

CHAPTER 6
THE PARTITION DECISION

(A.) THE UNSCOP RATIONALE FOR PARTITION

Before we get to the decision by the United Nations as a whole to support partition by a two-thirds majority, it is helpful to review the considerations that made UNSCOP, or, at least the majority in UNSCOP, favour partition. The brief Memorandum in the archives of the UNSCOP committee entitled, "Justification for the Partition Decision"¹ follows the line of argument of Emil Sandstrom, the Chairman, and is written in the form of a legal brief citing facts, rights and mitigating circumstances. The rights rather than facts are cited first in terms of the valid and irreconcilable national rights of the Jewish and Arab communities in Palestine. Regardless of historic or legal claims, the reality of two conflicting groups -- 600,000 Jews and 1,200,000 Arabs is fundamental and only partition could provide a final decision to that reality since, "There is meager (sic) evidenced that any hope for political cooperation in Palestine for Arabs and Jews can be justified".² This blow was clearly aimed at the Federal scheme but also at the rationale behind the Zionist case. This is in direct contrast to the centrepiece of the Jewish case as presented by Dr. Silver who argued before the Special Session of the General Assembly setting up UNSCOP that the Jewish case was primarily a legal and historical one.

To treat the Palestine problem as if it were one of merely reconciling the differences between two sections of the population presently inhabiting the country, or of finding a haven for a certain number of refugees and displaces persons, will only contribute to confusion.

The Balfour Declaration which was issued by His Majesty's Government as 'a declaration of sympathy with Jewish Zionist aspirations' declares: 'His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people. The Mandate, in its preamble, recognizes, 'the historical connection of the Jewish people with Palestine' and 'the grounds for reconstituting' 'their national home in that country.'

These international commitments of a quarter of a century ago, which flowed from the recognition of the historic rights and of present needs, and upon which so much has already been built in Palestine by the Jewish people, cannot now be erased. Certainly, the United Nations, guided by its great principle proclaimed in its Charter, 'to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained', can never sanction the violations of treaties and of

¹DAC --13/3.0. 1:1

²_____ 6, p. 2.

international law.³

UNSCOP would not sanction violating the Mandate of the League of Nations, but neither would it make the legality of the Jewish claim and the obligations of international law the centre of its decision.

Partition was based on reality. Partition was final. Partition was based on recognition of rights and claims of both communities. Partition was the only alternative given these realities and goals. It had the additional merit of placing primary economic and political responsibility for its implementation on the two communities themselves rather than on some outside bodies. But the key factor was immigration.

Jewish immigration is the central political issue in Palestine today and is the one factor, above all others, which makes impossible any effective political cooperation between the Arab and Jewish communities in a single state.⁴

The Minority Reports of the three dissenters favouring a federal solution was based on controlling immigration of Jews to Palestine, a control placed in the hands of a higher federal structure. The Majority Report recognized that this minority proposal would solve neither the wishes of the Arabs for an Arab unitary state with Jewish minority rights nor the Jewish insistence on their sovereign right to control immigration. Though the proposed Jewish state had to be given the right to control immigration, it did not have to be given the borders necessary to solve the Jewish problem as a whole. The Jews were granted sufficient borders to allow for immigration and further development, but, given the resources and potential development in that territory, not enough to threaten the position of the Arabs.

It is clear that both the Minority and Majority Reports did not envision unlimited Jewish immigration to Palestine, but the Majority Report in granting sovereign control to the Jewish state gave the right to decide on the number of immigrants to that state. The Minority Report ruled out granting such rights. "No claim to a right of unlimited immigration of Jews into Palestine, irrespective of time, can be entertained."⁵ But the Minority Report went further.

³(70:31) cf. Robinson, pp. 203-204. One argument for the U.N. not assuming the responsibilities of the Mandate through trusteeship is that the U.N. would then be legally obliged by the previous terms of the Mandate "until such agreements have been concluded". cf. Articles 7, 79, and 81.

⁴clause 8, p. 2, ibid.

⁵clause 6, section VII in "Jewish Immigration into Palestine", "Report and Recommendations Presented to the General Assembly by the Representatives of India, Iran and Yugoslavia" dated August 25, 1947 DA6-13\3.0. 1:2, p. 12-13.

No basis could exist for any anticipation that the Jews now in Palestine might increase their numbers by free mass immigration to such extent that they would become the majority of the population in Palestine.⁶

The Jews would not have a right to immigrate. The Arabs would have a right to limit Jewish immigration. The rights of the indigenous population to remain a majority was given primacy. But it was not absolute, since internationals were to mediate between the Jews and Arabs on the federal level guided by the principles of absorptive capacity and the presevation of an Arab majority. But it was a far cry from the position of the Arab Higher Committee which not only banned future Jewish immigration absolutely, but designated most Jews within Palestine, those who arrived after 1917, as illegals subject to deportation.

Clearly, Jewish immigration was the central dividing point between the Minority and Majority Reports. The view on immigration was in part dictated by the view of Jews and of Jewish nationalism.⁷ Economic union, the gift wrapper of the Majority Report and the legal wrapping of the Majority Report were just that -- wrappings -- a rationale to give a semblance ____ impose a ____ where none was present. In the Majority Report, the justification ended with a weak plea for economic unity "to the extent feasible" and "consistent with the creation of two independent states". It was an add-on, a desirable feature to secure the economic and social well-being of the inhabitants, but there is no argument for its necessity.

What is more important in this document defending partition is the absence of any justificatin for excluding Jerusalem from the Partition scheme and setting it up as an autonomous region. We shall return t this lapse later but it would be helpful to examine the rationale more closely -- the existence of two irreconcilable communities, the finality of the decision, placing primary responsibility on the inhabitants, sovereign control over immigration limited by the land available and the value of economic unity.

⁶op. cit.

⁷One more item needs to be mentioned -- an item which echoed the original Bunche report's interpretation of Jewish nationalism as merely a product of persecution and not an inherent characteristic of Jews. But supporters of the Minority Report went further in echoing the old canard of double-loyalty. Only this time it was not based on the old rationale that it was a product of Jews being Jews, but on the new grounds that it was a product of Jews being Jewish nationalists. "Before Hitler most Jews in the world were entirley loyal to the particular state in which they had residence, and since, moreover, they had never had the experience of loyalty to a Jewish stat, it must be concluded that Jewish nationalism is not nationalism at all in the classic sense, but merely an attitude brought out of the desperation inspired by Jewish persecution in Europe and the fear of persecution to come."
[Source?]

(B.) THE ROLE OF COERCIVE AND CREATIVE POWER

The Majority Report favouring partition was not premised on the use of coercive power but on the Arabs and Jews assuming the political and economic responsibility for the consequences of their action, thereby, the committee believed, ameliorating the passions of the moment.⁸ This was not true of the minority report. The minority argued that in spite of the intense enmity between Arabs and Jews, "it is extremely possible that if a federal solution wer firmly and definitively imposed (my italics), the two groups, in their own self-interest, would gradually develop a spirit of cooperation in their common state".⁹ The Chairman of UNSCOP recognized this difference between the two solutions.

Partition is the only means available by which political and economic responsibility can be placed squarely in both Arabs and Jews, with the prospective results that confronted with responsibility for bearing fully the consequences of their own actions, a new and important element of political amelioration will be introduced. In the proposed federal state solution this factor would be lacking, and an effort must be made by an imposed constitution to induce that will to cooperate in the political realm which has always been a basic condition for an effective union.¹⁰

There was a paradox behind both positions. The federal solution depended on eventual cooperation between the two communities but required force as a condition of its implementation. The minority only had hope that it could work since, as the Majority Report so correctly pointed out, cooperation cannot be forced, particularly when the central issue separating the two communities was immigration. And the two communities were so diametrically in conflict in this issue.

The Majority Report was no less paradoxical in arguing that political and economic responsibility would modify passions. The basis of the Arab and Jewish position was passion, a passion for the survival of their own communities. The fundamental positions of the other party directly threatened the other group. The predominance of Arab nationalism in palestine was fundamentally threatened by Zionism. The creation of a national home in Palestine with sovereign rights of self-determination for Jews, including the

⁸cf. "Justification for the Partition Scheme", clause 7, p. 2. DA6-13/3.0. 1:1

⁹"Report and Recommendations Presented to The General Assembly by the Representatives of India, Iran and Yugoslavia", Aug. 25, 1947, clause 16, p. 4. DAG-13/3.0. 1:2.

¹⁰pp. 98-99, Special Committee on Palestine, Verbatim Record of the Forty-Sixth Meeting (Private), Geneva, Aug. 27, 1947, A/AC.13/ P.V. 46, DAG-13/3.0. 1:2

right to come to Palestine, was fundamentally threatened by a hegemonous Arab nationalism. If the two communities were irreconcilable, this was the reason. And there was no reason to expect economic and political responsibilities to mitigate these passions when the primary purpose of economics and politics for the major leaders was to serve the fulfillment of these passions.

One might at best separate the two communities. But how could a decision which placed as many Arabs as Jews in the Jewish state achieve such separation? Further, who would maintain the separation if primary responsibility was placed in each of these communities?

Thus, the Minority Report seemed more realistic in recognizing that a solution would have to be imposed. As the expert testimony of Sir Alan Cunningham, the Palestine High Commission declared, "Whatever solution you find must be imposed."¹¹ The Majority Report, however, was more realistic in recognizing there was or would be no one available to impose a solution.

On the other hand, cooperation could not be enforced. On the other hand, you could not get even minimal cooperation -- a prerequisite of the Majority Report -- without force. These paradoxes were not the products of UNSCOP but of the situation they faced. Though this was the central one, it was complicated and made virtually impossible to resolve by other factors.

Immigration, the central dividing issue, if it was to be allowed into the Jewish state as the very rationale for that separate Jewish state, meant, given the beliefs of the time, setting aside enough development land to absorb the new immigrants, but not enough to fulfill the Zionist program of creating a homeland for all Jews. How much was enough?

This calculation was influenced by the committee's view of the creativity of the Jews in restoring the land and not just the objective factors of calculating how much land would be needed to settle 250,000 refugees from Europe. (The committee did not predict that another 600,000 would flee Arab lands as a _____ of the passions aroused by partition.) It is clear in the minutes of UNSCOP meetings, that most members were impressed by the efforts of Jews to redeem the land. In the 46th meeting of UNSCOP held in Geneva on August 27th, Ivan Rand argued for giving the Negev to the Jews (in spite of the fact that the Negev contained 3,000 Jews and 100,000 Arabs) "otherwise it would remain sterile and useless".¹²

¹¹Garcia-Granados (1948), p. 192.

¹²p. 25 A/AC.13/p. ____46.

