

501.BB Palestine/4-2248 : Telegram

The Ambassador in the United Kingdom (Douglas) to the Secretary of State

TOP SECRET

LONDON, April 22, 1948—11 a. m.

1672. Deptel 1375, April 17. For Lovett from Douglas.

1. Very late yesterday afternoon, after Bevin had discussed our proposals on Palestine with the Prime Minister and his colleagues, he spent an hour reviewing the matter with me. We meet again today to continue.

2. Bevin's views expressed yesterday were as follows:

(a) He and his colleagues think that an agreed truce by the Arabs and the Jews is most unlikely;

(b) That in the absence of agreement between the parties, the proposal for trusteeship will require the use of substantial force; and

(c) That HMG will not participate in the use of force against either the Jews or the Arabs to impose an unacceptable regime.

3. I can assure you that Bevin is deeply concerned; that he recognizes the dangerous possibilities in the situation; that his attitude is not inspired by an unwillingness to cooperate. Should the British use force against either party, and should Arabs lose lives as a result, the consequences extending from Pakistan through the Middle East may present us both with an even more dangerous problem. Bevin hopes that we understand the dilemma. He will talk with me further about the matter today.

DOUGLAS

501.BB Palestine/4-2248 : Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET

NEW YORK, April 22, 1948—2:46 p. m.

488. For Henderson and McClintock from Kopper. Following is summary of conversation which took place early yesterday evening between Prince Faisal, Sheikh Hafiz Wehba, and Sheikh Alireza of Saudi Arabian delegation to Special GA and Jessup and Kopper:

Conversation took place in Faisal's apartment after it had been suggested to Saudi Arabian delegation that it might be helpful for two delegations to exchange views regarding draft US working paper on trusteeship agreement for Palestine. Conversation lasted almost two hours. Alireza acted as interpreter.

Faisal commenced conversation with general observations expressing Arab attitude regarding current situation in Palestine, trusteeship as a principle, immigration, land policy duration of trusteeship, and other matters.

Faisal declared Arabs were concerned about establishment of trusteeship. Experience of Arabs during past 25 years with mandate system had been unsatisfactory. They were inclined therefore to look with apprehension on trusteeship in light of this experience. He expressed view that in any event trusteeship should be in conformity with UN Charter. He did not think US paper followed Charter in some respects, particularly immigration. He observed other trusteeship agreements did not have provisions for immigration. He wondered what sort of UN agency would actually be the administering authority for Palestine. He said trusteeship agreement, termination of which was dependent upon achieving agreement between Jews and Arabs, was unsound. Jews would never agree to plan for government of Palestine until they had succeeded in bringing in sufficient number of immigrants to point where Jews were in majority in Palestine. Faisal also felt that there would have to be more adequate provisions on question of land policy. In addition, he thought powers vested in governor-general left little to peoples of Palestine who were in reality able to govern themselves.

Faisal continued by saying Arab states were anxious to cooperate with US in finding just solution for Palestine question. It was his opinion, however, that US had not been firm enough in face of Jewish demands. He stated Zionist demands for their own state were recent in origin and that at time of Balfour Declaration and as recent as 1939 Zionists had no idea of achieving a national state. It was only because of the support which they were able to obtain in this country that they pressed their aspirations to the point of establishing a state. He said Arab states had clearly demonstrated their desire to cooperate in finding a solution. Arabs were willing to support system in Palestine which would guarantee fullest protection to minorities. Arab governments could not, however, be unaware of public opinion at home. Public opinion in Arab states would not stand for Arab governments agreeing to solution which was unjust to Arabs of Palestine.

Jessup replied along following lines:

After expressing appreciation to Faisal for his frank and openly expressed views he assured latter that US was aware of Arab feeling regarding mandate system. He pointed out however trusteeship proposal contained in US working paper gave Arabs great measure of self-government. Jessup also explained that we were making a concerted effort to find solution to fill vacuum which might exist in the very near future in Palestine. We had come to conclusion that trusteeship was the most equitable and just method for solving situation at this time. He explained that UN trusteeship with Trusteeship Council

in [charge of?] administration seemed more desirable to US than single trusteeship. Regarding question of whether US had been firm enough with Jewish demands, Jessup pointed out to Faisal that it must be quite apparent to latter that US Government was being attacked by sympathizers of Zionist cause for being too lenient in face of Arab demands.

On subject of immigration, Jessup pointed out to Faisal that US had been willing to face up to this most difficult problem by incorporating a provision on it in draft trusteeship articles. This was an effort to assist in solving DP problem and find formula which would be acceptable to both parties. Faisal asked why Palestine should absorb all Jewish DP's. He thought Palestine had received fair share. In addition, recent immigration of Jewish persons to Palestine had been from Eastern Europe and were not legitimate DP's. Jessup pointed out to Faisal that US believed that any article on immigration in trusteeship agreement should insure that only legitimate DP's be allowed in Palestine. Faisal was reminded of remarks made by Secretary on subject last October. Jessup observed that we thought some progress had been made in US Congress regarding entry of DP's into US.

Conversation then turned to truce. Faisal thought an impartial commission might be useful and he said Arabs would cooperate in truce if it were very clear that its terms would be fairly applied to both sides and that Jewish groups would not continue to follow political ambitions. It was pointed out that SC resolution contained stipulation on importation of armaments and entry of fighting personnel. He had raised questions about these points and did not seem to be thoroughly apprised of the content of the SC resolution.

Conversation then turned back to trusteeship and Faisal reiterated necessity for finding more suitable article on termination. He then remarked that one major factor which ought to be taken into consideration by US was danger of communism in Near East. Jessup assured him US was quite well-aware of problem of communism. There ensued an interchange regarding amount of Communist infiltration into Palestine during recent years and number of Communists on *Pan York* and *Pan Crescent*. After 10 or 15 minutes inconclusive discussion on this subject, Jessup suggested conversation be resumed Thursday and that we discuss trusteeship proposal article by article.

Conclusion: Though evidently apprehensive regarding trusteeship, Faisal at no time dismissed it as possible solution. On contrary, it appears that, if articles on immigration, land policy, and termination can be drafted more specifically, likelihood of Arab acceptance of trusteeship plan is strong.

501.BB Palestine/4-2248 : Telegram

The Acting Secretary of State to the Embassy in Iraq

SECRET

WASHINGTON, April 22, 1948—7 p. m.

117. Cirtel April 22. Reference is made in this connection to assistance which Iraq Govt has informally requested in relation to serious politico-economic situation described Embtel 288 April 17.¹ Dept views this situation with deep concern and requests you express our feelings this sense to Regent and other officials with whom you discuss matter adding our hope that situation may soon be alleviated. You should, however, point out that while USGovt is sincerely desirous of being of assistance, it would be difficult for USGovt to give consideration to appropriate measures in this respect as long as Palestine question remains unsettled. (Reference last two substantive paras cirtel April 21 [22]²)

Sent to Baghdad for action; repeated to Beirut 179, Damascus 127, Jerusalem 285, Jidda 140, Cairo 449, London 1445, Paris 1345 and to New York 243 for info.

LOVETT

¹Not printed; Ambassador Wadsworth described the Iraqi situation as "seriously disturbing", citing drought conditions, crop failure, bread shortages and riots, soaring food costs, unseasonable unemployment, and strikes. He advised that the Foreign Minister, a fortnight ago, had requested United States support of an Iraqi application to the Food and Agriculture Organization for 40,000 tons of cereals and that the Prime Minister had discussed with the Ambassador the possibility of a dollar loan or a dollar advance by American oil companies against future royalties (501.BB Palestine/4-1748).

²The Department, on April 22, sent telegram 180, of similar import to Beirut, repeated to Baghdad, Jidda, and other posts, in connection with "recent informal approaches by Lebanese Legation to Dept in connection with plans for carrying out broad program for development of agricultural, hydro-electric and other resources of Lebanon." (501.BB Palestine/4-2248) The approaches were made in an undated memorandum by the Lebanese Legation and were received in the Division of Near Eastern Affairs on April 9 (890E.61/4-948).

501.BB Palestine/4-2248 : Telegram

The Ambassador in the United Kingdom (Douglas) to the Secretary of State

TOP SECRET

US URGENT

LONDON, April 22, 1948—8 p. m.

1697. For Lovett from Douglas. Deptel 1418, April 21.

1. Neither Bevin nor the Foreign Office have any knowledge of the press conference nor of the points made.

2. Bevin says that while paragraphs One to Four in your cable represent the official British position, that which was represented to have been said as summarized in the paragraph succeeding No. Four is without authority.

3. I pressed on Bevin our hope that the UK would fill the breach in Palestine until a UN solution had been found, and made it clear

to him that we had not abandoned the hope that the UK, France and other powers might be able to join US in sharing the burden of implementing a temporary trusteeship if it were voted by GA. Bevin said that he cannot participate in the use of force to impose a regime which is unacceptable to the parties. He did, however, write out for me the following:

"We were in fact willing to play a part if there were agreement, but much has happened since, and withdrawal has gone so far. In the absence of agreement between Jews and Arabs it is impossible to speculate, but if agreement were reached and we were approached, we would, of course, give it immediate consideration."¹

DOUGLAS

¹ London, on April 23, advised of information from the British Foreign Office that the British Delegation at New York had given a press conference making the points set forth in telegram 1418 to London but that "only *New York Times* correspondent saw in statement hint of new British policy." The Foreign Office also indicated that point 3 of Department's telegram 1418 might be better expressed by saying that while the British Government would not enforce a truce, it might consider a supervisory role until August 1 if both sides were to accept a truce. (Telegram 1704, 501.BB Palestine/4-2348)

501.BB Palestine/4-1948

The Acting Secretary of State to the Secretary of Defense (Forrestal)

TOP SECRET

WASHINGTON, April 23, 1948.

DEAR MR. SECRETARY: I have received your letter of April 19 outlining certain of the possible implications, from the standpoint of United States foreign policy in other areas, of the decision of this Government to declare its readiness to undertake a share of the burden of providing the police forces required during a truce and temporary trusteeship in Palestine.

I have taken careful note of your views, and you may be sure that they will be given full consideration by this Department in any contributions that it may make to the formulation of national policy.

I think I should point out, however, that the contingency that you describe, under which this country would be required to deploy approximately 50,000 men for service in Palestine, is still not an actuality, and we cannot yet know whether, or in what form, it will materialize. In any case, it would represent a difference of degree, rather than substance, as compared with the situation which has existed heretofore. In fact, leaving the possible use of an American contingent in the United Nations police force for Palestine out of the picture entirely, it seems clear from your letter that the forces available at present are inadequate to support fully our policies in the other areas mentioned, or elsewhere.

It has rarely been possible for us to feel that the armed establishment maintained by our Government at any particular moment would

be adequate, without further strengthening, to support the major objectives of our foreign policy in the face of all eventualities. Very often, in the past, the sanction for the position taken by this Government in international affairs has unavoidably had to be, in large measure, the reserve military potential of this country rather than its forces in being.

The Department of State has consistently endeavored, by testimony before committees of Congress and in all appropriate ways, to advocate the strengthening of the military, naval and air forces of the United States through rapid establishment of the Selective Service System and the more long-range program for universal military training. You can be assured of the Department's fullest cooperation in doing everything possible to accomplish the speedy passage of legislation which will put this Government in a better position to meet its many responsibilities in the realm of foreign policy, some of which, as you point out, may require the availability and possible use of armed forces.¹

Sincerely yours,

ROBERT A. LOVETT

¹ Secretary Forrestal replied the same day, his letter to the Secretary of State stating in part: "I appreciate that the contingency which I described has not yet become an actuality. My sole purpose in writing was to indicate some of the military consequences which might result in the event that the deployment of troops to Palestine should become necessary as a result of the United States proposals. In any event, I believe our thinking must take into account that this contingency does in fact exist." (501.BB Palestine/4-2348)

Editorial Note

On or about April 23, the Department submitted for White House clearance a draft resolution to be introduced into the Security Council, which read as follows: "The Security Council establishes a truce commission for Palestine composed of representatives of those members of the Security Council except Syria which have career consular officers in Jerusalem, whose functions shall be to assist the Security Council in bringing about the implementation of the resolution of the Security Council of 17 April, 1948; requests the commission to report to the President of the Security Council within 48 hours regarding its activities and the development of the situation, and subsequently to keep the Security Council currently informed with respect thereto." A marginal notation by Mr. McClintock on a carbon copy of the draft resolution notes Presidential approval at 5 p. m., April 23 (501.BB Palestine/4-2348).

At the meeting of the Council on the same day, Ambassador Austin introduced the draft resolution, but added a preamble and two paragraphs dealing with the right of travel by the proposed Commission and the furnishing of personnel to it. The text of the draft, as intro-

duced, is printed in SC, *3rd yr., No. 62*, page 15. During the discussion that followed, Ambassador Austin accepted a number of amendments. In the ensuing voting, the Council accepted the resolution calling for establishment of a truce commission, by eight votes in favor, with the Colombian, Soviet, and Ukrainian Representatives abstaining. For the official text of the resolution, numbered 48 (1948), see SC, *3rd yr., Resolutions, 1948*, page 17.

501.BB Palestine/4-2348

Memorandum by the Director of the Office of Near Eastern and African Affairs (Henderson) to the Under Secretary of State (Lovett)

TOP SECRET

[WASHINGTON,] April 23, 1948.

In event the United Nations is unable to bring about a truce in Palestine and is unable to agree on interim governmental machinery for Palestine following the termination of the British Mandate on May 15, the present fighting in that country will undoubtedly increase and conditions of anarchy will prevail. It now appears that the Members of the United Nations at the Special Session in New York are anxious to make some sort of an arrangement for the protection of Jerusalem and surrounding Holy Places, not only for religious and humanitarian reasons but also in the hope that a nucleus of international control in the Jerusalem Area might at a later date be extended to the rest of Palestine.

At the present moment it is uncertain whether the General Assembly will go along with the United States suggestion of a temporary trusteeship for all of Palestine, whether some other form of interim governmental machinery will emerge or whether the General Assembly will do nothing at all. As this uncertainty is continuing, the Department has prepared a trusteeship plan for the Jerusalem Area which may be introduced at the United Nations as soon as it is considered desirable to do so.

This agreement is brief and contains only an essential grant of powers to the Governor-General for the emergency period.

A draft agreement for this purpose is attached as Tab A.¹ Your attention is called to the following considerations:

Territorial Scope

It is believed that the Jerusalem Area should include not only the present municipality of Jerusalem, together with the surrounding

¹Not printed; for revised version, see telegram 256, April 26, to New York, p. 860.

villages and towns but should also include the area of Palestine between Jerusalem and the Mediterranean and should include the ports of Tel Aviv and Jaffa and the airport at Lydda in order to prevent the inland isolation of Jerusalem and its environs and to provide access to the sea and the outside world. (See map attached Tab B² and Explanatory Notes Tab C³).

Security Forces

The United States is willing to undertake its share of responsibility along with other Members of the United Nations which may be selected by the General Assembly for the provision of police forces which will be required to maintain interim law and order in the Jerusalem area, which would include the City, its environs and the area between them and the coast. (If no other Members of the United Nations are willing to undertake their share of such responsibility, the United States, as a last resort, would if authorized by the United Nations, assume this task on behalf of the United Nations. It is contemplated, however, that such action as the armed forces might take would be preliminary and of limited duration pending the establishment of a United Nations administration and the recruitment of United Nations security forces for the City of Jerusalem and the area between it and the coast.)

Financial Aspects

Apart from extraordinary security expenditures, Palestine as a whole has been financially self-supporting. It has been estimated that the City of Jerusalem, under the provisions of the resolution of November 29, 1947, would have been virtually self-supporting, but only because it was entitled to receive from 5 to 10 percent of the custom receipts of Palestine under the economic union. Since it may be impossible to make a similar provision in a special arrangement for protecting the Holy Places, particularly if the rest of Palestine is in a disordered condition after May 15, there will undoubtedly be a deficit in the ordinary administration of the territory in addition to the expense involved in the maintenance of outside security forces.

It would seem most feasible to separate the expenses of administration from those of providing outside security forces. The United Nations as a whole could provide financial support for the administration of the territory while the expenses of security forces could then be borne by those Members of the United Nations which supply forces. Possibly a plan could be worked out by which part of the money thus supplied by the United Nations could be recoverable from the future revenues of Palestine after a final settlement for the territory as a whole has been reached.

² Not found attached.

³ Not printed.

Administrative Measures

During the initial period of the establishment of control over the area, it would probably be necessary, because of the likelihood of considerable disorder, to combine in the military commander both military and civil powers of administration. This could be accomplished by having him appointed as Governor of the area. He would thus be free to act in time of crises without being delayed by the necessity of consulting a civilian administrator. It would not be desirable, however, to prolong such a concentration of authority in a territory under United Nations control, any longer than necessary. Therefore, after a relative condition of order has been established, the civilian administration should be separated from the military commander and placed in the hands of a civilian Governor.

Legal Basis

The provision of a firm legal basis for the actions of the United Nations in this case would seem particularly important because it appears inevitable that the use of armed forces will be required. Probably the most satisfactory legal basis would be obtained in the use of the United Nations trusteeship system. This would, in the first place, provide a clearly legal means of transition for changing the status of the territory. Moreover, by the designation of the United Nations as the administering authority, the trusteeship provisions of the Charter would not only create an obligation on the part of the United Nations to ensure the maintenance of law and order in the territory, but also provide justification for United Nations action in fulfilling its obligation.

501.BB Palestine/4-2348: Telegram

The Ambassador in the United Kingdom (Douglas) to the Secretary of State

TOP SECRET

US URGENT

LONDON, April 23, 1948—4 p. m.

1705. For Lovett from Douglas.

1. As you know, discussions with Bevin on Palestine are, because of British sensitiveness to the subject, extremely delicate. This morning's British newspapers carry headlines to the effect that the British are considering joining with other countries in a trusteeship and imply that I am putting pressure on HMG to this end. These stories seem to emanate from Washington, because nothing has been said to the press here either by anyone in the Embassy or, in so far as I can tell, anyone in the Foreign Office. One story from Lake Success gives as its authority "source close to US Cabinet." You will understand, I know, why these press accounts make my task, difficult at best, even harder. I know your difficulties. (Embtel 1697, April 22.)

2. Am confident that the British will not agree to participation in a trusteeship, unless preceded by a truce, and unless it does not involve the use of force to impose on the two parties a regime which is unacceptable to them.¹

3. It is, however, in my judgment remotely possible that if a truce can be arranged and the Jews and the Arabs can be persuaded in good faith to sit down around the table for the purpose of amicably settling their differences, the British might be persuaded to assume a major, if not exclusive, role within the limits of their reduced forces and administrative personnel in Palestine. If you agree, I should like to put the question to the British as to whether they would lend such assistance on these conditions.

4. I have not found Bevin stubborn or unfriendly. He is, however, in view of his assessment of the situation, at a loss to suggest a proposal in which he has confidence and which meets the specifications arising out of an extraordinarily delicate political situation here. In this connection, I confirmed yesterday my previously reported opinion that the Conservative Party and practically all of the Labor Party would oppose bitterly the retention of troops in Palestine.

5. As I view the situation, it divides itself into two parts: The first is the naked question of Palestine; the second is the way in which British position, as represented publicly in the US, is casting a cloud on our relations, and probably will cause, unless the situation changes, greater tension to the disadvantage of both countries everywhere. Both questions I have, of course, discussed with Bevin; the latter in an endeavor to persuade him to take some position in regard to the former. I think, however, that the matter is of sufficient importance for me to suggest tactfully to him that I discuss the issue with him and the Prime Minister, particularly stressing the second part of the question.

DOUGLAS

¹ Marginal notation on an information copy of this message in the handwriting of Mr. McClintock: "Analogous to U.S. position as stated by Austin April 20."

501.BB Palestine/4-2348: Telegram

The Acting Secretary of State to the Embassy in the United Kingdom

TOP SECRET

US URGENT

WASHINGTON, April 23, 1948—6 p. m.

1469. For Douglas from Lovett. Your 1705, Apr. 23, has been given careful consideration:

1. Answer to your para. 1 would seem to be as set forth in para. 1, your 1704, Apr. 23.¹ We are fully aware of extra difficulty which such press accounts impose on both govts.

¹ Not printed; but see footnote 1, p. 851.

2. Position set forth in your para. 2 is closely analogous to statement of Amb. Austin in Committee 1, Apr. 20, when he indicated that truce was of utmost importance and emphasized that US was not prepared to act alone in this matter.

3. You are authorized to inquire of British whether they would lend assistance in working out a concrete solution for Palestine along lines indicated your para. 3. Without indicating any intention of this govt. to favor a special arrangement for Jerusalem, you should also sound out Bevin as to his attitude on French proposal introduced in 1st Com. yesterday calling for special measures to assure safety of Jerusalem, its Holy Places and inhabitants. For your secret info., while we by no means have altered our primary objective to secure truce with temporary trusteeship for Palestine as a whole, we would not oppose special measures for security of Jerusalem if they won substantial measure of support from other delegations.

4. You are authorized to discuss these matters in your discretion also with Prime Minister along lines of your para. 5 and within instructions set forth in Deptels 1375, Apr. 17 and 1260, Apr. 9.

Repeated USUN as 249.

LOVETT

501.BB Palestine/4-2448: Telegram

The Acting Secretary of State to the Consulate General at Jerusalem

SECRET US URGENT
 NIACT

WASHINGTON, April 24, 1948—1 p. m.

298. We believe that career Consuls General of France, Belgium, and U.S. in Jerusalem should comprise SC Truce Commission under resolution adopted by SC yesterday, text of which was repeated to you by telegram. Dept's next telegram will provide you with text of SC Truce resolution April 17.

An informal working group of representatives of France, Belgium and U.S. will however meet in New York for purpose of consulting with Jewish and Arab leaders now in New York as well as with Creech Jones and other U.K. representatives.

USUN expects shortly to telegraph Dept outline of possible articles of Truce and this working paper will be sent to you for guidance although at this stage it should not be regarded as committing this government.

Please establish immediate contact with High Commissioner and leaders of JA and AHC. You will of course immediately consult with your French and Belgian colleagues as to organization of Truce Commission and, in concert with High Commissioner, how its work can most expeditiously be carried out.

In your conversations with JA, AHC and British you should emphasize extreme importance which this government attaches to prompt compliance with SC Truce resolution by parties concerned.

