

# Defending The UN Agenda

The Peace Effort of the Palestine Conciliation Commission  
1949-1951

Stian Johansen Tiller

MA Thesis in History

Department of Archaeology, Conservation and History (IAKH)  
University of Oslo (UiO)

&

International Peace Research Institute, Oslo (PRIO)



Spring 2009

***Front cover***

*Map of the armistice lines between Israel and the Arab states:*

*Available at: [http://www.passia.org/palestine\\_facts/MAPS/Rhodes\\_Armistice.htm](http://www.passia.org/palestine_facts/MAPS/Rhodes_Armistice.htm) (15 April 2009).*

*United Nations logo:*

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*Author's layout and design*

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## **Preface**

Few regions in the world have been more beset by conflict during the last 60 years than the Middle East. Numerous efforts by individuals, organizations and states to open up channels for negotiations have ended in failure. Even long before the outbreak of the first Arab-Israeli conflict in 1948, the United Nations, the United States and Great Britain all had made proposals for how Palestine could be peacefully divided. From then on the list of peace initiatives grew long: Through several UN mediation attempts in the aftermath of the first Arab-Israeli war, to more recent efforts such as the Camp David agreement, the Madrid conference, the Oslo agreement, the Camp David II accords, the Arab Peace Initiative, the Roadmap, the Madrid +15 and, most recently, the Annapolis conference. The discrepancy between the number of peace efforts and the lack of peace is striking. Why is there no peace in the Middle East? What are the conditions that have to be met for peace to materialize? How can the failures of the numerous mediation attempts be explained? Perhaps the best way to answer these complex and difficult questions is by thorough analyses of each of the initiatives. This MA thesis is a part of that task.

At the end of almost two years of hard work, there are many people who deserve gratitude. First and foremost, I want to thank my supervisor Professor Hilde Henriksen Waage at the University of Oslo and PRIO. I honestly could not have asked for a more inspiring or enthusiastic supervisor. Somehow, despite her very busy schedule, Hilde has always managed to find the time to offer her advice and comments to my work. I am truly grateful for all the effort and energy she has invested in my project. I also wish to thank Hilde's research assistant Marte Heian-Engdal for helpful advice in the formative stage of my project.

The International Peace Research Institute, Oslo (PRIO), along with its entire staff, deserves my deepest gratitude. I thank you for all the support and inspiration you have given me, and especially for offering me an 8.5 months student scholarship which has allowed me to devote my full attention to this thesis. I can hardly describe what an exceptionally valuable experience it is for a young MA student to participate in academic discussions with some of the most gifted scholars in Norway. Amongst the PRIO staff, I especially owe gratitude to Jørgen Jensehaugen for all his thoughtful comments and observations on my manuscript.

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Maria Bergram Aas, Harald Viken, Marielle Stigum, Erlend Paasche and Florian Krampe deserve special mention for excellent company at our shared office at PRIO. Furthermore, I wish to thank all my fellow students at the University of Oslo for two wonderful years. I wish you all the best of luck with your theses and future endeavors.

Finally, I owe warm gratitude to my friends and family outside the academics. I know the Middle East is not the center of attention for most people, and I thank you all for bearing with me. A special thanks to my wife Kaia for intelligent observations on my chapter drafts, and for all her loving support and motivation in this special educational passage of my life.

PRIO, April 2009  
Stian Johansen Tiller





# Chapter 1

## Introduction

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The birth of Israel on 14 May 1948 had a dramatic impact on the Middle East. Although a state of civil war had ensued in Palestine ever since the adoption of the United Nations' Partition Plan in November 1947, the proclamation of Israel's independence was the triggering event for the outbreak of a regional war which would permanently change the geographical, demographical and political outlook of the Middle East. The Arab states reacted immediately. On the very next day, 15 May, the armies of Egypt, Transjordan, Syria, Lebanon and Iraq invaded the new-born Jewish state. The result was a long and bitter war which lasted until 7 January 1949, when the UN successfully imposed a cease-fire between the belligerents.<sup>1</sup>

This first Arab-Israeli war left a range of complex and difficult questions unanswered. The borders between Israel and its Arab neighbours remained undecided. The UN's plan to partition Palestine had been based on a specific territorial arrangement, with the foundation of an independent Arab state to be inhabited by the Palestinians, and an international regime to govern the city of Jerusalem. Compared to the Partition Plan, however, Israel – the great victor of the war – had increased its share of Palestine from 56 to 77 per cent.<sup>2</sup> At the same time, the name Palestine was effectively erased from the map, along with the prospects for an independent state for the Palestinians; for while the Jews had fulfilled their dreams of statehood, the Palestinian society was left in ruins, and 600 000-760 000 Palestinians had become refugees, ending up on the West Bank or the Gaza Strip, or in neighbouring Arab countries. As for Jerusalem – a city of unique significance for the three Abrahamic religions – it had become *de facto* divided between Israel and Transjordan during the war.<sup>3</sup>

How was the conflict to be put to rest? Already during the fall of 1948, while the fighting was continuing in Palestine, this complicated question was discussed in the UN. On 16 September, the UN Mediator to Palestine Folke Bernadotte drafted a report which included proposals for a settlement of the Arab-Israeli conflict. Although his plan met vigorous resistance

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<sup>1</sup> Avi Shlaim, *The Iron Wall: Israel and the Arab World*. (New York: W. W. Norton & Company, Inc, 2000), 28-41.

<sup>2</sup> Baylis Thomas, *How Israel Was Won: A Concise History of the Arab-Israeli Conflict*. (Lanham and Oxford: Lexington Books, 1999), 89.

<sup>3</sup> Shlaim, *The Iron Wall*, 47-61. The number of Palestinian refugees is based on Benny Morris, *The Birth of the Palestinian Refugee Problem Revisited*. (Cambridge: Cambridge University Press, 2004), 602-604.

from both the Arabs and the Israelis and, as such, was doomed to fail, Bernadotte nevertheless argued that the UN carried the main responsibility for negotiating a peace settlement in the conflict. Consequently, he raised the idea of a mediating body to carry out the task. The plan cost the UN Mediator his life. On 17 September, the day after he had drafted his report, Bernadotte was brutally assassinated by members of an Israeli terror organization called the Stern Gang.<sup>4</sup>

On 11 December 1948, the request presented in Bernadotte's blood stained report met an affirmative response in the UN, which established the Palestine Conciliation Commission (PCC), and appointed three UN member states as its representatives: the United States, France and Turkey. According to its terms of reference, stipulated in UN Resolution 194, the aim of the Commission was "to take steps to assist" the Arabs and the Israelis to "achieve a final settlement of all questions outstanding between them".<sup>5</sup> Without doubt, it was an immensely huge and optimistic aim.

Sadly, the history of the PCC is one of failure. During its three years of active diplomacy, the PCC passed through an initial stage of great optimism and hope to a state of increasing frustration and futility, until, at the end of 1951, it became clear that it had failed completely to achieve any substantial results and that continued efforts were useless. Throughout this period, the Commission was confronted with the uncompromising attitudes of the Arabs and the Israelis, who preferred the present *status quo* to a peace settlement involving concessions. Nevertheless, although the hopelessness of the situation was visible from the outset and despite multiple failures, the Commission continued its efforts using a variety of approaches. Why did the PCC keep trying despite multiple failures? The simple answer is this: In the mind of the PCC and the UN in general, doing something was better than doing nothing at all. The PCC had become the manifestation of the UN's interest in a negotiated peace settlement between the Arabs and the Israelis, consistent with the resolutions of the UN. As such, the PCC refused to leave the fate of the Middle East to be decided solely by the power balance of the parties involved.

In any case, the activities of the PCC was, for the last two and a half years of its existence, marked by declining vigour and gradually lowered expectations for what it could achieve. This is probably also the reason why most historians end their accounts on the PCC

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<sup>4</sup> Peter L. Hahn, *Caught in the Middle East: U.S. Policy Toward the Arab-Israeli Conflict, 1945-1961*. (Chapel Hill and London: The University of North Carolina Press, 2004), 157-175; Ilan Pappé, *The Making of the Arab-Israeli Conflict, 1947-1951*. (London & New York: I.B. Tauris, 2001), 135-175.

<sup>5</sup> UN A/RES/194(III), 11 Dec. 1948, *Palestine – Progress Report of the United Nations Mediator*. All UN sources are available online. See my notes on the UN Information System on the Question of Palestine in the bibliography.

after its most active year 1949. The question therefore arises, if the PCC was marginalized, why study it? The first reason, as David P. Forsythe argues, is an obvious one: “[T]o find out whether or not the [PCC] deserves study, one has to study [it].”<sup>6</sup> New studies may lead to new conclusions on questions of what happened and why.

Secondly, success should not be the only argument for measurement, perhaps not even an argument at all. If historians were to follow such a line of reasoning the historical material left on the Arab-Israeli conflict would – needless to say – be very thin, as it remains an unresolved conflict in almost every aspect. Besides, negotiation attempts may be successful in some aspects and a failure in others. Only by a thorough analysis may such things be revealed.<sup>7</sup>

The theme of this MA thesis is the effort of the Palestine Conciliation Commission to negotiate a peace settlement between Israel and the Arab states throughout the period 1949-1951. The thesis focuses on the Commission, why it failed and why it kept trying despite multiple failures and little success: *Why was the PCC unsuccessful in negotiating a peace settlement between Israel and the Arab states in the period 1949-1951?* In more general terms, it is a study of the role of a mediator (or in this case, a mediating body), the role of the UN, the roles played by involved states and actors and the importance of power relationships between them: *What was the influence and position of the PCC during the negotiations, and how did this affect the outcome?*

## **The Roles and Approaches of Mediators**

How mediators play their roles and how they approach conflicts affects the results of negotiations.<sup>8</sup> Because of the significance of mediation within international politics, many

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<sup>6</sup> David P. Forsythe, *United Nations Peacemaking: The Conciliation Commission for Palestine*. (Baltimore and London: The Johns Hopkins University Press, 1972), xi.

<sup>7</sup> Forsythe, *United Nations Peacemaking*, xi-xvii.

<sup>8</sup> The UN’s intention was for the PCC to function as a “conciliator”. It may well be argued that a “conciliator” is qualitatively different from a “mediator”. Touval separates between different types of third parties based on their degree of direct involvement in the negotiations. Third parties who perform good offices confine themselves as mere go-betweens, providing meeting places or conveying messages. A conciliator has a somewhat higher degree of involvement, by attempting to influence the parties to make concessions or by clarifying positions. Mediators have an even higher degree of involvement. They make their own suggestions in the negotiations, exert pressure or offer incentives to the parties in order to obtain acceptance. See Saadia Touval, *The Peace Brokers: Mediators in the Arab-Israeli Conflict, 1948-1979*. (Princeton: Princeton University Press, 1982.), 3-7. In the case of the PCC, however, separating between the three is difficult, since it effectively acted across all levels of involvement at different times. Consequently, it will be more interesting to differentiate between various types of mediators by

theoretical contributions providing different perspectives and levels of analysis have come from a range of social sciences in the last three decades. Many of these theories, however, are empirically underdeveloped, and thus, there is a need to relate them to empirical research and source criticism.<sup>9</sup>

Mediation may be defined as a “mode of negotiation in which a third party helps the belligerents to find a solution which they cannot find themselves”.<sup>10</sup> As such, a mediator is accepted by both parties, and leaves the final decision-making with them. Beyond this, however, mediators may take on a range of different roles. They may seek to influence the parties by using persuasion, reasoning, incentives or pressures in order to obtain agreement. Mediators may also introduce new agendas, or recommend substantive proposals or compromise formulas, and thereby seek to manipulate the issues under discussion. They may also seek to protect parties from the risks they face by offering concessions, such as appearing weak. In this respect, a mediator may help the adversaries to “save face”. Furthermore, in many conflicts, at least, effective negotiations may be hampered by disturbed communication. For instance, there may be a total lack of communication, or communication may be affected by emotional aspects involved in a conflict which influences the parties’ perceptions of each other and of the situation as a whole. Even in situations where communication is provided indirectly, such as through the media, the information may be incomplete or inaccurate. Since undisturbed communication is a precondition for effective negotiations, improving it may be said to be one of the major functions of mediators.<sup>11</sup>

Based on their ability to influence the parties and their preferences as to how the conflict should be resolved, one may differentiate between four categories of mediators: the weak and unbiased mediator, the strong and biased, the strong and unbiased, and the weak and biased.<sup>12</sup>

The traditional view of mediators is that they are most likely to be successful if they are weak and unbiased. In this classical concept, a mediator is incapable of directly influencing the

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analysing their level of influence on the parties and their preferences for the outcome of the negotiations (see below). For the sake of simplicity, therefore, the PCC will consistently be referred to as a mediator.

<sup>9</sup> Jacob Bercovitch & Allison Houston, “The Study of International Mediation: Theoretical Issues and Empirical Evidence”, in (ed.) Jacob Bercovitch, *Resolving International Conflicts: The Theory and Practice of Mediation*. (Boulder: Lynne Rienner Publishers, 1996), 1; Hilde Henriksen Waage, *Peacemaking is a Risky Business: Norway’s Role in the Peace Process in the Middle East, 1993-96* [PRIO Report 1/2004]. (Oslo: International Peace Research Institute, Oslo (PRIO), 2004), 4-5.

<sup>10</sup> Zartman quoted in Waage, *Peacemaking is a Risky Business*, 4.

<sup>11</sup> Touval: *The Peace Brokers*, 4-5.

<sup>12</sup> Waage, *Peacemaking is a Risky Business*, 5. Waage uses Andrew Kydd’s categories.

parties by means of pressure and incentives, and must therefore seek agreement by other means. In order to be acceptable to the parties, the mediator has to earn their trust by remaining unbiased. Thus, the mediator's impartiality is her main source of influence.<sup>13</sup>

This view has been challenged, however, by scholars who argue that strong and biased mediators can be at least as effective – and in some cases even more effective – when it comes to resolving conflicts. According to Bercovitch and Houston:

The emphasis on impartiality stems from a failure to recognize mediation as a process of social interaction in which the mediator is a major participant. [...] To regard mediation as an external input with no interest in the outcome is both erroneous and unrealistic.<sup>14</sup>

Thus, it may be argued that mediators are not accepted first and foremost because they are unbiased, but because they have an ability to “move things about” by applying pressure and offering incentives. Several theorists have pointed out that many mediation efforts with successful results have been made by mediators who were powerful and had clear political interests in the conflict. A powerful mediator can also provide a secure negotiation environment by allowing the adversaries to make concessions without losing face, precisely because they are under the pressure of a strong mediator. A powerful state such as the US is an illustrative example of a strong and biased mediator. The signing of the Camp David Accords of 1978 – achieved to a large extent because of the incentives offered by the Americans – proved that the US were able to play an effective role as a mediator.<sup>15</sup>

A strong and unbiased mediator may be seen as the ideal type, but one that at best is rare in existence. Such a mediator has the ability to influence the parties, but has no significant political interests. But where could such a mediator be found? An actor without political interests would, in all likelihood, be unwilling to play a role as a mediator in a conflict.<sup>16</sup>

The last category, the weak and biased mediator, may seem somewhat odd, as it can be hard to imagine that a powerless mediator with clear political interests would be acceptable to both parties. Still, such a mediator can perhaps play a role when it comes to improving communication between the parties, because the mediator may have good relations with one of

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<sup>13</sup> Waage, *Peacemaking is a Risky Business*, 5-6; Touval, *The Peace Brokers*, 10-12.

<sup>14</sup> Bercovitch & Houston, "The Study of International Mediation", 14.

<sup>15</sup> Waage, *Peacemaking is a Risky Business*, 5-6; Bercovitch & Houston, "The Study of International Mediation", 14-15.

<sup>16</sup> Waage, *Peacemaking is Risky Business*, 6.

the parties yet information to provide about the other. Such an actor may also stimulate one of the parties to cooperate, and thereby achieve compromises. The role played by Norway through the Oslo back channel can be labelled as a weak and biased mediator. The most important problem with the approach adopted by the Norwegians, however, was that they were unable to cope with problems relating to the power asymmetry between the Israelis and the Palestinians.<sup>17</sup>

## **The Asymmetrical Power Relationship and the Role of the PCC**

In addition to the roles and approaches of mediators, the specific aspects of the conflict are important to the outcome of negotiations. Moreover, there is, of course, a connection between the specific characters of the conflict, the role played by mediators, and the degree to which this can lead to a successful outcome.

After the first Arab-Israeli war, Israel emerged as the undisputed victor. Since then, Israel's role as the most powerful state in the Middle East has only improved, and it is today one of the world's greatest military powers. This, in turn, signified that Israel had a significantly larger room for political manoeuvre than the Arab states.<sup>18</sup> As such, the asymmetrical power relationship was, and remains, one of the major reasons for the lack of a solution to the Arab-Israeli conflict, since any peace settlement reflecting the disparity of power would naturally be unacceptable to the weaker party.<sup>19</sup> Bercovitch and Houston demonstrate that there is a clear pattern linking the power relationship between belligerents to the results of mediation: "[W]here the power disparity between parties power is small [...] the chances of successful mediation is 51,4 %, compared to only 33,3 % where power disparity is great".<sup>20</sup> As such, one may argue that the key to a solution to the Arab-Israeli conflict (which, to be sure, is not an easy one) lies in the use of a mediator who possesses the resources necessary to even out the power relationship – that is, a strong mediator.

What type of mediator was the PCC? The fact that the PCC was a body of the UN meant that it would typically fit within the category of the traditional weak and unbiased mediator. Impartiality was an important part of the PCC's mandate, first and foremost seeing as it was a

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<sup>17</sup> Waage, *Peacemaking is Risky Business*, 6-8.

<sup>18</sup> Shlaim, *The Iron Wall*, 50.

<sup>19</sup> Waage, *Peacemaking is Risky Business*, 8.

<sup>20</sup> Bercovitch & Houston, "The Study of International Mediation", 9.

body based on the UN Charter. However, impartiality was thought to be further guaranteed by its composition – the US was seen as a moderately pro-Israeli country, France as neutral and Turkey as moderately pro-Arab.<sup>21</sup>

However, this picture of the PCC as a weak and unbiased mediator is complicated by the fact that it was composed of states, two of which were Great Powers with clear interests in how the conflict should be settled. But was the PCC primarily a body of the UN or a body of states? And, if the latter was the case: Was the power of the states transferred to the PCC? To a certain extent, the US in this period did put pressure on the parties to make concessions. With regards to the question of the Palestinian refugees, for instance, the US government tried to obtain agreement from Israel to accept the return of a limited number of refugees to meet concessions offered by the Arabs. This seems to point in the direction of a strong mediator. However, the pressure from the Americans was sporadic and inconsequential, and thus the positions of the parties remained fixed. Moreover, since American policy towards the Middle East was formed mainly from a Cold War perspective, the signals sent were mixed, and, fearing that the Soviet Union would gain influence in the Middle East, they were unwilling to apply pressure to such an extent that relations with Israel or the Arab states would be damaged. Following from this, one must ask if the PCC, in the end, came closest to being a weak, unbiased mediator.

## **The PCC in the Literature**

The general observation with regards to the literature on the PCC is that thorough accounts are scarce. In academic books and articles dealing with the Palestine conflict in general, the PCC is frequently mentioned. However, a common denominator of this literature is that the authors almost exclusively limit themselves to analyses of the Lausanne conference and, to a lesser degree, the Economic Survey Mission (ESM), which was launched during the fall of 1949 in an attempt to foster economic development to meet the physical and economic needs of the Palestinian refugees. Beyond the year of 1949 the actions of the Commission are seldom mentioned in more than a few sentences, as the authors tend to conclude that the Commission had lost its significance and that the further activities yielded no results.<sup>22</sup> Though it may be

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<sup>21</sup> Dulles to Lovett, 12 Dec. 1948, *FRUS, 1948*, 5, part 2: 1663-1664.

<sup>22</sup> See especially: Morris, *The Birth*, 549-587; Hahn, *Caught in the Middle East*, 86-90; Neil Caplan, "A Tale of Two Cities: The Rhodes and Lausanne Conferences, 1949", *Journal of Palestine Studies* vol. 21, no. 3 (spring 1992), 5-

beyond the scope of some of these accounts to deal with the PCC in detail, the argument that such an analysis is not needed is, as it has been argued, unsatisfying.

In many cases, these accounts are concentrated around a debate of whether or not the aftermath of the first Arab-Israeli war presented a “golden opportunity” for peace. It has often been claimed that during the early period after the war, a number of the characteristic features of the conflict – such as border clashes and retaliation, terrorism, attacks and counter-attacks – had not yet been fixed in the pattern that was to arise in the years to come. From 1948 through the next two or three years there were a number of contacts and negotiation attempts between Israel and the Arab states. In addition to the negotiations led by for instance Folke Bernadotte, Ralph Bunche and the PCC, there were several direct, secret contacts between Israel and individual Arab states, most importantly Transjordan (and later Jordan), but also with Egypt, Syria and Lebanon. None of these contacts, however, resulted in any peace settlement.<sup>23</sup>

Why was there no peace settlement given the number of opportunities that existed? The most important explanation is quite unproblematic: The gap separating the positions of the Arabs and the Israelis was too wide, and the will to compromise was inadequate. The responsibilities for this reluctance to compromise, however, have been placed distributed differently by the various contributors to Middle Eastern history.

The traditional Israeli historians – often referred to as the “old historians” – have claimed that the reluctance and rigidity lay with the Arabs. According to the “old historians”, the War of Independence, which is their version of the first Arab-Israeli war, was a desperate battle fought bravely by the Jews against over-powerful Arab states, and one in which they, by some sort of miracle, were victorious. After the war, the Israeli leaders sought peace with all their hearts, but since there was no one to talk to on the other side, peace never materialized.<sup>24</sup> This view was for long the dominant one, and remains so in Israel.<sup>25</sup>

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34; Shlaim, *The Iron Wall*, 57-62; Avi Shlaim, *Collusion Across the Jordan: King Abdullah, The Zionist Movement, and the Partition of Palestine*. (Oxford: Clarendon Press, 1988), 461-488; Itamar Rabinovich, *The Road Not Taken: Early Arab-Israeli Negotiations*. (New York and Oxford: Oxford University Press, 1991), 24-28.

<sup>23</sup> Shlaim, *The Iron Wall*, 62-68; Eugene L. Rogan & Avi Shlaim (ed.), *The War for Palestine: Rewriting the History of 1948*. (Cambridge: Cambridge University Press, 2001), 83-85; Benny Morris, *Israel's Border Wars, 1946-1956: Arab Infiltration, Israeli Retaliation and the Countdown to the Suez War*. (Oxford: Oxford University Press, 1997), 13-20.

<sup>24</sup> Ilan Pappé (ed.), *The Israel/Palestine Question*. (London and New York: Routledge, 1999), 171-178.

<sup>25</sup> Because of this dominance, the term “old historians” is misleading, hence the quotation marks. In July 2007, the Israeli Education Minister Yuli Tamir proposed to include the Arab term *al-Naqba* in an Israeli third-grade history book. The term *al-Naqba* means “catastrophe” and is the term used by Arabs and Palestinians when referring to the



The traditional Israeli version has been criticized by the work of the so-called “new historians”. These historians made their first contributions at the end of the 1980s when foreign policy documents relevant to the first Arab-Israeli war were released from the Israeli archives. Their accounts offered a more nuanced version of Israeli history, and were based on thorough empirical research of Israeli and Western primary sources. In their view, the traditional Zionist version may be labelled as mere propaganda. It is a selective and subjective version of history, written with a clear political aim, namely to legitimize the foundation of the state of Israel and to defend the Zionist ideology. More than giving analytical accounts of the events, the “old historians” rattle off chronicle-like presentations of the heroic acts of Israeli soldiers, and portray Israel as if it was governed by higher moral standards than that of its enemy’s. The “new historians” also put much more of the responsibility for the lack of peace on Israel, and claims that Israel was more reluctant than its Arab neighbours to compromise.<sup>26</sup>

Beyond the literature dealing with the Palestine conflict in general, there are a handful of authors who have dealt with the PCC more specifically. David P. Forsythe, in his book *United Nations Peacemaking: The Conciliation Commission for Palestine*, gives the most comprehensive account of the Commission. The book is very useful when it comes to acquiring an overall review of the PCC’s diplomatic actions. However, as the author admits in his own foreword, the book may not be fully satisfying as a purely historical account, as it can be placed somewhere in between the academic disciplines of international relations, political science and history. Forsythe operates with a specific theoretic framework, within which he discusses the politics of UN peacemaking operations, most of the attention being given to the PCC.<sup>27</sup> Accordingly, he admits for instance that “the Middle East specialist may want more about the dimensions of the refugee question and the work of the United Nations Relief and Works

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first Arab-Israeli war. Tamir’s proposal was rejected by a vote of six to one, with one abstention, by the Knesset Education Committee. Ehun Zion Waldoks & Haviv Rettig, “‘Nakba’ to stay out of school curriculum”, *Jerusalem Post*, 6 Nov 2007. Available at:

<http://www.jpost.com/servlet/Satellite?cid=1192380747128&pagename=JPost%2FJPArticle%2FShowFull> (29 April 2008).

<sup>26</sup> Pappé (ed.), *The Israel/Palestine Question*, 171-192; Benny Morris, *1948 and After: Israel and the Palestinians*. (Oxford: Clarendon Press, 1990), 1-27.

<sup>27</sup> Forsythe perceives that the UN may become involved in conflict situations in “three distinct but related ways.” The first type is labeled *UN Peacekeeping*. Here, the aim is to limit or curtail the violence of an on-going conflict. Secondly, there is *UN Peacemaking*, where the aim is to resolve the substantive issues of a conflict, whereas the last type, *UN Peaceservicing*, is more of a prevention tool using means such as socioeconomic programs to stop conflicts from developing. Forsythe, *United Nations Peacemaking*, 1-3.

Agency (UNRWA).”<sup>28</sup> Another apparent weakness of the book is that it was published in 1972, and therefore relevant primary sources available today, including Israeli and American foreign policy documents, are not used in the analysis. Instead, Forsythe’s account is based primarily on UN sources.

## **Sources**

There are essentially six locations where primary sources relevant to this thesis could be found. These are the UN, the US, France, Turkey, Israel and the Arab states. For several reasons, including language barriers and availability, the two former compose the main bulk of the research material for this MA thesis.<sup>29</sup> In addition, several secondary sources have been used. These are edited autobiographical books and memoirs written by individuals who, to varying degrees, were involved in the activities of the PCC.

### ***Primary Sources***

Foreign policy documents from the US National Archives and Records Administration (NARA) at College Park, Maryland, as well as the published series of documents in the *Foreign Relations of the United States* (FRUS) have proven to be highly relevant and important. First of all, documents from the American archives are very thorough and rich in detail, often with extensive information on all the involved parties. To a large extent, this makes up for the fact that I have been unable to examine all of the above mentioned archival locations. Furthermore, the US representatives played an undisputed leadership role in the PCC and kept a close liaison with the State Department in Washington DC, which resulted in a high degree of involvement by the US government in the activities of the Commission. If anything, this has heightened the richness of the information to be found in the American documents.

There are a series of relevant UN sources. Most important among these are the minutes from all the Commission’s meetings from the relevant period, various working documents prepared by the Commission, and the so-called progress reports which were delivered to the

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<sup>28</sup> Forsythe, *United Nations Peacemaking*, xvi.

<sup>29</sup> The types of relevant primary sources are generally personal correspondence and official documents, for instance in the form of cables, memos, drafts, reports, protocols and agreements. Diary entries and oral history interviews have also proved to be relevant.

General Assembly at regular intervals. All these documents have been easy to obtain as they are openly available online.<sup>30</sup> Compared to the American foreign policy documents, however, they are less useful, since they are more concerned with the “official” activities of the PCC. For instance, secret negotiations that took place directly between Arabs and Israelis are not mentioned in these documents, but are undoubtedly both interesting and important.

As for the archives of the two other member states of the PCC, France and Turkey, one could certainly expect to find relevant material here. Nevertheless, their influence on the Commission’s work was highly inferior to that of the US, and the archive material could be expected to reflect this. The main reason why they have not been used, however, is due to the language barrier they pose.

One could also expect to find relevant material from the Israeli archives. These are fully available, but they are composed of documents of which some are in Hebrew and others in English. This poses a problem. Although some material is available in the published series *Documents of the Foreign Policy of Israel*, it could be said to be of a somewhat fragmentary nature. Besides, since the scope of a MA thesis is limited both in time and funding, a line has to be drawn for the magnitude of primary sources to be used. As for archives in the Arab states, it is unclear if they even exist. If they do, they are certainly not available for historians.

### ***Secondary Sources***

Three autobiographical books and memoirs have been relevant to this thesis: Pablo de Azcárate, *Mission in Palestine, 1948-1952*; James G. McDonald, *My Mission in Israel, 1948-1951*; and Walter Eytan, *The First Ten Years*.<sup>31</sup> All of these authors were involved in the activities of the PCC. Azcárate served as the Commission’s Principal Secretary throughout the period, McDonald was the American Ambassador to Israel, while Eytan was head of the Israel delegation to the PCC until July 1949.

However, secondary sources such as these pose methodological challenges. One reviewer of Pablo de Azcarate’s *Mission in Palestine*, which is the one most relevant to this thesis, illustrates this challenge:

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<sup>30</sup> See my notes on the United Nations Information System on the Question of Palestine in the bibliography.

<sup>31</sup> Pablo de Azcárate, *Mission in Palestine, 1948-1952*. (Washington DC: The Middle East Institute, 1966); James G. McDonald, *My Mission in Israel, 1948-1951*. (New York: Simon and Schuster, 1951); Walter Eytan, *The First Ten Years*. (London: Weidenfeld and Nicolson, 1958). This order relates to their relative importance to the thesis.

Unfortunately the least valuable sections of the book deal with the author's personal record of the Palestine Conciliation Commission. [...] Azcárate's particular syndrome stems from his commitment to the United Nations. [...] The entire record, in fact, is marred by the sort of petulance regarding personalities, conditions of living, and insufficient respect for official status that a public official might preserve in his diary, but scarcely transfer wholesale to a book.<sup>32</sup>

The reviewer obviously feels that the book is of little value since it is subjective, and first and foremost reflects the authors own conception of the events. However, with this in mind – that it is indeed “a diary” – it is, in fact, valuable. A diary is, after all, an excellent primary source to the historian. Perhaps especially, its value lies in the fact that it can tell us something more about the situation, the atmosphere, the spirit of the time, and the persons involved. Even though it is subjective, one must assume that it does reflect reality to a certain degree, as the author was, in fact, present when the events occurred. However, it is important to keep in mind that it primarily reflects the authors own understanding of the situation and the individuals involved. Therefore, one must strive to avoid naïve evaluations by remaining critical towards the author's attitudes and considerations. In many cases, it may be safe to say that autobiographical authors have an agenda of their own, some underlying reason for writing; perhaps to justify his own actions, or to clear himself of accusations made against him. In the case of this study, of the three autobiographies used one was an American ambassador to Israel who was enthusiastically pro-Zionist (McDonald), one was an Israeli statesman (Eytan), while Azcárate was head of the PCC's secretariat, and therefore – as already mentioned – had an obvious commitment to the UN. The context in which these books were written have, in one way or another, affected the authors' understanding of the events. On the other hand, there are the obvious limitations posed by the artistic liberty, so to speak, of the authors. Since the books are meant to be read, they need to be in touch with reality. Remaining critical of subjective aspects is the key. In order to overcome the limitations of subjective narratives, moreover, one can compare them to other primary sources available.

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<sup>32</sup> William Spencer [review author], *The American Historical Review* vol. 73, no. 3 (Feb. 1968), 868-869.

## Chapter 2

# The UN and the Question of Palestine

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At the time of the establishment of the Palestine Conciliation Commission in December 1948, the United Nations already had a troublesome history of involvement in the question of Palestine. Since the new-born world organization had received the task of finding a solution to the problem early in 1947, it had made several efforts and created a range of committees in the search for peace.<sup>33</sup> None of these, however, had proved to be any more successful than the other.

How did the Palestine problem fall into the hands of the UN? How did the UN attempt to solve the problem? The plan for the partition of Palestine and the plan issued by the UN Mediator on Palestine, Folke Bernadotte, are key events for understanding the establishment of the PCC. These events formed the background for its creation and for the range of challenges it faced. What kind of Commission was established by the UN? What were its aims, and how was it composed?

### **The End of the British Mandate**

In the aftermath of World War II, the British, who had established themselves as the most prominent power in the Middle East, found the situation in Palestine increasingly unmanageable. Since they had seized Palestine from the Ottoman Empire during World War I and set it up as a mandate under the League of Nations, they had signed a series of agreements in an attempt to settle the conflict between the Zionist Jews and the Palestinians inhabiting the area.<sup>34</sup> However, the contradictory nature of these agreements, which presented conflicting promises to the Jews and the Palestinians, had only functioned as a catalyst and intensified the tensions. On the one

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<sup>33</sup> The most important ones were the UNSCOP and the UN Mediator on Palestine. See below for further account.

<sup>34</sup> A brief clarification of terms is in order. After birth of Israel, the Palestinian Jews started calling themselves "Israelis". The Arab Palestinians, who, with the exception of a small number who became citizens of Israel, became refugees, identified themselves as "Palestinians". For the sake of simplicity and in line with the general historical literature, this thesis refers to the Arab residents of and refugees from Palestine as "Palestinians". Jewish inhabitants of mandatory Palestine are referred to as "Jews", and the Israeli Jews as "Israelis". See Hahn, *Caught in the Middle East*, 9. Zionism rose as a political force in Europe in the last two decades of the nineteenth century, partly reflecting the growing anti-Semitism of the time. The quest of Zionism – the return to the Jews' ancestral homeland Zion (one of the biblical names for Jerusalem) – was seen as the solution to the problems of Jewry, namely that Jews were dispersed in various countries around the world, and that in each of these countries they constituted a minority. See Shlaim, *The Iron Wall*, 1-27.

hand, through the secret correspondence between the British High Commissioner in Cairo, Henry McMahon, and Sharif Hussein, head of the Hashemite family of Hijaz and Britain's ally in the war against the Ottomans, the British had implicitly promised support to the Palestinians.<sup>35</sup> As a reward for revolting against the Ottoman Empire the British would give their support for Palestinian independence. On the other hand, with the signing of the Balfour Declaration of 1917, the British had given its support – although in vague terms – to the establishment of a Jewish “national home” in Palestine.<sup>36</sup>

Having made these conflicting statements, Great Britain secured its position in the Middle East through war and diplomacy. From 1919 to 1922 the British established their mandate in Palestine and, using two of Sharif Hussein's sons, they secured influence in the territories of Iraq and Transjordan.<sup>37</sup> One of Hussein's sons, Emir Abdullah of Transjordan, soon became Britain's most loyal ally in the region, and British officers were appointed to control his army, the Arab Legion.<sup>38</sup> Ever since Transjordan was established, Abdullah had one supreme goal – to expand his territory to a “Greater Syria”, including Syria, and extending into Lebanon and Palestine. Great Britain, for its part, was sympathetic to Abdullah's ambitions.<sup>39</sup>

Jewish immigration into Palestine increased steadily during the interwar years, and in 1936 the Jews totalled almost one third of the population. As the Jewish presence increased, so did their demands for land, which furthermore threatened the political and economic interests of the Palestinians. The prospect of a worldwide war in 1939 aroused Great Britain's fears of losing their grip on the Middle East. Accordingly, the British attempted to appease the Arabs by aligning their policies with Arab interests. The result was the White Paper of 1939, which had the effect of confusing Britain's policies even more. The White Paper strictly limited Jewish

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<sup>35</sup> Hijaz is a region in the west of present-day Saudi Arabia, best known for the holy cities of Mecca and Medina.

<sup>36</sup> Hahn, *Caught in the Middle East*, 12; Pappé, *The Making of the Arab-Israeli Conflict*, 3-5; Shlaim, *The Iron Wall*, 5-10.

<sup>37</sup> The territory of Transjordan was established by the British on the east bank of the Jordan River in 1921. It was granted independence in May 1946, when Abdullah proclaimed the Hashemite Kingdom of Jordan. Hahn, *Caught in the Middle East*, 9-10. In line with the general historical literature, this thesis will refer to the country as Transjordan before the signing of the armistice agreement with Israel on 3 April 1949, and Jordan thereafter, since its borders formally encompassed land on both sides of the river Jordan.

<sup>38</sup> Hahn, *Caught in the Middle East*, 12-13.

<sup>39</sup> Donald Neff, *Fallen Pillars: U.S. Policy towards Palestine and Israel since 1945*. (Washington DC: Institute for Palestine Studies, 1995), 84; Uri Bar-Joseph, *The Best of Enemies: Israel and Transjordan in the War of 1948*. (London: Frank Cass, 1987), 3.

immigration into Palestine and, in addition, promised a gradual transfer of administrative control and eventually statehood to the Palestinians within ten years.<sup>40</sup>

During World War II, with the realization of the tragedy of the Holocaust and the growing world wide sympathy for the Jews, the White Paper policy became a burden for Great Britain. The British government realized that a strict limitation of Jewish immigration into the region would be extremely difficult to defend in front of the international community. At the same time, violence was increasing among the Jews of Palestine, as Zionism had taken an approach of more active opposition towards the mandatory power and its White Paper policy. Thus, Palestine became increasingly difficult to administer. The founding of the UN in 1945, as well as Syria and Lebanon's secession from France in 1944-46, further aroused the dreams and hopes of statehood for the Palestinian nationalists, who began launching attacks against the *yishuv* – the Jewish community in Palestine.

However, at this stage, most of the fighting was between the Jews and the British.<sup>41</sup> The wave of illegal Jewish immigration, which counted some 70 000 from May 1945 to May 1948, became increasingly difficult to curb without appearing insensitive of the Holocaust survivors. The growing Jewish population furthermore enforced the militias on the Jewish side, such as the Haganah, the Irgun, and the Stern Gang.<sup>42</sup> Of these, the two latter were shadowy, underground organizations, while the Haganah, which after the birth of Israel became the IDF, was under the direct control of the Jewish leaders. All of them, however, presented deadly challenges to the British soldiers who became demoralized and wearied by their terrorist attacks.<sup>43</sup> By 1947, though many British officials demanded an escalation of the British military presence, Prime Minister Clement Attlee and Foreign Minister Ernest Bevin considered the possibility of a withdrawal from Palestine. In the end, it seemed, the strategic advantages of controlling Palestine could not justify its costs, especially considering the eroded morale of the British soldiers, the war-weariness of the public and the war-battled economy. Eventually, they realized that they were unable to find a solution to the problem and decided that they had had enough. In February

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<sup>40</sup> Hahn, *Caught in the Middle East*, 13-14.

