

PALESTINE: THE POLITICS OF PARTITION, 1937-1947

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When Israeli Prime Minister Yitzak Rabin and Palestine Liberation Organization Chairman Yasir Arafat signed the Declaration of Principles in Washington, D.C. on 13 September 1993, they set in motion a process which is intended to produce a final "partition" of the long-disputed land of Palestine. Given success, the outcome will be two independent states: Israel, within the boundaries it had secured at the end of the 1948-49 war and a Palestinian Arab state consisting of the Gaza Strip and the West Bank.¹ The process will not be easy; it has already generated violent opposition among Israelis, Jewish settlers in the Occupied Territories, and Palestinians. Moreover, the most difficult aspects of the final settlement including the shape, structure, and status of the Palestinian state, have yet to be decided.² Assuming these issues can be resolved, that settlement will closely approximate the result intended when the United Nations (UN) voted to partition Palestine in November 1947. The intention of this article is to explain the political background of the several British and international attempts to partition Palestine over the 10 year period culminating in the UN vote.

Britain had seized control of Palestine from the Ottoman Turkish forces in 1917 by virtue of military conquest. The Palestine campaign was a major component of Britain's larger "Eastern" strategy in the First World War, the object of which was to secure the lines of communication (the Suez Canal and the Red Sea) to the centre-piece of the British Empire: India. This context is fundamental to understanding Britain's interest in acquiring Palestine, and its reasons for being in the Middle East at all. Britain did not capture Palestine because of its inherent value or to benefit others, but rather to deny it to others because of its strategic location on the flank of the Suez Canal.³ Ironically, it was reasons of imperial strategy relating to India and the Canal which would persuade Britain to withdraw from Palestine thirty years later.

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¹The text of the *Declaration of Principles on Interim Self-Government Arrangements, 13 September 1993*, is reproduced in U.S. Department of State, *Dispatch Supplement: Recent Developments in the Middle East Peace Process*, vol. 4, no. 4. (Washington, D.C., September 1993) at 2-6. The agreement calls for a five year transition period leading to a permanent settlement. The Palestinian state will not achieve full independence until after the end of the transition phase.

²For example, the exact boundaries of the Palestinian state; whether it will be completely independent or in some kind of federation with Jordan; what kind of security guarantees or arrangements Israel will require; economic/trade arrangements between the two states; and Israeli access to water supplies from the West Bank (the source of one-third of Israel's current needs).

³D.E. Knox, *The Making of a New Eastern Question: British Palestine Policy and the Origins of Israel, 1917-1925* (Washington, D.C.: Catholic University of America Press, 1981) at 6, 9-10, 165-66, 176.

As one of the victors in the First World War, and thus a central player in the drafting of the peace settlement, Britain was in a position to turn its military gain to long-term strategic advantage. In 1920, Britain persuaded the fledgling League of Nations to award it a "Mandate" to administer Palestine, as a kind of trusteeship, until such time as Britain determined that Palestine was ready for independence.⁴ This, of course, accorded exactly with British imperial strategy, although it contradicted Britain's wartime and post-war undertakings to Arab and Jewish leaders.

Owing to a series of vaguely worded British declarations and assurances, Arab leaders who had fought alongside the British against the Turks believed that Palestine was to be included in the areas promised independence at the end of the war.⁵ Likewise, Zionist Jewish leaders intended to hold Britain to its word: the 1917 *Balfour Declaration*, which committed Britain to support "the establishment in Palestine of a national home for the Jewish people ..."⁶ The commitment was formally incorporated into the official terms of Britain's Mandate for Palestine.⁷ However, neither the Mandate nor the proposed Jewish homeland accorded with the wishes of the majority of the local inhabitants, Palestinian Arabs, who had not been consulted about these decisions. Consequently, efforts to implement the terms of the Mandate encountered local resistance that was often violent. In the mid-1930s, increased Jewish immigration attributable to fear of the Nazis brought tensions to a head: Arab activists launched a general strike and later, a full-scale insurrection. The violence, which included attacks on the Mandatory administration, security forces and Jewish settlements,⁸ was sufficient to persuade the British government to consider "the difficult and drastic operation of partition"⁹ as the solution to the problem formulated by its contradictory responsibilities.

⁴D. Fromkin, *A Peace to End All Peace: The Fall of the Ottoman Empire and the Creation of the Modern Middle East* (New York: Avon Books, 1989) at 410-11.

⁵*Ibid.* at 400-01; see also *supra*, note 3 at 11-19.

⁶D.J. Gerner, *One Land, Two Peoples: The Conflict Over Palestine* (Boulder, Colo.: Westview Press, 1991) at 31. The original document, consisting of a letter from the British Foreign Secretary (Lord Balfour) to Lord Rothschild, head of the Zionist Federation of Britain, dated 2 November 1917, and is quoted here verbatim.

⁷*Ibid.* at 35.

⁸N. Bethell, *The Palestine Triangle: The Struggle Between the British, the Jews and the Arabs, 1935-48* (London: André Deutsch, 1979) at 26-27; M.J. Cohen, *Palestine: Retreat From the Mandate - The Making of British Policy, 1936-45* (New York: Holmes and Meier, 1978) at 10; and Y. Porath, *The Palestinian Arab National Movement: From Riots to Rebellion, 1929-1939*, vol. 2 (London: Frank Cass, 1977) at 233-73.

⁹U.K., H.C. "Report of the Palestine Royal Commission" Cmd 5479 in *Sessional Papers* (1937) (Lord Peel) in Cohen, *supra*, note 8 at 33.

Partition was the solution recommended in a 1937 report by a Royal Commission under the direction of Lord Peel. The Commission was appointed in May 1936 to investigate the causes of Arab unrest and to make recommendations to the government on measures to resolve the conflict. To accomplish its task, the Peel Commission visited Palestine and heard testimony from the various parties to the dispute. In its report, the Commission acknowledged that the current revolt had 2 sources: Arab frustration at Britain's failure to fulfil its wartime undertakings to the Arabs and their fear of being displaced by increasing Jewish immigration. Jewish leaders, on the other hand, chastised Britain for failing to live up to the terms of the Mandate by placing restrictions on Jewish immigration. Since the demands of the 2 sides offered no obvious grounds for compromise, the Commission recommended that Palestine be partitioned into 2 states, one Jewish and the other Arab. The actual partition plan, demarcating the boundaries by following approximately the existing patterns of settlement, granted the majority of territory to the proposed Arab state, with Jerusalem and its approaches remaining under Mandatory control (see Map 1).¹⁰

The British government initially accepted the commission's recommendation, and struck a second commission to examine the practical and technical aspects of implementing partition. Reaction was mixed among the parties to the dispute; Zionist leaders cautiously accepted the principle of partition, while expressing reservations about the proposed plan. Arab leaders, however, rejected it out of hand and resumed their armed insurrection. The violence escalated through 1938 and was not suppressed until the end of the Munich Crisis which allowed Britain to reinforce its garrison in Palestine.¹¹

