

CHAPTER 5

UNSCOP AND THE PARTITION RECOMMENDATION

(A.) INFLUENTIAL FACTORS

When commissions or committees, particularly Royal Commissions in the British parliamentary tradition, are set up to investigate a problem and recommend a solution, their deliberations and conclusions are influenced by a number of factors. First and foremost is the make-up of the committee and the convictions and predispositions of its members. These we attempted to clarify in the last chapter.

However, if these predispositions were the only factors, a committee would not have to hold hearings, would not need the benefit of expertise and would not have to conduct fact finding missions. The members could merely meet and vote based on their prior convictions.

The reality is that a number of other factors enter the equation once a committee begins its work. The first and foremost, but behind the prior convictions of the members, is what they experience during the period of the committee. Who and what do they hear? What do they see? Both of these played a very dramatic role in the consideration of the committee.

Another factor that has a powerful influence on the conduct and consideration of a special commission is the role of the experts attached to the committee. As we shall see in the case of the UNSCOP Special Committee and in contrast to many or possibly most Special Commissions, the role of the full time mandarins seems to have been marginal rather than central.

Finally, the product of a commission is in good part the product of the interaction of its members and the guidance of the Chairperson. After all, a Special Commission dealing with a problem in the political arena is being asked to make a judgement. Legal precedent, historical factors, facts, principles, anticipated consequences, existing conditions, the goals of the system—all these must be weighed and balanced in the outcome. The different weights to allocate to the various factors will be influenced by colleagues on the Special Commission.

This, of course, presumes that the Commission is independent of the pressures of coercive force or material influence. It also presumes they are not under the authoritative direction of any outside body. Though the first two factors—coercive power and material influence—were totally absent from the considerations of the Special Committee, in the case of at least one member, Entezam, it is possible he was. In the General Assembly and in the first meeting to deliberate on a decision, he stated that he “has

¹ This could have also meant he was free to follow his conscience.

This does not mean the proceedings of a committee are not subject to outside influence. Quite the contrary. They can be, and, in this case, were critical. Different political considerations—where the individual comes from and the political weight given to different factors—will greatly influence perceptions, deliberations and conclusions. This was particularly true in this case as different members were clearly influenced by the presence of Muslim populations in their own countries and/or the experience with Jews, in particular the plight of the Jewish refugees and the victimization the Jews suffered under Nazi Germany.

(B.) THE CONDUCT OF THE COMMISSION

Committees, however, are not just bombarded with facts, experiences, and expertise which interact

¹p. 4.

with their own principles, political concerns, and convictions to produce a particular brew. Committees follow a process. When Trygve Lie sent the committee off to Palestine very shortly after their opening hearings, ostensibly to escape the influence or the perceived influence of the large and powerful Jewish community in New York, it also meant that the committee would not be in the hands of the U.N. mandarins and experts. Thus, their statements of facts and analysis were bound to have, and did have, a far more marginal impact than the experience of the committee.

The whole process took approximately three months. The first formal session of the Committee was convened on May 26, 1947 by Trygve Lie. Two days before, the Arab governments, in a meeting at An Shass, called for a total halt to Jewish immigration and insisted on immediate independence for Palestine as an Arab state. By June 3rd the Committee made its initial decision that liaison officers would be appointed from the Jewish Agency, Britain, and the Arab Higher Committee. Just five days before the latter had its historic meeting in Bludan, Syria, where it made its secret resolutions concerning economic sanctions against the British and Americans.

The substantive work of the Committee began on June 11th with the departure of the main body of delegates and alternates to Palestine. The Higher Committee organized a one-day general strike in the Palestine Arab community to greet the Committee on its arrival. On June 16th the Committee held its first full day session in Jerusalem and met in private with members of the Palestine government. That evening, Sandstrom as Chairman, broadcast an appeal for Arab representatives to come before the Committee. On June 17th, open hearings began.

June 19th to July 3rd were taken up with site visits beginning in Haifa. It was during this period, on June 29th, that the Stein gang executed three British soldiers in Tel Aviv and wounded three others in Haifa. On July 4th the Committee met with Ben Gurion and, on the following day, with Chaim Weizmann, a meeting followed a day later by the British announcement that Irgun prisoners would be executed and three days later by the kidnapping of two sergeants by the Irgun. The most memorable experience, however, occurred on July 18th with the capture of the Exodus with 4500 Jewish refugees on board, a capture witnessed by some of the Special Committee members.

To compensate for the boycott of the Arab Higher Committee, official delegates of the Arab League for Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen met twice with the Committee in Beirut beginning on July 22nd. There was a second side trip to Amman to meet with Abdullah.

The month, however, would end with three dramatic events on July 29th. The British hung three Irgun terrorists. The Irgun hung two British sergeants. And the Exodus entered Port-de-Boue, France where they began a hunger strike, refused to disembark and were eventually sent back to Hamburg and internment in German camps, all this just as the Special Commission began to deliberate on August 6th in Geneva on the contents of its report.

Those hearings followed the logic of elimination. Instead of beginning with ideal solutions or even desired solutions, the Committee began by eliminating those clearly not desired or least desired. During the Geneva sessions, after the first few meetings, a side trip was made by some of the members and alternates to the DP camps in Europe. By the end of the month they had completed their work and submitted majority and minority reports, a remarkable achievement in itself in just three months of work.

(C.) THE EXPERIENCE OF THE COMMITTEE

If the predispositions of the members of the Committee were of primary importance, the experiences of

the members—what they saw and what they heard—were exceedingly critical.

Since both the Jews and the Arabs were adamantly opposed to the continuation of a British or any outside rule, since the British had been increasingly unable to maintain control, even with the presence of 100,000 troops (40,000 troops were sufficient to prevent trouble over Suez in Egypt, a country with over 10 times the population of Palestine), and since the generally liberal membership of UNSCOP seemed predisposed against colonial forms of rule in general, it was highly unlikely that the committee would recommend a continuation of foreign control over Palestine except as an interim measure.

The predisposition to terminate the Mandate was strongly reinforced by serendipity and the opportunity these circumstances provided for the Zionists to achieve propaganda victories. On the day the Committee held its first hearings in Jerusalem, three convicted Irgun terrorists were sentenced to hang by the British. After an appeal from the parents of the three condemned men, UNSCOP agreed, after considerable debate and the opposition of Rahman, Rand and Blom, to intervene in light of the U.N.'s call for all parties to refrain from acts of violence.

