

CANADA'S ROLE IN THE PARTITION OF PALESTINE

1947 AND 1993

by

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I INTRODUCTION

In arenas of conflict in the latter half of the twentieth century, there is no peace in the Middle East with one possible and tentative exception. If peace is characterized not merely as a temporary cessation of hostilities between two warring parties, but as the establishment of positive relationships such that conflicts are resolved through diplomacy, negotiations, mediation, arbitration or the rule of law - that is, through peaceful means - then the only possible positive sign of peace in the Middle East is in the Israeli/Palestinian and Israeli/Arab conflict.

There is no peace in Afghanistan even though the Soviets withdrew years ago; though the communists were ousted, the rebels continue to fight among themselves to determine who should form the successor government. There is no peace in Iran; rebels periodically engage in sabotage against the regime of the Mullahs. There is no peace in Iraq; the Kurds practice a wary autonomy under the military protection of the West while the Shiites in the south suffer under the oppressive Hussein regime; and Saddam Hussein periodically flexes his muscles and sends shivers through the Middle East and the rest of the world. A civil war rages in Yemen.

At the other end of the Middle East, in the Maghreb, the Algerians are fighting a repressive campaign against the sabotage of the Islamic fundamentalists whose victory in an election was overthrown by the military; 3000 have been killed in this past year alone, 10,000 over the past three years. In Egypt, the revolt is more sporadic, and the death toll is not as spectacular. But as in Algeria, it is the death of foreigners, particularly Europeans, that brings the simmering conflict back onto the world stage. The Middle East is a hotbed of tension and sometimes outright war from one end to the other.

In the midst of all these conflicts between fellow religionists and frequently members of the same ethnic group, and in spite of the recent spate of terrorist actions and human bombs aimed at Israeli civilians and military alike by Hamas, there is shockingly one shining

star of peace, not the brightest of stars by a long shot, but a star nevertheless - the Israel-Jordan peace agreement and the tentative, fragile and increasingly more solid Israeli/Palestinian peace as the centrepiece in resolving the Israeli/Arab conflict.

It is that area of nascent peace and the peace process that I want to examine in this lecture. And I want to do so from a very angular and very marginal perspective - the role of Canada in that process.¹ Canada is not a country that has provided either a direction or procedural mechanisms for helping resolve the Middle East conflict as, for example, the United States has done. Nor in the two cases I examine did Canada perform as a mediator. When the idea of partitioning Palestine between the Jews and the Arabs first became a subject for negotiations in international fora, specifically in the UN, Canada's role in the beginning of this full scale conflict in 1947 was as a participant in a committee of eleven countries assigned the task of recommending a solution. Canada's role as "gavel" of the multilateral refugee talks in the very recent round of international peace negotiations was that of someone asked to bring some procedural order to one major aspect of the problem in a process already underway.

Canada would seem to be a country ill-equipped to understand and play any role in the Middle East conflict. It is far away. It is a huge country compared to the miniscule area occupied by both the Israelis and the Palestinians. Canada is a country suffused with repressed optimism with respect to conflict in contrast to the apparent pessimism of the Middle East and its plethora of variations on the fable of the scorpion and the fox. More significantly, "There is no ideology of Canadiansim."² Canada is a country built on process rather than substantial beliefs; it is a country based on law and order. The tradition of Toryism and the acceptance of a need for conscious control rather than an emphasis on liberty has been integral to Canadian history. Canada in the last quarter century has also become a country with an enviable reputation for tolerance and respect for diversity.

But Canada also wears a cloud over its head from its internal divisions and regional sensitivities, and is menaced by secession. The way Canada deals with its own divisions can be used to understand how it deals with the divisions in other areas. More to the point for this lecture, the way Canada deals with divisions elsewhere is a good way to understand how Canada deals with its own divisions. The two roles are complementary. Whether the comparative analysis I offer teaches us more about Canada than about the peace process itself, I leave for you to decide.

In Joe Clark's recent book, *A Nation Too Good to Lose*, the premise running through the monograph is that problems can be solved through dialogue, or, in simpler terminology, through talk. In spite of the fact that the majority in one province, Quebec, believes in an asymmetrical arrangement with the rest of Canada, and the majority in the rest of Canada vociferously reject any form of asymmetrical relationship among the provinces, that is, in spite of the fact that there seems to be no solution to the constitutional crisis that afflicts Canada, Canadians endlessly debate the way their country should be restructured. These debates have preoccupied Canadians during my entire adult life. And Joe Clark is the quintessential Canadian. Even when there is overwhelming evidence that negotiations on the federal system have not really progressed except for the one unique moment when Trudeau repatriated the constitution, but did so without the support of Quebec, Clark insists that what we need is more dialogue. Joe Clark has been the politician par excellence who has believed that when everyone despaired of resolving a conflict, he was prepared to keep talking.

This is because Joe Clark does not believe that solutions are what counts. It is the process itself. For Joe Clark, there are no fundamental convictions about the formal or territorial arrangements between and among contending groups. Everything can be resolved by good intentions and dialogue. "Keep them talking," is the motto of a very dominant strain of Canadian negotiators on the domestic and, as I shall try to show, on the foreign scene as well.

The purpose of this paper is to spell out the ideological premises of this approach to problem solving through a comparative examination of two cases where Canada and Canadians formally played a leading role in attempting to find a solution in the Middle East conflict. The intention is not so much to indicate the naiveté of such an approach to conflicts, but rather the part it plays, not in resolving conflicts, but in enabling others with convictions to have a cover for shifting their positions. Rational and well intentioned discourse is not the route to resolve conflicts, but a modern city expressway where traffic piles up and people vent their spleens enables those who wish to make progress pursue it on back roads and more hidden routes.

Let me put the Canadian posture pithily. Canadians do not adopt a veil of ignorance à la Rawls³ in order to free ourselves from any special interest; Canada is the veil of ignorance itself. Canada allows others to engage in their belly dancing behind the veil. Canadians in adopting neutrality towards conflictual issues presents itself as lacking a bottom line. This is projected not as a fault but as a virtue

characterized by non-committal with respect to any sense of the good or the status of any group or nation. Canadians are committed to the notion that what is fundamental to any problem of conflict is to permit people their say to convince the other of the legitimacy of their claims. What is ultimately decisive is rational persuasion, not the "facts" on the ground, but the ideas in one's head.⁴ This is a radical contrast with both Israelis and Palestinians; in both groups, most members are willing to sacrifice their lives for their convictions and loyalties. Canadians are the epitome of Bruce Ackerman's methodological rationalists using a dialectic of rational and empirical constructs to resolve conflicts.⁵ Canada presents itself as the rationally neutral state without any privileged moral or political convictions.

Rational conversation has the advantage of allowing people to respond to misstatements and correct errors and misunderstandings. That conversation is **not** a method for resolving fundamental divisions over convictions and values. In a conversation, ideally the participants respond to the needs of the other and attempt to hear his or her perspective. But the conversation does not help when the central issue is precisely whether the needs of the other **should** count. Conversation has a give and take plasticity which is ill-suited to mediating convictions held with no plasticity. Conversation makes it possible to come to a mutual understanding, and talk is not taken to be an obstacle, when there is some shared understanding. Otherwise talk is a cover, sometimes a necessary and very useful one when the only other alternative is war.

This is not a study of the role of law or of coercive forces used as peacekeepers which many identify with Canada.⁶ Of the four R's of international relations - rights, rules, realism and rationalism, Canada exemplifies the rationalist tradition. Reason, not fundamental individual or communitarian rights, not established standards and traditions, and certainly not inclinations and interests and the consequences of actions on them, is the foundation for any approach to conflict. But it is **not** a reason which discovers moral principles as a more fundamental foundation for resolving disputes, or reason identified with established norms, and least of all reason which rises above particular interests and inclinations. Canada is not part of the Kantian faith in the lofty role of reason.⁷ It is reason as rhetoric. But it is not the rhetoric which Aristotle equated with **public** speaking and the use of argument to persuade others by emotional appeals, but the rhetoric of talk, the logic of discussion or dialectic.