<sup>41</sup> Shlaim, *The Iron Wall*, 22-24; Hahn, *Caught in the Middle East*, 23-25.

<sup>42</sup> The Stern Gang is often referred to as the Lehi.

<sup>43</sup> Hahn, *Caught in the Middle East*, 24-25; Shlaim, *The Iron Wall*, 24.

1947, therefore, the British decided to bring the mandate to an end and leave the whole question of Palestine with the UN.<sup>44</sup>

## **Partition of Palestine**

Thus, at the beginning of 1947, the UN was presented with a very difficult question: Who should rule Palestine? Finding a solution to the Palestine conflict was, in fact, the first major challenge of the UN. It had to adapt to a conflict that was escalating into a regional war involving regular state armies, leading to the creation of a range of new problems such as unsettled borders, the birth of a massive refugee problem, and the unsettled status of Jerusalem, which was of unique significance for three major religions.

The UN's first move was to establish the United Nations Special Committee on Palestine (UNSCOP) to study the situation and make its recommendations for a solution to the problem by September 1947. Mainly due to the rivalry of the two superpowers, the United States and the Soviet Union, who wanted to prevent each other from playing important roles in the region, the members chosen for UNSCOP were all small states without any past experience in the region. Moreover, the group consisted of very mixed personalities, and there was an apparent lack of strong leadership. Ralph Bunche, who later worked with the UN Mediator on Palestine, described it as "the worst group I have ever had to work with. If they do a good job it will be a miracle."<sup>45</sup> In fact, the weaknesses of UNSCOP appear to have played in. In retrospect, at least, the recommendation of a Jewish state which would include a Palestinian minority of close to fifty per cent seemed to hold little hope of success.<sup>46</sup>

UNSCOP delivered its report in the final hour of 31 August. The members unanimously advised that the British mandate be terminated. A majority of eight endorsed the idea of partitioning Palestine into a Jewish and an Arab state; not only in principle, but with a clear plan for territorial division.<sup>47</sup> Independence was to follow after a two-year transition period in which

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<sup>44</sup> Hahn, *Caught in the Middle East*, 23-26; Pappé, *The Making of the Arab-Israeli Conflict*, 14-15, 20-21.

<sup>45</sup> Bunche quoted in Brian Urquhart, *Ralph Bunche: An American Odyssey*. (New York and London: W.W. Norton & Company, Inc, 1993), 140.

<sup>46</sup> Pappé, *The Making of the Arab-Israeli Conflict*, 16-19.

<sup>47</sup> See map of the UN Partition Plan, page 124.



the UN would negotiate an economic union, safeguard minority rights, and establish an international regime for Jerusalem.<sup>48</sup>

The recommendation for the partition of Palestine adopted by UNSCOP was generally considered to be a pro-Zionist stance, as the Zionists had endorsed the principle of partition ever since the Peel Commission proposed the idea in 1937. Since 1946, moreover, the Jewish Agency had openly demanded it. The ever-pragmatic David Ben-Gurion, undisputed leader of the Jews of Palestine, saw the partition of Palestine as the most realistic approach to fulfilling the Zionist dream. In Ben-Gurion's mind, however, acceptance of the principle of partition and the establishment of a Jewish state would be only the starting point for a gradual territorial expansion – a first step in the Zionist quest.<sup>49</sup>

Arab leaders, on the other hand, rejected the idea of partition, and refused to cooperate with UNSCOP. In fact, added to the atmosphere of widespread sympathy for the Jews in the wake of the Holocaust, the attitudes of Arab and Palestinian leaders seems to have contributed greatly to the Committee's decision to recommend partition. Various Arab leaders condemned UNSCOP for being biased against their interests, and the Palestinian leadership boycotted their hearings.<sup>50</sup> In contrast, the Committee was impressed by the Zionists' pragmatism and apparent willingness to compromise with the Arabs. In fact, it was at the first hearing with the Jews that Ben-Gurion, in a sense, reintroduced the principle of partition before the Committee, stating that they would be willing to accept even a part of Palestine. No doubt, this created favourable attitudes among the members of UNSCOP towards the Jews from the very start.<sup>51</sup>

On 29 November 1947, the General Assembly voted in favour of partition in what became Resolution 181, by a vote of thirty-three to thirteen, with ten abstentions. Most uncommon at the time, while Great Britain had absented from voting, the US and the Soviet Union had voted on the same side, in favour of the resolution. The Soviets probably wanted to rush the collapse of the British mandate, and thereby challenge its hold in the Arab world. The

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<sup>48</sup> A minority of three states proposed the creation of a single federal state with independence to be granted after three years of UN supervision. Hahn, *Caught in the Middle East*, 36-37.

<sup>49</sup> Shlaim, *The Iron Wall*, 18-22; Simha Flapan, *The Birth of Israel: Myths and Realities*. (New York: Pantheon Books, 1987), 13-53

<sup>50</sup> Hahn, *Caught in the Middle East*, 37. The Palestinian leadership, first and foremost represented by the Arab Higher Committee, was in any case marginalized. Its leader was the ex-Mufti of Jerusalem, Hajj Amin al-Husayni, who, during World War II, had collaborated with the Nazis and even met personally with Adolf Hitler. Pappé, *The Making of the Arab-Israeli Conflict*, 22-23.

<sup>51</sup> Pappé, *The Making of the Arab-Israeli Conflict*, 22-25; Hahn, *Caught in the Middle East*, 35-39.

US vote was cast after a deep involvement in the debate leading up to the vote in the General Assembly. Opinions on the matter were divided. Officials in the State Department and Pentagon were generally highly sceptical of partition as this clearly would have a negative impact on US-Arab relations. President Harry S. Truman, however, rejected their advice and gave his full support to the establishment of a Jewish state, a decision which was fully consistent with public opinion and the opinions of his White House staff. Moreover, the period leading up to the UN vote was surrounded by a whirlwind of lobbying by pro-Zionist American individuals and groups. In order to secure the required two-thirds majority in the General Assembly, although it was apparently unknown to Truman at the time, pro-Zionist members of Congress, and even officials of the US government exerted heavy pressure on non-Muslim states to support partition. These activities angered Arab leaders and resulted in deteriorating relations between the US and the Arab world. In any event, the passing of Resolution 181 was truly a historic event – as much a defeat to the Palestinians, as it was a triumph to the Zionists.<sup>52</sup>

## **The Birth of Israel and the Collapse of the Palestinian Society**

After the adoption of the Partition Plan, the situation on the ground in Palestine rapidly deteriorated towards what amounted to a civil war. Various Arab guerrillas attacked Jewish targets, and Ben-Gurion became convinced that this was just a prelude to a massive clash, in which the Arab regular armies would become involved. His reply, therefore, was to engage the Haganah in a strategy of “aggressive defence”. Plan D, prepared by the Haganah commanders in early March 1948, was the most important landmark in the development of this strategy. Its aim was to provide a more solid and continuous basis for Israeli sovereignty, by securing Jewish settlements both within and outside the area allotted to the Jewish state in the Partition Plan. To this end, Plan D involved orders to capture and destroy Palestinian cities and villages, as well as warrants for the forcible expulsion of Palestinian civilians. Thus, under the impact of Jewish military pressure, the Palestinian mass exodus got under way.<sup>53</sup>

In the meantime, with the British scheduled to leave Palestine, Ben-Gurion seized the historic opportunity, and on 14 May 1948 he proclaimed – with Theodor Herzl, the “founding father” of political Zionism, gazing down on him from a portrait on the wall behind him – the

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<sup>52</sup> Neff, *Fallen Pillars*, 47-51; Hahn, *Caught in the Middle East*, 40-42.

<sup>53</sup> Shlaim, *The Iron Wall*, 30-31.

establishment of the state of Israel. Within eleven minutes of the proclamation President Truman had approved US recognition of the new state, again acting against the advice of officials in the State Department. His decision deeply affected the situation in Palestine as well as US relations in the Middle East. The Israelis were generally ecstatic.<sup>54</sup> In the Arab world, however, the recognition created widespread shock and dismay, and stained the reputation of the US. After a few days Israel had received full recognition from the Soviets as well.<sup>55</sup> Thus, with two superpowers as its “godfathers”, Israel was born.

Yet, despite the support of the two superpowers, Israel faced an immediate threat. On 15 May 1948, the armies of Egypt, Transjordan, Syria, Lebanon and Iraq invaded Palestine, reinforcing the Palestinian irregular forces and the Arab Liberation Army, which was sponsored by the Arab League. The result was a war that continued intermittently until January 1949.<sup>56</sup>

While the Jews acquired their state, the Palestinian society collapsed under the impact of the Jewish military campaign that was engaged in April 1948. By April 1949, the majority of the Palestinian population in what became the state of Israel – some 600 000-760 000 – had become refugees. They ended up mostly on the West Bank and the Gaza Strip, and in the neighbouring Arab states, especially Transjordan, Syria and Lebanon. The reasons for the exodus were several and complex. First and foremost, the exodus was a consequence of war itself, and the fear, isolation and vulnerability associated with it. The Palestinian elite, including its leaders, were the first to escape, which undoubtedly weakened the level of resistance. Nevertheless, the Jewish military pressure, manifested in Plan D, was the most important reason for the exodus, both directly, by forcibly expelling Palestinian civilians, and indirectly, by creating rumours which increased the sense fear and panic amongst the Palestinians; such as the propagandist use of the massacre of Deir Yassin on 9 April, where 100-120 Palestinians were killed.<sup>57</sup>

The war left Israel as the undisputed victor. This result was a direct reflection of the military balance of power between the two sides. Contrary to the claims of the “old historians”,

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<sup>54</sup> Some Israeli officials, however, were sceptical that the Americans decided to withhold *de jure* recognition. This decision was clearly influenced by State Department officials who were trying to modify the effects of the recognition. *De jure* recognition, they claimed, should be extended only when a permanent government was elected by the Israeli public. Hahn, *Caught in the Middle East*, 50; Marshall to McDonald, 17 Sep. 1948, *FRUS, 1948*, 5, part 2: 1408-1409.

<sup>55</sup> Hahn, *Caught in the Middle East*, 44-51; Shlaim, *The Iron Wall*, 33-34.

<sup>56</sup> Shlaim, *The Iron Wall*, 34. The war was punctuated by two UN-imposed truces. A full account of the course of the first Arab-Israeli war is clearly beyond the scope of this thesis.

<sup>57</sup> Shlaim, *The Iron Wall*, 30-31; Morris, *The Birth*, 238.

the Arab leaders had invaded Palestine with armies that were unprepared, uncoordinated and outnumbered. The invasion had been carried out nonetheless, to a large extent as a result of pressure from the Arab public opinion which, in turn, had been propelled by the rhetoric of the Arab leaders themselves. The outcome was a total defeat.<sup>58</sup> Consequently, compared to the state that had been prescribed in the Partition Plan, the Israelis had acquired a state that was both larger and much more homogenous. Their share of Palestine had been increased from 56 to 77 per cent.<sup>59</sup> Within this territory the number of Jews had increased to 716 000 while the Palestinians had been reduced to 92 000.<sup>60</sup> With the Palestinian society left in ruins, and with Israel, Egypt and Transjordan occupying the core areas in what was meant to have become an independent Arab state – that is, the Western Galilee, Gaza and the West Bank, respectively – the Palestinians’ hopes for a state of their own had effectively been wiped out.<sup>61</sup>

## Mediation and Assassination

The UN responded to the Arab invasion immediately by attempting to end the fighting, first by a campaign to impose a cease-fire and then by introducing a new and different peace plan. On 20 May 1948, the UN Security Council appointed the Swedish Count Folke Bernadotte as the new UN Mediator on Palestine, and the General Assembly instructed him to work towards a cease-fire and a solution to the conflict.<sup>62</sup>

In his final report, submitted to the General Assembly on 16 September 1948, Bernadotte presented his suggestions for the steps to be taken towards a settlement. These suggestions generally became known as the Bernadotte Plan. In essence, his plan included the recommendation for a new territorial arrangement in Palestine, with greater emphasis on territorial continuity as opposed to the “hour-glass shape” that had been adopted in the Partition Plan. More specifically, he suggested allotting the Negev Desert and Central Palestine to the Arabs, and Galilee to the Jews. The result would be a land swap: “[I]n view of the historical

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<sup>58</sup> Benny Morris, *1948: A History of the First Arab-Israeli War*. (New Haven and London: Yale University Press, 2008), 180-207; Flapan, *The Birth of Israel*, 121-152.

<sup>59</sup> Thomas, *How Israel Was Won*, 89.

<sup>60</sup> Shlaim, *The Iron Wall*, 54.

<sup>61</sup> Shlaim, *The Iron Wall*, 54-61.

<sup>62</sup> Bernadotte had won international acclaim in his work for the Red Cross during WWII, as well as in negotiations ending the war. He was not, however, very familiar with neither the Middle East nor Palestine. Pappé, *The Making of the Arab-Israeli Conflict*, 136, 143.

connexion and common interests of Transjordan and Palestine there would be compelling reasons for merging the Arab territory of Palestine with the territory of Transjordan".<sup>63</sup> Thus, abandoning the idea of an independent Arab state in Palestine, the Bernadotte Plan instead embraced King Abdullah's territorial ambitions.<sup>64</sup>

Secondly, Bernadotte restated the principle decided upon in the Partition Plan, that Jerusalem should be treated as a separate entity under the control of the UN. All religious sites were to have full protection and free access. Thirdly, the Bernadotte Plan proposed that the Palestinian refugees should have a right to return to their homes or receive full compensation for their property if they chose not to do so. And finally, Bernadotte proposed the establishment of a conciliation commission. Its functions were stated in very general terms: It was to use its good offices to ensure "the continuation of the peaceful adjustment of the situation in Palestine".<sup>65</sup>

Thus, with the issuing of the Bernadotte Plan in September 1948, and the Partition Plan in November 1947, the UN and the belligerent parties had been presented with two different set of proposals for a solution to the Palestine conflict. Having witnessed a catastrophe unfolding in Palestine after the adoption of the Partition Plan, the US government gave its full support to the Bernadotte Plan. Secretary of State George Marshall on 21 September stated that "the conclusions contained in the final report of Count Bernadotte offer a generally fair basis for settlement of the Palestine question."<sup>66</sup> The Arabs and the Israelis, however, flatly rejected it. The Arab leaders, with the exception of Transjordan, were deeply upset by the fact that the plan had abandoned the Palestinian state and instead endorsed King Abdullah's ambitions, which they considered a direct threat. Moreover, they would refuse to negotiate with the Jewish state, as this would signal an implicit recognition of its existence.<sup>67</sup>

The main point of contention for the Israelis was the relinquishing of territories under their control. Israeli officials were highly sceptical of Bernadotte, and Ben-Gurion even accused him of being a British agent, since his proposed land swap seemed to be a direct reflection of

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<sup>63</sup> UN A/648, 16 Sep. 1948, *Progress Report of the United Nations Mediator on Palestine Submitted to the Secretary-General for Transmission to the Members of the United Nations*.

<sup>64</sup> Pappé, *The Making of the Arab-Israeli Conflict*, 158.

<sup>65</sup> UN A/648, 16 Sep. 1948, *Progress report of the United Nations Mediator on Palestine submitted to the Secretary-General for transmission to the members of the United Nations*.

<sup>66</sup> Lovett to Diplomatic and Consular Offices at Arab capitals, Tel Aviv and Jerusalem, 21 Sept. 1948, *FRUS, 1948*, 5, part 2: 1415-1416.

<sup>67</sup> Hahn, *Caught in the Middle East*, 54-55.

British policy. An enlargement of the territory of King Abdullah – their closest ally in the Middle East – was naturally a very compelling thought for the British.<sup>68</sup>

In an effort to promote his plan, Bernadotte decided at the end of the summer of 1948 to move his headquarters from the island of Rhodes to Jerusalem. The decision proved to be fatal. On 17 September 1948, the day after he had delivered his report to the General Assembly, Folke Bernadotte was assassinated by members of the Israeli terrorist group the Stern Gang. Ralph Bunche, a US professor of political science and former State Department official, replaced Bernadotte, and became the new Acting Mediator on Palestine.<sup>69</sup>

### **Debating the Bernadotte Plan: The Rats Take a Share of the Cheese**

During the third session of the General Assembly, convening in Paris during the fall of 1948, the Bernadotte Plan became the focal point for the debate on the Palestine question. Bernadotte's death had made him a martyr in the name of peace, and his plan had acquired the status of "a sacred political testament".<sup>70</sup> Consequently, the US government concluded that the Bernadotte Plan held the highest promise for a solution to the Palestine conflict. They were determined to make sure that the Bernadotte Plan was adopted in its entirety, and, to this end, they sought to exploit the worldwide remorse caused by the death of the Mediator. Moreover, Palestine had declined as an issue in American politics during the summer of 1948. In light of the delicacy of the Berlin crisis, Truman and his Republican opponent for the presidential election scheduled to 1 November, Thomas E. Dewey, had agreed to suspend campaign on foreign policy issues. This allowed the State Department to continue to promote the Bernadotte Plan undisturbed.<sup>71</sup>

Because of their resistance to the Bernadotte Plan, this situation was very frustrating to the Israeli leaders and the highly influential pro-Zionist lobby in the US. Consequently, at the same time as it became clear that the Palestine debate in the General Assembly would be postponed in order to deal with other issues first, Israeli officials and their friends in the US government circles launched a campaign to undermine the Bernadotte Plan by crushing the bipartisan consensus. The aim was achieved in mid-October, when Dewey confirmed his support

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<sup>68</sup> Hahn, *Caught in the Middle East*, 12-13.

<sup>69</sup> Hahn, *Caught in the Middle East*, 54-57.

<sup>70</sup> Avi Shlaim, *The Politics of Partition: King Abdullah, the Zionists and Palestine*. (Oxford: Oxford University Press, 1990), 216.

<sup>71</sup> Hahn, *Caught in the Middle East*, 55-56.

of the Republican policy of support and economic aid to Israel.<sup>72</sup> A few days later, Truman also buckled under the pressure and reiterated his support of the Democratic Party platform, most importantly with regards to the point that Israel's borders should not be changed without the consent of its own government.<sup>73</sup> Thus, the American support of the Bernadotte Plan suffered a blow due to the presidential election. Since the Bernadotte Plan would have required Israel to give up territory unconditionally, the change in Truman's policy had the effect of undermining it.

On 16 November, almost two months after Bernadotte's death, the debate in the General Assembly was finally resumed. Two days later, the British proposed a resolution endorsing the Bernadotte Plan in its entirety.<sup>74</sup> The British, of course, had compelling reasons to see Bernadotte's idea of a land swap realized. This would leave Transjordan, their satellite state in the region, significantly enlarged, and thus enhance their potential of exercising influence in an area that was highly strategically important to them.<sup>75</sup> Consequently, Foreign Minister Bevin, who felt that the "proposals would stand or fall as a whole", pleaded for full agreement by the US.<sup>76</sup> Any amendments or adjustments made to their proposal, he feared, would lead to a flow of new amendments, and "there would be little if anything left of the cheese when the rats got through."<sup>77</sup>

By then, however, US support of the Bernadotte Plan was a lost cause. Remaining loyal to the promises made during the presidential election campaign, Truman instead suggested that Israel could retain part of the Negev if it made concessions elsewhere, for instance in the Western Galilee.<sup>78</sup> The final result was, as Bevin predicted, that the "rats" took a large share of the "cheese", and in the end, there was little left of the Bernadotte Plan. The General Assembly found that they could not agree on anything with regards to the issue of borders, which was at the heart of the Palestine conflict, and the backbone of the Bernadotte Plan.

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<sup>72</sup> Hahn, *Caught in the Middle East*, 57-58; Lovett to Marshall, 23 Oct. 1948, *FRUS*, 1948, 5, part 2: 1507-1508; Lovett to Marshall, 24 Oct. 1948, *FRUS*, 1948, 5, part 2: 1512-1514.

<sup>73</sup> Hahn, *Caught in the Middle East*, 57-58; Memorandum of Telephone Conversation by Lovett, 29 Sep. 1948, *FRUS*, 1948: 5, part 2: 1430-1431.

<sup>74</sup> UN A/776, 7 Dec. 1948, *Palestine Progress Report of the United Nations Mediator, Report of the First Committee*; UN A/C.1/394, 18 Nov. 1948, *Palestine Progress Report of the United Nations Mediator on Palestine, United Kingdom: Draft Resolution*.

<sup>75</sup> Shlaim, *The Politics of Partition*, 216.

<sup>76</sup> Douglas to Marshall, 17 Sep. 1948, *FRUS*, 1948, 5, part 2: 1410.

<sup>77</sup> Douglas to Lovett, 21 Nov. 1948, *FRUS*, 1948, 5, part 2: 1570.

<sup>78</sup> Memorandum of Telephone Conversation by Lovett, 29 Sep. 1948, *FRUS*, 1948: 5, part 2: 1430-1431; Lovett to the US Delegation, Paris, 23 Oct. 1948, *FRUS*, 1948, 5, part 2: 1508-1509.

## **Resolution 194: A Recipe for Confusion?**

With the adoption of Resolution 194 on 11 December 1948, the General Assembly formally established the Palestine Conciliation Commission (PCC).<sup>79</sup> However, partly due to the long-lasting and tedious debate on the Bernadotte Plan, the Commission was left with a highly ambitious yet unclear mandate. Moreover, there were different opinions as to how the Commission should be composed.

### ***Mandate: A Final Settlement of All Questions***

The most striking feature of the new Commission was that its terms of reference were extremely wide-ranging and ambitious. As the resolution instructed, the PCC was “to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them”.<sup>80</sup> How these aims should be achieved, however, was less clear.<sup>81</sup>

Since the General Assembly had been unable to agree on Bernadotte’s plan for a territorial division of Palestine, the whole matter of borders was altogether omitted from Resolution 194.<sup>82</sup> This lack of directives on territory presented great challenges for the PCC. During the first months of 1949, the PCC was able to temporarily solve this dilemma by leaving the question of borders with the armistice negotiations headed by the Acting Mediator Ralph Bunche.<sup>83</sup> As soon as the armistice agreements between Israel and the individual Arab states were signed, however, the belligerents adopted widely different positions concerning the status of the armistice borders. In general, the Arabs claimed that the armistices did not end the state of war with Israel. The armistice lines were only temporary, and thus there were clear restrictions regarding the sovereignty and the rights to develop the territory within them. The Israelis, on the other hand, insisted that, in the anticipation of a final peace settlement, the armistice borders should be regarded as international borders. As such, they claimed full sovereignty within them. To the Israelis, the armistice borders were much more comfortable than the Partition Plan

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<sup>79</sup> The resolution was adopted by a vote of thirty-five to fifteen, with eight abstentions. The adverse votes were mainly cast by the Arab states and the Soviet bloc. See “Editorial Note”, *FRUS, 1948*, 5, part 2: 1661.

<sup>80</sup> UN A/RES/194(III), 11 Dec. 1948.

<sup>81</sup> This section is intended to give a short account on the mandate of the PCC. The problems and challenges the Commission faced will be touched upon, but a thorough discussion will not be given at this point.

<sup>82</sup> UN A/776, 7 Dec. 1948.

<sup>83</sup> See chapter 3. The armistice agreements were signed on the following dates: with Egypt on 24 February, Lebanon on 23 March, Jordan on 3 April and Syria on 20 July.



borders. Explaining that the situation had changed so drastically that their acceptance of the Partition Plan should be considered nullified, they refused to allow it to be used as a basis for negotiations.<sup>84</sup> The Arabs, on the other hand, would have been far more satisfied if the Israelis' share of Palestine was reduced to the original 56 per cent. Having initially rejected the Partition Plan, they made a u-turn, and wanted to use it as the basis for negotiations.<sup>85</sup>

It was on the issue of the Palestinian refugees that Bernadotte made his biggest impact on the mandate of the PCC. In fact, the so-called refugee paragraph of Resolution 194 has, since 1948, been ratified by the General Assembly every year. In terms quite similar to those included in his proposals, Resolution 194 stated that:

[T]he refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.<sup>86</sup>

To the Arabs and the Israelis, several phrases in the refugee paragraph seemed open to interpretation. One was the question of guilt, included in the notion "the Governments or authorities responsible". On this point, the adversaries essentially blamed each other. The Israelis argued that they did not share any guilt or responsibility for the creation of the refugee problem, which, as they saw it, was caused by a war which had been forced upon them by the Arab states. The Palestinians had fled either more or less "willingly", or as a result of pressure or force from their own Arab leaders. The Arabs, for their part, claimed that the Jews had expelled the Palestinians in a planned, systematic manner, as part of a greater political-military design.<sup>87</sup> None of these versions, however, gave an adequate explanation of the Palestinian exodus.<sup>88</sup>

Furthermore, arguing that the Palestinians themselves had fought against the Jews in the war, Israeli leaders questioned if the Palestinians would really want to "live at peace with their neighbours" in Israel. The return of a significant number of refugees to Israel would have catastrophic consequences for its security, which was of vital importance to Israeli leaders. The

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<sup>84</sup> Burdett to Acheson, 8 Feb. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>85</sup> Shlaim, *The Iron Wall*, 56-58.

<sup>86</sup> UN A/RES/194(III), 11 Dec. 1948, see paragraph 11.

<sup>87</sup> Morris, *The Birth*, 1-2; Shlaim, *The Iron Wall*, 47-50.

<sup>88</sup> See "The Birth of Israel and the Collapse of the Palestinian Society".

presence of angry Palestinians in Israel, they thought, would result in a destabilizing, hostile element – a potential “fifth column”.<sup>89</sup>

There was also disagreement as to what would be “the earliest practicable date” for the implementation of the refugee paragraph. The Israelis insisted that the question could only be discussed within the framework of a general peace settlement.<sup>90</sup> To the Israelis, the exodus had come as a shock, as it had done to the Arabs. Nevertheless, it presented the new state with golden opportunities. A purely Jewish state, without the trouble of having a large and angry Palestinian minority, was a very welcome idea. A return would be equally unwelcome. On 16 June 1948, Israeli leaders decided that no refugees would be permitted to return as long as a war was proceeding. The question would be reconsidered at the end of the war. In reality, this decision was the beginning of an increasingly hardening policy against the return of refugees. With the issuing of the “Absentees Property Law” of 1950, the Israelis had a juridical basis to claim land abandoned by Palestinians. By then, it had become virtually impossible for the Palestinians to return to their land.<sup>91</sup> To the Arabs, the Israeli claim that a solution to the refugee problem had to be a part of a general peace settlement was unacceptable. They demanded that a solution to the refugee problem had to be found before they would agree to negotiate with Israel.<sup>92</sup> Thus, the positions with regards to the refugees were seemingly incompatible: While the Arabs regarded a solution to the refugee problem as a condition for a settlement with the Israelis, the Israelis regarded a settlement as a condition for a solution to the refugee problem.

With regards to the Jerusalem issue, the PCC received clear instructions. During the war, the city had been divided between Israel and Transjordan, with Israel occupying the New City and Transjordan the Old City. This situation was in violation with the Partition Plan which had determined that Jerusalem should be established as a *corpus separatum* under an international regime. Resolution 194 re-affirmed the principle of internationalization. Nevertheless, to a certain extent, the General Assembly had attempted to adapt to the present reality on the ground by omitting the phrase *corpus separatum* and instead provided for “maximum local autonomy

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<sup>89</sup> Varda Shiffer, “The 1949 Israeli Offer to Repatriate 100,000 Palestinian Refugees”, *Middle East Focus*, vol. 9, no. 2, 1986, 16; UN A/AC.25/W.1, 1 Mar. 1949, *Stand taken by the Governments of the Arab States and the Government of Israel with regard to the task entrusted to the Conciliation Commission by the General Assembly*.

<sup>90</sup> UN A/AC.25/W.1, 1 Mar. 1949.

<sup>91</sup> Morris, *The Birth*, 309-320, 364; Hilde Henriksen Waage, *Norge – Israels beste venn: Norsk Midtøsten-politikk 1949-1956* [Norway – Israel’s Best Friend: Norwegian Middle East Policy 1949-1956]. (Oslo: Universitetsforlaget, 1996), 78-79.

<sup>92</sup> UN A/AC.25/W.1, 1 Mar. 1949.

for distinctive groups”.<sup>93</sup> In essence, however, nothing principally new was decided with regards to Jerusalem. The PCC was instructed to present the General Assembly with a detailed plan for the establishment of an international regime in Jerusalem by the fall of 1949.<sup>94</sup>

### ***Composition: A Question of Balance and Cold War Considerations***

Immediately after the adoption of Resolution 194, the five permanent members of the UN Security Council met in a closed session to decide who the members of the PCC should be.<sup>95</sup> The US had already been proposed as a member. According to Great Britain, the US should be directly involved in any decisions on the Palestine question, since the political power of a superpower would be necessary to convert any peace agreement between Israel and the Arab states into reality. France and China were persuaded by this argument.<sup>96</sup> Furthermore, Bevin had previously indicated a desire for the continuation of the composition of the UN Truce Commission, where the US, Belgium and France were members.<sup>97</sup> By 11 December 1948, however, Great Britain had replaced Belgium with Turkey. The key word in this change of view was balance. A commission composed of the US, France and Belgium would be an entirely Western commission, and would therefore be harder to accept for the Arabs. In this newly proposed composition, the US could be considered to be a moderately pro-Israel country, Turkey moderately pro-Arab, while France was generally regarded as neutral. All these countries, however, had voted in favour of the Partition Plan.<sup>98</sup>

The background for the inclusion of Turkey was the idea that a Moslem state which also had extended recognition to Israel might act as a bridge-builder between the PCC and the Arab world.<sup>99</sup> Furthermore, the Turks were eager to participate as a member in order to present themselves as regional peacemakers, particularly in front of the US, since they hoped to become Washington’s main ally in the Middle East. As a solution to the Palestine question was high on

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<sup>93</sup> UN A/RES/194(III), 11 Dec. 1948.

<sup>94</sup> UN A/RES/194(III), 11 Dec. 1948.

<sup>95</sup> The five permanent members were the United States, the Soviet Union, Great Britain, China and France.

<sup>96</sup> Forsythe, *United Nations Peacemaking*, 29.

<sup>97</sup> Memorandum of conversation by Marshall, 4 Oct. 1948, *FRUS, 1948*, 5, part 2: 1449-1450.

<sup>98</sup> Dulles to Lovett, 12 Dec. 1948, *FRUS, 1948*, 5, part 2: 1663-1664.

<sup>99</sup> Forsythe, *United Nations Peacemaking*, 29.

the American agenda, it is possible that the Turkish government perceived peace in the Middle East as a prerequisite for their participation in an alliance with the West.<sup>100</sup>

The Americans were generally positive towards the prospect of a membership in the PCC. They were very interested in resolving the Arab-Israeli conflict, first and foremost because it was generating social unrest and instability in the region which, in turn, threatened to undermine Western and American influence. A composition resembling the Truce Commission, moreover, would mean an exclusion of any Soviet influence.<sup>101</sup> Nonetheless, there was some scepticism regarding the Commission's somewhat vague and ambitious terms of reference. The conflict was becoming increasingly complex, and with a lack of clear directives the Americans were worried "whether we might not find ourselves in [a] position of [a] whipping boy if we served on this body."<sup>102</sup>

At the session on 11 December, the US delegate to the UN Dean Rusk stated that he had "no serious objection" to a Commission consisting of the US, France and Turkey.<sup>103</sup> However, he objected to the indication that the members would be expected to serve as a special advocate for either the Arabs or the Israelis. The image of the US as a warm supporter of Israel was progressively damaging its relations with the Arabs. At the same time, the Soviet Union was trying to secure its own influence by proposing Poland as a member, and insisting that the Commission should consist only of small powers. To the Soviets it was unacceptable to have the Americans in the PCC, at least unless they were represented themselves. They objected to the prospect of having the Americans expand their influence at the expense of their own.<sup>104</sup>

Great Britain, China, France and the US remained firm in their support of the proposed composition. While the Soviets still opposed it, the majority vote of the "Big Five" was sent back to the General Assembly where it was finally approved despite the opposition of the Soviet Union. Reflecting on the establishment of the PCC, Rusk stated that the "[g]reat contrast between [the] calm attending this action compared with [the] violent feeling of November 29 and May 14<sup>105</sup> constitutes [a] good omen for peaceful settlement [of the] Palestine question."<sup>106</sup> This optimism, however, proved not to be very well-founded.

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<sup>100</sup> Pappé, *The Making of the Arab-Israeli Conflict*, 199.

<sup>101</sup> Dulles to Lovett, 6 Dec. 1948, *FRUS, 1948*, 5, part 2: 1649; Flapan, *The Birth of Israel*, 213.

<sup>102</sup> Lovett to US Delegation, Paris, 4 Dec. 1948, *FRUS, 1948*, 5, part 2: 1645.

<sup>103</sup> Dulles to Lovett, 12 Dec. 1948, *FRUS, 1948*, 5, part 2: 1663.

<sup>104</sup> Dulles to Lovett, 12 Dec. 1948, *FRUS, 1948*, 5, part 2: 1663-1664.

<sup>105</sup> The UN's adoption of the Partition Plan and the proclamation of Israel, respectively.

## Chapter 3

# Making Contact

*January-April 1949*

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The Palestine Conciliation Commission started its activities in an atmosphere of optimism. At the outset of 1949, there was a general feeling that serious attention was finally given to solve the conflicting issues between the Arabs and the Israelis. In the period to come, there was more direct contact between Arab and Israeli officials than ever before, both openly and secretly, and until September 1949, the PCC was the centre around which much of this contact occurred – a status it was never to obtain again. Thus, for the representatives of the PCC, who started their work at the beginning of February 1949, peace seemed well within reach. In retrospect, at least, this was an overly optimistic evaluation of the situation. It is even more striking that the representatives of the PCC managed to hold this stance, even in the face of the almost unbending positions of the belligerents.

Nevertheless, during the first four months of the PCC's existence it achieved its greatest accomplishment – it persuaded the Arabs and the Israelis to attend a conference in Lausanne. The fact that this conference ended without any concrete results with regards to a general peace settlement, however, was symptomatic of the work of the PCC.<sup>107</sup>

### Starting Problems

At the beginning of 1949, time seemed ripe for negotiations between Israel and the Arab states. On 22 December 1948, Israel launched *Operation Horev*, thus resuming hostilities against Egypt and violating the UN-imposed truce.<sup>108</sup> By the time a new cease-fire was in place, on 7 January 1949, Israel had almost the entire Negev Desert in their hands, and had penetrated into Egyptian territory on the Sinai Peninsula. The UN Security Council had called for an end to the fighting and the initiation of armistice negotiations in November 1948. At that time, however, the Egyptians had rejected negotiations, hoping to rectify the military defeats and avoid paying the political price for the advantage enjoyed by Israel. At the beginning of January, however, with

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<sup>106</sup> Dulles to Lovett, 12 Dec. 1948, *FRUS, 1948*, 5, part 2: 1664.

<sup>107</sup> The Lausanne conference will be dealt with in chapter 4.

<sup>108</sup> Memorandum by Rusk to Lovett, 24 Dec. 1948, *FRUS 1948*, 5, part 2: 1689.

Israel increasingly appearing as the undisputed victor of the war, both sides accepted the cease-fire and agreed to begin armistice negotiations under the auspices of the UN. Doing so, the Egyptians hoped that Israel's enormous military advantage would be rectified by the force of the UN resolutions. The armistice negotiations opened on the island of Rhodes on 13 January 1949.<sup>109</sup>

In the meantime, the process of nominating and assembling the members of the PCC was stalling. Although Resolution 194 had requested the PCC to "begin its functions at once", almost two months passed before all three members were represented by the same persons that would remain the delegates of their countries for a significant part of the Commission's life.<sup>110</sup> By the end of December, only the French had nominated a representative, and consequently the Security Council urged the members to speed up the process so that the Commission could take action as quickly as possible. Within a week both Turkey and the US had nominated their delegates.<sup>111</sup>

However, the delay did not end there. President Truman had appointed Joseph B. Keenan, who had been chief prosecutor in the post-World War II trial for Japan, to represent the US in the PCC. On 4 January, at a White House ceremony with the highest ranking State Department officials attending, Keenan had been sworn in as the American representative. In retrospect, this grand ceremony revealed a striking irony. Only two days before the PCC was to have its initial meeting in Geneva, Keenan resigned, undoubtedly causing painful headaches for Truman and the State Department officials who had to nominate and appoint another delegate as quickly as possible. Publicly, it was announced that Keenan had resigned for "personal reasons".<sup>112</sup> Acting Mediator Ralph Bunche, however, described the whole episode as a scandal. Apparently, Bunche had observed Keenan "in the throes of a severe hangover".<sup>113</sup> In any case, the absence of an American delegate until the appointment of Mark F. Ethridge at the beginning

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<sup>109</sup> Shlaim, *The Iron Wall*, 34-42.

<sup>110</sup> UN A/RES/194(III), 11 Dec. 1948.

<sup>111</sup> Forsythe, *United Nations Peacemaking*, 30.

<sup>112</sup> Lovett to Vincent, 15 Jan. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>113</sup> Urquhart, *An American Odyssey*, 199 (see footnote). The true nature of Keenan's resignation still remains somewhat obscure, and, in fact, his name has been completely removed from all UN records. However, Mark F. Ethridge, who a few weeks later replaced Keenan on the PCC, supports Bunche's impression in his own vivid account of what happened: "[...] he [President Truman] told me that the United States was in a hell of a mess because it had proposed the creation of the Palestine [Conciliation] commission and the man he designated had been on a three week binge and wasn't able to be briefed and the commission was going to meet in three or four days." "Oral History Interview with Mark F. Ethridge" (interview transcript of tape-recorded interview by Richard D. McKinzie), Harry S. Truman Library & Museum, available at: <http://www.trumanlibrary.org/oralhist/ethridge.htm> (10 October 2008).

of February, no doubt hindered the PCC from taking affirmative action and making the most of the momentum caused by the end of the first Arab-Israeli war.