Unlike the Negev, however, the ratio of Arabs to Jews in the Western Galilee¹³ was even higher -- 122,000 : 3,000.¹⁴ And, unlike the Bedouin, they were a politically conscious group. The committee had to weigh common development focussed on Jews and new immigrants versus the existing distribution of population. "In the district of Lake Heilah basin there is a great scheme of reclamation in progress which works under the concession acquired by the Jewish Agency."¹⁵ Most committee members took into consideration in their judgements -- though giving different weights and emphasis -- the creative impact of Jews into the territory. It was not a factor that decided in favour of partition or a federal scheme; it was a factor that influenced the recommendations on boundaries of the partition scheme.

Another example was the shore of the Dead Sea.

In my opinion (Lisicky was speaking) the whole sub-district of Beersheba should be included in the Jewish State. It means that the Jewish State should have a part of the shore of the Dead Sea, where there is a factory of the Palestine Potash Company. I think it is justified because it is a company which was created and developed by Jewish brains.¹⁶

The creative power was not only the dedication, the discipline, and the will of the Jews, but as Fabregat worded it to Granados after viewing a kibbutz, "What a decent and straightforward life those people live! Who could doubt their honesty, their sincerety, their humanity."¹⁷

(C.) ECONOMIC AND POLITICAL INFLUENCES

In addition to the role of coercive power of each scheme and the potential of creative energies to deal with the land itself, the committee could have taken into account "influence", the persuasive political power and the material influence of the two groups on their own states. This was clearly the major or a major motive of the Balfour Declaration itself -- to garner Jewish influence on the side of the allies, particularly on the U.S.A. It was also a major factor in the 1939 White Paper -- to try to cater to the Arab states whom they did not want to alienate because of their oil and, hence, economic strategic importance.

¹³from Safed to Lebanon on the north and Nazareth on the south.

¹⁴In Galilee as a whole there were 163,000 Arabs and 10,000 Jews; eastern Galilee included Acre. The ratio in eastern Galilee was 41,000 : 7,000.

¹⁵UNSCOP, Aug. 27, 1947, ibid., p. 83.

¹⁶p. 82, ibid.

¹⁷Granados, p. 101.

The rival influences of the Arabs and Jews would be critical to the roles of the Great Powers in dealing with the UNSCOP report. "The paramount aim (of British policy) was to remain on good terms with the Arabs as well as the Americans."¹⁸ The major aim of the Americans was to remain on good terms with the Arabs and its Jewish domestic constituency while keeping the Soviet Union and its own troops out of the Middle East. The U.S.S.R. served as a foil for British obstinacy and American vacillation became its major aim was to evict the British from the Middle East -- the only item on which both Arabs and Jews agreed in principle -- and to give itself some international and regional standing if possible while also attempting to

win support among Western public opinion, notably among what it considered or termed its 'progressive' groupings. The Jews as a traditionally non-conformist element and an influential group in Western and particularly American 'society and politics, were an obvious target of Soviet propaganda.¹⁹

Thus, all the major parties were subject to the economic and political influences of both Arabs and Jews. Was UNSCOP?

Of the two forms of influence -- the influence of economic material factors and of political arguments and persuasion -- the material factors were given far more weight in the committee's consideration. But it was not Arab international economic influence but local Jewish economic influence which attracted their attention. Further, an examination of the consideration of those factors suggests that argument, not economic reality, dictated that perception.

The predominant concern was the division of land with development potential. Economic absorptive capacity was a consideration for limiting immigration and the economic viability of a two state solution. For example, most members agreed that immigration to the Jewish state be limited by the economic absorptive capacity of that state. In fact, one of the arguments against the federal proposal was that it would entail a new committee to study that absorptive capacity, thereby delaying again the resolution of an urgent problem. Further,

during the three-year transitional period, immigration would be determined by an international body in which not only the United Nations but members of both groups would be represented. But after the three-year period, only the government of Palestine would have the right to dictate the policies of the country. Thus, being an

¹⁸Wm. Roger Louis, "British Imperialism and the End of the Palestine Mandate" in Louis and Stookey (1988), p. 23.

¹⁹Yaacov Ro'i, Soviet Decision Making in Practice (1980), p. 24. See also Oles M. Smolansky "The Soviet Role in the Emergence of Israel" in Louis and Stookey (1988), esp. p. 75.

Arab government, they undoubtedly will forbid Jewish immigration into Palestine.²⁰

On the other hand, if immigration was allowed, it would only be a meaningful provision if sufficient territory was given to the Jews.

If we do not provide adequate territory for the Jews, no plan will work. The Arabs have the possibility of Jewish economic help. The Jews will not help the Arabs if they do not have territory enough to use as a background, as an agricultural background for their economic development. This is why, although I recognize the Galilee is populated by Arabs, I think that the only way to receive a certain number of immigrants into Palestine is to give Galilee to the Jews.²¹

The Jews were rich. The Jews were talented and westernized. But note, unlike the Balfour Declaration or the White Paper, the issue was not the benefit to the decision makers but to the enemies of the Jews. The Jews would help the economic development of the Arabs.

If a Jewish State were set up, it would be essentially an industrial state, and its effect on this entire part of the world would be most significant. Its impact on the backward economy of the neighboring Arab countries would help transform them from semi-feudal, semi-colonial nations into modern progressive ones.²²

But these were precisely Ben Gurion's arguments. There was no evidence of Jewish investment directly assisting Arabs, though there was evidence of extensive indirect benefits. In fact, the Arabs argued that this very point was a defence of economic imperialism which they feared (perhaps, in part, to protect the feudal interests of landowners and the exploitive practices of Arab capitalists). Further, economic absorptive capacity was an agricultural conception -- no country should absorb more immigrants than the numbers for which its land had the potential to grow food. It later became an industrial concept -- no country should absorb new immigrants at a faster rate than its capacity to provide jobs for the newcomers. but if the new Jewish state was to be an agricultural one, then land was needed in which the Jews could settle. But that would only help the Arabs indirectly by allowing them to improve their yields per acre by following the advanced agricultural techniques of the Jews. On the other hand, if the new Jewish state was to be a centre of industry and manufacturing, the Jews would settle in urban centres and extensive land would not be a requisite. The only role, then, for the Arabs would be to serve as a resident body of labour for Jewish manufacturers. In either case, the economic absorptive argument seemed irrelevant, either as

²⁰Garcia-Granados, p. 51 A/AC.13/P.V. 46 DAG-13/3.0. 1:2.

²¹ibid., p. 52.

²²p. 93. cf. Granados (1948), p. 93.

an argument to limit Jewish immigration or benefit the existing Arab population through importing Jewish capital and brains. But absorptive capacity was the dogma of the times as a determinant of immigration policy.

The economic influences considered critical to UNSCOP were diametrically at opposite poles to the economic influences affecting British and American policy makers. The political influences also were at odds. British, American and soviet policy was dictated by their respective imperial interests while trying to satisfy or win the support of different constituencies. UNSCOP did not have a constituency. While recommending partition did win qualified and, subsequently, enthusiastic Jewish support, there is no suggestion in the discussion of the Special Committee that the need to win this support influenced its decision. Certainly, the Special Committee knew from its inception that it could not win Arab support. Even its pro-partition stance was not a product of the Zionist rationale since the rationale of the UNSCOP majority report was not at odds with the centerpiece of Zionist rationale as the opening remarks of this chapter indicate.

UNSCOP did not have a constituency which it had to satisfy. At least it did not appear at first glance to have one, but an examination of the records of UNSCOP and its recommendations on Jerusalem does indicate that UNSCOP was influenced by its own internal politics and the imperial interests of the U.N. as a product of an ideology of internationalism so at odds with the nationalist Arab/Zionist dispute at which it found itself in the centre.

(D.) JERUSALEM

To discuss Jerusalem one must begin with the position of Garcia Salazar of Peru who formed part of the working group on partition because he favoured two separate Arab and Jewish states with separate territories. But the working group, to that date, was unable to come up with a workable and agreed plan of territorial partition. Consequently, Salazar announced on Aug. 27, 1947 that "I am no longer in favour of partition, which this plan has not been carved out".²³ To create a plan of two states without a territorial plan was no recommendation at all. Further, Salazar wanted a greatly enlarged Arab state and a Jewish state reduced to the Jewish population centres, contrary to most members of the working group who wanted to provide some room to absorb immigrants.

Salazar then signalled he was swinging over to the federal solution for, "There is no territorial problem. There is no problem of minorities. There

²³ibid., p. 14.

is no problem of Jerusalem."²⁴ It was Jerusalem that swung Salazar's vote back on the side of partition -- not the issue of too many Arabs in Jewish territory, not the issue of the difficulty in settling the boundaries.

As Garcia-Granados noted the situation at that stage of the committee's deliberations --

Our positions at this stage were as follows: Fabregat wanted the Jewish State to include the whole of the Galilee, the Negev west of Beersheba, and a large indentation connecting the coastal plan with Jerusalem. The Jewish part of Jerusalem would become part of the Jewish State. He proposed that Jaffa should be an enclave in the Arab State. Rand thought Jerusalem and its environs should be an international city, part neither of the Jewish nor the Arab State. My position was the same as Rand's, but I did not agree to his idea of a free city of Jerusalem, keeping that as a future bargaining asset. (my italics)²⁵

In other words, at that stage Granados was holding out his commitment on internationalizing Jerusalem as a bargain chip for more land for the Jewish state.

I spoke first to Garcia Salazar, and offered to drop my opposition to a free city of Jerusalem if he would support my proposal to extend the Jewish State's coastal strip to the Lebanese border, and then have it run parallel to that border until it joined Eastern Galilee. I also devised two narrow international corridors, each the width of a road, one at the north the other at the south, at points where the two states intersected. The northern corridor would allow the Arabs to have Acre and the rest of Western Galilee, and would give the Jews communication between the coastal plain and Eastern Galilee. Similarly, the southern corridor would provide communication between the Negev and the Gaza area.²⁶

Garcia-Granados' auto-biographical account where he offers to drop his opposition to Jerusalem after the August 27th meeting is at odds with the minutes of that meeting where he explicitly stated, "I think Mr. Rand's proposal for boundaries and his conciliatory attitude in the matter of Jerusalem is a good one, and I am in complete agreement with him. I subscribe to the idea."²⁷ It is hard to see Salazar accepting then as a trade-off Granados willing to give up opposition to an autonomous Jerusalem when he had already given it up.

²⁴ibid., p. ?

²⁵1948, p. 244.

²⁶1948, p. 245.

²⁷p. 52.

That was the key breakthrough. With one more amendment suggested by Paul Mohym, Sandstrom's alternative, that the Arabs get the Western Galilee and the Jews be assigned most of the Negev, the deal was set. Jerusalem, as an international city, had been traded for unanimity in the working group on partition for the borders to be assigned to the Jewish State on a more generous basis.

