

CHAPTER 8 - TRUSTEESHIP

Partition was being effected on the ground without the cooperation of the British, with no real U.N. involvement, but against Arab objections and increasing Arab violence. The question had become how to avoid full scale war. The British, if anything, were not discouraging but encouraging the Arabs. The Americans were doing very little on an independent basis to try to moderate the Arabs. American energies were focussed on the United Nations. In effect, policy makers in the State Department had balked at paying the price for supporting partition and were intent on putting American self-interest before that of the United Nations. They determined that partition was not consistent with American self-interest and therefore partition should not be effected. Their alternative was a U.N. trusteeship over Palestine. The State Department would try to be cunning about its reversal of support for partition, making it appear that the U.S. supported and was working to strengthen the U.N. The net effect would be that the U.N. was stymied at a critical point in the development of the Palestine dispute. While a confused U.N. membership tried to follow the shifting sands of American Palestine policy, the parties on the ground in Palestine correctly interpreted U.S. and U.N. vacillation to mean that the determination of the future depended on their actions and their actions alone. Not only was the power _____ of the U.N. an independent action, not _____ but the moral influence of the U.N. in the Palestine dispute was _____ disturbed in the shifting _____ of the U.S., as the U.N.'s most _____ at this time.

On January 14th, four months before partition was to take

effect, Robert McClintock (what was his position) in New York sent a secret memo to Dean Rusk(1), who was about to be appointed Director of the Office of United Nations Affairs. McClintock outlined two options for the United Nations. Either the United Nations would have to use arms to enforce partition, or the United Nations could rely exclusively on the Jewish and Arab militias that were to be established under the terms of the United Nations resolution. Relying on the militias would mean providing arms to the Haganah, which would alienate the Arabs and would undermine the arms embargo the State Department had introduced earlier. McClintock recommended a policy of reliance on militias backed up by United States pressure, but no arms.

The intelligence on the military capabilities of the two sides _____ that the State Department indicated that reliance on a Jewish militia would not be sufficient. A CIA report on February 28 concluded that the Jews would need military aid to survive an Arab attack.(2) Likewise, Secretary of State Marshall "basically sympathized with the Jews but doubted their ability to establish or maintain a state without the support of American troops."(3) (can't we get a better source for this than Kurzman?) The British assessment was similar. Field Marshall Montgomery, Chief of the Imperial General Staff, said in March of 1948 that the military balance was against the Jews.(4)

The attack on the Etzion block on (date _____) was a graphic demonstration that McClintock's recommendation of relying on the militias without sending arms would not work. The Mufti's men were not vulnerable to American pressure and the Jews desperately needed arms, as Eban and Epstein had informed Henderson, Rusk and others in the State Department a week

earlier.(5) The Jewish Agency had asked for arms for defensive militias, reserving action by the Security Council as a last resort.

Further, there were some important problems with adopting an attitude that the United Nations could make political decisions, but their realization would depend on the parties fighting it out. Loy Henderson shared this sentiment:

It was difficult for me to understand how the United Nations could maintain its prestige if, after it had considered the problem, that problem could have no permanent solution and would be solved only on a temporary basis as a result of fighting between Jews and Arabs.(6)

The United Nations had less than four months to implement partition. The United Kingdom was refusing to cooperate. The Arabs were not cooperating on the diplomatic or military level. The Jews said they needed arms to defend themselves and, as a possible last resort, Security Council enforcement. But the State Department was opposed to arming the Jews and Truman himself had rejected sending American troops to enforce partition.

The question, then, was how to proceed. There were two options: (1) send a United Nations force with neither American nor Soviet participation; or (2) retreat from partition.