The delay posed a dilemma for Ralph Bunche since the General Assembly had instructed the PCC to undertake the functions of the UN Mediator at the request of the Security Council.<sup>114</sup> However, if the sense of fragility of the situation in Palestine was not appreciated by the member states of the PCC, it certainly was to Bunche. To make sure that the momentum for peace was not lost and fearing that the hostilities might be resumed, he decided not to wait for the PCC and proceed to Rhodes immediately. Doing so, he hoped at least that an armistice regime would stabilize the situation and create a firmer basis for the PCC's work. When the PCC began its activities at the beginning of February, therefore, the UN had two separate channels for negotiations in Palestine – the Commission and the Mediator.<sup>115</sup>

Despite the absence of the American representative, the PCC had its first preparatory meeting on 17 January 1949 at the Hotel des Bergues in Geneva, Switzerland.<sup>116</sup> This initial meeting took place without any kind of ceremony or formality, and like the next meetings that were held during the three days the Commission stayed in Geneva, the issues confronted were largely of an administrative nature. In essence, four important decisions were taken. Firstly, the Commission decided to establish a system of a monthly rotating chairmanship, and secondly, that the Turkish representative should be the first chairman, followed by the American and then the French. Thirdly, it was decided that the Commission should always act *in capore*, that is, that all actions and negotiations were to be conducted jointly by all three members. The idea was to have a Commission with one voice, so as to keep the prestige at a maximum by avoiding open conflict and confusion. Finally, the members decided to move to Jerusalem and establish their headquarters there, in accordance with the decisions of Resolution 194. After some discussion regarding the safety of the city, it was decided to move immediately, arriving on 24 January.<sup>117</sup>

Thus, the PCC moved to Jerusalem at the end of January 1949. With the arrival of the American representative, Mark Ethridge, at the beginning of February, the PCC conducted their first full meeting, and was finally ready to commence on the task it was given.

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<sup>114</sup> UN A/RES/194(III), 11 Dec. 1948.

<sup>115</sup> Urquhart, *An American Odyssey*, 199-200.

<sup>116</sup> The two American advisers, John Halderman and Fraser Wilkins, were present to state the American views.

<sup>117</sup> UN A/AC.25/SR/1, 17 Jan. 1949, *Summary Record of the First Meeting*; UN A/AC.25/SR/2, 17 Jan. 1949, *Summary Record of the Second Meeting*; UN A/AC.25/SR/3, 18 Jan. 1949, *Summary Record of the Third Meeting*; UN A/AC.25/SR/4, 19 Jan. 1949, *Summary Record of the Fourth Meeting*.

## The People of the PCC

In the Palestine debate in the General Assembly during the fall of 1948, there had been some discussion concerning the issue of how the representatives to the PCC should play their roles. In essence, the dilemma revolved around the link between the representatives of the Commission and their respective governments. Who would the representatives answer to, and who would appoint them? Should the members of the Commission act primarily as representatives of their own governments or should they act independently of government directives, as individuals appointed by the UN? On the one hand, the argument went, a Commission acting without interference from governments would secure its impartiality. As such, the PCC could, like the UN Mediator, be separated from national interests and priorities that could disturb its work or distort the intentions of the international community. On the other hand, however, it was argued that a Commission composed of state representatives would have greater political leverage and authority. In the wake of the failure of the UN Mediator to negotiate a general settlement, the latter argument won head, and accordingly, the individual representatives were appointed by the respective states. Thus, the PCC became a body in which its members were fully dependent on instructions from their own governments.<sup>118</sup>

Despite the decision to act *in capore*, as a body with one voice, it became clear that the three members had very unequal abilities to influence the actions of the Commission. The reasons were twofold. First of all, the representatives were very different in both backgrounds and personalities. The Turkish representative, Hussein Cahit Yalchin, was an elderly journalist. He was 73 years old, well-known in his country as a prominent figure of journalism and literature, and famous for his outspoken anti-Soviet views. The Frenchman, Claude de Boisanger, was a much younger career-diplomat. He was “regarded as one of the most brilliant diplomats of the younger generation; intelligent, quick-witted, objective and impartial, a connoisseur of painting and a lover of literature”.<sup>119</sup> Still, during the Geneva meetings the two American advisers attending had a somewhat disturbing first impression of Boisanger and Yalchin: “[Both] have been mostly interested in administrative and financial matters, and have shown little interest in the actual job to be done. The Turk has said very little, while the

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<sup>118</sup> Forsythe, *United Nations Peacemaking*, 27-28; Azcárate, *Mission in Palestine*, 134-135.

<sup>119</sup> Azcárate, *Mission in Palestine*, 135.



Frenchman talks incessantly.”<sup>120</sup> However, if Boisanger and Yalchin perhaps were opposites, the American, Mark Ethridge, a highly influential southern journalist who also had a quite impressive diplomatic record, was the glue that kept the Commission on its track.<sup>121</sup> Whether or not the PCC would become an effective mediating body, depended much, it seemed, on the American representative.<sup>122</sup>

Adding to this was the fact that the representatives of Turkey and France always looked to the American representative for leadership. In fact, this was true for each of the American representatives throughout the period 1949-51. Moreover, the influence of each of the representatives was essentially comparable to the power position of their respective states. As to the influence of Yalchin, there are few indications that his actions as a PCC member ever made a significantly positive difference to its work. Nevertheless, since he was quite well-known also in other countries of the Middle East, “[h]is presence on the Commission was [...] surrounded by that aura of admiration which talent, independence of judgement and objectivity arouse.”<sup>123</sup> Boisanger certainly also added a degree of prestige to the Commission, since he was well thought of in diplomatic circles. He did make numerous contributions to its work, but since he thought that any actions of the PCC would inevitably require the support of a powerful state such as the US, he deferred leadership to the American delegate.<sup>124</sup> Ethridge, for his part, “was well suited by temperament to occupy this position of leadership, even if he was not particularly suited for the rigors of Middle Eastern diplomacy.”<sup>125</sup> He was regarded as a likeable person, and got along well both with the other members of the PCC, as well as with the delegates of Israel and the Arab states. However, he became impatient with the lack of progress in the negotiations, and, in fact, he resigned from his position after only four months.<sup>126</sup> The fact that he had accepted the position on a very short notice and that he was looking for a rapid solution probably contributed to his impatience. In his own words, this was how he accepted the position:

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<sup>120</sup> Halderman to Rusk, 18 Jan. 1949, RG 59, 501.BB Palestine, box 2123. See also: Troutman to Acheson, 18 Jan. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>121</sup> Ethridge had been employed by Truman first as special envoy to Rumania and Bulgaria at the end of World War II, and then as the chief US delegate to the UN Commission of Inquiry concerning Greek Frontier Incidents. Forsythe, *United Nations Peacemaking*, 37.

<sup>122</sup> Halderman to Rusk, 18 Jan. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>123</sup> Azcárate, *Mission in Palestine*, 136.

<sup>124</sup> Forsythe, *United Nations Peacemaking*, 37; Azcárate, *Mission in Palestine*, 135.

<sup>125</sup> Forsythe, *United Nations Peacemaking*, 38.

<sup>126</sup> Forsythe, *United Nations Peacemaking*, 38.

I kept demurring and finally Truman lost his temper and he said, "Listen, I can get a million sons of bitches to make war tomorrow, can't I get one son of a bitch to help me make peace?" I said, "When do I go Mr. President?" He said, "Tonight."<sup>127</sup>

The three Commissioners were supported by a small delegation of two or three advisers each. These delegations were on the whole competent, and in the case of Turkey and France, they sometimes proved to be more vigorous and dynamic than their superiors.<sup>128</sup> The Commission was also supported by a secretariat, headed by the Spanish Dr. Pablo de Azcárate. Azcárate had a good deal of experience on the question of Palestine and was a valuable counsellor to the Commissioners. The members of the secretariat aided the PCC by advising the representatives, by offering drafts and revisions to all kinds of documents and arranging the various meetings with the Arabs and the Israelis.<sup>129</sup>

The work of the PCC was somewhat hampered by a sense of detachment from the UN secretariat in New York. Compared to the office of the UN Mediator the UN administration had made few resources available for the PCC, which to some extent served as a blow to its prestige. For instance, the PCC had poor means of transportation and lacked sufficient protection from the sporadic violence that still occurred in Jerusalem at the beginning of 1949.<sup>130</sup>

## **Staying Out: The Dilemma of "the Other Path"**

With all its delegates assembled in Jerusalem at the beginning of February, the PCC sat down to discuss a pressing issue: How should it deal with the ongoing armistice negotiations? Ralph Bunche, for his part, had called for a termination of his office, and wanted the PCC, in line with the General Assembly decisions, to undertake the functions of the UN Mediator. Ever since before Bernadotte's assassination, Bunche had grown tired of what he perceived as the "thankless" job of working on the Palestine question. Moreover, in his opinion, the task of mediation in the Palestine conflict should be centralized under one office to the greatest possible extent. With the establishment of the PCC, therefore, he had immediately expressed the hope that

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<sup>127</sup> "Oral History Interview with Mark F. Ethridge".

<sup>128</sup> Forsythe, *United Nations Peacemaking*, 38.

<sup>129</sup> Forsythe, *United Nations Peacemaking*, 38-39.

<sup>130</sup> Burdett to Acheson, 8 Feb. 1949, RG 59, 501.BB Palestine, box 2123; Azcárate, *Mission in Palestine*, 140-142; Forsythe, *United Nations Peacemaking*, 39.

he would be relieved of his mission on Rhodes and that the full responsibility of mediation would pass to the Commission.<sup>131</sup>

However, at the beginning of February the armistice negotiations had reached a critical stage, and Bunche had indicated that they would soon be concluded, either successfully or unsuccessfully.<sup>132</sup> Because of this delicate state of affairs, the PCC decided that the best solution would be to stay out of the armistice negotiations. Any transfer or alteration in the direction of UN involvement at this stage, argued the Commissioners, might disrupt or imperil the talks. The completion of the armistice agreements was critical also to the facilitation of the Commission's own work, the argument went, since the atmosphere would be greatly calmed by a successful outcome. Besides, the general view was that the task of drawing the borders between the states related more to a military level than a political, which the Commission considered its main field of responsibility. Thus, when invitations to armistice negotiations were sent to other Arab states, the decision to stay out was extended.<sup>133</sup>

The decision to stay out of the armistice negotiations temporarily solved the Commission's dilemma of a lack of instructions on the issue of territory. As it turned out, however, the armistice regime would, at a later stage, haunt the PCC negotiations. Although the armistice agreements were intended to be merely a temporary stage on the road to peace, they effectively introduced an alternative basis for negotiations with regards to borders.<sup>134</sup> The reason was that Israel and the Arab states interpreted the status of the armistice borders oppositely. To the Arabs the armistice agreements constituted a non-permanent solution that did not end the state of war with Israel. Because the armistice borders were only temporary, there should be clear restrictions regarding the rights to develop the occupied territories and exploit the resources within them. While the Arabs had completely rejected the Partition Plan in November 1947, they now argued that it should constitute the basis for negotiations.<sup>135</sup> Israel, on the other hand, regarded the armistice borders as international borders. They could not see why the Arabs, who had rejected the Partition Plan in the first place, should be compensated with what they regarded as Israeli territory. The underlying reason, of course, was that a territory that had increased their

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<sup>131</sup> UN S/1215, Bunche to SYG Lie, 17 Jan. 1949; Urquhart, *An American Odyssey*, 167-168, 195, 204.

<sup>132</sup> UN A/AC.25/SR/10, 3 Feb. 1949, *Summary Record of the Tenth Meeting*.

<sup>133</sup> UN A/819, 15 Mar. 1949, *United Nations Conciliation Commission for Palestine: First Progress Report*; UN A/AC.25/SR/14, 8 Feb. 1949, *Summary Record of the Fourteenth Meeting*; Forsythe, *United Nations Peacemaking*, 40.

<sup>134</sup> See map of the armistice borders, page 125.

<sup>135</sup> UN A/AC.25/SR/48, 2 May 1949, *Summary Record of the Forty-Eighth Meeting*.

share of mandatory Palestine by 21 per cent was much more comfortable. Thus, the Israelis claimed full sovereignty within the armistice borders, including the demilitarized zones.<sup>136</sup>

## **Getting Down to Business**

Having decided to stay out of the armistice negotiations, the PCC proceeded to establish contacts with the Arabs and Israelis. Because of their direct involvement on the issue of Jerusalem, preliminary talks were first held with Israel and Transjordan. Subsequently, a tour of the capitals of the states involved in the Palestine conflict was conducted, in order to determine their views regarding the possibilities of establishing contact between them and begin negotiations.<sup>137</sup>

### ***Preliminary Talks on Jerusalem***

The preliminary meetings were held with the Foreign Minister of Israel and the Prime Minister of Transjordan on 7 and 9 February, respectively. The purpose of these meetings was to facilitate the talks that would be held on the tour of capitals, most importantly since Tel Aviv was the last capital to be visited, and the PCC wanted to ascertain Israeli views on various topics.<sup>138</sup> A range of matters were discussed. The main topic, however, was Jerusalem, since Israel and Transjordan were the states that were most directly involved in the question of the status of the city.

The first Arab-Israeli war had left Jerusalem divided between the two states, with Israel occupying the New City and Transjordan the Old City. After the war, however, the two adversaries of the first Arab-Israeli war had, in a sense, become allies in the diplomatic battle for Jerusalem. Nonetheless, what appeared to be a paradox was not a paradox at all. A special relationship had existed between King Abdullah and the Zionists ever since the establishment of Transjordan in 1921. Both “saw in each other a means to an end.”<sup>139</sup> For the Zionists, King Abdullah represented a break in the chain of hostile Arab states; for King Abdullah, the Zionists represented a potential source of support for his Greater Syria scheme.<sup>140</sup> In fact, in November 1947, King Abdullah had reached an understanding with the Jews that he would annex the West

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<sup>136</sup> Shlaim, *The Iron Wall*, 56-57.

<sup>137</sup> UN A/819, 15 Mar. 1949.

<sup>138</sup> Burdett to Acheson, 8 Feb. 1949, RG 59, 501.BB Palestine, box 2123; UN A/AC.25/SR/12, 7 Feb. 1949, *Summary Record of Twelfth Meeting*; UN A/AC.25/SR/13, 8 Feb. 1949, *Summary Record of Thirteenth Meeting*.

<sup>139</sup> Shlaim, *The Iron Wall*, 29.

<sup>140</sup> See chapter 2.

Bank in return for not interfering with the establishment of the Jewish state. Though this agreement in no ways proved to be binding for the two parts, it showed clearly that they were on the same wavelength regarding the future of Palestine.<sup>141</sup> As such, Israel and Transjordan emerged from the war as “the best of enemies”.<sup>142</sup>

Both King Abdullah and the Israelis preferred their division of Jerusalem to the UN’s plan for an international regime. Moreover, they both preferred bilateral negotiations. In November 1948, direct contact had been established between the two local military commanders on each side in Jerusalem, Lt. Col. Moshe Dayan and Lt. Col. Abdullah al-Tel, leading to the signing of a “sincere and absolute cease-fire” on 30 November.<sup>143</sup> The talks had been initiated under UN auspices. In reality, however, the UN had been completely by-passed as the real differences had been settled privately by the two commanders. This can be said to have undermined the argument for UN mediation, and reinforced the argument for the kind of bilateral talks King Abdullah and the Israelis preferred.<sup>144</sup> Moreover, the fact that the borders laid down in the agreement formed the basis for the borders of the armistice agreement (signed on 3 April 1949), gave further support to Israel’s argument for bilateral negotiations, since these had given them a foothold in their “Eternal Capital”.<sup>145</sup> In the absence of a general peace settlement, therefore, Jerusalem was *de facto* divided – a division which clearly conflicted with the UN’s principle of internationalization.

If Israel and Transjordan were allies in this diplomatic battle for Jerusalem, their opponent, from the beginning of 1949, was the PCC. The Commission’s instructions, stipulated in Resolution 194, were to present the General Assembly with a detailed proposal for an international regime in Jerusalem by next fall.<sup>146</sup> In February 1949, two events occurred that prompted the PCC to address the question of Jerusalem first.<sup>147</sup> In view of the first general elections in Israel that had been held on 25 January 1949, the Israeli government had decided to hold the opening of the Knesset (the Israeli national assembly), which was scheduled at the end

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<sup>141</sup> Shlaim, *The Politics of Partition*, 92-100; Bar-Joseph, *The Best of Enemies*, 8-11.

<sup>142</sup> Bar-Joseph, *The Best of Enemies*.

<sup>143</sup> Shlaim, *The Iron Wall*, 43.

<sup>144</sup> Jørgen Jensehaugen, *Friendship Reanimated: The Israeli-Transjordanian Armistice Negotiations, 1948-1949*. (Unpublished MA Thesis: University of Oslo/International Peace Research Institute, Oslo (PRIO), 2008), 47-50.

<sup>145</sup> Shlaim, *The Iron Wall*, 44.

<sup>146</sup> UN A/RES/194(III), 11 Dec. 1948.

<sup>147</sup> In addition to the actions discussed below, the PCC established a subcommittee on the Jerusalem question. Since this committee made its biggest impact later on, it shall be reviewed in chapter 5.

of February, in Jerusalem. Other countries were invited to attend the opening. In addition, the government had decided to extend civil law to Jerusalem, to replace the military law that had been in effect.<sup>148</sup> For the Commission, these two moves were indications that the Israelis were attempting to create a *fait accompli* in order to make Jerusalem the capital of their new state. Firstly, if other states decided to accept the invitation to the opening of the Knesset, Israel could make it appear as if they indirectly supported their claim. Secondly, by extending civil law to Jerusalem and thereby change the *status quo*, they could claim in future negotiations that the territory was *de facto* Israeli and that they should have sovereignty of it.<sup>149</sup> The Israeli moves would thus complicate the Commission's task of implementing the principle of internationalization, and threaten to provoke the resumption of the conflict in Jerusalem.<sup>150</sup>

Reflecting on the discussion with Israel's Foreign Minister Moshe Sharett on 7 February, Ethridge found that his attitudes were unyielding. It was clear that the Israeli government would not accept internationalization.<sup>151</sup> While Israel had reluctantly accepted the Partition Plan of November 1947, and by implication the internationalization of Jerusalem, Sharett explained that the situation had changed "because of the failure of [the] international community or any other authority to protect [Jerusalem] except [the] Jews themselves."<sup>152</sup> Furthermore, he claimed that the New City of Jerusalem was for all practical purposes Israeli, and that Israel could not entrust the security of its population to the international community. He did not deny Israel's intention of keeping the New City, but denied that it had any intension of transferring its capital.<sup>153</sup> At that time, the Israeli cabinet was waging a vigorous internal debate on the question of transferring their capital to Jerusalem, and Sharett had urged caution.<sup>154</sup> Compared to the Israeli Prime Minister, David Ben-Gurion, who was the main protagonist of transferring the capital, Sharett was generally more sensitive towards the international community and the UN. While Ben-Gurion based his view of the world upon the fact that the Jewish people had the ability to shape its own destiny by its own actions, Sharett acknowledged that the UN had played an

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<sup>148</sup> UN A/AC.25/SR/10, 3 Feb. 1949.

<sup>149</sup> Burdett to Acheson, 4 Feb. 1949, RG 59, 501.BB Palestine, box 2123; Ethridge to Acheson, 4 Feb. 1949, RG 59, 501.BB Palestine, box 2123; Memorandum by Satterthwaite to Acheson, 9 Feb. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>150</sup> UN A/AC.25/SR/12, 7 Feb. 1949.

<sup>151</sup> Burdett to Acheson, 8 Feb. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>152</sup> Burdett to Acheson, 8 Feb. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>153</sup> Burdett to Acheson, 8 Feb. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>154</sup> Shlaim, *The Iron Wall*, 60.

indispensable part in the creation of Israel, and he was in favour of allowing it to play a larger role in the regulation of the Arab-Israeli conflict. International opinion, he believed, had an impact on Israel's security, and should therefore be taken into account.<sup>155</sup>

The discussion with Transjordan's Prime Minister Tawfiq Abu al-Huda was less concentrated on the Jerusalem issue. Nevertheless, Transjordan, as well as the other Arab states, did not support internationalization. In their opinion, Jerusalem should remain Arab as it had been for centuries, and in any case they could not see how internationalization could be implemented without the use of force.<sup>156</sup> Interestingly, the Prime Minister hinted at the possibility of negotiating a bilateral peace settlement between his country and Israel. To this end, "Transjordan will welcome refugees in Transjordan or in Arab Palestine [i.e. the occupied West Bank]."<sup>157</sup> In retrospect, the fact that the Commissioners did not think it prudent to take the hint may seem peculiar. However, at that point the Commission could find no reason why they would fail in their mission of general mediation. On the contrary, separate negotiations between Israel and Transjordan would only serve to ruin the hope a peace agreement involving all Arab states. Besides, the instructions from the General Assembly concerned *all* outstanding questions and *all* concerned parties.<sup>158</sup>

### ***The Tour of Capitals: The Primacy of the Refugee Question***

The PCC's visits during the tour of capitals were all cut on the same pattern. There were official banquets and receptions, official interviews with leaders, and private conversations between officials of the visited governments and the delegations of the Commission.<sup>159</sup> To the Commissioners, the most noticeable impression received was that the primary concern of the Arab states was the Palestinian refugees. In general, the Arabs were not prepared to negotiate with Israel until a solution to the refugee problem had been found. Israel alone was responsible for the Palestinian exodus and should therefore repatriate all who desired to return.<sup>160</sup> Transjordan, however, was an exception, and once again the Transjordanian regime represented

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<sup>155</sup> Shlaim, *The Iron Wall*, 95-98.

<sup>156</sup> Burdett to Acheson, 12 Feb. 1949, RG 59, 501.BB Palestine, box 2123; UN A/AC.25/W.1, 1 Mar. 1949.

<sup>157</sup> Burdett to Acheson, 12 Feb. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>158</sup> Shlaim, *The Politics of Partition*, 468-469.

<sup>159</sup> Azcárate, *Mission in Palestine*, 145. The capitals were visited in the following order: Cairo, Jidda and Riyadh, Baghdad, Amman, Damascus, Beirut and Tel Aviv.

<sup>160</sup> See Chapter 2 for a discussion on the reasons for the Palestinian refugee problem.

a break in the chain of Arab states. Even if they did regard the refugee problem as an issue of primary importance, Transjordanian did not set its solution as an absolute condition for negotiations with Israel, which was evident from the fact that they had already hinted at the possibility of resettling refugees on their territory.<sup>161</sup> Nevertheless, they did not openly declare this in front of the other Arab leaders.<sup>162</sup>

What would the Arabs, then, regard as a solution to the refugee problem? The main point of contention for the Arabs was their disbelief in Israel's intentions. Therefore, what they wanted was not necessarily a complete repatriation of all Palestinian refugees before negotiation could begin. What they wanted was the acceptance by Israel of the refugees' principle right to return to their homes or receive compensation, along with some sort of proof or guarantee that they would abide by their promises. Israel, however, refused to accept this principle. Their position was the complete opposite of the Arab position. The Palestinian refugee problem was caused by a war that had been initiated by the Arab states, and therefore they did not share any responsibility for its creation. The refugee problem should be dealt with as a part of a general peace settlement. However, the Israelis stated that they might be prepared to accept a certain number of refugees, depending on the character of the peace settlement and only on the condition that most of them would be resettled outside its own borders.<sup>163</sup>

For the Arabs the Palestinians had become a political pawn. Their insistence on a solution to the refugee problem – completely in line with UN decisions – had become their most effective political weapon to get Israel on the defensive in the face of international public opinion. Moreover, when it came to the refugee question they also had to consider the Arab public opinion. At the popular level hatred and hostility towards the Jewish state intensified in the aftermath of the war as the full scope of the Arab military defeat and the loss of Palestine became increasingly visible. Since the Arab leaders had to put this fact into consideration, as their power bases were generally weak, it constituted a formidable obstacle for the PCC. However, Arab leaders actually responded to the same events with remarkable pragmatism. Indeed, all of them were ready to negotiate and even make peace with Israel. In order for them to do this, however, they had to have something to show for in the face of their populations.<sup>164</sup> As Ethridge stated:

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<sup>161</sup> UN A/AC.25/W.1, 1 Mar. 1949; Burdett to Acheson, 12 Feb. 1949, RG 59, 501.BB Palestine, box 2123.

<sup>162</sup> See "The Beirut Meetings".

<sup>163</sup> UN A/AC.25/W.1, 1 Mar. 1949; Shlaim, *The Iron Wall*, 49-50.

<sup>164</sup> Shlaim, *The Iron Wall*, 49-50; Shlaim, *The Politics of Partition*, 317-318.



“There can be no fruitful negotiations until [the] Arab psychosis as to refugees has been wiped out and Arab public opinion [has] prepared for [the] fact that not all refugees will return.”<sup>165</sup>

Realizing that the refugee problem was the key to peace negotiations, the Commission sought to convince both sides of making concessions on the issue. They found that two steps had to be taken. The first step was to try to get some kind of gesture or agreement in principle of the refugees’ right to return from the Israeli government. Such a gesture would make it easier for the Arabs to accept negotiations with Israel without appearing weak in front of the Arab public. The second step was to get the Arabs to realize that not all refugees would be allowed to return, and that a large share of the refugees had to be resettled outside Israel.<sup>166</sup> Thus, the Commission invited the Arab states to a conference in Beirut beginning on 21 March 1949 for further discussions on the refugee problem. In the meantime, in order to facilitate the talks in Beirut and to convince the Arabs to negotiate with Israel, the PCC pressed for a conciliatory policy statement from Israel concerning the refugee problem.

### **The Pursuit of an Israeli Conciliatory Statement**

At first, Israel appeared to be willing to consider the possibility of making a conciliatory statement concerning the refugee problem. During a meeting with Sharett on 24 February 1949, the Commission raised their idea and argued that it might permit progress in the peace talks, since the Arabs were primarily concerned about the intentions of the Jewish state. Sharett agreed to this, and promised to lend support to this argument during a meeting with Ben-Gurion the next day.<sup>167</sup> Ben-Gurion, however, was not impressed by the Commission’s proposal. As always, he seemed less sensitive than his Foreign Minister towards world opinion and the UN. Furthermore, his primary concern was security.<sup>168</sup> “Security meant survival for Israel”, he said, and this security would be greatly jeopardized by the return of a substantial number of Palestinian refugees.<sup>169</sup> He did not agree with the Commission’s notion that peace and cooperation with its

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<sup>165</sup> Ethridge to Acheson, 28. Feb. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>166</sup> Ethridge to Acheson, 28. Feb. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>167</sup> Burdett to Acheson, 26 Feb. 1949, RG 59, 501.BB Palestine, box 2124.

<sup>168</sup> Burdett to Acheson, 28 Feb. 1949, RG 59, 501.BB Palestine, box 2124; Ethridge to Acheson, 14 Mar. 1949, RG 59, 501.BB Palestine, box 2124.

<sup>169</sup> Burdett to Acheson, 28 Feb. 1949, RG 59, 501.BB Palestine, box 2124.

neighbours were essential elements in Israel's security.<sup>170</sup> Thus, Ben-Gurion remained inflexible regarding possibility of a statement. On 14 March, Ethridge wrote:

[The] Israel[i] Government [is] not making our job any easier. [The] Commission was promised [a] study of [the] refugee problem undertaken by Israeli experts and we were also assured that serious consideration would be given to a conciliatory statement re[garding] refugees as [a] basis for our Beirut meeting. Although that [was] promised 10 days ago, neither study nor statement has been forthcoming. Its delivery has been postponed by apologies, of course, and our last word was that it would be ready tomorrow. [...] Without such a commitment I am not certain whether we will get anything out of the Beirut conference.<sup>171</sup>

In the mind of Ben-Gurion, time was working in Israel's favour. As time passed, the prospect of the implementation of the borders of the Partition Plan, the establishment of a Palestinian state, an international regime for Jerusalem, or the return of the refugees would become more and more unlikely. Ben-Gurion did want peace, but it was certainly not his top priority. Moreover, he knew that a peace settlement would have to involve concessions by Israel, such as yielding territory and agreeing to the return of a substantial number of refugees, and he did not consider this a price worth paying.<sup>172</sup> The signing of the armistice agreements, moreover, fitted Ben-Gurion's thinking perfectly. Without having to make significant concessions to its territory, Israel's essential needs for external recognition, security and stability were met. Furthermore, the armistice agreement with Egypt signed on 24 February had further strengthened Israel's argument for bilateral negotiations. "Direct negotiations force crystallization of governmental views", Sharett explained. "When two parties negotiate [directly] concessions are made."<sup>173</sup>

The Israeli inflexibility annoyed the PCC. At one point they even considered calling the Beirut meetings off since they thought the Arabs would refuse to surrender their demands on the refugee question without some proof of Israeli goodwill. However, they decided that an effort should be made after all.<sup>174</sup> Ethridge called on the US State Department for help. Foreign Minister Sharett was heading for Washington DC, and Ethridge thought that this would be a good opportunity for Secretary of State Dean Acheson to lay pressure on the Israelis. The Israelis would consider Washington more friendly than the Commission, Ethridge argued, and now was

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<sup>170</sup> Burdett to Acheson, 28 Feb. 1949, RG 59, 501.BB Palestine, box 2124.

<sup>171</sup> Ethridge to Rusk, 14 Mar. 1949, RG 59, 501.BB Palestine, box 2124.

<sup>172</sup> Shlaim, *The Iron Wall*, 50-52.

<sup>173</sup> Burdett to Acheson, 26. Feb. 1949, RG 59, 501.BB Palestine, box 2124.

<sup>174</sup> Ethridge to Acheson, 14 Mar. 1949, RG 59, 501.BB Palestine, box 2124.

a good time to impress upon Israel the US' interest in a UN settlement.<sup>175</sup> Acheson agreed, and vividly stressed before Sharett the importance of an Israeli conciliatory gesture.<sup>176</sup> In a meeting with Sharett on 5 April 1949 Acheson stated that “[t]he President believes that now is the time for Israel to make a real contribution to a political settlement by showing that it is prepared to make a beginning on the refugee problem.”<sup>177</sup> Moreover, he suggested that while the Israelis would not necessarily have to abandon their insistence that the problem was a part of a general settlement, it could state that it was prepared to accept “a portion, say a fourth of the refugees eligible for repatriation.”<sup>178</sup> In plain numbers, since the State Department's estimates of the number of refugees counted around 800 000, Acheson was pushing for a re-admittance to Israel of at least 200 000 refugees.<sup>179</sup> Furthermore, Acheson declared that the President needed the Israelis to make a gesture if he was to be able to continue his “warm and strong support” of their state.<sup>180</sup> The warning was clear. Sharett, however, reflexively dodged the US pressure by questioning the President's estimate of the number of refugees, by restating that the Arabs bore the responsibility for the creation of the refugee problem, and by the argument that the return of the refugees would disturb the homogeneity of Israel.<sup>181</sup>

For the first time in the history of the PCC, the “big gun” of a warning from the US President had been pulled out. However, it was a gun loaded with blanks. On several occasions, the US government proved unwilling to place real pressure behind their verbal warnings to Israel. For instance, in light of Israel's application for admittance to the UN, US Ambassador to the UN Warren Austin at the beginning of March declared that the US were fully supportive of an Israeli membership. With regards to the pursuit of an Israeli gesture to the refugee problem, of course, the timing could not have been worse.<sup>182</sup> And, with no conciliatory gesture to show for, the PCC was forced to go to Beirut and meet the Arabs empty handed.

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<sup>175</sup> Ethridge to Acheson, 14 Mar. 1949, RG 59, 501.BB Palestine, box 2124.

<sup>176</sup> Memorandum by Acheson, 24 Mar. 1949, *FRUS, 1949*, 6: 863.

<sup>177</sup> Memorandum of conversation by Acheson, 5 Apr. 1949, *FRUS, 1949*, 6: 891.

<sup>178</sup> Memorandum of conversation by Acheson, 5 Apr. 1949, *FRUS, 1949*, 6: 891.

<sup>179</sup> The minimum number of refugees that Israel should be expected to take back varied somewhat among various US government officials. For instance, George McGhee of the State Department argued, and Ethridge agreed, that Israel should allow the return of minimum 250 000 refugees. This would leave some 400 000 Palestinians within Israel, which was lower than what would have been the case if the Partition Plan had been implemented. Ethridge to Acheson and McGhee, 16 May 1949, RG 59, 501.BB Palestine, box 2125.

<sup>180</sup> Memorandum of conversation by Acheson, 5 Apr. 1949, *FRUS, 1949*, 6: 891-892.

<sup>181</sup> Memorandum of conversation by Acheson, 5 Apr. 1949, *FRUS, 1949*, 6: 890-894.

<sup>182</sup> Candace Karp, *Missed Opportunities: US Diplomatic Failures and the Arab-Israeli Conflict, 1947-1967*. (Claremont: Regina Books, 2004), 70. For more on the discussion of failed US pressure, see especially chapter 4.

## The Beirut Meetings

The Beirut meetings opened on 21 March 1949, and were attended by delegations from Egypt, Lebanon, Syria, Transjordan, Saudi Arabia and Iraq. Almost all the delegations were headed by high ranking officials, predominantly Prime and Foreign Ministers. The PCC emphasized that there was to be no “conference”, but merely a continuation of the “exchange of views” that had taken place during the tour of capitals. The assembling in Beirut, moreover, was made primarily for practical considerations, since travelling back and forth between the Arab capitals would be impractical for the Commission. Thus, there was an obvious tendency to tone down the importance of the meetings. By lowering the threshold of the meetings, the Commission wanted to make it easier for the Arabs to attend, and not make it seem as though they would be pressured to make large concessions on the refugee question, which was the main issue on the agenda.<sup>183</sup>

The approach adopted by the PCC when assembling the Arab leaders in Beirut became a major source of criticism. Later, it was argued that when convening the Beirut meetings the PCC assisted in the creation of an Arab “bloc”, and thereby made it even more difficult to succeed.<sup>184</sup> This criticism is at best an exaggeration. First of all, with regards to the refugee question, an Arab bloc already existed. This bloc was founded around the Arab League, which was the highest forum for pan-Arab policy on Palestine. To be sure, the Arab League was a loose coalition, beset by profound internal political differences and dynastic rivalries. It was divided between a Hashemite bloc consisting of Transjordan and Iraq and an anti-Hashemite bloc led by Egypt and Saudi Arabia. Each of the Arab rulers was driven by their own ambitions. The most important source of this inter-Arab rivalry was King Abdullah’s ambitions of a Greater Syria. For Egypt, this was a threat to their leadership in the Arab world, whereas for Syria and Lebanon it was a direct threat to the sovereignty of their states. Under these circumstances, Arab rulers were highly suspicious of each other, and as concerned with curbing each others ambitions as they were in fighting the common enemy.<sup>185</sup>

None of the Arab leaders actually wanted Palestinians on their lands. First and foremost, the Palestinians were considered a burden and a threat. For one thing, none of the Arab

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<sup>183</sup> UN A/AC.25/SR/17, 28 Feb. 1949, *Summary Record of the Seventeenth Meeting*; UN A/AC.25/W/2, 12 Mar. 1949, *Observations Regarding the Meetings Between the United Nations Conciliation Commission for Palestine and the Arab Commission for Palestine and the Arab Governments, to be Held in Beirut on 21 March 1949*.

<sup>184</sup> See for instance: McDonald, *My Mission in Israel*, 178-179; Eytan, *The First Ten Years*, 49-51.

<sup>185</sup> Rogan & Shlaim (ed.), *The War for Palestine*, 82; Rabinovich, *The Road Not Taken*, 14-17.

governments could ever hope to absorb the refugees without large transfers of foreign aid. Moreover, the discontented Palestinians created an unstable element in the already wobbly Arab regimes. However, as long as Israel opposed the principle of return, the Palestinians did remain a useful moral and political weapon for the Arab leaders. By demanding repatriation of the refugees, the Arabs had essentially nothing to lose, since it pitted Israel against world opinion. Furthermore, in the event that repatriation should actually be implemented, the outcome would be an undermining of the Jewish state by the introduction of a large Palestinian minority.<sup>186</sup> As a result, the Palestinian refugees actually became a showcase of pan-Arab solidarity, and, in fact, inter-Arab rivalry had the effect of hardening the Arabs' position on the refugees. Arab leaders contested in outbidding each other in arguing that the Arabs had a duty to help their Palestinian brethren. Any Arab leader who refrained from this principle faced angry accusations of weakness and treachery from other Arabs.<sup>187</sup>

Thus, when convening the meetings in Beirut, the PCC merely adapted to the realities of inter-Arab politics. They realized that it would be dangerous for any of the Arab states to make concessions on the refugee question separately. The unity on the refugee issue had become very visible to the Commission during the tour of capitals, so that "to talk of the danger of strengthening it, still less forming it, was sheer nonsense."<sup>188</sup> To the PCC, it was difficult to see how they could have continued their conversations with the Arabs separately, because of their fear of each others anger and accusations. On the contrary, they hoped that if concessions could be decided upon by the Arabs collectively they might be more easily obtained. Nonetheless, the fact that an Arab bloc did exist, and furthermore, that the PCC, in fact, permitted it to exist, certainly created a major obstacle in the negotiations, since the Arabs, because of the inter-Arab rivalry, were more intransigent in each others company.

In any case, the approach of the PCC during the Beirut meetings was much the same as it had been during the previous meetings with the Arab leaders. With the exception of two joint meetings, one at the opening of the meetings and the other at the closing, the Arabs were approached separately by the Commission.

The Commission found the Arab positions on the refugee question unchanged. All the Arab leaders continued to insist on a complete acceptance of the refugees' right to return as a

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<sup>186</sup> Waage, *Norge – Israels beste venn*, 101-102; Ethridge to Acheson, 28 Mar 1949, *FRUS, 1949*, 6: 876-878.

<sup>187</sup> UN A/AC.25/W/2, 12 Mar. 1949.

<sup>188</sup> Azcárate, *Mission in Palestine*, 148.

condition for negotiations. The PCC accepted the juridical and moral validity of this argument, but realized that a complete implementation of this principle was unacceptable to Israel. For the first time since its establishment, therefore, the PCC found itself in the direct threat of a deadlock. The talks on the refugee question were leading nowhere, and since without progress on the refugee problem there could be no progress at all, it had become inescapably linked to the Commission's general task of mediation. The only solution, it seemed, was to widen the scope of the talks, and try to get the Arabs and Israelis together and discuss a general settlement. Doing so, the question of refugees became increasingly linked to the question of borders. To the PCC the two questions could not be viewed entirely separately because as long as the borders remained unsettled it would be difficult to determine which refugees should be allowed to return and where they would return to.<sup>189</sup>

Consequently, the PCC began planning another set of meetings. Much as they had done before the Beirut meetings, the PCC downplayed the scope of the extended talks that they proposed. As opposed to what was happening at the armistice negotiations on Rhodes, they "made it clear that there was no question of assembling the Arab delegations together around a table with a Jewish delegation and undertaking negotiations".<sup>190</sup> Nevertheless, the Arabs would have to accept that an Israeli delegation would be present in the same city, and that other issues besides refugees would be discussed.<sup>191</sup>

On 5 April, all the Arab states except Iraq formally agreed to continue the "exchange of views" on the whole range of outstanding questions with the Israelis present.<sup>192</sup> Thus, although the talks would only be indirect, it seemed they had refrained from their demand that Israel had to accept the refugees' right to return before they would accept negotiations. This was considered a substantial concession by the Commission.<sup>193</sup> With the Arab acceptance, they headed for Tel Aviv for a talk with Ben-Gurion. Reporting back to the State Department, Ethridge declared that "[i]f Israel would make concession now on refugees we would be on our way."<sup>194</sup> Hope had been restored in the minds of the Commissioners.