Meanwhile, an intense debate ensued in the British parliament: prominent opposition politicians, among them Winston Churchill and Clement Attlee (both of whom would later inherit the Palestine problem), attacked the plan as a betrayal of Britain's obligations to the Jewish people under the terms of the Mandate. The Foreign Office and the military Chiefs of Staff also opposed it, but from a pro-Arab stance; they argued that partition would undermine Britain's position in the region. Battered on all fronts, the British government reversed its earlier decision and in November 1938 rejected partition.¹² Rather, in February 1939 it convened a conference in London attended by Arab and Jewish delegations. The British did not expect this attempt at a negotiated settlement to

¹⁰Bethell, *supra*, note 8 at 27-31; see also T.G. Fraser, *Partition in Ireland, India and Palestine: Theory and Practice* (London: Macmillan, 1984) at 130-34. Fraser notes that even as drawn the proposed boundaries still left a substantial Arab population within the Jewish state and a large number of Jews in Jerusalem. Reginald Coupland, the plan's key architect, conceded that these groups might have to be forcefully repatriated to their respective states.

¹¹Cohen, *supra*, note 8 at 34; Porath, *supra*, note 8 at 228-41.

¹²Cohen, *supra*, note 8 at 34-44, 66-72.

succeed, however, and had already decided on the next course of action in the event that it failed. As expected, the conference foundered largely on the refusal of the Arab delegates to retreat from their position of full compliance with their demands: termination of the Mandate, an end to the effort to create a Jewish national home and the immediate creation of an independent Arab state (in all of Palestine). In the absence of a settlement, the British government imposed its own solution in May 1939: a new Palestine policy which became known as the "White Paper". Its two principal clauses provided for the evolution of the Mandate toward an independent, unitary Palestinian (ie., Arab) state within ten years and the imposition of restrictions on Jewish land purchases and, more importantly, on immigration which was to be limited to 75,000 over the subsequent five years.¹³

The British policy reversal on Palestine can be seen as yet another manifestation of the pattern of British foreign policy of the time, usually referred to as appeasement. In the Middle East, as in Europe, Britain was bargaining from a position of weakness as the threat of war loomed larger. Recognizing Britain's concern about the security of the Suez Canal, the Arabs exploited that weakness with their uprising and their refusal to negotiate a compromise on Palestine. The fact that Britain ultimately defeated the revolt militarily did not matter, for the Arabs had already achieved their goals in the diplomatic sphere. Historian Elizabeth Monroe has observed that the White Paper policy was a strategic success; it secured that flank of the empire during the crucial stages of the war.¹⁴ Yet that security was purchased at a price and appeasement by any other name is still appeasement.

Nevertheless, it must be acknowledged that the Peel Commission and the other initiatives of the time did represent a genuine attempt to "square the circle" of Britain's contradictory obligations and interests. The fact that this effort failed, owing to a combination of entrenched attitudes and the difficulty of creating two viable states out of the territory of Palestine, indicates how intractable the problem had become and why subsequent attempts failed. It also illustrates why the current effort to partition Palestine is proving so contentious.

The White Paper policy and the outbreak of the war effectively put the Palestine question to rest for the next four years. However, that policy had grave consequences for Anglo-Jewish relations. Not only did the policy reject the notion of a Jewish state, but it also placed Palestine (a haven for its Jewish community since it was apparently beyond the reach of the Nazis) out of reach for many Jews fleeing persecution. For the time being, the Jews had little choice but to ally

¹³Cohen, *supra*, note 8 at 72-87.

¹⁴E. Monroe, *Britain's Moment in the Middle East, 1914-1956* (London: Chatto and Windus, 1963) at 88-89.

themselves with Britain and the other countries opposing Fascism. Yet the lesson of the Arab rebellion was not lost upon the Zionist movement: Britain had capitulated to coercion. The Jews felt that if the Arabs could achieve their goals in this manner, they could emulate the Arabs to achieve success. David Ben-Gurion summed up Zionist attitudes succinctly: "We shall fight Hitler as if there were no White Paper, and we shall fight the White Paper as if there were no Hitler."¹⁵ Some Jews in Palestine took the admonition to fight the White Paper quite literally and initiated armed action to force an end to British rule.

It was not until 1943, against the background of a receding German threat to the Middle East, that British Prime Minister Winston Churchill felt free to raise the Palestine question once more. A cabinet sub-committee was appointed in July 1943 to study and recommend a new long-term policy for Palestine. Taking the Peel Commission report as its starting point, and conceding the likelihood of Arab opposition, it recommended that the British government again adopt partition as the solution to the Palestine dilemma (see Map 2).¹⁶ The cabinet endorsed the report in January 1944, but owing to other more pressing wartime matters, the committee did not commence work on the final plan until August. By that time, all of the British representatives in the Middle East, except for the High Commissioner of Palestine, had advised against partition in view of its likely effect on Anglo-Arab relations. Once again, the government vacillated and the decision on Palestine policy was delayed. The fate of this partition effort was sealed in November when Jewish terrorists, actively fighting the White Paper policy, assassinated Lord Moyne, the British Minister Resident in the Middle East and a personal friend of Churchill. In response, the Prime Minister postponed action on the committee's second report dealing with the technical aspects of partition.¹⁷ The delay was fatal to this partition effort. In July 1945, Churchill was defeated in a general election and the Labour Party came to power. The future of Palestine was put on hold while the new government determined its priorities.

Throughout the war, the Labour Party had supported the Zionist cause and opposed the White Paper. Thus, upon taking power it inherited a Palestine policy it did not support. Yet, however desirable was the principle of replacing the White Paper, in practice the effort would prove quite difficult. In his history of the Mandate, John Marlowe observed that the Labour government soon found that "the future of Palestine was no longer a matter in which H.M.G. [Her Majesty's

¹⁵G. Meir, *My Life* (London: Weidenfeld and Nicolson, 1975) at 130.

¹⁶U.K., War Cabinet Paper 563, "Report of a War Cabinet Committee on Palestine", 20 December 1943, CAB 66/44, Public Record Office (PRO), Kew, Middlesex. Cited with the permission of the Controller of Her Majesty's Stationery Office.

¹⁷Cohen, *supra*, note 8 at 172-79.