The first option was arranging, through the Security Council for an international police force in Palestine which would include neither American nor Soviet troops. The President had

been unequivocal in ruling out sending American troops but seemed open to this possibility? (maybe quote the President's reaction). Kennan, the Director of the Policy Planning Staff, argued against it. In a secret memorandum, he opined that even if non-great power forces were used to back up partition, the United States would still be seen as supporting enforcement of partition. The result would be the undying enmity of the Arab states and a danger to the economic and security interests of the United States in the region.(8)

Kennan had given a blistering appraisal of the United States position and security interests in light of the November 29th partition resolution. His conclusion was that it was against the United States' interest for partition to be furthered in any way.(9) His recommendation was: support, do not undermine, the United Kingdom's strategic position in the Middle East; redirect United States policy away from one which impels the United States "toward a position where we would shoulder major responsibility for the maintenance, and even the expansion, of a Jewish State in Palestine."(10) In short, he recommended backing off from partition and adopting a "hands off" position.

Other key policy makers in the United States government had arrived at similar conclusions about American support for partition. On January 21st, United States Secretary of Defense Forrestal and Under Secretary of State Lovett had compared reports. Both concluded "that the United Nations partition plan was 'not workable'".(11) The motives behind the various factions in the U.S. government may have been at odds (non-involvement versus pro-Arab involvement), but the goals were the same -- withdrawal of support for the Jewish state and, more

specifically, for partition as a means of obtaining a Jewish state.

There were two possible outs for the State Department. One was the legal route -- to refer the question of the legality of the United Nations deciding for partition contrary to the will of the majority of the inhabitants of Palestine to the International Court of Justice. But Arab resolutions to this effect had been defeated the previous Fall. Further, Kennan opposed the renewed idea of referring the issue to the International Court "on the grounds that the fundamental issue, i.e. whether the two communities involved will cooperate to make the partition plan effective, is not a proper question for the Court".(12) The State Department Legal Advisor also advised against the United States supporting any referral to the International Court. (on the same grounds?)(13)

The other alternative was to get the General Assembly itself to reconsider and reject partition. The thrust of this approach was outlined by Kennan:

When and if the march of events has conclusively demonstrated that the effort to carry out the partition plan as prescribed by the U.N. General Assembly offers no reasonable prospect for success without the use of outside armed forces, we should then take the position that we have been obliged to conclude that it is impracticable and undesirable for the international community to attempt to enforce any form of partition in the absence of agreement between the parties, and that the matter should go back to the U.N. General Assembly.(14)

Rusk agreed with Kennan's conclusions. But whereas Kennan had argued for letting events run their course -- a "Hands off" policy for the United States -- Rusk felt the United States had to play a decisive role.

The United States will not be able to avoid responsibility for a Palestine solution. A completely hands-off policy (even if politically possible from the domestic point of view), coupled with British determination to withdraw from Palestine, would leave Palestine in a state of violence which would inevitably come before the Security Council. If we shirk our responsibility as a member of the Council, having declined to take an active part in the settlement of the Palestine question, we would be subject to a loss of prestige from which we would not readily recover. Unless the present partition plan is reconsidered, the U.S. already has substantial obligations under it. If an alternative plan is considered, it would be frivolous not to suppose that the United States must play a leading role in the execution of such alternative.(15)

Rusk wanted the United States to orchestrate the whole move away from partition from behind-the-scenes. First, the stimulus for a reconsideration of partition had to come from a party other than the United States. An obvious opportunity would be the report of the Palestine Commission due on February 1st, which quite predictably would emphasize the near impossibility of implementing partition as matters stood. Second, the United States had to appear to be making every effort to implement partition, even though it knew partition was unworkable. Then, finally, the United States would call for a new United Nations

special session to consider alternatives to partition. The alternative Rusk favored was a United Nations trusteeship for the whole of Palestine.

"In the event of reconsideration of the Palestine problem by the General Assembly, the United States should propose the creation of a trusteeship in Palestine with the U.N. Trusteeship Council as the administering authority. If necessary, this proposal should include provision for an international force to maintain internal order during a transitional period."(16)

With regard to United States involvement in the new plan, Rusk was clear:

with the United States taking its fair share of the fiscal and security responsibility for the trust territory.(17)

The State Department's trusteeship idea could be presented as a continuation of partition by other means. It would be explained that trusteeship gave the United Nations firm legal grounds on which to assume authority in Palestine until tempers cooled and partition could be implemented without force. For this reason, trusteeship -- in contrast to an open about-face -- would meet less opposition within the United States and internationally.