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<sup>189</sup> UN A/AC.25/SR/34, 13 Apr. 1949, *Summary Record of the Thirty-Fourth Meeting*.

<sup>190</sup> UN A/AC.25/SR/31, 28 Mar. 1949, *Summary Record of the Twenty-First Meeting*.

<sup>191</sup> UN A/AC.25/SR/31, 28 Mar. 1949.

<sup>192</sup> UN A/AC.25/SR/BM/12, 5 Apr. 1949, *Summary Record of a Meeting Between the Conciliation Commission and the Representatives of the Arab States*.

<sup>193</sup> UN A/AC.25/SR/38, 5 Apr. 1949, *Summary Record of the Thirty-Eighth Meeting*; Ethridge to Acheson, 9 Apr. 1949, *FRUS, 1949*, 6: 902-904; Ethridge to Truman, 11 Apr. 1949, *FRUS, 1949*, 6: 905-906.

<sup>194</sup> Ethridge to Acheson, 4 Apr. 1949, *FRUS, 1949*, 6: 895 (see footnote).

## Outlook to Lausanne: The Beginning of the End?

On 7 April 1949, during a two and a half hour long meeting, Ben-Gurion declared that he was willing to send Israeli representatives to meet the Arabs, no matter if the Arabs met jointly or separately, or if the talks would be direct or indirect. With regards to the refugee problem, however, it was clear that Israel still had not moved an inch. Ben-Gurion emphatically restated that the refugee problem was an Arab creation and denied that Israel had expelled any Palestinians from its territory.<sup>195</sup> Thus, the Commission was not able to conjure up the positive atmosphere it had hoped for when the Arabs had receded from their demands regarding the Palestinian refugees. Israel would not “take back one refugee more than she is forced to take”.<sup>196</sup> Furthermore, Ethridge found that:

Israel has stiffened rather than modified her position. The [a]rmistice talks emphasized Arab weakness because, as Bunche told me, Israel gave at no point and [the] Arabs gave at every point where concession was necessary. Israel intends to exploit that weakness to the maximum.<sup>197</sup>

Nevertheless, the scene was set for a “peace conference”. It was agreed to hold the talks in Lausanne, Switzerland, and the date for the opening of the talks was set to 26 April.<sup>198</sup> The Commission was overly optimistic. Ethridge thought that they were starting “to see the beginning of the end” of the PCC’s work.<sup>199</sup> Most of all, the work done at Rhodes had caused reason for hope. Israel had signed armistice agreements with Egypt, Lebanon and Jordan (previously Transjordan), all of which were intended “to facilitate the transition from the present truce to a permanent peace in Palestine”.<sup>200</sup> Thus, despite the gravity of the refugee problem, the general belief was, in fact, that a general peace settlement was within reach, and that “negotiation would go along quickly at Lausanne.”<sup>201</sup>

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<sup>195</sup> Ethridge to Acheson, 9 Apr. 1949, *FRUS, 1949*, 6: 902-904.

<sup>196</sup> Ethridge to Acheson, 13 Apr. 1949, *FRUS, 1949*, 6: 914.

<sup>197</sup> Ethridge to Acheson, 13 Apr. 1949, *FRUS, 1949*, 6: 916.

<sup>198</sup> UN A/AC.25/SR/40, 8 Apr. 1949, *Summary Record of the Fortieth Meeting*.

<sup>199</sup> Ethridge to Acheson and Truman, 19 Apr. 1949, RG 59, 501.BB Palestine, Box 2124.

<sup>200</sup> Quoted in Forsythe, *United Nations Peacemaking*, 43. See footnote 37 for a clarification on the terms Transjordan and Jordan.

<sup>201</sup> Ethridge to Acheson and Truman, 19 Apr. 1949, RG 59, 501.BB Palestine, Box 2124.

## Chapter 4

# From Optimism to Despair

*April-September 1949*

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By April 1949, a growing gloom was beginning to affect the members of the Palestine Conciliation Commission. In a meeting with Israeli Prime Minister David Ben-Gurion on 18 April, the inflexibility of Israel had once again been brought home to the Commission. Israel “cannot and will not accept [the] return [of the] Arab refugees to Israeli territory”, said Ben-Gurion, and added that resettlement in the Arab states was the “only logical answer.”<sup>202</sup> Israel was willing to assist the Arabs in resettling the refugees “by making available its knowledge and information”, and would pay compensation for the lost properties of Palestinian farmers.<sup>203</sup> In fact, Israel had taken a clear decision not to allow the refugees to return already in the summer of 1948. Over the next months the policy had only hardened. Israel’s firm stand was not openly declared, however, and the Israeli leaders used evasive formulations, stating that they were willing to discuss the problem within the framework of general peace negotiations. They did not want to give the impression that they were the ones blocking the hopes for peace or antagonizing the Arabs before negotiations had even started. The Arab leaders, in the Commission’s opinion, had made significant concessions by agreeing to extend the scope of the negotiations and attend the Lausanne conference. However, because of their internal weaknesses and instability, they had to appease the Arab public opinion, which was shocked and infuriated by the unexpected defeat in the war against Israel. Consequently, the Arab leaders found it very difficult to openly follow a prudent and practical foreign policy, and particularly to conclude a peace settlement without significant concessions from Israel.<sup>204</sup>

Mark Ethridge explained the frustrating situation to US President Harry S. Truman:

This is by far the toughest assignment you have ever given to me. The Arabs are shocked and stupefied by their defeat and have great bitterness toward the UN and the United States. The Jews are too close to the blood of their war and their narrow escape, as they regard it, from extinction [...]. They still feel too strongly that their security lies in military might instead of good relations with their neighbors.<sup>205</sup>

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<sup>202</sup> Ethridge to Acheson, 20 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>203</sup> Ethridge to Acheson, 20 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>204</sup> Shlaim, *Collusion Across the Jordan*, 465-466.

<sup>205</sup> Ethridge to Truman, 11 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.



Evidently, the meeting with Ben-Gurion had delivered the final thrust to Ethridge's patience. The next day he asked to be relieved of his position as the American representative on the PCC.<sup>206</sup> He was convinced to stay on a little longer, however, with affirmations from the President and the Secretary of State that the US would bring its full weight to bear on Israel.<sup>207</sup>

## A Two-Faced Conference

The Lausanne conference opened on 27 April 1949 and lasted until 15 September. In retrospect, the term "conference" offers little justice to the actual course of the events, since at no point during the talks did an Arab delegation meet officially with the Israelis.<sup>208</sup> Both sides arrived at Lausanne in uncompromising moods, and thus the talks immediately reached a deadlock.<sup>209</sup> The delegations' place of lodging was symptomatic to the spirit in Lausanne. In contrast to the armistice negotiations on Rhodes where the Arab and Israeli delegations had been housed together under one roof, in Lausanne, the Commission and the Israeli delegation stayed at the historical Hotel Beau-Rivage at one end of the town, while the Arabs accommodated themselves at the Lausanne Palace at the other end.<sup>210</sup>

The first weeks were spent by the Commission attempting to ascertain the attitudes of the Arabs and the Israelis, and trying to create some basis for the negotiations. The gap separating the two sides was apparent from the very beginning. Israel continued to insist that no single issue could be discussed outside the framework of a general settlement, and made no allusion to a conciliatory statement concerning the refugees that could calm Arab suspicions of Israel's intentions. On 3 May, Israel declared that she would be willing to accept a reunion-scheme for Palestinian families that had been separated by the fighting, and who currently found themselves

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<sup>206</sup> Ethridge to Truman and Acheson, 19 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>207</sup> Acheson to Ethridge, 20 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>208</sup> Nevertheless, the word "conference" will be used for the sake of convenience.

<sup>209</sup> Israel sent a delegation of eleven men, headed by Walter Eytan, the Director-General of the Foreign Ministry, who also had represented Israel on Rhodes. Eytan was replaced in July by Reuven Shiloah, who had been Ambassador to the US. The Arab delegations were also headed by high ranking officials. Lebanon's delegation was headed by its Foreign Ministry's Director-General, Fuad Bey Ammoun, while Jordan sent its Defence Minister, Fawzi al-Mulki. The Egyptian delegation was headed by another ex-Rhodes delegate, Abdel Monem Mustafa Bey, while Syria sent Achan Atasi, who was Minister to France. Iraq, Saudi Arabia and Yemen had declined the invitations to send representatives to Lausanne. However, the two latter stated that they were prepared to accept any agreements that the other Arab states made with Israel. Ethridge to Acheson, 28 Apr. 1949, RG 59, 501 BB.Palestine, box 2124; Forsythe, *United Nations Peacemaking*, 48 (see footnote).

<sup>210</sup> Shlaim, *Collusion Across the Jordan*, 469.

on each side of the border. The actual implementation of this limited repatriation, however, could not be initiated until Israel and the Arab states had signed a final settlement.<sup>211</sup> Thus, the Israeli proposal did not even come close to satisfying Arab demands. In fact, it was clear that the Israeli position had not changed. This contrasted to the position of the Arabs who were “increasingly indicating [a] disposition to come to grips with [the] situation.”<sup>212</sup> While they officially continued to insist on the primary importance of the refugee problem and refused to discuss other issues until the Israelis had displayed some significant sign of goodwill, they had, in fact, privately accepted that a substantial number of refugees would have to be resettled in their countries.<sup>213</sup> Clearly, the delicate nature of the Arab regimes and their fear of the reactions of the Arab public opinion were not appreciated by the Israelis.<sup>214</sup> The resulting stalemate, however, was working to their advantage, as the post-war *status quo* was becoming increasingly fixed.

### ***The Cloak of the Lausanne Conference***

The Arabs had stated from the beginning that they would refuse to meet the Israelis face to face, since negotiations with the Jewish state would signal an implicit recognition of it. Thus, the official talks at Lausanne were indirect, conducted separately between the PCC and Israel on the one hand, and the PCC and the Arab states on the other, with the PCC communicating positions and proposals between them. The unwillingness or inability of the Arabs to engage in official, direct negotiations was a major obstacle for progress at Lausanne. Furthermore, as a continuation of the line adopted at the Beirut meetings, the Arabs insisted that the official negotiations with the Commission were to be conducted with the Arab states acting as one bloc.<sup>215</sup> This approach further hindered progress, since the Arabs became more intransigent in each others company.

Secretly, however, members of Arab delegations were willing to talk directly to the Israelis.<sup>216</sup> In fact, it may be argued that the most important function of the Lausanne conference

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<sup>211</sup> UN A/AC.25/IS/15, 9 May 1949, *Letter dated 7 May from Dr. Walter Eytan, Head of the Israeli delegation, to the Chairman of the Conciliation Commission.*

<sup>212</sup> Ethridge to Acheson, 4 May 1949, *FRUS, 1949*, 6: 975.

<sup>213</sup> Ethridge to Acheson, 28 Apr. 1949, RG 59, 501 BB.Palestine, box 2124; Ethridge to Acheson and McGhee, 16 May 1949, RG 59, 501.BB Palestine, box 2125; Tiller, Stian Johansen, ”Motvillige forhandlingspartnere? Araberstatene og forhandlingene om det palestinske flyktningproblemet i 1949” [Relucant Negotiation Partners? The Arab States and the Negotiations on the Palestinian Refugee Problem in 1949]. *Babylon – Nordisk tidsskrift for Midtøstenstudier* vol. 7, no. 1 (spring 2009).

<sup>214</sup> Ethridge to Acheson, 4 May 1949, *FRUS, 1949*, 6: 975-977.

<sup>215</sup> UN A/AC.25/SR/50, 6 May 1949, *Summary Record of the Fiftieth Meeting.*

<sup>216</sup> For the sake of convenience, the secret talks shall be collectively discussed here.

was the cloak it provided, allowing for direct talks to take place. The Arabs took precautions, such as meeting the Israelis at night or outside Lausanne, in order to avoid being seen by other Arab delegates and because the talks effectively undermined their refusal of direct negotiations. On the Israeli side, Elias Sasson, head of the Foreign Ministry's Middle Eastern Department, was the man involved in most of the talks, although other officials were also involved, including Walter Eytan, head of the Israeli delegation at Lausanne. Sasson was the only Mizrahi Jew of senior rank in the Israeli Foreign Ministry, and his colleagues, in fact, viewed him with some reserve since culturally he fitted well with the Israeli stereotype of an Arab, and politically he was unusually moderate.<sup>217</sup> Eytan saw Sasson's role "as that of the ideal liaison officer between our delegation and the Arabs, making contacts, speaking soft words into Arab ears, formulating difficult matters in a way which may make it easier for the Arabs to swallow them".<sup>218</sup>

Considering their special relationship, it was not surprising that Jordan was the first of the Arab delegations at Lausanne to have direct contact with Israel. When Sasson contacted Fawzi al-Mulki, head of Jordan's delegation, at the beginning of May, the latter declared that he had no objections of a meeting as long as strict secrecy was kept. Their meeting on 3 May 1949 was the first of a series of direct contacts between Israel and Jordan during the conference. The Israelis were largely motivated by a belief that the Lausanne conference would fail, and were anxious to conclude a separate peace treaty with Jordan.<sup>219</sup> However, a separate peace with Israel would present great difficulties for Jordan, unless the Israelis were willing to make some concessions that would restore some of Jordan's prestige. King Abdullah's popularity had been seriously hampered by the signing of the armistice agreement, and thus he could hardly afford to make any more concessions.<sup>220</sup> With no signals of such concessions received by August, the Jordanians concluded that nothing was to be gained by the secret talks with Israel.<sup>221</sup>

Part of the reason for Israel's unwillingness to offer far-reaching concessions to Jordan was a conviction in the minds of some of the Israeli leaders that a peace settlement with Egypt ought to come first, first and foremost because Egypt was the most powerful and influential of the Arab states, and because the territorial claims of the two countries were not necessarily

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<sup>217</sup> A Mizrahi Jew is a Jew originating from the Middle East, North Africa, Central Asia or the Caucasus.

<sup>218</sup> Eytan quoted in Shlaim, *Collusion Across the Jordan*, 474.

<sup>219</sup> Shlaim, *Collusion Across the Jordan*, 477-483.

<sup>220</sup> Shlaim, *Collusion Across the Jordan*, 478-479; Ethridge to Acheson, 31 May 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>221</sup> Shlaim, *Collusion Across the Jordan*, 482.

irreconcilable. King Farouk of Egypt, for his part, wanted to find a way out of the Palestine dispute. Thus, he sent a message to Sasson describing Egypt's sincere desire for peace in order to pave the way for direct talks. Sasson responded positively and said that he was willing to meet the Egyptians whenever they desired. As Israel learned the full extent of Egypt's territorial ambitions in Palestine, however, the contact broke down and ended in total failure.<sup>222</sup>

As to the role of the PCC in these talks, the Israelis actually accused the Commission of representing an obstacle. At the beginning of June 1949, Israel's Ambassador to the US, Reuven Shiloah, said that as opposed to the situation at Rhodes "where it had been possible to take initiative in conversations with Arabs", the situation at Lausanne was the complete opposite

because whenever an Arab was seen talking with a member of [the] Israeli delegation [French delegate Claude de] Boisanger or even on occasion [...] some member of [the US Delegation] would warn [the] Arab against denouncing business in that manner.<sup>223</sup>

Ethridge immediately rejected the Israeli accusation as rubbish. Furthermore, he found that such accusations were evidence that the Israelis were trying to put an end to the Lausanne conference and blame the PCC.<sup>224</sup> However, although Shiloah was putting it bluntly, there seems to be some truth to his claim. Andrew Cordier, Assistant to the UN Secretary General, who visited Lausanne, found that an atmosphere of irritation existed between the Israelis and the PCC, first and foremost represented by Boisanger. Boisanger was very sensitive to the fact that it had taken the PCC a great deal of effort in persuading the Arabs to attend the conference.<sup>225</sup> Furthermore, rumours of the first private meetings had leaked to the Israeli press, apparently by Israeli officials, which threatened to damage Arab prestige and, by extension, the entire conference.<sup>226</sup>

Despite the negative outcome of the secret talks, they stand as clear evidence against the claim that progress at Lausanne alone was hampered by Arab intransigence and refusal to talk. On the contrary, Arab leaders were willing to meet face to face with the Israelis, and they were willing to make peace, but only on conditions that would allow them to have something to show for in the face of the Arab public opinion so that their regimes could be allowed to survive.<sup>227</sup>

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<sup>222</sup> Shlaim, *Collusion Across the Jordan*, 483-488.

<sup>223</sup> Ross to Acheson, 1 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>224</sup> Ethridge to Acheson, 8 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>225</sup> Memorandum of conversation by Jessup, 13 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>226</sup> Ethridge to Acheson, 8 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>227</sup> Shlaim, *The Politics of Partition*, 351-352.

### ***In Charge of Their Own Fate? Palestinian Representation at Lausanne***

Another interesting aspect of the unofficial activities at Lausanne is the case of Palestinian representatives who attended the conference and met with the Israelis. The various groups who claimed to represent the Palestinian refugees, however, was a reflection of the polarization, confusion and rivalries that beset the Palestinian community in the aftermath of the war. Before the Beirut meetings, the Arab Higher Committee had declared itself as the sole representative of the Palestinian people, and demanded that the PCC recognize this fact. However, because of the Arab Higher Committee's affiliation with the ex-Mufti of Jerusalem, Hajj Amin al-Husayni, who during World War II had collaborated with the Nazis, the whole affair caused uproar among the Israelis as well as the Arabs. In the end, therefore, the PCC did not recognize the organization. Nevertheless, members of the Arab Higher Committee did, uninvited, turn up in Lausanne.<sup>228</sup>

The other body which claimed to represent the Palestinians were at the other end of the political landscape, in opposition to al-Husayni and his followers – the Ramallah Refugee Office, headed by Muhammad Hawari. Speaking for the refugees of the West Bank, Hawari, in fact, engaged in discussions with the Israelis in an attempt to secure a counterweight to King Abdullah's regime. During the talks, an option of creating an independent or semi-independent Palestinian entity on the West Bank was explored. For many Palestinians living under Jordanian rule, closer collaboration with Israel had become an attractive option, both because of their dislike of King Abdullah's regime and because of their awareness of the military superiority of Israel. To some Israeli officials, most importantly Sasson, this was an attractive alternative to a separate peace deal with Jordan, because winning the hearts of the refugees would gain Israel in negotiations with the Arabs. As it turned out, however, none of the Israeli leaders desired a Palestinian state or semi-state, most importantly because this would bring further pressure upon Israel to recede to the borders stipulated in the Partition Plan.<sup>229</sup>

In addition, there was another group of wealthier property-owning Palestinian farmers who were present at Lausanne. Nonetheless, all the talks at Lausanne involving Palestinian representatives had very little political significance. For one thing, the Palestinians themselves were divided, and none of them truly represented the Palestinian people as a whole. Furthermore, Israel surely did not want to give political legitimacy to another source of opposition. Besides, in

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<sup>228</sup> Shlaim, *Collusion Across the Jordan*, 489; Shlaim, *The Politics of Partition*, 352.

<sup>229</sup> Shlaim, *Collusion Across the Jordan*, 489-500.

the mind of the PCC and all other parties involved, the Arab-Israeli conflict was a matter to be settled by states. As one Israeli official explained, the central problem of talking with the Palestinians was this: “In whose name are you speaking? If we reach an agreement with you, what value would it have? What would you do with it?”<sup>230</sup>

## **UN Admission: A Potential Source of Pressure**

The question of the admission of Israel to the UN directly affected the Lausanne conference during its first weeks. Israel had first applied for membership in December 1948, but the application had failed to win enough votes in the Security Council. At the beginning of 1949, however, the situation had changed. The war in Palestine had ended and many states had extended recognition to Israel, undoubtedly making it easier for them to accept Israeli membership. Moreover, the composition of the Security Council had changed, and more of its members appeared willing to recommend an Israeli application. On 4 March 1949, the Security Council approved the Israeli application, which was then transmitted to the General Assembly for a final debate.<sup>231</sup>

The Israeli application was scheduled to be voted upon in the General Assembly on 11 May. The questions of the internationalization of Jerusalem and the repatriation of the Palestinian refugees were bound to become issues in the UN debate. Israel, therefore, was confronted with a dilemma, since it had effectively rejected the UN resolutions on these questions. They knew that the Arabs would argue that acceptance and adherence to these principles should be preconditions for admittance to the UN, and for this reason they hoped to avoid them altogether in the General Assembly.<sup>232</sup> Under the pretext that a full-scale debate on the Palestine question in the General Assembly would disturb the progress of the quiet talks in Lausanne, the Israelis tried to convince the Commission to use their influence to avoid that these questions be discussed in relation to the Israeli admission “as they had nothing to do with it.”<sup>233</sup> Furthermore, they warned the Commission that they would not be able to commit themselves to

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<sup>230</sup> Moshe Sasson quoted in Shlaim, *Collusion Across the Jordan*, 495.

<sup>231</sup> Hilde Henriksen Waage, *Da staten Israel ble til: Et stridsspørsmål i norsk politikk, 1945-49* [When the State of Israel Was Born: A Matter of Political Conflict in Norwegian Politics 1949-56]. (Oslo: Gyldendal Norsk Forlag, 1989), 209, 226-227.

<sup>232</sup> Forsythe, *United Nations Peacemaking*, 49.

<sup>233</sup> Burdett to Acheson, 19 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

the talks with the Arabs at Lausanne if they should become preoccupied with defending themselves on the same issues in the General Assembly.<sup>234</sup>

The PCC refused to follow up on the Israeli request, and decided to hold itself entirely separate from the debate, since it considered the question of Israeli membership to be outside its competence. Hussein Cahit Yalchin, the Turkish representative, however, pointed out that if the Commission was asked by the General Assembly whether or not Israel had observed the decisions of the UN, it should simply state that it had not.<sup>235</sup> For the PCC, the question of Israeli membership to the UN became a question of leverage, a potential source of pressure that could be put on Israel to convince her of making concessions. “In view of Israel’s intransigence particularly on refugees and territorial questions and her unwillingness to heed advice from US which I believe would have kept her out of her jam in [the] G[eneral] A[ssembly],” Ethridge noted, “it would probably be salutary to have world public opinion brought to bear upon her through UN.”<sup>236</sup> The Commission remained convinced that unless the atmosphere was improved by some sort of concession or gesture from the Israelis, no progress would be possible. Israel had not demonstrated willingness to fulfil the obligations of the UN Charter, and therefore it did not fulfil the requirements of UN membership.<sup>237</sup>

Truman appeared to come around to Ethridge’s outlook. On 25 April, Chaim Weizmann, President of Israel, had pressed for greater US support of the Israeli membership.<sup>238</sup> This request made Truman lose his patience with Israel. He found that Weizmann’s attitudes on the refugees were “not satisfactory”, and stated that the US was not in a position to bring pressure on the other members of the UN.<sup>239</sup> On 29 April, Truman wrote Ethridge and expressed his frustration:

I am rather disgusted with the manner in which the Jews are approaching the refugee problem. I told the President of Israel in the presence of his Ambassador just exactly what I thought about it. It may have some effect, I hope so.<sup>240</sup>

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<sup>234</sup> Burdett to Acheson, 19 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>235</sup> UN A/AC.25/SR/45, 26 Apr. 1949, *Summary Record of the Forty-Fifth Meeting*.

<sup>236</sup> Burdett to Acheson, 19 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>237</sup> Halderman to Rusk, 29 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

<sup>238</sup> Memorandum of conversation by Acheson, 25 Apr. 1949, *FRUS, 1949*, 6: 943-944; Weizmann to Truman, 26 Apr. 1949; *FRUS, 1949*, 6: 947-948.

<sup>239</sup> Memorandum of conversation with Truman by Acheson, 28 Apr. 1949, *FRUS, 1949*, 6: 954.

<sup>240</sup> Truman to Ethridge, 29 Apr. 1949, RG 59, 501 BB.Palestine, box 2124.

In reality, however, the US was very reluctant to apply real pressure on Israel. Already on 3 March, the Ambassador to the UN, Warren Austin, had, while the US government was advocating a repatriation of the Palestinian refugees, informed the Security Council that the US “fully supports and will vote affirmatively on the application of the State of Israel for membership in the United Nations.”<sup>241</sup> The timing for this proof of warm support could not, of course, have been worse for the PCC, who effectively lost their most important bargaining tool in their desperate attempt to pressure the Israelis for a conciliatory gesture on the refugee question.

On 11 May, the US government once again failed to put real weight to bear upon Israel. Israel was admitted to the UN by a large majority. In the General Assembly debate Israel had argued that flexibility was needed for the Lausanne talks to succeed, thus indicating that the Arabs’ refusal to discuss other issues than the refugees was not conducive for the negotiations. Moreover, on 5 May, Israel’s representative to the UN, Abba Eban, had signalled a more moderate line on the part of Israel, by stating that Israel was “earnestly anxious to contribute to the solution” of the refugee problem.<sup>242</sup> The US took this to be a positive sign, and agreed to cosponsor the resolution to effect the Israeli admission to the UN. In reality, however, Eban’s statement proved to be nothing more than sweet-talk to ease Israeli admission. Israel still refused to talk about a precise number of refugees who would be allowed to return, and thus their position had not moved an inch.<sup>243</sup>

The US-cosponsored resolution was also supported by France, while Turkey had abstained from voting.<sup>244</sup> The Arabs reacted very negatively to the admission. They were especially disappointed by the role the US had played, and they felt that Ethridge “had misled them.”<sup>245</sup> The prestige of the PCC had suffered a blow due to the American ambivalence. On 18 May, Ethridge reported: “It must be admitted [...] that US sponsorship of [the] admission resolution in [the] absence of assurances at Lausanne [as] requested by us has weakened our position and muffled my voice.”<sup>246</sup>

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<sup>241</sup> Austin quoted in Karp, *Missed Opportunities*, 70.

<sup>242</sup> UN A/AC.25/IS/14, 9 May 1949, *Letter dated 4 May 1949 addressed to the Chairman of the Conciliation Commission by Dr. Walter Eytan, head of the Israeli delegation enclosing the text of a statement by Mr. Aubrey Eban*.

<sup>243</sup> Morris, *The Birth*, 559-560.

<sup>244</sup> “Editorial Note”, *FRUS*, 1949, 6: 995-996.

<sup>245</sup> Troutman to Acheson, 12 May 1949, *FRUS*, 1949, 6: 1003.

<sup>246</sup> Ethridge to Acheson, 18 May 1949, RG 59, 501 BB.Palestine, box 2125.



## The Lausanne Protocol: A Short-Lived Success

The question of Israeli membership to the UN worked, on one point, to the PCC's advantage, though the success was short-lived. On 12 May 1949, the day after Israel's admission to the UN, Israel and the Arab states signed two separate, but identical documents with the Commission. The idea for the documents had been raised by Boisanger, and they generally became known as the Lausanne Protocol.<sup>247</sup> By signing two separate documents, the Arabs, at least symbolically, remained loyal to their pledge not to negotiate directly with Israel. The Protocol was intended to serve as a basis for future talks. It effectively linked the refugee question with territorial matters by, on the one hand, expressing the desire to "achieve as quickly as possible the objectives of the General Assembly resolution of 11 December 1948", while, on the other hand, including a map of the Partition Plan borders as a working document to be taken as a basis for the discussions.<sup>248</sup>

The Arab signature was a clear manifestation that their earlier position not to discuss territorial questions prior to a solution of the refugee problem had changed. The borders that the Arabs had so vigorously opposed in November 1947, they now wanted to use as the starting point for the discussions with the Commission. The Arab states, for the first time, had accepted the principle of partition. In essence, they had realized that the presence of the Jewish state in Palestine was a fact that could not be reversed. The signature of the Lausanne Protocol thus implied an indirect recognition of Israel, even if this was exactly what they wanted to avoid by refusing to put their signature on the same document as Israel. The fact remained that by signing the Protocol, the Arabs had formally agreed to discuss political issues with the Jewish state.<sup>249</sup>

However, using the Partition Plan borders as a basis was an easier choice to make for the Arabs than it was for the Israelis, since it signalled a refusal of the present *status quo*. In fact, the Israeli signature of the Protocol was quite a strange affair. As already discussed, the Israeli government had abandoned their support of the Partition Plan in the aftermath of the first Arab-Israeli war, arguing that the situation had changed so drastically that the resolution was completely out of touch with reality. Israel, of course, was far more pleased with the armistice borders and had become vigorous supporters of the post-war *status quo*. In fact, Walter Eytan signed the Lausanne Protocol without any authorisation from his government. Because the Israeli

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<sup>247</sup> UN A/AC.25/SR/51, 9 May 1949, *Summary Record of the Fifty-First Meeting*.

<sup>248</sup> UN A/927, 21 June 1949, *Third Progress Report* (see Annex A, B and C).

<sup>249</sup> Shlaim, *Collusion Across the Jordan*, 469; Pappé, *The Making of the Arab-Israeli Conflict*, 208-209.

application for UN membership was being considered at that time, Eytan concluded that signing the Protocol would greatly improve Israel's chances of being accepted. The Israeli government, and especially Prime Minister Ben-Gurion, reacted with shock when they learned of Eytan's actions. They were, however, relieved when he explained to them that the signing of the Protocol involved no risks whatsoever. Eytan's decision to sign the Protocol had been based on a very careful and legalistic reading of its exact wording. First of all, the Protocol merely called for the Partition Plan borders to be used as *a* basis for the discussions, and not *the* basis. Secondly, the Protocol left room for certain territorial adjustments to be made to the Partition Plan borders, and the word "adjustments" was a very flexible term – it could even mean adjustments that would work in Israel's favour. Thus, while the Arabs could submit proposals based on the Partition Plan, Israel was still free to present any counter-proposals they saw fit.<sup>250</sup>

Indeed, the Israeli delegation had made clear their interpretation of the Protocol even before it was signed.<sup>251</sup> As they saw it, they were no more bound to the Partition Plan borders than they had been before signing the Protocol.<sup>252</sup> Thus, the Israeli signature was nothing more than ink on a piece of paper, and the Lausanne Protocol became nothing more than a semi-optimistic interlude. The Lausanne conference remained deadlocked.

## Half-Hearted US Pressure

Two sets of proposals made by the Arabs and the Israelis, respectively, within a ten-day period of the signing of the Protocol, proved that its effect in terms of bridging the gap between Israel and the Arab states had been extremely limited. On 18 May 1949, the Arab states submitted a memorandum to the PCC urging the immediate return of the refugees coming from the territories under Israeli authority which, according to the Protocol (i.e. the Partition Plan borders), formed the Arab zone.<sup>253</sup> In other words, although the proposal in a sense took into consideration the territorial framework of the Protocol, the Arabs continued to insist on the solving the refugee problem first. Two days later, on 20 May, the Israeli delegation made a proposal that was solely

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<sup>250</sup> Eytan, *The First Ten Years*, 58; Shlaim, *Collusion Across the Jordan*, 469-470.

<sup>251</sup> Ethridge to Acheson, 12 May 1949, *FRUS*, 1949, 6: 998-999.

<sup>252</sup> Eytan, *The First Ten Years*, 58-59.

<sup>253</sup> Caplan, "A Tale of Two Cities", 19; UN A/AC.25/W/13, 23 May 1949, *Note on the Memorandum of 18 May 1949 concerning refugees submitted to the Conciliation Commission by the Arab Delegations*; UN A/927, 21 June 1949.

devoted to border issues. They proposed that the Lebanese and Egyptian borders should follow the borders of the old British mandate, thus indicating that they had no intentions of giving up any of the occupied territories.<sup>254</sup> When asked about the refugees, Eytan merely said that the Arabs had no interest in them except for the purpose of exploiting their own interests by forcing Israel into a bad negotiating position. “Therefore”, he said, “Israel would do nothing more about [the] refugees now.”<sup>255</sup>

Concern for the future of the negotiations and the Commission’s influence was growing within the PCC. In the Commissioners’ view, the Arabs had on the whole made significant concessions, but were still “maintaining an unrealistic stand” in their insistence on a solution to the refugee problem.<sup>256</sup> The Israelis, for their part, were “proceeding from an illogical basis to an illogical position” by claiming that peace was indivisible while at the same time proposing to settle the boundaries without making concrete proposals on the refugee problem.<sup>257</sup>

Consequently, Ethridge reported to Washington that the conference “was in a virtual stalemate”.<sup>258</sup> President Truman decided to intervene. On 28 May, he sent a note to Ben-Gurion firmly criticizing Israel’s position concerning a territorial settlement and the refugee problem. Truman stated frankly that the manner in which Israel was continuing to reject the principle of repatriation and refusing to make territorial compensation for the territories occupied beyond the borders of the UN Partition Plan was unacceptable. The note, in fact, resembled an ultimatum:

If the [Government] of Israel continues to reject the basic principles set forth by the res[olution] of the G[eneral] A[ssembly] of Dec 11, 1948 and the friendly advice offered by the US [Government] for the sole purpose of facilitating a genuine peace in Palestine, the US [Government] will regretfully be forced to the conclusion that a revision of its attitude toward Israel has become unavoidable.<sup>259</sup>

The presidential note caused the most severe strain in US-Israeli relations since the founding of the Jewish state. James McDonald, the first American Ambassador to Israel, who personally delivered the note to Ben-Gurion, observed the Prime Minister’s reactions. Foreign Minister Moshe Sharett slowly read the note to the Ben-Gurion, who, at the end, commented that it “will

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<sup>254</sup> Caplan, “A Tale of Two Cities”, 19; UN A/927, 21 Jun. 1949.

<sup>255</sup> Ethridge to Acheson, 20 May 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>256</sup> UN A/AC.25/SR/62, 24 May 1949, *Summary Record of the Sixty-Second Meeting*.

<sup>257</sup> UN A/AC.25/SR/62, 24 May 1949.

<sup>258</sup> Ethridge to Acheson, 20 May 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>259</sup> Webb to the US Embassy, Tel Aviv, 28 May 1949, RG 59, 501 BB.Palestine, box 2125.

have to be answered. It is very serious and very stiff.”<sup>260</sup> Ben-Gurion, however, thought that the note was unjust and unrealistic, since it ignored the fact that the Partition Plan had never been fully implemented and that the situation had changed dramatically since then. The US, he continued, “is powerful and we are weak; we could be destroyed; but we do not intend to commit suicide by accepting [the] November 29 settlement [i.e. the Partition Plan] in today’s fundamentally changed conditions.”<sup>261</sup>

The official Israeli reply came on 8 June. Despite the significance and seriousness the Israeli leaders attached to Truman’s note, they responded in such a way as to show that they would not buckle. Foreign Minister Sharett, who had authored the reply, argued that Truman’s arguments were based on a misunderstanding of Israel’s position. Furthermore, he stated that the stalemate at Lausanne was “due entirely to the attitude adopted in concert by the Arab states concerned”, who refused to meet them directly.<sup>262</sup> The basic positions, therefore, seemed to be unchanged, and to the State Department officials there seemed to be no reason to abandon the firm line that had been adopted by the President. Thus, they immediately started thinking about what his next move towards Israel should be.<sup>263</sup> Truman, however, was apparently of a different opinion and effectively made a u-turn on the matter. In a meeting with Acting Secretary of State James E. Webb on 9 June, Truman “expressed satisfaction that the Israelis appeared to be reacting well to the essential objectives which he and the Department are trying to achieve.”<sup>264</sup> The formal reply sent to the Israelis on 24 June completely abandoned the stern form of the previous note. Although it was in no way apologetic and clearly stated that the US Government found it “regrettable” that Israel had not responded more affirmatively to Truman’s note of 28 May, “the fists and knuckles”, as McDonald said, “were unclenched.”<sup>265</sup>

## **Concealed Expansionism: The Gaza Proposal**

In the meantime, the Israelis had embarked on their most imaginative attempt to break the deadlock at Lausanne, even if the attempt was self-serving and half-hearted. They had launched

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<sup>260</sup> Ben-Gurion, quoted in McDonald, *My Mission in Israel*, 182.

<sup>261</sup> McDonald to Acheson, 29 May 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>262</sup> McDonald to Acheson, 8 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>263</sup> Satterthwaite and Rusk to Webb, 9 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>264</sup> Memorandum of conversation by Webb, 10 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>265</sup> McDonald, *My Mission in Israel*, 184; Acheson to the US Embassy, Tel Aviv, 24 June 1949, RG 59, 501 BB.Palestine, box 2125.

the Gaza proposal. The Gaza Strip had been occupied by Egypt during the war and had remained under Egyptian authority following the armistice agreement. During the spring of 1949, Ben-Gurion offered to incorporate the Gaza Strip into Israeli territory and in return allow the Palestinians inhabiting the area, both refugees and residents, to become Israeli citizens.<sup>266</sup> At the time the offer was made, the Israeli government estimated that the total population of the Gaza strip was about 180 000.<sup>267</sup> By allowing the refugees inhabiting the Gaza Strip to return to their homes, Israel thought it would have done more than its share in contributing to the solution to the refugee problem. The proposal, Eytan said, was “an earnest of the great lengths to which the Government of Israel is prepared to go in helping to solve the problem”, and added that under no other scheme would it be prepared to accept such a high number of refugees.<sup>268</sup>

It is unclear who actually raised the idea of the Gaza proposal. In fact, none of the parties involved wanted to be identified as its author. The question of authorship, especially when implementation of the proposal started to seem increasingly unlikely, became a political gamble. Israel insisted that it was Abdel Monem Mustafa Bey, head of the Egyptian delegation, who had suggested it to them during the armistice negotiations at Rhodes during January and February. Subsequently, the Egyptians had hinted at the idea to Ethridge, who had liked it and suggested it once more to the Israelis.<sup>269</sup> Judging from the archival material, however, the Israeli version is unlikely. Ethridge, for his part, repeatedly rejected it. He made it clear that it was Ben-Gurion who had first raised the idea of the Gaza proposal to him, and that Eytan had made a formal proposal to the Commission on 20 May.<sup>270</sup> As to the Egyptians, they likewise refused that they had ever proposed the idea to the Israelis.<sup>271</sup> In fact, the Egyptian delegation at Lausanne had a very reserved attitude towards the Gaza proposal. For them, the idea of trading refugees for territory was totally unacceptable, and they described the proposal as a “cheap barter”.<sup>272</sup> Giving up the Gaza strip would mean giving up the only military triumph the Egyptians had to show for in the aftermath of the first Arab-Israeli war. Even if the area was a burden for them, they would

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<sup>266</sup> UN A/927, 21 Jun. 1949.

<sup>267</sup> Shlaim, *Collusion Across the Jordan*, 470.