Repeated to USUN, London, Paris, Brussels, and Arab capitals for info only.

LOVETT

501.BB Palestine/4-2548 : Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

TOP SECRET

US URGENT

NEW YORK, April 25, 1948—7 p. m.

502. For Lovett from Rusk. Following two talks with Proskauer¹ and two talks with Fawzi Bey, I have drawn as a purely personal document the following draft articles of truce for Palestine in an effort to find some basis for agreement between Jews and Arabs on a truce. These articles envisage the possibility that we may get a truce without getting any further arrangements for government on May 15, hence they provide certain minimum responsibilities for orderly public line under the general supervision of the SC Truce Commission. Obviously, if our trusteeship proposals succeed or if some other arrangements are adopted, they could be quickly fitted into truce arrangement.

On the procedural side, it has been emphasized both to Proskauer and Fawzi Bey that these suggestions have no official standing whatever and are an attempt to ascertain a basis on which some go-between such as Entezam or Padilla Nervo² might bring the parties together. If these articles become public they should be disclaimed and should be considered as one of several efforts being made by private persons to find some agreement.

Both Proskauer and Fawzi Bey have been sufficiently receptive to encourage a further effort along these lines. For example, Fawzi Bey now has permission from Cairo (which he says must mean the Arab League as well) to sit down with a go-between and Jewish representatives for an informal talk not involving a commitment on his part.

Since both Jews and Arabs may be commenting further on these draft articles, any comments which Department may have will be welcome. One eventual use of such articles might be a public demonstration of the efforts which have been made to obtain a truce along reasonable lines in the event that one or both parties prove completely intransigent and we face inevitable large-scale fighting on May 15. Some consideration might be given to a statement by the Secretary at the appropriate timing [*sic*] which might disclose such intransigence,

¹ Joseph M. Proskauer, President of the American Jewish Committee.

² Nasrollah Entezam and Luis Padilla Nervo, Iranian and Mexican Representatives, respectively, at the United Nations.

set forth the reasonable basis for such truce proposals and mobilize public opinion in support of a truce, or at least prepare public opinion for the increased fighting which we will not have been able to avert.

Text of articles of truce for Palestine now follows:

[Here follow the 15 articles which formed the basis for the Informal Truce Proposals for Palestine, printed on page 866.]

[Rusk]
AUSTIN

867N.01/4-2648

*Memorandum of Conversation, by the Director of the Office of Near Eastern and African Affairs (Henderson)*¹

TOP SECRET

[WASHINGTON,] April 26, 1948.

Participants: Asad al-Faqih, Minister of Saudi Arabia
Mr. Henderson, NEA
Mr. Merriam, NE

The Minister called by appointment at his request. Referring to Prince Feisal's desire to have a quiet talk with me in New York, the Minister said he hoped that I would be able to go to New York for this purpose. He said that the Arabs were not convinced that the United States really wanted trusteeship. If it did, the United States would have been using its influence in support of trusteeship far more than it had. He intimated that if the Arabs were convinced that the United States wanted trusteeship, the Arabs would quite possibly support it if their fears on the key problems of immigration, land sales, and duration of the agreement could be set at rest. He thought that a talk between Prince Feisal and myself would help the Arabs to make up their minds.

I said that I wanted very much to see Prince Feisal but up to the present time I had simply been unable to get away. I hoped to be able to do so in the near future.

I pointed out that the problem was very different from what it had been last fall. We were unwilling to press trusteeship in the absence of Arab and Jewish acquiescence. Neither the United States nor any other country would undertake any responsibility with respect to trusteeship if it would have to be imposed. Our difficulty was that the Arab and Jewish positions were still far apart. I asked if the Arabs had been in touch with any moderate Jews such as Dr. Magnes.² The Minister indicated that they had not.

¹ Drafted by Mr. Merriam.

² Judah L. Magnes, President of the Hebrew University at Jerusalem.

The Minister said he felt that if the Arabs were convinced that the United States was serious about trusteeship, and if their principal fears could be overcome, there was a good chance that, with United States and Arab influence and support, trusteeship would get a two-thirds vote in the General Assembly.

He entirely agreed with my remark that the Near East would be ruined if peace was not established in Palestine, and expressed grave fears over Communist designs. He was convinced that the Communists wanted to create chaos and that if things went badly for the Arabs the Communists would supply them with arms in order to keep the fighting going.

501.BB Palestine/4-2648: Telegram

The Secretary of State to the United States Representative at the United Nations (Austin)

SECRET US URGENT

WASHINGTON, April 26, 1948—2 p. m.

256. There follows working paper on possible draft trusteeship agreement for security zone of Jerusalem. This paper is sent for your comment but not for discussion with other delegations pending final clearance in Dept.

As indicated by telephone to Rusk this morning Dept strongly feels that special regime for Jerusalem should be UN trusteeship:

TEMPORARY TRUSTEESHIP AGREEMENT FOR THE JERUSALEM AREA

PREAMBLE

WHEREAS the territory known as Palestine has been administered by the Government of the United Kingdom under a mandate assigned by the Principal Allied and Associated Powers and confirmed by the Council of the League of Nations; and

WHEREAS Jerusalem and its surrounding area contain many Holy Places sacred to Christians, Jews and Moslems alike; and

WHEREAS it is imperative that pending a final settlement of the Palestine problem the Jerusalem area be protected;

NOW THEREFORE The General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for the Jerusalem Area:

ARTICLE 1

The Trust Territory of Jerusalem, consisting of _____ as defined on the attached map and hereinafter referred to as "the Trust Territory", is hereby placed temporarily under the Trusteeship System of the United Nations.

ARTICLE 2

The United Nations is hereby designated as the Administering Authority for the Trust Territory. The Trusteeship Council, operating under the authority of the General Assembly, shall exercise the functions of the Administering Authority.

ARTICLE 3

The Administering Authority shall have full powers of administration, legislation, and jurisdiction over the Trust Territory which shall be exercised through the agency of the Government of the Trust Territory as hereinafter provided.

ARTICLE 4

1. The Government of the Trust Territory shall consist of a Governor-General and such organs of self-government as in the opinion of the Governor-General will meet with cooperation from the various communities of Palestine.

2. The Governor-General shall be appointed by and may be removed by the Trusteeship Council, subject to the provisions of Article 5, paragraph 3.

3. The Governor-General shall be subject to the instructions of the Trusteeship Council. He is hereby invested with full powers to administer the Trust Territory in accordance with the provisions of this agreement and the terms of the Charter of the United Nations.

ARTICLE 5

1. The Governor-General shall be responsible for the organization and direction of the police forces necessary for the maintenance of internal law and order.

2. The Governor-General shall organize volunteer forces in accordance with Article 84 of the Charter of the United Nations, to provide for local defense and the maintenance of internal law and order.

3. Pending the organization of the forces provided for in paragraphs 1 and 2 of this Article, the Governor-General is empowered to call upon the Govts of _____, which shall, for a period of time to extend not later than Dec. 31, 1949 provide for local defense and the maintenance of internal law and order.

ARTICLE 6

1. The territorial integrity of the Trust Territory and its status as defined in this Agreement shall be assured by the UN.

2. In the event that the Governor-General is unable, through the use of the forces provided in Article 5, to maintain the territorial integrity of the Trust Territory against an act or threat of aggression, he shall request the Secretary General to bring the matter to the immediate attention of the Security Council.

ARTICLE 7

The Governor-General shall, under the authority of the Trusteeship Council, assure the protection of the Holy Places, religious buildings and sites within the Trust Territory, as well as of educational and cultural establishments and charitable institutions and hospitals, the rights of which will be maintained as they were before the termination of the Mandate.

ARTICLE 8

1. The Trusteeship established for the Trust Territory by this agreement shall be without prejudice to the rights, claims or position of the parties concerned in the Trust Territory and the remainder of Palestine, or to the character of the eventual political settlement for the Trust Territory and the remainder of Palestine.

2. It shall be the duty of the Governor-General to ensure that no activity prejudicial to the eventual political settlement for the Trust Territory and the remainder of Palestine shall take place within the Trust Territory.

ARTICLE 9

1. This agreement may be altered or amended in accordance with Article 79 of the Charter of the United Nations.

2. This agreement shall terminate upon Dec. 31, 1949 unless otherwise determined by the General Assembly.¹

MARSHALL

¹The Department, on April 27, informed USUN that the White House had cleared the draft trusteeship agreement transmitted in telegram 256. The Department also requested deletion of the words "subject to provisions of Art. 5, para. 3" from subparagraph 2, Article 4. (Telegram 258 to New York, 501.BB Palestine/4-2748)

867N.01/4-2648: Telegram

The Ambassador in Egypt (Tuck) to the Secretary of State

CONFIDENTIAL

CAIRO, April 26, 1948—6 p. m.

422. Current plans for entrance Arab states forces into Palestine prior May 15 now being discussed Cairo with participation regent of

Iraq, have hit snag in opposition Egyptian Government to such participation, according to well informed source. Nokrashi Pasha¹ opposes such action generally, and by Egypt in particular, because: (1) Fear of repercussions in Egypt at UN with adverse effect on Anglo-Egyptian relations; (2) All Egyptian forces now required in Egypt for internal political reasons. These believed to be fear of Wafdist disturbances, possible attempt at coup and renewal of police strike; (3) Troops inadequately armed and equipped, hence would be ineffective. This argument believed inspired by view that defeat Egyptian Army at hands of Jews would effectively destroy Egyptian contention that it can defend itself without foreign assistance; (4) Fear that Arab forces might prove ineffective in protecting Palestinians, therefore permanently damaging Arab cause in Palestine.

Presence here Abdul Ilah² with Iraqi Army officers believed due to desire to influence King Farouk to support resolution relative participation Arab armies in Palestine as prepared recent discussions Arab League Military Commission in Amman.³ Regent is said to be urging King Farouk with argument Egypt cannot continue to do less for Palestine than other Arab countries without losing place and prestige in Arab world.

Sent Department as 422; paraphrase sent Arab capitals.

TUCK

¹ Egyptian Prime Minister.

² The Regent of Iraq.

³ London, on April 26, reported the substance of a telegram of the previous day from British Minister Sir Alec S. Kirkbride to the British Foreign Office, which stated that King Abdullah, Regent Addul Ilah, the Lebanese Prime Minister, the Iraqi Minister, the Transjordan Ministers and General Ismail Safwat, an Iraqi, who was Chairman of the Arab League Military Staff Committee, had met at Amman on April 24. The upshot of the meeting was that the "Lebanese Prime Minister is going Cairo with letter from King to Azzam stating Transjordan cannot cope alone with Palestine situation and before moving wants assurance full support all Arab states re men, money and materials. Letter asks for pounds 1 and ½ million credit. Regent is also going Cairo to ascertain whether Egyptian Govt prepared help." (Telegram 1733, 867N.01/4-2648)

Editorial Note

Mr. Jessup made a statement before the First Committee on April 27, in which he discussed several questions involved in the United States conception of trusteeship for Palestine (Department of State *Bulletin*, May 9, 1948, page 592). The United States draft resolution calling for the reference of the United States working paper on the matter to the Fourth Committee was defeated later the same day, when the First

Committee by a vote of 38 to 7, with 7 abstentions, decided to undertake its own examination of the working paper (GA (II/SS), *Main Committees*, page 129).

501.BB Palestine/4-2748: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

[Extract]

TOP SECRET

NEW YORK, April 27, 1948—12:30 a. m.

511. For Lovett from Rusk. Preceding telegram contains latest draft articles of truce¹ which Shertok asks Wasson deliver JA representatives Jerusalem. Similar text will be furnished Arab representatives New York early Tuesday for their consideration. I recognize some possibility this personal activity may complicate matters, yet both parties are clearly within range of agreement and both prefer this indirect and unofficial procedure. If Department sees points of danger as discussions continue, I shall try to guide us back into desired line, but my theory thus far has been to give parties their maximum chance since they are moving toward agreement.²

Proskauer has been most helpful with Shertok. At meeting late Monday night of Proskauer, Shertok, Ross and Rusk, Proskauer told Shertok that opinion in US was rapidly concluding that fighting must stop before anything else can happen and that JA must watch closely its public relations at this juncture. Unfortunately short time limit in latest draft was effort to meet Jewish fear that we had in mind some "indefinite" truce which to them seems to mean permanent truce. Although I should have preferred to leave duration up to SC if we can get Palestine question into discussion stage between Arabs and Jews, resort to arms will become increasingly difficult.

Proskauer drafted new text of Articles 6 and 7. My estimate is that once Arabs can confess their willingness to accept immigration article, final agreement will turn upon wording of Article 6.

¹ No. 510, April 27, not printed. The draft articles are in the memorandum prepared in the Department of State on April 28, p. 866.

² Mr. McClintock, in a memorandum of April 27, notified Mr. Lovett of telephonic information from New York the same day that the conversations by Mr. Rusk and his associates with Jewish and Arab spokesmen had been making hopeful progress. Practically all articles had been agreed to by Mr. Shertok and Fawzi Bey as spokesman for the Arab League. Disagreement was still manifest on the question of immigration but discussions were continuing (501.BB Palestine/4-2748).

If truce can be agreed along lines these articles, result may have substantial bearing upon our trusteeship proposals. Both JA and AHC dislike trusteeship and may prefer some ad hoc arrangement of less formal character. US delegation's position thus far has been sufficiently flexible to permit adjustment to any alternative preferred by Arabs and Jews. [Rusk.]

AUSTIN

867N.01/4-2748: Telegram

*The Secretary of State to the Embassy in the United Kingdom*TOP SECRET US URGENT
NIACT

WASHINGTON, April 27, 1948—7 p. m.

1506. For Douglas. We are concerned at reports which are reaching us to effect that Abdullah is planning invasion of Palestine in near future with armed forces of Trans Jordan and that armed forces of other Arab countries may also cross Palestine borders.

If armed forces of any Arab country should invade Palestine we do not see how US Govt could avoid taking energetic position in UN pointing out that invasion is violation of Charter and insisting that appropriate steps including if necessary despatch of forces under auspices UN be taken to eject invaders. If enforcement action proposed to SC was vetoed it seems likely that five permanent members under Art. 106 would consult to provide necessary military forces. Developments of this character might lead to extensive warfare in ME and give Russia opportunity to send Soviet forces into area. Furthermore such developments might well nullify all efforts which Brit and US Govts have been making during past year to work out parallel policies in ME for purpose of maintaining security in that area. If forces of Abdullah invade Palestine it would be difficult to dispel impression not only in US but throughout the world of Brit complicity in matter in view of close military and economic relations existing between UK and Trans Jordan.

Please discuss this matter at earliest possible moment with Bevin and Attlee and point out to them how important it is in interest of security of Middle East, world peace and efficacy of Brit-Amer cooperation that Brit Govt use all its influence to restrain Abdullah from engaging in such an adventure.¹

Sent to London for action, repeated to New York 259, for info only.

MARSHALL

¹ Marginal notation: "OK H[arry] S. T[ruman]".

501.BB Palestine/4-2748

*Memorandum Prepared in the Department of State*¹

CONFIDENTIAL

[WASHINGTON,] April 28, 1948.

TEXT OF INFORMAL TRUCE PROPOSALS FOR PALESTINE²

"The Arab Higher Committee and the Jewish Agency for Palestine accept the following articles of truce for Palestine effective midnight, April 30-May 1, 1948 and accept responsibility for insuring compliance by the Arab and Jewish communities of Palestine therewith:

"ARTICLE 1

"All military or para-military activities, not authorized by the Security Council Truce Commission, as well as acts of violence, terrorism and sabotage, shall cease immediately.

"ARTICLE 2

"Armed bands and fighting personnel, groups and individuals, whatever their origin, shall not be brought into Palestine nor be assisted or encouraged to enter Palestine during the period of the truce.

"ARTICLE 3

"Weapons and war materials shall not be acquired or imported into Palestine by the Arab Higher Committee and the Jewish Agency for Palestine, nor shall any assistance or encouragement be given to the importation or acquisition of such weapons and war materials.

"ARTICLE 4

"All Jewish and Arab armed elements in Palestine shall be immobilized and their activities during the truce shall be under the supervision of the Security Council Truce Commission.

"ARTICLE 5

"Any person or group of persons found by the Security Council Truce Commission, after proper investigation, to have committed acts

¹ Transmitted to Mr. Lovett by Mr. McClintock with his memorandum of April 28.

² As set forth in telegram 510 and as modified in telegram 515, both dated April 27, from New York. The former message, sent by Mr. Rusk to Mr. Lovett, requested the Department to "relay following text of articles of truce to Wasson in Jerusalem for his information and for delivery to Dr. Leo Kohn, Jewish Agency for Palestine, at the request of Moshe Shertok. Wasson should understand unofficial nature of these draft articles which are basis for go-between effort in New York and are not U.S. official proposals. Wasson is at liberty show these privately to his French, Belgian and British colleagues but should not show them to Arab authorities or discuss with Jewish and Arab authorities at this juncture." (501.BB Palestine/4-2748) Consul Wasson, on April 27, acknowledged receipt of the two relays from New York and advised that the previous day he had met with his French and Belgian colleagues to discuss

of violence, terrorism or sabotage contrary to the terms of this truce, shall be immediately expelled from Palestine or placed in custody under arrangements to be made by the Security Council Truce Commission.

“ARTICLE 6

“During the truce, and without prejudice to the future governmental structure of Palestine, existing Arab and Jewish authorities shall accord full and equal rights to all inhabitants of the area in which such authorities are functioning; further, no steps shall be taken by Arab or Jewish authorities to proclaim a sovereign state during this truce.

“ARTICLE 7

“The Arab Higher Committee and the Jewish Agency for Palestine accept the Security Council Truce Commission during this truce as a mediator to maintain by mutual collaboration public order and essential public services and to adjust administrative problems.

“ARTICLE 8

“All persons, groups and organizations in Palestine pledge their maximum effort to preserve the holy places and to protect all activities connected therewith.

“ARTICLE 9

“All traffic and communications throughout Palestine of the nature declared by the Security Council Truce Commission to be peaceful and nonprejudicial in character shall be allowed complete freedom of movement and operation by all parties in Palestine.

“ARTICLE 10

“During the period of the truce, 4,000 Jewish displaced persons shall be allowed to enter Palestine each month. The selection and administration of such immigration shall be assumed jointly by the International Refugee Organization and the Jewish Agency for Palestine, in consultation with the Security Council Truce Commission and the Arab Higher Committee. The Security Council Truce Commission and the Arab Higher Committee shall determine, in consultation with the Jewish Agency for Palestine, the quotas and selection of all non-Jewish immigration.³

organization of the Truce Commission (telegram 491 from Jerusalem, 501.BB Palestine/4-2748). President Truman, on April 28, nominated Mr. Wasson to be United States Representative on the Truce Commission, subject to Senate confirmation (telegram 264, April 28, to New York, 501.BB Palestine/4-2848).

³Mr. McClintock's memorandum of April 28 to Mr. Lovett noted that “all [articles] except Article 10 dealing with immigration have been provisionally agreed upon, subject to approval by their principals, by representatives of the Jewish Agency and the Arab League in New York City.” (501.BB Palestine/4-2748)

"ARTICLE 11

"The Security Council Truce Commission shall institute or arrange patrols both by land and by sea to ensure that immigration into Palestine does not exceed the agreed number and conforms with the selection requirements set forth in Article 10, above.

"ARTICLE 12

"The Arab Higher Committee and the Jewish Agency for Palestine undertake to assist the United Nations in the establishment of a temporary international zone, as a matter of emergency, for the protection of the city of Jerusalem.

"ARTICLE 13

"The Arab Higher Committee and the Jewish Agency for Palestine undertake to participate in the establishment of a Palestine truce council, composed of three representatives of each, to effect the joint action necessary for the execution of this truce and to assist the Security Council Truce Commission in carrying out its functions.

"ARTICLE 14

"This truce shall remain effective for three months, and thereafter unless either the Arab Higher Committee or the Jewish Agency for Palestine gives at least thirty days notice of termination to the Security Council Truce Commission. The Security Council Truce Commission shall immediately notify the Security Council of the receipt by it of any such notice of termination."

867N.01/4-2848

*Memorandum of Conversation, by the Under Secretary of State
(Lovett)*¹

SECRET

[WASHINGTON,] April 28, 1948.

Participants: The Right Honorable the Lord Inverchapel, British
Ambassador
Mr. Lovett, Under Secretary of State
Mr. Llewellyn Thompson, Deputy Director for Euro-
pean Affairs

The Ambassador handed me a copy of the attached memorandum on Palestine.² I indicated that it was a rather late date for Mr. Bevin

¹ Drafted by Llewellyn E. Thompson, Jr., Deputy Director of the Office of European Affairs.

² No. G.96/48, dated April 28, not printed; it cited a report from the High Commissioner at Jerusalem of "increasing indications that the Jews were con-

to be bringing to our attention the situation in Jerusalem, as we had been doing our utmost to arrange a truce both in Palestine generally and in Jerusalem particularly and to prevent armed action. I referred also to the fact that the Jews appeared to have gone further toward agreeing to the arrangements proposed for Jerusalem than the Arabs. I pointed out that at the very moment we were talking the United States was struggling with this problem in the United Nations and that last night we had received indications that a truce might be arranged. The Jews appeared ready to agree, but the Arab representative was obliged to cable home for instructions.

The Ambassador said that the British representative in Jerusalem thought that the police there were not adequate to preserve order and that dependence on them was not realistic.

I replied that I agreed that it was unrealistic unless a truce could be arranged. If a truce could not be brought about and lived up to, we might be forced to take some action such as a financial embargo against Palestine and countries of the Middle East. We would hate very much to be obliged to take such measures as we knew that none of the countries in the Middle East were in good shape. I expressed surprise that Mr. Bevin felt we had any influence whatever over the Jewish attitude and added that in any event we had no information to justify Mr. Bevin's comment that the Jews were considering a large-scale attack on Jerusalem. I felt he should present this whole Palestine situation and our views frankly to Mr. Bevin.

I informed the Ambassador that we had instructed our Ambassador in London to impress upon Mr. Bevin the importance of not allowing the Arabs to take armed action against Palestine. I said that the fact that Great Britain had trained and officered the Transjordan Legion might create an impression both in the United States and elsewhere, in case the Transjordanese troops should invade Palestine, that such invasion had been acquiesced in by Great Britain.