Of course, the State Department knew perfectly well that the day when partition could be implemented without force would never come. Trusteeship would effectively be the first step in the abandonment of partition. But the State Department felt that

this would not be immediately appreciated by the President and American and international supporters of partition.

Rusk's solution seemed to solve a number of problems. The United States would appear to be supporting partition until another body determined that partition would not work. The new approach -- trusteeship -- provided for United Nations legal continuity in Palestine. The United States would look like a faithful supporter of United Nations efforts in the area.

The first step involved making sure the Security Council did not opt to back implementation of partition by force. On February 24th, Austin (ostensibly merely in response to the request of the Palestine Commission for forces to back up implementation) gave a speech before the Security Council, a speech which had the clear endorsement of the President.(18) This speech provided a rationale for use of force if and only if those forces were not used in conjunction with enforcing partition.

The Security Council, under the Charter, can take action to prevent aggression against Palestine from outside. The Security Council, by these same powers, can take action to prevent a threat to international peace and security from inside Palestine. But this action must be directed solely to the maintenance of international peace. The Security Council's action, in other words, is directed to keeping the peace and not enforcing partition.(19)

The logic was simple. Partition cannot (legally) be implemented by force. Partition cannot (practically) be

implemented without force. Ergo, partition cannot be implemented.

On the first proposition, the Arabs and the State Department were in accord. Truman's position overlapped since he held that American troops would not be available to implement partition by force. Truman may not have agreed with the reasoning, but his refusal to send American troops supported the conclusion of the State Department.

but Truman was clearly unaware of the difference between his position and that of the State Department. The State Department formulation implied that United States forces could be used provided they were not used to implement partition. The State Department did not tell the President that the implication of its argument was that United States troops would be used in Palestine. The State Department strategy, not fully known to the President at that time, was to have the U.N. Security Council decide it could not implement partition peacefully, go back on partition, and come up with an alternative. The alternative would in all likelihood require U.N. forces -- including quite probably U.S. troops -- to maintain internal order. An important implication -- obviously not pointed out to the President -- was that under trusteeship, international police efforts would be used against the Jews.

In the United Nations, the matter was to be handled quite delicately. The United States initially appeared to be neutral about what should be done with regard to Palestine. When the Colombian delegate moved that partition be reconsidered if the Jews and Arabs were not in agreement, the American representative

opposed the motion.(20) Instead, the United States moved to form a committee of the permanent members of the Security Council to recommend what guidance should be given the Palestine Commission; to judge whether in Palestine there was an international threat to peace, and to consult with the United Kingdom and principal communities of Palestine about implementation of partition.(21) (Is this the U.S. resolution calling for the permanent members to consult and report within ten days on the recommendations to the PC with regard to implementation and calling on all parties to reduce disorder? see FRUS, p. 686) When the Belgian representative proposed a resolution on March 5th which would have forced an immediate decision "for or against partition by peaceful means", the United States delegation was able to maneuver a defeat of the resolution even while it abstained.(22)

The irony was that the United States position initially was too subtle. The Arabs focused on the part of Austin's speech that said an international force could be used to stop an invasion or threat to international peace, hence the previously mentioned request of Assam Pasha that the Arab leaders be moderate in their statements about war. The Arabs saw Austin's speech as simply a cover-up for endorsing the use of United Nations forces to enforce partition.(23)

The State Department believed it was in a politically unassailable position. Either the Security Council would conclude it had to use force to implement partition (to which the United States had always expressed its unalterable opposition) or the General Assembly would have to reconsider partition. At the same time, Arab military actions would be inhibited lest the option of using force against threats to peace (versus against

the implementation of partition) were to be activated.