It was a great moment. A sincere desire to reach a solution, a largeness of vision which enabled even the most bitterly insistent to compromise, had enabled us to complete a report of which I felt all of us could be justly proud.²⁸

But what to Granados appeared as a spirit of compromise and a largeness of vision was interpreted by others as political horse trading. Salazar, commentators suggested²⁹, gave in to partition in order to gain Christian influence over Jerusalem given his Vatican leanings. The internationalization of Jerusalem, however, was clearly not simply dictated by religious interests as these would have been satisfied if the holy sites, or even the Old City, along with the Mount of Olives, Mount Zion, Gethsemene and a _____ to Bethlehem had been placed under international jurisdiction. The proposal for the internationalization of Jerusalem under the International Trusteeship System went back to the original Bunche paper before UNSCOP was even formed. It was revived by Rand and then used as a trading chip by Granados. Thus, Jerusalem as an Autonomous City or Region administered by three appointees each from both the Jewish and Arab States and three non-Arab Christians by the Trusteeship Council was dependent on a Trusteeship Agreement with the Mandatory Power -- an agreement which never came into being.

The only rationale for Jerusalem as an autonomous region is presented in a part of a memorandum dealing with historical rights and opens its discussion of "The Problem of the Administration of Jerusalem" with the fears of the passions aroused by disputes over the control of holy sites. But whatever the validity of these fears, and whether they are best handled by placing the sites under international control is not answered in the memorandum which was clearly written before the minority group studying partition made its historic trade-off to shift Fabregat and Lisicky to accept the compromise and Salazar to revert once again to support partition by supporting the Australian, Canadian, Dutch, Swedish, and of course, Peruvian position of an Autonomous zone for the whole of Jerusalem and Bethlehem.

The rationale is so weak and so unrelated to the solution, so rooted in the original Bunche memorandum to gain a foothold for the U.N. and the idea of

²⁸1948, p. 246.

²⁹f.n. needed

internationalism, that one cannot help but see the proposal as one dictated by U.N. self-interests and political trade-offs so as to undermine any image of a detached, disinterested and morally lofty U.N. position. Certainly, the U.N. and internationalist perspective of the position was presented forcefully by Ivan Rand.

I am anxious to have the autonomy of Jerusalem preserved for the world at large and have that _____ by an administration directly chosen for the nations and responsible to the United Nations Organization.³⁰

(E.) AUTHENTIC AND FORMAL AUTHORITIES

In addition to coercive and creative power and economic and political influences as considerations in the recommendations of the committee, there were also considerations of authority -- both the legal formal authority behind the respective rights of the Jews and Arabs (and Britain for that matter) -- and the authentic wisdom of authoritative experts or leaders or even charismatic figures. In the deliberations of the committee, the latter play virtually no role except insofar as Bunche was able to influence the committee's decision on Jerusalem. Both the experts available to the committee or the expertise or experience of the British are given little credit. The committee heard the evidence, grants it some due, but the due is very little. The direct experience of the senses is of far more importance than those of expert analysts. In fact, the British experts were distrusted by virtually all members of the committee. The evidence of the Rev. Im-Gravel, a non-Jewish volunteer who travelled on the Exodus for five months until its brutal take-over by the British, as given in Judge Sandstrom's flat on July 28, 1947, was more telling on the impression of the perfidy, ruthlessness, and inhumanity of the British -- that the people on board had no weapons, contrary to British claims, that the British used undue force in taking over the ship, that the British delayed allowing humanitarian help to the wounded, leading to the death of at least one of those shot.

Legal and formal authority is given some weight, but it is not determinate as we indicated in the beginning of this chapter.³¹ Though all of the committee members gave legal weight and authority, but not determinate weight and authority, to the Mandate, far greater weight than any of the agreements cited by the Arabs, in the minutes of the meeting they also seem to agree -- certainly a majority expressed that view -- that the British did not fulfill its terms. Some held that circumstances dictated this failure, others

³⁰p. 25 A/AC.13/p. c. 46. UNSCOP minutes, Aug. 27, 1947.

³¹cf. Granados (1948), pp. 64-67 for a fair account of the small weight given to the legal issue.

that Britain imperial interests, subordinated its obligations under the Mandate to its own national interests.

The status of the Mandate was legal. Britain did not fulfill those legal obligations. Although the status of the Mandate and the failure to fulfill its terms gave some weight to the Jewish case, the decision -- in spite of the preponderance of jurists on the committee -- was not based primarily on legal entitlement under international law. The rights of the majority indigenous population were at least of equal, and, in the case of those advocating federation, of preponderant weight.

(F.) WEIGHING THE FACTORS

The decision was not dictated by law or expert witnesses, by material influences or rhetorical arguments, by the importance of coercive power from outside sources or the creative powers of the participants. In each member, these factors were given different weight. In reading the recorded deliberations as a whole one does get the clear impression that three of these factors were more important -- legal formal authority, material economic considerations and the role of coercive power. Of those three -- and this is a judgement call -- legal formal authority seemed important in giving the Jews the right to make the case but not, for most members, in determining the outcome. The reality of the numbers of people on the ground, the numbers needing and wanting to get in and the economic viability of the result was much more important. The role of coercive force was an important negative factor -- the more likely it would be needed to bring about a solution, the less acceptable that solution was. In other words, what the committee considered _____ was far more important than abstract rights or legal precedents, intellectual arguments or expertise.

The question now was what weight the U.N. General Assembly members would give these same factors when they debated the resolution. Further, by its very nature, as the body to which UNSCOP made its recommendation, they had to decide what role the U.N. body would take once given the recommendation. They would also have to take into account new factors -- the response of the Jews and Arabs to the report, the response of the British and the attitudes of the two emergent super powers -- the U.S.A. and the U.S.S.R.

(G.) THE U.N. ROLE -- LEGISLATOR, ARBITRATOR, MEDIATOR, OR MODERATOR

UNSCOP was an advisory committee to the Ad Hoc Committee on the Palestine Question. The Ad Hoc Committee included all the members of the United Nations. The UNSCOP Report would first be dealt with in the Ad Hoc Committee which held its first session on September 16, 1947. Whatever resolutions passed by a majority in the Ad Hoc Committee would be forwarded to

the U.N. General Assembly where a two-thirds vote would be required to endorse them.

One issue facing the U.N. in addition to, and in my mind, as a precondition of, any decisions on substance and implementation was what role the U.N. should play in the dispute. We have already discussed the fact that the United Nations had not insisted on obtaining legal authority over the Mandate before it took on the responsibility for recommending a solution to the problem. When the United Nations Special Committee on Palestine had been set up and the U.N. had presumed that any decision made on the basis of any forthcoming recommendations would rest solely on the moral authority of the U.N. and even then on the narrowest grounds without any commitment by any party, but particularly Britain, of cooperation in implementing the decision, let alone enforcing it. The United Nations had avoided the issue of enforcement or even the threat to use force by not referring the issue to the Security Council as well as including the five major powers on the special committee. The UNSCOP report forced the U.N. to face this issue again.

The Minority Report of UNSCOP required the U.N. to become the interim authority and legislate for Palestine, backed up by the requisite force. The Majority Report required the U.N. to assume permanent trusteeship authority over an autonomous Jerusalem area, but Britain would remain the interim legal authority with the requisite physical force until the new Arab and Jewish states came into being. If the U.N. adopted the Minority Report it would entail negotiating the assumption of legal authority with the U.K. and developing a policing instrument. If the U.N. adopted the Majority Report, Britain's cooperation was essential to transfer legal trusteeship to the U.N., political authority to the Arabs and Jews respectively, and administrative authority to some sort of transitional regime. Both the Minority and Majority Reports required some legislative role for the U.N. and a responsibility for ensuring force was available to, at a minimum, back up the solution proposed.

UNSCOP did not have to put the U.N. in this position. Mr. Hood of Australia (sometimes backed by Blom of the Netherlands, though not in the final result) abstained from endorsing either the Majority or Minority Report. He saw the primary obligation of the committee as fact finding. Recommending a solution was secondary. Alternatives, with the pros and cons of each, could have been put to the U.N. Hood felt that without unanimity on the committee, or close to it, it was not the prerogative of the Special Committee to make a recommendation. The UNSCOP responsibility was only to collect facts and analyze them to enable the U.N. to make an informed judgement.

The Assembly alone is the competent body to decide what is feasible and what is not feasible in the light of all factors, including political factors, many of which are clearly beyond the scope of our own observations as a

Committee.³²

This is, of course, why Hood had objected to the Minority Report going directly to the General Assembly. He wanted the committee to include it as part of an analysis of one alternative, subject to the input of other committee members, as part of an overall coherent report. Such a course offered a more detached, distanced and rational perspective.

UNSCOP cannot be faulted for following this course. The terms of reference and a number of speeches backing these terms implied clearly that the committee was to come back with recommendations. For example, the Swedish representative had stated that, "the Committee should not be merely a fact-finding Committee, but a Committee with the duty of making definite recommendations."³³

One point, however, of making recommendations was that they would not be vetoed by Great Britain because they would carry such "uncontestable moral force". But a majority report was no longer uncontestable. The only uncontestable part was the unanimous recommendation that the Mandate be terminated and Britain be asked to leave. The Majority Report carried not such "uncontestable" moral force. Britain could not veto the Majority Report if its recommendations were passed, but its moral force was insufficient to oblige Britain to implement it or even cooperate in its implementation.

This is the dilemma the Ad Hoc Special Committee faced when UNSCOP returned with its report. The only undisputed recommendation was that Britain surrender the Mandate and the peoples of palestine be given their independence. What form that independence should take was a matter of dispute. Neither form recommended included a unitary binational state with guarantees for the Jewish minority as Britain had expected, let alone one without such guarantees as the Arab Higher Committee wanted. The Minority and Majority Reports both required the U.N. to assume a Trusteeship role, either over the whole of Palestine or an autonomous district of Jerusalem. To do that, Britain's cooperation was required to transfer all or part of the Mandate to the U.N. Further, for either Report, force was needed, to impose the solution recommended in the Minority Report or to back up the local constabulary set up by each community.

Clearly, either report required the U.N. to act as a legislator and not just a moderator who brings moral suasion to the disputants to modify and reduce the respective passions that threaten to be mutually destructive. Even if the U.N. merely assumed the role of an arbitrator, where it itself assumed

³²UNSCOP, 46th meeting, Aug. 27, 1947, A/AC.13/SR 44 DAG - 13/3.0.1:2, pp. 54-55.

³³A/C.1/P.V. 47-A/C.1/P.V. 50, p. 46.

no legal authority or enforcement capacity, the legal authority of Britain and someone's enforcement capacity would be required.

The substance of the UNSCOP recommendations undercut any U.N. role as a moderator. The United Nations was handicapped from the start in playing the role of a legislator (requiring legal authority and the ability to enforce that authority) the latter required even if the U.N. assumed the role of an arbitrator requiring the back-up of a capacity for enforcement. Could the U.N. play the role of a mediator, that is, help negotiate a compromise between the parties on the basis of the recommendation?