Government] was a free agent".¹⁸ As Matthew Fitzsimons notes, the new government had fallen heir to a complex series of arrangements which could not be scrutinized all at once since each commitment involved others.¹⁹

The fundamental problem was financial. For the first time in its history, Britain was insolvent.²⁰ The war had cost Britain approximately 25% of its national wealth and forced it into dependency on American loans to pay its bills. The period between 1945 and 1947 was characterised by depression level industrial production, a blossoming trade gap, unemployment and rationing of fuel and food. At the same time, the aftermath of the war and Britain's imperial strategy left millions of armed forces personnel deployed around the world on occupation duty or awaiting demobilisation.²¹ Although few realized it at the time, Britain had ceased to be a great power.

These simple, but inescapable constraints cast a pall of gloom over all British policy-making efforts, both domestic and foreign. These restrictions hampered Labour's ability to carry out the centre pieces of its political agenda: nationalizing the economy and creating the welfare state. Likewise, they set rigorous limits on what Britain could do in managing its imperial commitments, not least those responsibilities in the Middle East. Clement Attlee, now Prime Minister, favoured a rapid reduction of Britain's overseas commitments in order to enhance economic recovery, a policy also favoured by the Chancellor of the Exchequer and the President of the Board of Trade.²² Yet the Foreign Secretary, Ernest Bevin, supported by the Chiefs of Staff, argued forcefully that for reasons of both economic and military security, Britain could not afford to liquidate its imperial commitments with undue haste.²³ Bevin was convinced that the Middle East was vital to Britain's economic recovery. In April 1946, he told the Cabinet Defence Committee that, "without the Middle East and its oil I see no hope of our being able to achieve the standard of living at which we are aiming in Great Britain."²⁴ The Chiefs of Staff went further, buttressing traditional arguments

¹⁸J. Marlowe, *The Seat of Pilate: An Account of the Palestine Mandate* (London: Cresset, 1959) at 181.

¹⁹M. Fitzsimons, *Empire by Treaty: Britain and the Middle East in the Twentieth Century* (London: Ernest Benn, 1965) at 54.

²⁰A. Bullock, *Ernest Bevin, Foreign Secretary, 1945-1951* (London: Heinemann, 1983) at 49, 53-54.

²¹For a succinct discussion of Britain's post-war economic crisis, see P. Kennedy, *The Rise and Fall of the Great Powers: Economic Change and Military Conflict from 1500 to 2000* (New York: Random House, 1987) at 367-68.

²²E. Barker, *The British Between the Superpowers, 1945-1950* (Toronto: University of Toronto Press, 1983) at 55-56; see also M.J. Cohen, *Palestine and the Great Powers, 1945-1948* (Princeton: Princeton University Press, 1982) at 30; and *supra*, note 20 at 126, 240.

²³*Supra*, note 20 at 112, 128, 240-44; see also Barker, *supra*, note 22 at 38-39.

²⁴"Cabinet Defence Committee Paper" DO(46)45, April 1946, CAB 131/2, in *supra*, note 20 at 113.

about protecting the lines of communication with Cold War logic: the need to keep the Soviet Union out of the Middle East and the region's value to Britain in the event of a war with Russia.²⁵ Central to this latter point was the question of access to bases in the region. Throughout this period, the future of British bases in Egypt was uncertain and Palestine was considered as a possible alternative. With this in mind, in September 1945 the 6th Airborne Division was sent to Palestine to form the core of the proposed Imperial Strategic Reserve.²⁶

Thus the Palestine dilemma became entangled in the British government's debate over defence and reconstruction. Both issues appeared to be dependent upon maintaining good relations with Arab leaders. Consequently, from the summer of 1945 until the eve of the British decision to withdraw two years later, it was an article of faith among British policy-makers that nothing should be done about Palestine that would disrupt Arab-British relations or otherwise undermine Britain's position in the Middle East.²⁷ A circumlocutious logic of perceived economic and strategic necessity had ensnared Britain in a Middle East policy which Palestine could do little to enhance and everything to disrupt. Britain's economic weakness and dependence upon Arab and American goodwill, together with the sheer intractability of the problem, reduced British manoeuvrability to almost nil. Having come to power deeply committed to a pro-Zionist position, the Labour government found, by the Fall of 1945, that for largely domestic reasons it could not afford to give force to its professed ideals.

This did not bode well for relations with either the Zionist movement, which had become much more militant in the wake of the Holocaust, or the United States, where an inexperienced President Truman was grappling awkwardly with the Palestine issue. These two factors bear further elaboration as they in large measure explain Britain's failure to solve the Palestine question through partition between 1945 and 1947.

²⁵W.R. Louis, *The British Empire in the Middle East 1945-1951: Arab Nationalism, the United States, and Postwar Imperialism* (Oxford: Clarendon Press, 1984) at 28-31; see also Barker, *supra*, note 22 at 7, 10, 49-51; *supra*, note 20 at 242-43.

²⁶Louis, *supra*, note 25 at 99-101; see also Cohen, *supra*, note 22 at 34-38; *supra*, note 20 at 171, 243; R. Ovendale, "The Palestine Policy of the British Labour Government 1945-1946" (1979) 55 *International Affairs* at 413; and Major R. D. Wilson, *Cordon and Search: With 6th Airborne Division in Palestine* (Aldershot: Gale and Polden, 1949) at 4.

²⁷U. K., Chiefs of Staff Committee Paper COS(45)443(0) "COSC Middle East Policy", 10 July 1945, CAB 80/95; Colonial Office, "Memorandum on Short Term Policy for Palestine", 19 September 1945, File E 6966, FO 371/45380, Papers of the British Foreign Office, PRO; see also Cabinet Paper CP(46)258, "Memorandum by Secretary of State for the Colonies", 8 July 1946, CAB 129/11; on 1947, Cohen, *supra*, note 22 at 39-40.

By the end of the war, Zionist political objectives had shifted from opposition to the White Paper to creation of a Jewish state in Palestine, as the only means to ensure the permanent safety of those Jews who had survived the Holocaust.²⁸ While there were differences within the Zionist movement about the appropriate strategy to achieve this goal, they shared a common belief that Britain could be coerced into relinquishing control of Palestine through a combination of political action, violence, and propaganda. From the fall of 1945 through the summer of 1947 three Jewish insurgent groups, acting initially in concert and later independently, attacked the foundations of British control in Palestine by means of terrorism and sabotage. Jewish organizations outside Palestine, mainly in the United States, maintained political pressure on Britain through meetings, lobbying and various forms of propaganda.²⁹ The evidence suggests that this "two-front war" to undermine British control and legitimacy in Palestine succeeded. Early in August 1947 the High Commissioner of Palestine, Sir Alan Cunningham, advised the Secretary of State for the Colonies, Arthur Creech-Jones, that "I cannot guarantee that the situation will not deteriorate to such a degree that the Civil Government will not break down ..."³⁰ Bevin's biographer concludes that two concurrent events in the summer of 1947, the hanging of two captured British Army sergeants by one of the insurgent groups and the British government's mishandling of the Jewish immigrant ship *Exodus*, combined to erode the British government's moral standing and its will to remain in Palestine.³¹

Throughout the armed political struggle, the attitude of the United States government was of central importance to the Zionist movement. Unelected, unpopular and inexperienced in foreign affairs, President Truman was inclined toward neutrality on the Palestine issue. Yet some of his key advisers, such as Clark Clifford and David Niles, were pro-Zionist and were not above playing upon the President's political weakness to nudge him toward a position favourable to the Jewish cause. American Jewish leaders and organizations lobbied for their cause through Congress or directly to the President. Truman resented the Zionist pressure, but he was also distrustful of the State Department, which took a pro-Arab stance because it seemed to favour America's regional interests. The result

²⁸J. C. Hurewitz, *The Struggle for Palestine* (New York: Schocken Books, 1976) at 224-25, 228.