My thesis is simple. Canada is the country of Talk, Talk, Talk.

The religion of the Quiet Canadian is a belief in Talk. In conflict situations, the ostensible reason for the talk is to allow the conflicting parties to bridge their positions. But the actual role that talk plays is as camouflage. Behind the veil of talk, **not through it**, the parties acquire a camouflage behind which they can shift positions.⁸ This is not a Platonic dialectic which allows us to penetrate to the essence of what is; it is not a dialectic concerned with reality, truth and goodness. Quite the opposite; it is a dialectic which obfuscates and, through such obfuscation, allows transformations to take place without revealing that they are manifestations of interests, inclinations and a priori dogmatic convictions. It is a dialectic which allows one to look at an issue from opposite sides, which takes opinion as the foundation of a prologomena to truth rather than its antithesis. But unlike Aristotelian dialectic which also reasons from opinions, it is not the talk that overcomes the obstructions, but, rather, the talk which disguises the fact that the obstructions are being overcome because individuals are changing their opinions. It is the dialectic of the **cunning** of reason, the noble lie aimed at accommodation rather than truth.

I will try to illustrate this thesis by comparing two case studies in which Canada played a quasi-mediating role in the Israeli-Arab conflict. Those cases are taken from 1947 and 1993 respectively. After the examination of both those cases, I will try to indicate what the analysis suggests about Canada and the nature of the peace process.

II CANADA'S ROLE IN UNSCOP

a) Background

We all recall the position of the conflict in 1947. Britain had not been able to resolve its responsibilities over Palestine either to its own satisfaction or that of the Jews and Arabs in Palestine. Britain could not solve the problem on its own and it could not solve it in partnership with either the Arab states before the war or with the United States after the war.

The only feasible solution, other than a victory of one party over the other, was partition. Partition had died in 1937, was reborn during the war and died again in 1944, was revived by the Colonial Office in January of 1946 and vetoed by the Foreign Office. Following a review after the war, partition was revived again as a joint proposal of the Foreign Office and Colonial Office. Bevin came up with his own idiosyncratic idea of partitioning Palestine and giving the Arab parts to Transjordan and Lebanon, but the Cabinet preferred a Provincial

Autonomy model to which Ambassador Grady of the U.S. consented. Truman, however, vetoed the Provincial Autonomy Plan proposal by Grady and Morrison.⁹

Reference of the problem to the U.N. seemed the only available option of those presented to Bevin when he took office in 1945.¹⁰ It is not from the earlier skirmishes over refugees, over the responsibilities and duties over Mandates, over the attempts to transfer Britain's responsibilities over the Mandate to the Trusteeship Council, but from the period that Britain referred the matter to the UN and the UN set up the United Nations Special Committee on Palestine (UNSCOP), on which Canada became a member, that I want to consider Canada's role in the Middle East peace process.

In February of 1947, Britain referred the conflict in its Mandate in Palestine to the UN for advice. Britain asked the U.N. to recommend the terms of a settlement without binding itself to follow the recommendation or transferring the authority over the territory to the U.N. to implement those recommendations. Britain confessed its authority was inadequate, but insisted on retaining that authority. The United Kingdom only asked the United Nations to recommend a settlement. But without a transfer of authority to the U.N., the terms of the Mandate could not be altered under a Trusteeship.

The timing could not have been worse. The United Nations was handed a problem that had reached a dead end while the United Nations itself was still a novitiate. Further, the Great Powers were not in a cooperative spirit. The world was about to give birth to the Cold War. The cooperation of the Great Powers was required if the United Nations was to fulfill the lofty mission assigned to it. In general terms, this cooperation was totally lacking. The world was entering a period in which the last few bridges spanning the chasm between the West and the U.S.S.R. were about to fall. The putsch in Czechoslovakia and the dissolution of the four-power administration in Germany¹¹ the following year would eliminate any lingering hopes of Great Power cooperation. Further, Great Britain and the United States were at odds over Palestine, as the fallout from the Anglo-American Committee of Inquiry Report indicated.

The United Nations had no legal authority over Palestine. The United Nations authority to partition a mandated territory, even if the Mandate had been legally transferred to the United Nations, was in question, since that decision went against the will of the majority of the population of the territory. The United Nations lacked the force or an unambiguous authorization to use force within a territory. The

United Nations lacked any clear authority to implement a solution if one of the parties to the dispute disagreed. Further, the United Nations was ill-equipped in any case to assume the responsibilities for even administering the territory. It lacked the political coherence and the administrative expertise to assume governmental functions.

But the United Nations could give advice which would have moral force, a moral force which could accrue to itself legal authority. And the matter had become urgent. The terrorist campaign against the British was quickly becoming a war of national liberation even while the Jewish Agency continued to give lip service to condemning terrorist actions. British civilians and dependents were evacuated at the end of January. In response to terrorist threats to 'give an eye for an eye', British personnel were confined behind armed barriers. Barclay's Bank in Haifa was bombed, killing two and injuring another four. The next day, on March 1st, the British officers' club in Jerusalem was bombed destroying one wing and killing a dozen officers. The Shell Oil storage tanks in Haifa were sabotaged destroying ten of them. Four British soldiers were kidnapped and flogged in response to a flogging sentence on an Irgun member. Civilians were kidnapped. The Cairo-Haifa train was mined with five soldiers dead and twenty-three others wounded.

On April 28, 1947 when the First Special Session of the General Assembly opened at Lake Success, the Arab states immediately proposed inclusion of an additional item to the agenda -- "the termination of the Mandate and the declaration of its independence".¹² The proposal was defeated. The Arab attempt, in effect, to derail U.N. consideration had itself been derailed. But any attempt to broaden or strengthen the U.N. involvement would produce further delays. The debates over representation by non-states, the Jewish Agency and the Arab Higher Committee, had itself required lengthy debates dealing not only with the parties themselves but with precedents for other non government organizations.

Finally, and most importantly, there was the attitude of Britain itself which was perhaps the most crucial and which became clear over the next twelve months. Britain not only refused to enter into a transfer agreement, Britain not only did not propose or consider any conditions for the U.N. taking on the responsibility for making a recommendation, the U.K. refused to commit itself to cooperate with the United Nations. "Britain insisted on 'undivided' authority until the Mandate ended,"¹³ and would not and did not grant any degree of authority whatsoever to the U.N. over the Palestine Mandate.

Aside from the bad timing when taking on the responsibility of

making a recommendation on the problem while also lacking the power or administrative know-how or legal authority to take over the Mandate and the questionable legal authority to do so, let alone to do so by implementing a solution unpopular with at least one or the other side, aside from the lack of clear terms of reference and/or the agreement of Britain to cooperate, and the explicit refusal to guarantee such cooperation, it is questionable whether the United Nations was equipped ever to facilitate a peaceful transfer of power using its moral authority.

b) Impartiality

What motivated and determined the U.N. position was not the military considerations or the power politics of the issue, but a moral commitment to do everything in its power to maintain peace and to adjudicate disputes in as impartial a way as possible. The effect of this overwhelming moral consideration and attempt at impartiality was that the U.N. ignored its own weak political power and legal position, which, if strengthened in advance, might have given the U.N. a firmer control over whatever solution emerged. It also seemed to compel the U.N. to underrate the role of the Great Powers. Would moral purity, would an independent and objective process be sufficient itself to unite the Great Powers, even if the solution alienated one or even both parties directly involved in the conflict? Ironically, one force behind the "moral" stance was the United States. Truman refused even to contemplate the use or even threat to use force by the Great Powers to enforce a solution.