<sup>268</sup> UN A/AC.25/IS/19, 30 May 1949, *Letter dated 29 May 1949 addressed by Mr. Walter Eytan, Head of the Delegation of Israel, to the Chairman of the Conciliation Commission*.

<sup>269</sup> Ross to Acheson, 10 June 1949, RG 59, 501 BB.Palestine, box 2125; Ross to Acheson, 1 June 1949, RG 59, 501 BB.Palestine, box 2125; McDonald to Acheson, 31 May 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>270</sup> Ethridge to Acheson, 3 June 1949, RG 59, 501 BB.Palestine, box 2125; Morris, *The Birth*, 565-566.

<sup>271</sup> Morris, *The Birth*, 566.

<sup>272</sup> Webb to the US Embassy, Cairo, 11 June 1949, *FRUS, 1949*, 6: 1118; Ethridge to Acheson, 3 June 1949, RG 59, 501 BB.Palestine, box 2125; Ethridge to Acheson, 8 June 1949, RG 59, 501 BB.Palestine, box 2125.

not easily concede it to Israel, and certainly not unless the Israelis were prepared to offer substantial concessions.<sup>273</sup>

Presumably, the reason for the Israeli claim that the Gaza proposal had been raised first by the Egyptians and then by Ethridge, was that they wanted to tone down their territorial ambitions in front of the Arab states and the world community in general. By claiming that the proposal had not been made by them, they could make it seem as though they were accepting the refugees living there more out of a genuine desire to contribute to solving the refugee problem – thus turning the table on the Arabs and their constant insistence on a solution to the problem. Furthermore, they did not want to seem over-eager, both for internal and diplomatic reasons, to seize the Gaza Strip or accept its Palestinian population.<sup>274</sup> In reality, however, the Gaza proposal was a reflection of Ben-Gurion's expansionistic thinking, even if the price of this particular expansion would have to be absorption of the Palestinians living there. As Abba Eban explained, Israel's interest in the Gaza strip was primarily strategic: "Gaza was only a short distance from Tel Aviv itself and as long as it remained in the hands of a country with the military potential of Egypt it could not but constitute a perpetual threat to Israel."<sup>275</sup>

The Israelis genuinely thought that the Egyptians would not decline the offer. The Gaza Strip was clearly a gigantic burden to them; an area populated chiefly by refugees who they would not absorb and that was separated from the heart of Egypt by a vast desert on the Sinai Peninsula. Israeli control of the Gaza Strip, moreover, would not be a similar threat to Egypt, since it was remotely located from its central territory.<sup>276</sup> Talking privately with the Egyptians in Paris, Sasson did not think they would consider the Gaza Strip was worth holding on to.<sup>277</sup>

Ethridge was quite positive to the idea, even though the Commission at first remained somewhat sceptical of forwarding the proposal to the Egyptians, for fear that they would only reject it categorically.<sup>278</sup> The US State Department threw its weight behind the Gaza proposal at the beginning of June. Having witnessed the deadlocked Lausanne conference for more than a month, they began to think that the proposal might be the key that could unlock the stalled talks. Their support was, however, based on a revision of the proposal. They regarded the refugee

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<sup>273</sup> Caplan, "A Tale of Two Cities", 21.

<sup>274</sup> Morris, *The Birth*, 566.

<sup>275</sup> Memorandum of conversation by Hare, 7 July 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>276</sup> Eban to McGhee, 8 July 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>277</sup> Morris, *The Birth*, 562.

<sup>278</sup> UN A/AC.25/SR/65, 30 May 1949, *Summary Record of the Sixty-Fifth Meeting*; Caplan, "A Tale of Two Cities", 21.

problem as the “over-riding factor in determining eventual disposition [of] the Gaza strip”, and thus they would require “clear and unequivocal assurances” regarding the rights and protection of the Gaza population.<sup>279</sup> Moreover, the incorporation of Gaza by Israel could only be made if the Egyptians gave their consent, and provided Israel would agree to give territorial compensation to Egypt, presumably in the Negev Desert.<sup>280</sup> The latter provision was fully in line with what had been the US policy since November 1948, and probably owed much to the fact that Egypt remained disinterested in the proposal. The inclusion of the principle of territorial compensation, it was hoped, would offset the idea that refugees would be traded for territory, which was the most important Egyptian argument against the proposal.<sup>281</sup>

But Egypt remained negative to the proposal. By the end of June, Secretary of State Dean Acheson was starting to lose patience with the inflexibility of the Egyptians. “Up to present,” Acheson stated, “and despite [the] urgency of [the] refugees’ plight, no concrete or constructive proposals for [a] solution [to the] refugee problem have been forthcoming from any of [the] Arab states.”<sup>282</sup> He directed the American Ambassador in Cairo, Jefferson Patterson, to impress upon the Egyptian government the interest the US attached to the Gaza proposal, and to express the view that it should “be given [the] most serious and constructive consideration by [the] Egyptian [government].”<sup>283</sup> Acheson’s frustration with the Egyptians, however, only increased when they revealed their particular demands for territorial compensation in the Negev. In return for Gaza, Egypt would demand the area of the Negev that fell below the Gaza-Beersheba-Jericho line (i.e. the entire Negev). Although the US supported frontier rectification in the Negev, Acheson noted, the Egyptian proposal was “not politically feasible” and was based on an “unrealistic attitude”.<sup>284</sup>

Egypt finally delivered its formal rejection of the Gaza proposal on 29 July.<sup>285</sup> Even after the frantic campaign by Acheson to persuade the Egyptians, they had not moved an inch. The whole affair, in fact, caused a strain in US-Arab relations, the latter arguing that an insistence on the implementation of UN resolutions should not be dismissed by the US merely as being “unrealistic”.<sup>286</sup> In the meantime, the Israelis had not made any further contributions on the

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<sup>279</sup> Webb to the US Delegation, Lausanne, 4 June 1949, RG 59, 501 BB.Palestine, box 2125

<sup>280</sup> Webb to the US Delegation, Lausanne, 4 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>281</sup> Morris, *The Birth*, 567.

<sup>282</sup> Acheson to the US Embassy, Cairo, 25 June 1949, *FRUS, 1949*, 6: 1181.

<sup>283</sup> Acheson to the US Embassy, Cairo, 25 June 1949, *FRUS, 1949*, 6: 1182.

<sup>284</sup> Acheson to the US Embassy, London, 25 June 1949, *FRUS, 1949*, 6:1179-1180.

<sup>285</sup> Karp, *Missed Opportunities*, 84.

<sup>286</sup> Karp, *Missed Opportunities*, 82-84; see also footnote 1, *FRUS, 1949*, 6: 1243.

matter. They refused flatly the American notion of territorial compensation. President Weizmann explained in a letter to Truman on 24 June that while the prescribed Arab state in Palestine had failed to materialize, “there is no reason whatever why the neighbouring Arab States who invaded Palestine in flagrant defiance of the obligation under the [UN] Charter, should be appeased by territorial ‘compensation’ at our expense.”<sup>287</sup>

In fact, by July the Israelis were having second thoughts about the Gaza proposal. The main reason was that the whole idea of the incorporation of the Gaza Strip had been based on a misjudgement of the number of Palestinians inhabiting the area. Estimating that the total population, both refugees and residents, was around 180 000, the Israeli leaders were shocked to learn that the actual number was 310 000, of whom 230 000 were refugees.<sup>288</sup> In early August, the Israeli government decided on 200 000 as an absolute ceiling for a return of refugees.<sup>289</sup> Added to the Egyptian rejection, this delivered the final thrust to the Gaza proposal.

### **Recess: Ethridge out, Porter in**

With no progress in sight, the PCC decided to have a recess from 1 to 18 July. The Commission thought that such a recess could serve a useful purpose by giving the delegations an opportunity to consult their governments, so that they could return with more positive approaches when the conference reconvened.<sup>290</sup> The US government took advantage of this recess by ordering the embassies and legations in Israel and the Arab states to make representations to the respective governments and press for more constructive approaches to the talks at Lausanne. The messages sent seemed to be directed to the Arabs especially, stating that the

progress of [the] PCC has been impeded by [the] fact that certain delegations to [the] Commission were authorized by their [governments] to discuss or negotiate only with respect to limited aspects of [the Palestine] settlement, or to insist upon [the] establishment of priorities in approaching the several questions.<sup>291</sup>

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<sup>287</sup> Weizmann to Truman, 24 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>288</sup> Shlaim, *Collusion Across the Jordan*, 470.

<sup>289</sup> Morris, *The Birth*, 569.

<sup>290</sup> Webb to Hare, 18 June 1949, RG 59, 501 BB.Palestine, box 2125; Webb to Hare, 21 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>291</sup> Acheson to the American Diplomatic Officers at Cairo, Tel Aviv, Beirut, Damascus and Amman, 16 July 1949, RG 59, 501 BB.Palestine, box 2125.



Furthermore, Ethridge formally resigned as the US representative on 25 June.<sup>292</sup> Once again, the US government found itself in a position of quickly having to appoint a new representative – for the third time since the establishment of the Commission about seven months earlier. In fact, the appointment of the new US representative constituted “one of the most bizarre episodes” in the life of the PCC.<sup>293</sup> On 16 July, only two days before the Lausanne conference was scheduled to reconvene, Truman appointed the Washington lawyer Paul A. Porter.<sup>294</sup> Porter had no previous experience on the Palestine question, and was reluctant to take the job. He had previously declined the request from the President, arguing that he could not permit himself to leave his law practice since his partners were away. Only two days before the re-opening of the Lausanne conference, however, Truman made arrangements with Porter’s colleagues for him to leave. Thus, Porter finally accepted, but only after Ethridge had assured him that real progress had been made, that some change in the positions of the delegates would result from the recess, and that a peace settlement was within reach.<sup>295</sup> Principal Secretary Pablo de Azcárate was surprised by Porter’s lack of realism when arriving at Lausanne. Apparently he believed that “everything was now ripe for the peace treaties between the Arab states and the State of Israel to be signed within a matter of weeks”.<sup>296</sup>

Once the talks were resumed, Porter discovered the deadlocked nature of the talks. His outlook quickly shifted to disillusion and pessimism, and his limited interest in the Palestine question faded rapidly when he was faced with the complex difficulties confronting the PCC. In fact, Porter resigned only two months later.<sup>297</sup> Furthermore, Porter was “by nature brusque, impatient and ‘folksy’”, and contrasted with the diplomatic style of Boisanger and with the dignified posture of the Arabs.<sup>298</sup> That is not to say, however, that he was unskilled as a Commissioner, “for he brought an independence of action and a zestful drive to the Commission that it had not known before.”<sup>299</sup>

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<sup>292</sup> Truman to Ethridge, 24 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>293</sup> Forsythe, *United Nations Peacemaking*, 55.

<sup>294</sup> Acheson to the US Delegation, Lausanne, 16 July 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>295</sup> Forsythe, *United Nations Peacemaking*, 55.

<sup>296</sup> Azcárate, *Mission in Palestine*, 137.

<sup>297</sup> Forsythe, *United Nations Peacemaking*, 56; Azcárate, *Mission in Palestine*, 137.

<sup>298</sup> Forsythe, *United Nations Peacemaking*, 55.

<sup>299</sup> Forsythe, *United Nations Peacemaking*, 56.

## Reluctant Negotiation Partners?

With Egypt's rejection of the Gaza-proposal, the Israelis questioned the Arab desire for peace. Abba Eban claimed that their initiative at Lausanne was unilateral "and although [the Israelis] were ready to make peace [...], there was no reciprocity [from the Arabs]."<sup>300</sup> However, the official Arab demand for a solution to the Palestinian refugee problem as a condition for a general settlement contrasted with proposals made privately by various Arab states. By mid-July, Israel had received indications from all four of its Arab neighbours that they would accept that the majority of Palestinian refugees were resettled within their borders. Furthermore, two of them – Jordan and Syria – presented concrete offers to this effect directly to Israel. As always, however, the Arabs needed the Israelis to pay a price, presumably by repatriating a significant number of refugees or making border adjustments.<sup>301</sup>

King Abdullah of Jordan had, from the very beginning, indicated to the PCC his willingness to resettle Palestinian refugees in his country. During the Commission's tour of capitals in February 1949, his Prime Minister had hinted at the possibility of resettling all the refugees who did not wish to return, provided Jordan could obtain some sort of financial aid.<sup>302</sup> During the spring of the same year King Abdullah directed the offer directly to the Israelis, saying that he was willing to accept most of the refugees who had fled to what was supposed to become the Arab state in Palestine (i.e. the West Bank) provided Israel would support that the area was incorporated into his kingdom.<sup>303</sup> Clearly, the primary interest of the ruler of Jordan was not the welfare of the Palestinian refugees, but to expand his kingdom. At any rate, the PCC did not find it prudent to follow up on his offer. As already discussed, they did not, at that time, want to abandon their mission of mediating a general settlement involving all the Arab states, and a separate deal between Israel and Jordan would only serve to increase the intransigence of the other Arabs. Moreover, both the PCC and the US government regarded Abdullah's proposal as unrealistic. According to State Department estimates, Jordanian occupied territory in Palestine could not absorb more than 150 000-200 000 refugees, in addition to its current population.<sup>304</sup>

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<sup>300</sup> Memorandum of conversation by Webb, 17 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>301</sup> Shiffer, "The 1949 Israeli Offer to Repatriate 100,000 Palestinian Refugees", 16; Tiller, "Motvillage forhandlingspartnere?".

<sup>302</sup> UN A/AC.25/W.1, 1 Mar. 1949.

<sup>303</sup> Shiffer, "The 1949 Israeli Offer to Repatriate 100,000 Palestinian Refugees", 16.

<sup>304</sup> Acheson to Stabler, 16 May 1949, RG 59, 501 BB.Palestine, box 2125.

The second initiative was taken by Colonel Husni Zaim, the Syrian Prime Minister who had won the power in the country in a coup in March 1949. Unlike the other Arab leaders he officially declared his desire to sign a peace treaty with the Israelis, and offered to meet Ben-Gurion directly.<sup>305</sup> Approaching the US State Department in early May 1949, Zaim expressed his desire for a rapid solution to the Palestine question and his willingness to resettle “[a] quarter [of a] million or more Arab refugees” within Syria’s borders, provided the refugees were given compensation and Syria was given the necessary financial aid.<sup>306</sup> The new ruler in Syria desired peace with Israel so that he could concentrate his efforts on reforming the country and thereby strengthening the power base of his regime. To this effect, in order to reform Syria’s economy and modernizing its underlying functions, he would warmly welcome external financial assistance, even at the price of resettling refugees.<sup>307</sup> He pointed out, however, “that unless Israel also manifests [a] spirit of compromise [the] stalemate will continue since [the] Arab states cannot be expected to make all the concessions.”<sup>308</sup>

Zaim approached the Israelis in the armistice negotiations conducted during the spring and summer of 1949, and asked to meet Ben-Gurion directly. Within the framework of the Lausanne conference, he proposed, Syria would accept 300 000 refugees coupled with an armistice agreement which would be based on the present military situation. In the aftermath of the first Arab-Israeli war, the Syrian military position on the border with Israel was comparatively strong, and Ben-Gurion demanded that the Syrians retreated to the old borders of mandatory Palestine. Zaim’s compromise was to include a clause that the final peace agreement would be based on the international border. Ben-Gurion, however, refused to meet Zaim and refused to make any concessions on territory. As he saw it, any armistice agreement with Syria would have to be solely based on the international border.<sup>309</sup>

For Egypt and Lebanon, resettling a significant number of refugees on their own territories was never really an alternative. Both countries were densely populated, and, consequently, their abilities to absorb refugees were smaller. Still, it was significant that both countries gave signals to the effect that they would not object to the resettlement of refugees in

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<sup>305</sup> Shlaim, *The Iron Wall*, 45.

<sup>306</sup> Keeley to Acheson, 2 May 1949, *FRUS, 1949*, 6: 965.

<sup>307</sup> Karp, *Missed Opportunities*, 78-79.

<sup>308</sup> Keeley to Acheson, 2 May 1949, *FRUS, 1949*, 6: 966.

<sup>309</sup> Shlaim, *The Iron Wall*, 45-46; Petter Stenberg, *Creating a State of Belligerency: A Study of the Armistice Negotiations Between Israel and Syria in 1949*. (Unpublished MA Thesis: University of Oslo, 2009), 56, 66-67, 69.

the other Arab states. Egypt channelled these signals through the PCC.<sup>310</sup> Lebanon, on the other hand, gave their indication directly to the Israelis. During a series of secret meetings with Elias Sasson in Paris and Lausanne, the Lebanese delegation stated that “[a] large part of the refugees will have to and can be absorbed in the Arab states, which will use them to develop their countries with the assistance of international capital.”<sup>311</sup>

## **Relieving the Pressure: Israel’s 100 000 offer**

The main problem of the Lausanne conference thus remained: As long as the Israelis refused to make a significant, numerically specific concession on the refugee problem, the Arabs could not or would not make peace. This was appreciated by the US State Department and the PCC, and was the motive for their attempts to try to obtain the conciliatory “gesture” from Israel. According to Israeli diplomats in the US, Israel’s refusal to allow the refugees to return was, by the summer of 1949, beginning to affect the American opinion, which until then had been solidly pro-Israel. The Israeli Consul General in New York, Arthur Lourie, described the situation as follows: “Now we have a situation in which the Jews have done to others what Hitler, in a sense, did to them!”<sup>312</sup>

Consequently, Israel was looking for ways to ease the American pressure. Returning to Lausanne, the Israeli delegation informed the PCC that it was finally prepared to consider the refugee question separately and that they would be prepared to make some sort of concession.<sup>313</sup> On 28 July 1949, the Israeli Ambassador to the US, Eliahu Elath, declared that the government “had decided to permit the return of 100,000 Arab refugees”.<sup>314</sup> It was evident that the Israelis were trying to repair the strain in the US-Israeli relationship, and that the proposal came as a direct response to the pressure from the US government. The proposal, Elath explained, had been made “[t]o demonstrate Israel’s cooperation with the US [...] in spite of the fact that Israeli security and economic experts had considered the proposed decision as disastrous.”<sup>315</sup>

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<sup>310</sup> Ethridge to Acheson and McGhee, 16 May 1949, RG 59, 501 BB. Palestine, box 2125.

<sup>311</sup> Sasson quoted in Shiffer, “The 1949 Israeli Offer to Repatriate 100,000 Palestinian Refugees”, 16.

<sup>312</sup> Lourie quoted in Morris, *The Birth*, 571.

<sup>313</sup> Porter to Acheson, 29 July 1949, RG 59, 501 BB. Palestine, box 2126.

<sup>314</sup> Memorandum of conversation by Rusk, 28 July 1949, RG 59, 501 BB. Palestine, box 2126.

<sup>315</sup> Memorandum of conversation by Rusk, 28 July 1949, RG 59, 501 BB. Palestine, box 2126.

The 100 000 figure represented an absolute maximum for the Israelis. In fact, they made it no secret that the actual figure would whittle down to about 65 000-70 000, since it would include 25 000 refugees that had already returned illegally and another 10 000 that would return within the proposed family reunion scheme.<sup>316</sup> Furthermore, when Reuven Shiloah, the new head of the Israeli delegation to Lausanne, formally conveyed the proposal to the Commission on 3 August, he made it clear that the “figure [was] based on Israel’s retaining [of] all present territory”, and that the Israeli government reserved the right of deciding the specific locations and economic activities to which the refugees would be allowed to return.<sup>317</sup> Thus, the Israelis were trying to make a trade-off to the US and its policy of territorial compensation, by making the return of refugees conditional on keeping their occupied territories.<sup>318</sup>

Secretary of State Acheson was far from impressed by the Israeli proposal. He had maintained, in line with the recommendation his Special Assistant George McGhee, that Israel should be expected to accept around 250 000 refugees, leaving a total of some 400 000 Palestinians within its borders. To this, Porter fully agreed, as had his predecessor Mark Ethridge.<sup>319</sup> Furthermore, the proposal to incorporate the Gaza Strip along with its refugee population of around 230 000 seemed to point out that Israel was capable of absorbing far more refugees than 100 000. As a result, Acheson concluded:

[The] Israeli offer does not provide [a] suitable basis for contributing to [the] solution of [the] Arab refugee question in view of [the] limited extent to which [the] Arab states are now able to absorb refugees on econ[omic] and financial grounds [...] only Gaza figure or higher would appear to offer satisfactory basis.<sup>320</sup>

The Israeli government, for their part, knew that that the return of 100 000 Palestinian refugees would be very unpopular within their own country. To most Israelis the proposal constituted a grave threat to the country’s security, and within the political landscape in Tel Aviv it “caused a major political explosion”.<sup>321</sup> However, it was evident that the Israeli government had no intention that the 100 000 offer would ever be implemented. It would be unacceptable to the Arabs as well as the Americans, and they knew it. Ben-Gurion had, for this very reason, been

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<sup>316</sup> Morris, *The Birth*, 573.

<sup>317</sup> Porter to Acheson, 3 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>318</sup> Karp, *Missed Opportunities*, 84-85.

<sup>319</sup> Porter to Acheson, 2 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>320</sup> Acheson to the US Delegation, Lausanne, 11 Aug. 1949, *FRUS, 1949*, 6: 1297-1298.

<sup>321</sup> Morris, *The Birth*, 575; Shiffer, “The 1949 Israeli Offer to Repatriate 100,000 Palestinian Refugees”, 18.

opposed to the whole idea when the Israeli government had discussed it in mid-July. The reason why he finally came around to the idea was an understanding that it was, in fact, nothing more than a political manoeuvre that would not result in any actual repatriation.<sup>322</sup> So as to leave no doubt, on 29 July the Israeli delegation to Lausanne attached another condition to the proposal. They demanded that all discussions regarding the refugees had to be held directly between the Arab delegations and Israel in the presence of the PCC. This would, of course, only make it even more difficult for the Arabs to accept.<sup>323</sup>

All in all, the reception in Washington was mixed. By the first days of August 1949, rumours reached the Israeli delegation in Lausanne from a “reliable source close to [the] White House” that President Truman supported the Israeli attempt to retain all occupied territories and that he found the 100 000 figure “very reasonable”.<sup>324</sup> One of Truman’s aides, John Hilldring, supported this view, and said that Truman had told him privately that he was “extremely pleased” by the offer and thought it held promise in terms of breaking the deadlock at Lausanne.<sup>325</sup> With regards to easing the American pressure on Israel, therefore, the 100 000 offer may have had some effect. Acheson, however, flatly rejected the rumours, stating that

Shiloah and Eban [should] be left under no illusion that such policy has been changed or that there is any difference of view between [the President], [the State Department] and [the US Delegation at Lausanne] on these matters.<sup>326</sup>

The Arab reaction was, not surprisingly, an immediate rejection of the offer. In fact, the PCC only transmitted the proposal informally to the Arabs, since they expected a flat rejection and feared this would only worsen the impasse of the conference. Achan Atasi, head of the Syrian delegation, thought the proposal was nothing more than a mere “propaganda scheme”.<sup>327</sup> As a result of the Arab reaction, Porter was “becoming more convinced [that] no progress will be achieved here [regarding the] refugees if [the] problem [is] approached in terms [of] mathematical absolutes.”<sup>328</sup>

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<sup>322</sup> Morris, *The Birth*, 573; Shiffer, “The 1949 Israeli Offer to Repatriate 100,000 Palestinian Refugees”, 18.

<sup>323</sup> Porter to Acheson, 30 July 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>324</sup> Porter to Acheson, 4 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>325</sup> Truman quoted in Morris, *The Birth*, 574.

<sup>326</sup> Acheson to the US Delegation, Lausanne, 9 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>327</sup> Porter to Acheson, 6 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>328</sup> Porter to Acheson, 6 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

## The End of Lausanne

Neither the dissatisfaction of the US and the PCC nor the rejection by the Arabs, induced the Israelis to modify their 100 000 offer or make a more significant concession. 100 000 was their absolute ceiling. As the days of August 1949 passed by, all the participants of the Lausanne conference realized that it had failed. In mid-August, Acheson stated that “there appeared to be no real basis for conciliation at [the present] time because of [the] widely divergent view held by [the] parties.”<sup>329</sup> On 15 August, in a final attempt to save the scraps of the conference, the Commission submitted a memorandum to the delegations. Doing so, the Commissioners hoped to convince the delegations to sign another joint document which would bind them to what they actually had agreed on during the conference. Firstly, the memorandum stated that the delegations agreed that the solution to the refugee problem should take the form of a combined repatriation and resettlement scheme, thus indicating that the solution to the refugee problem was a responsibility of both the Arabs and the Israelis. Secondly, the delegates were asked to reaffirm their support of the Lausanne Protocol and to state what specific adjustments they wanted to make to the borders stipulated in it.<sup>330</sup> As noted, however, the Israeli signature of the Protocol had been a mere tactical move, and not motivated from a genuine desire to make concessions. As a result, the Israeli delegation told the Commission that in addition to the territory designated to Israel in the Lausanne Protocol, “all other areas falling within the control and jurisdiction of Israel under the terms of the armistice agreements [...] should be formally recognized as Israel territory.”<sup>331</sup> To the PCC, this reply exceeded the term “adjustments”, as it effectively abandoned the Protocol altogether as a basis and instead solely based itself on the armistice borders.

By the end of August it was all over. The conference was suspended, without any memorandum having been signed. The delegations returned home at the beginning of September.<sup>332</sup> In light of the failure in Lausanne, a new strategy was forming in the State Department: “[T]he most effective approach to a Palestine settlement at the present time would be on economic grounds rather than on political grounds as has previously been the case.”<sup>333</sup>

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<sup>329</sup> Acheson to the US Embassy, Tel Aviv, 19 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>330</sup> UN A/AC.25/IS/35, 15 Aug. 1949, *Memorandum handed to the delegations of the Arab states and to the delegation of Israel in Lausanne on 15 August 1949*.

<sup>331</sup> UN A/AC.25/IS/36, 1 Sep. 1949, *Letter dated 31 August 1949, addressed to the Chairman of the Conciliation Commission by Mr. Reuven Shiloah, Head of the Delegation of Israel*.

<sup>332</sup> Morris, *The Birth*, 578.

<sup>333</sup> Memorandum by McGhee to Acheson, 16 Aug. 1949, *FRUS, 1949*, 6: 1315.

## Chapter 5

# An Economic Approach to a Political Problem

*August-December 1949*

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Until September 1949, the main strategy of the Palestine Conciliation Commission had been to try to obtain a compromise solution on the refugee question. This was done first and foremost by pressing the Israeli government for a conciliatory gesture; to accept the return of around 250 000 refugees. To the Commissioners, the Arabs had made significant concessions on this question, while the Israelis had made none. Both the Gaza proposal and the 100 000 offer completely failed to satisfy the Arab demands for a significant Israeli contribution to the solution to the refugee problem, which they would require in order to save face in front of the Arab public opinion. By contrast, the Arabs had, privately or officially, accepted that most of the refugees would have to be resettled outside Israel. To this effect, all of Israel's four neighbours had indicated that the refugees could be resettled in the Arab states, while Jordan and Syria had presented concrete offers to the Israelis. However, with a lack of concessions from Israel, they were unable or unwilling to execute their plans.

The end of the Lausanne conference signalled the end of the “gesture strategy” as the main approach for the PCC. Seven months of effort, periodically involving pressure from the US government, had yielded no results. At the end of August, the US representative to the PCC, Paul Porter, made it clear to the State Department that the mediation efforts of the Lausanne conference had failed and that a new strategy was needed. From the end of August 1949, the PCC adopted a new approach and tried to tackle the problem by sidestepping it; by investigating ways to utilize the economic potential of the Middle East, the PCC attempted to improve the refugees' physical and economic needs and thereby lessen the economic burdens associated with them. The hope was that improving the economic conditions would create a climate more conducive to peace.<sup>334</sup>

The new approach was manifested in the establishment of the Economic Survey Mission (ESM), which was to be headed by the American engineer Gordon Clapp. Essentially, the ESM was to investigate how to overcome the economic dislocations created by the conflict; how to

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<sup>334</sup> Hahn, *Caught in the Middle East*, 106.



facilitate the repatriation, resettlement and social and economic rehabilitation of the refugees; and how to promote economic conditions that would be conducive to peace and stability.<sup>335</sup>

## **A New Approach?**

The idea of economic development as a necessary precedent for peace was not a new feature of the Palestine question. At least since the spring of 1949 it had been commonly assumed that some form of development would need to take place if the states involved would be able to absorb the Palestinian refugees. The reasons for this line of thinking were several. The complexity and difficulty of the refugee problem was gradually being realized. On the one hand, Israel appeared totally unwilling to accept the repatriation of anything more than a token of the refugees. On the other hand, without a significant gesture from Israel, the Arab states were reluctant to organize the resettlement of refugees on their territory. In any case, they would require external economic assistance. Thus, it became increasingly obvious that the refugee problem would not be solved quickly. In the meantime, the temporary emergency relief funds currently provided by the United Nations Relief for Palestine Refugees (UNRPR) were expected to run out by the end of 1949.<sup>336</sup> The need for economic aid was pressing for the Palestinian refugees that lived in refugee camps under extremely poor living conditions.

The ESM was an American idea, motivated largely by Cold War considerations. In the State Department, the main protagonist of the economic approach was George McGhee, Truman's Special Assistant, who had been appointed as Coordinator on Palestine Refugee Matters. With no negotiated settlement in sight, McGhee grew increasingly concerned about the refugee problem's impact on American interests. "The Arab states presently represent a highly vulnerable area for Soviet exploitation", he explained in a memorandum written in mid-March, "and the presence of over 700 000 destitute, idle refugees provides the likeliest channel for such exploitation."<sup>337</sup> McGhee was also concerned for the future of the region itself, and thought that "failure to liquidate the problem would adversely affect the possibility of a permanent settlement in Palestine, and would create a permanent source of friction between Israel and the Arab

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<sup>335</sup> Terms of reference of the Economic Survey Mission, 1 Sep. 1949, *FRUS, 1949*, 6: 1346-1348.

<sup>336</sup> Memorandum by McGhee to Acheson [annex 1], 22 Apr. 1949, *FRUS, 1949*, 6: 936; Hahn, *Caught in the Middle East*, 106.

<sup>337</sup> Memorandum by McGhee to Webb [annex 2], 15 Mar. 1949, *FRUS, 1949*, 6: 831

states.”<sup>338</sup> Thus, in the absence of a breakthrough in the political negotiations, the solution was to examine how economic development schemes could be initiated.<sup>339</sup>

It was clear that with the new economic approach McGhee promoted, the main focus would, to a certain extent, shift from repatriation of the refugees to their former homes in Israel to resettlement in the Arab states. The main reason for this, of course, was the Israeli refusal to allow the refugees to return to Israeli territory. And, as Gordon Clapp later explained, the “only constructive step” in these circumstances, was to provide rehabilitation for the refugees were they currently were residing.<sup>340</sup>

During a meeting with representatives from the British Foreign Office in mid-April, McGhee declared, so as to leave no doubt to what he had in mind, that “[r]esettlement of [the] refugees *is* the Middle Eastern development program.”<sup>341</sup> The need for foreign aid in the Arab states was great, and McGhee sought to exploit this. He emphasized that if the Arabs were to be persuaded to accept refugees, stress should be laid on the fact that the development programs would be to their own benefit, and not merely serve the purpose of absorbing refugees. On the other hand, rising living standards would also be an indication of their *capability* for absorbing refugees.<sup>342</sup> Furthermore, an economic approach would in itself help to unfreeze the deadlocked negotiations by diverting “their [the countries concerned] preoccupation from their present short-range objectives to longer-range economic solutions to broader problems.”<sup>343</sup> As already seen, the prospect of obtaining foreign aid was in fact a very important motive for Arab states such as Jordan and Syria, when offering to resettle refugees on their territory.

To be sure, McGhee maintained that “an essential condition to the solution of the Palestine refugee problem” was the continuing pressure on Israel by the US “to repatriate a minimum of 200,000 Arab refugees”.<sup>344</sup> Increasingly, however, his attention became directed towards how the Arab economies could best be developed in order to facilitate the absorption of the bulk of the refugees.<sup>345</sup>

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<sup>338</sup> Memorandum by McGhee to Webb [annex 2], 15 Mar. 1949, *FRUS, 1949*, 6: 831

<sup>339</sup> Memorandum by McGhee to Acheson [annex 4], 22 Apr. 1949, *FRUS, 1949*, 6: 941.

<sup>340</sup> UN A/AC.25/6/Part.1, 28 Dec. 1949, *Final Report of the United Nations Economic Survey Mission for the Middle East*, 19.

<sup>341</sup> Memorandum of conversation, 13 Apr. 1949, *FRUS, 1949*, 6: 908.

<sup>342</sup> Memorandum of conversation, 13 Apr. 1949, *FRUS, 1949*, 6: 906-910.

<sup>343</sup> Memorandum by McGhee to Acheson, 11 July 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>344</sup> Memorandum by McGhee to Acheson [annex 2], 22 Apr. 1949, *FRUS, 1949*, 6: 938.

<sup>345</sup> Memorandum by McGhee to Webb, 15 Mar. 1949, *FRUS, 1949*, 6: 827-842; Memorandum by McGhee to Acheson, 22 Apr. 1949, *FRUS, 1949*, 6: 934-943.

The PCC were persuaded by the ideas of McGhee and the State Department at the same time as the inflexibility of the Israeli government was becoming increasingly visible. During the Beirut meetings at the end of March 1949, where George McGhee was present, the Commission became convinced of the need for an economic development in the Middle East region. Thus, at the same time as the Commissioners realized that a full repatriation of all the refugees to Israel was unrealistic, and they were trying to convince the Arabs of this reality, they concluded that “no general settlement of [the] Palestine question nor [a] successful conclusion to [the] specific problem of [the] refugees seems possible unless there is [a] general economic development in [the Middle East]”.<sup>346</sup> Already at this stage the idea of “a committee of experts to survey [the] economic needs of [the] area” was emerging in the minds of the Commissioners.<sup>347</sup>

### **The Economic Survey Mission: Establishment and Reactions**

The State Department promoted the idea of an economic survey group through the spring and summer of 1949. The then US representative to the PCC, Mark Ethridge, however, insisted that the best timing for implementing the new approach would be after Israel had made commitments with regards to the refugees.<sup>348</sup> Thus, it was only after the Commission felt that the search for a political settlement had been wholly exhausted that they decided to go ahead and establish the ESM. The new approach, therefore, was adopted not because it was considered the best alternative, but since it was considered the only alternative unless the negotiation effort should be altogether abandoned.<sup>349</sup>

In any case, Porter, as soon as his unrealistically optimistic outlook to the negotiations had been removed upon his arrival in Lausanne, became a more vigorous supporter than Ethridge of the economic approach. Returning briefly from Lausanne to Washington on 12 August 1949, Porter consulted the officials of the State Department and concluded that “no real basis for conciliation exists at the present time.”<sup>350</sup> When he headed back to Lausanne a few days later, he brought with him the following instructions from the State Department: To make sure that the PCC “as soon as possible” established the ESM,

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<sup>346</sup> Ethridge to Acheson, 22 Mar. 1949, *FRUS, 1949*, 6: 857.

<sup>347</sup> Ethridge to Acheson, 22 Mar. 1949, *FRUS, 1949*, 6: 857.

<sup>348</sup> Ethridge to McGhee, 2 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>349</sup> Forsythe, *United Nations Peacemaking*, 62.

<sup>350</sup> Memorandum from McGhee to Acheson, 16 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

which would proceed to the [Middle] East, study existing data, consult interested governments and authorities and on this basis prepare a report to the General Assembly through the PCC containing its recommendations for economic development and settlement of the refugee question.<sup>351</sup>

On his way to Lausanne, Porter made a stop in Paris to discuss the matter with the Quai d'Orsay (the French Foreign Ministry), in order to make sure that the French were in agreement and that they would not try to hinder a decision in the PCC.<sup>352</sup> Claude de Boisanger, the French representative to the PCC, was also called back to Paris for the purpose of the meeting. The French officials at first appeared to be obstructive, but were finally convinced by Boisanger who agreed with Porter that the ESM would serve an important purpose "in providing [a] basis [for an] eventual political settlement".<sup>353</sup> Thus, the meeting ended with the French agreeing to the establishment of the proposed ESM.<sup>354</sup>

The PCC formally established the ESM on 23 August 1949. Its aims and functions were essentially three-fold: It was to make recommendations to the Commission regarding measures and development programmes "required to overcome economic dislocations created by the hostilities"; to make recommendations on how to facilitate "the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation"; and to report on how to "promote economic conditions conducive to the maintenance of peace and stability in the area."<sup>355</sup> The American Gordon Clapp was appointed by the PCC as the ESM's Chairman. Clapp was the chairman of the board of the Tennessee Valley Authority, created in 1933 as a regional planning and economic development agency for the Tennessee Valley, an area particularly affected by the Great Depression. Like many experts of the 1940s Clapp believed that technical assistance could play an important role in stabilizing the third world, and could "help to assure and maintain peace."<sup>356</sup> McGhee, who nominated Clapp, later said he did so "because he symbolized dams and water which [was] the key to the Middle East development."<sup>357</sup> Under Clapp's leadership there were, in addition to a staff of technical

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<sup>351</sup> Memorandum from McGhee to Acheson, 16 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>352</sup> Memorandum from McGhee to Acheson, 16 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>353</sup> Bonbright to Acheson, 22 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>354</sup> Bonbright to Acheson, 22 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>355</sup> Terms of reference of the Economic Survey Mission, 1 Sept. 1949, *FRUS, 1949*, 6: 1346-1348.

<sup>356</sup> UN A/AC.25/6/Part.1, 28 Dec. 1949, vii; Hahn, *Caught in the Middle East*, 107.