²⁹D.A. Charters, *The British Army and Jewish Insurgency in Palestine, 1945-47* (London: Macmillan, 1989) at c. 3.

³⁰Telegram, *Cunningham to Creech-Jones*, 7 August 1947, CO 537/2299, Papers of the British Colonial Office, PRO.

³¹*Supra*, note 20 at 450; for details of these incidents, see *supra*, note 29 at 62-63, 71-73.

was an erratic U.S. policy which Michael Cohen has described as, "crude, direct intervention, alternating with awkward vacillation, or total withdrawal."³²

Truman's inconsistent policy on Palestine would frustrate the British through various attempts to reach a commonly agreed solution. Bevin, in particular, had little knowledge of the American political process, and thus never understood the kinds of pressures that could sway the President. In the fall of 1945, however, all that lay in the future. Recognizing their economic dependence upon the U.S. and their inability to keep them out of the Palestine issue,³³ the British decided to force the Americans to "put up or shut up", by involving them directly in the Palestine policy process.

In October 1945 Bevin, who in the following month would vow to stake his political future on solving the Palestine question, proposed to cabinet that the Americans be invited to participate in a joint committee to study the problem of Jewish displaced persons (DPs) and the question of immigration into Palestine. The two governments agreed and on 13 November they announced the establishment of the Anglo-American Commission of Inquiry. The committee of six British and six American commissioners was directed to carry out four tasks: first, to examine conditions in Palestine in relation to Jewish immigration; second, to examine the situation of Jews in Europe and to determine the number who would wish or would be compelled by circumstances to emigrate; third, to canvass representatives from the region and elsewhere regarding the future of Palestine; and finally, to make recommendations to the two governments (and ultimately, to the UN) about the problem of displaced European Jews and to suggest both immediate and long-term solutions to the Palestine problem. Bevin declared that the British government would abide by the recommendations of a unanimous report.³⁴

³²Cohen, *supra*, note 22 at 43, 44-50, 52, 109-110, 129-32, 135; see also R.J. Donovan, *Conflict and Crisis: The Presidency of Harry S. Truman, 1945-1948* (New York: W.W. Norton, 1977) at 312-13, 317-18; Z. Ganin, *Truman, American Jewry and Israel, 1945-1948* (New York: Holmes and Meier, 1979) at xiii-xvi, 4-6, 8-12, 36-37, 120, 122-23; and P. Grose, "The President Versus the Diplomats" in W.R. Louis and R.W. Stookey, eds, *The End of the Palestine Mandate*, (Austin: University of Texas Press, 1986) 32 at 39-45.

³³During the summer of 1945, President Truman had twice asked the British to permit the transfer of Jewish displaced persons from Europe to Palestine; see Cohen, *supra*, note 22 at 55-57; and letter, Truman to Attlee, 31 August 1945, File E 7251, FO 371/45380.

³⁴Cabinet Minutes CM(45)38, 4 October 1945, CAB 128/1; CP(45)216, "Report by the Lord President of the Council", 10 October 1945, CAB 129/3; see also Ovendale, *supra*, note 26 at 415-16; *supra*, note 20 at 175-76, 179; House of Commons, *Parliamentary Debates*, 13 November 1945, col. 1934; and A. Nachmani, *Great Power Discord in Palestine: The Anglo-American Committee of Inquiry into the Problems of European Jewry and Palestine, 1945-1946* (London: Frank Cass, 1987) at 26, 38, 40, 51-57.

During the winter of 1946 the commission heard testimony in Palestine, elsewhere in the Middle East, Europe, the U.S. and London. The commission's final report, issued 30 April 1946, offered two main recommendations: the admission of 100,000 Jewish DPs into Palestine as soon as possible and conversion of the Mandate into a UN trusteeship, to prepare Palestine for independence as a bi-national state.³⁵

Although a unanimous report had been realized, although not without some difficulty, it became a source of Anglo-American discord immediately upon completion. After initially agreeing not to publish the report until the two governments had consulted together, President Truman reversed his decision under pressure from American Zionists and publicly endorsed the immigration recommendation. Moreover, at the instigation of David Niles and the Joint Chiefs of Staff, the President explicitly avoided committing the U.S. to any other aspect of the report, for example, providing American troops to help the British enforce the report's provisions.³⁶ Truman's blatantly partisan and selective endorsement infuriated the British. They were already uneasy about the political and security implications of admitting the 100,000 Jewish DPs into Palestine. The British refused to act on the commission's report owing to the growing Jewish violence in Palestine, unanimous Arab opposition to further Jewish immigration and America's refusal to implement the recommendations. Ongoing negotiations with the Americans in the hope of finding a way out of the impasse proved unsuccessful; it was clear by July that the commission's plan was unworkable.³⁷ The significance of this failure is that it led directly to yet another proposal to partition Palestine.

On 8 July the Colonial Secretary advised cabinet of a plan known as "Provincial Autonomy" to replace the Anglo-American Commission report. The scheme envisaged the creation of a federal state in Palestine, with two provinces (one Arab and the other Jewish), in addition to a separate trusteeship for Jerusalem. A central government would be responsible for common services, internal security, foreign affairs and defence. Each province would have its own legislature and control over immigration for that particular area. It was expected that this state would evolve into one or two independent states (see Map 3).³⁸

³⁵R. Owendale, *Britain, the United States, and the End of the Palestine Mandate 1942-1948* (Woodbridge, Suffolk: Boydell Press, 1989) at 117.

³⁶M. Jones, *Failure in Palestine: British and United States Policy After the Second World War* (London: Mansell Publishing, 1986) at 102-04.

³⁷*Ibid.* at 82-88, 98-99, 105-12, 118-20; Nachmani, *supra*, note 34 at 205-7, 215-17, 234-41.

³⁸Cohen, *supra*, note 22 at 117, 121-22; see also Louis, *supra*, note 25 at 433-34; *supra*, note 36 at 120-21; Nachmani, *supra*, note 34 at 242-45, 249-50; CP(46)259 "Long-Term Policy in Palestine – Memorandum by the Secretary of State for the Colonies", 8 July 1946, CAB 129/11.

