whole families were wiped out, some inside their homes, others in the streets and lanes, during their flight from raging fires.

Bombs tore down hundreds of residential and business buildings, both inside and outside the city walls. They caused fires in dozens of stores outside the city walls, and heavy damage to a number of churches, mosques and hospitals. Of these we cite St. Anne's Church (also known as al-Salahiya, which at the time happened to be sheltering over three hundred refugees from outside the city walls), the chapel in the Schmidt's College for Girls outside Bab Al-Amoud, Al-Aqsa Mosque, the minaret of Bab Al-Asbat and the Augusta Victoria Hospital on the Mount of Olives. (This place was overflowing with the sick and wounded at the time.)

The Israeli Army then occupied most of the large buildings in the city, mostly schools and hotels, and looted much of their contents and those of numerous stores and dwellings. They pillaged cars as well. All this took place after the 'fighting' had ceased.

The occupying authorities imposed successive curfews, lasting for many hours at a time, during which they rounded up residents of whole quarters and detained them for long hours both in the night and under the scorching sun. These authorities took away hundreds of citizens to undisclosed concentration camps where they subjected them to various kinds of physical and mental torture, regardless of age. The fate of many of these people is still unknown.

These waves of brutal acts and crimes of terrorism have caused about 5,000 people, mostly 1948 refugees, to flee the City.

2. Destruction of Property

The second measure taken during the process of Judaizing

Jerusalem was a succession of acts of demolition of Arab property inside and outside the city walls. These began as early as 11/6/1967, four days after the Israeli occupation was effected. Within less than a week the following edifices ceased to be part of Arab life:

a) 135 houses in Al-Maghariba (Moroccan) Quarter in which 650 people lived.

b) Two mosques in Al-Maghariba Quarter.

c) A plastics factory near the Armenian Quarter inside the city walls which used to employ 200 workers.

d) Nearly 200 houses and stores in No Man's-Land.

Further acts of destruction of property were carried out during the first months of occupation. Various dwellings (24 separate ones) were blown up by the Israeli Army in answer to alleged Resistance activities. The Israeli civil authorities also blew up 14 historical and religious sites on 14/6/1969, on pretext of extending the exposed part of the Western Wall of Al-Haram Al-Sharif called the Wall of the Holy Buraq, also known as the Wailing Wall. This set of buildings included a mosque and Al-Zawiya Al-Fakhriya, the seat of the Mufti of Al-Shafi'i sect.

As a result of these acts of destruction, nearly 1,000 Jerusalemites became homeless.

3. Annexation of Jerusalem

On 27/6/1967 and the two following days, the Knesset, the Israeli Cabinet and the Armed Forces passed three decrees aimed at altering the sovereignty, the administration and the Municipality of the Arab City.

On 27/6/1967 the Knesset passed a resolution to insert a paragraph in an Israeli law called the Administrative and Legal Rules Ordinance, 1948. The new paragraph empowers the Israeli Government to apply this law to any new area which the Government decides to annex to the Israeli territories. (See Appendix 1.)

On 28/6/1967 the Secretary to the Government issued an

order called the Law and Administration Ordinance No. 1, 1967, declaring the areas included in the chart appended to the order to be areas under the jurisdiction and the administration of the State of Israel. They include the municipal area of Jerusalem which had been under Jordanian jurisdiction. They are bounded in the north by the village of Qalandiya and the Qalandiya Airport, in the west by the Armistice Line, in the south by the villages of Sur Bahir and Beit Safafa and in the east by the villages of Al-Tur, Al-Isawiya, Anata and Al-Ram. At the time, 100,000 Arabs inhabited this area. (See Appendix 2.)

On 29/6/1967, the Israeli Defense Army issued an order dissolving the Municipal Council elected by the residents of Arab Jerusalem, dismissing its Mayor and transferring the employees of the Arab Municipality to the Israeli one. (See Appendix 3.)

The Israeli military authorities enforced these orders with a high degree of severity. They seized all property, furniture, equipment and records belonging to the Jordanian Government and to the Municipality of Jerusalem. They brought all Government Departments and Courts under their Israeli counterparts. They abolished Jordanian laws and regulations replacing them with Israeli ones. They imposed an Israeli Military Government to which Arab residents became subject.

The Arabs of Jerusalem and of the rest of the West Bank objected to these measures, as did the Jordanian Government. They complained to the U.N. The U.N. passed two resolutions, on 4/7/1967 and on 14 /7/1967, considering these Israeli measures as invalid; they called upon Israel to rescind them and to desist immediately from taking any action which might lead to a change in the status of Jerusalem. (See Appendices 4 and 5.)

4. Sealing off Jerusalem

To secure the annexation of the Holy City, the occupying authorities set up a number of Army, Police and Customs posts across all the roads linking the city to the neighboring Arab towns and villages. Jerusalem was considered a foreign area ac-

cessible only to the carriers of military permits. These permits are very difficult to come by, and, even then, are granted only after lengthy and repeated petitioning, lasting sometimes for days. As many Jerusalemites who live in the suburbs, and many inhabitants of other neighboring areas who work in Jerusalem, have had to move between the city and the areas surrounding it, large numbers of people have found their lives greatly affected by these restrictive measures, sometimes tragically so.

5. Judaization of Arab Economy

No sooner did the occupying authorities finish sealing off Jerusalem politically and administratively from the neighboring areas, than they confronted Jerusalemites with another set of measures this time aimed at liquidating Arab economy and incorporating it gradually into the Israeli economy. The authorities closed down Arab banks (The Arab Bank, The Cairo-Amman Bank, The Bank of Real-Estate, The Jordanian Bank, Al-Ahli, and Intra) and took possession of their funds. The Ottoman and British Banks, too, were closed down for a time. The authorities exchanged Jordanian currency for Israeli currency. Finally they prevented any West Bank agricultural or manufactured product, or any other Arab commodity from reaching the Jerusalem market; instead, only Israeli products and merchandise were imported.

This restriction prevented the Arab of Jerusalem from consuming Arab products even though these might be of his own production. He was forced to buy Israeli goods. Some Arab merchants were forced to deal with their Israeli counterparts. The nearby Arab producer who depended on the Jerusalem market was now deprived of the main outlet for his products and was forced to cut down on his production. Workers who were laid off, either joined the ranks of the unemployed, or, under the pressures of earning a living, had to seek employment with the Israeli occupying authorities or with Israeli institutions.

In the face of this restriction, a number of West Bank agricultural and industrial producers approached the occupying power

for permission to export their products to the markets of the East Bank of Jordan. The Israeli authorities found this arrangement agreed with their wider plans since it alleviated the problem of distribution. It would, thus, consecrate the restrictions imposed on Jerusalem for the purpose of separating it from the rest of the West Bank. At the same time, this arrangement could make the citizens on the one hand, and the Jordanian Government on the other, accustomed to these measures and lead them to accept a *fait accompli*.

6. Census of Arab Residents

On 25/7/1967 the Israeli authorities carried out a general census of the inhabitants of Jerusalem during which they registered the names of all citizens present requiring them to obtain Israeli identity cards within three months (these cards do not entitle their carriers to Israeli nationality). The authorities, furthermore, considered those absent at the time of the census to be absentees and denied them the right to reside in the city.

Because of this measure, all Jerusalemites who were absent in jobs held in neighboring areas or countries, or elsewhere in the world, prior to or since 1948, as well as those who had temporarily left during the 1967 fighting, were considered to be absentees and were denied the right to return to their country.

These people and their families total no less than 100,000 Arabs. They are compelled, as a result of the Israeli occupation, the change in the status of the city, and the census, to forfeit their international right to belong to Jerusalem. This same right is bestowed upon Jews everywhere.

7. Absentees' Property Law

On 31/3/1950 the Israeli Government passed a law called the Absentees' Property Law, 1950, empowering the authorities to seize all the movable and immovable property of Arab or Palestinian residents of the areas occupied who had left these

areas (now under Israeli jurisdiction) after 29/11/1947, in the case of any non-Palestinian Arab citizen, or, after 1/9/1948, in the case of any Palestinian.

By means of this unfair law, the Israeli authorities confiscated all the movable and immovable property of all the Palestinian refugees and their brethren who had shared with them the right to reside in the areas occupied in 1948.

As soon as the annexation of Jerusalem by Israel was proclaimed in 27/6/1967, and after the above-mentioned census was carried out, the Israeli authorities hastened to apply the Absentees' Property Law on all Arabs absent from the newly occupied areas. Israeli Government Offices were set up in Jerusalem. Registration of all movable and immovable property belonging to these people was started. Thus, in this new operation, the Israeli authorities seized vast tracts of land that had remained in Arab hands. They seized also a considerable amount of real-estate and are still sequestering whatever movable property and stocks and bonds come to their attention. All this property is placed at the disposal of an Israeli administrator to be gradually Judaized as was the Arab property expropriated in 1948.

8. Judaization of the Arab Educational System

Arab education was not excluded from the Israeli authorities' plans. Very soon after the occupation, they hastened to take over all government schools and the Department of Education in the city. They abolished the programs taught in these schools and forbade the use of the assigned text books, replacing them by those taught in Arab schools in the areas occupied in 1948. The Israeli authorities also requested the Director of Education and his staff, as well as all principals and teachers, to join the school system under the Israeli Ministry of Education and the Municipality of the Israeli sector of Jerusalem.

The Director of Education, his staff and all the teaching body refused to cooperate as a matter of principle. They persistently refused to join the Israeli educational system, in spite of the

material enticements offered to them, until the order for the annexation of Jerusalem was rescinded. They argued that their cooperation in the application of the Israeli educational programs would mean an acceptance of this annexation.

The occupying authorities retaliated by arresting the Director of Education and the Assistant Director for three months. They ordered schools to go back to their normal schedule. The authorities, next, began to put various pressures on the Arab teaching body and on parents to induce them to cooperate for the sake of starting the scholastic year.

At the time there were in Jerusalem 30 Arab government schools, 18 for boys and 12 for girls, in addition to 14 private and confessional schools.

The government schools were forcibly started and some teachers resumed their work; but a large number still refuse to do so. As to the private and confessional schools, they resumed their classes after a short close-down, when they saw that it was feasible to continue their private programs.