The Ambassador replied that the reports about Abdullah did not appear to be correct and that they did not understand that he was contemplating any such invasion. I pointed out that some of these British-trained troops were already in Palestine and again stressed the importance of preventing armed action.

L[OVETT]

sidering large-scale attacks on Jerusalem." The memorandum conveyed Mr. Bevin's request that the United States exercise its influence with the Jews to prevent such attack. The memorandum noted also that British representatives in the Arab States had been instructed to urge restraint on the Arabs. (501.BB Palestine/4-2848)

501.BB Palestine/4-2848: Telegram

The Secretary of State to the Ambassador in Egypt (Tuck)

SECRET

WASHINGTON, April 28, 1948—1 p. m.

470. You should bring following to attention Azzam Pasha re his interpretation of paragraphs five and six of Depcirtel April 22¹ as constituting threat to withhold economic aid and to disinterest ourselves in promoting stability or maintaining security of ME should Palestine situation continue.² It was our purpose to point out inutility and pointlessness of further US endeavors to promote economic well-being or political security in ME in face of rapidly deteriorating conditions in the whole Middle East arising from inability of Arabs and Jews to acquiesce in some kind of an arrangement which would bring peace in Palestine.

Rather than being threat alleged by Azzam Pasha purpose of message was to make clear and emphatic need at this critical juncture for Arab cooperation in UN efforts to bring end to chaos in Palestine and to bring home fact that US consideration of economic and political aid to ME would of necessity be useless while unsolved Palestine problem progressively becomes more serious and threatens peace of that portion of world.

Our advocacy of trusteeship could in no sense be imputed to make US "more responsible than any other power for present situation." On contrary, it was in recognition of fact that GA recommendation of Nov 29 could not be implemented by peaceful means that truce and trusteeship proposals were advanced by US. US Govt meant what it said by stating that trusteeship proposal is advanced without prejudice to final political settlement for Palestine.

Finally, it may be said that US has most earnestly sought—and it continues to seek—a just solution within the framework of UN designed for settlement of world problems such as that faced in Palestine. Our advocacy of an interim arrangement such as trusteeship proposal through established procedures of UN certainly does not make US responsible for fighting in Palestine.

If it were possible for just and final settlement of Palestine problem to be achieved now and without violence, this Govt would be among first to welcome it. Until such solution is found truce and trusteeship proposals offer immediate means by which peace can be restored to Palestine. A just and lasting solution could then be sought free from passions and violence that are daily mounting.

Sent Cairo, repeated Baghdad, Damascus, Beirut, Jidda, Jerusalem, New York, London, Paris for info and use at discretion.

MARSHALL

¹ *Ante*, p. 843.

² Azzam Pasha's views had been conveyed to the Department in telegram 417, April 25, noon, from Cairo (501.BB Palestine/4-2548), not printed.

501.BB Palestine/4-2848 : Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*SECRET US URGENT
NIACT

WASHINGTON, April 28, 1948—1 p. m.

261. When French plan for safeguarding Jerusalem¹ is discussed in TC this afternoon US rep. should express gratification at initiative of French del. in offering concrete proposals. French del. should be asked how quickly it feels 1,000 volunteer policemen can be brought to Jerusalem; what emoluments and pay they would receive; what arms they would possess and whence these arms would be obtained; and to what authority would they look for their own authority.

Since 1,000 men would be unable to establish order in a large city if Jews and Arabs were engaged in active hostilities it is presumed that essential condition to sending such a special police force would be agreement by Arabs and Jews not to fight in Jerusalem. Please ask the French if there is any prospect of such agreement.

US rep. should add that the French proposal for sending a volunteer police force to Palestine would require some adequate legal basis. We would gladly support French proposal, provided it has some chance of acceptance by Arabs and Jews, if it were placed within framework of definite trusteeship under TC.

You are authorized in your discretion to use all or such portions of draft trusteeship agreement transmitted in Deptel 256, Apr. 26, as may meet this requirement.

MARSHALL

¹The General Assembly, on April 26, by a vote of 46 to none, with seven abstentions, approved a resolution calling on the "Trusteeship Council to study, with the Mandatory Power and the interested parties, suitable measures for the protection of the city and its inhabitants, and to submit within the shortest possible time proposals to the General Assembly to that effect." For discussion in the Assembly, see GA (II/SS), *Plenary*, p. 10. The full text of the resolution is printed in GA (II/SS), *Resolutions*, p. 5.

The resolution was based on a French draft resolution that was amended by Sweden; for texts, see GA (II/SS), *Annex*, p. 32. The United States supported these measures before Committee I; for text of Mr. Jessup's statement of April 26, see Department of State *Bulletin*, May 9, 1948, p. 591.

867N.01/4-2848 : Telegram

The Ambassador in Egypt (Tuck) to the Secretary of State

SECRET

CAIRO, April 28, 1948—5 p. m.

436. While Arab states probably reached overall agreement April 24 regarding dispatch their armies to Palestine, it is believed basis information supplied by Azzam Pasha and other informed sources that implementation will be delayed until 1) Ibn Saud, Lebanese and

Syrian Governments approve; 2) further effort is made by volunteers supplied with all remaining arms; 3) essential steps taken to mobilize armies and coordinate effort. Azzam Pasha left today for Beirut, Damascus, Amman, possibly Riyadh to "coordinate efforts". Hilmi Hussain Bey left yesterday for Riyadh with message from King Farouk. Nature agreement among Arab states not yet disclosed by [but?] informed source believes Transjordan, Iraq and Syrian forces will comprise strength, with units from Lebanon. Egyptian contribution prior May 15 will be principally funds.

Attitude Iraq, Transjordan and Egyptian delegation at Arab conference apparently that sufficient action must now be taken by Arab Governments to dissipate rising pressure public opinion. Egyptian Government opposition continues to entrance official troops prior May 15 (Embtel 422, April 26). No reason to believe King Farouk has reversed categorical statement to me that Egyptian troops would not enter Palestine prior departure Great Britain troops (Embtel 1387 December 3, 1947¹). British Embassy has been informed that notwithstanding movement Egyptian troops Al Arish to satisfy public opinion such troops will not enter Palestine before May 15. Well informed Egyptian army source has admitted to this Embassy that two trains left Cairo April 27 for Al Arish carrying an expanded headquarters group, with reinforced infantry battalion, and machine guns and light artillery units totaling approximately 1100 men. Consul Buell Alexandria has reported entrainment at Alexandria last night infantry battalion field artillery unit destination reportedly Palestine. Naval units also reported patrolling coast southern Palestine.

Azzam informed Ireland² that recent events indicating intention of Jews to face world with state as *fait accompli* had swung him over to favoring entrance Arab armies prior May 15 notwithstanding probable repercussions UN. He felt in any case that Arab withdrawal from UN was inevitable.

TUCK

¹ *Foreign Relations*, 1947, vol. v, p. 1295.

² Philip W. Ireland, First Secretary of Embassy in Egypt.

501.BB Palestine/4-2848: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

US URGENT

NEW YORK, April 28, 1948—7:50 p. m.

519. Following arrangements for truce in Walled City of Jerusalem were agreed upon at TC meeting April 28 by representatives of AHC and JA:

"The representatives of the AHC and of the JA for Palestine, in consultation with the TC, have agreed to recommend to their respective communities in Palestine

- (1) That all military operations, and acts of violence shall cease forthwith within the Walled City of Jerusalem;
- (2) That cease-fire orders will be issued to take effect in the Walled City at the earliest possible moment;
- (3) That the keeping of the truce shall be observed by an impartial commission which shall report to the TC; and
- (4) That the specific terms of the truce will be elaborated in consultation with the two parties."

AUSTIN

501.BB Palestine/4-2948 : Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

TOP SECRET URGENT

NEW YORK, April 29, 1948—12:35 p. m.

526. For Lovett from Rusk. Prospects for a truce now turn on dealing with the question of immigration on which there is a very wide gap between the parties. Each side faces pressure of explosive Arab and Jewish public opinion and the serious threat of extremist and terrorist groups. There is little hope that we can get formal agreement in advance on immigration but some chance that we could get acquiescence in an arrangement "imposed" from the outside which would keep their respective records clear, establish no precedent in principle and leave both sides entirely free in later negotiations on the future of Palestine. The same kind of problem probably will arise in connection with other issues such as land purchase and land tenure.¹

Both sides appear to agree that it would be a pity to lose a truce over these issues, yet each seems to be unable to extricate itself from its present position. It occurs to me that there is some possibility in an agreement that, during the period of the truce and without prejudice to the future governmental structure of Palestine, the SC Truce Commission might be given emergency authority to determine a temporary

¹ Messrs. Jessup and Rusk and other members of the United States Delegation met at Prince Faisal's apartment in New York on April 28 for a three-hour discussion on the articles of truce with the Chairmen of the Saudi Arabian, Syrian, Iraqi, Egyptian, and Lebanese Delegations. Mr. Kopper's memorandum of conversation states that "The attitude of the Arabs regarding immigration was summed up by Prince Faisal as follows: The Arabs cannot sign any document which would permit the entry of a single Jew into Palestine. Speaking for the Arab Delegations, however, he wished to point out that they were most anxious to do their utmost to find a final solution. While they could not legally accept immigration, they might restrain themselves from any action against immigration if the following conditions could be present:

"1. Immigration would take place for a limited period of time not to extend [beyond] the truce. After the truce, immigration would cease altogether.

"2. The amount of immigration should not exceed the present quota of 1500 per month.

"3. All immigrants should be women and children but not young warriors.

"If these conditions were fulfilled; the Arabs would promise to curb the Arab people and to acquiesce although they could not sign any document. This according to Prince Faisal was frankly all that could be done at this time." (IO Files, US/A/C.1/684)

solution which could be acquiesced in but need not be accepted by the parties. Such authority might be granted on the basis of an understanding or an exchange of letters between the members of the SC Truce Commission and the parties setting forth the general lines which the SC Truce Commission would follow with respect to an issue like immigration.

Any such arrangement would be subject to the termination of the truce on proper notice from either party. However, this would considerably enlarge US involvement in Palestine issues because of our membership in the SC Truce Commission. I believe we should be prepared to pay that price for a truce for three or four months since we should at long last get the parties into some form of collaboration and into negotiations with each other. Every week of such joint effort reduces the possibility of eventual open warfare. I am reluctant to suggest this to the parties, even on a personal basis, without some assurance from the Dept that the US would be willing for the SC Truce Commission to undertake the tasks agreed to in accordance with the revised articles of truce which follow.

If the Dept is willing for me to proceed on this line, we should have Arab and Jewish reactions within a day or so. At that point Dept must consider whether the time has not come for full governmental effort to establish a truce on basis of position representing maximum agreement between parties, using diplomatic and other means to the limit. The emphasis being placed by other GA delegations upon implementation and forces together with extreme reluctance of other governments to assume any responsibility makes effective assembly action most unlikely if there is no truce.

Text of revised articles, on which your comments are urgently needed, now follows:

[Here follows text of revised articles. Revised Article 8 read: "During the period of the truce, the AHC and the JA for Palestine accept, as a matter of emergency, the authority of the SC Truce Commission to adjust administrative problems such as the repatriation of Arabs and Jews displaced from their homes in Palestine, immigration, the applicability of existing laws, and similar questions."]

[Rusk]
AUSTIN

501.BB Palestine/4-2948

Mr. Moshe Shertok to the Secretary of State

WASHINGTON, April 29, 1948.

DEAR MR. MARSHALL: I hasten to clear up a serious misunderstanding which seems to have arisen. I understand that at an off-the-record press conference yesterday you are reported to have said that an

agreement for truce had virtually been reached between the Jewish Agency and the Arab League on 13 out of 14 points, the outstanding point on which a reply from the Arab League is yet due, being that of immigration.¹

I regret to have to say that this is not the case. I was shown on Monday night, April 26th, a draft on which I made my comments. I indicated a number of difficulties and objections which it involved from our point of view. On the substance I remained non-committal and made it clear that I would have to consult my colleagues and that the final decision would be taken by the Executive in Palestine. Indeed, having given further thought to the matter, the difficulties grew in my estimation and yesterday morning I explained them to a member of the United States Delegation at Lake Success, when I expressed great skepticism whether the whole arrangement in its present form would be acceptable. The draft and my comments have been telegraphed to Palestine and the reply is awaited.

The main objections as I saw them were: first, that the proposed truce entails the deferment of statehood and renders its attainment in the future most uncertain, thereby gravely prejudicing our rights and position; second, that as the effective operation of the truce obviously involves the presence and the use in Palestine of a considerable force, we cannot but assume that the intention is to keep the British forces in occupation and control of Palestine.

I was also greatly concerned about the gross inequality under which we would be placed as regards arms and military training: the Arab states would be entirely free to acquire arms and stock-pile them for eventual use in Palestine against us; Palestinian and other Arabs would be free to train en masse in any of the neighboring countries; we would be precluded from either acquiring arms abroad or from any large scale training—training which we could only organize in Palestine.

¹The memorandum of the press and radio news conference of the Secretary of State on Wednesday, April 28, 1948, recorded the off-the-record remarks as follows: "He [Secretary Marshall] said that, in addition to the various moves and resolutions which had been made by the Security Council, the Assembly and the Trusteeship Council, there was an unofficial effort being made to try to establish the basis for a truce until matters could be straightened out. He explained that through the offices of one of our people the representatives of the Jewish organizations and the spokesman of the Arab League had reached an agreement on 13 of 14 points establishing the basis for a truce. He said that the point on which they had not agreed concerned the question of immigration. Secretary Marshall said that the Arab League spokesman had referred back his agreements to the people in the Middle East, and that, although an answer had not yet been received from them, much progress had been made toward establishing the basis for a truce. It was not at all sufficient, said Mr. Marshall, to say we agreed to a truce since the great difficulty in any truce was the question of what the terms of the truce would be. Referring to his experience in China, the Secretary explained that one got a tremendous number of obligations involved, particularly when there was not the same sort of mediation in the middle for each particular issue." (News Division Files)

We are most vitally interested in a truce, but, with every desire to be helpful, I am sure you will appreciate our anxiety to protect ourselves from the grave dangers with which it may confront us.²

Very sincerely yours,

MOSHE SHERTOK
*Executive of the Jewish Agency
for Palestine*

² Mr. Henderson, on April 29, pointed out to Mr. Epstein "the great desirability of moderation in efforts to secure a truce. He [Mr. Epstein] stated that he regretted the misunderstanding which had made it necessary for Mr. Shertok to write the letter of today's date to the Secretary, but had felt that it was necessary that the Jewish position be clear. He agreed that there was great necessity to make every effort to achieve a truce, but said that the JA could not agree to a truce which would involve 'surrender.'" Earlier in their conversation, Mr. Epstein had stated that "The Jewish State already exists and the Jews have no use for trusteeship" and "That no foreign troops are necessary. The Jews need arms and diplomatic action to prevent the invasions of outside countries." (Memorandum of conversation by Mr. Henderson, 867N.01/4-2948)

501.BB Palestine/4-2948: Telegram

*The Ambassador in the United Kingdom (Douglas) to the Secretary
of State*

TOP SECRET US URGENT
NIACT

LONDON, April 29, 1948—8 p. m.

1842. 1. Late yesterday afternoon was the first possible occasion I had to confer with Bevin and Attlee regarding Deptels 1469, April 23, and 1506, April 27. Events in the House of Commons combined with the Silver Jubilee made prior meeting impossible.

2. Discussed situation for an hour, Bevin doing most of the talking and Attlee giving assent to what Bevin said and occasionally interrupting with short comments of his own.

3. Latest information as of Tuesday night received by British from Transjordan indicates that rumors to the effect that Abdullah is planning invasion of Palestine are without foundation.

4. British will use all influence possible to deter Abdullah from movement of Transjordan armed forces across Palestine frontier.¹

¹ Mr. Bevin informed Ambassador Douglas on April 29 that the British Government had sent a message to Amman, Damascus, Cairo, and Baghdad urging that no aggressive acts be undertaken. The replies thus far received indicated that "if the Jewish forces desist from provocative attacks and aggressive action against Arab areas in Palestine, they, the Arab forces, will not engage in offensive military operations. Several of the replies indicate, however, that the Jews are on the offensive everywhere, and that if this behavior continues it will be difficult for the Arab forces to refrain from engaging in retaliatory action." (Telegram 1843, April 29, 8 p. m., from London, 867N.01/4-2948).

The same telegram contained an "appreciation of the situation" by High Commissioner Cunningham, which stressed the fear of the Jewish Agency "that the United States may attempt to impose trusteeship. These fears have finally convinced the Agency that their only course now is to establish a Jewish state

5. British will bring to bear upon Arabs all their influence to agree to a truce if the terms of the truce are reasonable. (What are our latest ideas about general terms of a truce?)

Bevin believes that a truce should be effected within the next six to eight days, and that the US is the only power that can bring persuasion effectively to bear upon the Jews.

6. In the event truce can be arranged, the Jews and Arabs agree to sit around a table in good faith in an effort to settle their agreements [*arguments?*], and the British are asked to cooperate with others either by Security Council, Trusteeship Council, or other United Nations agency, they will reconsider their entire position on the understanding that they are not left in a solitary position of responsibility.

DOUGLAS

and launch an all-out offensive against the Arabs to demonstrate Jewish military strength."

The official British account of this conversation was conveyed to Secretary Marshall by Lord Inverchapel in his note G.96/55/48, dated April 30, not printed (867N.00/4-3048).

501.BB Palestine/4-3048

*Memorandum of Conversation, by the Director of the Office of United Nations Affairs (Rusk)*¹

TOP SECRET

[WASHINGTON,] April 30, 1948.

I had twenty minutes at four o'clock this afternoon with the President on the subject of a prospective truce in Palestine. The President opened by saying that he wanted the full story and wanted to know what he could do to help the situation. He said that he did not wish to approach the matter from the point of view of personal political considerations but wished to get the matter settled. He paused at this point and I remarked that an immediate truce in Palestine seemed to me to be our fundamental objective. He said "Yes, that is the thing. We are trying to stop the fighting."

I then outlined to the President the course of the informal negotiations which have been going on in New York. I told him that it had become apparent that there were sound reasons why both the Jews and the Arabs needed a truce and that we had become convinced in New York that it was possible to get agreement on a great many points which would go into a truce. I described briefly the successive steps of the conversations and pointed out that immigration developed as the substantial bar to an agreement. I then indicated how we proposed to handle it, namely, by getting the parties to agree to let the Security Council Truce Commission make the actual decisions on immigration during the period of the truce. I told him that we would need to tell

¹ Carbon copies of this memorandum, filed with the original, bear the initials of Secretaries Marshall and Lovett.

the parties in identical language at the time of signing the truce how we would proceed as a member of the Security Council Truce Commission to handle immigration. We would emphasize that security and public health considerations would govern immigration and that full provision must be made for them before their entry into the country and that during the truce immigration should be of a compassionate nature (families and women and children), and that the truce should not be used as a cloak for a change in the military position of either side. The President interrupted at this point and said "absolutely, that is fundamental". I then added that the proposed line of action on immigration should include a statement to the Jews and Arabs that we would be prepared to admit up to 4,000 displaced Jewish persons per month.

I told the President that there was a sharp difference of view inside the Jewish Agency, that men like Dr. Goldmann and Shertok (and according to my information Jewish leaders in Palestine) were inclined to take a moderate view and to consider that a truce was necessary. On the other hand, extremists like Dr. Silver made up a formidable war party which complicated our task considerably. I then said that one of the serious obstacles to our negotiations was the suspicion which had developed on both sides as to just what the United States was after. I told him that the Jews suspected us of trying to trap them into trusteeship against their wishes and of trying to trap them into a continuance of British authority in Palestine. On the other hand, the Arabs were afraid that we were trying to lure them into an enforced partition. I said that I had indicated informally to both the Jews and Arabs that if they had some such truce and then decided that they did not want a trusteeship but would join in working out an alternative provisional government, there would be no great difficulty in meeting their agreed wishes in that respect. I added that we had received hence [*hints?*] from both sides that there might come a time very soon when it would be necessary for the United States to move in strongly and push the wavering parties into a final acceptance. The President said that he would be glad to do everything possible to help out in such a situation and that he wanted Secretary Marshall to know that he (the President) was ready to take whatever steps the Secretary thought would hasten the completion of a truce. The President said he wanted to give the United Nations every possible support in bringing about this truce and was prepared to go the limit.

I then told the President that he should consider the possibility that the Arabs would accept the truce and that Jews would not, and that that might create difficult problems for him. He replied that "if the Jews refuse to accept a truce on reasonable grounds they need not expect anything else from us". I added that I had been given the impression by leaders of Jewish opinion in New York that American

Jews were for the most part insisting strongly on a truce as a next step. I told the President that the Department would be in touch with him immediately if his own intervention were required to complete the negotiations.

The President then asked specifically if there was anything that he could do at the moment. I told him that we must remove the element of suspicion from the minds of the parties. He said "I understand that General Hilldring's appointment² may have caused some complications". I said, yes, that had been questioned, particularly since the announcement had come just after a very long and highly successful meeting between ourselves and the heads of all of the Arab Delegations. I told him I wanted to be able to be absolutely clear with the Arabs and the Jews on the future course of our policy. The President said our policy will not change. We want a truce. Tell the Arabs that our policy is firm and that we are trying to head off fighting in Palestine. Remind them that we have a difficult political situation within this country. Our main purpose in this present situation is to prevent a war. He expressly stated his concern over the Russian aspect of the situation. He ended by saying "go and get a truce. There is no other answer to this situation. Good luck to you and let me know if there is any way in which I can help."

² John H. Hilldring accepted appointment on April 28 as Special Assistant to the Secretary of State for Palestine Affairs. He advised Secretary Marshall, on May 26, that he was unable to take up these duties "for reasons of ill health". For the Department's announcements of his appointment and of his declination of appointment, see Department of State *Bulletin*, May 9 and June 6, 1948, pp. 618 and 751.

867N.01/4-3048 : Telegram

The Ambassador in Egypt (Tuck) to the Secretary of State

CAIRO, April 30, 1948.

445. Arab League note to Embassy later released press re protection Holy places Jerusalem stated League anxious safeguard shrines during defense against Zionist aggression says Arabs prepared accept measures ensure safety and agree accept truce on following lines:

(1) Suspend all fighting within city and all attacks directed against, in or from it.