The timing of this proposal seemed propitious. Indeed, the initial American response was very encouraging. On 19 July Henry Grady, the chief U.S. delegate to the joint talks, recommended to Secretary of State Byrnes that the U.S. agree to support the plan. Byrnes endorsed the plan and President Truman was inclined to accept it as well.³⁹

In Palestine, the security situation had worsened, but ironically, the British had gained some ground politically. As early as March 1946 leading Zionist figures, including Ben-Gurion, had conceded privately to Richard Crossman (British delegate to the Anglo-American Commission) that they were prepared to accept partition. They were unwilling to make this position public at that time. However, events in Palestine eventually forced their hand.⁴⁰ At the end of June, the British responded to the escalation of violence by raiding the headquarters of the Jewish Agency (the Zionist movement's official office in Palestine), arresting its members, and detaining many who belonged to the Agency's military arm (the Haganah) because of its collaboration with other Jewish extremist groups. One of these groups, the Irgun, struck back with Haganah approval on 22 July, by blowing up the King David Hotel, the Mandate's civil and military headquarters. The large loss of life from the bombing (91 dead) was a grave embarrassment to the Zionist movement, causing a political and military crisis within it. The Haganah withdrew from the joint insurgent campaign. More significantly, the "rump" of the Jewish Agency executive met in Paris in early August and, after some acrimonious debate, voted on 5 August to accept Provincial Autonomy as a starting point for "the establishment of a viable Jewish State in an adequate area of Palestine."⁴¹

This represented a significant retreat for the Zionist movement and Truman's support for the autonomy plan offered the British the first glimmer of hope that a solution was finally at hand. However, the "window of opportunity" slammed shut even as it was being opened. First, the American Zionist movement lobbied actively against autonomy. The Truman administration, facing off-year elections, panicked and on 12 August withdrew its support for the plan. Second, although President Truman favoured the Zionist approach, the British refused to consider the Provincial Autonomy plan as merely the starting point for full partition, creating two independent states. Lastly, and fatally for this phase, the Zionists refused to attend a conference convened in London to discuss the Provincial Autonomy plan, unless the British released their members detained in Palestine. The British refused and the Jewish Agency plan was never discussed. Likewise, Palestinian Arabs boycotted the talks, and delegates from Arab States rejected

³⁹Cohen, *supra*, note 22 at 125-26, 128.

⁴⁰Cohen, *supra*, note 22 at 136-37.

⁴¹*Jewish Agency Executive Resolution* quoted in Cohen, *supra*, note 22 at 145, 141-46; and *supra*, note 29 at 36-37, 58-60.

Provincial Autonomy, calling instead for an Arab state. The conference adjourned after one week, having accomplished nothing.⁴²

The London conference did not reconvene until the end of January 1947. In the meantime, and in spite of the release of its leaders in Palestine, the Zionist movement had taken a more militant, confrontational stance, and refused to participate in the talks. Nevertheless, a small unofficial delegation was sent to London for consultations. The British initially presented 2 plans to the conference: "cantonment", which envisaged an Arab state with several Jewish cantons (counties or provinces), or partition. The Arabs rejected partition once again, and the Zionist delegation, consulted outside the framework of the official talks, rejected cantonment. A variation of the cantonment plan was also rejected by both groups. The failure of the London conference ended British efforts to resolve the Palestine question. On 18 February 1947, Bevin announced that the British government intended to refer the Palestine problem to the UN⁴³

On 15 May 1947 the UN General Assembly, acting on Britain's request, appointed a Special Committee on Palestine (UNSCOP).⁴⁴ Like the many commissions before it, UNSCOP went to Palestine (and elsewhere) to hear testimony from many of the same groups and persons who had addressed previous inquiries. UNSCOP then retired to Geneva where, after five weeks of deliberations, it presented its report on 31 August. Unfortunately, the committee was unable to produce a unanimous report. It was agreed that Palestine should gain independence as a single economic entity with a democratic structure as soon as possible. Nevertheless, there was no consensus on the manner by which this should be accomplished. The majority favoured the partition of Palestine into two independent states (one Arab, the other Jewish), an economic union, and the administration of Jerusalem by the UN, while the minority report recommended a federal state. The impetus to partition initially came from Canada's representative, Mr. Justice Ivan Rand. He drew upon the Canadian experience of

⁴²Ovendale, *supra*, note 26 at 425-26; see also Donovan, *supra*, note 32 at 319-20; Cohen, *supra*, note 22 at 128-32, 147-49; *supra*, note 36 at 151-57; H. Levenberg, "Bevin's Disillusionment: The London Conference, Autumn 1946" (1991) 27 Middle Eastern Studies at 621-25; and U.K., Colonial Office, "Palestine Policy: London Conference, Summary of Proceedings", September-October 1946, file 75872/147/11, CO 733/464, PRO. British and Zionist officials did continue discussions in London at this time, but outside the formal structure of the conference.

⁴³Cohen, *supra*, note 22 at 171-83; see also R. Owendale, "The Palestine Policy of the British Government 1947: The Decision to Withdraw" (1980) 56 International Affairs at 75-86; see also, Cabinet Minutes, 7, 14 February 1947, CAB 128/9; and Cabinet Papers, CP(47)30, (47)31, (47)59, CAB 129/16 and 17.

⁴⁴Eleven nations were represented on UNSCOP: Australia, Canada, Czechoslovakia, Guatemala, Holland, India, Iran, Peru, Sweden, Uruguay, and Yugoslavia. Canada's representative was Mr. Justice Ivan Rand, who had impressive credentials as a skilled labour/business mediator. Lester Pearson chaired the committee which drafted the composition and terms of reference for UNSCOP.

confederation and his own labour/business mediation formula, granting something to each party of the dispute as a reward for resolving it.⁴⁵

However, implementation of the UNSCOP report rested on a key, but unfounded assumption that Britain would continue to "hold the ring" during an interim period of Palestine's transition to independence. As previously noted, Britain's economic situation had changed during the two years after the war. The erosion of British control and legitimacy in Palestine had transformed the territory from a strategic asset to a strategic liability. In August 1947, two events combined to halt an extended British presence in Palestine. First, the UN upheld the validity of the 1936 Anglo-Egyptian Treaty, thereby allowing Britain to continue to base troops in the Canal Zone rather than in Palestine. Second, and more fundamentally, India and Pakistan were granted their independence thus eliminating the principal imperial rationale for Britain's Middle East strategy (and thus for remaining in Palestine). The Arabs opposed partition and Britain was unwilling to be saddled with an enforcement plan that would involve further costs in lives and financial resources with no prospect for gain. In view of this, the British government announced on 26 September its intention to surrender the Mandate and withdraw its armed forces and administration from Palestine.⁴⁶