The decision of the British to hang the three terrorists was an inauspicious start. When this was combined with the British unwillingness to appear before the Committee in open session [in spite of the compassion and neutrality of MacGillvary], the British began with two strikes against them. The third strike took place on the last day of hearings of UNSCOP in Palestine, on July 18th. The smoking and gashed hull of the Exodus with 4500 Jewish refugees aboard, including dead and wounded from a battle with the British navy, was hauled into Haifa harbour.² Sandstrom and Simic were witnesses to the transfer of the wounded, some on stretchers, as well as other survivors, many wearing bandages, to wire cages aboard the S.S. Ocean Vigour and other British ships for transport back to Europe. As if this were not enough, the publicity continued to blacken the British reputation as Bevin ordered the refugees to be returned to Hamburg, Germany by force.

The whole affair, from the first engagement on board

ship to the final mishandling of the refugees by British soldiers at Hamburg and then transfer to camps in the British-occupied zone of Germany, was conveyed to the world by a well-oiled publicity machine. The British, and Bevin, in particular, were outmaneuvered at every step, and the inhumanity of Britain's Palestine policy, in its refugee aspect, were indelibly inscribed on world public opinion... The Exodus affair....demonstrated to the world quite clearly to what extent the British had lost control over Palestine.³

As Wm. Roger Louis phrased it, the Exodus affair was, “a catastrophe for Britain’s moral reputation

²Michael Cohen provides evidence that the British commander was at the point of giving up and allowing the captain of the Exodus to beach his ship when the Jewish Agency ordered the captain of the Exodus to surrender (1986, p. 81).

³Cohen (1986), 81; 91 cf. Bethell (1978), pp. 316-333.

through the world”.⁴

The option of a continuing role for Britain in Palestine could no longer be taken seriously by the U.N. Special Committee on Palestine. The hanging of the three Irgun terrorists on July 29th, after UNSCOP had left Palestine, the reprisal hanging by the Irgun of the two captured British sergeants and the subsequent outburst of antisemitism in Britain⁵ only reinforced the conviction that the British rule in Palestine was over. In light of the adamant Arab and Jewish opposition to an ongoing role for Britain, the determination of both the Jews and Arabs to obtain self-rule, and the deepening opposition in Britain to carry the extremely high costs of further involvement in Palestine, the transfer of the Mandate to a trusteeship administered by Britain, was, quickly rejected by the Committee at its first session, even as an interim measure.

(D.) A TAXONOMY OF ALTERNATIVES

When the Committee convened in Geneva on August 6th, they were presented with a very focussed agenda with an initial brief consideration to history, law, rights, and the genesis of the Palestine question.

The members quickly plunged into the necessity for a change and the alternatives available. It was clear from Sandstrom’s lineal list of alternatives:

- (a.) Jewish state
- (b.) Arab state
- (c.) bilateral (sic!) state [meant binational]
- (d.) federal state
- (e.) cantonization scheme
- (f.) partition

that dependency solutions (continued British administration or even U.N. administration as Blunche had suggested) through a trusteeship would only be relevant as an interim measure. The focus would be on a permanent solution. It was at this time that Sandstrom set the stage for majority and minority reports by suggesting that once the committee opted for one of the above alternatives, those who opted for the majority would constitute a sub-committee to deal with the technical issues—boundaries, if required, constitution, facilities (railways, post office, etc.) and Holy Places. The committee would then have to deal with issues of timing and interim measures as well as the Jewish question in general (i.e. the refugees). It was clear that Sandstrom structured the discussion so that the issue of immigration and refugees would be one aspect of the problem, but the central focus would be on the political structure of Palestine.

The order of alternatives was a lineal one and not a logical classification. It excluded dependent solutions (trusteeship under U.K. or U.N. auspices as alternative solutions. After a brief consideration of the three country solutions (Arab, Jewish, or binational state) proposed by Bunche, two federal alternatives were interposed—one with provinces and one with far more autonomous cantons. Ivan Rand of Canada, in the process of the deliberations, would interpose another alternative between the federal proposals and partition, a confederation in which the two partitioned states would be combined in an economic union.

⁴Louis (1984), 464, cf. Cohen (1982) 245.

⁵Cohen (1982) 245.

The following taxonomy reconstructs the alternatives available to the committee and indicates by the bold type those not even considered:

Dependent Solutions

(trusteeships)

<u>U.K.</u> <u>administration</u>	<u>U.N.</u> <u>administration</u>	<u>Alternate</u> <u>State</u>
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Administration

Independent Solutions

Unitary State	Federal	Partition
--Arab	--Provinces	--2 independent states
--Jewish	--Cantons	--1 independent Jewish state and Arab portion
--Binational		annexed to Transjordan
		--confederation

The omissions are significant. The easiest to explain is the omission of the Partition alternative with the Transjordan option. As the Secretariat Memorandum had stated, "it is doubtful if the Special Committee has any authority to include Trans-Jordan in any proposal scheme of solution."⁶ What is more difficult to explain is the omission of Trusteeship as anything more than a short-term interim solution since this was the clear choice and impetus of the U.N. Secretariat as contained in the initial Memorandum prepared for the discussions of the Committee.

(E.) THE ELIMINATION OF THE DEPENDENCY OPTION

Part of the explanation for the elimination of Trusteeship as a solution was the very way the committee proceeded. It went to Palestine to see and hear for itself and was not trapped by the advice of experts.

⁶p. 31.

Secondly, the discussion proceeded, not on the basis of the memorandum prepared by the Secretariat before the Committee was even formed, but one drafted by the Chairman with the assistance of the Secretariat. It was a practical document structured with the options least desired at first and the Chairman's choice last. It was clear that Sandstrom set the stage for a logic of elimination to select the alternative which provided the 'least injustice' rather than one which set out to implement some ideal of justice.

However, the most important factors which eliminated the idea of continuing dependency was the experience of the committee members in their on-site visits. As it emerged in the first meeting to deliberate the content of the Report in Geneva on August 6th, all the members, except Hood and Blom, opted clearly and unequivocally for independence. Rand favoured partition with an economic union. Rahman said, "nothing (was) possible but independence." Salazar asserted that, "Palestine must have self-government." Simic favoured independence, but for "Palestine as a whole". Lisicky said that, "only independence can be the solution." Granados also opted for "immediate independence". Entezam said the "Mandate must end and independence be given to Palestine". Fabregat provided as reasons for opting for independence that the "Work of Jews in Palestine astonished me. Jewish people want independence and we cannot fight this." Sandstrom favoured partition after a short transitory period of a year.

Only Hood and Blom hesitated to support virtually immediate independence. In the case of Hood, it was not that he was against "self-determination and the independence of people". Quite the reverse. He ardently advocated these principles. But since the practicality and workability of partition—the "only answer" he envisioned and to which he saw "no alternative"—seemed questionable, Trusteeship "based clearly on the principle of Charter may be considered". It was clear that the logic of eliminating alternatives was forcing Hood into a paradoxical position—support for Trusteeship, and hence continuing dependency, while insisting that the Trusteeship be governed by principles of independence and self-determination.