But the Arabs had adamantly opposed any U.N. role insisting the Mandate be turned over immediately to the inhabitants. When the UNSCOP met with the Arab Higher Committee in Beirut, the Arabs were asked pointedly by the Chairman, Emil Sandstrom, that of the U.N. supported partition, "would you still consider that this Jewish state had been established by violence? Would you answer with violence?"³⁴ The Arab spokesman evaded the question. On the one hand they were members of the U.N. and committed to the Charter. But, "If the United Nations goes beyond that (the Charter), the very existence of a Jewish State will allow us to be free to make our own decision".³⁵ On the 29th of September, Jamal el Hussein, the ex-Mufti's cousin and spokesman for the Arab Higher Committee not only rejected both the Majority and Minority Reports, but warned they would fight against either solution. In contrast, Dr. Abba Hillel Silver, the Chairman of the American Section of the Jewish Agency, only a few days later accepted the Majority Report ostensibly with reluctance.

Setting up the committee itself to look into problem, had been fought against by the Arabs. Why would the Arabs accept a U.N. mediation role when neither the Majority nor Minority Reports of its committee were acceptable to them? Further, the very way the General Assembly set up UNSCOP and convened in its regular session to consider the report of the Special Committee on Palestine was not conducive to the role of a mediator. Mediators don't debate the merits and demerits of proposed solutions themselves; they try to induce the conflicting parties to consider the merits and demerits and consequences to themselves if they do not compromise. Further, the British had been trying for years to mediate and find a solution acceptable to both parties. Britain had failed and it had legal authority and an enforcement capacity to back stop its efforts. The U.N. had neither. The United Nations could not legislate. The United Nations could not arbitrate. The United Nations could not even

³⁴Garcia-Granados (1948), p. 205.

³⁵op. cit.

mediate. The United Nations only had the status of a moderator, a position which required retaining the good will of both parties towards the moderator whatever their feelings towards one another. The Ad Hoc Committee, however, did not proceed like a moderator. It proceeded like the committee of a legislative body playing a zero-sum game. The issue was which side would win more spoils and not how could the sides be reconciled, or, at the very least, how could a judgement be rendered which gave every appearance of neutrality in its process and consideration.

But if war was inevitable, if the two positions were in fact irreconcilable, what other choice was there than to simply use the U.N. as a moral prop for one side or the other and to forget about conciliation or a neutral procedure?

That prognosis may, in fact, have been correct. The cost, however, was great. The moral authority of the U.N. as a neutral moderator was sacrificed and the issue became, "Which side are you on, boys, which side are you on?"

That the latter strategy would govern the whole proceedings was not obvious in the first session of the Ad Hoc Committee. That it would be used, was. A Swedish-American resolution (backed by the Zionists) proposed that one committee be formed composed of all U.N. members supporting partition to develop a plan of implementation for partition. The proposal that there be one committee, that it consist only of supporters of partition, that it assume partition was a fait accompli and only deal with operationalizing it, went too far. The resolution was defeated.

However, it was a tactical defeat and not a strategic one. The tactic shifted to "Divide and Rule" rather than "Unite and Rule", but the strategy focussed on ruling, that is determining who should be the winner in a conflict between two sides and how to implement that recommendation rather than how to reconcile the two positions. The new tactic followed the precedent of UNSCOP. Two committees would be formed, one to review and make recommendations on the majority report and the second to consider any other solution or solutions.³⁶ That it was a strategy eliminating the U.N. role as moderator is clear in the memoirs of Horowitz, the liaison person of the Jewish Agency to the United

³⁶Dr. H.B. Evatt of Australia, the Chairman of the Ad Hoc Committee on the Palestine Question, appointed two subcommittees. Canada, Czechoslovakia, Guatemala, Poland, South Africa, the Soviet Union, the U.S.A., Uruguay, and Venezuela constituted Subcommittee One delegated to draft a detailed plan based on partition. Afghanistan, Colombia, Egypt, Iraq, Lebanon, Pakistan, Saudi-Arabia, Syria, and Yemen constituted Subcommittee Two who were to draft a detailed plan based, not on the minority report, but on a unitary, independent Arab state. In effect a third subcommittee was constituted headed by the Chairman of the Ad Hoc Committee, Evatt, along with Prince S.S. Svastik of Siam, the Vice-Chairman, and Thon Thon of Iceland, the Rapporteur, along with three officials entrusted with the last minute and futile effort to conciliate the Jews and Arabs.

Nations. As he wrote, "we were now able to sway the composition of the committee. As it was now to be a body confined to disciples of Partition, only unconditional supporters were named."³⁷

Horowitz's rationale for this tactic was very clear.

If, as we dreaded, neutral elements were brought into the committee, an attempt would undoubtedly be made to water down the plan by offering substantial concessions to Arab demands, producing a vague and equivocal formula regarding constitutional structure, frontiers and enforcement. A hybrid of this sort would make no difference to the Arab position and would be rejected by ourselves. The end result: deadlock again.³⁸

Two committees "reduced the danger of compromise."³⁹

In his words, the win-lose strategy was premised on Arab intransigence and Jewish determination to see the victory achieved in UNSCOP. The judges had made their ruling and the Zionists wanted acceptance of their compromise, in this case their little piece of Palestine, not a further watering down of the proposal.

Was the strategy one dictated by the circumstances? Perhaps, if the overall circumstances in the world, and, particularly, on the stances taken by the Arabs and the Jews, are the main touchstones. But was this also the case in the Ad Hoc Committee?

Fourteen representatives of the Subcommittee of the U.N. General Assembly chaired by Lester Pearson, favoured the majority report. Only one favoured the minority report. Eight delegates went back on any compromise and favoured a unitary state governed by the Arab majority.

If the discussion had shifted to reconciling the federal scheme and the partition scheme with perhaps a federation built out of independent cantons a la Switzerland with autonomous controls over immigration, then the strategy of moderation and compromise might have been adopted. But the political representatives on the Ad Hoc Committee did not see it that way. Those favouring the Arab position on UNSCOP were viewed as having compromised the principle of self-determination of the majority (to contrast with the alternative principle of democracy, respect for minorities). The tone of uncompromising principle had already been set by the opponents of the Zionists. The federal plan recommended by the UNSCOP minority report was

³⁷Horowitz, op. cit., p. ?.

³⁸Horowitz, op. cit., p. 261.

³⁹Horowitz, op. cit., p. 262.

never even considered. Further, the Arab League instructed its members to move their troops to the Palestine border if and when Britain withdrew.⁴⁰

It is at that point that Truman is said to have given up on reconciling Jews and Arabs in Palestine and, in response to reports of troop movements towards the Palestine border on October 19th, Truman instructed Herschel Johnson on October 11th, 1947 to back partition. As Truman records it in his Memoirs,

The Arabs' reaction was quite plain. They did not like it. They made it clear that partition would not be carried out except over their forceful opposition. On October 9 I was informed that the Arab League Council had instructed the governments of its member states to move troops to the Palestine border, ready for later use, and the public statements of the Arab leaders were belligerent and definite.

I instructed the State Department to support the partition plan.⁴¹

Until that point, all had not yet been lost. For in fact, three rather than two committees had eventually been set up, one to clarify the partition plan, a second to develop a plan for a unitary state and a third to attempt conciliation. Conciliation, however, was hopeless in an atmosphere governed by military threats on one side and a win-lose strategy on the other. As Horowitz describes it,

Each subcommittee was composed of members who sponsored, favoured and advocated the plan which they were asked to clarify. No contact was made between the two subcommittees with a view to finding some basis of agreement or to diminish the gap of disagreement between the two opposing views.⁴²

This strange procedure was widely commented upon. So much for the committee on conciliation. So much for the role of the U.N. as a moderator. The die was cast. The majority report on partition and its proposed resolution favouring partition would be dealt with first by the General Assembly in a win-lose drama. But then the U.N. would have to become a legislator and would need to acquire legal authority and enforcement powers or induce Great Britain to play that role.

(H.) BRITAIN'S REACTION TO UNSCOP

⁴⁰cf. Sneetsinge (1974) who cites The New York Times, October 10, 1947, p. 1; Oct. 11, 1947, p.1; Oct. 13, 1947, p.1.

⁴¹Harry S. Truman, Memoirs: Years of Trial and Hope, Vol. II, (1956), p. 155.

⁴²Horowitz, op. cit., p. 127.

The key to implementing the Majority Report was Britain's reaction, for even to arrange a Trusteeship over Jerusalem, Britain's active agreement was a prerequisite. Blom, in his Memorandum to UNSCOP on the "Essential Factors in a Solution to the Palestine Question" argued that, "no Trusteeship agreement for Palestine could be effected unless it met the approval of the United Kingdom Government".⁴³ His argument was a legal one. For the U.N. to assume a trusteeship, crucial to Jerusalem and critical to providing an interim authority, Britain had to transfer the authority over the Mandate.

UNSCOP had been most united and most divided⁴⁴ over Britain's role. They were united in holding that the mandate had been legal in the first place, that Britain continued to retain that mandatory authority and that the mandate was no longer workable. But some of the committee members, such as Garcia-Granados and Fabregat, wanted to hold Britain responsible for its failure. It is this division in style and approach that the committee members experienced as the most divisive -- not the substance of the issue. As Garcia-Granados records, this division appeared right in the beginning over the issue of the chairmanship which Great Britain and the United States, with the cooperation of Hov, had prearranged for Sandstrom but which was challenged by the nomination of Granados by Fabregat. It emerged most acutely in the response of the various members to Britain's sentence of three Jewish terrorists to death.

We had learned who were to make up the majority and the minority of UNSCOP: the majority, a preponderance of jurists and diplomats -- discreet, serious, conservative; the minority, men who had lived through political persecution in the battle for freedom, perhaps undisciplined, perhaps scorers of convention, but convinced that the line of justice lies somewhere between the truths of heart and head.⁴⁵

It was in response to Granados initiative to petition Britain for clemency against the death sentences imposed on the three condemned terrorists that Salazar told Granados, "Yesterday, you cornered us into voting for the resolution. It was a clever manoeuvre, but I assure you, this is the last time you will slap England with my hand."⁴⁶

⁴³p. 6.

⁴⁴The division over partition or a federal state was not as fundamental. For both were proposals for an economic union with two divided political entities based on ethnic lines as Lisicky (p. 70, Minutes, Aug. 27 meeting of UNSCOP) had pointed out. Both were partition plans, one vesting sovereign authority in the units, the other in the federal government in order to control immigration.

⁴⁵p. 15.

⁴⁶Granados (1948), p. 62.

The division over condemning Britain or remaining neutral did not coincide with the supporters of the Majority and Minority Reports. The Yugoslavs were very critical of the U.K. but supported the Minority Report. In any case, just as in the case of the Arabs, both recommended solutions unacceptable to Britain. For Britain's interests were ignored in the competing sets of recommendations, though Britain endorsed the principles of early termination of the Mandate and early independence recommended by UNSCOP.⁴⁷ Britain had not been given a clear mandate or support to impose its own solution. In the Majority Report, Britain was being asked to oversee the transition to a solution it had pointedly rejected in the full expectation that the task would be extremely difficult, very costly and, possibly if not probably, very bloody. For Britain, civil war was not just inevitable, but perhaps even desirable, since the result of the civil war might provide Britain with its best opportunity to retain a role in Palestine (via a Transjordanian takeover of Arab Palestine). Though this had not been part of the UNSCOP considerations, it was certainly a feasible option for the British.