Initially, the British announcement was received with disbelief. The British government had to restate its intentions in order to persuade other governments that it was serious about withdrawing. Moreover, its decision became irrevocable once the United States and the Soviet Union declared their support for partition in early October.⁴⁷ The American position regarding the partition question initially was unclear. President Truman was subjected to intensive pro-Zionist lobbying from both Congress and the public. Although he was sympathetic to the Zionist position on moral grounds, Truman and his Secretary of State George Marshall, wanted to distance the U.S. from the problem. The State Department felt that support for partition would not serve American interests in the region. Marshall was concerned that if the U.S. committed itself to partition too quickly, it would be "invited" to back that commitment with troops, something which both

⁴⁵*Supra*, note 36 at 249-81, which acknowledges the importance of Rand's contribution. Fraser, *supra*, note 10 at 164-65 suggests, however, that UNSCOP was greatly influenced by the work of Reginald Coupland, the architect of the Peel Commission partition plan. Ralph Bunche, the American diplomat assigned to the committee staff from the U.N. Secretariat and who was opposed to partition, took a much less charitable view of Rand's influence: see B. Urquhart, *Ralph Bunche: An American Life* (New York: Norton, 1993) at 142, 148.

⁴⁶*Supra*, note 36 at 280-81, 285, 287-92; see also P. Darby, *British Defence Policy East of Suez 1947-1968* (London: Oxford University Press, 1973) at 10, 37; G. Kirk, *The Middle East 1945-1950: Survey of International Affairs* (London: Oxford University Press, 1954) at 8; Cabinet Minutes, 20 September 1947, CAB 128/10, PRO; *supra*, note 35 at 215-18; and Cohen, *supra*, note 22 at 276-77.

⁴⁷Cohen, *supra*, note 22 at 277-78.

he and the president wished to avoid. Likewise, the Joint Chiefs of Staff asserted that U.S. support for partition could jeopardize access to oil from the region (a commodity vital for American military strength), and might diminish American influence in the Middle East to that which could be secured only by military power. Given these considerations, it is not surprising that when the U.S. announced its support for partition on 11 October, the statement emphasized that the U.S. had no intention of replacing Britain or of taking unilateral responsibility. In addition, the U.S. would contribute financial or military resources only in the context of a wider UN effort.⁴⁸

British and American historians concur on two factors which explain the President's decision to support partition in defiance of State Department and Joint Chiefs of Staff advice. First, the White House was by-passing the State Department and dealing directly with the American delegation to the UN, which included two prominent pro-Zionist advocates (Eleanor Roosevelt and John Hilldring). With its direct link to the White House, the delegation was inclined to ignore contrary advice from the State Department. Second, Truman's domestic political advisers, especially Robert Hannagan, were advising the president that his support for partition would secure Jewish votes in key constituencies for the next presidential elections. These factors appeared to tip the balance toward American support for partition.⁴⁹

In late October the UN General Assembly, sitting as the Ad Hoc Committee on Palestine, established three sub-committees to study the majority and minority reports, to make recommendations to the Assembly, and to explore the possibility of a settlement by conciliation. The majority committee, whose members all supported partition, was quickly deadlocked on the issue of the time frame needed to implement it. However, they reached a compromise on 10 November; it was agreed that the Mandate would end on 1 May 1948 and the two new states would be created by 1 July. During the interval, a UN commission would supervise the two territories and be responsible for security.⁵⁰

By late November the other two sub-committees had completed their work. The conciliation sub-committee had failed to reach a solution, so there was nothing further to be done in that regard. The minority report subcommittee, the only one on which the Arab states were represented, put forward three proposals; two were voted on by the General Assembly and both were defeated. Hence, the majority report subcommittee's proposal was the only basis for a UN decision, but

⁴⁸Cohen, *supra*, note 22 at 278-83; see also *supra*, note 35 at 221-30; and *supra*, note 36 at 297-99.

⁴⁹*Supra*, note 35 at 222-26; *supra*, note 36 at 299-301; and Cohen, *supra*, note 22 at 279-83.

⁵⁰Cohen, *supra*, note 22 at 284-87.

the outcome was by no means certain. The Ad Hoc Committee spent about a week adjusting the boundaries defined in the majority subcommittee's plan (see Map 4) then and subsequently adopted the amended report by a slim majority on 25 November. There followed four days of intensive lobbying by Arab and Jewish leaders and supporters. The relative weakness of the Arab lobby became apparent at this time. Since the creation of the Arab League in 1945, the Arabs had been unable to present a consistently unified position on the Palestine question. The Palestinian Arabs, represented by the Arab Higher Committee, had tended to take more extreme, uncompromising positions. Their boycott of the UNSCOP inquiry had denied them a voice in the international arena at a crucial time. The realization that Britain was prepared to abandon the Mandate seemed to come late to the Arab leaders, and thus they were less well-prepared to argue their case at the UN. By contrast, the evidence suggests that intense pro-Zionist pressure on President Truman generated a major U.S. lobbying effort, which won over the delegates of several countries. On 29 November 1947, the UN plan to partition Palestine passed by a solid majority.⁵¹

The first Arab-Israeli war effectively began the next day.⁵² The boundaries approved by the UN were to be changed yet again by the fighting that ensued, but partition itself was now a reality. It remained so for the next twenty years, until Israel captured the Gaza Strip and the West Bank during the 1967 War.

The Palestine "problem" was a creation of great power diplomacy of the First World War. The efforts undertaken between 1937 and 1947 to solve the problem by partitioning Palestine failed because the conflicting claims and interests of the Arabs, the Jews, and the British could not be reconciled through negotiation. The UN's partition settlement of 1947 succeeded where the others had failed, for three reasons: first, Britain had abandoned its strategic interest in Palestine and declined to contest the issue further; second, Zionist influence within the UN surpassed that of the Arabs by a wide margin; here, the power of the United States tipped the balance in favour of partition; and finally, the Jews of Palestine were prepared to fight to impose partition. The Arabs, by contrast, were less well prepared for the kind of military action that would allow them to retain all of Palestine.⁵³ These

⁵¹Cohen, *supra*, note 22 at 290-300, 317-19; see also Fraser, *supra*, note 10 at 175-82; *supra*, note 35 at 241-46; *supra*, note 36 at 269-70, 293; J. Nevo, "The Arabs of Palestine 1947-48: Military and Political Activity" (1987) 23 Middle Eastern Studies at 5-7, 10-11, 26, 32; and T. Mayer, "Arab Unity of Action and the Palestine Question, 1945-48" (1986) 22 Middle Eastern Studies at 333-35, 340. The partition vote was 33 in favour, 13 against, with 10 abstentions, including Britain.