The United States wanted a committee of eleven neutral countries. The U.S. was supported by the U.K. in this, though the U.S.S.R., and "neutral" countries like Canada, were initially opposed.¹⁴ The make-up of the final committee conformed to the U.S. guidelines, if not all the specifics. The eleven "neutral" countries included two Commonwealth nations -- Canada and Australia (the U.S. had originally suggested New Zealand); two Eastern European nations, Czechoslovakia and Yugoslavia (the U.S. had originally proposed Poland); three Latin American countries -- Guatemala, Peru and Uruguay (the U.S. had originally proposed two -- Brazil and Mexico); two Western European nations -- Sweden and the Netherlands (the U.S. had originally suggested Belgium); and two Asian nations -- India and Iran (the U.S. had proposed Turkey and a third country from the South Pacific -- the Philippine Republic).¹⁵

The contending -- and losing -- viewpoint supporting Great Power involvement on the Special Committee was put forward by Argentina. The decision that membership should go to "neutral" or "impartial" states

on the basis of an equitable geographical distribution and excluding the Big Powers was hotly debated.

On May 8, 1947, Soviet Deputy Foreign Minister Andrei Gromyko, stated that the U.S.S.R. was prepared, to take upon itself, together with other permanent members of the Security Council and together with the United Nations as a whole, the responsibility not only for the final decisions that may be taken by the UN on the Palestine problem, but also for the preparation of the decisions.

Those supporting big power involvement were not restricted to the Eastern bloc in an attempt to insert a Soviet presence into the Middle East. Lester (Mike) Pearson of Canada held the same view:

He thought exclusion of the Great Powers from the committees of investigation would seriously weaken its authority and might result in the submission of an impractical report entirely unacceptable to those states which would have to put it into effect.¹⁶

The dominant desire was to make the committee neutral. Neutrality entailed an absence of prior commitments. Neutrality entailed an impartial examination of the Palestine question as Dean Acheson argued. Dean Acheson also argued that Canadians should be included on the committee since Canada did not have, "a really serious Jewish problem".¹⁷ It is not clear whether he meant Canada was not troubled by a history of anti-semitism or whether Canada lacked an effective Jewish lobby which so irritated both the State Department and the President.

Neutrality meant Arabs and Jews were excluded from membership on the committee.¹⁸ Neutrality meant lack of prior stated commitments. It did not mean absence of bias. A country or a representative would be considered partial: (a) if it had already expressed a prior commitment to one outcome or another; (b) if its existing commitments predetermined one outcome rather than another; (c) or if it had a vested interest in the outcome. The Arab states were clearly partial. So was the U.K. So were the United States and the U.S.S.R. as major powers committed to securing their interests in this area. Impartial, in a strong sense, could mean not partial to one party in the dispute. In this contest, impartial had a weaker meaning -- not partial to one outcome of the dispute based on prior commitments. It did not mean no partiality at all towards a position. Impartial also meant no specific political interest in the region and, in that sense, required disinterested parties to be involved in the adjudication.

Of the criteria of impartiality, an absence of prior commitment to a position and an absence of prior involvement in the disputes were absolute prerequisites to membership. The three other criteria of impartiality -- impartiality to the parties, impartiality to positions and a disinterested perspective, were to be handled by the overall composition of the committee rather than in selecting any one individual member for the committees.

A second criteria was "objectivity". The countries chosen and their appointees were expected to consider all factors without distortion. In this respect, the personal qualities of the representatives were intended to be more important than the countries chosen to appoint those representatives.

The options facing the committee were clear enough. Partition favoured the position of the dominant Zionist group. A unitary state dominated by its Arab majority favoured the position of the Arabs. A single state with a federal construction would be a position of compromise initially unacceptable to either the Arabs or the Jews.

Ivan Rand was Canada's appointee on the Committee. Ralph Bunche, the brilliant secretary of UNSCOP and future winner of the Nobel Prize for peace for negotiating the armistice agreements between Israel and the Arab states, had only contempt for Rand. He was the only member of the committee for whom Bunche expressed disrespect. This would have surprised Canadians had they known about it given the high esteem in which the Canadian public held Ivan Rand. I hope that my account will explain why a man as judicious and fair-minded, as skillful in diplomacy and discretion as Ralph Bunche might have despised Ivan Rand.

The Canadian representative on UNSCOP acted as a neutral and objective member of UNSCOP independently of both personal bias and the foreign policy of his country of origin. He approached his responsibilities with optimism and a conviction that the ultimate recommendation would be based on the highest morality.¹⁹ This was not true of the other representatives with the exception possibly of Judge Sandstrom from Sweden. The other members were either biased in advance **or** a vehicle for implementing the foreign policy of the country they represented. The role of the Canadian representative will be examined by comparing his conduct and views to those of the other members of the committee.

c) Bias Among the Representatives

Sir Abdul Rahman, a judge, was of Muslim background with a history

of political opposition to partition in India and the forces of Mahammed Ali Jinnah, the leader of the partition forces and the founder of Pakistan. He came with an inherent bias against partition, not because he was a religious nationalist but because he was opposed to religious nationalism. In the Israeli-Arab conflict, to him it appeared as if the Jews combined religion and nationalism.

Nasrollah Entezam was an anti-colonialist rather than opposed to religious nationalism fostering separation. Though sympathetic to the Arab position and his fellow religionists, his main motivation was a lack of sympathy to what he perceived to be European colonial settlements in the Middle East. As an Iranian, he also feared divisions based on ethnic or religious grounds, even in the form of a federal solution.

Valado Simic of Yugoslavia, a former Minister of Education and President of the Yugoslav Senate as well as head of the Yugoslav Bar Association, was an unanticipated opponent of the Zionist position supporting partition. Not because he was dictated in his convictions by ideological instructions from Yugoslavia. That might have dictated that he take an opposite stand than the one he did adopt. He was not a member of the Communist Party; he was an independent. He was sensitive to the sympathies of the Muslims in Bosnia. More importantly, as a Yugoslav, he had an inherent revulsion against partition in ethnically and religiously mixed regions.

Although three of the members of UNSCOP began with strong biases against the Zionist position, this did not make them supporters of the Arab claim for a unitary state in Palestine dominated by its majority. Only Nasrollah Entezam took that position, but this perhaps was as much a reflection of his conviction about the merits of a unitary state not based on ethnicity or religion as it was a reflection of pro-Arabism. In fact, all three would end up supporting the minority report and a recommendation for a federal state. In a world of either/or, the fact that they came from Muslim countries or countries where the Muslim fact was an important ingredient in the political life of their countries, meant that they were identified as pro-Muslim in their votes. In fact, their biases may not have been dictated primarily by pro-Muslim or pro-Arab stances per se, but by varying and overlapping fears of sectarian and ethnic political divisions. In that role, Sir Abdul Rahman was the most vociferous and fierce opponent of partition and, thus, appeared as the most anti-Zionist.

Two members revealed themselves to be strong supporters of the Zionist position. Their bias arose because they were Latin American

liberals. The Jews had already established many of the institutional characteristics favouring democracy and a liberal and pluralistic mode of conflict. The Arabs were decidedly feudal in their political organization and intolerant of liberal secular pluralistic cultures. These two Latin Americans could not envision a solution which placed fellow liberals under the authority or domination of a top-down political regime which was unsympathetic to pluralism. Dr. Jorge Garcia Granados of Guatemala would become an early and most vociferous spokesperson for the Zionist position on UNSCOP, though Professor Enrique Fabregat of Uruguay might have been much more effective because he was not such an ardent advocate of the Zionist cause.²⁰

The Zionists picked up a third supporter. Czechoslovakia was a federal state with two nationalities and so the representative from Czechoslovakia might have been expected to take the same position as the representative from Yugoslavia. But Dr. Karel Lisicky of Czechoslovakia was a close friend of Ian Masaryk. Ian Masaryk was an open and strong supporter of Zionism. And Masaryk provided direct advice to Lisicky during the conduct of the hearings.