The bomb revealing the strategy developed by the State Department over the last two months was dropped by Austin on March 19th in a speech calling for a Special Session of the General Assembly. The Special Session was called without even the courtesy of considering the report (given the same day) of the committee of permanent members of the Security Council on the recommendations for implementing partition.(24)

The timing of Austin's speech -- prior to hearing the report -- obviously went against the State Department's careful plan, which would have required the outside body -- the permanent members -- to declare that partition could not be implemented before the United States called for a Special Session. The error in timing also explained in part Truman's surprise and upset at the speech. Charles Murphy, Administrative Assistant to Truman, penned the expression of the President's "displeasure" at the State Department's trusteeship idea.

the President had instructed the State Department to continue to support partition in the United Nations. He had authorized the trusteeship proposal to be advanced if, but only if, the Security Council finally voted down the implementation of partition notwithstanding its support by the United States. These instructions were garbled by the State Department, and when it became apparent that the Security Council would vote down partition in spite of its support by the United States, the trusteeship proposal was put forward without pressing for a final vote in the Security Council. This was done without the President's

knowledge or approval. The end result might have been the same if the President's instructions had been followed, because partition could not have been implemented within the framework of the United Nations without a favorable vote of the Security Council. And the expressed attitude of the Council members seemed to make it clear that not more than five votes would be cast in favour of implementing partition. Nevertheless, the procedure which was followed failed to make the record clear and the failure to inform the President of the procedure left him in an insufferable position.(25)

Clark Clifford, the President's Special Counsel, had received word of the State department's thrust in advance. He prepared a Memorandum on March 6th stating that it was "unthinkable that it (the United States) should fail to back up that decision (for partition) in every possible way".(26) Clifford outlined a very different policy and set the tone for the barely concealed war between the State Department and the Office of the President that would evolve over the next two months. First, instead of appeasement which encouraged Arab intransigence, pressure (not threats of force) should be brought to bear on both the Arabs and the British. To that end, the United States should initiate steps in the United Nations to define Arab action as a threat to the peace and to get the Security Council "to require Great Britain to comply with the general Assembly's resolution".(27) A number of other specific steps were recommended, including United States cooperation in the United Nations plans to establish an international security force in Palestine.

In a follow-up on March 8th, Clifford provided the most cogent and forceful argument for consistent support for partition in terms of American national interests. The United States should support the historical trends toward a legal international order, remaining consistent with decisions made to strengthen the principles of international order by backing policies that had their roots when the Mandate was assigned by the League of Nations to Britain. (I think we could get a better summary of Clifford). (Also, we have to explain the discrepancy here between Clifford's support for partition - which is made to look like it's Truman's position - and the long quote from Truman's AA to the effect that Truman agreed with backing off from partition as long as the maneuver was procedurally flawless).

The fact is that there were only two cogent policy options -- either Kennan's proposal of total non-involvement on the basis of national self-interest or Clifford's argument (also made on the grounds of national self-interest) for supporting the historical trends towards an international order.

The policy of the State Department was to use duplicity as a form of diplomacy, to appear neutral while being pro-Arab, to appear to strengthen the United Nations role while effectively undermining it, to appear consistent with the partition decision while being determined to torpedo it, to push appeasement rather than principle (either on non-involvement or honest involvement), and to play games with everyone. However, the game plan was poorly planned, poorly executed, and assumed that the other delegations were as naive as the State Department was about the prospects of achieving trusteeship when it meant undermining partition.(28)

McClintock would, of course, prove to be dead wrong when he forecast that the probable outcome of the Special Session would be the "establishment of a United Nations trusteeship for Palestine".(29) His memorandum to Lovett predicting this outcome is not only a lesson on bad forecasting, but in how to talk out of two sides of one's mouth at the same time. While openly stating that the United States supported the continuation of partition, though implying postponement of its implementation, the fact was that if trusteeship were approved

the emphasis will be shifted, so far as the maintenance of international peace and security is concerned, from the threat of Arab aggression to a new threat of Jewish attempts by violence to establish a de facto state in Palestine.(30)

Under trusteeship, there would be an even more effective embargo on arms sales to the Zionists. Though the trusteeship plan would make a strong statement in favour of more Jewish immigration, in fact, the IRO would control immigration at its source and a strong governor in Palestine under trusteeship could enforce controls at the terminus. Forces, including probably American forces, would now be available "to maintain the integrity of the trusteeship", only now the forces would be used for the Arabs and against the Jews.