(2) Arab and Jewish city guards not to be disarmed.

(3) Absolute *status quo ante* shall be maintained within city. No objection extension truce area to include Mount of Olives. Willing to confide maintenance Holy places to religious organizations. League will contribute to Coast Guard group to implement protection plan for Holy places throughout Palestine.

Text being pouched.

TUCK

501.BB Palestine/4-3048: Telegram

*The United States Representative at the United Nations (Austin) to
the Secretary of State*

NEW YORK, April 30, 1948—5:25 p. m.

536. Following telegram from Palestine Truce Commission to SC President read to Committee 1 on April 30:

“General situation Palestine deteriorating rapidly. Government departments closing daily. Normal activities country coming to a standstill. JA is acting as a general organizing body for Jewish areas and attempting to replace suspended governmental activities. Arab areas are depending on municipal authorities within the townships and villages without any central authority. Telegraph facilities ceased in most areas as have telephone trunk lines. Telephones still work locally but with decreasing efficiency. Lydda airport is out of operation and regular air communication and airmail service in and out of country have stopped. Intensity of fighting is increasing steadily. Camps and other important areas vacated by British forces immediately become battlegrounds. Operations on larger and more important scale than Haifa expected shortly. Rumors tending to increase the nervous tension in the country.”

AUSTIN

501.BB Palestine/5-148: Telegram

*The United States Representative at the United Nations (Austin) to
the Secretary of State*

SECRET URGENT

NEW YORK, May 1, 1948—6:44 p. m.

542. In our estimate of the present situation the prospect of success of the unofficial truce negotiation would be improved if some action of the GA could be taken along lines which would indicate to the JA that persistence in a course of action which stakes their success on military victories in Palestine would encounter disapproval by the UN.

At the same time the situation in Committee 1 has reached the point where debate is drying up and where it would be unrealistic, particularly in the light of rapidly deteriorating situation in Palestine, to press for further consideration of trusteeship proposal whether in Committee 1 or subcommittee in the absence of forces to implement trusteeship or at least the minimum of agreement between the Jews and Arabs which is represented by our Articles of truce.

We believe also that some such action as this is necessary to lay groundwork for further action which might be taken in case truce negotiations fail, GA is unable to reach definite conclusions by May 15 and Jewish and Arab states are proclaimed on that date.

Any GA action of this character would require some stand concerning the present status of the resolution of November 29. We are,

therefore, considering the possible desirability of the introduction, possibly on Monday, of a resolution along the following lines:

The resolution would begin with a recital of the resolutions adopted by the SC on March 1, April 1, April 17 and April 23 and of the communication to the first committee by the president of the SC. Following this recital the resolution would continue as follows:

The GA :

Appeals to all persons and organizations in Palestine and especially the AHC and the JA and to all governments and particularly those of the countries neighboring Palestine, to comply with the foregoing resolutions of the SC;

Affirms that its resolution of 29 November 1947 does not afford justification to any person, organization or state to withhold its compliance with the said resolutions of the SC;

Requests the SC to continue to keep it informed of all reports received from its truce commission for Palestine and of all subsequent action which the SC may take in regard to the situation in Palestine;

Declares its determination to continue its study of the future government of Palestine in accordance with the provisions of the call for its present special session.

Are we authorized to introduce a resolution along these lines ourselves or to attempt to get some other friendly delegation to do so with promise that the US will support it if introduced.

Possibility of SC meeting on Palestine Monday afternoon reinforces desirability of some action by Committee 1 along above lines Monday morning.¹

AUSTIN

¹ According to telegram 291, May 8, 3 p. m., to New York, the Department did not concur in USUN's suggestion. This decision, made by Mr. Lovett, was communicated by telephone to Mr. Ross by Mr. McClintock at 10:15 a. m., May 2 (501.BB Palestine/5-748).

501.BB Palestine/5-148: Telegram

The Secretary of State to the Consulate General at Jerusalem

SECRET US URGENT

WASHINGTON, May 1, 1948—11 p. m.

NIACT

340. Our next telegram repeats substantial text telegram addressed to President of Security Council, Parodi, by Shertok, Jewish Agency, today alleging Arab invasion of Palestine.¹ SC may meet May 3 to consider JA telegram and factual situation in Palestine, keeping in mind its basic responsibility for maintenance of international peace and security.

¹ Mr. Shertok's communication alleged that Syrian, Lebanese, and Transjordanian regular armed forces were attacking Jewish settlements in the Gallilee and in the Jordan Valley and that Egyptian forces had crossed Palestine's southern border; for text, see SC, 3rd yr., *Supplement for May 1948*, p. 37.

We understand that SC President has telegraphed Truce Commission asking for full and immediate report on allegations in JA telegram.

Please telegraph niact your appreciation present situation Palestine (repeated for action also to Beirut as 200 Damascus 149 Baghdad 133 Cairo 499 Jidda 157). (1) Have Arab armies entered Palestine? (2) If so from which territory? (3) Have they been sent by Govts or are they irregulars or volunteers? (4) Has UK as Palestine Govt or otherwise invited entry of Arab Legion?

Jerusalem and London likewise telegraph full report Jewish military operations. We are mindful that JA telegram may be intended to divert attention from activities of Haganah and other Jewish armed organizations.

Repeated London as 1565 with request immediate inquiry be made Foreign Office and other informed authorities as to facts of situation.²

MARSHALL

² United States diplomatic establishments at Arab capitals advised telegraphically on May 2 and 3 that Arab armies had not entered Palestine. Some of the messages, however, noted that various Arabs forces had been put on a war footing or had moved to the Palestine border and that about 650 Egyptian and North African volunteers had crossed into Palestine within the last ten days. London advised, on May 2, that the British Foreign Office had no information concerning the entry of Arab forces into Palestine or that they were likely to do so before May 15 (telegram 1885, 501.BB Palestine/5-248).

867N.01/5-248

Memorandum of Conversation, by the Director of the Office of Near Eastern and African Affairs (Henderson)

TOP SECRET

[WASHINGTON,] May 2, 1948.

Participants: Mr. Beeley, British Foreign Office
 Mr. T. E. Bromley, First Secretary, British Embassy
 Mr. Loy W. Henderson, Director for Near Eastern and African Affairs
 Mr. Fraser Wilkins, Division of Near Eastern Affairs

On this Sunday morning, Mr. Beeley, who works on Palestinian affairs in the British Foreign Office, accompanied by Mr. Bromley of the British Embassy, came in to see me at the British request. Mr. Fraser Wilkins was present during the conversation.

Mr. Beeley told me that his call, of course, was not of an official nature; that he had come down from the British Delegation in New York merely because he did not want to leave the country without having a chat with me; and that any idea or opinion which he might express during our talk should be considered as his own, not that of his Government. I have known Mr. Beeley fairly well for several years

and am convinced that what he said to me was personal, and that in talking with me he was not carrying out any instruction of the British Government. Nevertheless, I shall try to set forth my impressions of some of the views and opinions of Mr. Beeley, based on my conversation with him, since they may aid in obtaining a better understanding of British policies.

CERTAIN IMPRESSIONS OBTAINED FROM CONVERSATION WITH
MR. BEELEY

1. Mr. Beeley indicated that in his opinion trusteeship would have been the best way to prevent the Palestine situation from developing into open warfare which might engulf the whole Middle East. The decision of the General Assembly last fall, however, has encouraged the proponents of the Jewish State to such an extent that he does not believe that the Jews would now agree to any trusteeship which did not state definitely that it was merely preparatory to the establishment of a Jewish State. It was, therefore, too late to attain trusteeship without prejudice to the rights, claims or position of either Jews or Arabs. It was too late because, in his opinion, the Jewish community would not consent to such a trusteeship, and the United States or any other Western Power would not be willing to fight the Jewish community in Palestine in order to impose by force a trusteeship. The Jewish community in Palestine can afford to take a strong position since it is confident that no western country would be willing to oppose the Jewish community by force.

2. He also believed that the chances for a truce were not very good. The British Government, in his opinion, would welcome a trusteeship of a neutral character provided it was acquiesced in by the Jewish and Arab communities. It was not, however, coming out in favor of such a trusteeship for two reasons:

(a) It felt that there was little chance of such a trusteeship being attained; and

(b) Its support of such a trusteeship would be certain to arouse greater Jewish opposition to it.

3. He believed that the chances for the Jews and Arabs agreeing voluntarily to a truce were unfavorable. Nevertheless, the British Government was doing everything possible to bring about such a truce. It had to move cautiously in this respect also in view of Jewish suspicions.

4. In any event, the mandate would be terminated on May 15 and the British Government would consider that after that date its responsibilities so far as Palestine is concerned would be the same as those of any other member of the United Nations, with the single exception that it must take steps to protect British troops in the process of withdrawal from Palestine. The British Government, in case

there was no truce, could take no responsibility for preventing the entry into Palestine by land or sea of arms or immigrants. The British Government would probably permit the Jews in Cyprus to leave for Palestine.

5. In case no truce comes into effect, it was Beeley's opinion that on May 15 or 16 the Zionists would announce the establishment of a Jewish State in Palestine. They would justify their announcement on the resolution of the General Assembly last November, but would not necessarily consider that the boundaries or the terms set forth in that resolution were binding upon them. In other words, the Zionists would probably take the position, although they might not announce it, that the limits and form of the new Jewish State would be determined by developments.

6. It was Mr. Beeley's opinion that upon the announcement of the establishment of a Jewish State, the armies of the Arab countries would invade Palestine and that there would be extensive fighting between Jews and Arabs. It was his opinion that for some time at least the Jews, strengthened by recruits entering by sea, could withstand and possibly defeat the poorly organized and badly equipped Arab armies.

7. As a result of the fighting between Arabs and Jews, a number of developments were possible, including:

(a) The reaching of an understanding between Arabs and Jews which would result in the partition of the Arab portions of Palestine among various Arab countries and the tentative recognition by the Arab countries of the existence of a Jewish State.

(b) The hostilities becoming a long-term war which would gradually sap the energies and security of the whole Middle East and which would poison relationships between the Middle East and the Western world.

(c) A decision on the part of the United Nations that the Arab States, by invading Palestine, were guilty of aggression, and a consequent intervention of the United Nations for the purpose of halting the aggression. Such intervention might eventually lead to a breaking up of the present political structure of the Middle East. It would be impossible to prophesy what the Middle East would look like from a political, economic and social point of view after stabilization had again been effected. It is probable, however, that there would be no stabilization except under some kind of a powerful dictatorship.

8. Mr. Beeley said that it was his opinion, based on conversations with British legal advisers, that if there should be no truce, Palestine would be a "no man's land" on and after May 15 and that in case the Arab population should invite the Arab countries to send armies into Palestine, at least into those areas in which the Arabs are in the majority, the United Nations would have no justifiable grounds for charging that the Arab countries had violated the principles of the United Nations.

9. Mr. Beeley said that, in his opinion, the only hope for preventing the situation in Palestine, in case no truce could be achieved, from developing in a manner which would threaten the security of the whole Middle East was for an arms embargo to be proclaimed by the United Nations against Palestine and all the Arab countries. Great Britain, in spite of its treaties, could, he believed, join in enforcing such an embargo if the United Nations should request it. He believed the Arab countries at present could not spare enough arms unless they could obtain more from without to offset the arms already in the possession of the Jews.

10. It was also his personal opinion that if the United Nations could find a way out, its best course would be to encourage the partition of Palestine between the invading Arab forces and the Jews. Such partition, of course, would be only a temporary measure since it was clear that whenever the international situation would permit, the Jews on their part would endeavor to extend their state, and the Arabs on their part would try to overwhelm the Jewish State. It was likely, therefore, that Palestine for many years to come would be a breeding ground for international bad feelings.

During my talk with Mr. Beeley, speaking on a merely personal basis and making it clear that I in no way was representing the views of the Department of State, I pointed out that :

1. I was inclined to feel that it would be difficult for the United States to regard the invasion of Palestine by armies of the Arab countries either before May 15 or after as other than a violation of the principles of the Charter. It seemed to me likely that the United States would press for action in the Security Council in case of such an invasion.

2. In my opinion, any kind of development which would permit the entry of Russian troops into Palestine would be disastrous, but also any kind of development which would result in seriously undermining the influence and prestige of the United Nations would be disastrous. It was difficult for me to understand how the United Nations could maintain its prestige if after it had considered the problem, that problem could have no permanent solution and would be solved only on a temporary basis as a result of fighting between Jews and Arabs.

3. I would not be frank if I failed to point out that in our endeavor to prevent the situation in Palestine from becoming a serious threat to world peace we had not received the degree of cooperation from our British friends which we considered ourselves entitled to expect. Even though the British might believe that they had grounds for resenting certain statements and activities on the part of the American Government or American citizens with regard to Palestine in the past, they should, nevertheless, realize that in view of the critical international situation, this was not the time to permit old grievances to influence present policies. We might also have grounds for criticizing past Brit-

ish actions in or with regard to Palestine. We have felt that since the breakdown of order in the Middle East would be disastrous to world peace and particularly to Great Britain and the United States, and since, for the most part, the policies of our two countries in the Middle East pursued a parallel rather than a conflicting course, the British should consider it to be in their own interest to cooperate with us in our efforts to find some peaceable way out of the Palestine muddle. We have noted with regret that instead of cooperation, most of our suggestions have been greeted with official reticence or unofficial sneers. We could not continue indefinitely to carry on alone. We might soon be compelled to take the position that we had done everything in our power to prevent further bloodshed and violence in Palestine; that we could do no more; and that it was up to Great Britain, which as the Mandatory Power was in great part responsible for the present situation in Palestine, to assume the lead in finding a peaceful solution for the problem.

Mr. Beeley said that he did not think that it was quite fair to say that the British had greeted our suggestions with "unofficial sneers"; that although some of the British newspapers had taken a derisive attitude toward American efforts, those papers had not reflected the views of the British Government; that the British Government felt that particularly during the last three months the United States Government had been making sincere although sometimes hesitating efforts to meet the Palestine situation; that the British Government had failed to take a more positive attitude because of its feeling that in view of Zionist propaganda and of Arab suspicion, its support of any plan might do more harm than good; that the British Government felt British-American cooperation in the Middle East was imperative; and that once the mandate was terminated, the British Government would feel more free to give a fuller extent of its cooperation to the United States Government and other governments in working on the Palestine problem.

L[OY] W. H[ENDERSON]

501.BB Palestine/5-348 : Telegram

*The United States Representative at the United Nations (Austin) to
the Secretary of State*

TOP SECRET PRIORITY

NEW YORK, May 3, 1948—11:50 a. m.

554. For Lovett from Rusk. Following is summary of major points covered in conversations which I had with Fawzi Bey (Egypt) and Prince Faisal (Saudi Arabia) yesterday morning. I was accompanied by Kopper during each conversation. During conversation with Faisal, Hafiz Wahba and Ali Reza were present.

1. In both conversations I reviewed in brief my conversations with the President.¹ I emphasized that there was no change in US policy in spite rumors to contrary. Securing of truce is still our main objective.

2. It was also pointed out that President and Secretary were keenly interested in obtaining a truce and are ready at any time to do what they could to achieve this goal.

3. Both Fawzi Bey and Faisal were told that US would direct its policy to support a truce and against either party which opposed or obstructed truce or violated it once it had been arranged and agreed upon.

4. Question of immigration dominated both conversations. Underlying theme of both Fawzi Bey and Faisal was that Arab states could not acquiesce in any arrangement which permitted over 1,500 displaced persons to enter Palestine per month. Fawzi Bey was slightly more flexible on this question when he again suggested possibility of Arab acquiescence to entry of 20,000 per year for a period of three years. This is at rate of slightly less than 1,700 per month. As a result I have distinct impression that it will be most difficult to gain Arab acquiescence to anything like rate of 4,000 during period of truce. I told Fawzi Bey and Faisal that we were concerned about establishing control over the character of immigration into Palestine. SC Truce Commission had been suggested as possible machinery for controlling immigration in view of apparent hopelessness of agreement by Arabs and Jews on this point.

5. Both Fawzi and Faisal seemed rather skeptical over any advantage being derived from immediate SC cease-fire order. However, they did not discuss [*dismiss?*] it offhand.

6. Fawzi Bey wondered whether something drastic might be done at this time such as the suspension of GA for 10 days and establishment of "tight body" to study truce. During this period no military advantages would be sustained. Further it would be necessary to return to the *status quo ante-bellum*. The immigration quota of 1,500 per month could be continued. I pointed out that such a step would raise the question of the suspension of the November 29 resolution by the GA. Fawzi Bey said that if May 16 came without anything constructive having been done, spiraling difficulties would ensue. It might then become necessary for Arab states to assist Arabs in Palestine. This would not, however, be for purpose of annexing any part of Palestine or simply to fight Zionism, but to establish law and order as depositories of a trust until UN or some other constituted authority could take over. I told him any such situation would raise grave ques-

¹ For the conversation of April 30, see p. 877. The editors have been unable to find a record of any other conversation between the President and Mr. Rusk on the Palestine question at this time.

tions for all of us and that our present efforts should be directed to the prevention of the situation.

7. In conversation with Faisal I emphasized our concern over security position in Near East and long-standing cooperation and close ties between Saudi Arabia and US. Faisal stated Arabs were more anxious than anyone for peace in Near East. Arabs would have been more than glad to continue cooperation with US if they were sure US was really interested in Middle East as a whole. Arabs, however, had lost faith in America after American action in support of partition and Zionists. Hope rose somewhat when US appeared to recognize moral obligation to friendly governments in Middle East and to peace. However, during recent weeks the Arabs had not been impressed with our presentation of trusteeship proposals or of content of proposals. Faisal stated draft trusteeship terms worse in some respects than partition. Cited provisions on (a) powers Governor General, (b) immigration, (c) land policy, and (d) citizenship.

8. Reference truce proposals, Arabs are skeptical that truce might be used to calm situation down until time when gates can be opened to Zionists.

9. Faisal categorically asked what final position US was re partition of Palestine. I replied that on February 24 US had under difficult political circumstances declared it had reached conclusion that as a matter of principle the UN could not impose by force a political recommendation of the GA such as the November 29 resolution. I said further that the US will act with respect to Palestine only through the UN and will not act unilaterally. I would not be frank, however, if I did not say that the President considers partition a fair and equitable solution for Palestine, subject to the conditions for UN action contained in the charter and subject to our determination not to take unilateral action. US, however, would be happy to support any arrangement which was acceptable to the two communities of Palestine.

10. Faisal asked whether US believed that it was to its own interests to see Jewish state established in Palestine. I replied this would depend on character of political situation and characteristics of state. If it were clear that such a state would be at war permanently with Arab world or would serve as base for hostile elements, US obviously would not consider it to her own interests to see such state established. Faisal said that Arab states could not ever accept Jewish state. It would be an abcess to the political body of the Arabs. I added that we did not believe a Jewish state would necessarily have the characteristics mentioned and that US interests might be prejudiced in the sense indicated.

11. Faisal strongly advised us not to ask Arab states or representatives to be more lenient lest we provoke suspicions of true US intentions. Some had recently received indications from their governments

that they had gone too far on the truce proposals. Fawzi had remarked earlier that reaction of Arab governments to truce proposals was not too imaginative.

Detailed memoranda of conversations follow. [Rusk.]

AUSTIN

867N.01/5-348 : Telegram

The Consul at Jerusalem (Wasson) to the Secretary of State

SECRET URGENT
NIACT

JERUSALEM, May 3, 1948—noon.

530. [1] ReDeptel 340, May 2[1] following is appreciation present position in Palestine. Palestinian Government has generally ceased to function and central public services no longer exist. In Jewish areas Jews have taken effective control and are maintaining public services within those areas. Preparations for establishment Jewish state after termination mandate are well advanced. Confidence in future at high peak and Jewish public support for leaders overwhelming. In Arab areas only municipal administration continues without any central authority. In Samaria food and gasoline are in very short supply. Morale following Jewish military successes low with thousands Arabs fleeing country. Last remaining hope is in entry Arab regular armies spearheaded by Arab Legion. Jerusalem is quiet with enforced 48-hour cease-fire in Katamon suburb. Brit maintains *status quo* having warned Arabs and Jews further disturbances will not be tolerated. Both sides regrouping for battles in areas not affecting British lines of communications. Unless strong Arab reinforcements arrive, we expect Jews overrun most of city upon withdrawal British force. British bringing in heavy reinforcement troops, tanks and armor to keep both sides under control until withdrawal to Haifa enclave completed. British Army expected pursue tougher policy.¹

[2] GOC British troops in Palestine informed me categorically last night that Arab Armies have not entered Palestine. He called recent reports re Arab invasion "complete moonshine." Stated RAF had made full air reconnaissance morning May 2 of northern area and found nothing except three Jewish light planes on Rosh Pinna airstrip. He said Arab irregulars and volunteers are still dribbling in and estimated present strength "Yarmuk Army of Liberation" at 7,000 (other estimates have placed number at 10,000). Fact that they are trained and equipped by government neighboring states is well known but they do not form component regular armies.

¹ The rapid deterioration of the general situation in Palestine was underscored in a cablegram of April 30 from the Chairman of the Palestine Truce Commission to the President of the Security Council; for text, see SC, 3rd yr., *Supplement for May 1948*, p. 38.

[3] When asked whether Jewish Agency was disseminating this and similar untrue reports as propaganda [and?] was part of war of nerves or as planned psychological warfare for purpose hoodwinking, UN, GOC replied that he thought that it was simply because Jews wished detract attention from recent Jaffa operation that if they keep repeating these reports, they might one day become true and British would be blamed for failure take action.

4 Re Arab Legion GOC stated that approximately 1500 men in Palestine at present under his command. They have been involved in certain incident without authority and GOC has reprimanded Glubb Pasha, Commanding Officer Legion. All Arab Legion but two companies will leave Palestine by May 12. Remaining companies will depart May 14.

5 Replying to inquiry as to reason for return to Palestine of British troops and armor, GOC said general situation had deteriorated seriously and that IZL (Irgun Zvai Leumi) might attempt aggression before termination mandate. Referring to enforced truces in Jaffa and Katamon suburb of Jerusalem, GOC said his patience was exhausted with both sides. He made significant remark which he repeated that he would attack relentlessly any regular force entering Palestine before May 15.