Jerusalemites used this opportunity to send their children to private schools. A large number of students transferred to them after their parents requested the different school administrations to enlarge these schools to accommodate as large a number of students as possible. This arrangement led to a sharp drop in student attendance at government schools, high schools in particular.

This turn of events worried the occupying authorities. They passed a new law called the Supervision of Schools Law, 1969, which appeared in the Israeli Law Digest, No. 564, July 17, 1969. The law will be effective as from January 17, 1970. (See Appendix 6.)

In general, the law in question is yet another link in the chain of measures aimed at furthering the Israeli Judaization of Jerusalem. It stipulates that all private and confessional schools and their staff acquire Israeli licences in order to continue operating. The law stipulates also that their curricula and their sources of income be subject to complete Israeli control.

The Israeli curricula, as Arab educators have observed, suppress all materials which help develop the spirit of Arab nationalism, and they draw the new generation of Arabs away from their Arab culture and values, so that, in the end, having lost their authentic identity, they fade into the Jewish identity and melt into the Israeli State.

9. Judaization of Arab Property

As part of the Israeli plan towards the Judaization of the city of Jerusalem, the occupying authorities started another series of acts, this time with the intention of expropriating large sections of Arab property inside and outside the city walls.

The maps (1) and (2) appended to this memorandum expose plainly the Israeli designs and the various stages of their realization. Through the expropriation of Arab lands and through the encirclement of the Arabs of the Holy City, the Israelis intend to liquidate Arab collective identity and destroy Arab shrines.

The first map covers the Arab sector of Jerusalem, inside and outside the city walls. The second shows the Arab quarters inside the walls.

Let us start with map (I). The area number 1 represents mostly Arab lands. These were sequestered by order of the Israeli Minister of Finance, 8/1/1968.

This area totals 3,345 dunums, or, 818 feddans, of which 93 per cent is Arab property and the remaining 7 per cent belongs to the Jews.

The area number 2 complements the area number 1. The Israeli Government appropriated it, again, by order of the Minister of Finance, 14/4/1968. This area totals 200 dunums.

Together, these two tracts of land form a barrier between the Arabs in Jerusalem and their brethren in the north and north east. They constitute one third of the total area left in Arab hands in the wake of the 1948 war.

The section number 4 on the map totals about 300 dunums sequestered on 14/4/1968. It forms the other arm of the encir-

cling barrier referred to above. It runs in a south eastern direction, parallel to the northern barrier. A look at the map shows that, in addition to depriving the Arabs of large portions of their lands and properties, these two barriers pose a threat to whatever land remains in Arab hands.

Israel expressed its readiness to compensate the owners of these lands. But Arab landowners refused such offers and gave the authorities to understand that they regarded their properties as part of the Palestinian fatherland, not subject to any bargaining or sale. In spite of persistent Arab refusal, the Israeli authorities went on implementing their plans. They confiscated these properties by force and began construction in the north and east of the areas mentioned above. In a little over a year, the following buildings were completed:

a) 86 housing units built of compressed materials in Al-Sheikh Jarrah Quarter between the Ramallah Road and the English Cemetery. These units pose a political threat to the city. They also mar its splendor, so jealously conserved in the past.

b) A number of apartment buildings, more like fortresses, named after Levi Eshkol. They were completed on 14/5/1969, and were officially inaugurated on 3/9/1969, by installing in them 200 families. According to a statement made by the Israeli Housing Minister and Deputy Prime Minister, these families are the nucleus of 30 thousand Jewish immigrants whom the Ministry of Housing seeks to accommodate in similar fortresses, now being completed on the remaining confiscated lots.

The area number 3 on the map covers all the Arab properties sequestered inside the city walls, by order of the Israeli Minister of Finance, 14/4/1968.

This area includes 595 buildings divided into 1,048 apartments and 434 stores, 5 mosques, and 4 schools. The expropriated area also includes 2 Islamic lodges. One, called Bou Medienne Al Ghouth Zawiya, belongs to the Muslims of North Africa, the other, Al Fakhriya Zawiya, belongs to the Shafi'i sect in Palestine. This area includes an historical Arab market called Suq Al-Bashura, as well as a commercial street known as Bab Al-

Silsila Street. Along this street stand a number of historical monuments dating from the Mamluke era, including the famous Palace of Al-Imam. At the time, 6,000 Arabs lived in this area.

Most of the properties in question are Islamic Waqf. The Israeli authorities were intent upon evicting their inhabitants. To force them to comply, they resorted to economic pressures, to blockage of the sewage and disconnection of the water system, finally, to coercion and demolition.

The owners and tenants in the confiscated buildings refused to give up their properties or vacate their homes in spite of all pressures and financial inducements. Faced with such a firm stand, the Israeli authorities proceeded with their plans. They excavated the streets and lanes around many of these properties, beginning in the area nearest to Al-Haram Al-Sharif.

We turn now to map (II). This map shows what the Arabs call the Old City when referring to the quarters inside the city walls.

The five numerals on the map indicate the five stages of the Israeli plan to Judaize the Old City and to encircle Al-Haram Al-Sharif. Following are the five stages:

Numeral (1) on the map points to the Moroccan Quarter which the Israeli authorities hastened to demolish on 11/6/1967.

Numeral (2) lies to the south of the first rectangle. The appears in it a section of the Haram's wall. The wall is an Islamic property as attested by the British commission in its report of December, 1930, which was published as a document under S/8427 on 23/2/1968. The wall is 50 meters long. Jews own no part of it, though traditionally they stand to weep behind it. Hence comes its name the Wailing Wall.

As soon as the Israelis occupied the Old City, they started to implement their plans. They removed all the Arab buildings in the vicinity of this wall.

On 8/8/1967 the Israeli authorities paved the way for their action by allowing *The Jerusalem Post* to publish an item about the necessity of clearing up 82 meters of the Wailing Wall.

No sooner did the news spread than the Muslim Committee in Jerusalem proceeded to investigate the meaning of the information released in the paper. The committee discovered that the realization of such a scheme required the demolition of the remaining buildings between Bab Al-Maghariba, one of the gates leading to the Haram, and the south-western corner of the Haram close to Al-Aqsa Mosque, in addition to the building housing the old Shari'a court and Bab Al-Silsila in the north. Upon ascertaining the existence of these new plans, the Muslim Committee presented to the occupying authorities a memorandum on 9/8/1967 requesting the discontinuation of any new expansionist measures.

The Israeli occupying authorities did not respond to the demands of the Muslim Committee. Instead they allowed a number of their agencies to begin vast excavations for archaeological purposes. In effect, these excavations weakened or destroyed the foundations of the buildings in the area. While these excavations were going on, the Israeli authorities dismayed Jerusalemites by ordering the area referred to on the second map by the numeral (2), to be sequestered. The quarters affected are, in addition to the Moroccan Quarter already destroyed, Bab Al-Silsila Quarter, Al-Sharaf Quarter and part of the Assyrian Quarter. This wide circle of neighborhoods inside the walls constitutes about 20 per cent of all property in the Old City.

On 14/6/1969 the preliminary works towards uncovering the southern section of the Wall of Al-Buraq (Wailing Wall) were intensified. The excavations were deepened and this caused cracks to appear in the walls of the 14 buildings still standing against the wall of Al-Haram. Among these was Al-Fakhriya Zawiya, the seat of the Mufti of the Shafi'i sect. At this point the Israeli authorities issued orders for the evacuation of these buildings, by force if necessary. Next they ordered these buildings to be bulldozed. These buildings are referred to in the map by the numeral (3). A week later, bombs were discovered in the streets leading to the Wall of Al-Buraq. Arabs were accused; but I suspect the Israeli authorities planted them there to give themselves an ex-

cuse to confiscate more buildings in order to further the Israeli expansionist designs on the Old City. (See also the Haifa newspaper *Al-Ittihad*, June 27, 1969.) Thus, on 20/6/1969 the Israeli Military Governor proclaimed the confiscation of 17 Arab buildings. Some stand against the Wall in an area which constitutes a continuation of the area of the Wall referred to in *The Jerusalem Post* on 8/8/1967. The others lie on both sides of certain streets in the Old City. This area is indicated by the numeral (4) on the map.

This time, the confiscated buildings include an historical building of great antiquity known as Al-Tankiziya school. It used to house the Shari'a Court. When it was confiscated, it housed the Muslim Institute of Preachers and Teachers. Situated as it is at the main entrance to Al-Haram Al-Sharif, its confiscation means another step in the direction of encircling Al-Haram Al-Sharif, and making access to it easier.

These buildings include several historical Waqf properties. The confiscation of these buildings has brought all the properties along the southern side of Bab Al-Silsila Street into Israeli hands. The authorities have declared that they will bring no less than 10,000 Jews to live in them.

The fifth stage in the Israeli plans to Judaize the Old City were revealed on 15/7/1969. An Israeli Government official declared that his government was considering exposing a further 200 yards or more of the southern wall of Al-Haram. Reuter was the source of this news and *The Herald Tribune* reported it on 16/7/1969.

The method of releasing this information was identical to that used when *The Jerusalem Post* (8/8/1967) published the information which preceded the Israeli expansion discussed above. (Stages 2, 3, 4.)

Exposing the 82 meters of wall as mentioned above led to the appropriation of nearly 595 Arab buildings, to the demolition of 150 buildings and to the sequestration of 17 buildings. We expect, therefore, that the information released this time will lead to

further Israeli expropriation of Arab buildings in the rectangle marked (5) on the second map.

This rectangle includes 300 Arab buildings, 4 gates of Al-Haram Al-Sharif (Bab Al-Mathara, Bab Al-Qattanin, Bab Al-Hadid and Bab Al-Habs known also as Bab Ala'iddin Al-Busairy). The rectangle includes also two mosques and the most ancient of the Arab suqs in Jerusalem, Suq Al-Qattanin. In the area live 3,000 Arabs. Their fate is going to be like the fate of their other brethren—displacement and dispersion—followed by further liquidation of Arab presence in the city.

The two schemes discussed above indicate clearly the Israeli intentions of continuing to usurp Arab property in Jerusalem, encircling Al-Haram Al-Sharif inside the City and the City itself from the outside with fortress-like buildings and Jewish inhabitants. The authorities aim by this to convert Jerusalem into a Jewish city when they have got rid of its Arab inhabitants.