The State Department used the argument that trusteeship would require fewer American troops than if war were to break out in Palestine, but at the time it provided no estimate of the troops that might be needed.(31) The Joint Chiefs of Staff did provide such an estimate by the beginning of April, suggesting some 14,000 troops would be needed to support trusteeship, and

that was assuming both sides agreed to cooperate with a truce.(32) (This scarcely represented less of a commitment than estimates for enforcement of partition!) If the United States were to provide 45% of the troops, partial mobilization would be necessary.(33)

The military as well as political stupidity of the whole State Department strategy was now readily apparent.

Of course, if Truman had consistently opposed sending American troops to Palestine to support partition on behalf of the Jews, he would not support the use of force to impose trusteeship against the Jews. Truman killed the essential precondition of the trusteeship proposal in his statement on March 25th (See page 19 - this is confusing).

We could not undertake to impose this solution on the People of Palestine by the use of American troops either on Charter grounds or as a matter of national policy.(34)

further, the State Department's trusteeship plan envisioned the United Kingdom staying longer in Palestine. (Get details). It was dead wrong in assuming the British would be willing to postpone their exit from Palestine.

Further, the State Department did not do its political homework abroad to assess support. The Jews were opposed. Moshe Shertok, in an address to the Security Council on April 1, summarized the flaws of forcing

trusteeship upon a country ripe for independence without any

assurance that a trustee is available, that means of enforcement can be supplied, that any section of the population will cooperate, that the General Assembly will approve an agreement, or that a working regime can be established by 15 May. The charted course of the implementation of partition is to be replaced by a leap into the perilous unknown.(35)

The Arabs opposed the plan as well. They would accept trusteeship only if it explicitly guaranteed the death of partition and was not simply the first step in the direction of revocation of partition. The Arabs wanted Jewish immigration stopped, not supported verbally on the one hand, while, on the other, anticipating that administrative measures would bring it to an end. They concluded that the "trusteeship agreement, termination of which was dependent upon achieving agreement between Jews and Arabs, was unsound".(36) (I think this last point needs elaboration -- they were afraid of getting stuck under international administration for an indefinite period is how I read it).

The problem of the State Department's two-faced strategy was that the Arabs paid attention to the words and the Jews focussed on the consequences. The intent had been for the Arabs to recognize the consequences and the Jews to be trapped by the rhetoric.

The policy began to unravel as soon as the Security Council agreed on April 1st to ask the Secretary General to convene a special session of the General Assembly. It would take the State Department until May 1st to conclude that further consideration

of the trusteeship proposal was unrealistic(37) and until May 13th for the United States to back down on trusteeship publicly.

There were two immediate byproducts of the State Department move to a trusteeship -- both increasing the likelihood of war rather than reducing it.

The Arabs grew more optimistic because of American vacillation. The American Consul General (Bohlen) in Jerusalem reported on March 22nd that the "Arabs were pleased with the United States abandonment of partition" and that

Kawukji, commander (Yarmuk) army, told American correspondents his army in Palestine not to fight partition but to crush Zionism. Arabs more optimistic but not overconfident.

Both Arabs, Jews regard trusteeship scheme undesirable and most observers feel bloodshed will now increase tremendously with Jews desperate and Arabs feeling new strength.(38)

Bohlen also reported on the new feeling of "consternation, disillusion, despair and determination" on the part of the Jews.(39) (correct footnote) Though Ben-Gurion had made his famous statement that "force of arms, not formal resolutions, would determine the issue" back on January 8, no doubt the State Department's actions made the Jews more determined than ever and let them know that they would have to rely on their own military resources and could forget outside support.