Main Jewish operations carried out by Haganah which were trained and equipped with automatic weapons and mortars. Relations with British satisfactory and GOC states "Jewish Agency and Haganah determined not to attack British". Jewish operations at beginning were defensive against Arab attacks. However, have now changed to defensive offensive with main object improve defense positions and liquidate Arab interference. Up to present Haganah has not attempted seize territory outside partition boundaries for motives territorial aggrandizement. Full mobilization man and woman power Jewish community still in progress. Haganah leadership good with most leaders trained in British Army. Irgun Zvai Leumi and Stern gang continue aggressive and irresponsible operations such as Deir Yassin massacre and Jaffa. Until recently Irgun started such operations; if successful were continued by Haganah; if not were repudiated by responsible Jewish quarters. This more difficult now with signature agreement between Haganah and Irgun providing for Irgun to be under Haganah but retain identity and have representation in Haganah High Command. Recent Jaffa battle undertaken by Irgun with Haganah taking over in midst of battle. Irgun stated objective was capture Jaffa while Haganah stated objective was defense Tel Aviv against Arab attack. British Army went into action killing over 70 Irgun members. According GOC this action has given Haganah

courage to combat Irgun and in Haifa Haganah has succeeded in disarming majority Irgun. Stern gang undertakes joint operations with Irgun but less active. GOC stated that while Irgun ready attack British "Stern gang wants to murder British". Estimated strength Irgun and Stern 8000.

We believe that Haganah operations will remain defensively offensive until May 15 after which they will go on all-out offensive to secure frontiers new Jewish state and improve lines of communication. So far Arab resistance has been ineffective and GOC and others believe Jews will be able sweep all before them unless regular Arab armies come to rescue. With Haifa as example of Haganah military occupation, possible their operations will restore order.

WASSON

501.BB Palestine/5-348: Telegram

The Secretary of State to the Embassy in the United Kingdom

TOP SECRET US URGENT
NIACT

WASHINGTON, May 3, 1948—7 p. m.

1586. For Douglas from Lovett. The President has approved following emergency action with respect to Palestine, to be proposed by US Delegation at Lake Success:

"1. An immediate and unconditional cease-fire for ten days beginning May 5.

2. An extension of the mandate for ten days.

3. A recess of the Special Session of GA for 10 days.

4. Immediate movement by air of following party from NY to Middle East to expedite truce negotiations between authorities on both sides who have full authority of decisions:

a. Designated reps. of Arab Higher Committee and Arab States.

b. Designated reps. of Jewish Agency for Palestine.

c. Designated reps. of those countries holding membership on SC Truce Commission (US, France, Belgium).

(Note—Airplane to be furnished by President of US).

If Jerusalem cannot be agreed upon as common ground by both sides, each to select its own location, Truce Commission should undertake go-between functions. These truce negotiations to be brought to conclusion within a ten-day period."¹

¹The quoted portion of this telegram was telephoned by Mr. Rusk, at New York, to Mr. McClintock at 10 a. m., May 3. Mr. Lovett communicated the gist of Mr. Rusk's telephone message to President Truman at 10:40 the same morning. Mr. Lovett's memorandum of conversation states that "The President said he approved the tentative program outlined by Mr. Rusk and was willing to make an airplane available. I said that this did not mean that we had to send the *Independence* but that any good C-54 would do." Later the same day, the Rusk proposals were incorporated in New York's telegram 557, with a request

We are cognizant of fact that an act of Parliament has been passed requiring termination of mandate for Palestine by May 15 and that in consequence British acquiescence to Point 2 above would require legislative action.

Please call on Bevin (and Attlee at your discretion) and explain that this provision is designed to provide some continuing framework of government in Palestine for a minimum period after truce deliberations have—as we hope—assured a cessation of hostilities. This brief respite would enable GA to recommend some more enduring, even though temporary, form of government for Palestine which would act as a caretaker until permanent solution can be found.

You may add to Bevin, however, that we attach principal importance to necessity of negotiating a cease-fire and an effective truce. The recent decisive military action taken by British authorities in Palestine is encouraging and gives us earnest to believe that British sense of responsibility will continue irrespective of formal dates.

If proposal for sending special truce party by air to Middle East materializes, President has indicated personal interest in doing all possible to further success of this venture. We are confident that British authorities in Palestine and elsewhere will likewise lend their utmost cooperation.

Repeated for info only to USUN as 280, Jerusalem as 348, Cairo as 508, Baghdad as 139, Damascus as 154, Beirut as 206, Jidda as 162, Brussels as 651, Paris as 1500.

MARSHALL

Footnote continued from preceding page.

that the message be relayed to Consul Wasson at Jerusalem for transmittal to the Jewish Agency. The Department relayed the message at 6:30 p. m., eight minutes after its receipt.

Mr. Rusk, at 4:25 p. m., the same day, dictated by telephone a "Re-write" of a possible White House statement on the Rusk proposals, which was read by Mr. Lovett to Mr. Clifford at 6:05 p. m. President Truman discussed the matter at his press conference of May 6 (*Public Papers of the Presidents of the United States: Harry S. Truman, 1948*, pp. 248-249), but did not use the proposed statement. The Department papers cited in this footnote are all filed under 501.BB Palestine/5-348.

Editorial Note

The First Committee of the General Assembly, basing its discussions on a Guatamalan draft proposal GA (II/SS), *Annex*, page 33, passed a resolution on May 4, by 33 votes to 7, with 13 abstentions. This measure established a subcommittee to formulate and report a proposal concerning a provisional regime for Palestine. The subcommittee was to take into account "(a) Whether it is likely that such proposal

will commend itself to the Jewish and Arab communities of Palestine, (b) Whether it is possible to implement this proposal and make it workable, and (c) The approximate cost of such proposal." The full text of the resolution is printed GA (II/SS), *Annex*, page 35.

501.BB Palestine/5-448 : Telegram

Mr. Moshe Shertok to the Director of the Office of United Nations Affairs (Rusk), at Washington

NEW YORK, May 4, 1948—11:05 a. m.

I have now had an opportunity of consulting my colleagues with reference to the suggestion that Arab and Jewish representatives as well as representatives of the United States and possibly France and Belgium be flown to Palestine immediately in an airplane to be furnished by the President of the United States. We understand that the purpose of this mission is to achieve a truce in Palestine. I do not need to repeat that the Jews were not the aggressors; that we are keenly anxious for the restoration [of] peace. But we do not consider that the somewhat spectacular proceeding now suggested is warranted. Peace can in present circumstances best be achieved by an unconditional agreement for an immediate "cease fire". The Jewish authorities in Palestine have previously indicated their readiness for such an arrangement and we desire now in the most formal way to state that we are ready forthwith to agree to a "cease fire" order provided the Arabs do likewise. The procedure now indicated, apparently ignores the action already taken by the Security Council in regard to the appointment of a truce commission and bases itself on the proposals privately advanced by the American delegation. It would involve us in a moral responsibility in respect of those proposals which we cannot possibly accept. Nor could we lend ourselves to the suggestion that the British Mandate should be prolonged, whether *de jure* or *de facto*, beyond the appointed date. Permit me to add that insofar as consideration on the spot in Palestine is called for, the truce commission appointed by the Security Council could no doubt be relied upon to undertake any consultations with Jewish representatives there. Indeed our fully authorized representatives in Palestine are in close contact with this commission. With regard to the Arabs, it must be observed that not a single member of the Arab Higher Committee remains in Palestine, whereas Mr. Jamal Husseini, Vice-Chairman of the Arab Higher Committee and its accredited representative, is of course available in New York, as well as representatives of the other

Arab states. Permit me again to emphasize our sincere desire to do all that we properly can to restore peace and order in Palestine.¹

MOSHE SHERTOK

¹ New York reported, on May 5, a telephone conversation by Mr. Ross with Mr. Shertok on the question of the articles of truce. The latter expressed readiness "to agree to a cease-fire throughout the country immediately the other side does. Meanwhile, there is a duly established truce commission in Jerusalem and our people there are fully competent to deal with them." Mr. Ross interpreted this view as an "indication that Jewish Agency representatives here are trying to move out from under US pressure by substituting the formality of the truce commission for informality of our conversations, and by transferring the scene of discussions from New York to Jerusalem. Also reflected, I think, is diffusive effort . . . after turning down our ten-day unconditional cease-fire." (Telegram 576 from New York, 501.BB Palestine/5-548)

501.BB Palestine/5-448

*Draft Memorandum by the Director of the Office of United Nations Affairs (Rusk) to the Under Secretary of State (Lovett)*¹

SECRET

[WASHINGTON,] May 4, 1948.

Subject: Future Course of Events in Palestine

The refusal of the Jewish Agency last night to agree to our proposal for on-the-spot truce negotiations in Palestine on the grounds that they could not accept the "moral obligation" to undertake such conversations rather clearly reveals the intention of the Jews to go steadily ahead with the Jewish separate state by force of arms. While it is possible that Arab acceptance of our proposal might place the Jewish Agency in such a position vis-à-vis public opinion that it would have to go through the motions of looking for a truce, it seems clear that in light of the Jewish military superiority which now obtains in Palestine, the Jewish Agency will prefer to round out its State after May 15 and rely on its armed strength to defend that state from Arab counterattack.

Military operations after May 15 will probably be undertaken by the Haganah with the assistance of the Jewish terrorist organizations Irgun and Stern. Copies of Consul General Wasson's excellent reports, as set forth in his telegram 530 of May 3, are attached, and provide the estimate of the British General Officer Commanding as to the probable course of military events after British withdrawal on May 15.

If these predictions come true we shall find ourselves in the UN confronted by a very anomalous situation. The Jews will be the actual aggressors against the Arabs. However, the Jews will claim that they

¹ Drafted by Mr. McClintock; a marginal notation states it was not sent.

are merely defending the boundaries of a state which were traced by the UN and approved, at least in principle, by two-thirds of the UN membership. The question which will confront the SC in scarcely ten days' time will be whether Jewish armed attack on Arab communities in Palestine is legitimate or whether it constitutes such a threat to international peace and security as to call for coercive measures by the Security Council.

The situation may be made more difficult and less clear-cut if, as is probable, Arab armies from outside Palestine cross the frontier to aid their disorganized and demoralized brethren who will be the objects of Jewish attack. In the event of such Arab outside aid the Jews will come running to the Security Council with the claim that their state is the object of armed aggression and will use every means to obscure the fact that it is their own armed aggression against the Arabs inside Palestine which is the cause of Arab counter-attack.

There will be a decided effort, given this eventuality, that the United States will be called upon by elements inside this country to support Security Council action against the Arab states. To take such action would seem to me to be morally indefensible while, from the aspect of our relations with the Middle East and of our broad security aspects in that region, it would be almost fatal to pit forces of the United States and possibly Russia against the governments of the Arab world.

Given this almost intolerable situation, the wisest course of action might be for the United States and Great Britain, with the assistance of France, to undertake immediate diplomatic action seeking to work out a *modus vivendi* between Abdullah of Transjordan and the Jewish Agency. This *modus vivendi* would call for, in effect, a *de facto* partition of Palestine along the lines traced by Sir Arthur Creech Jones in his remark to Ambassador Parodi on May 2, as indicated on Page 3 of USUN's telegram [549], May 2,² which has been drawn to your attention.

In effect, Abdullah would cut across Palestine from Transjordan to the sea at Jaffa, would give Ibn Saud a port at Aqaba and appease the Syrians by some territorial adjustment in the northern part, leaving the Jews a coastal state running from Tel Aviv to Haifa. If some *modus vivendi* along these lines could be worked out peaceably, the United Nations could give its blessing to the deal.³

² Not printed.

³ Ambassador Austin, on May 4, transmitted to the Department the text of a telegram from King Abdullah to Secretary-General Lie, received the same day

Footnote continued on following page.

501.BB Palestine/5-448: Telegram

*The Ambassador in the United Kingdom (Douglas) to the Secretary of State*TOP SECRET US URGENT
NIACT

LONDON, May 4, 1948—1 p. m.

1917. For Lovett from Douglas.

1. Have just discussed fully with Bevin Deptel 1586, May 3. He handed me the following statement which he proposes to make in the House of Commons this afternoon for release 3:30 London time:

[Here follows proposed statement, announcing that the British Government would not depart from its position to retain the mandate over Palestine until May 15. The statement noted also that British forces had intervened to halt Jewish attacks on the Arabs in Jaffa and Jerusalem and that the British Government had used its influence to prevent invasion of Palestine by Arab countries. Thus Mr. Bevin's position was that so long as the British remained responsible in Palestine, they would not tolerate aggression. At the same time, there was no question that the British would refrain from enforcing a settlement not agreed to by the Jews and Arabs; but that if there were agreement between them and if the British were approached, "in conjunction with others", a new situation would be created and the British Government would consider the matter most carefully.]

2. Bevin is unwilling to make any commitment in advance of a known situation, for fear that it may be misconstrued in several quarters.

3. I interpret the above statement, when combined with my conversation with Bevin, to mean that (a) if the GA approves of the proposal put forward by US delegation; (b) if an unconditional cease-fire is effected; and (c) if truce is agreed to; Bevin and the cabinet of HMG will consider sympathetically accepting a continuation of responsibility for a very short period. I am also, however, convinced that

Footnote continued from preceding page.

in New York. The message vehemently denounced such "unparalleled massacres" as that at Deir Yasin (see telegram 431, April 13, from Jerusalem, p. 817). The King concluded his message with the statement: "We now declare our readiness to give the Jews in Palestine full Arab nationality in a unitary state sharing all that we share while yet enjoying a special administration in particular areas. Thus will end the slaughter and the people will live in peace and security forever." (Telegram 569 from New York, 501.BB Palestine/5-448)

Britain will not be placed in a position which may lead to a continuation of a solitary acceptance of responsibility.

4. HMG will, of course, lend utmost cooperation to an effective cease-fire and truce.¹

DOUGLAS

¹New York advised, on May 4, of the negative British attitude toward the United States proposals for a ten-day ceasefire and for an extension of the mandate for ten days. Mr. Beeley had pointed out the "great legal and time-consuming difficulty of amending present legislation calling for laying down mandate May 15 and related public opinion argument" and the fact that "It is only present deadline of May 15 which has brought parties to point of even considering truce. Any extension of deadline would harden respective positions of parties and greatly impair chances of truce." He also had indicated the British view that an "extension of mandate would be misinterpreted in light of British troop reinforcements to Palestine over last few days." (Telegram 565, 501.BB Palestine/5-448)

501.BB Palestine/5-448: Telegram

*The United States Representative at the United Nations (Austin)
to the Secretary of State*

SECRET

NEW YORK, May 4, 1948—1:28 p. m.

567. For Rusk from Jessup. In anticipation of the situation which would be created as of May 15 if no temporary solution is agreed upon by the GA before that date, and if a Jewish and a Palestinian state are then proclaimed, we believe we must be prepared to take a position. The anticipated danger is that the Jewish and Palestinian states might be recognized by various governments.

In particular, Soviet recognition of a Jewish state may be contemplated. Such recognition might afford the Russians a basis for invoking article 51 of the charter and providing assistance to the Jewish state to fend off "aggression". The plausible legal basis for such a Soviet *démarche* might be undermined by GA support of the SC truce resolution. A more effective step might take the form of a specific further GA resolution affirming that the proclaiming of any such state as of that date would be a violation of the SC's truce resolution. A question may be raised as to whether article 25 of the charter would be applicable to that truce resolution. We hope that the Department will be able to give some advance consideration to this problem. Possible desirability of some announcement of position in such a contingency prior to May 15 might also be considered. [Jessup.]

AUSTIN

IO Files: US/A/C.1/685

*Memorandum by Mr. John E. Horner*¹

SECRET

[NEW YORK,] May 4, 1948.

FUTURE OF PALESTINE

At the present stage, trusteeship as a concept for the solution of the Palestine problem seems virtually to have been abandoned by almost all delegations. Present thinking appears largely to be limited to the possibility of realizing a truce in all of Palestine, a minority also believing in the feasibility of accompanying such a truce with the establishment of a "neutral regime" of an undefined nature. With the exception of some Latin American delegations, little hope presently is held for implementing a UN regime through the use of armed forces.

Many delegations, particularly those from Western Europe and the British Commonwealth, remain distrustful of US policy with respect to Palestine. They see our policy as oscillating between one based upon considerations of our own long-term interests in the Near and Middle East and a policy deriving its force from the requirements of the domestic political situation. Thus these delegations feel it unwise to commit themselves to support us lest we should suddenly commit an about-face, leaving them in an untenable position.

Obviously, an ideal US policy on Palestine would seek to reconcile our long-term Near East interests, which may best be defined as keeping that area out of the Russian grasp, with domestic political considerations, namely the necessity for the administration not unduly to antagonize the Jewish minority in the US. In seeking to find such a policy, we thus far seem to have succeeded only in antagonizing both Arabs and Jews, creating mistrust for our consistency in the minds of thinking European nations, and in placing ourselves, only eleven days prior to the scheduled ending of the British mandate, in a position where we have no tenable solution to offer.

The advantages of a partition scheme for Palestine, recommended by the General Assembly on November 29, 1947 are various. If it could have been carried out by peaceful means, that is, had it been acceptable to both Arabs and Jews, it would have offered a relative permanent solution to the problem. Furthermore, it is in consonance with domestic political requirements, and has the added advantage of meeting the humanitarian feelings of those persons who have been concerned with the sorry plight of disseminated Jewry. However, partition, as it was developed last November, seems most unlikely to be acceptable to the Arab League and hence cannot be regarded as promoting the stabilization of the Near East.

¹ Adviser to the United States Delegation at the Second Special Session of the General Assembly; regularly attached to the Office of European Affairs.

Similarly, the establishment of a unitary state in Palestine, even on a cantonal basis, would meet with adamant refusal of the Jews to cooperate. Its advantages include the fact that it is acceptable to Arabs and in general would promote US objectives in the Near East.

The third solution up to yesterday promoted by the US delegation at the Special General Assembly, was that of a temporary trusteeship. That solution was not only absolutely unacceptable to the Jews but is basically contrary to the aspirations of the Arabs. Furthermore, it could not even be regarded as a solution, since it would merely postpone the day of reckoning. In any event, as yesterday's events seem clearly to have shown, trusteeship, as a concept, has met with little active support on the part of other delegations, including many wholly friendly to American objectives in general.

The British proposal put forward in a speech yesterday by Creech Jones was little more than a vague call for a "neutral administration", designed to hold the fort in Palestine. It is difficult to appraise it since it is couched in such vague terms as to hardly be a proposal at all. Whether it is intended to provide for administration by the UK, the US and France, the remaining allied and associated powers, it is not yet clear. If it is, and France and the UK are preparing to join with the US in sending armed forces to Palestine, it may offer a way out. On the other hand, such a regime would suffer from the disadvantage of being outside the UNO system, and its implementation undoubtedly could be accomplished only with a certain amount of bloodshed. In general, it is hard to see wherein such a regime would offer any material advantages over the trusteeship proposal already in effect rejected.

There is one further possibility of a Palestine solution which, I understand, already has been considered and, for reasons with which I am not familiar, rejected by the Department. That proposal in effect calls for the annexation by the Kingdom of Trans-Jordan of that part of Palestine which the November 29 scheme had intended to be a separate Arab state. Its most obvious advantages would seem to be (1) that it would be acceptable to the Jews, (2) that it probably would be acceptable to King Abdullah, (3) that it is not basically incompatible with the November 29 recommendation, (4) that it offers a relatively permanent solution, (5) that it would create a viable Arab state in the enlarged Trans-Jordan thereby achieving the objectives of the economic union proposal of November 29, (6) that it would effectively eliminate the Grand Mufti of Jerusalem and his followers, and, most important, *it would face up to the inescapable fact that a Zionist State already is in being in Palestine.*

A primary objection to this proposal is that it would tend to break up the Arab League, presumably aligning the Hashemites against the other members. In this regard it is believed that the Arab League

essentially is held together only by the Palestine issue and that it would tend to break up in any event. Should Abdullah, supported by Iraq, accept this compromise solution, it seems highly unlikely that warfare would develop since the remaining Arab states do not possess armed forces comparable either to the Arab Legion, or Haganah. I understand that relations between the Jewish Agency and King Abdullah have always been good and thus a solution agreeable to both would be likely to promote a stabilized situation in the Near East.

It may be argued that the accomplishment of such a compromise solution would create increased hostility towards the U.S. on the part of Egypt, Saudi Arabia, Syria and The Lebanon. Whether such hostility would be lasting is open to question, firstly, because the regimes in those countries seem largely to be dominated by conservative elements not at all certain to remain indefinitely in power, and secondly, because Moslem aspirations could be at least partially satisfied through the incorporation of Arab-Palestine into Trans-Jordan.

Undoubtedly there would be charges of power politics levelled at the United States. However, these can be expected for almost any solution arrived at and in any event would come mainly from the Soviet bloc.

How to accomplish such a compromise solution, assuming it is considered desirable, clearly is a question of major importance. Whereas the US, before the calling of the present Special General Assembly on Palestine, might have espoused such a solution openly, our best tactics at the moment would seem to be to remain in the background. I understand from Rabbi Silver that in all probability such an arrangement could be made directly between the Jewish Agency and Abdullah. If that is the case, the US would have two principal immediate tasks, (1) to make plain to both parties, in confidence, that we favor such a solution and (2) to make certain of British concurrence. Assuming agreement is reached between Abdullah and the Jewish Agency, and the British are agreeable, Trans-Jordan forces would on May 16 occupy that part of Palestine set aside by the November 29 resolution as an Arab state. A proposal could then be introduced into the General Assembly calling for approval of a plebiscite in the Arab section of Palestine on the question of union with Trans-Jordan. That plebiscite might be supervised by the UN and presumably would result in a victory for Trans-Jordan, since the alternative, a separate Arab state, presumably would have little appeal to Arab nationalists. An additional consideration in this regard is the fact that Trans-Jordan was part of the original Palestine mandate and thus there is a natural bond between the Arabs in Trans-Jordan and those remaining in the present Palestine.

To make this solution more attractive to the Arabs and at the same time more lasting, it is suggested that an exchange of population

between Trans-Jordan and the Zionist state should take place, using as a precedent the similar exchange between Greece and Turkey which followed World War I. Obviously this would consist in the main of the movement of Arabs to Trans-Jordan, and generous financial assistance would have to be provided to resettle them there. In addition UNO or the US alone might offer economic inducements such as a Jordan Valley Authority and other long-range and large-scale projects designed to increase the amount of arable land available for settlement. With these additional measures it should be possible to create two ethnically separate states which would have their origin in agreement between the two groups.