Blom even was more overtly equivocal. "Independence should be the arm of the final solution" but it "might be necessary even to have independence together with some kind of interim/international machinery to arbitrate differences", though he immediately questioned whether it was possible to have both independence and dependence even in the weak form of limiting that independence by an arbitration mechanism since that would run counter to the principle of the sovereignty and equality of independent states.

The Committee overwhelmingly favoured virtually immediate independence

-- not because the Arabs and Jews demanded it and the Arabs claimed the mandate was illegal. They all concurred that the mandate was perfectly legal. It was left to Sandstrom to summarize the arguments for legality which he did in a "Memorandum on Certain Legal Aspects of the Partition Scheme", citing the Treaty of Sevres, the assignment of a mandate for Palestine by the Supreme Allied Powers in April of 1920, the confirmation by the League of Nations on July 24, 1922, and the Treaty of Lausanne which gave final disposition to the claim of the Arab countries in Article 16. The absence of the League did nothing to change the sovereign powers vested in Britain as the mandatory authority.

The only basis of a legal claim by the Arabs was possession, and such a claim provides a strong case for the right to rule a country excluding other people. But self-determination as a principle is not

One further legal issue remained. Though the mandatory Power had the right to implement partition, the U.N. can recommend a partition solution (or any other) but, “does not seem to have any legal ground to impose a solution unless the mandate is in due order transmitted into a trusteeship with the U.N. as administering authority”.⁹ (my italics) The only alternative source of legal authority is if peace is threatened.

The members not only concurred with the legality of the Mandate, but with the exception of Rand and Salazar, they agreed it had not worked. Their reasons in part explain why they not only dismissed any possibility of British continuation but why almost all of them ruled out trusteeship under a U.N. administration as well.

For Rahman, who, with Entezam was most partial to the Arab case, agreed they were in error in contending the Mandate was illegal, but, he argues, its terms were inconsistent, contradictory, ill-conceived and ignored the principle of self-determination. He could not then argue for Trusteeship without contradicting himself.

Garcia Salazar was one of the few to disagree with the overwhelming majority opinion expressed by Rahman that the Mandate was unworkable. On the contrary, he contended it had worked. The “Mandate has been accomplished—there is a National Home in Palestine—even a Jewish Government.” But it was precisely because it had worked that it was “time for self-government in

Simic, in contrast to Salazar, argued the Mandate had not fulfilled its purposes on three counts. The general obligation to serve the well-being and development of the population remained unfulfilled. Secondly, though Palestine was a Class A Mandate (in which Britain was expected only to provide advice and administrative support), it was run as a Crown Colony with no self-governing institutions. Thirdly, the goal of a National Home for the Jewish people was “beset by complications”. Thus, although the Mandate was legal, Britain had not fulfilled the spirit or the terms of the Mandate.

Granados argued for independence. More important than even the faults of the British, was the success

⁷p. 3.

⁸p. 4.

⁹p. 6.

of the Jews, their spirit, their work, and their determination to have a land and state of their own where they would not be subject to persecution. The British policy had been determined by its colonial interests, its condescension to both Jews and Arabs (but particularly Jews) and had “failed utterly”. This led to a conclusion favouring immediate independence.

Entezam, also confessed admiration for the efforts of the Jews and acknowledged the role of imperial interests. However, he seemed more concerned with the impracticality of continuing the Mandate than any past failures. In fact, Entezam was one of the few to defend limits on immigration on the basis of ‘absorptive capacity’.

Fabregat returned to the theme of British failure—the “Mandate provision for (a) National Home and preparation of people for self-government—twenty-five years later these objectives (are) unfulfilled”.

Sandstrom concurred that the Mandate was unworkable. He noted, presumably in response to Blom’s remark that it was a “Pity that the League of Nations could not pass judgement on this point” (the limitation of immigration by the British White Paper of 1939), that the “Mandate’s commission was unanimously of the opinion that the White Paper was not consistent with any interpretation that could be given to the Mandate”. However, Sandstrom seemed more concerned with pushing the committee towards resolving the essential paradox—how to grant self-determination to both communities which would be peaceful. But not without Ivan Rand contradicting Sandstrom’s assertion that the mandate was merely a statement of policy. For Rand, it was a legal undertaking¹⁰ and, as became evident in his Memorandum presenting a confederation proposal—two states joined in an economic and social union—it was a spiritual obligation as well (a very different one than the “spiritual”—i.e. politically idealistic—plan on which he claimed the bi-nationalist to be living). For Rand, the first principle was “the sovereign interest in the Commonwealth resides in the United Nations forever” because Palestine was the home of three great world religions.

If anything argued for some continuing trusteeship, this last point, rather than Blom’s problem of enforcement or Hood’s problem of arbitration, would push for a continuing U.N. Trusteeship. But Rand was caught up not only by the spirituality of the land but by the uniqueness of the Jewish people. A homeland for the Jewish people was not only a legal provision of the Mandate and a refuge for oppressed Jews, but “as a condition of the rehabilitation of the Jewish spirit”. To accomplish this, Jewish self-government without outside interference was a requisite.

Thus, for very very different reasons—the current unworkability of the Mandate, the failure of the British to fulfill its terms, the _____ of the Arabs for independence, the support for self-determination, the obligation to allow the Jews to develop their own homeland, to fulfill the Mandate, to provide a refuge for Jews and fulfill their spiritual destiny—the overwhelming thrust of the committee favoured independence as soon as possible.

The issue of trusteeship would remain a matter of interim legal succession to allow for enforcement,

¹⁰Sandstrom's assertion that it was simply policy, implying clearly it was not internationally legally binding, seems to be a peculiar slip given his strong defence of the legal validity of the Mandate. Only Garcia Salazar in his own Memorandum, while arguing that the Mandate was legal as far as the Powers who signed the Treaty, argued that it was "not international law bending upon the non-signatory countries...it is a statement of policy which lays down precise obligations for the Mandatory power and is bending upon the signatory Powers, but has not contractual character, since it was not made with any other state or group of States." (p. 3)

major concern to Blom and Sandstrom.