Before the committee assembled, an analysis of the convictions of its members would indicate that three of the members were strongly opposed to the position of the Jewish Agency and three were in favour before any evidence had been heard for any of the three alternatives in front of the committee. There were five members left who seemed subject to influence by what they observed and studied. But such an image was belied by reality.

The representative from Peru was Dr. Antonio Garcia-Salazar. He was a devout Catholic. He had been his country's former Ambassador to the Vatican and, in the committee he acted as the Vatican ambassador in its deliberations. It is quite clear that what concerned him was neither the Zionist position nor the Arab position but the role of the Catholic Church with respect to Jerusalem and the holy places in that city. He was persuaded to support partition when there was agreement that Jerusalem would remain under international auspices with a prominent role to be given to religious input in the future of the city.²¹

This left four members who were conceivably unbiased in their deliberations. Emil Sandstrom, Chief Justice of the Supreme Court of Sweden, who became chair of the committee, was perhaps the most difficult to read. In fact it is only in reading the minutes of the final days of deliberation that one senses that the experience of the peaceful partition of Norway from Sweden in 1905 might have profoundly

influenced his concluding support for partition. Up until that time, the chair of the committee tended to perform as the cool, detached and objective judge. Research suggests that, in fact, the Swedes supported partition all along.²² The swing votes on the participants clearly belonged to Holland, Australia and Canada.

The representatives from both Australia and the Netherlands were both senior civil servants from the foreign offices of their respective country. As civil servants they might have been expected to be the epitome of those trained to subordinate particular interests to universal concerns. However, in the modern theory of the state, *universal* concerns were not really universal; they were interests of state. And both Dr. Nicolaas Blom of the Netherlands and John D.L. Hood of Australia were gentlemen well imbued with the ideology that their responsibilities were to subordinate their intellects and wills to the higher interests of state, in this case, the interests of the Netherlands and Australia respectively.

Of course, this was totally against the terms of reference for their involvement on UNSCOP. The terms of reference sent by the UN to the Australian and Netherlands delegation on May 16, 1947 stated that, "States Members of the Special Committee should appoint persons of high moral character and of recognized competence in International Affairs, and that those appointed would act impartially and conscientiously (my italics) in accordance with the purposes and principles of the Charter of the United Nations."²³ Hood was not there to be a delegate representing the Department of External Affairs of Australia. Blom was not there to represent the interests of the Netherlands.

Initially, the Netherlands wanted to gain Arab support for their position in Indonesia. This made the Dutch reluctant to become involved in a committee where they might be required to take a stand in an area of direct Arab interest. Holland finally acceded to becoming a member of the committee. Dr. Nicolaas Blom, who had served as part of the Dutch colonial office in the Dutch East Indies - Indonesia - since 1923 when he was 24 years of age (he rose to become acting lieutenant-governor general) was named the head delegate.²⁴ When named, he received direct and explicit instructions not to act in any way that might bias the position and interests of the Netherlands vis a vis Dutch interests in Indonesia, and specifically not to alienate the Arabs.²⁵ However, he did not receive clear instructions on how to vote.²⁶

Dr. Blom was more biased against the Zionists than simply representing the Dutch foreign policy interests. This was indicated by the delegations he supported and opposed addressing UNSCOP. The Dutch

opposed hearing from any Jewish organizations "whose sole purpose is to support the terrorists in Palestine;"²⁷ they did argue for hearing from the Arab High Committee. Blom was opposed to hearing a delegation from the Yishuv concerned with the immanent hanging by the British of alleged Jewish terrorists²⁸. He also took the initiative in hiring an Arabist adviser to the committee without even authorization from the Foreign Office; this action entailed that he ignore a telegram that informed him that Holland was broke and lacked the money to support an Arabist expert.²⁹ Finally, Blom and Spits opposed visiting the D.P. camps in Europe.³⁰

However, in the last month of the final deliberations of the committee, the Dutch learned that the Arab League had made a deal to support Sukarno and oppose the continuation of Dutch colonial rule in Indonesia.³¹ Dr. Blom was then free to vote as the information and deliberations of the committee dictated. In his vote, he was influenced primarily by the need to resettle the Jewish refugees in Europe; the proposal of the Freeland League to settle the Jewish refugees in Surinam had collapsed. The Arab boycott of the Commission, the Arab unwillingness to compromise whatsoever and, ultimately, the threat of violence against any solution other than their own extreme one, and, ultimately, the Arab support for the rebels in Indonesia lost the Arabs the chance of getting the Dutch to oppose partition.³² The orientation of the original Dutch delegation to be pro-Arab and anti-Zionist had been totally reversed, not by the behaviour and arguments of the Zionists, but by the behaviour of the Arabs and the need to resettle the Jewish refugees in Europe.

John Hood of Australia also served the interests of his state as well, but his final position was a result of very different factors. The Australian delegation's guiding policies are stated clearly in the records of the department of External Affairs. The Aussies were committed to, "support the UK in general provided no fundamental conflict with Australian views."³³ Further, even if the UK should decide to agree to complete withdrawal from Palestine, "any plan for immediate transfer of power should be opposed on the ground that no solution is likely to please both Arabs and Jews and the risk of a violent reaction to an unpopular solution would be considerable."³⁴ Thus, even though the Australians envisioned the possibility of Britain surrendering the Mandate, and even though they envisioned partition as the likely outcome, they did not favour the creation of two independent states, but the creation of two trusteeships, the "US over Jewish state and an Arab country over Arab Palestine."³⁵

The interests of state in Australia were also identified with the

interests of the Rt. Honourable Dr. H. V. Evatt, then the Deputy Prime Minister of Australia, Attorney General and Minister for External Affairs as well as Chairman of the Australian Delegation to the UN. Evatt had lobbied for a seat on UNSCOP and had ensured that Hood was appointed to that seat. On April 18, 1947, the Australian UN delegation registered their conviction that an Arab state should have been a member of UNSCOP. "There should be representation of members acceptable to the Palestinian Arabs and Jews, e.g., an Arab League Member (Egypt or Syria was suggested) and the United States."³⁶ As they themselves said, "We are one of the few Delegations to retain the confidence and goodwill of Arab States which will be useful in September."³⁷ The reference was to the election of the President of the General Assembly which Evatt was seeking. Evatt, one of the architects of the United Nations, wanted to become the President of the UN General Assembly. He wanted the Arab votes. In their report for the Fall Session, the Australian delegation stated that, "Justice and Australia's interests are most clearly allied to the Arab cause which demands a unitary state."³⁸

Australian support of the UK was understandable. Currying favour with the Arabs to obtain their vote for Evatt's candidacy for President of the General Assembly fitted in with old-fashioned politics. But support for the Arab position was also motivated by the White Australia policy (the policy of restricting immigrants to Australians to those of European descent) of which both Evatt and Hood were strong defenders. In a report Hood wrote in preparation for the Fall Session of 1947, he explained the stand of the Australian delegation. Respect for the principle of equal rights and self-determination of peoples was provided in Article 73 of the United Nations Charter where, "peoples have not yet attained a full measure of self-government, recognize the principle that the interests of the inhabitants of those territories are paramount."³⁹ Evatt was the constitutional expert. He was directly responsible at San Francisco for the amendments to Article 73 making precisely this provision. The wording was Evatt's. How did the Australian delegation interpret the provision? The UN would have to consult the population. "It also means that a solution which would force the inhabitants, **against the will of the majority** to accept any alteration in the constitution of its population should be opposed. In fact, from Australia's point of view there would be a narrow line between the United Nations attempting to impose upon the Palestinian Arabs an obligation to admit further Jewish immigrants and the United Nations attempting to open the doors of Australia to Asiatic immigration on the pretext that the failure to do so might endanger the peace and that the Australian immigration policy was contrary to the principle of the Charter in so far as it involved racial

discrimination."⁴⁰ It was the White Australia policy which dictated majoritarian control on racial grounds against newcomers. The principle of racial discrimination dictated non-interference in the domestic jurisdiction of a majority population. Hood himself strongly opposed the Zionist cause because he believed that the creation of the State of Israel for a minority of Jews in Palestine, who were encouraged to immigrate to a majority Arab area, would create a precedent for an international challenge to the restrictive White Australia policy.⁴¹

Loyalty to the UK, personal ambition, and support for the principles behind the White Australia policy were not the reasons the Australians proffered for their stand. This is not how Evatt explained Australia's abstention within UNSCOP on the pro-partition resolution. "Accordingly when Australia was elected to UNSCOP our delegates, John Hood and S.L. Atyeo, joined in the full report of the facts without committing Australia at the time to any firm decision in relation to the majority and minority recommendation of UNSCOP."⁴² They abstained because they claimed UNSCOP was not the place to make a normative recommendation.