There remains the problem of Jerusalem, which might be solved in either of two ways. Preferably this city might be made a condominium of Trans-Jordan and the Zionist state. However, if no agreement could be reached on this point, it would still be possible to establish it as a permanent UNO trusteeship.

It appears to the writer that in the context of present conditions and the short remaining time, the proposal outlined at length above is the only one now capable of settling the Palestine question and at the same time preventing the Soviets from exploiting the present inflamed situation to their advantage. No doubt it will meet with numerous objections, particularly on the part of those in the Department concerned with Near Eastern matters, but it is also true that any solution thus far advanced has serious shortcomings. Unlike these others, the present proposal, if it can be accomplished expeditiously, would effectively keep the Soviet Union out of this vital area, while being satisfactory to Zionists and relatively so to the Arabs.

JOHN E. HORNER

501.BB Palestine/5-548

*Memorandum of Conversation, by the Secretary of State*¹

SECRET

[WASHINGTON,] May 4, 1948.

Participants: S—The Secretary
 Dr. Judah Magnes
 UNA—Mr. Robert McClintock

I received Dr. Magnes, the President of the Hebrew University in Jerusalem, at his request at 2:30 this afternoon. We exchanged complimentary remarks on Sir John Dill, who at one period of his career had been High Commissioner in Palestine and for whose character, charm and integrity we both had the highest regard.

I told Dr. Magnes that the essence of the problem in Palestine was

¹ Drafted by Mr. McClintock; initialed by the Secretary of State.

the absence of trust between the parties at issue. Neither side would believe the other and this, coupled with the fact that the problem was overlaid by side issues and affected by politics, made the matter one of immense difficulty. I said that on the military side I could clearly foresee what was going to happen. The Jews had won the first round and were encouraged by their successes. At this point Dr. Magnes said that time was on the side of the Arabs. The Jews were short on time. They sought to strike quickly, without realizing that the Arabs could afford to wait and would eventually overwhelm them.

Dr. Magnes said that the first of the points he desired to make was that great pressure could be brought to bear on both Arabs and Jews if the United States would impose even partial financial sanctions. He pointed out that the Jewish community in Palestine is an artificial development and that, although the work of the Jews had resulted in many beautiful accomplishments such as farms, universities, and hospitals, which resulted from contributions from the United States, the money now contributed to the Jewish community was being used solely for war "which eats up everything." Dr. Magnes said that the Hagannah costs \$4 million a month to run. He was certain that, if contributions from the United States were cut off, the Jewish war machine in Palestine would come to a halt for lack of financial fuel.

On the Arab side Dr. Magnes said that Syria was in very shaky financial straits, and that the situation in Iraq was also precarious. I asked him if his proposed embargo would apply to all financial relations with Palestine and the Arab States, or only to contributions. He said that at this juncture he thought it should refer to the latter and not to ordinary commercial transactions.

Speaking of the truce, Dr. Magnes greatly doubted that a truce could be worked out by the United Nations, operating some six or seven thousand miles distant from the scene. He thought a real truce could only be developed on the spot in Palestine. As for the nature of a truce, there were two possible alternatives. There could be a voluntary truce, which Dr. Magnes thought was now almost out of the question, or an imposed truce, which would call for the use of force. It seemed from the debates at Lake Success that no country was willing to take up the American offer to send troops to implement a trusteeship provided other governments did likewise. Accordingly, the prospects for an imposed truce—unless this could be accomplished by financial sanctions—did not seem bright.

Dr. Magnes then turned to the problem of Jerusalem. He said he had lived in Jerusalem for 25 years. He knew its people, both Arabs and Jews, perhaps as well as any living man. He assured me with great conviction and intensity that the populace of Jerusalem—Arab and Jew alike—is heartily sick of the situation in which they find themselves and that their burning desire is peace.

Dr. Magnes said that if the United Nations could send some man of integrity and character to Jerusalem, preferably a man from a religious call of life, he thought that the populace of Jerusalem would gather behind such a leader to provide a regime of peace for the Holy City. He said that there were both Arab and Jewish municipal councils and that there were separate Arab and Jewish police forces, each numbering 300 men. It would be necessary for the United Nations Commissioner to do something immediately to enable the populace to restore certain public services, particularly the water supply. However, Dr. Magnes was certain of success if such a United Nations Representative of the proper qualifications were sent. In response to a question he said that there was always the danger of physical violence, since the young Jewish zealots believed fanatically in their cause and were truly idealistic in the thought that they had a mission to restore the land of the Jews to its people. However, a small bodyguard—and Dr. Magnes said it was beyond his province to estimate its number—would suffice to ensure the physical safety of the United Nations Representative.

When asked if Dr. Magnes had any names in mind for the Jerusalem post, he said that he thought either Dr. Bromley Oxnam, a prominent Methodist divine who was formerly President of the Federal Council of Churches, or the present President of that organization, Mr. Charles Taft, of Cincinnati, would be ideally qualified for the task.

On the broader question of sending a United Nations Representative to establish a truce for all of Palestine, Dr. Magnes thought that this man should have perhaps other qualifications. He should be a man of action and capable of rapid decisions. He thought someone like Lord Louis Mountbatten would be the type of man for this task. I remarked that I thought Lord Mountbatten would probably not be available, as he had about reached the limit of his endurance after a variety of difficult tasks, and we agreed that his British nationality would probably militate against him for such a post. After discussion of several other possibilities, McClintock mentioned the name of Lt. General Mark Clark, with the comment that he now had little to do after having accomplished some very impressive jobs, and that the fact that he was half Jewish might in this particular situation be useful. Dr. Magnes said that he had not known that General Clark was half Jewish and this fact alone indicated that General Clark could not be regarded as pro-Zionist. I said that the suggestion had considerable interest.

Dr. Magnes stressed his belief that, even if fighting had broken out in Palestine between Arabs and Jews, the United Nations should still send representatives to Jerusalem and all of Palestine. He cited the

example of Indonesia where, although hostilities were in progress, the United Nations Consular Commission, succeeded by the Good Offices Committee, had succeeded in securing observance of a cease-fire order and principles of agreement.

Dr. Magnes said he would be frank in remarking that he thought American spokesmen at Lake Success had been too apologetic in putting forward our trusteeship proposals. He said there was no solution for the Palestine problem outside of trusteeship at the present time. Trusteeship could take a variety of forms. It could be made up of states, as in the federal union, or it could consist of cantons or provinces inhabited by Jews and Arabs separately. He said that our phrase that the temporary trusteeship should be without prejudice to the eventual settlement, should be amended to read "without prejudice to that settlement which will be worked out by the Arabs and Jews". He said he was absolutely certain that there could be no settlement of the Palestine problem unless the Arabs and Jews sat down to work out their own solution.

As for the government of the trusteeship, Dr. Magnes felt that the British had made a mistake in their government of the Palestine mandate. In none of the important offices of government were there any Arabs or Jews in posts of responsibility. The British had implanted a foreign regime on the people of Palestine. If the United Nations should implant a regime which was made up of the populace, drawing equally on Arabs and Jews, the trusteeship might develop into a more lasting settlement.

I told Dr. Magnes that this was the most straightforward account on Palestine I had heard, and asked him if he had an appointment to see the President. He replied that he had not but very much hoped it would be possible to call at the White House. I asked McClintock to make arrangements for Dr. Magnes to see the President.

As Dr. Magnes was leaving, he asked permission to direct a very blunt question: "Do you think there is any chance to impose a solution on Palestine?". I replied that imposition of a regime implied the use of force. It was clear as daylight that other governments were eager to sidestep and leave Uncle Sam in the middle. I did not think it was wise for the United States alone to take the responsibility for military commitments in Palestine but I would be glad to give this matter further thought.²

² A memorandum of May 5 by McClintock to Carter indicated that the ribbon copy of this memorandum of conversation, marked "Preliminary Draft", was sent to Clifford for the President's information prior to his meeting with Magnes that morning. (501.BB Palestine/5-548. The ribbon copy is in the Truman Papers, President's Secretary's File.)

Magnes' account of his meeting with the President, as subsequently related to McClintock, is contained in a memorandum by McClintock to Secretary Marshall, May 5 (501.BB Palestine/5-548).

501.BB Palestine/5-448 : Telegram

*The United States Representative at the United Nations (Austin)
to the Secretary of State*

SECRET PRIORITY

NEW YORK, May 4, 1948—2:50 p. m.

568. For Rusk. Supplementing phone conversations, we feel strongly prompt initiative should be taken in first committee to suspend November 29 resolution and to support SC truce terms. Urgently request authorization to introduce resolutions along following lines:

Suspension of November 29 resolution:

"The first committee:

In accordance with the resolution of the GA of 19 April 1948 referring to the first committee for consideration and report 'further consideration of the question of the future government of Palestine';

Recommends to the GA the adoption of the following resolution:

The GA:

Recognizing:

That in view of the actual situation in Palestine the plan of partition with economic union as set forth in its resolution No. 181 (11) of 29 November 1947 cannot be put into effect on 15 May 1948;

Resolves:

To suspend, as of this date, the recommendations to the UK as the mandatory power of Palestine and to all other members of the UN, the requests to the SC, the responsibilities imposed upon the TC and upon the UN Palestine Commission, the call addressed to the inhabitants of Palestine, the appeals to all governments and peoples, and the authorizations to the SYG, as set forth in its resolution of 29 November 1947."

Support of SC truce terms:

"The GA:

Taking account of the resolutions adopted by the SC with reference to Palestine on March 1, April 1, April 17 and April 23, 1948, and

Taking particular note of the SC's resolution of 17 April 1948, which set forth the specific terms of a truce for Palestine;

Appeals to all persons and organizations in Palestine and especially the AHC and the JA, and to all governments and particularly those of the countries neighboring Palestine, to comply with the resolution of the SC of 17 April, 1948."¹

AUSTIN

¹ In a memorandum for the files, dated May 6, Mr. McClintock stated in part: "On receipt of telegram 568, May 4, from USUN, suggesting that the Department authorize the introduction of a resolution by the United States Delegation to suspend the November 29 resolution on the partition of Palestine, Mr. Lovett directed that no such action be taken.

"Following consultation with Mr. Rusk, I telephoned Mr. Ross in New York City and at 6 p. m., May 4, said that the Department could not give approval to the suggested draft resolution. I stressed that our principal effort at the moment should be on the truce and cease-fire. One of the articles of the proposed truce did, in fact, include provision for suspending the effect of the resolution of November 29, 1947, for the duration of the truce." (501.BB Palestine/5-648)

Editorial Note

The Clifford Papers contain several pages of penciled notes in the handwriting of Mr. Clifford, dated May 4, 1948. Some of these notes deal with the question of American recognition of the anticipated Jewish state and read as follows:

- "1. Recognition is consistent with U.S. policy from the beginning.
- "2. A separate Jewish state is inevitable. It will be set up shortly.
- "3. As far as Russia is concerned we would do better to indicate recognition.
- "4. We must recognize inevitably. Why not now.
- "5. State Dept. resolution doesn't stop partition."

For other penciled notes of Mr. Clifford, dated May 4, 1948, see the editorial note on page 744.

867N.01/5-548

The British Ambassador (Inverchapel) to the Secretary of State

TOP SECRET IMMEDIATE
G96/80/48

WASHINGTON, 5th May, 1948.

DEAR MR. SECRETARY: When we met on the evening of the 3rd May¹ you expressed to me the very strong hope that Mr. Bevin would accept the emergency proposals to secure a truce in Palestine which were put to both Jews and Arabs on that day by the United States Delegation to the United Nations. In particular, you hoped that Mr. Bevin would agree to the extension of the Mandate for ten days.

I informed Mr. Bevin immediately of what you had said. As you will no doubt already have heard from Mr. Douglas, Mr. Bevin, while viewing these efforts with all sympathy, feels unable to depart from the date already set for the termination of the Mandate. He has asked me to explain to you the cogent reasons which have impelled His Majesty's Government to take this decision.

If His Majesty's Government were to agree to an extension of the Mandate even for a short period, they would be accused by the whole world of double-dealing and the fact of their having sent reinforcements to Palestine would be held as evidence that they never intended to keep to the date of the 15th May. Moreover, if the Jews and Arabs knew that His Majesty's Government were to be responsible for another ten days, they would no doubt seek to spin out the talks for the extra period and matters would be no further advanced. In Mr. Bevin's view, it is only by confronting both sides with a definite deadline that even the present willingness to negotiate has been achieved. If the date

¹ The editors have been unable to find a memorandum covering this conversation in the Department of State files.

were now to be changed (and this is in any event precluded by the recent Palestine Act passed by Parliament in the United Kingdom) that advantage would be altogether lost.

A telegram from the High Commissioner at Jerusalem indicates that, in addition to the possibility that the retention of British troops in Jerusalem might prejudice the efforts for a truce now being made there by the International Red Cross on the basis of the withdrawal of all troops by the end of the Mandate, considerable difficulties from the military point of view would also attend an extension of the Mandate. In the first place, communications with Jerusalem are daily becoming more difficult and the roads are mined. Secondly, the troops in Jerusalem, being entirely dependent upon oil, are only just able to maintain themselves until the 15th May as the railway is out of action and military oil tankers have left the country. Thirdly, a later departure would raise serious administrative problems, including the deferment of the release of troops. Fourthly, the army would be faced with a serious refugee problem with which they would be unable to cope.

In all these circumstances Mr. Bevin feels compelled to maintain the position he has taken, as defined in his speech to the House of Commons on the 4th May, a copy of the relevant portion of which I enclose.² But if His Majesty's Government were asked by the United Nations and by both Arabs and Jews to provide local security for premises in Haifa, for example, in which the negotiations could be continued after the 15th May, His Majesty's Government would be quite prepared to consider it, since they do not want to impede last-minute efforts to secure peace in Palestine by whatever means.

The difficulties which I have outlined are, in Mr. Bevin's view, very real, and I should like to emphasise that they are in no way enumerated with a view to discouraging the efforts which the United States Government is making to secure a truce. On the contrary His Majesty's Government wish these efforts every success.

Yours sincerely,

INVERCHAPPEL

² Not printed.

IO Files : US/S/500 or US/A/C.1/689

Memorandum by the Deputy United States Representative on the Security Council (Jessup) to the United States Representative at the United Nations (Austin)

CONFIDENTIAL

[NEW YORK,] May 5, 1948.

In considering the problems which may arise in the Security Council, particularly if Chapter 7¹ action seems to be indicated as the Palestine

¹ This Chapter dealt with action concerning threats to the peace, breaches of the peace, and acts of aggression.

situation develops, I believe that certain basic legal points are in need of clarification. Our position book on Palestine under Tab 4 c. includes a memorandum on the legal status of Palestine.² This opinion was written before some aspects of the problem developed and does not seem to me to give conclusive answers at this time.

The basic question is the status of Palestine after May 15. Under this head perhaps the first question is our position concerning the right of the United Kingdom to terminate the Mandate in the absence of previous agreement with the United Nations. In the position paper at page 13, it is said: "If the General Assembly should repeal its recommendation [of November 29]³ before May 15, 1948, Great Britain would be obligated to continue the Mandate until another solution could be found and carried out". It is not clear to me whether we intend to hold the United Kingdom to this view in case the resolution of November 29 is merely suspended, or in case it is negated by the force of events without formal General Assembly action for repeal or suspension.

If we take the position that the Mandate is not terminated on May 15, we must assert that the United Kingdom continues to have full responsibility and that the question of Jewish armed activities or the entry of the armies of the Arab states is primarily a problem for Great Britain. Such military activities could be considered by Great Britain as a revolt against its authority, or, if countenanced or invited by Great Britain, they might be considered legalized.

Another possible position in line with a general previous view of the United States would be that the Mandate is terminated as of May 15, and that the United States, France, and the United Kingdom succeed the Mandate as the principal allied and associated powers. If we take this view, we would share jointly with the other two powers the responsibility for law and order in Palestine and the military activities of Jews and Arabs would involve the question of the authorization of acquiescence of the three powers.

Under either of the above hypotheses there would be no legally delimited Jewish state or Arab state and the movement of armed forces in any area in Palestine could be considered a question of civil rebellion against the constituted authority (namely the United Kingdom, or the United Kingdom jointly with France and the United States). It seems clear that in considering the "invasion" of Arab armies, under either of the above hypotheses, it would not be the Jewish Agency which could raise the question, but only the single or triple legal authority.

A third possible hypothesis would be that the United Kingdom can legally terminate the Mandate, and that the United States and France

² Mr. Gross' memorandum of March 19 to Mr. Rusk, p. 747.

³ Brackets appear in the source text.

by renunciation or acquiescence surrender their rights as principal allied and associated powers. In general, the discussions in the First Committee have proceeded along these lines and have reached the conclusion that the resulting situation would be a vacuum. It is on this basis that it has been argued that the United Nations must assume the authority as of May 15. If the United Nations is the legal authority in Palestine on May 15, then any anticipated military action would be action against the United Nations itself.

A fourth possible hypothesis, which I believe the United States is not prepared to accept, is that by virtue of the November 29 resolution it would be legally permissible for the Jews and the Arabs to proclaim their states in that area.

Involved in the above situations is the question of the recognition of a proclaimed Jewish state or of a proclaimed Palestinian state. If we are prepared to take the position that either the United Kingdom or the principal allied and associated powers constitute the legal authority in Palestine as of May 15, it would be a violation of international law for other states to recognize these newly proclaimed states until the lawful authorities had clearly reached the point of being unable any longer to assert their authority over them, in other words, until they had actually achieved their independence by force of arms without any prospect that the lawful authorities could reassert their authority.

If we follow the theory that a legal vacuum is created on May 15 and if Jewish and Palestinian states are proclaimed, even before these proclaimed states are recognized they might give color of legal authority to any outside forces which came in at their request.

So far as the instructions which we have received are concerned, I do not find that we have clear answers to these problems. I think it may be difficult to map a consistent course of action in the Security Council until our position on these points is clear. In a recent conversation with Mr. Parodi, I gathered that he, as President of the Security Council, is also worried about the answers to these problems.

USUN Files

Memorandum by Mr. Charles P. Noyes¹ to the Deputy United States Representative on the Security Council (Jessup)

SECRET

[NEW YORK,] May 5, 1948.

I agree with the conclusion in your memorandum of May 5 that it is important if not urgent for us to have a clear legal position as to the status of Palestine on May 15 under the various possible sets of

¹ Adviser on Security Council and General Assembly Affairs at the United States Mission at the United Nations.

circumstances which may exist. I also agree that the Department's legal memorandum solves few if any of these problems.

It seems to me that it is helpful to consider our legal difficulties from the practical point of view. Whatever the technical legal position may be, it seems to me clearly impractical for us to attempt to base our policy after May 15 upon the legal position that the United Kingdom has no right to, and therefore has not laid down its mandate. Insistence on this position would bring us into direct contradiction with the British, with all supporters of partition, including the Jews, and probably with a number of other States who sympathize with the British. In fact I doubt whether we would receive any substantial support for our position. In practical terms, the British will have gotten out; will cease to exercise any control; and those who disagree with our legal position, particularly pro-partitioners, will act on the basis of their own theory, namely, that the Jews have a right to set up a State of their own. I can see no practical advantage whatever, and grave disadvantages, in attempting to assert this legal position, whatever its inherent merits.

It seems to me that it would be even less practicable and wise for us to stand on the legal position that when the mandate is terminated the United States, France and the United Kingdom succeed to the sovereignty. It is certainly late in the day for us to attempt to put this legal principle forward. We probably waived it in agreeing to the partition decision last fall. We shall certainly face a refusal by the British to agree to this and probably also a refusal by the French. Again, all the pro-partitioners, including the Jews, will oppose it vigorously. And finally, it seems to me, very doubtful that the United States should attempt to assume responsibility for events in Palestine which the acceptance by the Assembly of such a legal theory would entail. In any case, in my view we would stand no chance whatever of having our position accepted and, in my opinion, the advantages, if any, of taking this position are far outweighed by the disadvantages, regardless of the inherent correctness of the legal position.

The third and fourth hypotheses you mention, it seems to me, are based on the same legal principle, namely, that when Britain declares the mandate terminated, Palestine becomes an independent country in the same way that Iraq, Syria, Trans-Jordan, etc., have done. Of course if a trusteeship is approved, the country would not become independent. This outcome does not now seem to be likely.

It seems to me that whatever the legal merits may be, the United States will, because of the practical necessities of the case, acquiesce in the legal principle that Palestine becomes independent on May 15. I would assume that whatever arrangements the General Assembly may make for a truce, or for any other provisional regime along the lines of the British suggestion, the legal position would be the same, namely,

Palestine would be an independent country.² Sovereignty would therefore lie with the people. It will therefore be legally permissible on the 15th or 16th for the Jews to declare a Jewish state in their area and for the Arabs to declare an Arab State over the whole of Palestine. It seems that it is certain this will be done unless a truce along the lines of the Security Council truce is worked out. Most of the legal problems that will arise after the 15th will depend upon the question of recognition by the members of the United Nations of these two States. It may be assumed that all the Arab States, including some of the other Moslem countries at least, will immediately recognize a Palestinian Government over the whole of Palestine. It may also be confidently assumed that the Russian group plus some South American States and possibly other strong pro-partitioners will immediately recognize a Jewish State. It is likely that these two groups will then proceed to make arrangements for economic and military support for the State which they have recognized.

If this analysis of what will happen is substantially correct, supporters of both sides in the Security Council and the General Assembly will attempt to justify what they are doing from the legal point of view by reference to the fact that they are dealing with the recognized government of part or all of Palestine and that any military or other action which they may be taking is at the request of that Government and therefore is not in any sense an act of aggression or otherwise a violation of the Charter. Until there is some determinative decision as to which side is correct, both are in the position of acting under color of legal arrangements. It may well be that neither the Security Council nor the General Assembly will be in a position to muster sufficient supporters for any determinative decision on this question, or any other resolution directed at either side in the dispute. For example, the Russians in the Security Council would almost certainly veto any proposal which is directed against the Jews or which would prevent the Russians from having free access to the Jewish State either for men or munitions. On the other hand it is not likely that the Council would be able to get seven votes for a resolution directed against the Arabs in view of the position taken by the Syrians, Colombians, Argentinians and Chinese. Similarly, it may be that neither side could obtain a two-thirds vote in the General Assembly against the other. The legal problem hence becomes merged in a political problem. It seems highly unlikely in this kind of a situation that the legal question ever would be determined by the International Court. It will probably in the end be determined by political considerations, and the test may be the number of United Nations which eventually recognize the Jewish State or a single Arab State.