In September 1947, after the UNSCOP majority had recommended partition, but before the general assembly had considered the issue, Britain decided to withdraw from Palestine. Speaking before the General Assembly on the 26th of September, Creech Jones, announced that he had been instructed by his Government to announce with all solemnity that, in the absence of a settlement, it had to plan for an early withdrawal of British forces and of the British administration from Palestine.⁴⁸

The decision to withdraw may have been an attempt to derail the upcoming General Assembly debate on partition since the implementation of the UNSCOP

⁴⁷Ad Hoc p. 3.

⁴⁸Statement of Sir Arthur Creech-Jones to the Ad Hoc Committee on the Palestinian Question, September 26, 1947. Official records of the second session of the General Assembly, Ad Hoc Committee on the Palestinian Question, p. 4. Creech-Jones told the United Nations that the British would withdraw by August 1, 1948. The British decision to terminate the Mandate by May 15, with complete military withdrawal by August 1, 1948. The British decision to terminate the Mandate by May 15, with complete military withdrawal by August 1, was officially announced by Creech-Jones in a speech to the House of Commons, December 18. Bevin had confidentially informed Marshall of the decision to withdraw by May 15 on November 28, one day prior to the United Nations General Assembly vote in favour of partition. (Evan Wilson, p. 217, footnote #1) Sir Alec Kibbud in his memoirs, From the Wings (London, 1976) claimed that, "This renunciation was prompted by the acceptance by the United Nations of a resolution providing for the partition of Palestine into three states, one Arab, one Jewish and one international". (p.1) The fact is, Britain renounced the Mandate two months before partition was endorsed by the U.N. on November 29th. Arthur Koestler referred to the British decision to appeal to the U.N. to help resolve the dispute and then reject its judgement because the judgement entailed enforcing that resolution as "no longer diplomacy but sheer Harpo Marx logic". (cf. Zasloff (1952), p. 66, fn. 7.)

majority report depended on British co-operation as well as that of the parties to the dispute.⁴⁹ The catalyst may have been the hanging of the two British sergeants by Jewish terrorists mentioned earlier⁵⁰ or the UNSCOP report itself. In the cabinet meeting in which the decision was made. Bevin pointed to the danger of the United Nations adopting an unworkable solution in the belief that it could rely on the United Kingdom for implementation. He was opposed to British involvement in implementation of the majority or minority solutions, or any solution not having Arab and Jewish agreement. In his view, it was better for the United Nations to face realistically the need to implement its own decision.⁵¹

The British public was tired of the cost of administering troublesome Palestine. Anglo-American unity was being hurt by anti-British pressure over Palestine in the United States. The Arab League was exerting pressure on the United Kingdom. At the same time, the Anglo-Egyptian negotiations had broken down and Egypt was hauling the United Kingdom before the United Nations over the latter's occupation of the Sudan. Further, the United Kingdom was exploring alternative military options in Kenya and Cyrenaica to replace the planned base in the Negev, making Palestine dispensable.⁵² Palestine had become an economic, political and even a military liability.

The British, in effect, rejected the UNSCOP report and decided to wash their hands of Palestine. William Roger Louis wrote that the UNSCOP report was the catalyst not the cause,⁵³ but it was more the final straw and the excuse to evacuate.⁵⁴

⁴⁹It should be noted that Garcia-Granados, in his own _____ was the only one who had "strong doubts that Britain would cooperate in carrying out our solution". (p. 241-243, 6-6 (1948)) Granados interpreted the British stand as the beginning of an effort, "to sabotage the majority recommendation for partition". (p. 248)

⁵⁰Creech-Jones in a letter to Elizabeth Monroe much later, after listing all the reasons for U.K. withdrawal, citing the episode in which two sergeants were hung as having "struck a deadly blow against British patience and pride". (Creech-Jones Paper, October 23, 1961) cf. Louis (1989), p. 475-477.

⁵¹Wilson, p. 209-10.

⁵²cf. Zasloff, op. cit., p. 68.

⁵³Wm. Roger Louis (1984), p. 473 though he also, more correctly depicted the hanging of two British sergeants as the turning point.

⁵⁴Michael Cohen in "Why Britain Left: the End of the Mandate" argues that, "Three factors above all were responsible for the British decision to leave Palestine -- American pressure and intervention; the undermining of British rule in Palestine itself; and the escalation of illegal immigration during 1947. These combined had by the summer of 1947 broken the British will to stay on in Palestine." (1988, p. 220.) The will had been broken, but not

Bevin was set on leaving Palestine in a state of chaos as the civil service formulated British plans for 'masterly inactivity', a plan formulated even before the UNSCOP report was made official on September 1st, even before it was clear that the committee would vote for partition.⁵⁵ The U.N. was faced with a report which required a minimum transition period of two years and an interim co-operating administrative authority. Neither would be available. Henceforth, British concern was with damage control -- how to preserve as much of Arab Palestine as possible by absorption into Transjordan.⁵⁶ A key element for the U.N. obtaining legal authority over Palestine or even administrative cooperation of Britain was missing.

Another key factor was enforcement. Blom had said in his Memorandum that, "the most practicable course might well be to designate the United Kingdom as the administering authority and to make it responsible for the enforcement measures".⁵⁷ Others would provide the funding. Blom agreed that local hostility to the British might be a problem, but if the role was short-term and the solution definite, it seemed the only feasible scenario.

But these two key conditions for partition to be effective were absent before the General Assembly even began to debate the UNSCOP report. Further, not only was Britain unwilling to enter into a legal contractual arrangement with the U.N. to assume the legal authority from Britain, not only was it unwilling to provide the military forces to back up a U.N. decision, but it was not even willing to cooperate administratively in implementing a decision unacceptable to itself.

the desire fostered by their own rational calculations. The UNSCOP Report undermined even the desire by showing their calculations were totally wrong. "The general crystallization of British sentiment in favour of withdrawal did not necessarily contradict the Foreign Office's hope of preserving Britain's political and strategic position by relying on the probable action of the United Nations. It was a rational and indeed ingenious calculation, as the Zionists at the time recognized. It was based on the assumption that even biased or obtuse observers would not endorse partition, because the creation of a Jewish state would precipitate civil war. The Foreign Office also assumed that the Soviet Union and the United States on this issue as on others would gravitate into opposite camps and that such influences as Catholicism would militate against the Jews. The British, in short, hoped that the United Nations would support an independent binational state in which Jewish rights would be guaranteed and the promise of a national home more or less fulfilled. As it turned out, the British merely reconfirmed that the United Nations special committees as well as the United Nations General Assembly did not operate on British rational assumptions." (Wm. Roger Louis (1988), p. 20)

⁵⁵B_____ of August 17, 1947. FO 371/61948; also op. cit.

⁵⁶Wm. Roger Louis (1986), p. 25.

⁵⁷p. 8.

(I.) THE AMERICAN REACTION TO UNSCOP

The real issue was why the U.S. refused to recognize this fact (my italics) in the face of all evidence and stubbornly insisted on clinging to the belief that the U.K. would 'carry the ball'. On October 3, Johnson still assumed that a British constabulary would police the transition, a position openly and explicitly rejected by Britain. Snetsurge explains this paradox by asserting that there "was a firm belief in Washington that London, despite statements that indicated the opposite, would cooperate in the implementation".⁵⁸ This is a tautology. They believed it because they believed it. But why? Was there any evidence of a private arrangement between the U.S. and the U.K.?

There is some evidence given in the record of the early November 1947 meeting between Musa Alami and Bevin where Bevin assures Alami that, "Great Britain, he repeated, could not carry on as things were; she would not be allowed to leave but would be begged to remain; and if once given a free hand he could solve the problem".⁵⁹

The evidence is meagre indeed. Britain, at best, hoped the U.N. would call on it to remain in desperation, but by November that hope was very slim indeed. Why then did the U.S. cling to this illusory belief? Was it unnatural?

⁵⁸(1974), p. 73. Snetsurger goes on to cite Trygve Lie's statement in his Memoirs, Cause of Peace (p. 163) that "most countries expected Britain...to do its utmost toward carrying the action through." But this assertion was made when Britain referred the problem to the U.N. It was a statement of a moral expectation not of an empirical one. Granados records in his memoirs that, "the United States still believed that Britain would cooperate with us, despite all indications to the contrary. Johnson, the American member of our subcommittee, clung stubbornly to the idea that the British should be the interim authority. I was increasingly convinced that we could expect only confusion and sabotage from the British. At one point I said privately to Johnson: 'Do you really think it is useful to propose that the British govern Palestine during the transitional period? They will not help to implement partition; on the contrary, they will obstruct it.' Johnson shook his head: 'I'm sure that in the end, they will cooperate,' he said. 'What reason drives you to believe that?' I asked. 'Their statement is explicit. The loathe everything we are doing here.' 'They will cooperate -- you'll see,' Johnson said. 'They must. It is their responsibility and they will have to assume it.' I said no more. I could only conjecture that he had information not available to me. Perhaps the United States had a quiet understanding with Britain."

⁵⁹Geoffrey Furlonge, Palestine is My Country: The Story of Musa Alami, London: 1969, p. 149. Even Alami's biography is sceptical. "It seems more likely, therefore, that he (Bevin) was already resigned to the idea that Great Britain might leave Palestine, but that, speaking to an Arab and having much personal sympathy with Musa's arguments against withdrawal, he was putting the best face he could on the matter by representing his move as a device to secure a free hand for carrying on." (p. 149)

Marshall had set the lines of U.S. policy in a meeting with its U.N. delegation on October 3rd:

- (1) no U.S. troops to support partition;
- (2) partition unlikely to pass if no U.S. forces;
- (3) no U.S. efforts to persuade others;
- (4) if partition fails, then trusteeship.⁶⁰

Truman had been adamant about not wanting the American military in the Middle East. But he also wanted a peaceful resolution of the Palestine problem "based on the desire to see promises kept (the Balfour Declaration and the Mandate) and human _____ relieved (the Jewish refugees in Europe)".⁶¹ He was opposed to any arm twisting to get other states to support partition.

I have never approved of the practice of the strong imposing their will on the weak, whether among men or among nations. We had aided Greece. We had, in fact, furthered the independence of Greece. But that did not make satellites of these nations or compel them to vote with us on the partitioning of Palestine or any other matter.⁶²

The first of Marshall's policies followed Truman's direction. The second was a prediction, not an action, though much State Department behaviour tried to ensure its validity. It was undermined by Truman's direct order to the State Department "to support the partition plan"⁶³ made public on October 11th following the Arab League Council's instructions "to move troops to the Palestine border" of which Truman was informed on October 9th. Since Truman had no particular formula or timetable for implementing partition, support for trusteeship was not inconsistent in his eyes with such a goal.