The Jordanian Government complained to the U.N. Security Council about the acts of pillage and the acts of changing the status of Jerusalem. A heated debate took place on the Jordanian complaint, during the April/May sessions, 1969. The resolution passed considered all the above-mentioned measures as null and void being contrary to previous U.N. resolutions. It called upon the Israeli Government to rescind its measures and to desist from taking further action on the matter. (See Appendix 7.)

10. Judaization of the Arab Citizen

On 23/8/1968, the Israeli authorities passed yet another law to be applied to the Arabs of Jerusalem, called the Law and Administration Ordinance Law, 1968.

As I have already explained, the measures taken by the occupying Israeli power change the political, administrative, geographic, economic and cultural status of Jerusalem's Arab inhabitants. The new law closes the loopholes. It aims at Judaizing Arab professionals and craftsmen, as well as the various other

aspects of Arab life in the city by giving legal justification to the measures already taken.

The Law and Administration Ordinance Law, 1968, stipulates the following:

a) Every Arab resident who practised his profession, labor or any other occupation under a Jordanian licence must obtain a new licence under Israeli legislation within six months, ending 22/2/1969. This category includes 5,000 professionals, businessmen and craftsmen.

b) Every Arab company, be it private, limited or ordinary, which is situated in Jerusalem and was registered under Jordanian Law must apply to the Israeli courts for a licence under Israeli law within a period ending 22/2/1969. This law affects 180 companies (with a total capital of approximately 5 million Jordanian Dinars). Thus, 4,000 shareholders and a further 4,000 employees are also affected.

c) Every Arab Cooperative Society which is situated in Jerusalem and was registered under Jordanian legislation must obtain a new licence according to Israeli legislation no later than 22/2/1969. 23 societies with a total membership of 1,518 persons are, thus, affected.

d) Every Arab physician, engineer or public accountant who practised his profession in Jerusalem under Jordanian legislation must obtain a new licence under Israeli legislation, no later than 22/2/1969. 80 such people are affected by this law.

e) Every Arab lawyer who practised his profession in Jerusalem under Jordanian legislation and was still a resident of the city shall become a member of the Israeli Bar Association. The Minister of Justice shall, no later than 22/2/1969, publish in the *Official Gazette* the names of the persons to whom the law applies, without their application for such membership. 30 lawyers are affected by this law.

f) Every person who had registered ownership rights in a patent, pattern or trade-mark under Jordanian legislation in Jerusalem was entitled to such rights under Israeli law within a period which ended on 22/2/1969.

g) Any persons, to whom paragraphs (a) to (f) apply, who do not obtain licences under Israeli laws and regulations are guilty of violating these laws and are subject to punishment and to the payment of a fine as decreed by Israeli legislation. In cases when such persons continue in their violation, they shall be prevented from practising their professions further. Persons to whom this law applies have found themselves faced with one of two painful choices. They either lose their means of livelihood and are obliged to leave their homes to become refugees, or, they are obliged to collaborate with the enemy.

h) The said law stipulates also that immovable properties owned by Jews which the Jordanian Government administered shall be released to the original owners or their heirs. On the other hand, the law does not release Arab property confiscated under the Absentees' Property Law, 1950. This exclusion of Arabs from the benefits of this law takes place, even though the owner is present in the area of jurisdiction, and has been a resident thereof, on the day the law comes into force.

i) The Arabs of Jerusalem objected to this law and refused to comply with its provisions. The Israeli authorities were obliged to amend it and to authorize the different ministers in charge of the regularization of businesses and professions to renew automatically all licences granted under Jordanian legislation, as if they had been applied for under Israeli legislation.

j) The Jordanian Government complained to the U.N. Security Council (June/July session, 1969) about these measures which are contrary to the U.N. resolutions concerning the change of status of the city and its residents. The U.N. passed a resolution considering these measures as null and void and requesting Israel to rescind them and to desist from taking any further action in that direction. The resolution, also, called on the U.N. Secretary General to pursue the matter and to report his findings to the Security Council. (See Appendix 8.)

11. Judaization of Museums and Antiquities

The Israeli authorities have taken measures towards changing the status of the Museum and Arab antiquities. A memorandum was presented by the previous director of the American School of Oriental Research in Jerusalem, Professor Lapp, to his government's representative in Jerusalem on 7/4/1968. Professor Lapp was residing in Jerusalem at the time the Israeli occupation occurred. Due to the nature of his work he had ample occasion to observe the Israeli activities.

He wrote that the 9th Archaeological Convention of New Delhi, December 5, 1956, and the Hague Convention, 1954, deal with the protection of antiquities and other cultural possessions in the case of an armed conflict. He mentioned Article 32 of the New Delhi Convention which states that in the case of war, a power occupying the territories of another power shall refrain from carrying out any archaeological excavations. In the case when antiquities are discovered during the construction of military installations, the occupying power shall take all the measures necessary for the protection of these antiquities, and upon the termination of the said occupation it shall deliver them, along with all pertinent documents, to the authorities with powers over the areas previously held.

The second convention contains a number of provisions applicable to the conditions prevailing in the occupied territories. On the whole the provisions of the Hague Convention, 1954, prohibit the removal of antiquities from the areas occupied without the supervision of a representative from UNESCO. The provisions, also, call for the extension of assistance to the curators of antiquities for the purpose of safeguarding these antiquities during the period of occupation.

While the first document may be considered as a collection of recommendations, the second is a body of rules mandatory upon the signatories.

a) *Archaeological Excavations in the Occupied Territories of Jordan*

The occupying power has taken a number of decisions and measures in blatant contradiction to the resolution of 1956. A large number of robberies have been committed and permits have been granted for incidental excavations. The robberies have persisted notwithstanding the Israeli claims of having stopped them. Archaeological findings have been sold secretly by antique dealers in the Israeli sector of Jerusalem. The Israeli Government has, thus, failed to discharge its commitments regarding the convention of 1954 which makes it mandatory upon the signatories to prohibit the removal of antiquities from occupied areas for the duration of the occupation.

The UNESCO Acting Director-General has assured me that archaeological excavations are forbidden without prior authorization by the Jordanian Government, or, at least, its explicit consent. Accordingly, every American who conducts any excavations is violating all existing conventions. The excavations which were carried out under the southern and western sections of Al-Haram Al-Sharif's wall are particularly noteworthy. The traditions of Judaism, Christianity and Islam hold the area in which the excavations were carried out as one of the most sacred in the whole world. The Anglo-French excavations that were conducted in the vicinity of Al-Haram Al-Sharif between 1961 and 1967 could not be brought close to the said wall on account of the refusal of the Department of Islamic Waqf. I have been informed by the UNESCO Acting Director-General that the objections of the Department of Islamic Waqf to the excavations, carried out by Professor Mazar and sponsored by the Hebrew University, were much stronger than the objections to the Anglo-French proposals. The recent Muslim objections, however, did not get to the point of open confrontation in order to avoid Israeli retaliations.

The Jerusalem Post referred to the Arab objections against the said excavation works. But the Israeli Director of Antiquities considered the Arab and Israeli sectors of Jerusalem as being

merged, to form one archaeological unit subject to the Israeli laws on antiquities.

It should be emphasized here that the archaeological community raised strong objections to these excavations. *The Director of Antiquities in the Hebrew University confessed that the person responsible for the said excavations was not qualified to conduct earthworks underneath the wall and that his work may result in the destruction of existing antiquities of great value to the three religions.* The archaeological community is greatly angered at the highly irregular excavations carried out without prior consultations with the archaeological mission who conducted the previous works, particularly since some of the recent excavations have included the trenches opened by the Anglo-French mission. The Israelis went even further and invited Father Pierre Douveau to participate in their excavations. There is no precedent in the history of scientific archaeological excavations for an archaeological dig to take place in a spot already dug up, without explicit authorization. Let it be emphasized here that the excavations in question were carried out by 20-25 paid laborers and a number of student volunteers from the Hebrew University working under utterly unqualified government employees.

It is clear, then, that the excavations in question have been conducted on Waqf property contrary to the proposals of the afore-mentioned convention, contrary to the interests of Muslims and Christians and contrary even to the interests of a segment of the Jewish community. Finally they are contrary to all the scientific practices and archaeological conventions approved by scientific organizations.

b) The Palestine Archaeological Museum

The Israeli occupying authorities, generally, consider the Palestine Archaeological Museum to be part of the Israeli Museum and, as such, a property of the Government of Israel. The Director of the Israeli Department of Antiquities has declared this to Father Douveau and to myself.

Following are some details pertaining to the Israeli policies and violations.

Upon entering the museum on June 6, 1967, the Israeli soldiers led its Arab curators up a tower at gunpoint where they fired their guns over the heads of these employees. Three hours later, the Israelis drove them into a narrow room next to the lavatories. Since the Jordanian Army had not used the museum for military purposes, the Israeli action is a glaring violation of Articles 4 and 5 of the Hague Convention. The Israeli action, also, is incompatible with the provisions of the said convention because it exposed cultural possessions to the dangers of war and prevented the Jordanian curators from continuing in their jobs and protecting the cultural possessions of their country. Over a month passed after the end of the war, before the Israeli authorities allowed these men to return to their work and then only as employees of the Israeli Government. These persons are now working under a large number of Israeli employees from the Department of Museums and Antiquities. The Israeli Government has taken no steps towards enabling them to carry on their duties properly. The gate to the Palestine Museum now carries a sign indicating that it is one of the Israeli museums. The entrance hall assigned for the sale of brochures contains an enormous number of political pamphlets of a blatantly propagandist nature, as well as medallions commemorating the Six Day War.

As for the plates which used to carry explanations in Arabic and English, they have been replaced by signs in Hebrew only, an act which is incompatible with the respect due to cultural possessions.

The museum has been used as a center for collecting items discovered during surface earthworks and for exhibiting some antique objects discovered in Israel. On April 2, 1968, a special exhibition of ancient settlers in the Jordan Valley 8,000-5,000 B.C., was opened. The invitations to the exhibition were issued by the Israeli museum in Jerusalem. They mention the place of the exhibition as the "Rockefeller Museum." Most of the items

shown were pictures and tools discovered in Jericho. Miss Kenyon, who had discovered them, had not been consulted. The other items came from Israel.