² Marginal notation: "or countries".

If the United States decides to acquiesce in the legal principle that Palestine will at the termination of the mandate become independent, it seems to me of urgent importance that it should determine what its policy will be with regard to the recognition of a single State or two States. Even if all of the present efforts to find agreement between the parties are successful, we shall probably have to face that policy decision.

Editorial Note

Mr. Beeley, of the British Delegation at the United Nations on the morning of May 5, submitted to the United States Delegation a draft resolution proposing a provisional regime for Palestine. The draft was based on the assumption that truce efforts would not be successful, except for Jerusalem. It called for creation of a United Nations commission, with headquarters at Jerusalem, to be at the disposal of the Arabs and Jews for the purposes of controlling the administration of those central services entrusted to it by the two communities, serving as liaison between them in matters of common interest and mediating between them in order to arrive at an agreed decision on the future government of Palestine (telegram 577, May 5, 3:30 p. m. from New York, 501.BB Palestine/5-548).

501.BB Palestine/5-548: Telegram

Mr. John C. Ross to the Secretary of State

NEW YORK, May 5, 1948—2:30 a. m.

574. Text follows of "Report to the General Assembly" adopted by the Trusteeship Council¹ early today:

I. Summary of Proceedings:

1. The Trusteeship Council, in pursuance of the request of the General Assembly of 26 April to study and report on suitable measures for the protection of Jerusalem and its inhabitants, considered a French suggestion to send immediately to Jerusalem a United Nations official with powers to recruit, organize, and maintain an international force of 1,000 police.

¹ The telegram was undoubtedly drafted on the evening of May 4. The Trusteeship Council began its discussions on the protection of Jerusalem on April 27, concluding them on May 4 after ten sessions. A summary record of these discussions is printed in United Nations, *Trusteeship Council, Official Records, Second Session, Third Part*, pp. 10-133, *passim*. The Committee adopted its report on May 4 by nine votes to none, with two abstentions (*ibid.*, p. 133). For the full text of this report, see *ibid.*, *Annex*, p. 1.

2. The Council also considered a United States proposal for placing Jerusalem under temporary trusteeship with provision for the maintenance of law and order.

3. The Council gave consideration to each of these proposals, in consultation with representatives of the two interested parties and with the mandatory power. The Council found it impossible to secure mutual agreement of the interested parties to either proposal.

4. The representative of the Arab Higher Committee declared that his people were opposed to the introduction of any foreign police or troops into Jerusalem or the placing of Jerusalem under trusteeship. The representative of the Jewish Agency declared that any arrangement proposed should also guarantee free access to Jerusalem and the maintenance of food and water supplies. The Jewish Agency did not consider trusteeship as a suitable form for an international regime in Jerusalem. The representative of the United Kingdom said that, since the trusteeship proposal as submitted by the representative of the United States was not acceptable to both Arabs and Jews, he would have to abstain from acting in favor of the proposal.

5. The representatives of Australia and of the Jewish Agency considered that the proper course was to adopt the draft statute for Jerusalem and as an emergency measure bring into force such portions of it as were applicable in the circumstances. This was not acceptable to the Arab Higher Committee for the reason that this would amount to a total or partial implementation of the partition plan, and the Council did not pursue this question.

6. At its forty-fourth meeting on 3 May, the Council was informed by the representative of the mandatory power that provision for carrying on the minimum necessary administrative services in Jerusalem after 15 May might be made through the appointment by the High Commissioner of a neutral person, acceptable to both Arabs and Jews, as Special Municipal Commissioner and that he was advised that existing legislation would retain its effect after the mandate expires. Some members of the Council felt that the task of maintaining law and order in Jerusalem should also be entrusted to the Special Municipal Commissioner, but the representative of the United Kingdom explained that the Jerusalem Municipal Commission Ordinance did not give the Municipal Commissioner any power to maintain law and order in Jerusalem, and that therefore the Special Municipal Commissioner would not have any such powers.

Having regard to this and as the representative of the Arab Higher Committee objected on political grounds to any suggestion that the Special Municipal Commissioner should be entrusted with the function of maintaining law and order, the suggestion that he might undertake

this function in addition to his ordinary municipal duties was abandoned.

7. The question of the relationship of the Special Municipal Commissioner to the United Nations was raised; for example it was suggested that he be nominated by the United Nations. No agreement, however, was reached with the representative of the Arab Higher Committee on this question.

8. The Trusteeship Council, while welcoming the information presented by the representative of the mandatory power, noted that the suggestion for the appointment of a special Municipal Commissioner did not provide for the maintenance of law and order.

9. The Trusteeship Council gave its attention continuously to bringing about a truce in the entire municipal area of Jerusalem as a necessary preliminary step.

II. *Conclusions and Recommendations:*

1. Following consultations with the Trusteeship Council, the Arab Higher Committee and the Jewish Agency for Palestine ordered on 2 May 1948 within the walled city of Jerusalem a cease-fire which is now in effect. The two parties have further agreed that the specific terms of a truce in respect of the walled city will be elaborated in Jerusalem in consultation with the High Commissioner for Palestine.

2. The Trusteeship Council also brings to the notice of the General Assembly the undertakings given by the representatives of the Arab Higher Committee and the Jewish Agency for Palestine that their communities will respect and safeguard all holy places.

3. The Trusteeship Council has been informed that the mandatory power would be willing, if the General Assembly agrees, to appoint under Palestine legislation before 15 May 1948, a neutral acceptable to both Arabs and Jews, as Special Municipal Commissioner who shall, with the cooperation of the community committees already existing in Jerusalem, carry out the functions hitherto performed by the Municipal Commission. The Trusteeship Council recommends to the General Assembly that it inform the mandatory power of its full agreement with such measure.

4. The Council recognizes that the measure hereabove recommended does not provide adequately for the protection of the city and of its inhabitants. It considers also that urgent attention should be given by the General Assembly to the necessity of providing for the custody of the assets of the Government of Palestine in Jerusalem and for an effective maintenance of law and order in the municipal area pending a final settlement.

501.BB Palestine/5-548: Circular telegram

*The Secretary of State to Certain Diplomatic Offices*¹

TOP SECRET

WASHINGTON, May 5, 1948—7 a. m.

Deptel 1586 May 3 to London. Following are possible terms of truce informally developed during past few weeks by USUN which might serve as basis for agreement between JA and AHC. This truce proposal should not be confused with basis for ten day cease fire proposal.

[Here follow the 11 articles of the draft truce terms; for the text of the proposed articles of truce as approved by President Truman on May 7, see the circular telegram of that date, page 927.]

MARSHALL

¹ Sent to the diplomatic representatives in Baghdad, Beirut, Cairo, Damascus, and Jidda.

501.BB Palestine/5-548: Telegram

The Secretary of State to the Embassy in the United Kingdom

SECRET

WASHINGTON, May 5, 1948—7 p. m.

1618. Deptel 1586 May 3. For Douglas. Following telephone conversation between Dept and AmEmbassy Cairo May 3 Ambassador Tuck sent Secretary Ireland to Damascus by plane to ascertain Arab views regarding informal truce arrangements which have been developing at NY and regarding ten day cease fire.

In subsequent telephone conversation May 5 between Dept and AmEmbassy Cairo Ambassador Tuck and Secretary Ireland (latter having just arrived in Cairo from Damascus by plane) stated Ireland had talked yesterday and today with Azzam Pasha and other Arab leaders and had obtained impression that Arab League was deeply interested in cease fire proposal but that it was unwilling to accept unless convinced Brit would be prepared continue maintain their responsibilities Palestine until at least ten days after May 15. Azzam Pasha was not prepared at this time to admit Arab armies would refrain from invading Palestine even though Brit might remain. Ireland did not believe there was any truth in report that Arab League had decided to accept ten day cease fire proposal (as rumored in NY through Brit channels).

Azzam Pasha flatly refused to agree to any increase in Jewish immigration during the period of truce for Palestine in excess of 1500 monthly because Arabs had never agreed to any Jewish immigration (although they would accept 1500 monthly in maintenance of *status*

*quo*¹), and because Arabs could see no reason for Jewish insistence on increased immigration during the period of truce when unsettled conditions in Palestine prevailed (unless Jews desired precedent of Arab agreement to Jewish immigration or to use immigration for strengthening Jewish armed forces).

When Ireland asked Azzam Pasha if Arabs had considered grave responsibilities which they were assuming before world in invading Palestine at time when matter was before UN Azzam Pasha replied Arabs had given serious consideration to all consequences and had determined they could do no other than to send armed forces into Palestine. Ireland said every possible argument had been used to convince Azzam Pasha and other Arab leaders of necessity for arranging 10 day cease fire and truce.

Azzam Pasha stated Arab armies were poised ready for entry into Palestine and that if they should fail to enter on May 15 these forces might gradually disintegrate so that they would no longer be really effective at later date.

Ireland obtained impression from Azzam Pasha and other Arab leaders particularly former that failure of members of Arab League to invade Palestine by force in near future might lead to dissatisfaction and mutual recriminations among Arabs; that relatively moderate elements of Arab League including Azzam Pasha would be overthrown; and that unity of Arab League would be endangered. There was also apparently fear that some Arab governments might be overthrown as result rising passions among Arab populations.

Ireland said anger among Arabs had been heightened by reported action among certain Jews of violating Arab women. Such stories were particularly effective in view sensitive attitude of Arabs regarding their women.

Tuck promised endeavor communicate with Egyptian FO to obtain definite reply as to whether Arabs had agreed to 10 day cease fire proposal and to reach Chargé d'Affaires Damascus to ascertain latter's information.

Sent to London 1618, repeated Cairo 529, USUN New York 285, Jerusalem 364, Damascus 157, Baghdad 144, Beirut 214, Jidda 169.

MARSHALL

¹ In telegram 471, May 5, 9 p. m., Cairo clarified Azzam Pasha's views on the immigration question, namely that the "Arabs would not agree to rights of Jews to immigration. Never had done so and could not now begin. Would, however, accept existing conditions whereby 1,500 Jews per month were permitted, but would not agree to inclusion of any mention of immigration in truce." (501.BB Palestine/5-548)

*Resolution Adopted by the General Assembly on the Report of the Trusteeship Council*¹

187 (S-2). PROTECTION OF THE CITY OF JERUSALEM AND ITS INHABITANTS: APPOINTMENT OF A SPECIAL MUNICIPAL COMMISSIONER

The General Assembly,

Having asked the Trusteeship Council to study, with the Mandatory Power and the interested parties, suitable measures for the protection of the city of Jerusalem and its inhabitants and to submit within the shortest possible time proposals to the General Assembly to that effect,

Takes note of the conclusions and recommendations of the Trusteeship Council, as set forth in its report to the General Assembly on the protection of the city of Jerusalem and its inhabitants;

Approves these conclusions and recommendations;

Recommends that the Mandatory Power appoint under Palestine legislation, before 15 May 1948, a neutral acceptable to both Arabs and Jews, as Special Municipal Commissioner, who shall, with the co-operation of the community committees already existing in Jerusalem, carry out the functions hitherto performed by the Municipal Commission;²

Decides that continuing urgent attention should be given by the First Committee or its subsidiary bodies to the question of further measures for the protection of the city of Jerusalem and its inhabitants.

¹ Reprinted from GA (II/SS), *Resolutions*, p. 7. The resolution was adopted on May 6 by a vote of 35 to none, with 17 abstentions. For the record of Assembly discussions, see GA (II/SS), *Plenary*, pp. 10-27.

² Dr. José Arce, President of the General Assembly, and Secretary-General Lie notified Sir Alan Cunningham, High Commissioner for Palestine, by cable on May 13 that "after consultation with the Jewish Agency for Palestine and the Arab Higher Committee both parties have agreed to the appointment of Mr. Harold Evans, Philadelphia attorney and member Board American Friends Service Committee as Special Commissioner for Palestine". (United Nations press release PAL/165, May 13)

501.BB Palestine/5-648: Telegram

Mr. John C. Ross to the Secretary of State

SECRET

NEW YORK, May 6, 1948—8:50 a. m.

585. From Ross. [Here follows Mr. Ross' account of his conversation with Judge Proskauer.]

Shertok-Silver. I called on Shertok by appointment this afternoon;¹ when I arrived his office he said Silver had indicated desire sit in our discussion. We discussed truce about an hour, Shertok leading by saying principal objection to ten-day proposal was extension of man-

¹ Presumably on May 5.

date. This, they thought, would greatly impair their position re establishment Jewish state.

Silver said, however, they were prepared to accept immediate unconditional cease-fire for indefinite period if other side would accept. They had authority from JA Executive in Palestine for such action.

I asked what they meant by unconditional cease-fire. Silver replied it means what it says, explaining that Jews were not trying to shoot Arabs out of Arab state but Arabs were trying to do this to Jews. If Arabs will stop shooting, stop their aggression (in other words, stop interfering with establishment towards Jewish state), Jews will stop shooting. They would not attempt take new positions nor attack Arab communities, etc.

I inquired how recent affairs in Jaffa and Jerusalem squared with idea that only Arabs were aggressors. They replied with well-known line re protecting their people and positions, somewhat embarrassed, however, re Jaffa.

I brought up articles of truce, asked what were main difficulties. Silver took burden of reply to effect two principal difficulties: (1) postponement establishment Jewish state; (2) impairment their relative military position. I asked if these two points were considered more crucial than immigration.

Silver replied immigration secondary factor assuming, of course, reasonable compromise could be worked out along lines four, five, six thousand, with four thousand as rock bottom figure, and other two points he had mentioned definitely not difficult for JA. His remarks re immigration figures largely talking for effect but it was perfectly clear that present position is immigration distinctly secondary.

On question postponement establishment of state, Silver asked if this included also postponement of establishment provisional government in Jewish area.

I told him principal objective was to avoid political action establishment Jewish state May 15. Our idea was if truce could be arranged, local communities would carry on so far as possible own self-government. Here was big distinction in my mind between Jews governing themselves in their own areas and proclamation of sovereign state.

Silver then went on to say if they could establish provisional government they could forego establishment sovereign state provided there was guarantee that at end of truce period they could go ahead and establish their state.

I tried unsuccessfully to argue them out of this position, indicating that if I understood meaning word truce it meant standstill, while they were asking for a flat guarantee. We were dealing with three possible alternatives; first, on the one extreme would be renunciation for good and all of any claim to statehood. We were not asking them to accept this. Second, that the other extreme was guaranteed statehood whether

May 15 or later. We were trying to establish a condition which was midway between these two extremes which would not prejudice their position.

I went on to point out that in my view if truce were not established they ran a very serious risk of not being able to establish their state and moreover of losing a great deal of the gains they have made over the past years, and particularly since November 29, in developing their political institutions.

Silver and Shertok argued vigorously against this point of view, Silver holding forth at some length on attitude of US Government which he described as "hostile" government in which, in effect, they had no confidence at all. How could we ask them to accept a truce and pretend to be friendly in doing so if we were not prepared to support creation of Jewish state and defend it against external aggression.

[Here follows one paragraph regarding a document given to Mr. Ross by Rabbi Silver.]

After further discussion I told Silver I wanted to be as clear as possible as to position he had stated and developed re truce. As I understood it JA might be prepared postpone establishment of state as part of truce terms provided (1) they could establish their provisional government, and (2) that objective of truce would be establishment of Jewish state or alternatively (3) that US would guarantee to prevent aggression into Palestine from neighboring Arab states. Silver confirmed this but Shertok hedged and said that two and three were essential.

During course of conversation I asked whether their worry about postponement of proclamation of sovereign state derived from fear their legal position would be impaired if they did not do so upon termination of mandate. They replied in affirmative. In this connection Silver emphasized heavy reliance JA is placing on November 29 resolution as legal basis for its action.

At another point Shertok asked why we were worried about Jews going ahead with proclamation their state May 15. Were we worried, he inquired, lest Jews might seek recognition from left to right but more left than right? If this were the case, they could assure us that they had no intention of looking in that quarter and intended to move very slowly on question of recognition.

I replied that our motive in political standstill was to prevent Jews taking the one step which would call forth counter-steps from Arab side and plunge Palestine into war. We had no motive beyond this.

Silver inquired with some suspicion about Creech Jones' proposal for some neutral administrative regime.² Was this a device to keep the British in or was it simply trusteeship under another name?

² For the British proposal, see editorial note, p. 912.

I replied I could not speak for British but as I understood proposal it was simply taking recognition of fact that a number of central administrative services are essential to welfare of community as a whole and that it might facilitate agreement between Jews and Arabs to continue these minimum services. Silver indicated by implication that Jews could be cooperative in this regard with assistance of UN.

In discussion some of legal points, Shertok turned back clock considerably to effect that establishment of Jewish state in area contemplated by November 29 resolution was very much less than Jewish position called for, their original position being Jewish state for whole of Palestine. If on May 15 Arabs proclaim Arab state for whole of Palestine rather than for Arab position, Jews would then feel free to revert to original position and proclaim Jewish state for whole of Palestine.

Although results of this conversation rather gloomy and I feel Jewish position has hardened very considerably, on other hand I feel we have two elements we may be able to develop, namely, their willingness expressed for first time to my knowledge to forego proclamation of Jewish state May 15, and their statement re accepting an immediate unconditional cease-fire for indefinite period, despite in both cases impractical conditions attached.

Ross

501.BB Palestine/5-648 : Telegram

*The United States Representative at the United Nations (Austin)
to the Secretary of State*

TOP SECRET

NIACT

NEW YORK, May 6, 1948—2: 15 p. m.

587. Eyes Alone For the Secretary and Lovett From Rusk. Dr. Goldmann came in this morning at his own request to discuss the truce. He said he was greatly disturbed by the present situation and considers the shortage of time makes immediate drastic action necessary. He said two questions were bothering the JA. First was how far the Jews could go short of declaring sovereignty in organizing their state. I told him that if there was to be any prospect of Arab agreement to a truce, the formula which refers to "existing Arab and Jewish authorities" was as far as we could go. I pointed out that in fact that would permit them to operate as a kind of provisional government within the Jewish community but that I believed any attempt to establish a formal provisional government claiming authority throughout the boundaries set out in the November 29 resolution would be bitterly resisted by the Arabs. His second point was one which has been recurring in recent talks with the Jews, namely, what assurances could the Jews have that a period of truce would not be followed by large-scale intervention by the Arab states. He pointed out that the Arab states could complete

their military preparations during the truce and that this would work a severe hardship on the Jews, an argument he had found it difficult to meet inside the Agency. I told him that no government would commit its armed forces in advance to a hypothetical situation of the sort he raised, nor could anyone give the Jews a blank check without reference to the future course of Jewish action. I pointed out that the Jews could not expect greater security than everyone else in the world has at the present time. I told him I would raise the possibility of a policy statement by the US to the effect that our policy, including our arms embargo, would be directed solidly in support of a truce and against those who violated it or attempted to take advantage of its provisions to create warfare in Palestine. He seemed to think some such statement would be most useful in meeting this particular Jewish anxiety.

On immigration, he inquired how much progress we had made with the Arabs. I told him there was still a wide gap and that my only suggestion was that both Arabs and Jews must realize that the gap was not worth a major war. To overcome this obstacle, we were suggesting that immigration for the period of the truce be left to the SC Truce Commission but that it be advised on this point by an immigration advisory board comprising representatives of three governments, one to be selected by each of the parties and the third by the two governments so named. He seemed to think that would be very acceptable from the Jewish point of view and was a good formula.

I then outlined to Dr. Goldmann my own personal views on what situation would confront the Jews on May 15 if there is not truce. I said that (1) both Jews and Arabs will declare sovereign state and both will probably obtain some recognition. Arabs would be expected to obtain more recognitions in short run because of support from Arab and Moslem states; (2) without a truce, no international action can succeed in assisting the Jews in Jerusalem and a considerable part of Jewish effort must be spent in securing this Jewish enclave; (3) Jews will face long war of attrition with Arabs, with Arabs employing guerrilla tactics which Jews will find it difficult to handle with small forces at their disposal; Arabs will probably not engage in the fixed battles between major forces which would give the Jews a chance to force an early decision; (4) November 29 resolution will undoubtedly be suspended by the special session or by the SC acting under Chapter VII if it becomes apparent that the resolution is an obstacle to a truce; (5) the SC can be expected to order a truce with sanctions against one or both sides if truce is not accepted. If SC is blocked by a veto, the US and other members of the Council may have to apply sanctions anyhow; (6) the JA will face increasingly difficult problems of control over its own extremists who will take advantage of the need for Jewish solidarity to impose increasingly extreme policies upon the JA. Present moderates among the Jews would be displaced during the

course of the fighting; (7) the probable course of events will identify Russian and Jewish interests in such a way as to create bitter hostility and anti-Semitism in the western world.

Goldmann stated that although my wording might be a little exaggerated, he agreed with the general analysis. Goldmann then said he had come to see me on a completely off-the-record basis to say that the time had now come in his opinion for the Secretary to intervene at once by calling in Shertok, and possibly Silver (but not Goldmann) and speak very bluntly to them along the lines of the points I had enumerated. Goldmann said that the moderates in New York had been temporarily outnumbered in discussing a truce.

[Here follow various personal observations by Mr. Goldmann.]

I asked him if he had any views on whether our intervention should be by the President or the Secretary. He said he was "thinking aloud" but his impression was that blunt talk was necessary and that the President might be moved by internal political considerations to add promises or qualifications which might not help in this situation. I then asked whether Washington was better than New York for such intervention. He said the place would make no difference. Commenting further, he did not know whether Dr. Silver should be included because he realized that Silver's presence might lead merely to "a big argument". On the other hand, Silver's group was the one which had to be convinced of our determination to pursue a truce policy in Palestine.

Goldmann asked that his visit and remarks to me be kept entirely secret.