<sup>357</sup> "Oral History Interview with George C. McGhee" (interview transcript of tape-recorded interview by Richard D. McKinzie), Harry S. Truman Library & Museum, available at: <http://www.trumanlibrary.org/oralhist/mcgheeg.htm>. (12 December 2008).

personnel, three Deputy Chairmen, two from each of the other two PCC members, France and Turkey, as well as one British.<sup>358</sup> In the meantime, while the ESM toured the countries of the Middle East and conducted its studies, the PCC decided to recess until 20 October 1949, at which time it would review the report of the ESM in New York.<sup>359</sup>

Despite signals given by the Arab and Israeli delegations in Lausanne at the end of August that they would cooperate with the ESM and facilitate its work, the reactions of their respective governments to its establishment were generally negative.<sup>360</sup> As to the reactions of the Arab states, Acheson on 3 September described them as being partly unenthusiastic and partly suspicious of the ESM's motivation.<sup>361</sup> The Arabs were primarily concerned that by establishing the ESM the PCC were subordinating political objectives to economic objectives, and that this would prejudice their positions.<sup>362</sup> This fear was, of course, based on the fact that as long as Israel refused to accept the return of the refugees, they would remain a problem of the Arab states. The Syrians threatened to mobilize the Arab League to oppose the ESM.<sup>363</sup> In Lebanon, the Foreign Minister expressed scepticism regarding the true objectives of the Mission. To him, the timing of the establishment of the ESM

left him with distinct impressions bordering upon convictions [...] [that] the real purpose of the mission[,] although undisclosed, is to provide a means for relieving the increasingly grave economic conditions in Israel.<sup>364</sup>

The US government worked hard to overcome the resistance from the Arabs. Acheson sent instructions to the embassies in the Arab capitals that the technical basis of the Mission should be emphasized, and that the establishment of the ESM should not be interpreted as an indication that the efforts on the political level were abandoned.<sup>365</sup> In fact, the campaign did have

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<sup>358</sup> McGhee to Penrose, 19 Sep. 1949, RG 59, 501 BB.Palestine, box 2126; Hahn, *Caught in the Middle East*, 107.

<sup>359</sup> Ross to Acheson, 24 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>360</sup> Ford to Acheson, 25 Aug. 1949, RG 59, 501 BB.Palestine, box 2126; Rockwell to Acheson, 30 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>361</sup> Acheson to certain diplomatic offices, 3 Sep. 1949, *FRUS, 1949*, 6: 1358-1359.

<sup>362</sup> Holmes to Acheson, 12 Sep. 1949, *FRUS, 1949*, 6: 1375-1376.

<sup>363</sup> Hahn, *Caught in the Middle East*, 107.

<sup>364</sup> Tenney to Acheson, 31 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>365</sup> Acheson to certain diplomatic offices, 3 Sep. 1949, *FRUS, 1949*, 6: 1358-1359; Acheson to the US Legation, Beirut, 3 Sep. 1949, *FRUS, 1949*, 6: 13591361.

an effect. All the Arab governments gave their assent to receive the ESM, and, by 1 October, Clapp had visited Jordan, Syria, Lebanon and Egypt, and consulted its leaders.<sup>366</sup>

The Israelis also reacted with scepticism, though less so than the Arabs. In a sense, the new economic approach gave them a breathing space; the pressure of making concessions on the political level was relieved. However, within the Foreign Ministry there was some talk of the possibility that the ESM would enrich the Palestinian refugees, enhance their sense of community, and thereby increase their demands to return to Israeli territory.<sup>367</sup> Officially, the Israelis essentially restated their previous position, saying that their cooperation with the ESM was hinged upon the condition that the solution to the refugee problem should “be sought primarily in the resettlement of the refugees in Arab territories”, and that its own contribution would not exceed that of the 100 000 offer and only as a part of a general settlement.<sup>368</sup> Moreover, the Israeli leaders indicated that they were having second thoughts about their own offer. When Clapp visited Israel in October, Foreign Minister Moshe Sharett told him that the 100 000 offer constituted an unjustified sacrifice made by Israel. “I am not here now to retract the offer,” he said, “but I say it is unwarranted.”<sup>369</sup>

There was also some scepticism from within the countries members to the ESM. The American Ambassador to Egypt, Jefferson Patterson, was concerned that the ESM would be considered as just another UN commission, and only add “to the ‘five foot shelf’ of forgotten studies by expert commissions on Palestine”.<sup>370</sup> This view was supported by the American Consul General in Jerusalem, William C. Burdett, who also thought that in the absence of a political agreement, it would be difficult to obtain support for the ESM’s recommendations. He doubted whether Israel or the Arab states would alter any of their demands with regards to the refugee problem even if the Mission would recommend otherwise.<sup>371</sup> In Great Britain, John Beith of the Foreign Office shared the Arab concern that a shift away from a political settlement would allow the territorial situation in Palestine to freeze, which, he said, was “exactly what [the] Israelis desire.”<sup>372</sup>

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<sup>366</sup> Hahn, *Caught in the Middle East*, 107.

<sup>367</sup> Hahn, *Caught in the Middle East*, 107.

<sup>368</sup> Shiloah to Yalchin, 15 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>369</sup> Shiffer, “The 1949 Israeli Offer to Repatriate 100,000 Palestinian Refugees”, 18.

<sup>370</sup> Patterson to Acheson, 24 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>371</sup> Burdett to Acheson, 22 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>372</sup> Douglas to Acheson, 23 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

## The Clapp Report and the Establishment of UNRWA

After first having assembled in Lausanne, the ESM proceeded to Beirut where it began its work on the ground in the Middle East on 12 September 1949.<sup>373</sup> Touring the region and discussing the refugee problem with Arab and Israeli leaders, the Mission quickly decided that its main focus should be on work relief for the refugees.<sup>374</sup> The refugee problem was “demoralizing, unproductive and costly”, and the first step on the way to its resolution would be to provide for employment.<sup>375</sup> The purpose of the employment focus, the ESM explained, was four-fold. Firstly, it would halt the steadily increasing poverty among the refugees, and the demoralizing aspect associated with it. Secondly, it would present practical opportunities to the refugees, “and thereby encourage a more realistic view of the kind of future they want and the kind they can achieve.”<sup>376</sup> Although vaguely stated, the ESM, like the PCC and the State Department, seemed to have realized that a massive repatriation was impossible. Thirdly, a public works program could add to the productive capacity of the Arab states in which the refugees were residing, and provide for the development of unused resources. And finally, employment among the refugees would reduce their dependence on relief and bring the costs of their rehabilitation down to a level that was within the ability of the Arab states to meet without the assistance of the UN.<sup>377</sup>

The emphasis on employment caused some initial concern among US government officials, most importantly McGhee, since it did not include any specific plans for permanent resettlement of the refugees. As such, the ESM was not embarking on the long-range solution that the US was hoping for. Instead, a large-scale work relief program would necessitate great amounts of funds “without materially advancing liquidation of the refugee problem, and would tend to further prolong the present political stalemate”.<sup>378</sup>

Despite this scepticism emphasised by some American officials, the US government gave its full support to the interim report, later known as the Clapp report, delivered by the ESM to the UN in mid-November. In a cable sent by Acheson on 14 October to the American embassies and consulates in the Middle East, he explained that the US was unwilling to involve itself directly by universally advancing specific proposals on the Palestine question. The US, as a member of

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<sup>373</sup> UN A/AC.25/6/Part.1, 28 Dec. 1949, 16.

<sup>374</sup> Reedman to Lie, 20 Sep. 1949, RG 59, 501 BB.Palestine, box 2127.

<sup>375</sup> UN A/AC.25/6/Part.1, 28 Dec. 1949, 16.

<sup>376</sup> UN A/AC.25/6/Part.1, 28 Dec. 1949, 17.

<sup>377</sup> UN A/AC.25/6/Part.1, 28 Dec. 1949, 17.

<sup>378</sup> Memorandum by Wilkins to McGhee and Gardiner, 27 Sep. 1949, RG 59, 501 BB.Palestine, box 2127.

the PCC, would seek to advance the Commission as the medium for negotiations. Thus, for fear of undermining the work of the ESM, the Americans were prepared to lend its full support of its recommendations.<sup>379</sup>

The Clapp report proposed, as a first measure, that the emergency relief funds provided through the UNRPR should be continued through the winter until 1 April 1950. At this date, a new relief and public works project would be established and would continue until the end of June 1951, unless the General Assembly at that stage decided to extend it. The collective price for the eighteen-month period from January 1950 would be \$53.7 million.<sup>380</sup> The report gave priority to the construction of dams and irrigation projects, and proposed four “pilot demonstration projects” in Jordan, the West Bank, Syria and Lebanon, respectively.<sup>381</sup> The two projects proposed in Jordan-held territory, that is including the West Bank project, would alone employ some 70 000 workers, indirectly supporting around 400 000.<sup>382</sup>

The UN endorsed the Clapp report, and on 8 December 1949 the General Assembling adopted Resolution 302 which established the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to administer the program proposed by the ESM.<sup>383</sup> Israel supported the establishment of UNRWA, undoubtedly for political reasons. For the Israelis, UNRWA’s foundation represented a first step towards the permanent resettlement of the Palestinian refugees in the Arab states. The Arabs, for their part, were at first reluctant to accept the manner in which UNRWA’s aims were formulated, and thought that repatriation should be the ultimate goal, rather than resettlement. However, their views did not reach through in the UN. In the end, they gave their silent approval of its establishment. In the eyes of the Palestinians themselves, UNRWA represented another betrayal on the part of the international community. In their view, the UN had not only decided to give half their motherland to the Jews, but had watched silently as the Jewish state expanded at their expense while they had been reduced to refugees. With the establishment of UNRWA, the Palestinians thought, the UN had furthermore made sure that they would never return to their homes.<sup>384</sup>

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<sup>379</sup> Acheson to Certain Diplomatic and Consular Officers, 14 Oct. 1949, RG 59, 501 BB.Palestine, box 2127.

<sup>380</sup> UN A/AC.25/6/Part.1, 28 Dec. 1949, 16-17.

<sup>381</sup> UN A/AC.25/6/Part.1, 28 Dec. 1949, 6-11.

<sup>382</sup> Hahn, *Caught in the Middle East*, 107.

<sup>383</sup> UN A/RES/302 (IV), 8 Dec. 1949, *Assistance to Palestine Refugees*.

<sup>384</sup> Waage, *Norge – Israels beste venn*, 103-104.



## Fulfilling the Jerusalem Mandate?

The PCC reconvened in time for the fourth regular session of the General Assembly in New York at the end of October 1949. Paul Porter, who had resigned in mid-September, was replaced during the first days of November by a senior diplomat named Ely E. Palmer. Palmer had had a long and meritorious career at consulates such as Beirut and Jerusalem.<sup>385</sup> In New York, the Commission discussed another pressing question – the undecided status of Jerusalem.

Although the UN had maintained the view that the city should be governed by an international regime, it remained divided between Israel and Jordan after the first Arab-Israeli war.<sup>386</sup> In December 1948, the General Assembly had instructed the PCC to “present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area”.<sup>387</sup> Since its setting up in Jerusalem in February 1949, the PCC had worked continuously on Jerusalem. At the end of that month, it had established a special committee on Jerusalem consisting of one adviser from each of the three member states as well as one representative of the PCC Secretariat. In the course of the next months, the Jerusalem Committee had established contacts and held interviews, especially with Arab and Jewish central and local authorities, and collected detailed information in order to make its recommendations to the UN.<sup>388</sup> By mid-August, the Jerusalem Committee had adopted a draft text for a plan to establish a permanent international regime for Jerusalem. The PCC approved the draft, and on 1 September 1949, it was submitted to the General Assembly.<sup>389</sup>

Israel had, since February 1949, made it very clear that they would never accept UN control over the New City of Jerusalem, and despite the tension in the Israel-Jordan division of the city, the Jordanians also resisted the idea.<sup>390</sup> In May 1949, the two states had agreed to make the division permanent, in defiance of the UN resolutions.<sup>391</sup>

The US government knew that any resolution adopted by a third party implying full international control over Jerusalem, would be rejected by the Israelis, who attached such great importance to the city. There was a gradual realization that if Jerusalem was ever to be

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<sup>385</sup> Azcárate, *Mission in Palestine*, 137.

<sup>386</sup> For more on the status of Jerusalem, see chapter 3.

<sup>387</sup> UN A/RES/194 (III), 11 Dec. 1948.

<sup>388</sup> UN A/819, 15 Mar. 1949; UN A/838, 19 Apr. 1949, *Second Progress Report*.

<sup>389</sup> Rockwell to Acheson, 17 Aug. 1949, RG 59, 501 BB.Palestine, box 2126; UN A/992, 22 Sep. 1949, *Fourth Progress Report*.

<sup>390</sup> See chapter 3.

<sup>391</sup> Hahn, *Caught in the Middle East*, 113.

internationalized, it was essential that it was implemented at the earliest possible date. At the end of July 1949, the Consul General in Jerusalem, William C. Burdett, warned the State Department that “failure at [the] September [session of the] G[eneral] A[ssembly to] reach [a] definite decision re[garding] Jerusalem [...] would seriously jeopardize hope for any internationalization.”<sup>392</sup> Israel, he explained, was convinced that it was in a stronger bargaining position than Jordan, and if it resisted the international pressure, the *de facto* division would steadily manifest itself.<sup>393</sup> Thus, the US promoted a “realistic” stance towards the Jerusalem question, advocating a settlement in which Israel and Jordan would retain a degree of authority of their parts of the city, making it easier for them to accept.<sup>394</sup> This stance was based on the phrase in Resolution 194 of 11 December 1948 which called for an international regime with “the maximum local autonomy for distinctive groups”.<sup>395</sup> The French, on the other hand, wanted a complete internationalization of Jerusalem.<sup>396</sup> Above all, being a country with a Catholic majority, they were sensitive to the opposition from the Vatican, which was bent on securing free access to the holy places and, therefore, opposed to the division of Jerusalem.<sup>397</sup>

In essence, the Commission’s draft represented a compromise between the principle of invoking international control of Jerusalem and consideration of the reality of the situation. It also represented a compromise between the views of the French and American governments.<sup>398</sup> Although Resolution 194 did not directly mention that acceptance was required from the parties involved, the Commission nevertheless considered that such acceptance would facilitate the establishment and functioning of the international regime.<sup>399</sup> Thus, the Commission’s proposal kept the notion of the division of Jerusalem, with Israel and Jordan providing civil authority in their respective zones. The General Assembly would appoint a non-Arab, non-Israeli Commissioner to ensure the protection of and free access to the holy places, supervise the demilitarisation and neutralisation of the area, and protect the human rights of the Jerusalem citizens. A General Council consisting of both Jordanians and Israelis would deal with various

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<sup>392</sup> Burdett to Acheson, 28, July 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>393</sup> Burdett to Acheson, 2 June 1949, RG 59, 501 BB.Palestine, box 2125.

<sup>394</sup> Hahn, *Caught in the Middle East*, 113.

<sup>395</sup> UN A/RES/194 (III), 11 Dec 1948.

<sup>396</sup> Hahn, *Caught in the Middle East*, 115.

<sup>397</sup> Rockwell to Acheson, 18 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>398</sup> Rockwell to Acheson, 18 Aug. 1949, RG 59, 501 BB.Palestine, box 2126.

<sup>399</sup> UN A/1367/Rev.1, 23 Oct. 1950, *General Progress Report and Supplementary Report of the United Nations Conciliation Commission for Palestine*.

matters of common interest for the two zones, while mixed and international tribunals would deal with civil law. In addition, the two authorities responsible should take no actions with regards to immigrations into their respective zones, which would alter the present demographic balance in the area.<sup>400</sup>

As expected, the Israelis reacted negatively to the proposal. However, both the PCC and the State Department were surprised by the magnitude and force of the Israeli reaction, which took the form of a fierce press campaign as well as negative statements by Israeli leaders. The most disturbing of these was a threat made by a representative of the Herut party – the right-wing political successor to the Zionist paramilitary organization the Irgun – to resume terrorist activities in Jerusalem if it was internationalized.<sup>401</sup> In a press release on 16 September, Foreign Minister Sharett attacked the PCC draft on every point, claiming that “[b]y every test of justice and realism [the] instrument is anachronistic and incongruous.”<sup>402</sup> He was particularly concerned about the idea of prohibiting immigration to Jerusalem, which, he claimed, was

not merely a denial of [the] right of every Jew to go up and live in [the] ancient mother city of his people; nor does it merely constitute a grave menace to Jerusalem’s economic future; it is simply unenforceable in practice if Jerusalem is to be treated as [a] living body and not as [a] metaphysical abstraction.<sup>403</sup>

Furthermore, Sharett claimed that the proposal completely disregarded the fact that the New City of Jerusalem was in every sense – politically, militarily, economically, socially and culturally – an integral part of Israel. As already seen, this was the kind of reasoning the PCC had sought to prevent by attempting to stop the Israelis from holding the opening of the Knesset in Jerusalem at the end of February 1949, as well as extending civil law to the city. Israel, for its part, was determined to make Jerusalem the capital of Israel.

The US government was deeply concerned about the Israeli reaction. The State Department worked intensively trying to convince Israeli leaders to adopt a more conciliatory attitude towards the question.<sup>404</sup> However, the Israeli anger remained. On 7 October, Burdett

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<sup>400</sup> UN A/973, 12 Sep. 1949, *Palestine: Proposals for a Permanent International Regime for the Jerusalem Area*.

<sup>401</sup> Memorandum by McGhee to Rusk, 22 Sep. 1949, *FRUS, 1949*, 6: 1396-1397.

<sup>402</sup> Burdett to Acheson, 16 Sep. 1949, *FRUS, 1949*, 6: 1391.

<sup>403</sup> Burdett to Acheson, 16 Sep. 1949, *FRUS, 1949*, 6: 1391.

<sup>404</sup> Memorandum by McGhee to Rusk, 22 Sep. 1949, *FRUS, 1949*, 6: 1396-1397; Burdett to Acheson, 27 Sep. 1949, RG 59, 501 BB.Palestine, box 2127; Memorandum of conversation presumably prepared by Rusk, 28 Sep. 1949,

reported from Jerusalem that the “[p]resent play on emotions of [the] people [was] inflaming public opposition to [the] UN and consequently raising [the] possibility of renewed terrorism.”<sup>405</sup> The PCC also reacted. On 9 November it issued a press statement in order to “point out some of these misconceptions” coming from Israel.<sup>406</sup> The Commission argued, first of all, that the proposal regarding Jerusalem had been made fully in line with the instructions that had been given the Commission through Resolution 194. Furthermore, the PCC pointed out that a high degree of authority to the local authorities had been proposed, and that the plan therefore did not separate Jerusalem from the political life of the adjoining states. It was also emphasised that the proposal had been submitted only after months of extensive consultation with all the interested parties, and that it reflected what had been stated in these meetings.<sup>407</sup>

In the end, the Commission’s plan did not materialize. When the debate opened in the Ad Hoc Political Committee of the General Assembly at the end of November 1949, a new resolution endorsing a complete internationalization of Jerusalem – the establishment of Jerusalem as a *corpus separatum* – was proposed. The internationalization was to be implemented by the spring of 1950.<sup>408</sup> The State Department opposed the resolution proposal as impractical, but to no avail. On 9 December 1949, the General Assembly adopted the resolution by a large majority. The positive votes were cast by Catholic states, the Soviet bloc and the Arab states except Jordan.<sup>409</sup> Only four days later, the Israeli government proclaimed Jerusalem as the nation’s capital and started moving its governmental offices and the Knesset to the city.<sup>410</sup>

Thus, after ten months of work by the PCC and the Jerusalem Committee, the efforts to prepare a compromise formula had been to no avail. In any case, the PCC considered its mandate on the Jerusalem question fulfilled; it had presented a plan for the internationalization of Jerusalem to the General Assembly, and the General Assembly had decided to reject it. No new instructions were given to the PCC with regards to Jerusalem.<sup>411</sup>

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RG 59, 501 BB.Palestine, box 2127; Webb to US Embassy, Tel Aviv, 30 Sep. 1949, RG 59, 501 BB.Palestine, box 2127.

<sup>405</sup> Burdett to Acheson, 7 Oct. 1949, RG 59, 501 BB.Palestine, box 2127.

<sup>406</sup> UN A/AC.25/1. Add 1, 9 Nov. 1949, *Statement by the United Nations Conciliation Commission for Palestine regarding its proposal for an international regime for the Jerusalem area.*

<sup>407</sup> UN A/AC.25/1. Add 1, 9 Nov. 1949.

<sup>408</sup> Memorandum by Hare to Rusk, 30 Nov. 1949, RG 59, 501 BB.Palestine, box 2127; Hahn, *Caught in the Middle East*, 117.

<sup>409</sup> Hahn, *Caught in the Middle East*, 117.

<sup>410</sup> Waage, *Norge – Israels beste venn*, 56-57.

<sup>411</sup> Forsythe, *United Nations Peacemaking*, 69.

With the defeat of the Commission's proposal on the Jerusalem question, the failure of the PCC's peace effort on the central issues of the Arab-Israeli conflict in its most active year of 1949 was complete. A reconsideration of the Commission's future, it seemed, was in order.

## Chapter 6

# The Decline of the PCC

January-December 1950

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The year 1949 had been very busy and eventful for the people involved in the activities of the Palestine Conciliation Commission. The expectations for what the Commission could achieve and the importance attached to it had been great; and thus, the steadily increasing disappointment of its failures was correspondingly immense. At the beginning of 1950, this disappointment was already manifested in a gradual decline of the Commission's importance. Both the Arabs and the Israelis preferred the present *status quo* to negotiations which would involve concessions. Israel continued to resist the return of the refugees, and believed that with a *de facto* resettlement of the refugees in the Arab states, the refugee problem would solve itself with minimum costs for Israel. With regards to the borders and the status of Jerusalem the *status quo* was becoming increasingly fixed. As before, time was on Israel's side. The Arab states, for their part, continued to resist official negotiations with Israel, for fear of antagonizing the Arab public opinion.

No less importantly, the *status quo* was becoming fixed by the actions of outside powers. The Tripartite Declaration adopted by the US, Great Britain and France at the end of May 1950, effectively guaranteed the armistice borders between Israel and its Arab neighbours. Even before this, in April, Jordan had officially incorporated the West Bank into its kingdom, thus further cementing aspects of the territorial and refugee questions. The mandate of the PCC, it seemed, was becoming increasingly outdated.

On the whole, 1950 was a lost year for the PCC. It spent its time attempting to adapt to new requirements and demands, overcome the stalemate and increase the cooperation of the Arabs and the Israelis, and regain its previous level of prestige. The first part of the year was spent in an unsuccessful attempt to bring the Arabs and the Israelis into negotiations on the outstanding questions. In this respect, only procedural proposals that produced nothing new were made. At the fifth session of the General Assembly during the fall, the Commission attempted, with only partial success, to convince the Assembly of the necessity of obtaining new terms of reference that were in accordance with the present reality.

## What Now of the PCC?

In January 1950, the PCC moved to Geneva in order to try and resume the negotiations with the Arabs and the Israelis. Having failed so exhaustively in the previous year, the Commission found that there was still reason for continuing its efforts. All the possible approaches in the search for a peace settlement in the Palestine conflict had not yet been exhausted. However, it decided that time was ripe for a re-evaluation of the future role of the Commission. At that stage, Israel had already for months advocated a smaller role for the PCC. This new policy came from a number of Israeli officials who claimed that the role played by the UN in the Palestine conflict had only hampered the peace process and frozen the gap between Israel and the Arab states.<sup>412</sup> Part of the argument was that the PCC had allowed for the Arab states to negotiate with Israel as one bloc, and that this had only served to harden their attitude of non-recognition of Israel.<sup>413</sup> Had there been no involvement from the UN, claimed various Israeli officials, Israel and the Arab states would have met face to face long ago and settled their differences. Although a complete abandonment of the Commission's efforts was not openly promoted by the Israelis, they nevertheless argued that its activities would be fruitless as long as the Arabs continued to refuse direct negotiations.<sup>414</sup>

Israel had always favoured dealing with the Arab states individually in direct negotiations. The failures of the PCC in 1949 had only reinforced this argument. Furthermore, secret negotiations with Jordan had been initiated in November 1949, as a continuation of the direct talks that had been conducted during the armistice negotiations and the Lausanne conference. The Israelis attached great weight to these talks and thought they looked promising. Not only did they hope that the talks would result in a peace agreement with Jordan, but also that they would open the road to negotiations with Egypt and Lebanon. In this respect, parallel negotiations conducted by the PCC would only serve to disrupt the promising talks with King Abdullah and his government.<sup>415</sup>

On 9 January 1950, just a few days before the PCC was scheduled to assemble in Geneva, Israel's ambassador to the US, Eliahu Elath, urged the US government to press for a postponement of the PCC meetings. "Agreement [with Jordan] had already been reached on all

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<sup>412</sup> Forsythe, *United Nations Peacemaking*, 63-64.

<sup>413</sup> Memorandum of conversation by Berry, 9 Jan. 1950, RG 59, 357.AC, box 1372.

<sup>414</sup> Forsythe, *United Nations Peacemaking*, 63-64.

<sup>415</sup> Shlaim, *The Iron Wall*, 62-63.

major points at issue”, Elath explained, “and it only remained to work out certain minor details.”<sup>416</sup> Therefore, it would be most unfortunate to conduct parallel negotiations which could jeopardize the success of the direct talks.<sup>417</sup>

The Arab states also thought that it was time for a new role for the PCC. However, as opposed to the Israelis, they wanted increased influence for the Commission. Thus far, the Arabs argued, the meetings of the PCC had been of little value since it had focused on merely transmitting proposals from one side to another. They wanted the Commission to abandon their role as a “conciliator” and adopt a new role as a “mediator”. What was meant by this was that the PCC, instead of confining itself to a neutral intermediary, communicating proposals from one side to another, should involve itself more directly by submitting its own compromise formulas and proposals.<sup>418</sup> This argument did not represent any sudden shift in Arab policies. Ever since the PCC had begun its activities at the beginning of 1949, they had more or less urged the PCC simply to “implement” the UN resolutions, especially with regards to the refugee problem. Since the position of the Arab states in the negotiations with the PCC was more in line with the resolutions of the UN, they sought to exploit this as best they could. By displaying themselves as adhering to the decisions of the UN, and even wanting to increase its role in the peace talks in the Arab-Israeli conflict, they sought to bring world opinion to bear upon Israel.

## **The Search for a New Role**

Once assembled in Geneva, the members of the PCC sat down to consider the positions of Israel and the Arab states, and how it should proceed with its work. The Commissioners had already examined the possibility of adopting a more active role during their session in New York in October 1949. This discussion gained strength in Geneva. To begin with, the idea had been that the Geneva meetings should pick up where the Lausanne conference had met a dead end. It soon became apparent, however, that the meetings in Geneva would take on a very different character, most importantly because both Israel and the Arab states were getting tired of supporting the costs of having large delegations available for long periods of time. Thus, with the exception of Egypt, which sent roughly the same delegation that had been present at Lausanne, the Arab states

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<sup>416</sup> Memorandum of conversation by Berry, 9 Jan. 1950, RG 59, 357.AC, box 1372.

<sup>417</sup> Memorandum of conversation by Berry, 9 Jan. 1950, RG 59, 357.AC, box 1372.

<sup>418</sup> Memorandum by Halderman, 3 Jan. 1950, RG 59, 357.AC, box 1372; Azcárate, *Mission in Palestine*, 159.



sent delegations of both lower rank and fewer members. Israel, for its part, refrained from sending a special delegation, but kept liaison with the PCC using their permanent Israeli delegate to the European Office of the UN, Gideon Raphael.<sup>419</sup>

Before leaving Washington, the US representative to the PCC, Ely E. Palmer, had discussed the question of the future role of the Commission with the officials of the State Department and found that, indeed, the Commission should adopt a more active role and, in this respect, make its own proposals to the negotiations. Nevertheless, it was considered an essential point that the Commission could only be successful if it continued to receive the cooperation of the parties involved. The State Department officials knew that Israel would continue to insist on direct negotiations, and moreover, the Israelis had expressed the view that for the PCC “to formulate specific proposals would call into questions the whole method of conciliation and the terms of reference of the Commission.”<sup>420</sup> In view of the Israeli attitude, the Commission should adopt a role of making proposals, but not on the issues of basic importance. Instead, it should concentrate its efforts on this point to subsidiary issues such as the question of compensation for the lost property of the refugees, the issue of blocked Palestinian accounts in Israeli banks, the cultivation of land close to or separated by the armistice lines, or the question of the reunion of separated refugee families.<sup>421</sup>

In Geneva, Palmer and his advisor James Barco discussed the issue with the other members of the Commission, and found that “in general they appreciated [the American] approach.”<sup>422</sup> The French representative, Claude de Boisanger, had been the main protagonist of a proposal-making role for the Commission, but as he witnessed the seemingly contradictable attitudes unfolding in Geneva, he began to agree with the advice of the Americans.<sup>423</sup>

### ***The Mixed Committees Proposal***

If the PCC had reservations with regards to taking on a more active proposal-making role, they were far more susceptible to consider the prospect of promoting direct negotiations. However, they knew that the Arabs would find this very difficult to accept. In February, therefore, the

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<sup>419</sup> Azcárate, *Mission in Palestine*, 159.

<sup>420</sup> Memorandum by Halderman, 3 Jan. 1950, RG 59, 357.AC, box 1372.

<sup>421</sup> Memorandum by Halderman, 3 Jan. 1950, RG 59, 357.AC, box 1372.

<sup>422</sup> Barco to Bancroft, 27 Feb. 1950, RG 59, 357.AC, box 1372.

<sup>423</sup> Barco to Bancroft, 27 Feb. 1950, RG 59, 357.AC, box 1372.

Commission adopted an idea of an indirect approach to direct negotiations. In essence, this idea proposed a series of mixed committees under PCC chairmanship – one for each of the outstanding issues – composed of representatives of the countries concerned on the various issues.<sup>424</sup> To the Israelis, of course, this new approach was very welcome, since it would allow for them to deal with the Arabs directly. Furthermore, they hoped that the proposed committees would, in the end, turn out to be regarded as “national” committees, in which Israel could deal with each of the Arab states separately. Barco reported back to the State Department on the “very reasonable and cooperative attitude” of Gideon Raphael, who agreed “that an indirect approach through the PCC to direct negotiations might prove most profitable in the end.”<sup>425</sup>

The Arabs, however, generally (or, at least, collectively) remained negative to the idea of direct negotiations, even through committees administered by the PCC. As had been the case ever since the PCC started its activities in 1949, the Arabs required some “convincing evidence of Israel’s good intentions” before direct negotiations could be considered.<sup>426</sup> Consequently, as a response to the unyieldingness in the Arab line, the PCC instead decided to try another way and concentrate on persuading Egypt and Israel to join one specific mixed committee – a committee on the question of refugees living in Gaza, in which proposals made by Egypt during the meetings in New York in October 1949 would be considered.<sup>427</sup> Doing so, the Commission thought its position was quite strong. It would be difficult for the Egyptians to decline, since the terms of reference of the perceived mixed committee would be based on their own proposals. With regards to Israel, it would be equally difficult to refuse, seeing as Israel always had portrayed itself as being anxious to conduct direct talks. Furthermore, the Commission hoped that starting off with Egypt, the leader of the Arab world, would pave the way both for broader negotiations with Egypt itself, but also for other mixed committees with other Arab states.<sup>428</sup>

The idea of the Gaza committee, in fact, induced the Israelis and the Egyptians to meet directly to discuss the matter. On 28 February 1950, in a small tea room on the train leaving from Paris to Geneva, Abba Eban and Gideon Raphael met secretly with the head of the Egyptian

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<sup>424</sup> Palmer to Acheson, 9 Mar. 1949, RG 59, 357.AC, box 1372.

<sup>425</sup> Barco to Bancroft, 27 Feb. 1950, RG 59, 357.AC, box 1372.

<sup>426</sup> Palmer to Acheson, 12 Feb. 1950, RG 59, 357.AC, box 1372.

<sup>427</sup> The proposals concerned the rights of Palestinian farmers to cultivate land that had been separated from them by the armistice lines. UN A/AC.25/Com.Gen./14, 17 Feb. 1950, *Report to the Conciliation Commission on the question of the establishment of a Joint Committee on the Egyptian proposals concerning the Gaza refugees and other related questions*. Found in RG 59, 357.AC, box 1372.

<sup>428</sup> Barco to Bancroft, 27 Feb. 1950, RG 59, 357.AC, box 1372.

delegation to the PCC, Abdel Monem Mustafa Bey. Eban opened the discussion by stressing that the time now had come for direct negotiations and that further delay would only make any agreement increasingly harder to obtain. Israel, he continued, was and had always been ready to sign an agreement with the Arabs, but “the Arab position had steadily deteriorated as Israel[‘s] position [had only been] consolidated.”<sup>429</sup> Mustafa Bey was unconvinced by Eban’s arguments. He said that Egypt too was interested in a definitive settlement with Israel, and that he personally had an open mind regarding the prospect of direct negotiations. Before these negotiations could take place, however, Israel would have to “agree on principles beforehand”, most importantly with regards to the territorial situation in the southern Negev where Egypt would require a land bridge with Jordan.<sup>430</sup> If Israel would agree to these “principles”, Egypt would be very inclined to conduct direct negotiations with Israel, even without the presence of the PCC. But as before, the prospect of making territorial concessions in the Negev was out of the question for Israel. Reviewing the discussion, Eban thought that Mustafa Bey’s conditions were “not so much an agreement on principles as a commitment by Israel as to what concessions she was prepared to make.”<sup>431</sup> “[T]his was not the way negotiations were carried on”, Eban continued, and “the concessions Abdul Monem [Mustafa Bey] demanded as a condition precedent would be matters which would emerge during negotiations.”<sup>432</sup>

Despite the cool reactions to the proposal of the mixed committees, the PCC continued to insist that this idea held the highest promise for bridging the gap between the Arabs and the Israelis. On 29 March, the PCC formally submitted a memorandum to the belligerents proposing the establishment of the mixed committees.<sup>433</sup> Furthermore, in an attempt to persuade the Arabs and the Israelis to accept the proposal, Boisanger and Azcárate went on a tour around the Middle East. In its memorandum, the Commission explained that although the Arabs had pressed for a proposal-making role for the PCC, while the Israelis had pressed for direct negotiations, it did “not consider as incompatible these two points of view”.<sup>434</sup> On the contrary, the Commission explained, the two demands could be considered as complementary:

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<sup>429</sup> Palmer to Acheson, 28 Feb. 1950, RG 59, 357.AC, box 1372.

<sup>430</sup> Palmer to Acheson, 28 Feb. 1950, RG 59, 357.AC, box 1372.

<sup>431</sup> Palmer to Acheson, 28 Feb. 1950, RG 59, 357.AC, box 1372.

<sup>432</sup> Palmer to Acheson, 28 Feb. 1950, RG 59, 357.AC, box 1372.

<sup>433</sup> UN A/AC.25/IS/45, 29 Mar. 1950, *Memorandum*.

<sup>434</sup> UN A/AC.25/IS/45, 29 Mar. 1950.

It would, indeed, be difficult to visualize how the Commission could undertake a procedure of mediation, in the course of which it would be expected to submit proposals to the parties, without the assurance that these proposals could be examined and discussed at meetings between the representatives of the Commission itself and of all the parties having an interest in the subject under discussion.<sup>435</sup>

At first, the State Department expressed doubts about submitting the proposal formally, first and foremost because of the risks involved if the Israelis should reject the notion of a proposal-making role for the PCC, which they thought was likely. This would only serve to enhance the Arab argument that Israel was insisting on a peace settlement solely on its own terms. In this respect, the proposal would possibly have adverse effects in the sense of worsening the impasse in the PCC negotiations, and perhaps especially with regards to the Israel-Jordan talks.<sup>436</sup> Only a few days earlier, the Israelis had once again urged caution and restraint from the Commission. “Israel’s position with Jordan was confused and fluid”, Raphael explained

and it would be most unfortunate if [the] Commissioner[s] took step[s] which might cause Jordan’s ultimate withdrawal from [the] negotiations on [a] theory [that] more could be hoped for from [the PCC].<sup>437</sup>

Nevertheless, the PCC decided that it was worth the risk. By making their proposal formal they thought that it would be more difficult for the parties to reject. For two months they had been informally promoting ideas to open up for direct talks, mainly through the proposed Gaza committee, and, as nothing had materialized from it, they now felt that this approach had been exhausted.<sup>438</sup> To add even further leverage to their proposal, they also considered publishing it to the press at the same time as submitting it to the Arabs and the Israelis. By doing so, they hoped that the public reaction would be such that the pressure to accept would be higher.<sup>439</sup> Once again, however, the State Department had doubts, and finally convinced the PCC of the need for more caution. Release of the proposal to the press could cause emphasis to be put on the parts of the proposal that the parties did not like, and thus have an adverse effect regarding acceptance.<sup>440</sup>

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<sup>435</sup> UN A/AC.25/IS/45, 29 Mar. 1950.

<sup>436</sup> Acheson to the US Consul, Geneva, 13 Mar. 1950, RG 59, 357.AC, box 1372.

<sup>437</sup> Palmer to Acheson, 7 Mar. 1950, RG 59, 357.AC, box 1372.

<sup>438</sup> Barco to Bancroft, 14 Mar. 1950, RG 59, 357.AC, box 1372.

<sup>439</sup> Palmer to Acheson, 17 Mar. 1950, RG 59, 357.AC, box 1373.

<sup>440</sup> Acheson to the US Consul, Geneva, 24 Mar. 1950, RG 59, 357.AC, box 1373; Palmer to Acheson, 30 Mar. 1950, RG 59, 357.AC, box 1373.

To some extent, making the proposal formal was done because it seemed like the only alternative, other than doing nothing. The PCC felt that despite the continuously forthcoming signals from Israel that an agreement with Jordan was just around the corner, in reality, it seemed to be a long way off.<sup>441</sup> In fact, the talks, which had continued sporadically through the first couple of months of 1950, were suspended at the beginning of March due to opposition from King Abdullah's own government.<sup>442</sup> Furthermore, although the Israelis were pressing for postponement, there were signals coming from the Arabs that their delegations would leave Geneva if the PCC remained inactive for much longer.<sup>443</sup> From the PCC's point of view, there would be clear advantages for Israel by accepting the proposal. Although they would have to agree to an increased influence for the Commission, it was exactly the inclusion of this point that could convince the Arabs to talk directly to the Israelis, which would be to their advantage.<sup>444</sup>

### ***A Long Expected Rejection***

The mixed committees proposal coincided with the twelfth ordinary session of the Arab League Council in Cairo, which had the effect of dramatically reducing hopes for acceptance by the Arab states. The long standing conflict between the Hashemites and their opponents, represented first and foremost by Jordan and Egypt, respectively, now crystallized around two central issues: A separate Israel-Jordan peace agreement and the annexation of the West Bank. In the months prior to the Arab League session, rumours of King Abdullah's secret talks with Israel as well as his plans for an annexation of the West Bank, had led to a violent pressure campaign from the other Arab states against King Abdullah and his government. All across the Arab world, and most especially in Egypt, King Abdullah was being publicly harassed and labelled as a traitor. Thus, on 1 April, the Arab League Council unanimously passed a resolution stating that no members of the Arab League may negotiate any separate peace treaty with Israel without being expelled.<sup>445</sup>

The chances for the successful implementation of the mixed committees proposal were therefore being impaired by an increasing sense of rivalry in the Arab world. With the new resolution adopted by the Arab League, the need for unity was greater than ever, since the

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<sup>441</sup> Barco to Bancroft, 14 Mar. 1950, RG 59, 357.AC, box 1372.