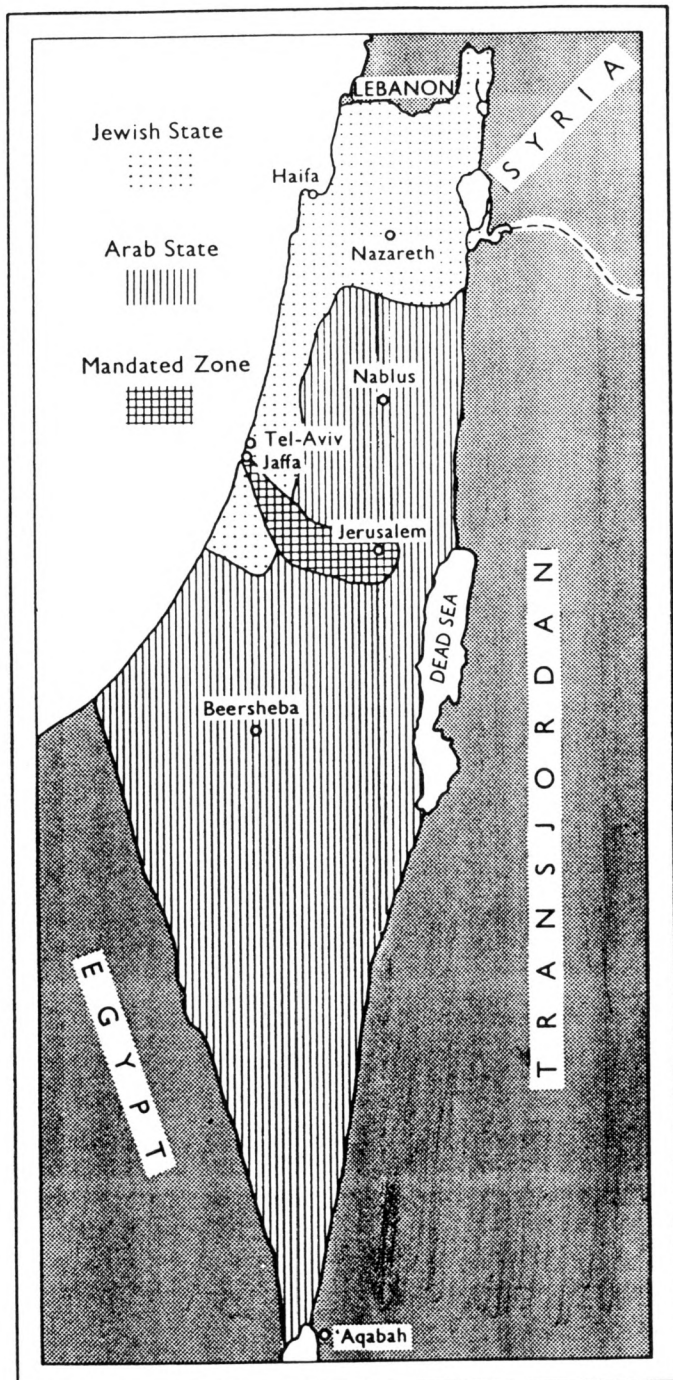
⁵²Cohen, *supra*, note 22 at 301.

⁵³Nevo, *supra*, note 51 at 11-26; and Mayer, *supra*, note 51 at 340-42, 345-47 highlight the poor preparation, inadequate planning, and political and military in-fighting which undermined the Arab military campaign.

three reasons themselves owed much to the Holocaust, Britain's post-war weakness, and American domestic politics.

The most recent attempt to partition Palestine and thereby accommodate Jewish and Arab national aspirations also has its roots in the diplomacy surrounding a major war, the 1991 Gulf War.⁵⁴ Whether it succeeds or fails will depend largely on the political will and the political acumen of the two players for whom the outcome matters most: the Israelis and the PLO. If the history of the earlier attempts to partition Palestine is any guide, the process is likely to be long and difficult. There will be setbacks, and incremental rather than dramatic, rapid progress. If it succeeds, it will be a triumph for patient diplomacy in a region too long plagued by violent impatience.

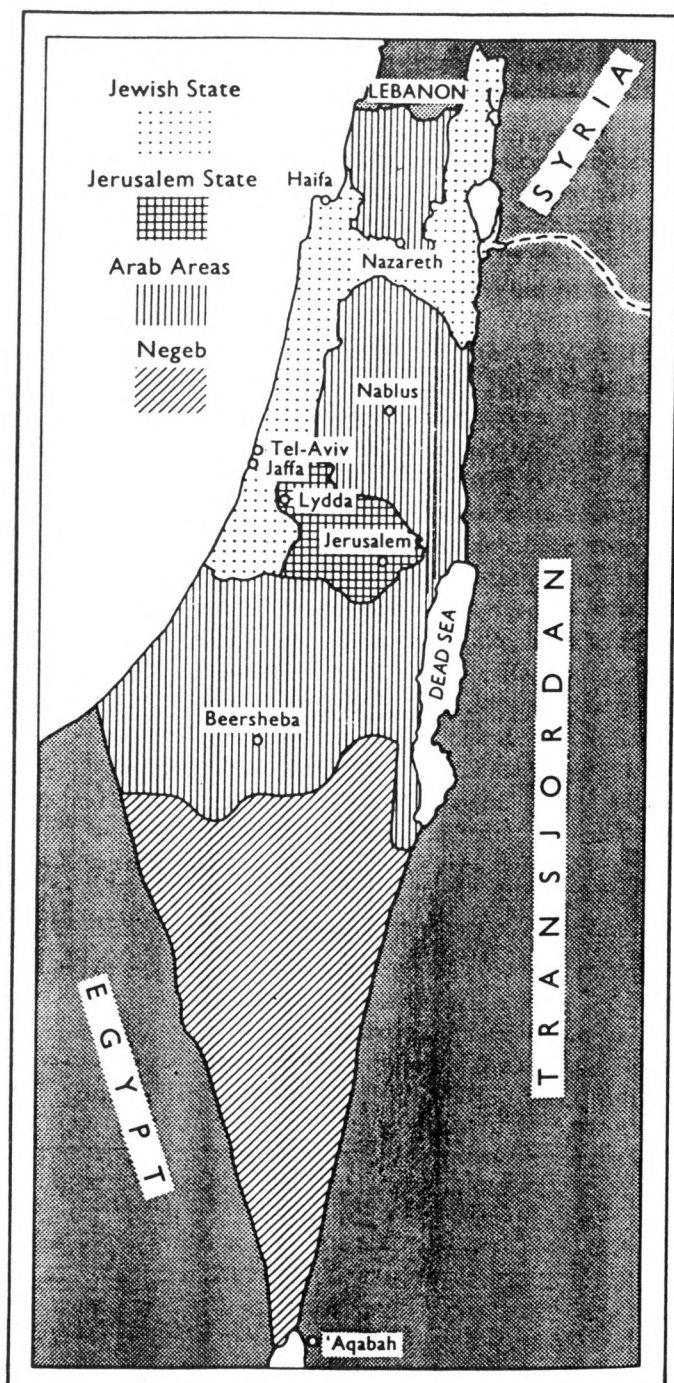
⁵⁴L. Freedman & E. Karsh, *The Gulf Conflict 1990-1991: Diplomacy and War in the New World Order* (Princeton: Princeton University Press, 1993) at 440; and R. Dannreuther, "The Gulf Conflict: A Political and Strategic Analysis" *Adelphi Papers* 264 (Winter 1991-92) at 82-83.