(F.) A UNITARY OR A DIVIDED STATE

The next option to be considered was whether a unitary or a divided Palestine (partitioned or in a federation) was to be considered. Without exception, all the members ruled out both a unitary Arab state, even with the protection of minority rights. Even Rahman did not press for a unitary Arab state, though when polled this was his preference. Entezam thought that a unitary Arab state was just, but politically and militarily impractical.¹¹ In the fourth session, he supported Rand's confederation proposal, but in the tenth session he opted for a unitary state.¹²

A Jewish state, a state in which a minority of Jews would rule a majority of Arabs, was not even discussed. The only unitary state idea given serious consideration, the proposal which occupied so much space in the Secretariat Memorandum which had been so impressed by Judah Magnes and the idealism of Hastromin Hatzain, the idea of a binational state, was given some consideration. Contrary to Ben-Gurion's insistence, the Jews did not present a unified voice to the Special Committee. Dr. Judah L. Magnes, from the liberal perspective, and Mapam, representing the Jewish communists, both advocated a binational state. But the case they made before the Committee was weak. It required first postponing independence. Secondly, Jewish immigration was to continue until Jews achieved parity in population with Arabs, a position which would put Britain in an unbearable position with the Arabs and was totally unacceptable to the Arabs themselves. But, finally, the government that would emerge required good will and co-operation between Jews and Arabs, for which the evidence was scarce and in direct conflict with what the committee experienced on its site visits. The proposal was treated with scorn by Ivan Rand when he said that he believed "Magnes is living in a spiritual place -- (he) doesn't sense the psychology of the Jewish mass in his bi-national state". Besides, both Arabs and Jews needed the state as a symbol of identity. Salazar, who gave the most empathetic expression to the perspectives of both the Jews and the Arabs, ruled out a bi-national state because immigration was the essence of the problem in Palestine. Unlike a cantonal state like Switzerland or a melting pot like the United States, immigration as a humanitarian aspiration, as a political quest is crucial to the Jews and equally totally unacceptable to the Arabs. Division on such a fundamental issue doomed a bi-national state. Sandstrom was even more scathing in his criticism of bi-nationalism at the opening of the third informal meeting which began at 9:00 p.m. on August 7th in the office of the Chairman. Sandstrom pointed to the contradictions in Magnes' position, insisting once on a 70:30 return and now parity. In addition to the proneness to stalemate pointed out by Fabregat, a bi-national state would be inherently unstable in the context. Sandstrom echoed Salazar's argument—the problem of immigration was not and would not be resolved by a bi-national idea. Sandstrom cited the cases of Scandinavia—regarded as people of good will—where even there collaboration proved to be impossible between Sweden and Norway and between Denmark and Iceland. An external umpire would be needed and that was as unworkable as the present Mandate. Only Entezam favoured "some bi-national concept" and believed the current stalemate between the Jews and Arabs could be resolved. Granados also leaned towards a bi-national solution.

¹¹2nd session, p. 1.

¹²p. 1.

(G.) FEDERATION OR PARTITION—INFLUENCES

This left the choice between a federal state and partition. There were a number of factors which shifted the direction of the decision from a federal solution to one favoring partition. One was the strategy of the majority of Zionists. They appeared reasonable and willing to compromise. For although they argued that history, international law (the Balfour Declaration, the League of Nations Mandate, etc.) spoke for a unified Jewish state in the balance of mandatory Palestine under British rule, they indicated indirectly that a partitioned territory into Jewish and Arab states in Palestine would be an acceptable compromise.¹³ This strategic decision was reinforced by the efforts of the Jewish Agency to cultivate members of UNSCOP and to present an overall sense of balance in the Jewish presentations; even in the private and secret meetings with Begin and his extremist group, who made claims even for Transjordan, the Irgun offered to guarantee equal rights for Arabs.

If Dr. Judah Magnes and the Jewish Communists took the high road of utopian idealism detached from the day-to-day realities of Palestine, the Jewish Agency employed traditional political strategies and tactics to argue for partition while presenting the case for a unified Palestine under Jewish rule.

On the one hand the committee members were presented with a utopian dream and a distorted myth of Arabs and Jews living side by side in eternal friendship. From the hard-headed politicians, on the other hand, they were given a different historical mythology of idealistic Jews sacrificing to redeem the soil and bringing progress, not only to a wasteland but to the Arabs of Palestine. Ben Gurion recounted his own migration to Palestine over 40 years earlier to work in the little village of Sojera in the Galilee, plowing the field with one hand and holding a rifle with the other. The Jews were painted as the heroic redeemers of the soil through toil who also had to defend themselves from rabid Arabs who attacked their settlements without reason, even though offered the Jewish hand of friendship.

Ben Gurion, mixing lofty ideals with personal tales, presented the same line he had used many times before. It was a replay of his presentation to the Anglo-American Committee of Enquiry—the Jews brought hard work, the Jews brought prosperity, the Jews brought culture, the Jews brought the hands of friendship to the ancient homeland, all within and under international agreements which promised the Jews a homeland in Palestine. When this story

of heroism was combined with the story of century after century of victimization culminating in the Holocaust, the marriage of Jewish hero and Jewish victim made a compelling presentation.

But Ben-Gurion's case was not a coherent one. For Ben-Gurion's interpretation of antisemitism was that whenever you have two groups, one strong and powerful, the other weak and helpless, "the strong

¹⁴ If the Jews were to become the economically, intellectually, politically and militarily powerful group in a united Palestine, would they not then inevitably take advantage of the weaker Arabs? Even in a partitioned state with a large minority of Arabs, would not then the hands of friendship turn into the fist of repression?

Ben-Gurion presented himself as the tough fighter imbued with high ideals.¹⁵ One could not be sure

¹³cf. Horowitz () 159 and FRUS (1947), Macatee to the U.S. Secretary of State, June 23, 1947, p. .

¹⁴(1954), 193.

¹⁵This was Ramal's impression of Ben-Gurion as well. 1SA, File 1, Box 2270, convention of Ramal with _____,

whether one was watching James Cagney playing in a Hollywood fight picture of Danny Kaye as the Connecticut Yankee in King Arthur's Court, marching between the Confederate and Yankee military positions wearing a Confederate uniform on one half of his body and a Yankee uniform on the other, with the Confederate flag facing one way and the Yankee flag facing the other. The Committee did not require a playful wind to suddenly blow the flags the other way and reveal the subterfuge. They were an impressive group, even if inexperienced in the Palestine arena.

If the experience of the Committee members in Palestine during the month-long inquiry was not enough, the case against the continuation of the Mandate and for some Jewish state was reinforced by the vast majority of all Jews who made presentations, whatever their differences. In the plurality of the views presented, there was one case made, free from cant and contradictions, which synthesized high morality with realism, the voice of Chaim Weizmann.

Chaim Weizmann, the retired and respected elder statesman of the Zionist cause, stood out as the voice of pure practical reason (in contrast to opportunistic reasoning) applying morality to the situation in Palestine. Though Ben-Gurion stated that Weizmann spoke only for himself¹⁶, it was clear that Weizmann's public testimony reinforced the powerful positive impressions of Sandstrom and the other members of UNSCOP who had met with him previously in a private session in Rechovot. Chaim Weizmann's direct, honest and straightforward appeal for partition as the only conclusion that practical and moral reasoning could devise provided the centre point to the hearings. The Committee had been set up to combine competence and high moral character.¹⁷ The Committee members could identify with Chaim Weizmann.