<sup>442</sup> Shlaim, *The Iron Wall*, 64-65.

<sup>443</sup> Palmer to Acheson, 7 Mar. 1950, RG 59, 357.AC, box 1372.

<sup>444</sup> Barco to Bancroft, 14 Mar. 1950, RG 59, 357.AC, box 1372; Palmer to Acheson, 14 Mar. 1950, RG 59, 357.AC, box 1372.

<sup>445</sup> Shlaim, *The Politics of Partition*, 390-393.

Commission's proposal now would require a unified acceptance by all the Arab states. At first, there seemed to be hopes for success, as several Arab leaders in private conversations with the PCC once again displayed a sense of pragmatism and hinted at the possibility of accepting the proposal. Even within the Egyptian government, who had been most outspoken in the campaign against the Israel-Jordan talks, opinions were privately expressed that the PCC proposal could be accepted.<sup>446</sup> As could be expected, King Abdullah went furthest, stating that he would unilaterally accept the proposal "even if it were rejected by all other Arab states and even if Jordan were to be expelled from [the] Arab League for doing so."<sup>447</sup> What King Abdullah misjudged, however, was that his government was far more sensitive towards the opinions expressed by the other Arab leaders. Therefore, the Jordanian government insisted that no negotiations with Israel could be resumed unless Egypt took the lead.<sup>448</sup> The same signals came from the Lebanese government who stated that it wanted to cooperate, but could "do nothing unless initiative is taken by some other state[,] preferably Egypt."<sup>449</sup>

Despite these signals, the Arab states once again proved that the prospect of negotiations was reduced when they acted collectively. In a meeting with representatives of Egypt, Syria and Lebanon on 14 April 1950, the Egyptian Foreign Minister Muhammad Salah al-Din Bey reaffirmed, in the name of all the Arab states, the condition that Israel should accept the principle of the return of the refugees before direct talks could take place.<sup>450</sup>

The Israelis regarded the Arab reply as a "bogus' [...] designed to make it impossible for [them] to reply affirmatively" to the PCC proposal. Thus, when the Israelis sent their reply, they decided not to take the Arab reply into consideration. The Israeli reply was a positive one, reaffirming the Israeli desire to negotiate directly, and adding that it "required no concessions or undertakings in advance of such negotiations, it being understood that any party having claims to make will be entitled to put them forward in the course of the negotiations."<sup>451</sup> The comment was clearly an indirect blow directed at the Arabs for having set such preconditions, causing the mixed committees proposal to fail.

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<sup>446</sup> Caffery to Acheson, 12 Apr. 1950, RG 59, 357.AC, box 1373.

<sup>447</sup> Palmer to Acheson, 2 Apr. 1950, RG 59, 357.AC, box 1373.

<sup>448</sup> Drew to Acheson, 10 Apr. 1950, RG 59, 357.AC, box 1373.

<sup>449</sup> Pinkerton to Acheson, 13 Apr. 1950, RG 59, 357.AC, box 1373.

<sup>450</sup> Caffery to Acheson, 14 Apr. 1950, RG 59, 357.AC, box 1373; Palmer to Acheson, 17 Apr. 1950, RG 59, 357.AC, box 1373.

<sup>451</sup> Sharett to Palmer, 6 May 1950, RG 59, 357.AC, box 1373.

### ***Reviving the Israel-Jordan Channel?***

With the *de facto* rejection of the mixed committees proposal, attention turned to the prospect of renewing the Israel-Jordan talks, which had been suspended since the beginning of March 1950. While the rejection of the proposal in the Arab League had formally been made in the name of all the Arab states, Jordan had not actually been present at the meeting. For the Commissioners, therefore, there still existed a hope that King Abdullah might unilaterally accept it and that a mixed committee could provide a cover for the resumption of the Israel-Jordan talks. Following the Arab League reply, King Abdullah sent a letter to the Israelis stating that he wished to renew the peace talks between the two countries. What he had in mind were parallel talks in Geneva and the Middle East, following the model of the armistice negotiations of 1949. The talks in Geneva would simply provide a cover which could help to lessen the opposition both internally in Jordan and Israel, and from the Arab League. The real talks would be those in the Middle East. King Abdullah made it no secret, however, that he intended to complete the annexation of the West Bank first, and that negotiations would have to wait until he had achieved his goal.<sup>452</sup>

On 11 April 1950, general elections for the parliament in Jordan had been held to represent both sides of the river. This had more than doubled the Jordanian electorate, and given the Palestinian refugees on the West Bank the right to vote. On 24 April, the newly elected parliament convened for the first time and confirmed the union between Jordan and Arab Palestine. The annexation of the West Bank was a fact.<sup>453</sup> In the meantime, the Arab League had reaffirmed its decision to expel any member that reached a separate agreement with Israel. At the same time, they had decided not to press King Abdullah too hard on the question of annexation. Supported by its Hashemite ally Iraq, acting as a mediator in the Arab League, Jordan had reached a compromise with the Arab states, in which they agreed to recognize Jordan's *de facto* administration of the West Bank while withholding *de jure* recognition.<sup>454</sup>

Having received a quiet acceptance from the Arab states to annex the West Bank, King Abdullah knew that should he decide to resume the peace talks with Israel, Jordan's membership in the Arab League would come to a definitive end. For King Abdullah, however, membership in the Arab League was less important than a peace deal with Israel, and, consequently, he

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<sup>452</sup> Palmer to Acheson, 22 Apr. 1950, RG 59, 357.AC, box 1373; Shlaim, *The Politics of Partition*, 393; Avi Shlaim, *Lion of Jordan: The Life of King Hussein in War and Peace*. (London: Penguin Books, 2007), 33.

<sup>453</sup> Shlaim, *The Politics of Partition*, 393-396.

<sup>454</sup> Shlaim, *The Politics of Partition*, 394.

remained loyal to his promises to Israel. Only two days after the parliament had passed the Decree of Unification, direct talks were resumed. When Moshe Dayan and Reuven Shiloah, in utmost secrecy, visited the King in Amman, he reaffirmed his loyalty to the previously agreed principles and stated that he was unafraid of sanctions from the Arab League.<sup>455</sup>

By then, however, the momentum for a peace deal between Israel and Jordan was lost. Once again, King Abdullah misjudged the strength of the internal opposition against his peace policy and the effect the pressure from the Arab League had upon his government. Unlike the King, the Jordanian government concluded that cooperation with the other Arab states was more important than a peace agreement with Israel. Moreover, after the annexation of the West Bank, King Abdullah's internal position was further weakened, largely because of the opposition from the Palestinians on the West Bank.<sup>456</sup> The Israelis, for their part, were not happy with the manner in which King Abdullah had unilaterally annexed the West Bank outside the context of a general peace settlement, and they refused to recognize it as Jordanian territory. Within the political landscape in Israel, frustration with the lack of results from the talks with Jordan was growing.<sup>457</sup>

The PCC had, ever since the *de facto* rejection of the mixed committees proposal by the Arabs, pressed for an unconditional acceptance. They argued that the refugee issue could not be singled out in favour of the other issues, and that, in any case, it was during the negotiations that the issues would be discussed.<sup>458</sup> The Arabs, however, only continued to reaffirm their previously stated position that Israel must accept the principle of the refugees' right to return, as a precondition for negotiations. On 23 May 1950, Jordan officially closed ranks and threw its full support behind the Arab League policy.<sup>459</sup> Thus, it finally became clear that the proposal of the mixed committees had failed completely, also in the sense of providing a cover for talks between Israel and Jordan. Although secret contact was kept between King Abdullah and Israeli officials through the summer of 1950, it never resulted in anything.<sup>460</sup> On 15 July, the Commission adjourned the meetings in Geneva, and took a few weeks recess.

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<sup>455</sup> Shlaim, *The Politics of Partition*, 396.

<sup>456</sup> Palmer to Acheson, 24 Aug. 1950, RG 59, 357.AC, 1373; Shlaim, *Lion of Jordan*, 33-34.

<sup>457</sup> Shlaim, *The Politics of Partition*, 395-399.

<sup>458</sup> Palmer to Acheson, 30 May 1950, RG 59, 357.AC, box 1373.

<sup>459</sup> Drew to Acheson, 23 May 1950, RG 59, 357.AC, box 1373.

<sup>460</sup> Shlaim, *The Politics of Partition*, 396-398.



## Endorsing the Status Quo: The Tripartite Declaration

Jordan's annexation of the West Bank contributed greatly to the decline of the PCC by further enforcing the *status quo* outside the context of a peace settlement. However, this event was only one indicator of the declining position of the PCC. The general resistance towards negotiations had grown during the spring of 1950. The Arabs had, to a large extent, returned to the stance they had held prior to the Beirut meetings of 1949, arguing that a solution to the refugee problem should be a precondition for negotiations with Israel. Israel's re-evaluation of their 100 000 offer, moreover, had effectively removed whatever common ground there may have been for negotiations on the refugee question.<sup>461</sup> At the same time, it became increasingly apparent through the spring of 1950 that the potential influence of the US on the Arab states, especially Lebanon, Syria and Egypt, had decreased as the US was increasingly being viewed as *a priori* pro-Israeli.<sup>462</sup> By the end of the summer, this tendency had become visible in the Arab press, which described the US, and especially the American representative to the PCC, Ely Palmer, as supporters of Israel and unfriendly towards the Arab states.<sup>463</sup> The tapering influence of the US was decisive for the PCC because of the leadership role the US always had played in the PCC.<sup>464</sup>

Thus, the Commission's mandate and influence position, it seemed, were increasingly becoming outdated. By the summer of 1950, another event had greatly contributed to this development: The issuing of the Tripartite Declaration concerning arms sales to the Middle East.

The supply of arms to the belligerents of the first Arab-Israeli war had been curtailed by an arms embargo invoked by two UN agreements in May and July 1948, encouraged by the US. Once the armistice agreements had been signed between Israel and the Arab states during the spring of 1949, the arms embargo became an issue. In April 1949, Great Britain asked the US to help them lift the restrictions, as they wanted to arm their allies in the Middle East – Iraq, Egypt and Jordan. The Israelis, on the other hand, having benefited in terms of arms balance, favoured extending the embargo. British rearmament of the Arab states, they argued, would only increase their reluctance to sign a peace agreement.<sup>465</sup>

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<sup>461</sup> See chapter 5.

<sup>462</sup> Forsythe, *United Nations Peacemaking*, 75-77.

<sup>463</sup> Caffery to State Dept., 12 Aug. 1950, RG 59, 357.AC, box 1373; Acheson to Palmer, 23 Aug. 1950, RG 59, 357.AC, box 1373; Palmer to Acheson, 29 Aug. 1950, RG 59, 357.AC, box 1373.

<sup>464</sup> Barco to Acheson, 22 June 1950, RG 59, 357.AC, box 1373.

<sup>465</sup> Hahn, *Caught in the Middle East*, 72.

By August 1949, the State Department became concerned that prolonging the embargo would anger the British, signal a lack of confidence in the peace efforts of the UN, and induce the Arab states to purchase arms from the Soviet bloc. Truman agreed, and on 11 August, the US convinced the UN Security Council to abolish the embargo, while at the same time stressing that arms sales from the US to Middle Eastern states would be limited to the purpose of maintaining internal law and order, and to meeting the basic requirements for self defence. By the second half of 1949, British weapons had begun to trickle into Egypt and Iraq. From January 1950, the US had approved commercial sales of ammunition, air crafts and vehicles to Israel, but denied sales of heavier weapons.<sup>466</sup>

Israel reacted strongly against the British arms sales to Arab states. Unable to stop this flow of arms, they requested full access to the US arsenal. The Pentagon rejected this request in May 1950, arguing that the balance of arms was tilted in Israel's favour and that arms supplies would only increase its offensive capabilities, and hence, its incentive for offensive planning. The rejection caused a serious strain in US-Israeli relations and resulted in a relentless Israeli pressure campaign directed towards US public opinion to change the decision. This campaign affected President Truman, who began to change his policy against the advice of the Pentagon and the State Department. Truman ordered the State Department to outline a "less one-sided policy" that would satisfy the pro-Israeli public opinion by allowing arms sales to Israel.<sup>467</sup>

Sprung out of this change in the American policy was the Tripartite Declaration of 25 May 1950. In essence, the Declaration was an agreement by the US, Great Britain and France to condition arms sales to Middle Eastern states on their willingness to pledge non-aggression. Furthermore, recognition was given to the "need to maintain a certain level of armed forces for the purposes of assuring their internal security and their legitimate self[-]defence".<sup>468</sup> Should any of the states receiving arms break their pledge not to violate the armistice lines the three governments would "immediately take action [...] to prevent such violation."<sup>469</sup>

For the UN and the PCC in particular, the Tripartite Declaration represented an undermining of its room for manoeuvre. The declaration actually had the effect of guaranteeing

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<sup>466</sup> Hahn, *Caught in the Middle East*, 72.

<sup>467</sup> Hahn, *Caught in the Middle East*, 73-74.

<sup>468</sup> "Tripartite Declaration Regarding the Armistice Borders: Statement by the Governments of the United States, The United Kingdom, and France, May 25, 1950", United Nations Information System on the Question of Palestine, available at <http://domino.un.org/UNISPAL.NSF/3d14c9e5cdaa296d85256cbf005aa3eb/3ef2baa011ad818385256c4c0076e724!OpenDocument> (15 February 2009).

<sup>469</sup> "Tripartite Declaration Regarding the Armistice Borders".

the borders stipulated in the armistice agreements. As such, the declaration represented a disbelief in the PCC's ability to negotiate a peace settlement between the Arabs and the Israelis. The three great powers had, in essence, endorsed the very territorial *status quo* that the PCC was seeking to change by negotiating a settlement. The fact that two of the Declaration's sponsors were members of the PCC, further added to the undermining of the PCC. For the PCC, the signatures of France and the US were clear indications that these governments would not support changes sought by the Commission to the territorial situation between the Arabs and the Israelis.

Both the Arabs and the Israelis were generally positive towards the Declaration. The Israelis privately welcomed it as a guarantee of the armistice borders and as a check on arms supply and aggression by the Arab states. The Arabs, likewise, welcomed it as a safeguard against Israeli expansion. By August 1950, US officials described the Tripartite Declaration as a success that had helped reducing the tension in the Middle East.<sup>470</sup>

## **Renewed Prospects for Resettlement?**

Having adjourned the meetings in Geneva on 15 July 1950, the Commission re-assembled in Jerusalem at the beginning of August and decided to make a tour around the Middle East. Scepticism within the member states of the PCC was increasing. Commenting on the Commission's decision to move to the Middle East, the US Ambassador to Israel, James McDonald, stated that "the [PCC] is condemned by [its] own record and [...] should be scrapped by [the] next [session of the General Assembly]."<sup>471</sup> McDonald, who for almost a year had been one of the most outspoken critics of the PCC, arguing for its replacement by a one-man mediating medium, thought that a continued effort of the Commission would only serve to discredit the UN and block other possibilities for peace.<sup>472</sup> Replying to this criticism, Palmer argued that, on the contrary, the PCC might be severely criticized for not spending enough time in the region itself while attempting to fulfil its terms of reference.<sup>473</sup> It was evident that Palmer and McDonald had a very different outlook to the impasse in the negotiations. Whereas McDonald emphasised the Arabs' preconditions to negotiations as the main reasons for its

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<sup>470</sup> Hahn, *Caught in the Middle East*, 74-75.

<sup>471</sup> McDonald to Acheson, 20 June 1950, RG 59, 357.AC, box 1373.

<sup>472</sup> McDonald to Acheson, 20 June 1950, RG 59, 357.AC, box 1373.

<sup>473</sup> Palmer to Acheson, 27 June 1950, RG 59, 357.AC, box 1373.

failures, Palmer and his advisor James Barco argued that the “real reason behind [the] Arab attitude is their conviction, which Israel has done little to counteract [...], that negotiations with Israel would gain [the] Arabs absolutely nothing.”<sup>474</sup> Thus, while judging from official statements of the Arab leaders they would appear to be most reluctant to negotiations, the Israelis had, in fact, exploited this to avoid negotiations in which they would be expected to make concessions. According to Palmer, therefore, it was the Israeli failure to counteract the Arab feeling of futility “that is responsible for [the] PCC[‘s] failure.”<sup>475</sup>

During their tour around the Middle East the PCC discovered an interesting development on the part of the Arab leaders: Their willingness to consider favourably the combination of resettlement of the refugees on Arab territory and compensation from Israel had increased. However, this slight shift did not represent any major change in the attitudes of the Arab leaders. In fact, during the meetings in the Middle East, which took place at the end of August and the beginning of September, all of them expressed their usual dissatisfaction with the failure to implement the repatriation of the refugees, and upheld their demand that Israeli should make concessions on this point. First and foremost, the willingness to consider resettlement was an attempt by the Arab leaders to adapt their policies to a more realistic stance. Apparently, indications had reached the Arab leaders by the late summer of 1950 that if the Palestinian refugees had been given a choice of returning to Israel or resettling in the Arab states with compensation for their lost property, “an increasing majority” have chosen the latter.”<sup>476</sup>

As had been the case in 1949, Jordan and, especially, Syria appeared most willing to consider resettlement.<sup>477</sup> The Lebanese government also indicated that they were principally agreeable to resettlement, but reaffirmed their previously stated position that Lebanon was too over-populated to consider resettlement of refugees on their territory.<sup>478</sup> Of the Arab states, Egypt stuck most firmly by their old position that Israel had to accept the return of the refugees,

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<sup>474</sup> Barco to Acheson, 22 June 1950, RG 59, 357.AC, box 1373.

<sup>475</sup> Barco to Acheson, 22 June 1950, RG 59, 357.AC, box 1373.

<sup>476</sup> Memorandum by Ludlow to Bancroft and Wainhouse, 13 Sep. 1950, RG 59, 357.AC, box 1373. It is doubtful whether these indications were, in fact, true. For one thing, there are no references to where the signals were actually coming from. Moreover, the assumption that the Palestinian refugees would not want to go back to their former homes seems highly unlikely, since the concept of “return” always has been a uniquely important element of the Palestinian identity. See for instance: Rosemary Sayigh, *Palestinians: From Peasants to Revolutionaries*. (London and New Jersey: Zed Books Ltd., 1979), 10-58, 98-136; Rashid Khalidi, “Observations on the Right of Return”, *Journal of Palestine Studies* vol. 21, no. 2 (winter 1992), 29-40.

<sup>477</sup> Palmer to Acheson, 21 Aug. 1950, RG 59, 357.AC, box 1373; Palmer to Acheson, 29 Aug. 1950, RG 59, 357.AC, box 1373.

<sup>478</sup> Palmer to Acheson, 29 Aug. 1950, RG 59, 357.AC, box 1373.

largely because Egypt, like Lebanon, was densely populated. Nevertheless, also with respect to Egypt, the PCC found that they “might not be opposed to [the] principle of resettlement.”<sup>479</sup>

The Israelis expressed satisfaction over this new development on the refugee issue. In a meeting on 30 August, Israel’s Foreign Minister Moshe Sharett said that the signals coming from the Arab leaders were “most interesting”, and that they “might make it possible for Israel [to] meet with Arab governments on some common ground.”<sup>480</sup> Prime Minister David Ben-Gurion, however, did not allow for this optimism to blossom. Already earlier that day he had made it very clear that the “Arabs were under serious misapprehension of they thought [that] Israel would pay compensation outside [the] context [of a] general peace settlement.”<sup>481</sup> He frankly stated that the Arabs were mistaken if they thought they were gaining anything from postponing a peace settlement, since “Israel did not lose anything and could continue [to live with the present] status quo for 8 years or as long as necessary.”<sup>482</sup> Once more, the chances for a breakthrough in the negotiations were lost in the face of Israeli inflexibility on the refugee issue.

## **Non-Acceptance of the Status Quo**

The PCC adjourned the meetings in the Middle East on 8 September 1950, and decided to reconvene in New York in October in time for the fifth session of the UN General Assembly. In the meantime, time was spent preparing a progress report which was to be submitted to the Assembly. Increasingly, the Commission was starting to feel that it had exhausted its role under the terms of reference stipulated in Resolution 194, and that its mandate was becoming out of touch with the present situation in the Middle East.<sup>483</sup> The *status quo* was becoming cemented on all the crucial aspects of the conflict. Furthermore, Resolution 194 was unclear whether direct or indirect negotiations should be followed. As a result, both the Arabs and the Israelis could maintain their positions with regards to the procedure to be followed and at the same time claim to be acting in accordance with the resolution. The new role that the PCC had attempted to fill in 1950, both by promoting direct negotiations and taking on a proposal-making role, had been an attempt to satisfy both the Arabs and the Israelis, and thereby increase their level of cooperation.

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<sup>479</sup> Palmer **Error! Reference source not found.** to Acheson, 2 Sep. 1950, RG 59, 357.AC, box 1373.

<sup>480</sup> Palmer to Acheson, 2 Sep. 1950, RG 59, 357.AC, box 1373.

<sup>481</sup> Palmer to Acheson, 31 Aug. 1950, RG 59, 357.AC, box 1373.

<sup>482</sup> Palmer to Acheson, 31 Aug. 1950, RG 59, 357.AC, box 1373.

<sup>483</sup> Forsythe, *United Nations Peacemaking*, 80-81.

This approach, however, had only represented another failure. Consequently, by the fall of 1950 the Commission started writing their most extensive report to the General Assembly, hoping that this could result in the issuing of new terms of reference.<sup>484</sup>

In the report, the Commission presented its own analytical evaluation and recommendations concerning the present situation in the Arab-Israeli conflict. The core of this analysis was that the *status quo* should not be accepted and that further efforts should be made in order to negotiate a general peace settlement. Although it did not say so in plain words, the report was clearly an indirect finger pointed at the sponsors of the Tripartite Declaration, two of whom were member states of the Commission itself. While the Commission admitted that the armistice agreements had “succeeded in restoring a considerable degree of stability and in keeping the way open for the establishment of a lasting peace”, they could not replace the sense of stability that a general peace settlement would provide.<sup>485</sup> The PCC believed that the armistice agreements had created merely an absence of violence – a “negative peace”, that was comfortable enough to hinder the establishment of the “positive peace”. The replacement of the state of non-aggression by a more permanent peace agreement could best be achieved through the continued assistance of the UN and the presence in the region of its agencies.<sup>486</sup>

In the report and in the debate that followed in the General Assembly, the PCC laid great weight on the refugee problem, stating that it was “the one demanding the most urgent solution.”<sup>487</sup> This emphasis won head in the Assembly and was clearly reflected in Resolution 394 that was adopted as a result of the debate. With regards to obtaining clearer instructions on the negotiation procedure to be followed the Commission was less successful. While the original Western-sponsored draft had called for the parties to undertake direct negotiations, this point was omitted in the final resolution. As to the refugees, the Commission was instructed to establish a specialized Refugee Office to make arrangements for the repatriation and resettlement, and, most importantly, the payment of compensation to the Palestinian refugees.<sup>488</sup> The establishment of this office occupied most of the Commission’s time during the first half of 1951.

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<sup>484</sup> Memorandum of conversation by Rockwell, 25 July 1950, 357.AC, box 1373.

<sup>485</sup> UN A/1367/Rev.1, 23 Oct. 1950, *General Progress Report and Supplementary Report of the United Nations Conciliation Commission for Palestine*.

<sup>486</sup> UN A/1367/Rev.1, 23 Oct. 1950; Forsythe, *United Nations Peacemaking*, 81-83.

<sup>487</sup> UN A/1367/Rev.1, 23 Oct. 1950.

<sup>488</sup> UN A/RES/394(V), 14 Dec. 1950, *Palestine: Progress report of the United Nations Conciliation Commission for Palestine; Repatriation or resettlement of Palestine refugees and payment of compensation due to them*.

## Chapter 7

# One Last Try

*January-December 1951*

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The influence and position of the PCC had declined steadily during 1950, causing the sense of frustration and futility amongst the Commissioners to reach new heights. This negative atmosphere reached a peak in 1951. At the outset of the year, the PCC concluded that it had reached a new phase in its existence. Rather than focusing on general discussions on the refugee problem, as had previously been the case, efforts were now concentrated on the more practical aspects. The new instructions received from the General Assembly through Resolution 394 of 14 December 1950 directed the PCC to set up a new Refugee Office. This Office was charged primarily with making arrangements for the payment of compensation to the refugees, as well as the more general task of making arrangements for the implementation of the refugee paragraph of Resolution 194 – in other words, the general solution to the refugee problem.<sup>489</sup>

However, even the process of simply setting up the Office, which continued until late May 1951, turned out to be a long and tedious affair. The fact that so much time was spent on this relatively modest task, bears witness of a conviction amongst the Commissioners that time spent in a continued effort to bring the Arabs and the Israelis back into negotiations was wasted. It was also a reflection of an inability on the part of the US representative to pursue the vigorous leadership that had become the norm. To a large extent this was due to a decreased involvement and lack of clear instructions from the US government, which in turn reflected the decreased importance that was attached to the PCC by all the involved parties.<sup>490</sup> As if this was not enough, the establishment of the Refugee Office ignited a conflict with another body established by the PCC – the UNRWA. In essence, this quarrel revolved around the question of which body should be considered as mainly responsible for the various aspects of the refugee problem.

The diplomatic inaction of the PCC during the spring of 1951 convinced some people within the Commission that time was ripe for renewed activity in the negotiations. The feeling was that the diplomatic weariness should be broken and make way for some new initiative to fulfil the Commission's mandate. The American advisor James Barco became the main

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<sup>489</sup> UN A/1793, 22 Mar. 1951, *Ninth Progress Report*.

<sup>490</sup> Palmer to Acheson, 9 May 1951, RG 59, 357.AC, box 1373.

protagonist for this approach, and succeeded in persuading the rest of the PCC as well as obtaining the support of the State Department for making “one last try” to negotiate a settlement in the Arab-Israeli conflict.<sup>491</sup> The result was another peace conference – this time, in Paris. The conference, however, was a complete failure from the first minute, and finally convinced the Commission that continued efforts on its behalf would be futile. At the sixth session of the General Assembly, the PCC reported that it had become “impossible for the Commission to carry out its mandate”.<sup>492</sup> This conclusion signalled the end of the Commission’s role as a significant actor in the quest for a peace settlement between the Arabs and the Israelis.

## **A State of Atrophy**

Having adjourned their session in New York, the PCC returned to their official headquarters in Jerusalem in the middle of January 1951 and began the work of setting up the Refugee Office. For the next six months, the predominant theme of the Commission’s activities was the payment of compensation for the lost properties of the refugees, combined with the issue of resettlement in the Arab states. It was admitted from the very beginning that the Refugee Office “would probably not be able to bring about any large-scale or surprising accomplishments”.<sup>493</sup> According to the Commission’s Principal Secretary Pablo de Azcárate, the first half of 1951 was “beyond doubt the most lamentable [period] in its history.”<sup>494</sup> The previously adopted mediation approach, in which the Commission as a whole met with representatives of Israel and the Arab states, was suspended. In contrast, unofficial, private conversations and contacts between various Arab or Israeli representatives and each of the individual members to the Commission multiplied. Unfortunately, this procedure caused further damage to the Commission’s prestige and jeopardized its future as a mediator. Issues which were of immense importance and gravity, and which previously had been discussed in meetings of high standing, had now been reduced to an atmosphere which was considered to be ill-suited. The Commission had fallen “into a state of what [could] without exaggeration be called atrophy.”<sup>495</sup>

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<sup>491</sup> Forsythe, *United Nations Peacemaking*, 86.

<sup>492</sup> UN A/1985, 20 Nov. 1951, *Progress report of the Conciliation Commission for Palestine*.

<sup>493</sup> Memorandum of conversation, 2 Jan. 1951, RG 59, 357.AC, box 1373.

<sup>494</sup> Azcárate, *Mission in Palestine*, 166.

<sup>495</sup> Azcárate, *Mission in Palestine*, 166.



### ***Institutional Jealousy? The Refugee Office and UNRWA***

Ever since UNRWA was established at the end of 1949, its relationship with the PCC had been tense. Due to the inherent relationship between the two UN bodies, there would be compelling reasons for keeping a close liaison between them. The efforts made by the PCC with regards to repatriation, resettlement and compensation all related to or overlapped with UNRWA's plans for resettlement of the refugees in the Arab states. Nevertheless, liaison between the two agencies was scarce. By the summer of 1950, only one official meeting had been held. There seemed to be an assumption that the efforts of the PCC and UNRWA would mesh on their own accord.<sup>496</sup>

As the PCC increased their emphasis on the questions of resettlement and compensation from August 1950, the tension with UNRWA hardened. With the official establishment of the Refugee Office on 25 January 1951, and the subsequent emphasis by the Commission on compensation and resettlement, the conflict with UNRWA was even further aggravated. As a result, liaison between the two agencies increased, and several meetings were held. The meetings, however, were characterized by a sense of institutional jealousy, in which each body protected its own status. Furthermore, it was clear that the respective governments of the representatives to the two agencies did not attempt to coordinate their efforts. Consequently, American argued against American, and Frenchman argued against Frenchman in what, at least periodically, were heated discussions.<sup>497</sup>

The most important source of friction was the question of resettlement, and which agency should handle negotiations on this matter. UNRWA considered themselves to be the body primarily responsible for this issue. Consequently, they asked the PCC to limit its activities to the issues of repatriation and compensation. Repatriation and compensation, argued UNRWA, could be considered as issues "in the political and diplomatic sphere", while resettlement, which should be UNRWA's main responsibility, was a question of a more technical nature.<sup>498</sup> At one point, UNRWA even asked the PCC to avoid appointing as head of the new Refugee Office an outstanding personality who would have the authority to engage in negotiations on the question of resettlement. The PCC, however, did not agree with the clear distinction made by UNRWA.

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<sup>496</sup> Forsythe, *United Nations Peacemaking*, 78-79.

<sup>497</sup> Forsythe, *United Nations Peacemaking*, 79-80.

<sup>498</sup> UN A/AC.25/SR.200, 26 Jan. 1951, *Summary record of a meeting of the Commission with the Relief and Works Agency*.

They considered themselves as an executive body superior to UNRWA, and thus they resisted UNRWA's efforts to pre-empt the issue of resettlement. On the contrary, the Commissioners warned "that it was difficult, if not impossible, to draw too fine a distinction between repatriation and resettlement."<sup>499</sup>

With no agreement with UNRWA as to the respective roles of the two agencies on the refugee question, the PCC continued setting up the Refugee Office at a leisurely pace. Some informal talks with representatives of the Israeli government on the compensation issue were conducted, but the issue was not pressed, and thus, they resulted in nothing. By mid-May 1951, the Refugee Office had started on some of its substantive tasks, most importantly the preparations of estimates for the total losses of Palestinian properties to be compensated.<sup>500</sup>

### **Reaction to Inaction: The Activism of James Barco**

By the beginning of May, the American delegation to the PCC had begun looking for some new initiative in order to elevate the Commission from the "increasing sense of frustration and futility" that had characterized its activities since January.<sup>501</sup> In a cable to the State Department on 9 May 1951, the American representative Ely E. Palmer reported on the lack of progress on all the issues with which the PCC had concerned itself for the last three months. He complained about a lack of instructions from the State Department and a need for a better understanding of its policy objectives, and claimed that, in lack of such an understanding, he was unable to assume the vigorous leadership that the US delegates previously had displayed on the Commission.<sup>502</sup> As a result of the lack of progress in its work, active consideration by its members of the problems facing the Commission were becoming more infrequent:

[French representative Claude de] Boisanger has only last week returned from a month in Paris, is now touring Syria and will leave again for Paris probably early in June. [Turkish representative Rustu] Aras likewise is seldom in Jerusalem.<sup>503</sup>

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<sup>499</sup> UN A/AC.25/SR.200, 26 Jan. 1951; Forsythe, *United Nations Peacemaking*, 79-80.

<sup>500</sup> Forsythe, *United Nations Peacemaking*, 85-86.

<sup>501</sup> Palmer to Acheson, 9 May 1951, RG 59, 357.AC, box 1373.

<sup>502</sup> The sharp decrease in the sheer volume of cables between the State Department and the US representative to the PCC supports the claim of a decrease in liaison.

<sup>503</sup> Palmer to Acheson, 9 May 1951, RG 59, 357.AC, box 1373.

Apparently, the French and Turkish representatives thought that the activities of the PCC had reached a definitive stalemate, and that there was nothing left to do other than report to the next session of the General Assembly next fall of the need for a consolidation of the activities of the UN in the Middle East. The American delegation, however, wanted a more positive approach than this.<sup>504</sup>

To a large extent, this recognition of the need for a new initiative was the result of the conduct of one man: The American advisor James Barco. Barco, who had been intermittently involved in the activities of the PCC ever since the spring of 1949, had throughout 1951 been dissatisfied with the indolence of the PCC and had advocated some sort of activism that could allow the Commission to justify its continued existence. Furthermore, he had been dissatisfied with the failure to actively pursue the question of compensation in discussions with the Israelis. As a result, he had begun arguing for a new diplomatic initiative – “a last try” to fulfil the mandate of the PCC by assembling the Arabs and the Israelis to another peace conference.<sup>505</sup>

Palmer, who had refrained from pressing the Israelis on the compensation issue, was at first reluctant to endorse Barco’s initiative. Like he had explained to the State Department in his cable of 9 May, Palmer was concerned about the lack of instructions for Washington. As such, he feared that, in the event of a conference being held, the PCC would not receive the support from the US government that it needed in order to obtain a strong mediating position, and that the Commission would find itself alone in negotiations with the Arabs and the Israelis. When Barco, in a heated session of the PCC, threatened to deliver his resignation, Palmer finally agreed to support the idea of a conference, provided Barco would take the responsibility for obtaining the desperately needed support from the State Department.<sup>506</sup> Towards the end of June, Barco headed for Washington, explained the situation on the ground in the Middle East to the State Department officials and tried to persuade them of the need for a conference.<sup>507</sup>

By the end of July 1951, it was clear that Barco’s initiative had caused a change of climate in the State Department. Palmer finally received instructions from Secretary of State Dean Acheson to “advocate new and more vigorous efforts by the Commission”.<sup>508</sup> Acheson wanted the PCC to undertake “a more authoritative and direct role on the part of the PCC than it

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<sup>504</sup> Palmer to Acheson, 9 May 1951, RG 59, 357.AC, box 1373.

<sup>505</sup> Forsythe, *United Nations Peacemaking*, 86.

<sup>506</sup> Forsythe, *United Nations Peacemaking*, 86-87

<sup>507</sup> Palmer to Acheson, 20 June 1951, RG 59, 357.AC, box 1373.

<sup>508</sup> Acheson to Palmer, 27 July 1951, RG 59, 357.AC, box 1374.

has heretofore assumed.”<sup>509</sup> In comparison, in the discussions between Palmer and the officials in the State Department in early January the previous year, there had been a degree of reluctance with regards to the Commission involving itself directly in the negotiations and making substantive proposals on the issues of basic importance. After Barco’s visit to Washington in the summer of 1951, it was clear that this had changed and that the Secretary of State wanted a more forceful approach. As such, Palmer received his promise of support from the State Department, and the stage was set for another peace conference conducted by the PCC.<sup>510</sup>

## The Paris Conference

At the end of July 1951, the Commission assembled in Geneva in order to prepare for the conference, which was scheduled to open in Paris at the beginning of September. In accordance with the instructions from the State Department for a more forceful approach, it soon became clear that the Paris conference would take on a different form than previous negotiations headed by the PCC. Accordingly, in order to “provide [the] PCC with maximum freedom of action during [the] conference”, it was decided that the agenda for the conference should be decided by the Commission alone and that it should not be discussed with the Arabs or the Israelis before the opening. By making this decision, the Commission hoped to avoid a discussion of priorities of the various issues which throughout its past had blocked progress in the negotiations.<sup>511</sup> Moreover, the discussions were to be based upon a set of proposals that would be prepared by the Commission beforehand.<sup>512</sup>

On the other hand, the PCC had significantly lowered their expectations for what could be achieved during the conference. It was clearly appreciated that a full agreement of all outstanding questions between the Arabs and the Israelis, which the General Assembly had established as the Commission’s aim some two and a half years earlier, was unrealistic. Palmer admitted that the Commission “do not expect [an] over-all agreement as a result [of the] Paris conference but hope [to] reduce [the] area of disagreement by [adopting a] realistic approach to

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<sup>509</sup> Acheson to Palmer **Error! Reference source not found.**, 27 July 1951, RG 59, 357.AC, box 1374.

<sup>510</sup> Acheson to Palmer, 7 July 1951, RG 59, 357.AC, box 1374; Acheson to Palmer, 27 July 1951, RG 59, 357.AC, box 1374.

<sup>511</sup> Palmer to Acheson, 9 Aug. 1951, RG 59, 357.AC, box 1374; Barco to Acheson, 14 Aug. 1951, RG 59, 357.AC, box 1374.

<sup>512</sup> Palmer to Acheson, 30 Aug. 1951, RG 59, 357.AC, box 1374.

some of [the] problems.”<sup>513</sup> At this point in time, it seemed that any positive progress at all in the relations between Israel and the Arab states would be a huge achievement.

During the meetings in August, there were elements within the Commission who expressed hesitation about the conference. The newly appointed Turkish and French representatives Rustu Aras and Léon Marchal, who replaced Hussein Cahit Yalchin and Claude de Boisanger, respectively, in time for the meetings in August, at first gave their approval of the approach advocated by the Americans.<sup>514</sup> In both cases, however, there had been a lack of liaison with their respective governments, as it soon developed that there were misgivings coming from both countries. The main concern of the Turkish and French governments was that they doubted that the conference would have any positive results, and as such, it would not only be pointless, but serve to harm the Commission’s prestige. The Turks did not press their case. Since Aras had already expressed his acceptance, they eventually decided to give their silent approval.<sup>515</sup> The French government, however, pressed their misgivings with greater vigour. The French delegation under Marchal was less independent of the Quai d’Orsay than had been the case under de Boisanger, and consequently, having first given his full acceptance of the conference, he suddenly raised objections both to its form and its substance.<sup>516</sup> Nevertheless, the Commissioners were able to agree on the opening statement, and, at that point, the pieces were set for the conference to begin.

### ***Little Cause for Optimism***

The timing of the Paris conference could hardly have been worse. The period of contact between Arabs and Israelis that had existed in the immediate aftermath of the war was ending, and Arab-Israeli relations were, on the whole, following a vicious negative spiral. While progress in the negotiations decreased, the situation along Israel’s borders was deteriorating. As a direct consequence of the Palestinian exodus, infiltration of Palestinian civilians across the armistice lines became an increasing problem for Israel in the years after the war. Although at least 90 per cent of these infiltrations were socially or economically motivated – such as visiting relatives,

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<sup>513</sup> Palmer to Acheson, 30 Aug. 1951, RG 59, 357.AC, box 1374.