The explanation was totally implausible. It ran contrary to the terms of reference of UNSCOP.⁴³ Hood understood that Evatt's insistence that the Committee's mandate was to serve only as a fact finding body was just so much rubbish. "We fully understand the view of the Committee as primarily a fact-finding body, but having regard to the way in which Committee's work has developed, and also to the terms of reference from the special assembly it is not a practical question to exclude recommendations from the report."⁴⁴

The lack of sympathy to the Jews, the pro-UK outlook, the pro-Arab attitude and the self interest of Australia and its policy of preserving White Australia and getting Evatt elected as President of the General Assembly were all of a piece. They dictated an anti-Zionist vote, a vote against partition. What needs explanation is why Australia abstained and did not vote against partition. The Australian delegation was pro-Arab and not pro-Zionist.

The reason Australia abstained and did not vote **against** partition was that Evatt had read the votes and did not want Hood to alienate other delegations unnecessarily. Evatt became afraid that Hood would take a stand **against** partition.⁴⁵ The Minister on August 10, 1947 cabled the Ambassador in Geneva where the committee had retreated to write their report to, "Tell Hood at once that he should not at this stage take any line against partition of Palestine. **He has never been authorised to do so and is there solely to report on events and not to**

(illegible) without prior official consultation with us." ⁴⁶

On August 23, 1947, Hood received definite instructions from the Department of External Affairs. "Most important we should not be committed to any recommendation." "Fact and alternative solutions and not recommendations should be included." ⁴⁷ Hood cabled back the next day indicating a majority support for partition, his preference for the minority report for a federation, the impending pressure on Australia to make up its mind and his preference to do so, and then the important note that Hood and Atyeo had not yet committed themselves. Nevertheless, Hood, ever the loyal civil servant abstained in the final vote.

Unlike Blom and Hood, Rand had a mandate to act as an independent participant in UNSCOP according to the terms of reference of that committee. "The Canadian representative has not been instructed by the Canadian government concerning the policy he is to advocate or support," ⁴⁸ St. Laurent announced to the House of Commons on May 22, 1947. Canada's appointee was specifically instructed by External Affairs Minister St. Laurent (soon to become Prime Minister) "to act in an independent capacity" ⁴⁹ as much to preserve Canada's flexibility as to ensure that the 'best possible person' would serve with distinction.

Rand as a liberal might be inclined to follow Granados and Fabregat, but, as a federalist in a binational state with strong ties to Britain, he might be inclined against partition. As David Bercuson summed up Rand's position, "There is no evidence whatever that Rand went to Palestine with any preconceived notions about specific solutions to the Palestine question, but there is no doubt that, while there, he decided the mandate must be ended and a partition made. The kind of partition which he favoured, however, was quite close to federation." ⁵⁰ Rand wanted partition with economic association, a position now labelled in Canada as sovereignty association.

By studying the minutes of UNSCOP and the archival materials of delegations, one has the distinct impression that, of the eleven delegations, five changed their minds as a result of the committees deliberations **and** external events that altered the policies of their countries on the Middle East. Two of these, India and Iran, changed from support for a unitary state to support for a federal one. Australia and the Netherlands also shifted from supporting the Arab position, but because of international events and their effects on the policies of their respective countries. Australia abstained even though the delegate wanted to vote for federation and even though the delegation was initially adamantly opposed to partition. The Netherlands voted for

partition even though they initially were opposed to partition because they wanted to curry favour with the the Arabs. Interests of state caused the shift, not what the delegates saw and heard. Only Ivan Rand changed his position because of what he heard. He shifted from supporting a federalist solution to support for partition with as much icing of federlism as could have been placed on the partition cake.

d) Talk to Hide the Walk

Why then was Ralph Bunche so contemptuous of Rand whom he found to be "the greatest disappointment," an individual who "**talked incessantly** (my emphasis) without contributing anything"?⁵¹ After all, Rand was the only individual who truly approached the issue from a relatively unbiased standpoint. The contempt stands out because Bunche had no similar attitude to any of the other delegates.

To understand Bunche's attitude and to throw more light on Rand, something more must be added about Bunche himself. Ralph Bunche was not neutral even though as a thorough professional he wrote both the majority and minority reports. He was an American and the Director of the Trusteeship Division of the U.N. He was opposed to all three solutions on the table and wanted a trusteeship so that there would be continuity in the legal authority over Palestine once the Mandate was ended. Since Rand was an eminent jurist, Bunche must have been taken aback that Rand did not recognize the need for legal continuity in Palestine, Bunche's main preoccupation. This, however, is insufficient to explain his strong contempt for Rand.

Rand was a Canadian who believed that the investigations of the committee and the discussions among the members would determine the result. What is clear is that virtually all the other participants were realists or romantics. Bunche could handle and deal with both; he knew that the basis of their positions were to be found in self interest or ideology.

Rand, however, approached his work like a moralist, but one without any fundamental moral principles. Bunche, on the other hand, approached international affairs from the perspective of rights. He was a true Kantian. The eulogy given at his funeral sums up Bunche's approach to the problems of the world.

Bunche stood for peace, whereas his country stood for war; he stood for honesty, whereas his country stands for duplicity; he stood for justice, whereas his country stood for power; and he stood for mankind, while his country

stands for race master...Bunche was a moral stranger in this immoral land, a prophet without honour, a man whose principles were rejected as a way of life by the land he so diligently tried to serve.⁵²

Rand, by contrast, resided in a moral land. He was a jurist with honour, but one where it was difficult to know what he stood for. Bunche could deal with realists; they surrounded him when he was at the State Department and they were preeminent on the international stage. Bunche also understood romantics since he was somewhat of a romantic himself even though he tried to subordinate that romanticism to his combination of rights morality and pragmatism which recognized that much of human behaviour was governed by prejudice and virulent nationalism, by racial and religious bigotry. But how do you deal with rationalists who purportedly also tried to occupy the high ground?

The good ship "Humanity" often lists badly from an over ballast of cold intellectuality. Mere intellectuality, *per se*, is barren, without feeling or conscience. Rabelais has said that science without conscience--*conscience*--is the deprivation of the soul.⁵³

For Bunche, Rand was the cold, barren intellectual without a moral compass whose "moral values assume(d) an increasing vagueness," a man without "soulfulness, spirituality, imagination, altruism, vision."⁵⁴ Ironically, in Bunche's hierarchy of enemies, the cold rationalist without either conviction **or** a recognition that others were governed by self-interest or prejudice was the most contemptible.

What role, however, did the believer in rational discourse, the incessant talker play in the discussion? I have tried to indicate that he had no influence on the decisions of others. If anything, it was Bunche who tried to join economic federalism to political partition in a hybrid which at that time was like putting a two-headed lion on a lamb's body. In a context in which three clear alternatives were before the committee and a fourth - trusteeship - lurked in the background, Rand only added complications to a problem that was already very confused. Where clear cut decisions and choices were needed backed by whatever legal and formal authority and the threat of international coercion as could be mustered was what was needed, the worst of all possible alternatives was a naive belief that some rational compromise could be forged through discussion when one of the parties adamantly refused even to be part of the discussion. Rand only added complications to the partition proposal put forth by Entezam.