If Chaim Weizmann seemed to walk the fine line of pure practical reason between Jewish utopian, pure, unpractical reason and the opportunistic politics of the Jewish Agency, the Arabs presented themselves as the agents and voice of unreason. It was not simply that the Palestine Arab leadership boycotted UNSCOP. That position, at least had a rationale. But it was irrational when they would not even meet with UNSCOP representatives unofficially or devise a practical strategy. The absolute conviction about the justice of their case was not put forth as an argument. And they ignored a strategy of denying their enemies a victory (which a recommendation for a federal solution would have been) even if they could not obtain UNSCOP support for their own position.

The unreason of the Arab leadership caught up in the lofty rhetoric of pure justice was matched by the unreason of the man in the street and the reality of Arab injustice which the Committee itself witnessed. It was not simply encounters, such as that of Garcia-Granados' alternate who heard accusations that most of the UNSCOP committee members were Jews who deserved to be hanged,¹⁸ but the hostility

Aug. 6, 1947.

¹⁶FRUS (1947) July 14, Macatee to Secretary of State, 501.

¹⁷cf. Bercason (1985), 72 taken from a May 15, 1947 memorandum for the Secretary General of the U.N. to the Canadian Secretary of State for External Affairs in Canada, Canadian Dept. of External Affairs Files, File 5475-CD-1-40.

This was Rand's impression of Ben Gurion as well. ISA, File 1, Box 2270, convention of Rand with Horowitz, August 6, 1947.

¹⁸Garcia-Granados (1948), 82-3.

they experienced in general towards Jews as Jews, the squalid conditions and the exploitation of the Arab by their own people, particularly of children in factories.¹⁹ If Arab Palestinian politicians more than complemented Ben-Gurion's rational political machinations with unreason, Arab Palestine men in the street offset the utopianism of the Zionist pure idealism demonstrating the widespread prejudice and exploitation current in Palestine society.

The only possible counter to Chaim Weizmann awaited an encounter with the Arab League in Beirut and a subsequent side meeting with Abdullah in Amman (held there on the pretext that he could not meet with them officially in Jerusalem since Transjordan was not a U.N. member). The Arab League members, however, tried to match rhetoric with Ben Gurion with the promise of future friendship of Arabs and Jews presented by the Jewish utopians matched in Beirut by the Arab League members' mythology of past Jewish-Arab co-operation and friendship that had lasted until the Zionists had come along to disrupt it. While, on the one hand, decrying the Zionists as the source of all evil in the Middle East and providing a very tenuous rationale for the Mufti's alliance with the Nazis in World War II, their words gave little succour to the committee as they described Jews as a "foreign body" in the Middle East, in language that echoed Hitler's antisemitism, and followed this up with the description of the danger that a foreign body presented if allowed to grow. Violence and radical surgery were necessary to excise that foreign body and protect the integral unity of the Arab people. Unlike Ben Gurion's speech, it was a rhetoric of hate combined with a totally unrealistic and exaggerated sense of the political power of Great Britain as well as the strength of their own economic power and the susceptibility of Western powers to Arab economic blackmail.

In Amman, Abdullah was more generous in not demanding the expulsion of the Zionists who arrived subsequent to the Balfour Declaration and in granting all Jews then present in Palestine citizenship. However, he was just as adamantly opposed to further Jewish immigration and a Jewish state in part of Palestine. He, like the Arab leaders in Beirut provided a foil for Chaim Weizmann. Unlike Ben Gurion they exuded personal ambitions and reverence for power, impracticality and unwillingness to compromise, and most of all unreason and the denial of any status as a people or a nation to the Jews. Instead, the Arab leaders in Beirut depicted them in language that echoed Hitler's ideology while denying any commonality with that ideology.

(H.) FEDERATION OF PARTITION—THE DEBATE

Against the weight of prior experience and conviction, these experiences shifted the weight of the case from a federal solution towards partition. Whether that shift could be maintained and build to a majority and what form it would take depended on the interaction among the committee members and between the members and the secretariat assigned to them to prepare the recommendations.

Simic was first off the mark to defend a single state in the form of a federation. A key factor influencing him against partition was that Arabs and Jews were scattered throughout the country. Bi-nationalism for him was a "murky" concept. His proposal, however, was an attempt to give a constitutional federal expression to a bi-national ideal with "equal rights for Arabs and Jews within the framework of a

²⁰ He envisioned the federal government with two houses, one constituted by

¹⁹cf. Blum (1985), p. 85 for an account of the UNSCOP visit to an Arab cigarette factory.

²⁰August 7, 1947, p. 3.

representation by population, the other with equal representation from both national groups. Arab and Hebrew would both be official languages. Within the federation there would be self-governing units with their own powers. A federal court would have authority to review all laws, including those of the self-governing units. The holy places would be internalized.

Lisicky questioned the workability of Simic's proposal since a common will was lacking in both parties. Blom, too, found no real cooperation between the two communities which implied even a federal form of bi-nationalism was unworkable. _____ Entezam's previous position on bi-nationalism, it was clear that he was amenable to a bi-national state in Simic's federal form. Since Rahman opposed partition and really wanted a unitary state with equal rights for all citizens and no community rights, and though he also opposed, by definition, a bi-national state in a unitary or federal form, he too would, by a logic of elimination, end up supporting a federal idea.

The defenders of partition were Sandstrom, Fabregat and Rand, the latter in the form entailing an economic union. Lisicky, in questioning the workability of a federal system, would be left only with partition, but in the third session expressed a preference for Rand's proposal for partition with a federal component—what became the confederation proposals. Salazar also was inclined toward partition which gave the group just under half the members.

The waverers were Granados, Hood, and Blom. Hood, like Blom, questioned how partition could be enforced. Further, within the Jewish state there would inevitably be a problem of a large Arab minority. The key issues for him were immigration, security and the mode of transition. Just as the issue of immigration was the telling one for Salazar in ruling out a federal solution as unworkable, it was that problem that could push Hood toward partition provided the issue of enforcement and transition could be resolved. Federation, on the other hand, "had all of (the) disadvantages of partition and practically²¹

Granados, to answer the problem of immigration raised by Salazar, proposed a cantonal federation with an equal number of Jewish and Arab cantons, but agreed with Sandstrom that this solution did not satisfy the principle of finality. He was open to partition. Blom remained generally sceptical but focussed his scepticism on partition. As he said in the fourth session on August 8th, he was "not in principle against partition...(but was) not yet convinced that partition is the only way out".²²

What would or could cause Granados, Hood, and Blom to shift?