At the same time the Israeli authorities were organizing an exhibition of scrolls. For that occasion, they removed from the Palestine Museum the unique Lachish scrolls. This action is nothing but a scandalous violation of the Hague Convention which states that the signatories shall refrain from removing cultural possessions from areas occupied after an armed dispute (Article 1). Leading archaeologists in the various schools of archaeology in occupied Jerusalem have declared that the exhibition which was held in the Palestine Archaeological Museum is but a precedent and a prelude to the removal of the contents of the Palestine Museum to Israel, including the Dead Sea scrolls.

c) The Dead Sea Scrolls

The Israeli stand *vis à vis* the Dead Sea scrolls does not differ from their stand *vis à vis* the Palestine Archaeological Museum, for both are complementary. The Director of Antiquities, Biran, told Father Douveau that the Israeli authorities considered the Dead Sea scrolls in the Palestine Museum to be the property of the Israeli Government and that keeping them in that museum is but a temporary arrangement. Father Douveau, it should be noted, is studying these scrolls which the Israelis claim form part of their collection in "The Shrine of the Books." Similar statements have been made to all archaeologists by Dr. Biran, the Israeli Director of Antiquities, and by Yadin.

Important Dead Sea scrolls were removed from the Palestine Museum on June 6, 1967, under the pretext of protecting them. They form a section of the Smithsonian exhibition, particularly the part pertaining to the psalms. These scrolls have not been returned to the Palestine Museum. Had the scrolls been removed for safekeeping as the Israelis claim they would have been immediately returned. However, the Israeli authorities have not returned them. The Israelis are, thus, violating Articles 17

and 18 of the Hague Convention. Nor have the Israeli authorities apprised the UNESCO Acting Director-General of the event, either before or after removing them as stipulated in Article 19. I firmly believe that the act of removing the scrolls on June 6, 1967, during the course of the war was definitely not for the sake of protecting them. The scrolls were being kept in a safe and inaccessible place. However, removing them in cars which ran the risk of being attacked constitutes a most serious offence. Removing the scrolls from their place during military operations by the enemy and before any cease-fire came into effect was not only exposing them to unnecessary dangers but also committing a glaring violation of the Hague Convention (Article 4) dealing with the safety of cultural possessions. The Israeli action is in fact an act of theft.

There is yet another consideration. Supposing, for the sake of the argument, that Israel is really the legitimate heir to the museum, its competence entails certain responsibilities towards the museum's standing commitments. For example the International Advisory Board signed a contract with Mrs. Elizabeth Hay Bachtel whereby she provided a sum of money towards publishing the scroll of *psalms* on condition the scroll remained on permanent display in the Palestine Archaeological Museum and was removed from its place only occasionally to be shown at foreign exhibitions. The clauses of the contract grant Mrs. Bachtel and her partner Mr. Essor the right to demand that the said scroll be returned to the Palestine Museum. The museum contains also most of the fragments of the scrolls discovered in Cave 4. These were being studied by an international group at that museum. Father Douveau has seen the fragments recently but he says that a number of these have been removed to be restored. The fact has been recorded in the register kept by the museum. Although Father Douveau did not object to this action, it is, nevertheless, a violation of the Hague Convention concerning the transportation of cultural possessions from an occupied territory to a foreign one without due international supervision,

as stipulated in Section 3 of the regulations appended to the Hague Convention.

There is further the case of the famous *Temple* scrolls, which were removed from the Kando residence in Bethlehem before the cease-fire came into effect. According to Jordanian legislation this act constitutes theft. Additional scrolls discovered in the occupied West Bank have been seized and fragments of them have been transported outside the occupied area and then sold.

Finally it should be noted that all the afore-mentioned materials in the Palestine Archaeological Museum which were removed during the war, as well as all the objects discovered during the excavations in Jerusalem and elsewhere in the West Bank before and since the occupation, and all the Dead Sea scrolls discovered in Jordan should remain in, or, be returned to, the occupied areas. All the above-mentioned items should be returned upon request within six months after the state of belligerency comes to an end—as stipulated in Article 18 of the regulations appended to the Hague Convention.

The Jordanian Government has filed a complaint against these violations with UNESCO. UNESCO conducted a full-scale investigation and the matter was discussed during several sessions of the UNESCO Executive Board. The Board passed a number of resolutions on several occasions. On 10/10/1969 a final comprehensive resolution was taken which expressed great concern at the repeated violations by Israel in its treatment of the Holy City. The resolution called on Israel to preserve the city's heritage and to desist from any further attempts to change its status.

12. The Judaization of Civil and Religious Courts

In the wake of the Israeli occupation of Jerusalem 7/6/1967, the occupying authorities closed down all the civil courts in the city and took the following measures towards changing their status:

a) The High Court of Appeal was transferred from Jerusalem to Ramallah.

b) The District Courts of Justice were merged with their Israeli counterparts. All their furniture and registers were removed to the Israeli sector of the city.

c) Arab judges and other court officials were requested to apply for transfer to the Israeli Ministry of Justice.

d) The judiciary in Jerusalem was separated from West Bank affairs and attached to the Israeli judiciary.

The members of the Arab judiciary considered these measures to be confirmation of the Judaization of Jerusalem. They rejected them and refused to cooperate with the Israeli occupying authorities. The vast majority still refuse to cooperate up to the moment of preparing this memorandum. Only four have cooperated.

The Arab lawyers in Jerusalem and the rest of the West Bank have refused to cooperate with or appear before Israeli military and civil courts, to show their support for the judiciary body and their rejection of Israeli plans. They have expressed their rejection in several memoranda and documents presented to international bodies and to the occupying authorities themselves.

In the case of the Muslim religious courts, the occupying authorities at first made no move towards closing them down. Instead they tried to convince the judges and the other employees by means of incentives, then through pressure and threats, to join the Israeli system. When they failed, the authorities expelled the head of the Shari'a Court, Sheikh Abdul-Hamid Al-Sayeh from Jerusalem in the hope of intimidating the others.

The Shari'a judges in Jerusalem continued their refusal to cooperate with the occupying authorities. They were supported in this by the vast majority of Shari'a judges and court personnel as well as the Waqf Departments in the West Bank. They are still persisting in their refusal to cooperate up to this moment.

In answer to this Arab stand, the occupying authorities directed their agencies to disregard any judgement or decision rendered by Muslim courts, and to ignore any complaint filed by

the Waqf agencies or by the Muslim Committee formed, since the occupation, to look after the affairs of the Muslims in the West Bank, Jerusalem included.

The Israeli authorities, thus, do not recognize the certificates pertaining to marriage, divorce, inheritance, guardianship, Waqf and other matters connected with the personal status of the Muslim inhabitants, including all births resulting from new marriages. This situation has created innumerable problems for the Shari'a judges, the Waqf authorities and the Muslim population. In spite of these inconveniences all have borne their fate with patience and calm to an extent which worried the Israeli authorities. In an effort to create chaos and division among the Muslims, the Israeli authorities have appointed the Jaffa Shari'a judge to take charge of religious affairs in Jerusalem and directed the Muslim community in Jerusalem to refer to him in matters relating to their religious practices.

Jerusalemites have not recognized this appointment and have refused to cooperate with the new judge. They consider him unfit to make judgements in Shari'a matters as long as he does this via the Israeli Government and as long as he accepts the Judaization of Jerusalem as evidenced by his acceptance of the new post.

13. Greater Jerusalem

On 26/3/1969 the Israeli newspaper *Ma'ariv* (Tel Aviv) published an article under the title "Greater Jerusalem as the Capital of Israel." In this article the newspaper uncovered, for the first time, the details of a project which was being planned as far back as June 1967 (possibly much earlier) for widening the limits of the city of Jerusalem. The new limits are to extend to Ramallah in the north and Bethlehem in the south. The paper said nothing about the eastern limits. It added that the project as planned covered fifty years and presupposed an increase in the population up to 900,000 persons, predominantly Jewish.

The project has been called "Al Ab Project." Four Israeli agencies are taking part in it: the Municipality, the Ministry of Housing, the Ministry of Communications and the Ministry of the Interior.

The expenses necessary for constructing the roads leading to Greater Jerusalem and the internal roads are estimated at 500 million Israeli pounds.

Among the aims of the project is the removal of a large number of the Arab houses and buildings inside the city walls under the pretext that they are overcrowded and insanitary.

The demolition of these dwellings will result in the following:

a) The dispersion of even greater numbers of Arab Jerusalemites.

b) The removal of still more historical, cultural and religious Arab buildings which link the Arabs to their past in the Holy City.

The British Mandatory Administration had preserved these edifices and had promulgated laws for their maintenance and the preservation of their architectural styles. The mandatory government had absolutely prohibited the demolition of any of their parts or the introduction of changes in their characteristic traits. So did the Arab Administration. It held faithfully to all these principles and applied all the rules and regulations pertaining to city planning for the purpose of preserving these buildings for posterity.

On 10/7/1969 UNESCO censured the Israeli occupying government for carrying out the demolition of the Arab buildings in Al-Maghariba Quarter. The United Nations General Assembly and Security Council had, earlier, censured Israel for these acts and for others, on the grounds that such measures change the features of the city, disperse its inhabitants and convert it slowly into a Jewish city.

On 7/4/1969 the newspapers, *Ma'ariv* and *Ha'aretz*, mentioned that an agreement had been signed between a Canadian Jewish company and the Israeli Housing Ministry for the building of 600 housing units on an area of 900 dunums. This area

forms part of the Arab lands confiscated in northern Jerusalem. According to the two newspapers, the housing units will be earmarked for wealthy Jews in the West.

The newspaper, *Yediot*, (8/5/1969) reported a statement by the Israeli Minister of Justice in which he declared that the building to house the Israeli Supreme Court will be built on the Mount of Olives near the August Victoria Hospital.

Ha'aretz (11/5/1969) uncovered further details about the Israeli project of Greater Jerusalem. These are connected with yet another part of the expropriated area in the vicinity of the Hebrew University and Hadassa Hospital (in the northern section of the Mount of Olives). The newspaper mentioned that the Administration of the Hebrew University had decided to transfer a number of its Schools from Western Jerusalem (previously Ein Karem) to Mount Scopus near the Mount of Olives. The schools in question are the School of Social Sciences, the Law School, the School of Education, and the Buber and Truman Centers. The administration had decided, also, to erect dormitories to house 10,000 students. 200 million Israeli pounds were assigned for the project. Work on the site has been going on at great speed, the intention being to achieve quickly the encirclement of Arab Jerusalem, to change the features of the city and to increase its Jewish population.