Inspite of this, the Canadian vote for partition itself was clearly crucial. The internal make-up of the committee, facilitated by historical contingencies, not the external pressures from either the Arab boycott or the very effective lobbying efforts of Abba Eban and David Horowitz, were the main determinants of the outcome. And in that determination, although the final vote for partition was 7 to 3 for partition with one abstention, the Netherlands could easily have voted against partition which might have influenced the final vote of the Peruvian delegate. Australia then might have also cast its vote for a federal solution, which would have reinforced Rand's inclination to do the same. In other words, with an alteration in some contingent circumstances, the vote of UNSCOP could have easily been 7 to 4 against partition and for a federal state.

My point, here, however, is to indicate that Canada was unique in being the most neutral about its decision and most influenced by what its delegates saw and heard rather than any prior convictions. As it turned out, by accident of circumstances, this posture was critically important to the final outcome, but not to the process of influencing the decisions of others.

This, however, is only half the story. Observing that half alone, one is tempted to share Bunche's view that Rand merely added unnecessary complications and added to the fears that the committee would never arrive at a recommendation. Look, however, at those who shifted positions. Rahman and Entezam deserted their unequivocal support for a unitary state to support federalism. One can speculate that Rahman was either persuaded by his fellow commonwealth jurist to support a federal solution which allowed for ethnic based units as Canada had, and/or that he did not want to take an extreme position given what he had heard and seen. Without accessing the Indian archives, any conclusion is still speculative. But whatever the explanation for Rahman's and Entezam's shifts in position, Rand's incessant talk gave their shifts a rational cover.

In the case of Australia and Holland, the surface icing of rational discourse provided an even greater camouflage to the reality underneath. Hood and Blom deserted their support for the Arabs to abstain and support partition respectively. Through the discussion and reading only the minutes of the UNSCOP proceedings, and the fact that both Hood and Blom were very circumspect and said little to betray their positions, a careless reader who did not access either the Australian or Dutch archives could easily read into either Hood's or Blom's statements support for partition. After all, Hood participated in the working group on partition even though he opposed partition as

we now know. Blom changed positions because the foreign policy of the Netherlands had altered while the committee was deliberating. The incessant talk and their relative silence gave the impression of people listening and being influenced when, in fact, the factors dictating their stances originated elsewhere. Talk is the perfect camouflage for devious behaviour and motives. Neither Blom nor Hood changed positions because of what they saw and heard and less because of what was discussed. But they allowed others to believe that their positions were a result of those factors. Rand's incessant talk served to cover the real positions that lay behind their silences.

1. There have been many studies of the peace process from the angle of the immediate players in the region (too many in fact to select any) as well as on the role of the superpowers. On the latter, see, for example, Michael J. Cohen's focus on the early years in *Palestine and the Great Powers: 1945-1948*, Princeton: Princeton University Press, 1982, and Paul Marantz and Blema Steinberg, eds. *Superpower Involvement in the Middle East*, Boulder: Westview Press, 1985, Steven Spiegel, ed. *Conflict Management in the Middle East*, Boulder: Westview Press, 1992, or William B. Quandt's more focused study on the American involvement - *Peace Process: Arab Diplomacy and the Arab-Israeli Conflict since 1967*, Berkeley: University of California Press, 1993. Other studies have covered the role of international brokers and mediators - Saadia Touval's *The Peace Brokers: Mediators in the Arab-Israeli Conflict, 1948-1979*, Princeton: Princeton University Press, 1982, and Thomas Princen's more general analysis, *Intermediaries in International Conflict*, Princeton: Princeton University Press, 1992. There have even been some studies which have tried to encompass the role of the immediate players, the superpowers and international intervenors such as Babriel Ben-Dor and David Dewitt, eds., *Confidence Building Measures in the Middle East*, Boulder: Westview Press, 1994. There have even been studies of the foreign policy of minor players focused on the Middle East such as David Bercuson's *Canada and the Birth of Israel: A Study in Canadian Foreign Policy*, Toronto: University of Toronto Press, 1985. This study differs from all of these in its micro-analysis of a very minor player and its concern more with discerning how the involvement was a reflection of the national character of the player rather than on the effectiveness of the performance in the process itself.

2. Seymour Martin Lipset, *Continental Divide: The Values and Institutions of the United States and Canada*, New York: Routledge, 1990, p. 42.

3. John Rawls, *A Theory of Justice*, Cambridge: Harvard University Press, 1971.

4. Cf. for example, Geoffrey Aronson, *Creating facts: Israel, Palestinians & the West Bank*, Washington: Institute for Palestine Studies, 1987.
5. Cf. Bruce Ackerman, *Social Justice and the Liberal State*, New Haven: Yale University Press, 1980.
6. Cf. Lori Fisler Damrosch & David J. Scheffer, eds., *Law and Force in the New International Order*, Boulder: Westview, 1991, or the more focused study by Nathan Pelcovits, *The Long Armistice: UN Peacekeeping and the Arab-Israeli Conflict, 1948-1960*, Boulder: Westview Press, 1993.
7. Cf. Thomas Donaldson, "Kant's Global Rationalism," in Terry Nardin and David Mapel, *Traditions of International Ethics*, Cambridge: Cambridge University Press, 1993, pp. 136-157.
8. For a theoretical analysis of the role of camouflage in international mediation and peace making, see Howard Adelman, "Towards a Confidence Transformational Dialectic," in Gabriel Ben Dor and David Dewitt (1994) pp. 311-332.
9. The plan was first put forth by Sir Douglas Harris, treasurer of the Palestine administration, and put before the Labour Cabinet in Britain in September of 1945. Henry F. Grady was a lawyer who had served as a special envoy for President Roosevelt. Herbert Morrison was Chairman of the British Cabinet.
10. When Bevin asked the AAC to make a recommendation, he had envisioned that they would push an interim solution "until such time as a permanent solution can be submitted to the appropriate _____ of the United Nations". (Parliamentary Debates, House of Commons, vol. 415, col. 1930) A Trusteeship was then envisioned as succeeding the existing Mandate. (op. cit., col. 1931-2) Reference to the U.N. was to be delayed as long as possible; it was the least desired option because it would seriously impair Britain's strategic position and political standing in the Middle East.
11. Cf. Council on Foreign Relations, 1947-48, p. 1.
12. A/287-291, cf. Zasloff (1952), p. 50.
13. Whether the motive for this was legal or, as Zasloff contends, political (given the desire of Britain to avoid further offending the Arabs --p. 93), is a separate issue. (cf. Zasloff, op. cit., p. 90.)

14. Cf. Pearson (1985), p. 60 _____ April 24, 1947, Canada DEA, B-3, Vol. 2152.

15. Cf. 9-B-2.

16. Bercuson (1985), p. 61. from Canada, DEA files, file 47B (s), SSEA to Canadian Ambassador in Washington, April 18, 1947.

17. Canada DEA, B-3, Vol. 2152, April 2, 1947 "Palestine and the Special Assembly of the United Nations". cf. Bercuson (1984) p. 63.

18. The Arabs made a claim for at least one member on the committee after their opposition to it being set up was defeated. Bill Epstein, a U.N. civil servant, was excluded from the secretariat of the committee because he was Jewish. S. Mahamoud of Egypt was also left off the secretariat.