The U.S. State Department did not expect partition to pass even with its support. The absence of any means of enforcement would be part of the sabotage of partition. The repeated assertion that the U.K. would accept responsibility was, on the one hand, a cover-up, and, on the other hand, a sincere belief, but only, as we shall try to show, if partition were defeated.

But if the intention was to undermine partition, why did McIntock propose to move up the partition date to ensure "London would be left holding

⁶⁰FRUS, 1947, Vol. V, pp. 1173-74, see also pp. 1147-51 and 1162-63; cf. also Dan Tschigi (p. 229) who interprets this as Marshall's plan to create an image of a policy in the absence of one. As the reader shall see, I interpret this as the beginning of Marshall's leadership of the State Department effort to undermine partition.

⁶¹Memoirs, (1956), p. 157.

⁶²ibid., p. 158.

⁶³ibid., p. 155.

the bag"? The U.S. did join the U.S.S.R. in a compromise to cut the implementation period from two years to a few months.⁶⁴

Let us pause for some clarification in setting out the different threads. The predominant interpretation of American policy was set out clearly by Zasloff.

American backing of partition apparently was based largely upon public opinion pressure and the Zionist political influence.⁶⁵ It was evident from American conduct at the United Nations that the United States still desired a minimum of Russian involvement in the Middle East and hoped that Britain would lend assistance to the implementation of the partition plan. The United States was obviously taking a risk that the implementation of partition would not require a United Nations force, for the co-participation of Russian troops in a United Nations body, which it could be assumed the Soviet Union would demand, would have been surely contrary to American wishes.⁶⁶

There are six strands to understanding American motives -- the role of the Zionist lobby, the role of public opinion, the Russian issue, the role of the Arabs, and the expectations of the U.N. and the British. About American policy on the Soviet Union there is unanimous agreement. it was the one subject on which the White House and the State Department were in accord. Our central issue is the expectattions of Britain. But we first have to clarify sthe mistaken impression that Truman's policy and support of partition was a product of the Zionist lobby and/or public opinion and the role Arab behaviour and American expectations of the U.N. played in policy formulations.

On the role of the Zionist lobby, Wm. Roger Louis summarized it well.

He (Truman) resented the attacks by the Zionists. He was sensitive to the charge that the Jews indirectly manipulated American foreign policy. In particular he became angered at critics who _____ the integrity of the office of the Presidency by insinuating that he was a capture of the New York Jews.⁶⁷

⁶⁴A key motive was "to make sure neither American...nor Russian troops, nor any form of voluntary constabulary (my italics) be employed" except possibly for Jerusalem. FRUS, 1947, pp. 1210, 1233. cf. p. 1282. Loy Henderson, in a meeting on Nov. 24th, predicted a successful vote for partition would entail Security Council, hence Soviet, hence Soviet troop involvement.

⁶⁵Zasloff (1952), p. 70.

⁶⁶cf. Sumner Welles, We Need Not Fail, New York: 1948 who gives this interpretation (p. 72) and also the view that the United States engaged in extensive arm twisting before the Nov. 29th vote to line up other countries to support partition.

⁶⁷(1984), p. 478.

Truman's famous Yom Kippur statement on Palestine in 1946 was equivocal at best and not the unqualified support for partition as widely interpreted. He was sensitive to the promise to the Jews and the plight of Jews in Europe, but he was equally annoyed by the _____ pressure of the Zionists and the behaviour of Rabbi Silver who headed the American Zionists and whom he banned from the White House during his tenure for daring to pound his desk and make "demands" on the President. Truman was not in office to play the role of prophet, Karl Marx or even Jesus Christ for the Jews -- all phrases taken from his own correspondence.⁶⁸

But there was another aspect to the Zionist lobby -- its subtle, backrow work in contrast to the histrionic performances of its leaders. It involved David Noles, Truman's White House aide and link to the ethnic organization and an enamoured follower of Rabbi Stephen Wise's 'enlightened' Zionism. In involved non-Jews like Chuck Clifford who was politically sensitive and sympathetic to Zionist goals. And it involved mid-west lawyers like Granoff who headed the local B'nai Brith and happened to be Eddy Jacobson's lawyer, Harry Truman's old partner in the haberdashery business. It was Jacobson who got Truman to meet Chaim Weizmann, critical to offsetting Truman's negative attitude to the Zionist lobby in general.

American policy was not based largely on the efforts of the Zionist lobby. Nor was public opinion that important. Most Americans did not know that Palestine was still governed by Britain under the auspices of a League of Nations Mandate. Public opinion, however, reinforced White House policy in two issues. According to a mid-1947 Gallup poll, 60% of Americans were opposed to the use of the American military to keep peace in Palestine and 72% were content to let the U.N. solve the problem.⁶⁹ The United States was content to follow the U.N. lead. Arab military forced the American hand. To forestall the necessity to send any troops of any kind to Palestine, America openly backed the U.N. majority report on October 11th as a show of support to _____ Arab threats.

but who would be expected to counter those threats on the ground? Here we return to our central dilemma -- did the U.S. sincerely believe Britain could be induced or embarrassed into using its forces to impose a solution with which it so profoundly disagreed, which ran directly counter to its national interests and its explicit statements in the U.N.?

⁶⁸cf. Peter Grose, Israel in the Mind of America, New York (1983), p. 217.

⁶⁹Grose (1984), p. 213.

The make-up of the U.S. delegation at the U.N. was critical in this regard. Loy Henderson had proposed that George Wadsworth,⁷⁰ the Iraq ambassador, an Arabist and anti-Zionist, head the delegation and the full session of the U.N. On the advise of David Noles, Truman decided that the delegation could not be so openly anti-Zionist and appointed as head of the delegation Major General John H. Hilldring, who as Assistant Secretary of State for the Occupied Areas, had become sympathetic to the plight of the Jews in Europe. Thus, the Wadsworth and Beeley deal.

Thus, the head of the delegation was sympathetic to Zionism and the delegation included Eleanor Roosevelt, an even more explicit sympathizer. But the direction of policy at the U.N. was dictated by the State Department with the occasional modification by a direct instruction by the White House. Marshall and the British were playing a game, each trying to manoeuvre the other into taking the primary responsibility for enforcing whatever solution the U.N. determined to be appropriate. At the same time, Marshall was sympathetic to the British outlook and looked forward to the failure of the partition recommendation.⁷¹

There is extensive evidence for this clarification of a policy of riding two horses which appeared to be going in different directions (supporting partition and believing the U.K. would enforce it) when the underlying policy was condemning partition and believing the U.K. would enforce the revised policy. Dean Risk, in a meeting with Lionel Gelber, a Canadian working for the Jewish Agency in New York, threatened that the U.S. would side with Britain unless the Pan York and Pan Carmel, two illegal immigrant ships, were stopped while the U.N. deliberated the UNSCOP Report. This threat can be interpreted as an effort to not sabotage the U.S. pro-partition stance. But give Risk's clear aversion to partition and support for trusteeship, it would be much more plausible to interpret this effort at intermediating the Zionist attempts to follow up on their success with the Exodus as a threat to American-Anglo cooperation when partition was defeated.

But the State Department's scenario for the defeat of partition while they gave surge support to it was falling apart. The United States had counted on the Soviet Union voting against partition in spite of early evidence in the Gromyko speech that such support was a fall back position and the Czech support of partition. On October 13th, Tsmapkin, the Soviet

⁷⁰cf. Foreign Relations 1948 V, pp. 592-5 on Wadsworth's _____ with Truman. Also Louis (1984), p. 55, fn. 61 and the references to the Arthur Lounce - Sumner Welles correspondences. (Sept. 25, 1947, ISA 93.03/2270/9) and a Wadsworth memo dated Feb. 4, 1948, USSD 711.906 2448 Box C-49.

⁷¹FRUS, 1947 V, p. 1164.

delegate announced its support for partition with qualifications having to do with border adjustments, the period of transition and Jerusalem.⁷²

If the State Department wanted to undermine partition, why were the U.S. and the U.S.S.R. so cooperative in the four party sub-committee (including Canada and Guatemala) dealing with implementation. There are two reasons. First, it was the U.S.S.R. that compromised by far the most on the date of turnover, on bailing out of insisting on a Security Council _____, hence, Soviet presence, etc. America was required to make few compromises and it could not appear to its close allies -- Canada and Guatemala -- as deliberately destructive. When the Canadian - Guatemalan - U.S.A. - U.S.S.R. subcommittee gave a unanimous report on implementation on November 10th, it was explicitly rejected by Britain. On November 13th, Britain changed the date of evacuation from May 1 to Aug. 1, insisting that the U.K. would retain authority until the end, that Britain alone would decide when that end would be and there would be no transition.⁷³

Even Johnson became frustrated and angry. But it did not change the U.S. policy of frustrating every realistic attempt to work out a system of enforcement. If the policy had only been to keep out the U.S.S.R.⁷⁴ there was always the possibility of a U.N. peace force made up of military from countries such as Canada. The real U.S. policy coming out of the State Department was to undermine partition all the way unless given explicit instructions to the contrary by Truman.

The U.S. supported partition but the State Department did not want it to work so Trusteeship would be implemented. The U.S.S.R., according to the State Department, also supported partition but did not want it to work but, instead wanted chaos to ensue to give them a bench head in the Middle East. Out of contrasting malevolent motives, (assuming those were in fact the motives of the U.S.S.R.) a compromise report, with the assistance of Canada and Guatemala, _____ provided for Security Council supervision of partition and the U.S.S.R. exclusion from the Palestine Commission to be made up of small states only.

⁷²cf. Horowitz, pp. 239 and 256-7, and Ro'i pp. 84-85.

⁷³cf. Granados (pp. 253-257).

⁷⁴The U.S. _____ disagreement with Tsarapkin's 10 point proposal to the subcommittee on implementation on November 3, 1947, was clarified in a telegram by Gordon Knox (a State Department adviser) that the U.S. "would not agree to any plan...which placed the administrator of Palestine under the Security Council and thereby gave the Soviet Union a negative control over its development through use of, or threat to use, the veto power". FRUS, 1947, pp. 1231-34.

(J.) THE VOTE FOR PARTITION

The high drama that preceded the passage of the U.N. resolution supporting partition has been _____ in many places.⁷⁵ Much of the debate concerns the efforts of the U.S. to persuade others to support partition in the last two days preceding the November 29th vote. The Russian support for Partition -- which Eleanor Roosevelt alone among the American delegation predicted -- was a severe blow to State Department calculations. But all was not lost.