The project of Greater Jerusalem aims, also, at erecting large buildings to house the various Israeli ministries. Heading the list are the buildings for the Ministry of the Police, the Housing Ministry, the Ministry of Justice and the Ministry of Religious Affairs. The Arab Government Hospital in Sheikh Jarrah has already been converted into offices for the Israeli Ministry of the Police which were officially opened early in September, 1969.

14. The Burning of Al-Aqsa Mosque

The circumstances surrounding the burning of Al-Aqsa Mosque on 21/8/1969 lead one to believe that the event is but an-

other link in the chain of Israeli-Zionist plots to destroy this holy Muslim Shrine and the nearby Dome of the Rock, and rebuild on their site the Temple of Solomon, presenting the world with a *fait accompli*.

In the background to the act of arson against Al-Aqsa one notes the following declarations and measures:

a) The various statements made by the Jewish religious leaders urging the government to confiscate Al-Haram Al-Sharif and all it contains.

b) The expropriation, sequestration, and demolition of Arab property in the vicinity of Al-Aqsa.

c) The occupation of Bab Al-Maghariba, one of the gates of Al-Haram Al-Sharif leading to Al-Aqsa Mosque; the admission through the gate of all Jewish visitors without Muslim supervision. The denial to Waqf employees of the right to check those who pass through the gates; the continued occupation of the gate since 31/8/1967, despite strong opposition by the Muslim Committee and its repeated demands to check the visitors.

d) The holding of prayers in the courtyards of Al-Aqsa by members of the Israeli Army, by rabbis and later by some Jewish organizations.

e) The excavations around Al-Aqsa.

Among the statements made by religious leaders are the following:

a) On 12/8/1967 the Israeli Minister of Religious Affairs declared at an international Jewish religious convention held in Jerusalem: "The liberation of Jerusalem has placed all the Christian holy places and a part of the Muslim holy places under Israeli jurisdiction. It has returned to the Jews all their synagogues. But Israel has other holy places in Transjordan and Al-Haram Al-Sharif. To Jews this last is the holy of holies."

b) On 22/7/1969 *Ma'ariv* published an appeal by the Chief Rabbi of Israel to all Jews in Israel and elsewhere to observe as usual the Jewish traditions of mourning in remembrance of the destroyed Temple of Solomon. The Chief Rabbi drew the attention of World Jewry to the fact that the Israeli occupation

of the Old City of Jerusalem did not return to the Jews their Temple. They had no alternative but to continue spending that sorrowful day in fasting and prayer until the Temple was reconstructed in the courtyard of Al-Haram Al-Sharif.

c) Three days before the arson at Al-Aqsa, *Yedioth* reported the following:

“At 4:30 p.m., 18/8/1969 a group of 25 Zionist youths from Europe on tour in Israel, paid a visit to the Wailing Wall, then to the Holy Place. They went in spite of the prohibition against visiting it. They organized themselves quickly and paraded on the steps leading to the courtyard between the two Mosques (Al-Aqsa and the Dome of the Rock). After a moment of silence as a mark of respect for the holiness of the place, the group began to circle the Dome of the Rock chanting psalms, hymns and verses from the Old Testament. Next they sang the Zionist *Bitar*. The group-leader then addressed the youths in French. He explained to them that their feet were touching the most sacred spot for the Jewish people, a spot which the foreigners had tried to seize. In the future, this place would become for the second time the center of Jewry when the Holy House would be built anew. The group-leader added that the purpose of their visit was to demonstrate Jewish presence in the sanctuary. After repeating ‘Hatikva’ the group left the place.”

Concerning the appropriation, and sequestration of Arab property and the acts of demolition in the vicinity of Al-Haram Al-Sharif, I refer the reader to sections 9 (pp. 16-21) and 2 (pp. 9-10) of this memorandum.

The occupation of Bab Al-Maghariba demonstrates Israeli malevolence. It is enough to mention in this connection the mere act of occupying the gate, keeping it under the supervision of the military authorities without permitting joint Muslim participation, allowing Jewish crowds to enter Al-Haram Al-Sharif during the daytime and possibly during the night. Muslims look with foreboding at the continued occupation of the gate despite their strong opposition to it. They would not be surprised if some-

thing comparable to the arson in Al-Aqsa occurred and in the near future.

As to conducting Jewish prayers inside the sanctuary, the first to do so was the Chief Rabbi of the Israeli Army, Shlomo Gorin. He led the first group through Bab Al-Maghariba on 15/8/1967. On four other occasions, groups belonging to the military and the religious, as well as to Jewish organizations, have held prayers there. The last occasion was on 18/8/1969 as I have mentioned earlier.

The excavations around Al-Aqsa have been extended along the western and southern walls. In some places, the excavations run as deep as 10 meters.

I still maintain that there can be no doubt that the fire which broke out in Al-Aqsa was not the deed of a single person. Basing my judgement on past experience, I have reason to believe that the arson was planned and executed, possibly with the blessings of the Israeli authorities, by the same agencies responsible for the following events:

1. The assassination of Lord Moyne, the British Minister-Resident in Egypt during the Second World War.
2. The blowing up of the King David Hotel in Jerusalem, 1946.
3. The massacre of Deir Yasin, near Jerusalem, on 10/4/1948.
4. The assassination of Count Folke Bernadotte in the occupied sector of Jerusalem, 1948.

In each of these cases the Jewish Agency, the Israeli leaders and later the Israeli authorities hastened to wash their hands of the deed and to declare their disapproval of it. Every time they expressed their deepest concern and hastened to pay the victims the last honors. Time and again, it came to light, eventually, that the leaders of Israel and its ministers (some of whom are now at the head of the state) were the ones to plan and execute these incidents.

So it was in the past. We have reason to believe that so it is now. As the news of the fire spread in the world, the Israeli

Government and leaders declared their deep sorrow over the incident, and the Israeli Government formed an investigating committee.

But in Jerusalem, the Chairman of the Muslim Committee, Sheikh Hilmi Al-Muhtasib, held a press conference in which he declared the following: (*Jerusalem Post*, 22/8/1969)

1. The fire was a deliberate act of arson, not one caused by a fault in the electric system of the mosque.

2. The municipal water main controlled by the occupying authorities was turned off from the area as soon as the fire started.

3. The Israeli municipal fire engines were late in reaching the place of the fire.

4. It was the arrival of the Ramallah and Hebron firemen which helped to extinguish the fire.

The reports of the Arab engineers commissioned to examine the place indicate that the flames started in two different spots, one near the mimbar (pulpit), the other in the south eastern section of the roof. The mimbar was totally burnt. The roof over three aisles in the southeastern section and a large part of that section were destroyed.

The pictures taken of the above-mentioned spots immediately after the conflagration show that the first fire did not reach the ceiling above the mimbar. It remained intact. The flames in the second fire did not touch the columns nor the walls supporting the roof. The carpets covering the floors in that section were not affected by the flames. Finally, the two fires did not meet. Since the distance between the floors of the mosque and the ceiling is 15 meters and there is no short-cut between the area where the mimbar is situated and the south-eastern roof, and in the absence of any indication that the fires extended from one to the other, it becomes evident that two separate fires occurred simultaneously.

At first the Israeli authorities tried to put the blame on the Jerusalem Electrical Company. But the company had hastened to send its engineers to the scene of the fire and to switch off the electric current feeding the mosque as soon as the fire was discovered. The technical examinations made on the mosque's electric wiring showed no connection whatsoever between electricity and the fire. Deprived of one excuse the Israeli authorities searched for another. A young man from Australia was made the villain in what I believe to be an Israeli concocted drama. Although the scenes of the play were meant to revolve around the insanity of the accused young man, they also exposed Jewish covetousness of Al-Haram Al-Sharif, the eagerness of Jews to see Al-Aqsa destroyed and their hopes of erecting a new temple on the site of Al-Aqsa and the Dome of the Rock. In all this, the Israelis have been careful not to disclose their intentions concerning the future of this Muslim holy place.

Had they harbored any really good intentions, the Israeli authorities would have appointed a neutral committee to investigate the causes of the fire. It would have become immediately apparent to the investigating committee that, under no circumstances, could one person have set fire, a whole hour after sunrise, to two distant spots—the floor and the roof. Moreover, the two spots are at least two hundred meters apart and the stairway leading to the roof winds up for more than 15 meters. In such a case how can one person carry the heavy incendiaries and explosives and run upstairs, then downstairs and away before being discovered?

Anyone who stands in front of the place of the fire and examines the area inside the mosque and on the roof will, no doubt, see the impossibility of one person setting the two different places on fire concurrently. The observer must come to the conclusion that the act of arson in Al-Aqsa was the work of more than one person. But the occupying authorities dismissed this possibility. They limited themselves to bringing an accusation against the man whom, we strongly suspect, they dressed up to be the victim in a drama directed by various Israeli agencies.

15. Municipal Elections

On 1/1/1969, *Lamerhav* reported that the Knesset passed the draft of a law entering the Arab inhabitants of Jerusalem in the Israeli electoral register to enable them to vote in the municipal elections.

On 6/5/1969, *Ha'retz* reported that the Ministry of the Interior was completing the list of Arab voters living in the areas annexed after 7/6/1967 i.e. in the Old City, Wadi Al-Joze, Al-Thori, Silwan, Al-Tur, Al-Isawiya, in addition to the villages of Beit Safa (east), Sharafat, Sur Bahir and Mount Scopus.

On 19/9/1969 *Ha'retz* casually pointed out an order by the Minister of the Interior enlarging the Jewish Municipal Council in Jerusalem from 21 members to 31. The order came as a result of the unification of the city and the resulting increase in its population.

These measures aim at changing the status of the Arab citizen in Jerusalem and dressing him up as an Israeli citizen. They emphasize his separation from the Arab citizen of the West Bank and consecrate the annexation of Jerusalem by Israel. These measures are, also, a continuance of the Israeli disregard for the U.N. General Assembly and the Security Council, which have not recognized the annexation of Jerusalem and have requested Israel to desist from introducing any changes in the status of the city.