19. King Papers, vol. 428, Rand to King, June 8, 1947 and quoted in Bercuson (1985) p. 82.

20. However, contrary to British intelligence on the Latin American bias, it was not dictated by Latin American government orders. In a footnote in a Report on the United Nations Special Assembly on Palestine, written by R.H. Hadow, he refers to his belief that the "Latin American bias in favour of any resolution or policy advocating 'independence' was clearly shown and needs to be borne constantly in mind." On page 2 of the Report, in his reference to Uruguay in paragraph 5, Hadow claimed that, "Zionist pressure - which was commonly believed to accord with secret United States policy - was particularly noticeable in the case of URUGUAY; whose representative, Sr. Fabregat, honestly admitted that his personal predilections, as well as his government's orders (which I saw) gave him no choice in the matter of giving all possible assistance to Zionist aspirations"... "as the sole cure for the D.P. problem... Whether these orders reflected a somewhat Utopian one-sidedness to which Uruguay is given, or showed a more worldly desire to fend off requests that Displaced Persons be admitted to Uruguay is difficult to say. But Sr. Fabregat was notably on the Zionist side throughout the Assembly; and he also gave a degree of help and comfort to Mr. Gromyko which Dr. Aranha (who had once befriended him in exile) attributed to his 'red' tendencies." (R.H. Hadow, Counsellor of His Majesty's Embassy, Washington, Report to P. Gore-Booth, United Nations Palestine Assembly: Latin America, May 17, 1947, London: Kew Gardens, FO 371 Ref, 67587A File 2593.) In the same report, Hadow also claimed bias on the part of the Guatemalan

delegate. "We might run into difficulties if Guatemala were elected - because of Sr. Garcia Granados' personal and governmental views with regard to British Honduras."

21. "His religious views coloured his approach to the Palestine question and inclined him to concentrate on the issue of Jerusalem and the holy places more than any other aspect of the problem." Bercuson (1985), p. 78.

22. In fact, Paul Mohn, the Swedish alternate, was explicit that he actually preferred partition even before the committee began its hearings. Blom, in a June 9, 1947 report to the Department of Foreign Affairs of Holland, noted following a conversation with the Dutch speaking Dr. Paul Mohn, "Hij neemt aan, dat er in Palestina niet voldoende plaats is voor de Joden, die Europa willen verlaten en dat in dat gebied dus nimmer een algehele oplossing van het Joodse probleem zal kunnen worden gevonden. Hij stelt voorop, dat de bestuursvorm van Palestina het voornaamste vraagpunt voor die Commissie is, staat daarbij persoonlijk een splitsing voor." Mohn was concerned that there would not be enough room in Palestine for the Jews who wanted to leave Europe.

23. ANA, 852/20/2 Pt. 1.

24. Blom was not the obvious appointee. Initially, Dr. van Roijen, the Ambassador to Canada and the head of the Dutch UN delegation, had been favoured to be the representative on UNSCOP. Roijen was not available. Professor van Asbeck seemed to be next in line. He, in fact, might have been elected as Chairman since he was far better known than Sandstrom. But he also might have been expected to be biased **towards** the Zionist position given his unqualified legal advice to Blom that the Mandate clearly and without qualification indicated that the terms of the Mandate favoured unlimited immigration for the Jews. "Hij (Blom) had tevoren een onderhoud gehad met Prof. van Asbeck, die gelijk reeds eerder gebleken is uit een onderhoud, dat Prof. Francois en ik met Prof. van Asbeck hadden, zich op het standpunt stelt, dat krachtens de Balfour-Verklaring de Joodse zaak, wat Palestina betreft, sterker staat dan die der Arabieren en die, wanneer hij het voor'tzeggen zou hebben, zou gaan in de richting van onbeperkte immigratie en een algemene beslissing ter gunste van de Joden." (Cf. MVBZ, the telex dated May 17, 1947 (File 122) #465646 from the Dutch Delegation in New York to the Hague) The evidence suggests Blom was appointed rather than van Asbeck precisely because he was **not** in favour of the Zionist position.

25. The clearest statement of the Dutch delegation concern not to alienate the Arabs by taking any stand directly and clearly opposed to them lest the Arabs oppose the Dutch position in Indonesia came from Blom and Spits themselves in their May 28, 1947 memo to the Foreign Office. "In het gesprek heb ik ten allen overvloede nog eens doen uitkomen, dat het met het oog op Nederlandsch-Indie in het algemeen gewenst zal zijn te vermijden, dat van Nederlandse zijde te sterk tegenover de Arabieren stelling wordt genomen".

26. In my article submitted for publication to a Dutch journal, I document in detail the bias of Blom on the committee, not simply towards Britain as Bercuson (1985) contended (p. 79). Blom was simply the conduit for Dutch foreign policy. The Dutch delegation had not received instructions simply because the Foreign Office had not yet decided on what instructions to give. Blom, and Spits, his alternate, like good senior civil servants of a department, had asked for those instructions. "Mr. Blom, die op 28 Mei a.s. met Mr. Spits naar New-York vertrekt voor de Commissie van Onderzoek inzake Palestina, vroeg mij, of de Minister hem voor deze taak bepaalde instructies zou willen geven". "Mr. Blom verklaarde de zaak nog niet voldoende te kunnen beoordelen om zich reeds in de een of andere richting te kunnen vitspreken en ik heb hem gezegd, dat ook de Minister niet een bepaald standpunt heeft ingenomen". Though Mr. Blom left for New York without any advice, when the deliberations of the Commission entered a stage at which a position had to be taken, Blom was told to report to the Minister, advise on the position he was inclined to take and then ask how he should vote. "Ik heb nu met Mr. Blom afgesproken, dat hij zonder instructies naar New York vertrekt en dat hij, wanneer de beraadslagingen in de Commissie in een stadium komen, dat hij zich moet uitspreken, hij de Minister zal mededelen welk standpunt hij zou willen innemen en dan dienaangaande instructies zal vragen." (MVBZ, UNSCOP Delegation, May 28, 1947.)

27. Cf. MVBZ, Minutes of the Dutch Delegation, May 6, 1947.

28. Blom and Spits were opposed to taking up the issue of the three Zionists that the UK had condemned to hang. In their July 30th Report, they noted that the real problem was Jewish terrorism and echoed with sympathy the complaints of the English High Commissioner that the Jewish Agency may condemn acts of terrorism in public, but they provide no help in finding the culprits. "(B)eklaagde zich er echter over, dat van Joodse zijde onvoldoende medewerking wordt verkregen in het bestrijden van terroristische activiteit. Wel verklaarden de leiders van het Joodse Agentschap zich openlijk tegen de regelmatig bedreven daden van geweldpleging. Doch wanneer het er op aankwam, hun actieve medewerking te verkrijgen in het opsporen of

berechten van daders, bleek deze steeds onverkrijgbaar. Geen enkele Jood is bereid als getuige op te treden tegen een gearresteerde Joodse terrorist." MVBZ, Blom Report to the Foreign Ministry, July 30, 1947, p. 6, para. 19.

29. The Dutch tried to get a Dutch Arabist appointed as an advisor to UNSCOP because they wanted the Arabs to identify with the Dutch position in Indonesia and the Indonesians to learn from the Arabs about the dangers of communist infiltration. The effort was eventually frustrated by the shortage of funds in the Netherlands since, as in the UK, the economy had collapsed and Holland was completely dependent on the U.S.A. for hard currency. "De Heer Oetoyo bevestigt dit gerucht. Hij heeft nl. van de Saoedi-Arabische Delegatie vernomen, dat de leden van den Arabischen Bond bang zijn geworden voor communistische penetratie. Naar aanleiding hiervan merkt de Heer Oetoyo op, dat het wellicht wenschelijk is om indien Nederland in de Commissie van Onderzoek wordt gekozen aan de Nederlandschen vertegenwoordiger een Indonesischen adviseur toe te voegen, hetgeen t.z.t. het tegengaan van communistische infiltratie in Indonesie gunstig zou beïnvloeden. Deze Indonesische adviseur immers zou in voorkomende gevallen nauw contact hebben en houden met de verschillende Arabische instanties en daardoor de gevaren van communistische invloed duidelijker gaan inzien en kunnen rapporteeren in Indonesie". MVBZ, Minutes, Dutch U.N. delegation meeting in New York, May 6, 1947.