(I.) THE ROLE OF THE JEWISH REFUGEES

In the process, one additional historical factor allegedly pushed the committee towards a recommendation of partition—the plight and wishes of the Jewish refugees in Europe.

From the beginning the committee had accepted the principle of a linkage between Jewish refugees in Europe and the future of Palestine. The Arabs had made it clear that they were adamantly opposed to future Jewish immigration, including Abdullah who was the only Arab leader prepared to offer the Jews some form of constitutional protection. Though the committee decided not to visit the camps in Cyprus where the Jewish refugees, who had tried to run the British blockade, were interned, they received

²¹3rd session, Minutes, p. 4.

²²4th session, Minutes, p. 4.

confirmation from the

International Refugee Organization that 90 percent of the Jewish refugees wanted to go to Palestine. Their own committee of alternate delegates, headed by Hood and accompanied by Fabregat and Garcia-Granados, set out from Geneva on August 8th to visit the camps just as the committee had begun to deal with concrete alternative solutions to the problem.

Hood, who headed the committee, had in fact opposed visiting the camps. When he led the inspection team he was scrupulous in ensuring that they were not led to see and hear what others wanted them to see and hear. They made their own itinerary, selecting a wide cross section of camps as well as the officials and refugees they would interview. They returned in slightly over a week to Geneva to report on August 16th to the overall committee. The recommendations were clear and unqualified. Even Dr. Ali Abdullah of Iran concurred in the report on the camps. The essence of the report was that:

- (1) Even if alternative options were available for immigration—such as to the United States -- 75 percent of the Jewish refugees would choose to go to Palestine;
- (2) The conditions in the camps two years after World War II had ended were atrocious, even though the refugees received sufficient food and clothing. The sickness and poverty of the Jewish refugees from Romania in the Rothschild Hospital in Vienna made a particular impact on the committee.²³
- (3) The motives of the refugees were mixed, but belief in zionism as an ideology was less important than
 - (a) the inability to resume life in Europe haunted by the Holocaust and
 - (b) the fear of rising antisemitism in Europe since it was now evident even in Great Britain.²⁴

Did the plight and wishes of the Jewish refugees shift the weight of opinion of the committee members from federalism to partition? Was the sub-committee's visit to the camps the deciding factor?

The direction of the decision was clear before the visit to the camps. Five favoured or leaned towards partition: Sandstrom, Fabregat, Rand, Lisicky and Salazar. Entezam opposed partition but, contradicting himself, favoured Rand's idea²⁵ then a unitary and finally a federal state. Three were opposed: Simic favoured a federal solution; Rahman favoured a unitary state; Granados favoured a cantonal scheme, but was open to partition. Hood and Blom had not committed themselves. Did the report on the camps produce the shift?

One way to judge what influenced the committee members is to note any shifts in thinking between August 8th and August 16th when the sub-committee returned with their report.

Before the committee even left to visit the camps, the issue was no longer partition or federalism, but what form of partition would be adopted and whether there would be any connections between the partitioned parts to form some economic union. Further, Rand had made clear in his discussions with

²³Garcia-Granados (1948), p. 225.

²⁴cf. UNSCOP Fund Report, p. 15, which includes the essential conclusions of its subcommittee.

²⁵4th session, p. 2.

Horowitz²⁶ that he favoured the internationalization of Jerusalem. Since Salazar was a conservative Catholic very attentive to the concerns of the church, it was clear that the support of Salazar and Rand for partition would come with a caveat—the exclusion of Jerusalem from either the Jewish or the Arab state.

The debate had moved beyond federalism versus partition, to what form partition would take. Federalism was no longer a serious contender. It could not muster a majority. How did two of the three members opposing partition (including Entezam) shift to support federalism? Did the report on the camps have any impact on the shift in their opinions? Since the shift became formalized when Simic, Rahman and Ertezam agreed to form a working group on a Federal State on August 20th, after the sub-committee had reported, the visits to the camps may have had some impact on the shift, but from the record of the discussions, if it did, it was not an evident or a very important factor.

What about the shift of Granados, Hood and Blom towards partition? Two factors seemed to play an important role in the shift. First, there were the arguments and clear opposition to a binational state, even in a federal form. When Simic brought forth his constitutional federal version of a binational state with a bicameral legislature, with equal Jewish and Arab representation in the upper house, he received no direct support; only Rahman appeared as a potential ally.

If Rahman, Simic and Ertezam wanted to increase the support for a more pro-Arab position, they would have to unite on a federal solution, solidify Granados' position—who was the most overtly pro-Zionist member and an unlikely ally. Even if they convinced Hood and Blom who were more sceptical of a federal solution than partition, they would only have five supporters. They just did not have the numbers.

It was not the humanitarian plight of the Jewish refugees in Europe but the politics of the committee that were critical in making federalism a minority recommendation and partition the recommendation of the majority. But the visit may have had an impact on Hood, who headed the committee and had not made up his mind. It did seem to impact on Blom, who in his memorandum focussed on the process of transition as the essential elements in the solution rather than the solution itself—the need for both a transitional period (an interim trusteeship) and enforcement.

The clue to what influenced him is provided in his concern that no solution could be put into effect against the will or possibly even active resistance of both Jews and Arabs. “The willing cooperation of at least one of the communities would be vital if not indispensable.”²⁷ Partition would earn the enmity of both the Jews and the Arabs.

However, the plight of the refugees clearly had an impact. Blom echoed others in seeing the issue of immigration as critical. In fact, and opposed to Sandstrom who started with the political structure, it was the “essential prelude to a definitive solution”.²⁸ But the impact was more in the direction of Bunche's thinking than one compelling partition. For him,

²⁶Israel Archives: Foreign Office, file 1, box 2270, 'Meeting of UNSCOP', "Convention" between Justere and D. Horowitz, August 6, 1947. cf. also Bercusan (1984), pp. 95-96.

²⁷p. 7.

²⁸p. 3.

in the minds of many Jews (my italics) the problem of the Jews in the D.P. camps and the plight of the distressed Jews in Eastern Europe is by far the most urgent. Jewish propaganda exploits this situation to the utmost and employs it as a means of encouraging Jewish national aspirations.²⁹

In contrast to the view that a Jewish state provided the only home for those helpless Jews, Blom saw the situation of the intolerable conditions as a tool to influence world public opinion and blind people to the Arab fear of a flood of Jewish immigration. He went on to call for easing the plight of the Jewish, the D.P. camps and in Eastern Europe to lessen the pressure of the immigration problem and allay Arab fears.

These words do not indicate Blom was influenced by the camp report.