The Israeli agencies in the various ministries, and particularly those of the Municipality of Israeli Jerusalem started campaigning among Arabs to induce the latter to nominate their representatives. They urged them, men as well as women, to participate in the municipal elections set for 28/10/1969.

The Arabs of Jerusalem received these calls with either indifference or coolness. They refused to nominate anyone and were determined to boycott these elections.

Such attitudes greatly disappointed the Israeli authorities. They had built castles in the air. They had hoped for a minimum of collaboration in order to use that as material for propa-

ganda. They had hoped to lead world public opinion to believe that the Arabs of Jerusalem approved of the annexation of their city by Israel.

Since the Israeli schemes necessitated holding such elections with Arab participation, even by means of threats and falsifications, the various Israeli agencies, particularly those belonging to the Israeli Municipality of Jerusalem became very active. They initiated wide campaigns among the various social classes and communities in Jerusalem and in the nearby Arab villages annexed administratively to the city. They offered attractive rewards to those who participated in the elections and threatened all those who boycotted them.

Ha'aretz (29/10/1969) reported an interview with Mr. Maron Benvenesti, the Director of Arab Affairs in Israeli Jerusalem. He boasted: "I have worked long and hard during the past months. I spoke at length with one hundred and twenty Mukhtars and heads of families (hamulah) until I succeeded in winning over a number of them to participate in the elections."

On the other hand, *Yediot* (31/10/1969) reported some of the threats and the intimidation to which the employees of the Israeli Municipality and their aids had resorted. The newspaper's Israeli correspondent wrote:

" 'This is democracy . . . This is a farce . . .' I was told in a coffee house by an Arab resident of the Old City, after the elections.

"This Arab citizen expressed, in a few words, the impressions of nearly 20 persons of various ages with whom I had spoken on the same day. Israeli democracy has been imposed on them."

The correspondent went on to write:

"In the morning (on the day of the elections) rumors began to spread that anyone who did not have his identity card stamped indicating his having gone to the polls would be dismissed from his work, refused permission to visit relatives in Jordan and not allowed to run his own business."

Up to mid-day, no Arab Jerusalemite had taken part in those elections.

Losing all self-control, members of the Israeli police and the Administration started to collect people from the streets, houses and coffee-shops. They drove them in trucks to the polls. Next day the Israeli information agencies surprised the world by announcing that nearly 4,000 Arabs cast their votes out of a total of 37,000 potential voters.

On 30/10/1969 *Al-Quds* reported two contradictory news items. In the first the paper mentioned that the two parties, the National Religious Party and the extreme right-wing Gahal, who had taken part in the Jerusalem municipal elections, were investigating the possibility of presenting the Israeli Supreme Court with a request to nullify the Arab ballot. The two parties had received information indicating that Arab voters had been taken to the polls in a manner that was, to say the least, contrary to the accepted electoral practices.

The second item reported by the paper was a statement by Teddy Kollek, the Mayor of the Israeli Sector of Jerusalem, in which he denied the rumors and accusations that had begun to spread in the city accusing him and the Israeli police of having conducted a campaign aimed at intimidating the Arabs of Jerusalem. He denied their having threatened anyone who abstained from voting with dismissal from work, or withholding travel permits or creating difficulties for him.

While Teddy Kollek denied the allegations against him and the Israeli police, we see Mr. Maron Benvenisti (Kollek's right-hand man) declare to *Yediot* (31/10/1969):

"The Arab electors did not come to the polls willingly. We have worked hard and firmly towards that for months."

Al-Mirsad (the Israeli Arabic periodical) commented on 6/11/1969:

"The vote of 10 per cent of the Arab residents, downtrodden and intimidated as they have been, cannot be interpreted as acquiescence to the policy of Mr. Teddy Kollek or that of his government by the Arabs of Jerusalem."

The news coming out of Jerusalem has emphasized that in spite of inducements and threats, the Israeli authorities have failed to persuade any Arab in the city to stand for candidacy for the Municipal Council. The Arab boycott of this event, in particular, is proof of the failure of the Israeli policy towards the Arabs of Jerusalem.

16. Expulsion of Citizens

As part of its plan to empty the homeland of its owners and weaken the Arab spirit of resistance and steadfastness, the enemy has resorted to expulsion. A large number of political leaders and representatives of the various sectors of society have been expelled to the East Bank for alleged activities against the security of the occupying power. The methods followed have been arbitrary and terroristic, clearly indicative of the mentality of conquest and oppression. The act of expulsion would take place without forewarning, the expelled person being told at the bridge. He would have no opportunity to communicate with his family or carry with him any of his personal belongings. This condition means that the person expelled is cut off from his family and loses his livelihood. Israel has so abandoned itself to this course of action that it has expelled workers, teachers and students. So far 94 people have been expelled, of whom 13 are Jerusalemites. Among them are the Head of the Muslim High Committee, the Mayor of Jerusalem, ex-ministers, an ex-member of parliament, a surgeon (head of a charitable hospital), a lawyer, a merchant, teachers, students and workers.

Through the act of expulsion, Israel aims to realize the following:

1. Getting rid of a number of political and popular leaders.
2. Weakening the spirit of resistance among the citizens through fear of becoming subject to expulsion.
3. Avoiding the embarrassment of keeping people in prison without any specific charges being brought against them.
4. Obliging the families of the expelled persons to leave

after them due to the extreme difficulties, both material and psychological, resulting from the expulsion.

The Israeli authorities resort to expulsion on the basis of the Defense Laws applied during the British Mandate over Palestine. These laws are incompatible with:

1. The Fourth Geneva Convention (to which Israel is a signatory), Article 49, which prohibits the removal of protected persons by force from an occupied area to the territories of the occupying power or to another occupied or unoccupied area, irrespective of reasons.

2. The U.N. Security Council Resolution 237 of July 14 which emphasizes the necessity of avoiding the infliction of harm on civilians and prisoners of war as well as the necessity of observing the principles of human rights and the Geneva Convention.

The Arab citizens of the West Bank have presented several memoranda to the United Nations. In these they have objected to the practice of expulsion and requested that it be stopped and that those expelled be allowed to return. Other memoranda were presented through the Red Cross. Israel's answer to the Red Cross inquiries (Letter of Red Cross Representative in Amman, 14/3/1969) was that it did not intend to reverse its position for reasons of security. Israel, however, expressed its willingness to review each case separately upon receiving such a request from the person expelled, if such a person declared that he would refrain from undertaking any action that might threaten the security of the occupying forces and from engaging in any political activities.

The occupying authorities have recently resorted to a new method. They pursue certain detained persons and others serving prison terms with offers to sign statements indicating their willingness to depart to the East Bank if they are released from prison. It has happened, also, that the occupying power has threatened a number of citizens with prosecution and detention for alleged resistance activities. But these citizens, the occupying power has gone on to suggest, can avoid imprisonment by

agreeing to sign a statement to the effect that they choose to depart to the East Bank.

Expulsion of citizens is another act in the Israeli drama of the Judaization of Jerusalem. It is neither the last nor the least of the acts related here. This memorandum is but a brief survey of what awaits Jerusalem, the Arabs of Jerusalem and the religious and historical places in the Holy City.

Perhaps greater determination and further counter-planning may still save the city.

Appendix I

Law and Administration Ordinance (Amendment No. 11) Law 5727 — 1967

1. In the Law and Administration (Ordinance 5708 — 1948), the following section shall be inserted after section II A:
- | | | |
|-----------------------|--|------------------------------|
| Application
of Law | II B. The law, jurisdiction and administration of Eretz Israel designated by the Government by order | Addition of
Section II B. |
|-----------------------|--|------------------------------|
2. This Law shall come into force on the date of its adoption by the Knesset.
- | | |
|--|--------------|
| | Commencement |
|--|--------------|

Levi Eshkol
Prime Minister

Yaakov S. Shapiro
Minister of Justice

Shneur Zelman Shazar
President of the State

June 27, 1967

Appendix 2

Law and Administration Law, 1948 *Designation of Area Ordinance*

On the basis of the powers delegated to the Government in accordance with section II B. of the Law and Administration, 1948, and in accordance with any other law, the Government of Israel proclaims the following:—

1. *Designation of area:* The area of Eretz Israel as indicated in the chart shall be the area of jurisdiction of the Law and Administration Law.
2. *Title:* This order shall be called the Law and Administration Ordinance No. 1, 1967.
3. *Chart:* This chart indicates the area referred to above.

Yael Uzay
Secretary to the Government
June 28, 1967

Appendix 2 (cont:)

*Municipalities Law
Enlargement of the Municipal Area
of Jerusalem Ordinance*

On the basis of the powers delegated to me in accordance with Article 8 (A) of the Municipalities Law, I proclaim the following:—

1. *Enlargement of the area of the Jerusalem Municipality:* The area of the Jerusalem Municipality shall be enlarged through the inclusion of the area indicated in the attached chart.

2. *Title:* This proclamation shall be known as Enlargement of the area of the Jerusalem Municipality Ordinance 5727 — 1967.

Haim Moshe Shapiro
Minister of the Interior
June 28, 1967

Appendix 3

Order Dissolving the Jerusalem Municipal Council

In the name of the Israeli Defense Army, I have the honor to inform Mr. Rouhi Al-Khatib and the Members of the Municipal Council in Al-Quds (Arab Jerusalem) that the Council is henceforth considered as dissolved.

The employees of the Municipality in the different Municipal departments including the administrators and technicians are henceforth considered as temporary employees in the Jerusalem Municipality until their appointment is decided by the Jerusalem Municipality after they submit written applications for work.

In the name of the Israeli Defense Army, I call upon Municipality employees to continue in their work to provide the necessary services to the inhabitants of this city.

I thank Mr. Rouhi Al-Khatib and the members of the Council for their services during the transitional period from the entrance of the Israeli Defense Army to Jerusalem to this day.

June 29, 1967

Assistant Military Commander of Jerusalem
Yaacov Salman

Military Government Officer
David Vardi

Appendix 4

U.N. General Assembly Resolution No. 2253 (ES-V) of July 4, 1967 on Measures Taken by Israel to Change the Status of the City of Jerusalem

The General Assembly,

Deeply concerned at the situation prevailing in Jerusalem as a result of the measures taken by Israel to change the status of the city,

1. *Considers* that the measures are invalid;
2. *Calls upon* Israel to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem;
3. *Requests* the Secretary-General to report to the General Assembly and the Security Council on the situation and on the implementation of the present resolution not later than one week from its adoption.