The United States had given up all pretext that Britain would take responsibility for implementing partition. As Herschel Johnson said in his address to the Ad Hoc Committee on November 23rd, just prior to its vote on the 25th,

It was essential to find some plan of implementation which could make such utilization as possible of the experience of the Mandatory Power and its presence in Palestine and its present responsibility, _____ involving the Mandatory Power in the responsibility for implementing a plan which, according to its own words, did not have the approval of both of the two principal parties concerned.⁷⁶

British military enforcement was clearly ruled out by British rejection on November 13th of the subcommittee's proposal based on a Canadian compromise that the Mandate terminate on January 1, 1948, with British troop withdrawal scheduled for May 1, 1948 during which period the Palestine Commission responsible to the Security Council would supervise the setting up of Arab and Jewish _____ and would organize the _____ governments. British administrative cooperation was ruled out. In fact, even British cooperation was ruled out as Britain insisted, it and it alone would retain total authority until it left and would not _____ any interim authority or transition period. Herschel Johnson still clung to the illusory thread of British cooperation which was implicitly denied in the Nov. 13th rejection and explicitly denied on November 3rd when the new subcommittee plan was rejected as well providing for Britain maintaining order until the U.N. assumed administrative responsibility on Oct. 7, 1948. There would be no cooperation between the Mandatory Power and the Palestine Commission. There would be no progressive transfer of power. There would be no shared authority.

Thus, when the Ad Hoc Committee voted on November 25, 1947 to accept partition by a vote of 25:13 with 17 abstentions, including Belgium, France, Luxembourg, the Netherlands, and New Zealand and two absentees, the Philippines and Paraguay, the delegates knew no means to enforce partition

⁷⁵fn. still needed.

⁷⁶quoted in Granados, p. 262.

had been arranged, no interim period would be available to ensure a smooth transition and no U.N. authority.

In spite of this reality, there was a widespread misperception, shared and augmented by the Secretary General that, "The responsibility for solving the Palestine problem had been transferred to the United Nations."⁷⁷ Responsibility had not been transferred. The U.N. had been asked for a recommendation. The only part of the recommendation the U.K. accepted was to quit.

The momentum and the illusion of responsibility, however, was there even though there was no enforcement provision, no political authority set up by the U.N. would or could legally be in place and no administrative apparatus would be available. The U.N. had come to believe its own moral imperatives could be translated into the real instruments of power.

A vote of 25:13 was not decisive. One more vote would be needed in the General Assembly, and then only if the no votes did not increase. Since France, Belgium, Luxembourg, the Netherlands and New Zealand were expected to support partition, the task was to ensure the negative vote did not increase by more than two. The pressure now bore on those who abstained.⁷⁸

If we follow the shifts in allegiance of countries such as Greece, Haiti, the Philippines, Costa Rica, Liberia, Yugoslavia, Paraguay, and Chile, Cuba and South Africa, one can get a sense of how the partition vote achieved a decisive two-thirds majority of 33:13 with 10 abstentions and 1 absentee. The list includes Chile and Costa Rica who supported the Nov. 25th Ad Hoc Committee resolution, and Cuba and Siam, the only two non-Muslim countries who opposed it.

Let us take the negative vote which in absolute numbers stayed the same but with a gain of Chile from the support column rather than from those that abstained and a loss of Siam. The Siam defection from the negative ranks is easy to explain. It was not a result of political pressure but of serendipity.

Because of a revolution in Siam, its delegation here had been disavowed by the new government; its chief delegate, who earlier had supported the Arabs, left the United

⁷⁷Lie Memoirs, p. 162.

⁷⁸A/516. Supporters: Australia, Bolivia, Brazil, Byelorussia, Canada, Chile, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Guatemala, Iceland, Nicaragua, Norway, Panama, Peru, Poland, Sweden, Ukraine, South Africa, U.S.A., U.S.S.R., Uruguay, Venezuela. Against: Afghanistan, Cuba, Egypt, India, Iran, Iraq, Lebanon, Pakistan, Saudi Arabi, Siam, Syria, Turkey, Yemen. Abstentions: Argentina, Belgium, China, Columbia, El Salvador, Ethiopia, France, Greece, Haiti, Honduras, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, United Kingdom, Yugoslavia. Absent: Paraguay, Philippines

States. Siam had no bona fide representative, and could not vote.⁷⁹

The negative vote of Greece made up for the loss of Siam. Greece had abstained in the vote on the 25th. On the 26th, Greece announced that it would oppose partition. Since Greece at the end of 1946 was on the verge of collapse, since in February of 1947 the British let the Americans know that economic assistance would cease in March and since the U.S., to prevent a communist victory, decided to extend aid to Greece, the U.S. was clearly in a position to influence the Greek vote, or at least ensure Greece abstained. Louis claims that, "Niles used business connections in an abortive effort to swing the Greek vote,"⁸⁰ but cites no evidence. The failure to sideline Greece, if not reverse its pro-Arab stand, does not suggest the United States used coercive pressure of any kind otherwise one could not imagine Greece supporting the Arabs.

The only other non-Muslim country to vote against partition was Cuba whose Ambassador, Guillermo Bolt, was "recalcitrantly pro-Arab", claimed the Costa Rican vote had been purchased with a \$75,000 bribe,⁸¹ but this clearly appears as part of the opposition throwing dirt and it is surprising that Wm. Roger Louis allows the accusation without comment. The Costa Rican delegate, Ricardo Fournier, complained of being offered a political bribe from the other side when he,

indignantly told me that the Arabs had offered to support Costa Rica for the Trusteeship Council provided Fournier would change his pro-partition attitude. 'I told him that I would not sell my vote or sacrifice my honor'.⁸²

Cuba and Greece, both easily subject to American pressures, particularly Greece, voted against partition and were the only non-Muslim states to do so. Cuba's vote was attributed to the political ambitions of the delegate.⁸³ Chile's shift from the support to the abstention column was a surprise. Santa Cruz, the Chilean subordinate who replaced the chief delegate who resigned claimed that Chile had

a special interest in the Arab nations which derives from an unchanging friendship, and the fact that we have always shared with them similar points of view on the majority of

⁷⁹Granados, p. 267.

⁸⁰Louis (1984), p. 486.

⁸¹ibid., p. 485. The reported bribe was widely renowned. Llewellyn Thompson Jr. learned of the alleged proffered bribe from the Cuban Ambassador. cf. Robert J. Donovan, Conflict and Crisis New York: 1977, pp. 329-31.

⁸²Granados, p. 264.

⁸³cf. Grose (1983), p. 250.

the problems which have come up for study in the United Nations.⁸⁴

This order of reversal came directly from President Gonzales Videla in Santiago, who before taking office had been President of the Pro-Palestine Committee of Chile. Since that Committee was a pro-Zionist lobby, one can only speculate on what Arab-Chilean deal induced the dramatic change.⁸⁵ [Note: get search of Chilean archives]

What about the pressures in the other direction? Why did Haiti and Liberia, who previously abstained, shift to support partition? Why did the Philippines and Paraguay who had been absent on the vote on the 25th, vote for partition on the 29th? Why did Yugoslavia continue to abstain?

The Yugoslavs had intended to vote against partition on the 25th. Vladimir Simic as a member of UNSCOP had opposed partition. Vladimir's brother, Stanoje Simic, was the Minister of Foreign Affairs for Yugoslavia and the chief delegate to the U.N. As he explained his intention to vote against partition to Granados, "We signed the minority report and nobody took the trouble to discuss it. At least it should have been a matter of courtesy. So we are sorry to vote against the majority report."⁸⁶ Granados was unable to persuade him to set aside his sense of being slighted, but Pruszyński from Poland, when alerted by Granados, was evidently more persuasive and convinced them to abstain.⁸⁷

Was it merely a matter of reasoning? Or was political pressure brought to bear on Yugoslavia from the Soviet bloc? Yaacov Ro's on his study of Soviet policy vis a vis Israel, claims the Yugoslav opposition to partition, even in UNSCOP, was a feint until a unified Soviet bloc policy had been determined.

Czechoslovak-Yugoslav disparity (in UNSCOP) seems to have been a manifestation of the tacit agreement between the Soviet Union and the East European People's Democracies that the latter were to enjoy maximum manoeuvrability on issues on which the international community had not yet made its decision... In this way, the U.S.S.R. was able to stand simultaneously on both sides of the fence.⁸⁸

Perhaps the Polish delegate pointed out the room for deviation was over now that the international community had decided. Maybe the Poles convinced the

⁸⁴74:16

⁸⁵cf. Granados' account of this, p. 268.

⁸⁶Granados, p. 265.

⁸⁷op. cit.

⁸⁸Yaacov Ro'i, Soviet Decision Making in Practice: The U.S.S.R. and Israel, 1947-1954, New Brunswick, N.J.: 1980, p. 80.

Yugoslav of the intrinsic merits of partition. Whatever the case, the Yugoslavs were induced by the Poles, not by the Americans, to staying in the abstention column.

Like Yugoslavia, the Philippines also had a large domestic Muslim population and could be said to be susceptible to domestic pressures to vote against partition. The Philippines was absent from the vote on the 25th. Granados claims the support of the Philippines was won in the last 48 hours for the 26th the Philippines had been expected to vote 'No'. Chief Justice Felix Frankfurter, had long ago set aside his resentments that he, Benjamin C. Cohen and their mentor Brandeis, had been shunted aside in the Zionist leadership stakes in the early 1920's in the conflict between the grass roots politics of Pinsk and the elite rationalism of Washington. On the urging of David Niles, he corralled his fellow jurist Frank Murphy and they paid a visit to the Philippine Ambassador in Washington. More material pressure was used by the senators who sent a telegram to the President of the Philippines noting that a financial aid package to his country was pending in Congress and a negative vote on partition could have an adverse effect. But the most effective pressure was probably that of Julius Edelstein, an American civil servant and a personal friend of the Philippine President. The American Embassy located Edelstein in England in the middle of the night who awakened his friend in Manila from his afternoon siesta.⁸⁹ Whether high level judicial argument with the ambassador, material inducements of senators for the Philippines or friendship was the most critical, it is clear that the Philippines changed its mind and voted for rather than against partition.

Paraguay too was absent on the vote on the 25th and supported partition on the 29th. Dr. Cesar Acosta, the chief delegate, had abstained simply because he had not yet received instructions.⁹⁰ If the final vote had not been delayed by expansive speeches, into which the Arabs were drawn to duplicate in response, the U.S. Thanksgiving holiday and the French move for a last minute 48 hour delay, the Paraguayan vote might have ended up as an abstention rather than a supporting vote.

Liberia, a country made up of and ruled by the descendants of ex-American slaves, was another case. It, along with the Philippines and Haiti, had been specifically targeted for concentrated effort by the Zionist lobby.⁹¹ Robert Nathan, an economist phoned the Liberian delegate to warn that unless

⁸⁹cf. Grose, pp. 251-252 for a detailed account of this pressure. Also FRUS, 1947, Vol. V, pp. 1305-7.

⁹⁰cf. Granados, pp. 266-267.