30. They argued that such visits were entirely unnecessary to fulfil the functions of UNSCOP. "Omtrent de vraag, of de kampen van displaced persons in Europe zullen worden bezocht, nog geen besluit genomen. De beslissing daaromtrent is na bespreking uitgesteld tot na het bezoek aan Palestina. Hoe de beslissing terzake zal uitvallen, is nog niet te voorspellen. Voorshands wil het mij persoonlijk voorkomen, dat zodanig bezoek niet nodig is."

31. In Beirut, the Lebanese representative showed Blom and Spits a cabled message addressed to Azzam Pasha (the Secretary General of the Arab League), signed by Sukarno (Soekarno in Dutch), stating, "Indonesian Muslims fully sympathetic with Arab demands in Palestine problem STOP Wishing you every success." A/AC. 13 Final Report of Blom to FO, p. 25.

32. With the exception of Transjordan, the Arab position was generally uncompromising. They wanted Palestine as an independent Arab state, the discontinuation of all immigration and were only willing to allow the Jews that lived in Palestine at the time of the Balfour Declaration, and their progeny, to remain. All others would

be considered foreigners. They were adamant about opposing any other solution with violence. "De Arabische vertegenwoordigers namen èn in de gezamenlijke beantwoording èn bij de gelegenheden, waarin zij individueel iets aan de beantwoording toevoegden, een volkomen onverzoenlijk standpunt in. Zij eischen, dat Palestina terstond een onafhankelijke Arabische staat zal worden met volledige stopzetting van de immigratie. Zij zijn bereid de Joden, die ten tijde van de Balfour-declaratie in Palestina woonden en hun nakomelingen als volledige burgers van het land te erkennen, doch alle andere Joden zullen de status van vreemdeling krijgen of behouden...Toen een lid van de Commissie opmerkte, dat de vroegere tegenstrijdige beloften een typisch voorbeeld waren van een situatie, waarin een compromis dient te worden gezocht, was het antwoord, dat de Arabische Staten hun recht niet deden steunen op enige belofte, maar op het feit, dat zij op hun eigen grondgebied hun eigen regeringsvorm wensen te bepalen. Een belofte van geallieerde zijde gedurende de Eerste Wereldoorlog was daartoe niet nodig en irrelevant. Zij erkennen derhalve niet het bestaan van een situatie, welke een compromis ter oplossing eiste." MVBZ, Blom, July 30, 1947 Report to the FO, pp. 8-9, para. 28.

33. ANA, 852/20/2 Pt. 1.

34. Op. cit.

35. Op. cit.

36. ANA, 852/19/1.

37. ANA, April 22/47, 852/19/1.

38. ANA, 852/20/2 Pt.1.

39. ANA, 852/20/2 Pt. 1.

40. ANA, File 852/20/2 Pt. 1., p. 18.

41. Cf. Howard Adelman, "Australia and the Birth of Israel: Midwife or Abortionist", forthcoming in the Australian Journal of Politics and History, for a lengthy elaboration of this account. I do not know where Bercuson (1985 - p. 95) obtained the view that Hood in the meetings of the committee in Geneva on August 6, 1947 had pronounced himself in favour of partition.

42. Herbert V. Evatt, The Task of Nations, New York: Duel, Sloan and Pearce, 1949, p. 131.

43. Clause 2 of the Terms of Reference states that, "The special committee shall have the widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine." Clause 6 makes it perfectly clear that UNSCOP is not just a fact-finding mission. "The special committee shall prepare a report to the General Assembly and shall submit such proposals as it may consider appropriate for the solution of the problem of Palestine." (New York, United Nations Archives, Minutes, United Nations General Assembly, seventy ninth plenary meeting, May 15, 1947.)

44. Op. cit.

45. This concern that Hood might vote **against** partition reinforces the prevailing view that Evatt always supported the Zionist position. Given Evatt's subsequent devotion and enthusiasm for the Zionist position, it is hard to believe that Evatt even instructed Hood to even abstain let alone take an earlier stand directing Hood to vote against the Zionist position. Look at Evatt's subsequent actions. The special Ad Hoc Committee chaired by Evatt recommended partition to the General Assembly. In the alphabetic roll call on the vote in the Ad Hoc Committee, even though Australia held the Chair, Australia cast the first yea vote for partition after Afghanistan voted against and Argentina abstained. Further, Evatt claimed that, when he assumed the role of Chairman of the Ad Hoc Committee, "I entered upon the work of the Committee without prejudices in favour of any particular solution." (Evatt (1949) p. 133.) Since Evatt in his work as chairman was castigated as undermining the British efforts and regarded as recalcitrant by the Americans in his activity to ensure that the partition resolution was passed, it is quite a shock to think of Evatt as having supported an anti-Zionist position. The British view was articulated by the Colonial Secretary, Arthur Creech-Jones. The major factor which scuppered the British strategy and led the UN to endorse partition was Evatt's decision as Chair of the Ad Hoc Committee on the Palestinian Question in the Fall to work, on the one hand, in two separate committees, one pro-partition and one anti-, without any real effort at the same time at conciliation between the Arabs and the Jews in the third Committee. The charge was that the very committee structure he set up mitigated against conciliation. (Creech-Jones gave this explanation to Lester Pearson. Canadian National Archives, Department of External Affairs Files, File 47B(s), CanDelUN to SSEA, February 21, 1948, no. 232. Cf. David J. Bercuson, Canada and the Birth of Israel: A Study in Canadian Foreign Policy, Toronto, University of Toronto Press, 1985, p. 148.) The American State Department concurred in the British view of Evatt's failure to work for conciliation. Samuel K.C. Kopper of the Office of Near

Eastern and African Affairs noted that, "the abortive and utterly weak efforts of Dr. Evatt to bring conciliation to bear during the General Assembly session can hardly be classed as United Nations conciliation." (Foreign Relations of the United States (FRUS), 1948, Vol. 5, Part 2, p. 564.) Michael Comay, who headed the Israeli team at the UN, believed that Evatt was insecure and had a weak ego and that his (Comay's) flattery in May of 1947 of Evatt personally and of his importance in the debate had obtained Australia's commitment to support partition, even while he carried on a pretense of impartiality to advance his own career. (Israel State Archives, 90.03/2266/15, letter of Michael Comay to Moshe Shertok, May 2, 1947. cf. also Wm. Roger Louis, The British Empire in the Middle East: 1945-1951: Arab Nationalism, The United States, and Postwar Imperialism, Oxford: Clarendon Press, 1984, p. 490.) When Evatt subsequently became a staunch champion of Israel, he was thereafter celebrated as a hero of Australian Zionists. The reality, however, is that in spite of Evatt's close relations with the Jewish Zionist community of Australia even before 1947, Evatt, primarily because of personal ambition and the impact of supporting the Zionist cause on the White Australia policy, was prepared to oppose partition. It was only when support for the Arabs would have appeared counter-productive, that he instructed Hood to abstain. Later, when he saw that the Arabs would not support his candidacy for President, and, in any case, he did not have the votes to become President, that Evatt became the champion of partition.

46. ANA, 852/20/2 Pt.1.

47. Op. cit.

48. Canada, Hansard, June 2, 1947, 3708 (Bercuson (1985), p.77)

49. Canadian Archives, Ottawa, DEA files, file 5475-CD-40c, SSEA to Canadian Ambassador, in Washington, May 9, 1947 quoted in Bercuson (1985), p.70.

50. Bercuson (1985) p. 233.

51. US Mission to the UN, Records, Box 57, File US/A/AC.14/1-75, Memo of conversation dated September 24, 1947, quoted in Bercuson (1985) p. 105.

52. Quoted from "Ralph Bunche: The Man Without a Country," from *Monthly Report*, 1972, p. 2, by Charles Henry, "Civil Rights and National Security: The Case of Ralph Bunche," in Benjamin Rivlin, ed., *Ralph Bunche: The Man and His Times*, New York: Holmes & Meier,

1990, p. 63.

53. Ralph Bunche, "The Fourth Dimension of Personality," UCLA Commencement Address, June 1927, in Rivlin (1990) p. 221.

54. Ibid, p. 222.