Appendix 5

U.N. General Assembly Resolution No. 2254 (ES-V) of 14 July 1967 on Jerusalem

The General Assembly,

Recalling its resolution 2253 (ES-V) of 4 July 1967,

Having received the report submitted by the Secretary General,

Taking note with the deepest regret and concern of the non-compliance by Israel of resolution 2253 (ES-V),

1. Deplores the failure of Israel to implement resolution 2253 (ES-V);

2. Reiterates its call to Israel in that resolution to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem;

3. Requests the Secretary General to report to the Security Council and the General Assembly on the situation and on the implementation of the present resolution.

Appendix 6

Laws of the State of Israel

564

17/7/1969

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School Supervision Law, 1969

Article One: Interpretation

Definitions:

1. In this Law

"School" starts from Kindergarten and includes any other educational institution.

"Engaged in teaching" is applied to a person who works in a school in orientation or instruction and to a person who supervises these activities.

"Engaged in service" is any person who works in a school but is not engaged in teaching.

"Director General" is the Director General of the Ministry of Education and Culture or his deputy.

"Health Supervisor" is a person appointed by the Minister of Health for such a purpose in accordance with this law.

"Sanitation maintenance" in the school includes the sanitary condition of the school building, the playground, the equipment and furniture, lighting, heating and ventilation, and the number of students in classrooms and other rooms, the equipment used in the preparation of food, the storage of victuals and their quality.

Applicability:

2. (a) This law applies to a school in which systematic instruction is provided to more than ten students in Kindergarten, elementary, intermediate, secondary and vocational classes.

Excluded are:—

(1) a graduate school which does not offer its students elementary, intermediate, or post secondary instruction, and which does not prepare its students for any government examinations or certificates recognized by any government office or by any other law;

(2) an Institution of higher learning which has been recognized in accordance with the Board of Higher Education Law, 1948;

(3) a school in which the persons engaged in teaching are State employees;

(4) Orthodox Jews or Yeshivoth whose exclusion from this law has been approved by the Minister of Religious Affairs; the provisions of this law do not apply equally to religious instruction in extra-curricular seminar, nor to the hours assigned for this purpose;

(5) (a) The school which has been exempted from part or all of this law by the Minister of Education and Culture by general or special direction;

(b) The Minister of Education and Culture, upon consultation with the Knesset Committee for Education and Culture, shall determine the bases according to which the exemptions in subsection (5) (a) shall be granted.

Article Two: Opening and Maintaining a School

Compulsory Licence:

3. No person shall open or maintain a school unless he is granted a licence in accordance with this law; nor shall a person publicize opening a school if he has not obtained a licence.

4. (a) The application for a licence shall be made to the Director General and shall include the materials described in Section (9); maps of the school building and other matters determined by regulations shall be appended to the application.
(b) The Director General shall decide the matter and notify the applicant within 4 months from the date of the application.
5. (a) The Director General shall refer copies of the application and its appendices to the local education authority in accordance with the Compulsory Education Law, 1949, and to the local planning and building committee in accordance with the Planning and Building Law, 1965, in whose area of jurisdiction the applicant's school is located.
(b) The local education authority and the local planning and building committee shall advise the Director General of their opinion within two months from the date on which they receive the copies.
6. (a) The Director General shall refer the application and its appendices to the Sanitation Supervisor, and shall withhold grant of licence until he is advised by the Sanitation Supervisor of the latter's lack of objection from a sanitary standpoint.
(b) The Health Supervisor shall present his report to the Director General within two months of his having received the copies in question.
7. The Director General shall not grant a licence to a group of persons unless they form a cooperative society.
8. The Director General shall withhold a licence from a person guilty of a misdemeanor connected with morals or with the security of the State, or if a person is under investigation. Nor shall the Director General grant a licence to a cooperative society if its head has been guilty of any of the afore-said misdemeanors.

9. (a) The Director General shall withhold a licence from any school unless he is convinced that it shall maintain a level corresponding to that of other schools of the same category in the following:—
- (1) the school curriculum, schedule, and duration of instruction;
 - (2) the school building and its accessibility, the courtyard, the classes and classrooms, their connections and appurtenances;
 - (3) the training and professional competence of those engaged in teaching;
 - (4) the safety conditions in the school;
 - (5) the school furniture and equipment;
 - (6) the financial bases for the operation of the school;.
- (b) When making his decision regarding the detailed subjects in subsection (a), the Director-General shall take into consideration the category of school, the age and needs of the students and the correspondence of these things with the regulations prescribed by the Minister of Education, in consultation with the Knesset Committee of Education.
10. The Director General has the right to suspend grant of a licence until certain pre-conditions are met. The Director General has also the right to grant a licence conditional upon terms which shall be met after grant of the licence.
11. A licence may be limited or for a limited period provided this period is not less than one scholastic year.

Possession of a Licence:

12. A licence shall not be consigned to another person without the consent of the Director General. The request for such consent shall include the details prescribed in the regulations.

Objection:

13. In the case when the Director General may reject an application for a licence or its consignment; the applicant may,

within 21 days from the day he is notified of this rejection, object to such a decision before an appeal committee in accordance with Section 14.

Appeal Committee:

14. (a) The Director General shall appoint an appeal committee of three persons:
 - (1) a person competent to be a judge in a District Court who shall be designated, upon consultation with the Minister of Justice, as chairman of the committee;
 - (2) two other persons of whom at least one is not an official employee.
- (a) The appointment of the appeal committee shall appear in the Official Gazette.
- (c) The legal regulations of the appeal committee shall be prescribed by the Minister of Education and Culture.
- (d) The appeal committee's decision shall have the same power as the Director General's decision in accordance with this Article.
15. (a) If it has been established by the Director General that the licensee has failed to meet or relaxed any of the conditions prescribed in the licence, the Director General may warn the licensee in writing. If the licensee fails to fulfil the condition within 3 months from the date of the receipt of the warning, the Director General may revoke the licence.
- (b) A licensee whose licence has been revoked as in subsection (a) may object to the appeal committee mentioned in Section 14.

*Article Three: The Employment of Persons Engaged
in Teaching*

16. (a) No person may be employed to engage in teaching unless he holds a written permit from the Director Gen-

eral indicating that he does not object to this person being engaged in teaching.

(b) The Director General shall not refuse grant of a written permit as afore-said to a person who has been trained to engage in teaching; he shall withhold such a permit in any of the following cases:—

(1) when the person engaged in teaching has been guilty of a misdemeanor against the security of the State;

(2) when the person engaged in teaching has been guilty of an offence against morals if the Director General is convinced that this person is not fit for teaching because of this offence;

(3) if it has been established by the Director General that the conduct of the person engaged in teaching has an adverse influence on the students;

(4) when the person engaged in teaching was dismissed for educational reasons by order of the Ministry of Education and Culture and the Director General does not believe that the circumstances have changed or that they justify a new attempt to employ this person in teaching.

17. The Director General may withdraw a licence granted as in Section 16 or limit its duration.

18. (a) The Director General may revoke a licence granted as in Section 16 if it is established that one of the impediments described in Section 16 (b) obtains. But he shall not revoke a licence as in (2), (3), or (4) of Section 16 (b) before consulting the Teachers' Union representing the person in question.

(b) The licensee is obliged upon the request of the Director General to dismiss the person engaged in teaching whose licence has been revoked as mentioned in subsection (a) or who holds no licence as described in Section 16 (a).

19. The Director General shall not refuse grant of a licence in

accordance with Section 16 nor shall he revoke a licence before giving the person concerned the opportunity to appeal.

20. A person who has been denied a licence in accordance with Section 16 or whose licence has been revoked in accordance with Section 18 may object to the Minister of Education and Culture within 21 days from the date of the Director General's decision.
21. Every scholastic year, the licensee shall furnish the Director General or anyone he delegates with a list of the persons engaged in service in the school on the date and as prescribed by regulations.
22. (a) The Director General may request the licensee to dismiss any person from service when any of the following cases arise:—
 - (1) if the person engaged in service has been guilty of a crime connected with the security of the State;
 - (2) if the person has been guilty of a crime against morals, if the Director General is convinced that this person is not fit to be engaged in service in the school;
 - (3) if it has been established by the Director General that the conduct of the person engaged in service has an adverse influence on the students.(b) The licensee is obliged to comply with a request by the Director General as in this section.
23. The Director General shall not dismiss a person from service before giving this person the opportunity of appealing.
24. A person engaged in service who considers himself harmed by the request to dismiss him described in Section 22 may object to the Minister of Education and Culture within 21 days from the date of the request for his dismissal.
25. A physician or a nurse shall not be employed in a school without the permission of the Health Supervisor.
26. (a) No person engaged in teaching or in service shall be employed unless he holds a letter from the Health Super-

visor stating his agreement with the employment of the person from the sanitary standpoint.

- (b) The Health Supervisor may withdraw the permit given as in subsection (a) or limit its duration.
- (c) The Minister of Health may issue directions concerning physical examination of the employees with respect to the permit mentioned in this Section.

Article Three: Miscellaneous

- 27. (a) The Minister of Education and Culture may issue to the licensee any directions which he deems necessary to ensure that instruction in the school is carried out as prescribed in Section 2 of The Public Education Law, 1953.
 - (b) The school curricula, text books, supplementary books, teaching aids and scientific equipment in the school are subject to the supervision of the Minister of Education and Culture and must conform to the general instructions concerning the same category of schools.
 - (c) The Director General periodically approves school fees and the mode of their collection, taking into consideration the category of school and its conduct.
- 28. The licensee shall inform the Director General of any change that arises in the details of the application or its appendices.
 - 29. The Director General, or a person designated by him, and the Health Supervisor may enter the school and its court-yards any time they deem it necessary to ascertain that the provisions of this law, the directions issued in accordance with it and the conditions of the licence are being observed. They may ask the licensee or the principal of the school for any information they deem necessary for the fulfilment of their functions as prescribed by this law.
 - 30. The Director General and the Health Supervisor may request the licensee in writing to correct within a reasonable period any deficiency or fault connected with the school or its

sanitation if they deem such a correction necessary for the implementation of this law, or the directions issued, or the conditions of the licence. The licensee shall comply with the terms in this request within the period stated in it.