Fortunately for the Jews, given the erosion of U.N. support

for partition, their military fortunes had begun to shift. A positive assessment of Jewish military prospects began to emerge in late March and early April. By this time, the Zionists had been able to obtain some arms and break the blockade and had some initial successes against the Arab irregulars,

By early April 1948, the Jews had gained a clear-cut military superiority and began to expand their control in Palestine.(40)

With the capture of Haifa on April 22nd, one of the two basic premises of an Arab victory had been destroyed. The subsequent capture of Jaffa and the flight of the large Arab population from those two cities and a number of towns meant the collapse of the second premise -- the loss of a fifth column of Arabs to fight the Jews in their own backyards.

The decision by the Arab states to invade had already been made in the Arab League meeting in Cairo which commenced on April 12th.(41) The official line was the operation was not an invasion, but a rescue operation in the Arab areas of Palestine, after which the Palestinians would be able to make their own decision as to their political future.

The decision was not as clear-cut as Zionist propaganda would have one believe. Nokrashi Pasha, the Egyptian Premier, in October had opposed Egyptian participation in an invasion since he feared it might fare badly and/or develop into a force that could threaten Farouk.(42) Egypt had declared it would send guerrillas but not the regular army. (The Egyptian army was in fact better trained for parades than for war.) In April, Egypt

had appointed Ahmed Abd el-Aziz as head of the guerilla volunteer force it had reluctantly and belatedly decided to send.(43) At the April meeting of the Arab League in Cairo, Egypt, Saudi Arabia and Lebanon initially wanted no part in an invasion by regular armies. Syria was not prepared for war. Iraq possibly could have been persuaded to accept Abdullah's view on an Arab Legion invasion of Palestine.(44)

Abdullah's offer to send in the Arab Legion to occupy Arab Palestine (leading to absorption of Arab Palestine into Transjordan) convinced his fellow statesmen. The threat of an Abdullah takeover of Arab Palestine was enough to sway the otherwise reluctant Arab leaders to plan an all-Arab invasion with their regular armies. The decision was taken on April 16.(45) The die was cast before the fall of Haifa and Jaffa and the mass exodus of Palestinian Arabs. Once the decision to invade had been made, the mobs in the Arab capitals would never allow the Arab leaders to back off from their thrust into Palestine.

No one would or could solve the problem by imposed force from thee outside. but neither would a complete military rout by either side be tolerated. "Neither were conquest or forced withdrawal -- two sides of the same coin -- likely to occur."(46) It was a no win, no lose situation minimizing the risks of fighting, and therefore minimizing the incentive to compromise and eventually to negotiate a peace.

The Zionists had lost faith in the United Nations and the force of international law as a result of the machinations of the State Department. In fact, in two months the United States was

able to reinforce the Zionist tradition of paranoia over Great Power reliance that had developed over thirty years of experience with British vacillation, duplicity and reversals. The Zionists would not prove to be compliant to U.N. wishes in the coming months.

Lie and a good deal of the membership of the United Nations likewise lost faith in the United States. Because the United States had so casually backed away from the one solution on which both it and the Soviet Union could agree, what little hope remaining in a scared world for an effective global effort to ensure the peace was crushed. U.N. members lost faith in the United States and in the United Nations.(47) And the President of the United States lost faith in his State Department boys, which would lead to even further confusion and lack of direction in American policy in Palestine.

The State Department had hoped to mislead everyone. It only succeeded in misleading itself. The pattern would be repeated time and time again in its efforts to deal with Palestine. When dealing with the war and the results of the war, the State Department would say one thing and mean another. It would follow a course of appeasement and try to mask its involvement rather than opting for clear-cut non-involvement or for principled and open involvement. The preceding discussion sets the stage for the denouement -- the appointment of a Mediator whose proposals would be a forty year nemesis for the duplicitous dealings of the State Department.