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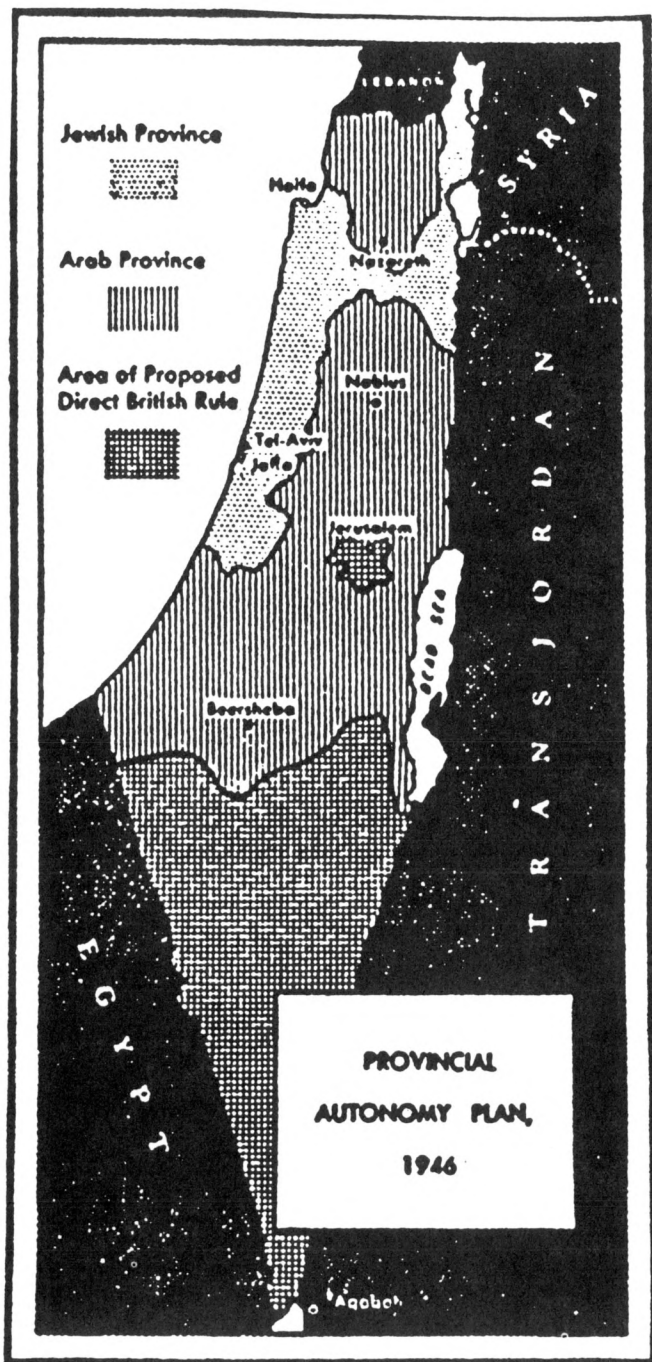
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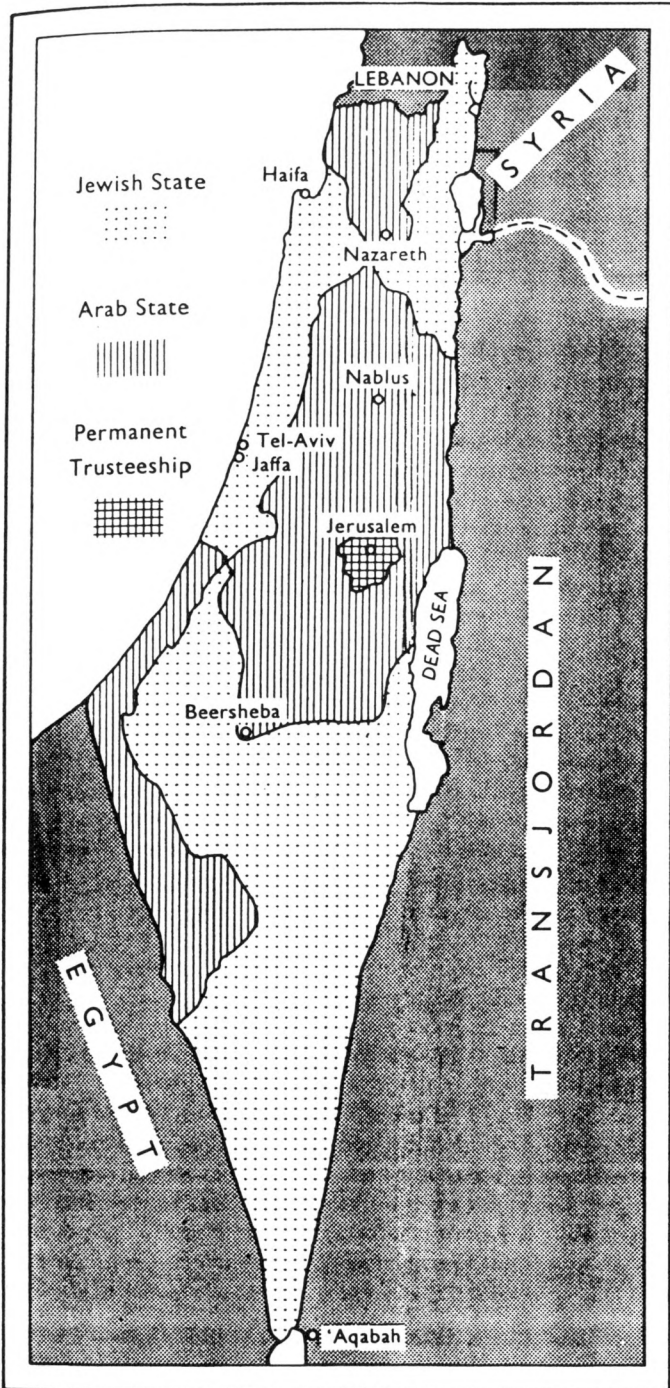


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