⁹¹Snetsinger, p. 2.

they voted for partition, Secretary of State Stettinais would have to call his friend, Harvey Firestone, Jr. whose tire and rubber company dominated the Liberian economy. In fact, as Grose notes, Stettinais did place a phone call, to President Tubman of Liberia itself. Liberia would not abstain but voted for partition.

Haiti was in danger of actually voting against partition. Granados, who sat next to the Haitian delegate, writes,

I have no idea what strings were pulled in the case of Haiti, which at the beginning was fully partitionist. The Haitian delegate, M. Vieux, declared before the Ad Hoc Committee that he would vote for partition...The day before the vote, a very embarrassed M. Vieux told me that he would have to change his yes to no because of new instructions from his government.⁹²

Granados learned that the President of Haiti would countermand that order and instruct a yes vote and the abstention was a delaying tactic in the face of conflicting messages. Vieux received his pro-partition instructions on Nov. 28th. Assistant Secretary of State Adolf A. Berle, after a call from Nachman Goldmann, sent a cable to Dumarsais Estime, President of Haiti, reinforced by a message from Robert H. McBride, urging a vote for partition. It seems clear that Granados' belief that, "At no time did their (the American) campaign go over the heads of the delegates to the various governments involved."⁹³

He was clearly wrong. Truman's contention that nothing had been undertaken whereby the strong imposed its will on the weak or that the 'direct approach' of lobbying 'could never gain my approval' seems disingenuous.⁹⁴

What significance did all these Arab and pro-Zionist lobbies have in the final vote? The partition resolution had 30 votes more or less in the bag. The anti-partition vote had 13 votes in the bag, but lost Siam due to serendipity. The anti-partition group needed to gain 4 votes to defeat partition. It kept Greece with promises of the Muslim bloc to support Greece and to reinforce the Greek propensity to vote against partition. It won Chile's vote by direct pressure on Santiago. It lost the Philippines, as the only other potential gain, because of the Zionist lobby. Without the lobby, the vote would have been 31:14 with Haiti and Liberia added to the abstention column. There would have been a clear margin of victory in any case.

David Horowitz's claim that the U.S. (via David Niles) exertion of the 'weight of its influence almost at the last hour' swung the final vote in

⁹²Granados, p. 264.

⁹³ibid., p. 265.

⁹⁴Truman, Memoirs, p. 158-159.

favour of partition is exaggerated.⁹⁵ But the figures do not substantiate this view. El Salvador, for example, which tended to be anti-partitionist for religious reasons, abstained on both the 25th and the 29th.

The pro-Zionist lobby secured the victory by a comfortable margin. It was not decisive, however. There is evidence that if the Arabs had not been so crass in their lobbying for votes and so uncompromising in their positions, that a number of the states which abstained, such as Argentina, El Salvador, Honduras, and Mexico, might have been converted to vote against partition.

It is more correct to say that the Zionists' work secured them victory though it was not decisive in making it. Arabs intransigence, belligerency, uncompromising opposition and crass offers to win votes did more to ensure the victory than all the sophisticated efforts of the Zionists.

(K.) THE PROSPECTS OF THE U.N. IMPLEMENTING PARTITION, IF PASSED

The recommendation for partition was of dubious merit. If partition had been accepted by the Jews and Arabs, it would, as Crossman⁹⁶ once said, "make both Jews and Arabs independent and responsible for their relations with each other."⁹⁷ But such an outcome depended on a very large "if." Further, the resolution itself was full of defects foreseeable at the time -- all of which have already been outlined, namely the United Nations lack of legal status as an administering authority given that Palestine was not to become a trusteeship, the absence of in-place administrative machinery to implement partition and the force to back it up, etc. One delegate expressed those views succinctly.

My Government regrets to note that the method of enforcement suggested in the report now before this Assembly does not appear to satisfy this essential condition ... not only has the system suggested in the report not got the necessary force behind it, but that it is deficient also from the organizational point of view. It may therefore be feared that the commission which is to operate in Palestine under the authority and auspices of the United Nations will be placed in a very difficult situation, possibly even in a distressing situation as regards the prestige of our Organization.

The manner in which partition was passed was deemed by some observers to have seriously damaged even further the one source of authority the United

⁹⁵D. Horowitz, State in the Making, p. 301.

⁹⁶Richard Crossman, a Labour Member of Parliament and assistant editor of the New Statesman, had been a member of the Anglo-American Committee of Inquiry.

⁹⁷Crossman, op. cit., p. 191.

Nations did have -- its moral uauthority. As de Azcarate⁹⁸ described it, the discussion in the General Assembly went on

in a deplorable atmosphere of passion, frivolity and confusion, crowned by a vote which the Arabs still regard as irregular if not null and void. Nevertheless ...If the plan...has its weak sides and some dangerous omissions, it must be said, on the other hand, if no decision at all were taken, it would have still more serious consequences.⁹⁹

The real weight of the resolution was the pressures it placed on the individual states who supported it to follow through with commitment and individual action to see it realized. The most critical of these was the United States.

In other words, the United Nations was not being used as a moral influence or as an international legislative body, but as a stage on which to act out the power politics of the world, and on which the commitments of individual states would be lined up. Most importantly, the United Nations would be used as a forum of the power politics of the major powers.

There are two ways, after all, to view the partition resolution. On the one hand, the partition resolution, as it emerged from the UNSCOP report, was, in effect, the least of all evils rather than an ideal resolution of the conflict. No one really loved partition -- no one. Everyone anticipated problems in implementing partition. It was simply the plan with the greatest acceptance. The U.N. members believed some resolution of the conflict was better than none at all, even if the prestige of the organization was put at risk.

On the other hand, the partition plan, though unacceptable to Britain as a political, economic and military power -- albeit a declining one -- was acceptabel to the dominant political interests of both the U.S.A. and the U.S.S.R.

Not all the political factors favoured partition in the U.S.A. Though Truman was favourably disposed to Zionist aspirations, he was not committed to any specific timetable for Jewish statehood. Opposing an early decision in favour of partition were the standard arguments of American security and economic interests in the region: the unwillingness to alienate the Arabs, a fear that revolutionary socialist Zionism might favour Russia, all strengthened by a reluctance to back a proposal that might necessitate sending

⁹⁸Pablo de Azcarate was the Secretary of the Palestine Commission appointed by the General Assembly to implement the partition plan. He led the advance group of the Palestine Commission to Palestine in 1948. His experiences were recounted in Mission in Palestine 1948-1952.

⁹⁹GA Plenary Session 2, 1947, Vol. 2, 124th meeting, p. 1312., also cf. de Azcarate, op. cit., p. 4.

forces to the region. Favouring partition, however, were the weight of thirty years of Congressional resolutions and party platforms supporting Zionist aspirations, a desire to do something for the Jewish D.P.s in Europe, and the conviction that the fledgling United Nations must be supported wherever possible. One of the most telling swing arguments for Truman could be found in a memo of Clark Clifford's. Clifford was Harry Truman's political advisor. In Clifford's view, partition would be the only possible way to avoid war in the area and the need for American troops; at the same time it would strengthen the United States' hand vis a vis the Russians.

This suggests that the American vote was simply based on real politics and gave little consideration to the moral and international status of the U.N. But, in fact, a major reason for the U.S. support of partition was, ironically, to strengthen the U.N. The President provided precisely such a rationale for voting for the UNSCOP report -- "because it was a majority report."¹⁰⁰ The pro-partition vote would demonstrate America's willingness to go along with the carefully deliberated decisions of the world body.¹⁰¹

At the same time, the partition resolution satisfied the American commitment to Jewish statehood and conveniently met pressures from the pro-Zionist electorate of the United States. Power politics, the pressure of the strong _____ the weak, as evidenced by the last minute, intensive American and Arab lobbies on wavering United Nations members, was not the

¹⁰⁰FRUS, 1947, p. 1284.

¹⁰¹Eleanor Roosevelt shared this view sincerely. "Anything that would strengthen the foundations of a new world order would command widespread support in U.S. U.N. had voted for partition so U.S. should back it." [Get exact quote from Grose, p. 242.]

decisive factor it was held up to be.¹⁰² The U.S. - U.S.S.R. alliance, for very opposite and opposing motives was decisive.

The Soviets, contrary to their traditional anti-Zionist stance, had first given the Zionists encouragement in May of 1947. On May 14, Andrei Gromyko announced that if bad relations between the Arabs and the Jews made a unified state impossible, then Palestine should be separated into two states.¹⁰³ The Soviets insisted that independence be achieved as quickly as possible, a policy which continued to govern Soviet action throughout the debate. On October 13, 1947, in the General Assembly, Gromyko gave partition unequivocal endorsement. Though the Soviet Union lacked the domestic pressures present in the U.S.A., its policy was geared to win the support of the American progressive constituency. It also had its own international agenda -- to help Jewish victims of the former common enemy, the Nazis (as they explained it), to hurry the United Kingdom out of the Middle East, to divide the United Kingdom and the United States, to alienate the West from the Arabs and the Arab masses from their leaders beholden to the West, to exploit an unstable situation, to create a precedent for the separation of Macedonia from Greece, Armenia from Turkey or Azerbaijan from Iran. They may have also supported partition because they believed it was the best decision for the Jews, the Arabs and the United Nations.¹⁰⁴

Thus, in this rare instance, and contrary to all earlier British calculations, the two super-powers found themselves on the same side of an important issue before the United Nations -- a situation "tantamount to a

¹⁰²FRUS 1947, Vol. V, p. 1149. There are conflicting accounts on the extent the United States lobbied for partition. According to Truman, the United States delegation was specifically prohibited from lobbying on behalf of partition. But vigorous lobbying did go on. It was undertaken by individual congressmen, businessmen, etc. who were not acting as official representatives of the U.S. government, though others argue that the official prohibition against active lobbying was withdrawn as the vote neared. [ref?]

The last minute American decision to exert pressure in favour of partition is described in Dan Tschirgi, The Politics of Indecision, p. 236-38; Evan M. Wilson, Decision on Palestine, p. 125, 127; Zvi Ganin, Truman, American Jewry, and Israel, 1945-1948, p. 142-46; Peter Grose, Israel in the Mind of America, p. 248-54; David Horowitz, State in the Making, p. 300-01; Kurzman, Genesis 1948, p. 17-21; and Snetsinger, Truman, the Jewish Vote and the Creation of Israel, p. 66-69. Refutation of official American support is provided in Truman, Memoirs, Vol. 2, p. 158-59, and in FRUS 1948, p. 614. Needless to say, both the Zionists and the Arab delegations were also involved in intensive lobbying efforts. Zionist activities are described in Wilson, Ganin, Snetsinger, and Horowitz. Garcia-Granados, The Birth of Israel, p. 262-64 describes Arab pressure tactics.

¹⁰³FRUS 1947, p. 1084.

¹⁰⁴Khoury, op. cit., p. 21. Brookings, op. cit., p. 64.

miracle", as Chaim Weizmann described it. It was the support of both the U.S.S.R. and the U.S.A. which doomed the last hurrah of Britain in Palestine.