(J.) THE INFLUENCE OF BUNCHE

There was another key factor—Ralph Bunche. Bunche was the key U.N. civil servant on UNSCOP. Bunche, in his heart of hearts, opposed partition.³⁰ He questioned the economic viability of what he saw as a truncated Arab Palestinian state and foresaw a reactionary quasi-fascist regime emerging to rule in the Arab territory, thereby threatening the future relationship between the Jewish and Arab states. This would, in turn, threaten the prospect of maintaining peace in the Middle East.³¹ He initially believed that Jews were more interested in saving the remnant in Europe than in a state³², echoing a preeminent American concern with the refugees, which is probably a key source of the belief that the concern with Jewish refugees and the Holocaust was a decisive factor in the U.N.'s and UNSCOP's deliberations.

Bunche was also aware that partition was unacceptable to Britain. If the British were to be relieved of the Mandate as soon as possible, and, at the same time, assume some responsibility for the transition to a new political era, British co-operation was central. Finally, the U.S. State Department was also not enamoured with partition. Loy Henderson, the head of the office off Near Eastern and African Affairs, thought a partitioned Jewish state was antithetical to the principle of self-determination³³ and even favoured a binational rather than a federal solution.³⁴ The key work and drafting of the recommendation for the federal state solution was undertaken by Bunche.

Why did Bunche favour federalism if any federal plan required good will between Arabs and Jews and this was the key ingredient “completely lacking” in Palestine and the biggest single flaw he found in all of

²⁹pp. 3-4.

³⁰cf. FRUS, September 24, 194, p. ; notes of the U.S. _____ to the U.N.

³¹Israeli Archives, F.O., file 1, box 2270, Bunche, Eban and Horowitz Conversation, August 3, 1947. cf. Bercasan (1984), p. 93.

³²op. cit. Bunche, Kohn, Eban conversation, August 14, 1947.

³³see _____ discussion, p.

³⁴to be inserted.

Rahman's modifications, qualifications and complications.³⁵ Because Bunche did not believe in good will to carry out his federal scheme, but in the authority that the U.N. could and would have as the interim ruler of Palestine with presumably, Britain as the administrator on behalf of the U.N. In fact, both the majority and minority reports of UNSCOP would include this recommendation so that the U.N. would, in fact, be given the interim legal authority it did not have when Britain referred the Palestine problem to the U.N.

Thus, the synergy of the politics of the committee and the convictions of its key civil servant, Ralph Bunche, acted to reintroduce the federal option into the committee deliberations. It was not that Bunche acted in any way except as the proper international civil servant. He was scrupulous, almost too scrupulous, in not pushing the committee. Weeks before the deadline for the UNSCOP report, there was little sign of any detailed agreement let alone a completed document. Some argue that if it was not for Bunche, there is every likelihood there would have been no report.³⁶ It was not simply that Bunche was adept in the politics of moving a committee along, but he was a fount of knowledge and an indefatigable work horse who strived tirelessly to ensure that a draft paper emerged reflecting the thinking of the committee.

But it was precisely because he played this role that he was so influential. In retrospect it seems clear that without his input, the minority report on a federal solution would have had little substance. In fact, it is just as likely there would have only been one report with three dissenters. It gave Hood the excuse to abstain based on an objection to a divided report.³⁷

It is ironic that Ivan Rand, the man whom Bunche regarded as "an elderly, crotchety gentleman", "the greatest disappointment" in the committee, an incessant talker with nothing to say, should have been considered by the most eminent contemporary historian of this period, William Roger Louis, to have been, "the greatest single influence within the committee"³⁸ and, further to be the one, together with Bunche, to have most influenced the outcome of the report—the very shape the partition proposal itself took with its recommendations for an economic union and for a separate status for Jerusalem. Rand's support also seemed to be important to influence future British cooperation³⁹, though of course it had none as Britain refused to cooperate.

Bunche's resentment of Rand is understandable. Rand's early support for partition was crucial. It was Rand who opposed partition unless it was within a larger economic union. Rand concurred in the Jews having sufficient political independence to control immigration but, at the same time, wanted to preserve the integrity of Palestine as one economic and social polis. Rand supported partition 1) when

³⁵op. cit.

³⁶FRUS, September 24, 1947, p.

³⁷Wm. Roger Louis (1984), p. 470 is incorrect when he wrote the role in UNSCOP was "eight to three in favour of partition". Even though Hood favoured partition he objected to a majority and minority report and expressed his objection by endorsing the UNSCOP report (UNSCOP, p. 1). cf. Garcia-Granados, p. 242.

³⁸Wm. Roger Louis (1984), p. 471. -- echoing the opinion of Maynard, the Canadian alternate. Canadian DEA, F6, vol. 1048, file 2-4-0. Maynard to SSEA, September 1, 1947, cf. Berca (1984), p. 105.

³⁹cf. Horowitz (), p. 225.

Fabregat's partition proposal was amended to include economic union as a sine qua non and not just a recommended future path for the two independent states, and 2) when the committee recommended a separate status for Jerusalem. This also ensured Salazar's support for partition as well.⁴⁰

Rand was the most influential person on this committee because he was able to exact important changes in the partition proposal to ensure partition had a good majority. But as a condition of enabling that majority to emerge, the straight-forward partition proposal that even Bunche regarded as "far
⁴¹ to either Rand's initial proposal or the proposal of the final report, had to be severely qualified, modified and encumbered. Further, it meant that Bunche's original propensity for a long-term U.N. trusteeship or the federal solution that Bunche worked so hard to draft would not succeed, though it was included as a minority report.

If either of the sub-committees of the partition committee had broken down, either on the constitutional issue of the extent of unity between the divided parts, or over the serpentine boundaries of the two states⁴², if the decision on partition had proven impossible to implement even in the thoughts of the committee members, then the minority federal state proposal of UNSCOP would have emerged victorious. It was the predisposition of the key civil servant. It was the predisposition of the majority of committee members before they joined UNSCOP. It was the compromise to which those adamantly in favour of either a unitary state or a binational state had reluctantly moved. But it was the compromise and the convictions of the UNSCOP majority partition proposal that enabled a majority in favour of partition to be garnered.

(K.) THE KEY FACTORS AND FINAL REPORT

Why did the committee support partition? It was not the plight of the Jewish refugees in Europe or the guilt over the Holocaust and the humanitarianism of the committee members that was crucial,⁴³ though the alternative disposition of the refugees was a matter of general concern predisposing most committee members to give the Jews control over immigration, whatever solution was chosen. As Abba Eban perceptively reported back to the Jewish Agency on August 4th, "practical considerations" would dictate the solution.⁴⁴ Not compassion. Not abstract reason or pure principles of justice. Not the skill of the Zionist lobbyists or the lack of skill of the Arabs. As the final report accurately noted, it was the reality that already existed in Palestine that determined the outcome.