31. (a) The Director General may order in writing that the school be closed down if it has been established that:
- (1) the school is operating without a licence;
 - (2) the licensee has not complied with a request to dismiss a person engaged in teaching as in Section 18 (b);
 - (3) the licensee has not complied with a request of the Health Supervisor to correct deficiencies as in Section 30;
 - (4) incitement against the State or tolerance of such incitement has occurred in the school.
- (b) The close-down order shall be sent by registered mail or by carrier to the licensee or the person who is operating a school without a licence.
- (c) The close-down order shall be effective 30 days from the day of the receipt of the order as in subsection (b) unless a later date has been determined in the order. The order shall be effective until it is revoked by the Director General or the Court.
- (d) A licensee or a person operating a school without a licence may, within 30 days from the day of the receipt of a close-down order as in subsection (b), request that the order be revoked in the District Court in whose area of jurisdiction the school is located. The presentation of such a request shall not delay the implementation of the order unless the court rules otherwise.
- (e) The District Court may, at any time, revoke, alter or approve the order in question.
32. (a) The person who contravenes the clauses of Section 3, or who does not comply with a close-down order as in Section 31 shall be sentenced to one year's imprisonment.
- (b) The person who contravenes the clauses of Sections

- 12, 16, 18(b), 22(b), 25 or 26 shall be sentenced to 6 months imprisonment.
- (c) Any person who does not comply with a request to correct deficiencies as in Section 30, or other directions in this law shall be fined 1,000 pounds.
 - (d) The presentation of a memorandum with respect to a violation of this section empowers the court to whom the memorandum has been presented to order the close-down of a school until the end of the court proceedings.
 - (e) The Court may, in addition to every sentence it passes, order the close-down of a school.
 - (f) Any person who does not comply with a close-down order as in this Section shall be subject to the provisions of Section 6 of the Confiscation through Court Ordinance.
33. The provisions of this law are not incompatible with the provisions of any other law nor do the obligations under this law except a person from obligations under any other law.
34. The Education Ordinance does not apply to a school to which this law applies.
35. A school to which this law applies and which was operating at the time of its implementation shall be excluded from its provision for a period of 6 months from the date of its implementation or until a later date determined by the Minister of Education, either generally or in specific cases.
36. The Minister of Education is charged with the implementation of this law and may make regulations on any matter relating to its implementation.

Golda Meir
Prime Minister

Zalman Aranne
Minister of Education
and Culture

Shneur Zalman Shazar
President of the State

Appendix 7

Text of Security Council Resolution (S/RES/252/1968)

The Security Council,

Recalling General Assembly resolutions 2258 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967,

Having considered the letter (S/8560) of the Permanent Representative of Jordan on the situation in Jerusalem and the report of the Secretary-General (S/8146),

Having heard the statements made before the Council,

Noting that since the adoption of the above-mentioned resolutions, Israel has taken further measures and actions in contravention of those resolutions,

Bearing in mind the need to work for a just and lasting peace,

Reaffirming that acquisition of territory by military conquest is inadmissible,

1. *Deplores* the failure of Israel to comply with the General Assembly resolutions mentioned above;

2. *Considers* that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status;

3. *Urgently calls upon* Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem;

4. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution.

Appendix 8

Text of Security Council Resolution 267 (1969)

The Security Council,

Recalling its resolution 252 of 21 May 1968 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967 respectively concerning measures and actions by Israel affecting the status of the City of Jerusalem.

Having heard the statements of the parties concerned on the question,

Noting that since the adoption of the above-mentioned resolutions Israel has taken further measures tending to change the status of the City of Jerusalem,

Reaffirming the established principle that acquisition of territory by military conquest is inadmissible,

1. *Reaffirms* its resolution 252 (1968);
2. *Deplores* the failure of Israel to show any regard for the General Assembly and Security Council resolutions mentioned above;
3. *Censures* in the strongest terms all measures taken to change the status of the City of Jerusalem;
4. *Confirms* that all legislative and administrative measures and actions by Israel which purport to alter the status of Jerusalem including expropriation of land and properties thereon are invalid and cannot change that status;

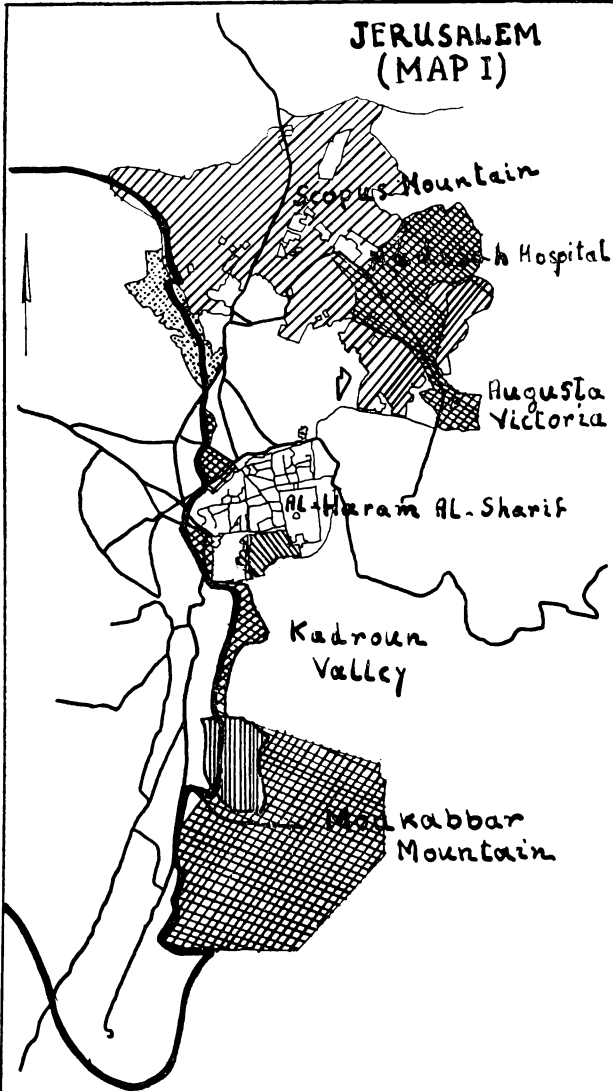
5. *Urgently* calls once more upon Israel to rescind forthwith all measures taken by it which may tend to change the status of the City of Jerusalem, and in future to refrain from all actions likely to have such an effect;







6. *Requests* Israel to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of this resolution;

7. *Determines* that, in the event of a negative response or no response from Israel, the Security Council shall reconvene without delay to consider what further action should be taken in this matter;

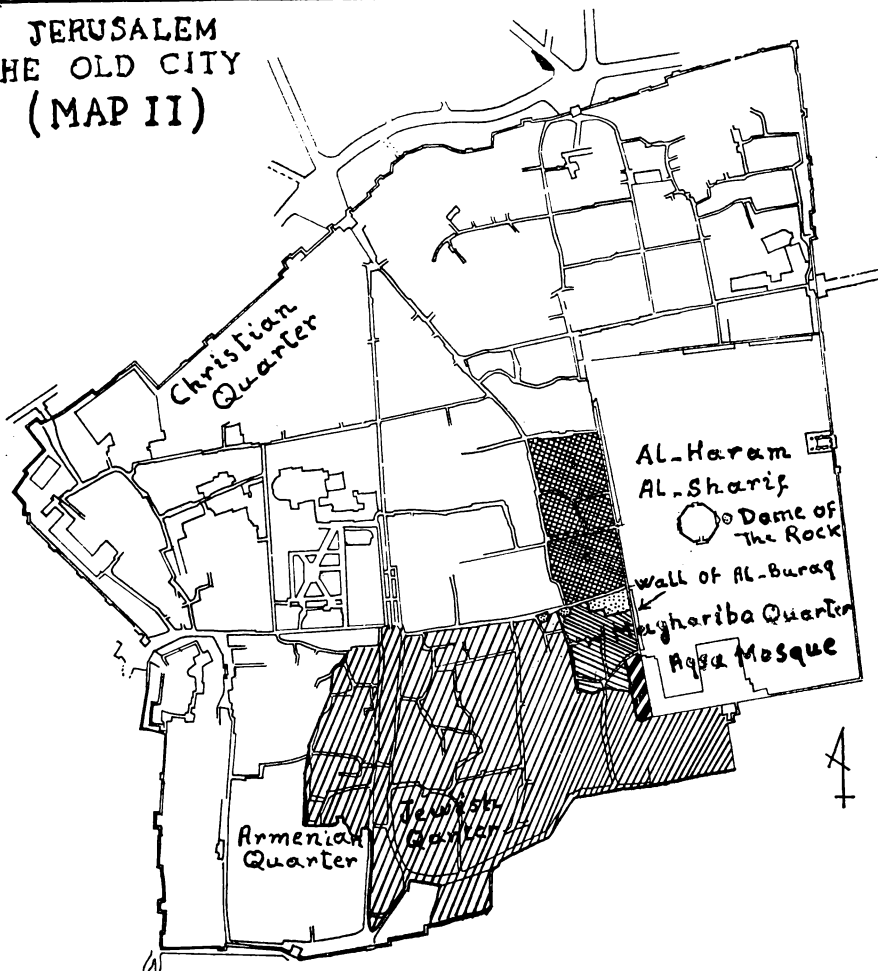
8. *Requests* the Secretary-General to report to the Security Council on the implementation of this resolution.






JERUSALEM (MAP I)



- 1-  First area of expropriation
- 2-  Second area of expropriation
- 3-  Third area of expropriation
- 4-  Fourth area of expropriation
- 5-  No Man's Land
- 6-  Armistice Line

**JERUSALEM
THE OLD CITY
(MAP II)**



- 1 -  Properties destroyed by occupation authorities in 11/6/1967
- 2 -  Arab properties expropriated in 14/4/1968
- 3 -  Properties destroyed in 14/6/1969
- 4 -  Properties expropriated in 20/6/1969
- 5 -  Area threatened by expropriation and destruction from Herald Tribune 16/7/1969. (about 300 properties)

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