<sup>514</sup> Palmer to Acheson, 30 July 1951, RG 59, 357.AC, box 1374; Palmer to Acheson, 3 Aug. 1951, RG 59, 357.AC, box 1374; Palmer to Acheson, 3 Aug. 1951, RG 59, 357.AC, box 1374.

<sup>515</sup> Wadsworth to Acheson, 7 Aug. 1951, RG 59, 357.AC, box 1374.

<sup>516</sup> Palmer to Acheson, 12 Sep. 1951, RG 59, 357.AC, box 1374.

recovering lost possessions, tending fields, harvesting and so forth – there were acts of violence and politically motivated infiltration which caused Israeli deaths and injuries as well as the spreading of terror. Consequently, Israel started retaliating. New, heavily guarded settlements were erected along the borders, Palestinian villages were razed and a “free fire” policy towards infiltrators was adopted. By February 1951, the IDF had launched the first of a series of retaliatory raids against civilian targets across the border with Jordan and in the Gaza Strip, further inflaming Arab hatred towards Israel.<sup>517</sup>

The most important factor with regards to the diminishing level of contact between the Arabs and the Israelis was the murder of King Abdullah in July 1951. Until his last breath, King Abdullah persisted in his desire for a separate peace agreement with Israel. By 1951, however, such a peace agreement was becoming increasingly unlikely. For one thing, Israel’s Prime Minister David Ben-Gurion had lost his faith in the “Abdullah-link”, and had come to question the desirability of continuing the search for a settlement with Jordan. The talks continued, but owing to the lack of commitment and indifference of the Israeli leaders, they were mostly left in the hands of lower officials who had instructions not to make any unilateral concessions on Israel’s behalf.<sup>518</sup>

As for King Abdullah himself, by 1951 his popularity within Jordan was plummeting. The annexation of the West Bank had left his kingdom enlarged, but at the same time it had increased the internal struggle for power and Palestinian challenge to his authority. Compared to the Jordanians, the Palestinians, who after the annexation outnumbered the former by two to one, were thirstier for revenge against the Israelis and showed little support for King Abdullah’s policy of accommodation with the Jewish state. In fact, it was partly this wave of discontent against King Abdullah that, in the end, took his life.<sup>519</sup> On 20 July 1951, King Abdullah was shot by a Palestinian fanatic as he was entering the al-Aksa Mosque in the Old City of Jerusalem. With the death of King Abdullah, the closest thing the Israelis had ever had to a friend amongst the Arab leaders was gone, and the era of personal diplomacy between the two countries was

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<sup>517</sup> Shlaim, *The Iron Wall*, 81-84.

<sup>518</sup> Shlaim, *The Iron Wall*, 66-67; Shlaim, *The Politics of Partition*, 405-406.

<sup>519</sup> However, evidence point to the fact that the ex-Mufti of Jerusalem Hajj Amin al-Husayni was complicit in the murder of Abdullah, and therefore, the real reason for his assassination was the long standing conflict with Husayni’s followers. Although they were opposed to a settlement with Israel, this was not the only reason for the murder. See Shlaim, *Politics of Partition*, 418.

temporarily suspended, until his grandson Hussein picked up the throne.<sup>520</sup> Thus, at the time of the opening of the Paris conference Jordan was undergoing a period of political instability and uncertainty. King Abdullah's son and heir to the throne, Amir Talal, suffered from a poor psychic health, and was named King just four days before the opening of the conference. His ability to lead was highly questionable, and, accordingly, King Abdullah's death signified a shift of the political centre in Jordan from the royal court to the government and parliament.<sup>521</sup>

In Egypt, a conflict was revolving with Great Britain over the revision of treaty rights concerning the Suez Canal. This made an agreement with Israel seem highly unlikely; firstly because the attention of the Egyptians was shifted away from Israel, and secondly because a hostile policy was helpful to the quarrel with the British. As long as a *de facto* conflict with Israel was sustained, Egypt could use the argument of security to justify its tight control of the Suez Canal and thus block British influence. At the same time, the US had requested Egypt to take part in a planned command structure, called the Middle East Command (MEC), which would enlist the Arab states as partners to the West. Thus, the Egyptians could rest assured that they could continue their present policy towards Israel, without the threat of pressure from the Americans.<sup>522</sup>

As for the Israelis, they too had little reason to change their policies. On the all-important refugee issue, international thinking had, at least since the establishment of UNWRA at the end of 1949, been increasingly leaning towards resettlement in the Arab states. The tension between the PCC and UNRWA, and the resulting undercutting of each others efforts, made any further progress on the issue seem unlikely, leaving even less reason for Israel to yield with regards to repatriation. With regards to the borders, the Tripartite Declaration of 1950 had to a large extent secured Israel's hold on the occupied territories.<sup>523</sup>

Adding further to this negative atmosphere was a dispute along the Israel-Syrian border concerning the sovereignty of the demilitarized zone around Lake Huleh. Whereas Syria argued that the demilitarized zones should remain under UN supervision, Israel claimed full sovereignty within them. In their opinion, the only restrictions they brought were with regards to the use of

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<sup>520</sup> Shlaim, *The Iron Wall*, 67; Shlaim, *The Politics of Partition*, 417-421; Shlaim, *Lion of Jordan*.

<sup>521</sup> Forsythe, *United Nations Peacemaking*, 87-88; Shlaim, *Politics of Partition*, 418-419.

<sup>522</sup> Forsythe, *United Nations Peacemaking*, 88; Hahn, *Caught in the Middle East*, 75-79. Egypt delivered a severe blow to the MEC when they rejected it in October 1951. The MEC suffered further under Arab and Israeli criticism until it was finally scrapped during the last half of 1952.

<sup>523</sup> Forsythe, *United Nations Peacemaking*, 88-89.

military force. Thus, when Israel, in October 1950, launched a public works project to drain malarial marches north of the lake, the Syrians protested that the project broke with the armistice agreement and disrupted the lives of the Palestinians inhabiting the area. At the beginning of April 1951, when Israeli soldiers entered the demilitarized zone, violence broke out. In May, the dispute further escalated into a large-scale violent confrontation involving Israeli and Syrian military forces.<sup>524</sup>

In these circumstances, it was no surprise that the replies to the invitations to the Paris conference, although both the Arabs and the Israelis accepted, had clear negative undertones. The Israelis, for their part, made several “preliminary measures” with regards to conditions that had to be met for the conference to be successful. They stated that it was the “intransigent attitude on the part of the Arab states [that accounted] for the lack of success which [had] attended the peace-making efforts [of the PCC]”.<sup>525</sup> Therefore, the Commission should obtain a guarantee from the Arabs that their motivation for joining the conference was a final settlement. Furthermore, the Israelis had reservations with regards to the Commission “injecting its own proposals, which are liable to become a fresh focus of contention.”<sup>526</sup> The Arabs too, expressed reservations. Expressing deep dissatisfaction in the PCC’s efforts, the Arabs demanded that there should be no direct negotiations and that the decisions made should be in accordance with the UN resolutions.<sup>527</sup> Needless to say, the spirit of the replies left little cause for optimism amongst the members of the Commission.

### ***Stumbling at the First Step***

The Paris conference opened on 13 September 1951 at the Hôtel de Crillon by a statement read by Palmer in which he outlined the procedure to be followed. In essence, the negotiations would be based on a set of comprehensive proposals for a settlement which had been prepared by the PCC. While the PCC, Palmer explained, was guided by the instructions from the General Assembly, the drafting of the proposals had been guided by the consideration that a “solution had

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<sup>524</sup> Hahn, *Caught in the Middle East*, 93-97; Shlaim, *The Iron Wall*, 68-76; Stenberg, *Creating a State of Belligerency*, 108-109.

<sup>525</sup> UN A/AC.25/IS.67, 10 Sep. 1951, *Letter dated 10 September 1951 addressed to the Chairman of the Conciliation Commission by Mr. Maurice Fisher, transmitting a letter from the Foreign Minister of Israel.*

<sup>526</sup> UN A/AC.25/IS.67, 10 Sep. 1951.

<sup>527</sup> Barco to Acheson, 3 Sep. 1951, RG 59, 357.AC, box 1374; Forsythe, *United Nations Peacemaking*, 89.



to be sought in a fair and realistic spirit of give-and-take.”<sup>528</sup> He also emphasised – so as to make sure that the negotiations would not evolve around a quarrel of the relative importance of the refugee question – that the PCC considered the range of aspects involved in the Palestine question to be interdependent. Thus, one issue could not be discussed in isolation from the other. The first step, in order to create a positive atmosphere for the negotiations, was to express a determination to refrain from the use of violence. Consequently, the Commission included a non-aggression declaration as a “preamble” to its proposals. By doing so, the Commission hoped, on the one hand, to fulfil the Israeli demand for a guarantee from the Arabs of their peaceful motivation. On the other hand, by making the non-aggression declaration and the proposals for a settlement a joint document, they hoped that the Arabs could be induced to accept. The Commissioners knew that to submit for discussion with the Arab delegations a non-aggression declaration as a separate document would be to invite their refusal, since the Arabs would never agree to such a declaration without being fully informed of the other proposals prepared by the Commission.<sup>529</sup> However, while the preamble was intended to provide a positive atmosphere, it had an adverse effect, and instead resulted in a tedious and legalistic discussion.

The Israelis reacted immediately with dissatisfaction to the procedure suggested by the PCC, especially with regards to the point of the PCC making their own proposals. “For [the] PCC to suggest any solutions was in fact,” Reuven Shiloah of the Israeli Foreign Ministry explained, “to take position on what Israel [should] ‘give’ and to prejudice [the] whole issue by stiffening [the] Arab attitude.”<sup>530</sup> Consequently, the Israelis declared that they were unwilling to follow the Commission’s procedure, and that they were unprepared to consider its proposals. Instead, the Israelis introduced an idea for a whole new procedure on which the Paris conference should be based. First of all, the Israelis and the Arabs should sign a separate non-aggression declaration, while, at this point, refraining from discussing the Commission’s proposals. Secondly, the Arabs had to agree to negotiate directly with the Israelis. As Maurice Fisher, head of the Israeli delegation explained: “If the Arabs had any genuine desire for the settlement of the problems outstanding between us, they [would] agree to talk these problems over and work out

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<sup>528</sup> Palmer to Acheson, 12 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>529</sup> Palmer to Acheson, 12 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>530</sup> Palmer to Acheson, 18 Sep. 1951, RG 59, 357.AC, box 1374.

mutually acceptable procedures.” Thirdly, the Arabs and the Israelis had to agree, before any substantive proposals were discussed, what the outstanding questions actually were.<sup>531</sup>

More than anything, the real reason why the Israelis were so reluctant to accept the procedure suggested by the PCC and to discuss their proposals, was that the refugee issue would once again be brought to the fore. The fact that Palmer, in his opening statement, had stated that the PCC would remain loyal to the instructions given to the Commission by the General Assembly, meant that the Israelis would once again come under pressure with regards to the return of the refugees. This caused concern among Israeli leaders. Commenting on the opening statement, Foreign Minister Moshe Sharett “expressed his surprise that [the] statement went beyond [the] question of compensation”, and thought that Palmer’s reference to repatriation “would make progress difficult.”<sup>532</sup> Furthermore, so as to leave no doubt as to Israel’s negotiating position, Shiloah “clearly implied [that] Israel [could] not [...] consider giving anything, and referred to Israel’s original offer re[garding] repatriation [i.e. the 100 000 offer] as withdrawn.”<sup>533</sup>

The Arab states also refrained from accepting the Commission’s procedure without reservation. They were glad to see that the Commission “after so much time lost” was assuming a more influential role in the negotiations, and that their proposals would be guided by the instructions in the UN resolutions.<sup>534</sup> However, they expressed some concern with regards to Palmer’s reference to “realism”. “If realism means in your view recognizing fait accompli, violations of UN decisions,” stated the head of the Egyptian delegation Abdel Monem Mustafa Bey, “we cannot [...] accept that”.<sup>535</sup>

With regards to the question of a non-aggression declaration, it was clear that the Arabs had reservations. While they declared that their intentions were peaceful they were hesitant to accept the preamble proposed by the Commission.<sup>536</sup> They were reluctant to make any moves that would bind them to negotiations with Israel without some form of guarantee that she would make concessions. However, the Israeli proposal to sign a separate non-aggression pact as a condition to further negotiations only served to provoke the Arabs, and caused them to reject the

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<sup>531</sup> Palmer to Acheson, 21 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>532</sup> Palmer to Acheson, 14 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>533</sup> Palmer to Acheson, 18 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>534</sup> Palmer to Acheson, 13 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>535</sup> Palmer to Acheson, 13 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>536</sup> Palmer to Acheson, 27 Sep. 1951, RG 59, 357.AC, box 1374.

question of a formal non-aggression declaration altogether. On the other hand, it is likely that provoking the Arabs in order to put the blame on them was exactly what the Israelis wanted. Furthermore, while the Commission emphasised that it was vital to avoid public accusations that could disrupt the atmosphere of the talks, the Israeli Foreign Ministry released statements to the press to the effect that Israel would only cooperate if the Arabs agreed to sign a non-aggression declaration.<sup>537</sup> When an Israeli draft for a non-aggression pact leaked to the press on 28 September, the situation deteriorated even further.<sup>538</sup>

The end result of this legalistic disagreement was that the PCC, by the beginning of October, was stuck with two separate declarations of non-aggression from the Arabs and the Israelis, of which the first was a short statement of peaceful intentions while the latter was a draft for a more extensive, formal non-aggression pact.<sup>539</sup> Evidently, there was no political will for constructive negotiations from the Arabs or the Israelis, and thus the Paris conference had simply become a scene for political manoeuvring to avoid the blame of its breakdown.

### ***Bypassing Non-Aggression***

By the beginning of October, the PCC attempted to bypass the whole issue of the non-aggression declaration. Although the Commission realized that the Arab declaration of its peaceful intentions would not satisfy the Israeli demand, they decided that the best procedure was to turn attention to its comprehensive proposals “by indicating [that the] PCC itself is satisfied [that the] parties['] statements have brought about conditions which [the] PCC had regarded as desirable for [the] creation [of an] atmosphere conducive to [negotiations].”<sup>540</sup>

The PCC's blueprint for a settlement took the form of a five-point proposal. Firstly, the Commission proposed a mutual cancellation of war claims. In the Commission's opinion, any attempt to determine the responsibility for the outbreak of the conflict would lead to no positive results, but only serve to sustain the gap between the Arabs and the Israelis.<sup>541</sup> Secondly, the PCC proposed a limited repatriation of the refugees “in categories which can be integrated into the economy of the State of Israel and who wish to return and live at peace with their

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<sup>537</sup> Palmer to Acheson, 22 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>538</sup> Davis to Palmer, 28 Sep. 1951, RG 59, 357.AC, box 1374.

<sup>539</sup> Palmer to Acheson, 4 Oct. 1951, RG 59, 357.AC, box 1374.

<sup>540</sup> Palmer to Acheson, 4 Oct. 1951, RG 59, 357.AC, box 1374.

<sup>541</sup> Forsythe, *United Nations Peacemaking*, 91; UN A/1985, 20 Nov. 1951.

neighbours”.<sup>542</sup> Thirdly, Israel should agree to pay compensation for the lost properties of the refugees who would be resettled in the Arab states. Fourthly, both sides should agree to a mutual release of blocked bank accounts. And finally, both sides should agree to a revision of the armistice agreements, especially with regards to territorial adjustments, distribution of water authorities, the future of the Gaza Strip, increased border regulations, free access to Jerusalem and the holy places, and arrangements for economic development.<sup>543</sup>

Unfortunately, the move to focus attention on the five-point proposal did not remove the main obstacle to the negotiations, namely that without a formal non-aggression pact, the Israelis refused to proceed. Shiloah stated that he thought “the PCC had taken a definitive backward step” with its decision to move ahead with the talks, and found that the Arab statement of non-aggression was unsatisfactory.<sup>544</sup> “Israel”, he continued, “could not make concessions within the framework of peace negotiations while the Arab governments were under the impression that they were at war with Israel.”<sup>545</sup> On 14 October 1951, the PCC received a letter from the Israelis which effectively stated that they refused to consider the proposal until the PCC had reopened the question of the non-aggression declaration and settled it in a manner satisfactory to Israel.<sup>546</sup> Commenting on Israel’s reply, Palmer found that

[i]t is difficult to avoid [the] conclusion that Israel [is] determined to make its own interpretation [of the] Arab [delegations’] declaration to [the] PCC [on] grounds from avoidance [of] further consideration [of the] substantive questions dealt with [the] PCC’s proposals.<sup>547</sup>

Despite the fact that the Israeli declared themselves unable to consider the Commission’s proposal, they did make their opinions on the matter known. They made it clear that they would not drop any claims for war damages, nor would they “contemplate opening [their] frontiers to any Arab population when the Arab states consider themselves at war with Israel”.<sup>548</sup> Israel did declare that it was willing to pay compensation, but only on the condition that this would put an

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<sup>542</sup> UN A/1985, 20 Nov. 1951.

<sup>543</sup> UN A/1985, 20 Nov. 1951.

<sup>544</sup> Memorandum of conversation by Waldo, 9 Oct. 1951, RG 59, 357.AC, box 1374.

<sup>545</sup> Memorandum of conversation by Waldo, 9 Oct. 1951, RG 59, 357.AC, box 1374.

<sup>546</sup> Bonsal to Acheson, 17 Oct. 1951, RG 59, 357.AC, box 1374.

<sup>547</sup> Palmer to Acheson, 21 Oct. 1951, RG 59, 357.AC, box 1374.

<sup>548</sup> Palmer to Acheson, 14 Nov. 1951, RG 59, 357.AC, box 1374.

end to all claims against Israel on the refugee question. Israel agreed to the mutual release of blocked accounts and to negotiate revisions of the armistice agreements.<sup>549</sup>

As for the Arabs, they did not reply in a manner any more conciliatory than the Israelis. They too agreed to the release of the blocked accounts and to negotiate revisions of the armistice agreements. However, they did not agree to drop war claims against Israel, to any limitations as to the refugees that should be allowed to return to Israel, or to limit Israel's payment of compensation – as the Commission had proposed – upon its economic capabilities.<sup>550</sup>

With these replies from the Arabs and the Israelis, it had become crystal clear to the Commission that there existed no willingness to compromise on either side. On 20 November 1951, the Commission sent a letter to the delegations in Paris stating that it “was forced to conclude that it has been unsuccessful in its endeavors, since neither party indicated a willingness substantially to recede from their rigid positions”.<sup>551</sup> With this statement, the Paris conference was terminated.

## Accepting Failure

The failure of the Paris conference became a defining moment for the PCC. After almost three years of trying to fulfil its mandate and negotiate a peace settlement between Israel and the Arab states, the Commission had decided to make one final attempt – and, once again, it had failed. Thus, the Paris conference was the event that finally convinced the Commission of the hopelessness of its task. During the conference, the rigidity of the Arabs and the Israelis had been unmistakable, and instead of searching for common ground which could allow for compromises, they had used every possibility to bombard each other with accusations and blame which, needless to say, left little basis for mediation. And while Palmer had requested firm support from the US government, the latter had offered no extra effort to pressure any of the parties to deviate from their present policies.<sup>552</sup>

Consequently, at the sixth session of the General Assembly, which convened in Paris, the Commission reported that through its three year long existence it had been unable to make any

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<sup>549</sup> Palmer to Acheson, 14 Nov. 1951, RG 59, 357.AC, box 1374; Forsythe, *United Nations Peacemaking*, 92-93.

<sup>550</sup> Palmer to Acheson, 15 Nov. 1951, RG 59, 357.AC, box 1374; Forsythe, *United Nations Peacemaking*, 92.

<sup>551</sup> Palmer to Acheson, 20 Nov. 1951, RG 59, 357.AC, box 1374.

<sup>552</sup> Forsythe, *United Nations Peacemaking*, 93.

substantial progress with regards to settling the conflict between the Arabs and the Israelis, and, accordingly, it concluded

that the present unwillingness of the parties fully to implement the General Assembly resolutions under which the Commission is operating, as well as the changes which have occurred in Palestine during the past three years, have made it impossible for the Commission to carry out its mandate, and this fact should be taken into consideration in any further approach to the Palestine problem.<sup>553</sup>

This statement, in fact, represented a compromise formula between the Commissioners. For whereas Palmer had argued for a discontinuation of the efforts of the PCC, Marchal had been unable to agree to an explicit statement to this effect, while Aras to the contrary had argued for an expansion of the Commission's mandate.<sup>554</sup> In any case, it was difficult to interpret the statement as anything other than a *de facto* resignation from the PCC.

In the pursuing days and weeks, much time was spent debating the future of the PCC. On the whole, the discussions reflected a widespread dissatisfaction with the role it had played. As could be expected, Israel moved for a termination of the Commission, while the Arabs demanded a firmer and more direct UN involvement with a view to implementing the adopted resolutions. In the end, the Assembly voted not to change the mandate of the PCC. Formally the Commission stayed the same. However, since the US government saw no prospect for a breakthrough in the conflict between the Arabs and the Israelis, they requested the UN Secretary-General that he recommended a budget which presumed that the PCC would set up a new headquarters in New York – thus signalling a lessened activity – with no major expenditures. With this decision, the PCC entered into a new phase with decreased activity on the diplomatic front, concentrating on technical work of identification and evaluation of the Palestinian properties in Israel. Located far from the scene, the PCC had hardly become anything more than a mere symbol of the UN's interest in a negotiated settlement between Israel and the Arab states.<sup>555</sup>

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<sup>553</sup> UN A/1985, 20 Nov. 1951.

<sup>554</sup> Barco to Acheson, 23 Nov. 1951, RG 59, 357.AC, box 1374.

<sup>555</sup> Forsythe, *United Nations Peacemaking*, 96-97.

## Chapter 8

# Conclusions

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### **Political Will: The Missing Piece of the Puzzle**

Was the Palestine Conciliation Commission a “three-headed monster” which marked a “turning-point, for the worse, in the evolution of Arab-Israeli relations”?<sup>556</sup> This is how historian Avi Shlaim evaluates the peace effort of the PCC. Imbued in Shlaim’s phrase is the argument that the PCC itself, by its own weaknesses and shortcomings, facilitated this deterioration of relations, and that the Commission’s own mistakes was a major cause of its failure.

True, the negative shift in the atmosphere surrounding the activities of the PCC was unmistakable. During its three years of active existence, the PCC passed from an initial state of great optimism, believing that peace was well within reach, to a gradual realization that peace, in fact, would be virtually impossible to obtain. Arguably, however, the turning point in this development was not marked by the PCC, but by the signing of the armistice agreements between Israel and the Arab states during the spring of 1949. Like the Commission pointed out in its progress report to the UN in October 1950, the signing of the armistice agreements had created an absence of violence – a “negative peace” – that was comfortable enough for the belligerents to remove their incentives for a general peace agreement.<sup>557</sup> This was especially true in the case of Israel. The first Arab-Israeli war was first and foremost a war for land, and through the armistice agreements Israel had obtained what she considered to be a satisfactory level of external recognition, security and stability of her borders. In this sense, although the agreements were intended as a transitory step towards peace, they actually had an adverse effect.

The main, over-arching reason for the failure of the PCC was the attitudes of Israel and the Arab states – their unwillingness to make concessions and compromises. These attitudes became visible to the Commission during the first months of its activities, and remained virtually unchanged – at least in a positive sense – until the end of 1951. Other reasons, such as the role played by the Commission, were therefore secondary. As long as the intransigence of the belligerents remained, there simply could be no peace agreement.

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<sup>556</sup> Shlaim, *Collusion Across the Jordan*, 461.

<sup>557</sup> UN A/1367/Rev.1, 23 Oct. 1950.

From the outset, Israel declared herself willing to negotiate with the Arabs indirectly or (preferably) directly. Israel's negotiating position, however, was extreme. In fact, it is unlikely that the Israelis were prepared to make anything other than very small concessions. During the war, the Israelis had acquired a state that was both larger and much more Jewish homogenous compared to the state that had been prescribed in the UN Partition Plan. Consequently, the post-war *status quo* was very comfortable to them. Through events such as the signing of the armistice agreements, the extension of recognition of Israel by an increasing number of states, the admission of Israel to the UN and the signing of the Tripartite Declaration of 1950 by the US, Great Britain and France, the *status quo* became increasingly cemented. If Israel, on the other hand, was to sign a general peace agreement with the Arab states, she would be expected to pay a price, and this was something she was not prepared to do. Like Abba Eban, Israel's ambassador to the UN, argued: "[T]here is no need to run after peace: An armistice is sufficient for us, if we run after peace – the Arabs will demand of us a price – borders or refugees or both. We will wait a few years".<sup>558</sup> To this line of thinking, Prime Minister David Ben-Gurion heartily agreed.

As Israel saw it, the first Arab-Israeli war was an Arab making. The powerful Arab states had invaded tiny Israel with the aim of destroying her, and in the process, they had caused the exodus of the Palestinians. Israel, therefore, could not be expected to compensate for this act in any way. As such, the two perhaps most imaginative steps taken by the Israelis to break the deadlocked negotiations, both made during the Lausanne conference, was either largely self-serving (the Gaza proposal) or a tactical move without any chance of acceptance from the Arabs, designed to relieve external pressure on Israel (the 100 000 offer).

The Arab states found it very difficult to openly follow a prudent and pragmatic policy towards Israel. While Israel refused to negotiate on any issue separately, the Arab states demanded a solution to the Palestinian refugee problem before negotiations could begin. The Arab public opinion was shocked and horrified by the loss of Palestine and the subsequent burdensome Palestinian refugee problem, and demanded revenge against the Jewish state. The Arab leaders, because of their fragile regimes, could not ignore this deep-seated sentiment. Furthermore, inter-Arab rivalries, prompted by the conflicting individual ambitions of the Arab leaders, caused a situation in which they contested in outbidding one another in anti-Israeli statements, most importantly with regards to the refugee problem.

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<sup>558</sup> Ben-Gurion quoted in Morris, *The Birth*, 577.



However, the official rhetoric of the Arab leaders contrasted greatly to the positions they assumed privately, in conversations with the PCC or the Israelis themselves. Although they officially demanded a repatriation of the refugees who wanted to return to Israel, all of them had, by the end of April 1949, admitted that a full repatriation of the refugees to Israel was unrealistic and that most of them would have to be resettled in the Arab states. By mid-July, moreover, Israel had received direct offers from Jordan and Syria that together would have led to the resettlement of most of the refugees in their countries. What the Arabs demanded in return, was that Israel accepted the principle of the refugees' right to return along with the repatriation of a limited number of refugees, as a sign of good faith. As the Arabs saw it, by making these offers, they had reached the limit of the concessions they would be prepared to make. Israel, on the other hand, had made none.

Thus, contrary to what initially might seem as opposite positions, the Arabs went comparatively far with regards to meeting the demands of Israel. Israel, for its part, was unwilling to make the concessions that the Arabs demanded – and even desperately needed, if their regimes were to survive the pressure of the public opinion. The largest missing pieces of the puzzle, therefore, were concessions from Israel.

## **The Influence and Position of the PCC**

Could the opposing attitudes of Israel and the Arab states by any chance have been rectified by effective mediation? What was the influence and position of the PCC? As a body of the UN – and hence guided by the principles of the UN Charter – the PCC fitted typically within the traditional category of the weak and unbiased mediator.<sup>559</sup> Nevertheless, this distinction is problematized by the fact that the PCC was the outcome of a debate between different opinions of what would constitute an effective mediating body. On the one hand, it was argued that impartiality was the crucial factor for the effectiveness of the Commission. On the other hand, at the time of the establishment of the PCC, the failure of the UN Mediator to negotiate a general peace settlement had given weight to the argument for a mediator with greater political leverage – that is, a strong mediator. As a result, the Commission became a body composed of states, two of which were Great Powers. A detailed review of the activities of the PCC, furthermore, reveals

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<sup>559</sup> For an account on Andrew Kydd's categories, see chapter 4, "The Roles and Approaches of Mediators".

that the representatives of the Commission were highly dependent on the instructions from their respective government.

How did this dependence of governments affect the Commission's chances for success? The fact that the PCC consisted of three member states did not mean that authority was equally divided. The US played the role of an undisputed leader of the Commission. The vast majority of the initiatives of the Commission originated from the US, and the other two members never attempted to resist these ideas. This American dominance was the Commission's most important source of influence. In this respect, it was significant that the US periodically put pressure on Israel to deviate from its rigid position. This was most visible in the period surrounding the Lausanne conference, when the US advocated a limited repatriation of refugees to Israel.

However, American pressure on Israel was characterized by ambiguity and irregularity, and, as such, it was not very reliable. For the most part, the Israelis knew that, in the end, they could always count on the Americans to support them. This increased their room for manoeuvre at the expense of the PCC. After Lausanne, as the significance of the PCC steadily declined, the US government became increasingly passive with regards to its activities. By 1951, the American representative to the PCC had become frustrated with the lack of instructions and understanding of the US policy objectives, which, he said, made it difficult for him to assume the vigorous leadership the US had previously obtained. As a result of the passivity of the Americans, the PCC's abilities of influencing the belligerents decreased. Assuming that a strong mediator would be most capable of negotiating a peace settlement, the Commission's chances for success therefore diminished after Lausanne.

Throughout the period, the PCC adopted a variety of approaches to the negotiations. These approaches ranged from acting as a mere go-between, communicating positions between the parties, to introducing proposals and formulas to the negotiations. Furthermore, the Commissioners were, in a sense, pragmatics; they adapted to the realities on the ground. This added a sense of bias to the Commission. For example, as it became evident that it would be extremely difficult for each of the Arab states to make separate deals with Israel, the PCC, to the despair of the Israelis, allowed for the Arabs to act as one bloc. This undoubtedly created a formidable obstacle in the negotiations, but the only alternative, as the Commission saw it, was that the negotiations cut short before they had even started. Likewise, as Israel's rigid refusal to repatriate Palestinian refugees became apparent, the focus in the attempt of finding a solution to

the refugee problem gradually shifted towards compensation and resettlement in the Arab states. The Arabs, of course, were displeased with this situation, and complained that the PCC did not follow the instructions of the UN resolutions.

In sum, the influence and predisposition of the PCC changed over time. Because of the inconsistency and ambivalence of its most important source of influence – the US – it was unable to assume the role of a strong mediator. Had it been able to assume such a role, it could have managed to persuade Israel, as the strongest party, to make the concessions that were necessary for the weaker party – the Arab states – to accept a general peace settlement. Instead, what was left was a weak mediator that increasingly started to suffer from a lack of prestige and reliability.

## **Defending the UN Agenda**

In this futile situation, what was the actual value of the PCC? At least from the last months of 1949, it became clear that obtaining “a final settlement of all questions outstanding” between Israel and the Arab states would be politically unfeasible, if not impossible.<sup>560</sup> The fact that the PCC, with the blessing of the UN, continued its activities for another two years reveals that it had another function.

The UN wanted a solution to the Arab-Israeli conflict, but not necessarily any solution. Through its resolutions, it had decided upon an agenda of what would constitute a solution that, according to the principles of international law, would be juridically justifiable: The Palestinian refugees who desired it should be allowed to return to Israel; Jerusalem should remain some sort of separate entity governed by an international regime; and, although it was unclear exactly how and where they should be drawn, the borders between Israel and its neighbours should be acceptable to both sides. Consequently, the UN refused to willingly let the future of the Middle East be decided solely by the power balance of the belligerents. In this respect, the PCC played a role as a *defender of the UN agenda*. Indeed, the fact that the PCC continued a symbolic existence after 1951, even against the advice of the Commissioners themselves, gives evidence to the UN’s deeply embedded interest in a negotiated settlement between the Arabs and the Israelis. As the UN saw it, even if such a solution was politically unfeasible and the efforts of the PCC were indeed futile, futile efforts were better than no efforts at all.

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<sup>560</sup> UN A/RES/194(III), 11 Dec. 1948.

# Appendix I Maps

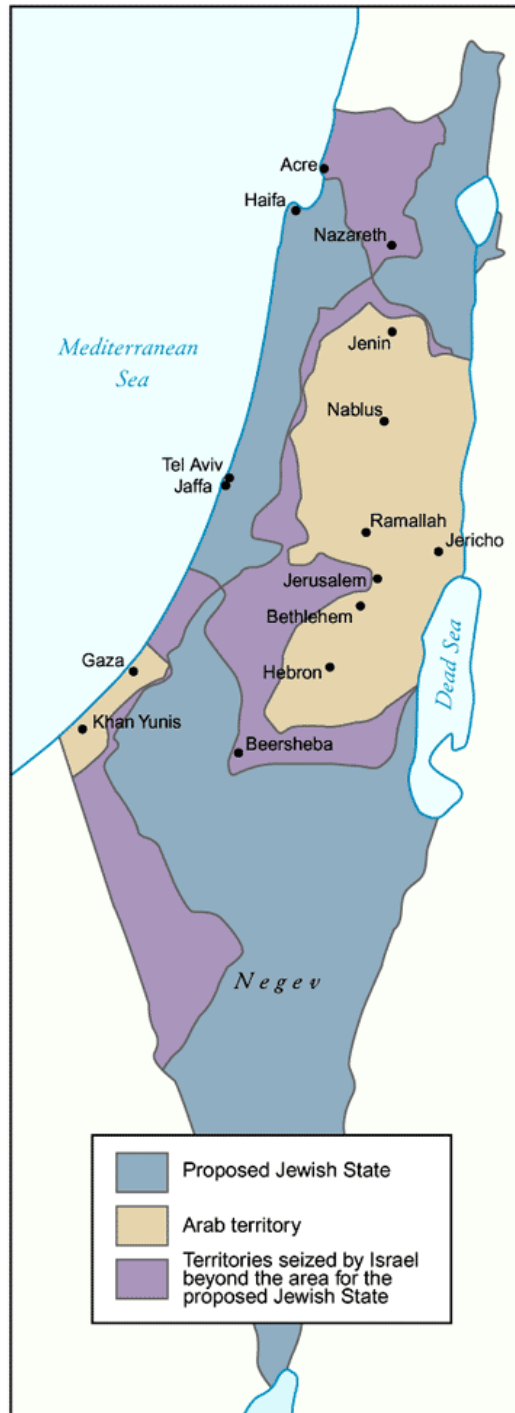
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## UN Partition Plan, 1947<sup>561</sup>



<sup>561</sup> Adapted from: [http://www.passia.org/palestine\\_facts/MAPS/1947-un-partition-plan-reso.html](http://www.passia.org/palestine_facts/MAPS/1947-un-partition-plan-reso.html) (4 May 2009).

## Armistice Borders, 1949<sup>562</sup>



<sup>562</sup> Adapted from: [http://www.passia.org/palestine\\_facts/MAPS/1947-un-partition-plan-reso.html](http://www.passia.org/palestine_facts/MAPS/1947-un-partition-plan-reso.html) (4 May 2009).

## Appendix II

# UN Resolutions

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### **General Assembly Resolution 194 of 11 December 1948<sup>563</sup>**

#### **194 (III). Palestine -- Progress Report of the United Nations Mediator**

*The General Assembly,*

*Having considered further* the situation in Palestine,

1. *Expresses* its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and

*Extends* its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;

2. *Establishes* a Conciliation Commission consisting of three States members of the United Nations which shall have the following functions:

(a) To assume, in so far as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by resolution 186 (S-2) of the General Assembly of 14 May 1948;

(b) To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

(c) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

3. *Decides* that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present, before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the

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<sup>563</sup> Available at:

<http://domino.un.org/UNISPAL.NSF/fd807e46661e3689852570d00069e918/c758572b78d1cd0085256bcf0077e51a!OpenDocument> (17 April 2009).

Conciliation Commission;

4. *Requests* the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;

5. *Calls upon* the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November 1948 1/ and to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;

6. *Instructs* the Conciliation Commission to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them;

7. *Resolves* that the Holy Places - including Nazareth - religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposals for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;

8. *Resolves* that, in view of its association with three world religions, the Jerusalem area, including the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern, Bethlehem; the most western, Ein Karim (including also the built-up area of Motsa); and the most northern, Shu'fat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;

*Requests* the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

*Instructs* the Conciliation Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a United Nations representative, who shall co-operate with the local authorities with respect to the interim administration of the Jerusalem area;

9. *Resolves* that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;

*Instructs* the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. *Instructs* the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;

11. *Resolves* that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. *Authorizes* the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards to the protection of the staff and premises of the Commission;

13. *Instructs* the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;

14. *Calls upon* all Governments and authorities concerned to co-operate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;

15. *Requests* the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.

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*At the 186th plenary meeting on 11 December 1948, a committee of the Assembly consisting of the five States designated in paragraph 3 of the above resolution proposed that the following three States should constitute the Conciliation Commission:*

**France, Turkey, United States of America.**

*The proposal of the Committee having been adopted by the General Assembly at the same meeting, the Conciliation Commission is therefore composed of the above-mentioned three States.*

## **General Assembly Resolution 394 of 14 December 1950<sup>564</sup>**

### **394 (V). Palestine: Progress report of the United Nations Conciliation Commission for Palestine; Repatriation or resettlement of Palestine refugees and payment of compensation due to them**

*The General Assembly,*

*Recalling* its resolution 194 (III) of 11 December 1948,

*Having examined* with appreciation the general progress report dated 2 September 1950, and the supplementary report dated 23 October 1950, of the United Nations Conciliation Commission for Palestine,

*Noting* with concern:

(a) That agreement has not been reached between the parties on the final settlement of the questions outstanding between them,

(b) That the repatriation, resettlement, economic and social rehabilitation of the refugees and the payment of compensation have not been effected,

*Recognizing* that, in the interests of the peace and stability of the Near East, the refugee question should be dealt with as a matter of urgency,

1. *Urges* the governments and authorities concerned to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;

2. *Directs* the United Nations Conciliation Commission for Palestine to establish an office which, under the direction of the Commission, shall:

(a) Make such arrangements as it may consider necessary for the assessment and payment of compensation in pursuance of paragraph 11 of General Assembly resolution 194 (III);

(b) Work out such arrangements as may be practicable for the implementation of the other objectives of paragraph 11 of the said resolution;

(c) Continue consultations with the parties concerned regarding measures for the protection of the rights, property and interests of the refugees;

3. *Calls upon* the governments concerned to undertake measures to ensure that refugees, whether repatriated or resettled, will be treated without any discrimination either in law or in fact.

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<sup>564</sup> Available at:

<http://domino.un.org/UNISPAL.NSF/fd807e46661e3689852570d00069e918/2e009c2372d9e9f9852560eb006d0d8c!OpenDocument> (17 April 2009).

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