Two independent communities existed in Palestine. They were mature enough to run their own affairs and possessed the institutions and resources to do so. They lacked the will to do it together. And there

⁴⁰The idea that Jerusalem should be dealt with as a separate entity of partition took place was broader shared by all committee members and was not just a _____ to Rand and Salazar to obtain their votes.

⁴¹FRUS, September 24, 1947.

⁴²By the 27th of August (four days before the committee was to disband and the report was due to the U.N.) most members of the pro-partition group had still not been able to propose reasonable boundaries let alone agree on them.

⁴³cf. Wm. Roger Louis (1984), p. 395.

⁴⁴ISA, F.O. file 38, box 2266, "UNSCOP September Report", August 4, 1947, A.S. Eban.

was more than enough ill will to prevent any attempts at forced co-operation being successful.

The predispositions of UNSCOP favoured a federal solution, but the reality of two separate and irreconcilable communities in Palestine and the politics of the committee led to a majority recommendation in favour of partition.

In 11 of the recommendations, the committee was in unanimous agreement, including 5 important ones: the Mandate would be terminated and independence achieved at the earliest possible date; the authority administering Palestine in the interim between the Mandate and independence should be responsible to the United Nations⁴⁵; there should be adequate protection of the rights of minorities and of religious interests; economic unity of Palestine should be preserved as indispensable to the development of the country; immediate action should be taken on behalf of the displaced Jews in Europe.

The majority of the committee⁴⁶ recommended partitioning Palestine into Jewish and Arab states while placing Jerusalem under an international trusteeship. To the Jews would go approximately 57% of the land—most of the coastal plain (the best agricultural land) including the Eastern Galilee and most of the Negev desert, including the north-east, central and southern portions. Within the Jewish state, the initial population would be approximately 498,000 Jews and 407,000 Arabs. The Arab state, largely in central Palestine, would comprise 725,000 Arabs and 10,000 Jews. Each state consisted of three pieces of territory, meeting at two points. Jewish immigration would be limited to 150,000 persons⁴⁷ for a two-year transition period; thereafter, if independence had not yet been achieved, 60,000 Jews would be allowed to immigrate yearly. On achieving independence, it would be the responsibility of the Jewish state to determine the number of people it felt it could absorb.

Though there would be restrictions on the entry of people via the external boundary in the initial two years, i.e., restrictions on Jewish immigration, the assumption was the boundary between the two states would not be a barrier to the movement of people or goods, and that the two states would be joined in economic union—covering customs, currency, transportation, joint ports at Haifa and Jaffa—and undertake a common economic program, including land reclamation, soil conservation and irrigation. Independence would be granted when either or both states adopted a democratic constitution, declared its intention to respect holy places, religious and minority rights, and signed a ten-year treaty of economic union. In the interim (conceived of a few years at the maximum) the British would “carry on the administration of the territory of Palestine under the auspices of the United Nations and on such conditions ... as may be agreed upon between the United Kingdom and the United Nations”.

⁴⁵It was recognized that the transition to independence would be difficult, and for this reason the administering authority should be responsible to and receive support from the United Nations. "The responsibility for administering Palestine during the transitional period and preparing it for independence will be a heavy one...Certain obstacles which may well confront the authority entrusted with the administration during the transitional period make it desirable that a close link be established with the United Nations...while being accountable to the United Nations for its actions, the authority concerned should be able to count upon the support of the United Nations in carrying out the directives of that body."

⁴⁶Canada, Czechoslovakia, Guatemala, the Netherlands, Peru, Sweden and Uruguay.

⁴⁷This represented 60% of the estimated number of Jewish refugees in Europe, 75 % of whom, according to UNSCOP's own conclusion, wanted to go to Palestine even if other avenues for immigration were open.

The stated and rhetorical assumption behind the UNSCOP partition plan, which the majority admitted would be difficult to realize, was that

the setting is one from which, with good will and a spirit of co-operation, may arise a rebirth in historical surroundings of the genius of each people ... The Jews bring to the land the social dynamism and scientific method of the West;

the Arabs confront them with individualism and intuitive understanding of life. Here then is this close association, through the natural emulation of each other can be evolved a synthesis of the two civilizations...⁴⁸

The minority in UNSCOP, India, Iran and Yugoslavia (all with sizable Muslim populations) recommended a federal state with Jewish and Arab provinces. A United Nations authority would administer Palestine for a three-year transition period and would draw up a constitution allowing for a two-chamber legislature—one with equal Arab and Jewish representation, one elected by proportional representation.⁴⁹ Jewish immigration would be controlled by the United Nations authority until independence; thereafter, it would be the responsibility of a federal government that, as could be foreseen, would limit immigration severely.

It does not take hindsight to recognize neither plan could likely work unless reinforced with considerable external pressure. The Arabs could not and would not co-operate with a proposal which awarded control of almost 60% of the land to just over one-third of the population⁵⁰, quite aside from their complete unreadiness to see any territory whatsoever sliced away from the Arab domain and given away to those whom they regarded as outsiders, as cast-off Europeans. Further, even in the part allocated to the Jews, Arabs would constitute almost half the population in the beginning, but it would be a Jewish state in which, through immigration, Arabs would become a smaller and smaller minority. Further, the two populations had been at odds over the future of Palestine since the 1920's. The majority solution clearly depended on good will, of which there was little sign, and a pro-western colonial mentality—that is, the Jews had the industry and skills, coming as they did from the West, while the local population was granted an “intuitive understanding of life”, an attribute that said more about the ignorance and romanticism of the West than the character of the local population.

Nor did the minority report have a chance either. Since it clearly rejected the idea of a Jewish homeland and provided for no resolution of the Jewish refugee problem, neither the Jews nor the United States could be expected to live with that solution. Further, before the United Nations, the Arabs had consistently and publicly demanded a unitary state and opposed a federal solution.⁵¹

When problems do not admit of any easy, peaceful resolution, and there is no one in a position to

⁴⁸Council on Foreign Relations, 1947-48, p. 324. From UNSCOP Report to the General Assembly (Official Records of the Second Session of the General Assembly, Supplement II) I, 52.

⁴⁹This was put by Simic's original proposal for a binational state.

⁵⁰cf. 83b(i).

⁵¹This was made clear in Al-Husseini's delivery to the Ad Hoc Committee on 29 September. He refused to address either UNSCOP report because both failed to allow for a unitary Arab state (Ad Hoc p. 11).

impose a solution, then they are usually resolved by power or the threat and fear of power weighed against the potential gains if fighting is avoided. A civil war was clearly imminent, and do what it might to forestall it, the United Nations debate and resolution were more important in providing moral support for the competing parties than in heading off the conflict which now appeared inevitable.