We are trying to arrange a meeting this afternoon with Creech Jones, Parodi and Nisot to discuss a further draft of truce terms being sent Department by teletype. If these four governments conclude that the truce terms are fair and reasonable, we have the basis for SC action to order a truce under Chapter VII. Subject to the attitude of the other three, I recommend that the Secretary call Shertok and Silver to Washington on Friday and talk bluntly of our determination to bring about a truce. I believe such talks must be based, however, upon a policy decision by the President that (1) we are prepared to insist upon a truce along the lines of our latest Articles of truce with such changes as may be acceptable to Arabs and Jews, (2) that we are prepared to join with others in pressing action in the SC under Chapter VII to obtain such a truce, (3) that if SC action is frustrated by a veto, we are prepared to join with other UN members to support the truce by our own policies, (4) that we are prepared to support the sanctions envisaged in the Charter in support of a truce, (5) that we are prepared to support a suspension of the November 29 resolution in the special session of the GA, and (6) that we shall direct our policy, including our arms embargo policy, toward the support

of a truce and against those who violate it or seek to disturb the existing military situation by indirection of subterfuge.

The Arabs would probably accept Articles of truce with the exception of the immigration point. I recommend that we be equally firm with the Arabs that the rest of the world cannot permit hostilities to go on merely because of inability to reach agreement on immigration and that we believe that the SC Truce Commission, advised by a specially selected board of three governments, should decide this question during the truce.

Above is subject to further comments after meeting with British, French and Belgians this afternoon, but believe you should be considering policy questions raised.

AUSTIN

501.BB Palestine/5-648: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

TOP SECRET URGENT NEW YORK, May 6, 1948—11:40 p. m.

596. From Ross. Jessup, Rusk, Kopper and I met with Parodi, Creech Jones and Nisot (Belgium) at 6 this afternoon for two hours on status of truce discussions and future procedure. We presented following paper as basis for discussion, making clear it was not even an informal proposal of US Government:

"Representatives of the US, as one of the three members of the SC Truce Commission for Palestine, have had a number of informal conversations in New York with representatives of the JA, the AHC and the Arab States in an effort to determine if a basis could be found for agreement between the parties on specific truce terms.

Draft 'articles of truce' have served as a basis for the conversations referred to. Copies of this draft have been given to the parties to these conversations. Copies have also been given to representatives of the Belgian and French Governments, as the other members of the Truce Commission, and of the UK Government, as the mandatory power. The representatives of these three governments have been kept informed of the progress of the conversations.

It must now be reported that a basis for agreement on truce terms has not been found.

It is very unlikely that the Arabs will acquiesce in a figure for Jewish immigration higher than the present quota of 1,500 a month under the mandate. Otherwise it is believed that the truce terms might be acceptable to the Arabs.

The Jews would expect a minimum immigration figure of 4,000 a month. There is evidence, however, indicating that immigration is a secondary factor in the JA's consideration of truce terms.

The principal Jewish objection to the truce terms is that it would be necessary for them to forego proclamation of a sovereign Jewish state on May 15.

The Jews also feel strongly that they would be put in an unfair position relative to the Arabs regarding the acquisition and importation of war materials.

The Jews might agree to forego proclamation of a sovereign state on May 15 provided (1) they were permitted under the truce terms to establish a provisional government for the Jewish part of Palestine, and (2) establishment of the Jewish state were considered as the objective of the truce or, alternatively (3) adequate guarantees were forthcoming that Arab 'invasion' of Palestine would be prevented in the event that with the ending of the truce the Jewish state were proclaimed.

In the light of the situation reported above the following steps should be considered :

1. Immediate consultation by representatives of the three governments represented on the Truce Commission and of the mandatory power to determine plan of action.

2. Review by said representatives and such revision as may be needed of articles of truce.

3. Formal presentation of proposed articles of truce as agreed upon by said representatives to representatives of JA and AHC. Presentation of terms to each party separately by M. Parodi in his dual role of representative of France as member of Truce Commission and President of SC. Representatives of Belgium and US to participate.

4. Simultaneous distribution by M. Parodi of proposed articles of truce to other members of SC to permit them time to consult their governments and determine their positions in preparation for later consideration in council. Query: Would it be desirable for M. Parodi to release truce terms to press, say 24 hours after giving to parties?

5. Three, or at most four day deadline for replies from parties.

6. SC meeting to consider replies and nature of any action required before May 15."

[Here follows an account of the discussions on the question of immigration.]

SC phase:

Parodi raised question sanctions in event either or both parties refused compliance with truce terms. He said would be relatively easy apply sanctions against Jews, whether economic or military. He did not see how sanctions could be effectively applied against Arabs.

Creech Jones said "we must be realistic about what the SC is up against." He said that a decree by the SC now directed against assistance by Arab States to Arabs in Palestine would make it exceedingly difficult for governments Arab States to maintain themselves in office. Most of these governments in position where they must help the Arabs in Palestine in response to inflamed public opinion, even against UN. Arab governments attempting to restrain people in compliance UN order would be swept to one side. Apart from resulting political chaos in these Arab States, gangs and more or less disorganized groups of

fighters would cross from states into Palestine. Very large forces would be required to keep them out.

If threat were made to apply sanctions against Jews involving stopping of funds, "use of your naval forces" to patrol coasts and stop immigration would be [bring?] upon us during election year all of odium British have carried in past years.

Meanwhile, Creech Jones went on, the Russians would become involved by recognizing a Jewish state, provide forces, funds and supplies.

In view of presence French and Belgian, we refrained with some difficulty from pointing out to Creech Jones that we had taken some pains to point out all these factors and others besides in the situation to his government through Mr. Douglas, more than three weeks ago, in connection question providing forces to implement trusteeship.

[Here follow discussion of the subject of "procedure next 48 hours" and comments by Messrs. Nisot and Parodi.]

British policy:

General line of comments by Creech Jones this afternoon strengthens impression growing in my mind that objective present British policy is along lines Creech Jones set forth in our conversation with him last Sunday in Senator's apartment, namely, invasion by Abdullah and effective partition with Jewish state north of Jaffa.

Further comments by Rusk will follow next telegram.¹ [Ross.]

AUSTIN

¹ Mr. Rusk commented later the same day on the unsatisfactory meeting with the United Kingdom, France, and Belgium and expressed his belief that "further talks on Friday with same delegations plus Jews and Arabs are essential before high level US intervention. As matters now stand, proposals I made earlier today would probably put us out in front again on unilateral basis without UK and French support." (Telegram 597 from New York, 501.BB Palestine/5-648)

501.BB Palestine/5-748

Memorandum by Mr. Robert M. McClintock to the Under Secretary of State (Lovett)

SECRET

[WASHINGTON,] May 7, 1948.

I called Mr. Rusk at 2:15 p. m. today to say that a copy of USUN's telegram 588, May 6,¹ setting forth revised provisional draft of articles of truce, had been left with Mr. Clark Clifford at the White House for clearance with the President this afternoon.

I communicated to Mr. Rusk your suggestion that time may now have arrived for making official and public our proposals regarding

¹ Not printed; it gave the text of the third provisional draft of the articles of truce. (501.BB Palestine/5-648). For the draft as approved by President Truman, see the circular telegram of May 7, *infra*. The approved articles followed closely the draft in telegram 588.

a truce. I suggested that it might be possible to put our proposals on record before the Security Council this afternoon.

Mr. Rusk said that he thought if this line of action were adopted it would be preferable to have a session of the Security Council tomorrow or Monday for that purpose. He said the Council at its meeting today had already dropped the subject of Palestine; he had not yet officially communicated to the Jewish Agency our latest terms of truce; and the President of the Council, Ambassador Parodi of France, might feel that he were being disregarded if we rushed our statement into the Council today without first having consulted him. Mr. Rusk thought that he would like to talk to Parodi first and suggested that possibly Parodi as President of the Council could officially communicate our truce proposals to the other members of the Council with a notation that we had already given this draft to the Arab Higher Committee and the Jewish Agency.

I said that I thought there would be no objection to this procedure but that I thought a meeting of the Council should be held, at which time our own Representative would formally place on the record what the United States had done. I suggested that our statement should be tied in with the Security Council's truce resolutions of April 1 and April 17, to make it clear that we were not by-passing the UN as the Jews have insinuated, but were acting in the spirit of these resolutions in our endeavor to make truce possible.

Mr. Rusk said that his appointment with Shertok had been postponed until 5:30 this afternoon and that he would communicate with me prior to that appointment in the expectation that White House clearance for our truce articles would have been received by that time.

On the question of immigration, Mr. Rusk said that the Arab Representatives in New York seemed enthusiastic at our latest formula. I checked again my understanding of this point which was as represented to me this morning by Mr. Rusk; namely, that during the period of the truce the present rate of immigration would continue at 1,500 Jews a month, leaving open to the parties and the British arrangements as to the disposal of the 20,000 Jews on Cyprus. Mr. Rusk felt that the British were in such a position vis-à-vis the Arabs that they could scarcely fail to accede to Arab demands with regard to keeping the Cypriote Jews *in situ*.

Mr. Rusk added that despite the fact that the proposal accepted yesterday by the General Assembly for the appointment of a neutral municipal commissioner in Jerusalem had from the outset been a British proposal for which the UK Delegation voted yesterday, instructions had today been received from London ordering the British to reverse their stand and to say that they would not appoint a commissioner for Jerusalem. (Mr. Wilkins reported separately from New York that apparently Bevin had sent a letter to this effect to Señor

Arce, President of the General Assembly.) Although the press ascribed this reversal in position to Mr. Bevin, the British were making a lame attempt to make the High Commissioner for Palestine the scapegoat. I told Mr. Rusk that I did not see any reason in the world to let the British off on this one. They had invented the idea, fought for it, and voted for it, and we should insist that they honor this commitment.

501.BB Palestine/5-748 : Circular telegram

*The Secretary of State to Certain Diplomatic and
Consular Offices*¹

CONFIDENTIAL

WASHINGTON, May 7, 1948—6 a. m.

The President has today² approved the following draft of proposed articles of truce which USUN has today handed to Representatives in New York City of JA and AHC:

“The AHC and the JA for Palestine accept the following articles of truce for Palestine effective midnight, May 12-13, 1948, and accept responsibility for insuring compliance by the Arab and Jewish communities of Palestine therewith.

ARTICLE 1

All Military or para-military activities, except police functions authorized by the SC Truce Commission, as well as acts of violence, terrorism and sabotage, shall cease immediately.

ARTICLE 2

During the period of the truce, armed bands and fighting personnel, groups and individuals, whatever their origin, shall not be brought into Palestine nor be assisted or encouraged to enter Palestine.

ARTICLE 3

During the period of the truce, weapons and war materials shall not be imported into Palestine, nor shall any assistance or encouragement be given to the importation into Palestine of such weapons and war materials.

ARTICLE 4

Any person or group of persons found by the SC Truce Commission, after proper investigation, to have committed acts of violence, terrorism or sabotage contrary to the terms of this truce, shall be immediately expelled from Palestine or placed in custody under arrangements to be made by the SC Truce Commission.

ARTICLE 5

During the period of the truce, and without prejudice to the future governmental structure of Palestine, existing Arab and Jewish au-

¹ At Baghdad, Cairo, Damascus, Beirut, Jidda, and Jerusalem.

² May 6.

thorities shall function as temporary truce regimes in the areas in which such authorities are now exercising control and shall accord full and equal rights to all inhabitants in such areas.

ARTICLE 6

During the period of the truce, and without prejudice to the future governmental structure of Palestine, no steps shall be taken by Arab or Jewish authorities to proclaim a sovereign state in a part or all of Palestine or to seek international recognition therefor.

ARTICLE 7

During the period of the truce, the AHC and the JA for Palestine accept, as a matter of emergency, the authority of the SC Truce Commission to arrange the necessary collaboration between Arab and Jewish authorities required for the maintenance of public order and essential public services.

ARTICLE 8

During the period of the truce, freedom of movement and communications shall be accorded all persons and traffic throughout Palestine except as may be declared by the SC Truce Commission to be in violation of the truce or prejudicial to a final political settlement.

ARTICLE 9

All persons displaced from their homes in Palestine by recent disorders shall be permitted to return to their homes and resume their normal occupations unless the SC Truce Commission shall decide in specific cases that such repatriation would jeopardize these truce arrangements.

ARTICLE 10

During the period of the truce, existing Arab and Jewish authorities shall continue to apply the existing laws of Palestine unless otherwise authorized by the SC Truce Commission.

ARTICLE 11

During the period of the truce, and without prejudice to future decisions on the question of immigration, the AHC and the JA for Palestine accept, as a matter of emergency, the authority of the SC Truce Commission to deal with the question of immigration into Palestine.

ARTICLE 12

All persons, groups and organizations in Palestine pledge their maximum effort to preserve the holy places and to protect all activities connected therewith; to this end the AHC and the JA for Palestine accept, as a matter of emergency, the authority of the SC Truce Commission to establish special security arrangements for the protection of the city of Jerusalem and of the holy places.

ARTICLE 13

The AHC and the JA for Palestine undertake to participate in the establishment of a Palestine truce council, composed of three repre-

sentatives of each, to effect the joint action necessary for the execution of this truce and to assist the SC Truce Commission in carrying out its functions.

ARTICLE 14

This truce shall remain effective for three months, and thereafter unless either the AHC or the JA for Palestine gives at least thirty days notice of termination to the SC Truce Commission. The SC Truce Commission shall immediately notify the SC of the receipt by it of any such notice of termination."³

MARSHALL

³In a circular telegram of May 13, 10 a. m., Secretary Marshall directed Baghdad, Damascus, Beirut, Jidda, and Cairo to present informally the text of the proposed articles of truce to the appropriate Foreign Office. The circular was repeated for information to Jerusalem. (501.BB Palestine/5-1348)

Clifford Papers

*Mr. Moshe Shertok to the Secretary of State*¹

[WASHINGTON?,] May 7, 1948.

DEAR MR. MARSHALL: I apologize for troubling you again in an attempt to clear up what seems to be a persistent misunderstanding. I gather that reports are still current both in the State Department and in the White House to the effect that I had agreed to conditions for a military truce and political standstill in Palestine informally proposed by representatives of the United States Delegation. In my letter to you of April 29, I took the opportunity to point out that this was not the case. Indeed, I must emphasize that I had indicated all along that the provision for deferring the proclamation of a sovereign state was a major obstacle, particularly if it were interpreted as precluding the coming into existence of a provisional government for the area of the Jewish State.

It was my sincere desire to explore all avenues for an acceptable truce consonant with the preservation of essential Jewish interests. The fact, however, that with this in view, I continued to take part in the informal conversations, could not be interpreted as implying acceptance of the scheme proposed. There were some provisions to which I did not raise serious objection; but there were others to which I took strong exception; and I repeatedly indicated that the decision on the proposal as a whole would have to be taken in Palestine.

Our contacts with Palestine have unfortunately been very irregular, and in response to an urgent call from the Jewish Agency Executive there I am flying to Palestine for consultation. As things stand, I see

¹ Copy sent to Mr. Clifford by Samuel I. Rosenman under cover of a letter of May 9. Mr. Rosenman had been Special Counsel to Presidents Roosevelt and Truman. The editors have not found a copy of Mr. Shertok's letter in the files of the Department of State.

no prospect of an agreement which would preclude the setting up of a Provisional Government for the Jewish State or entail the prolongation of British rule.

I know that individual Jews who have been in touch with the State Department or the President recently, have differed from the line taken by the Jewish Agency in this matter. All I can say is that while those concerned are perfectly entitled to their own private views, they do not represent the Jewish people of Palestine, they bear no constitutional responsibility for its future, and they are not in a position to give effect to the policy which they advocate.

At the same time, I must make it clear that it would be utterly wrong to impute to the Jewish Agency a refusal to enter into a truce arrangement. From the moment when, at the instance of the Mufti, the disturbances broke out, we declared repeatedly that we are ready to accept an immediate cease fire throughout Palestine provided the Arabs do likewise. We are likewise ready to negotiate a more comprehensive truce agreement, on the understanding that it would not jeopardize fundamental Jewish rights and place us, in relation to our defense preparedness, at a disadvantage vis-à-vis the Arabs.

I regret to have had again to obtrude on your time, but I felt obliged, in the interest of truth and clarity, to write you this letter.

Faithfully yours,

MOSHE SHERTOK

501.BB Palestine/5-848

Memorandum by Mr. Dean Rusk to the Secretary of State

CONFIDENTIAL

[NEW YORK,] May 8 [7?],¹ 1948.

The fact that Mr. Moshe Shertok wishes to see you before his departure for Jerusalem is of considerable significance. There is a bitter debate going on within the Jewish Agency on the subject of the truce and the basic decision will be made upon Mr. Shertok's arrival in Palestine. Moderate elements within the Agency such as Dr. Goldmann, Mr. Epstein and possibly Shertok himself strongly favor a truce. More extreme elements such as Rabbi Silver and Ben Gurion are pressing for the immediate establishment of the Jewish State by force if necessary.

It is believed that our proposed Articles of Truce (Tab A)² will be

¹ A carbon copy of the memorandum, now filed with the record copy, is dated May 7. The editors are of the opinion that the date on the carbon copy is the correct one. Presumably, the Secretariat, on May 8, retyped for the use of the Secretary the carbon copy sent by New York to the Department and gave it the later date. The record copy, dated May 8, bears the Secretary's initials.

² Tab A, which bears the heading "Third Provisional Draft; Articles of Truce for Palestine," dated May 6, 1948, is similar to the draft embodied in the circular telegram, *supra*.

the subject of Mr. Shertok's visit. The following comments on specific articles are furnished for your background in preparation for this talk:

ARTICLES 1, 2 AND 3

Articles 1, 2 and 3 are based upon a truce resolution already passed by the Security Council (Tab B)³. *There does not appear to be any serious difference between Jews and Arabs on these three articles* although the application of certain phrases will undoubtedly lead to minor issues before the Security Council Truce Commission. For example, the definition of "fighting personnel" in Article 2 may cause trouble since the Arabs will attempt to interpret that as meaning personnel of military age. In Article 3 the Security Council resolution includes a prohibition of the "acquisition" of arms by either party. The Jews have pointed out that this does not prevent the indirect acquisition of arms by the Arabs via the Arab States and also that Jews can acquire arms indirectly for the use of the Jewish Agency. Since the essence of the truce problem is to prevent the importation of arms into Palestine, the present Article 3 is restricted to importation.

ARTICLE 4

Article 4 represents an attempt to reconcile (a) the demand of the Jews that invading Arab bands be expelled from Palestine and (b) the demand of the Arabs that large numbers of illegal Jewish immigrants be expelled from Palestine. For the purpose of the truce, Article 4 would leave it to the Security Council Truce Commission to determine that those who have been guilty of certain acts contrary to the truce may be either expelled from the country or placed in custody in Palestine. Obviously this may become difficult to apply, but in major cases it will be useful to have agreement to such a principle.

ARTICLE 5

Article 5 is the most important single article because it attempts to deal with the problem of statehood. The Jews wish to organize and declare an independent Jewish State on May 15. The Arabs are determined to fight against such a Jewish State and are fearful of any move which would appear to implement partition. In addition, the Arabs can be expected to proclaim a state for Palestine as a whole which will seek the assistance of the neighboring Arab States to maintain it against the Jews. This assistance from the Arab States will take the form of direct military intervention, at least by Trans-jordan. The present wording of Article 5 has been carefully drawn

³ Tab B, not found attached to the source text, was presumably the text of the Security Council Resolution of April 17, p. 827.

to recognize existing Arab and Jewish authorities in Palestine in such a way as not to prejudice (at least in theory) a final political settlement. The application of the terms of this article to certain local situations in Palestine will prove to be difficult and will give the Security Council Truce Commission a substantial negotiating problem. However, it is believed that the present draft (a) permits the Jews to exercise the authority which they already are exercising in Jewish areas and (b) by dealing with existing authorities as "Temporary Truce Regimes" postpones the problem of recognition of permanent Jewish and Arab authorities until the future government of Palestine can be negotiated further.

ARTICLE 6

Article 6 contains a single prohibition against the proclamation of a sovereign state by either Arabs or Jews in a part or all of Palestine. This provision appears essential since such a proclamation on either side would be treated as an immediate *casus belli* by the other.

ARTICLES 7, 8 AND 9

These articles deal with certain minimum administrative arrangements which appear to be essential if the truce is not followed by some provision for a government of Palestine. As they now stand, they do not appear too controversial as between Jews and Arabs.

ARTICLE 10

Article 10 represents a standstill in existing legislation, subject to changes specially authorized by the Security Council Truce Commission. In a disturbed and disorganized situation such as can be expected beginning May 15, there is considerable value in maintaining existing laws in order to stabilize the enormous complex of individual and commercial rights and obligations required by the community. *However*, the maintenance of existing laws raises the difficult question of land purchase and land tenure. The Jews will wish to amend these laws in one direction, the Arabs in the other. On balance, the Arabs would prefer the *status quo*. If Mr. Shertok objects to Article 10, you should tell him that we believe Article 10 could be negotiated further without upsetting the possibility of a truce.

ARTICLE 11

This article is second only to Article 5 in importance since it deals with immigration. In principle the Arabs want no immigration at all, and the Jews want full Jewish control of unrestricted Jewish immigration. During the course of negotiations, the Arabs indicated a will-

ingness to "acquiesce" in a monthly quota of 1500 since that is the present arrangement under the mandate explained as a part of a general standstill. The Jews would not accept a figure substantially lower than 4000 per month. By Article 11 the parties would agree to accept the authority of the Security Council Truce Commission to deal with this question on the theory that immigration alone is not worth the impending warfare. Nevertheless, it will be necessary for the United States, France and Belgium to indicate both to the Jews and Arabs the basis on which the Security Council Truce Commission expects to deal with immigration. Our formula on this is as follows: The Security Council Truce Commission will concern itself only with a monthly quota of 1500 as a continuation of the *status quo*. The Truce Commission, the Jews and the Arabs, however, are aware of British determination to move 18,000 to 20,000 Jews from camps in Cyprus to Palestine over the course of the next few months. Our suggestion is that the Security Council Truce Commission not interfere with such British plans, but leave to the British the question of making their own peace with the Arabs and the Jews on the manner in which the move from Cyprus is carried out. This would give the Arabs a chance to accept a *status quo* in principle and submit to the British evacuation of Cyprus as a step involved in the liquidation of the mandate. It would give the Jews from 4000 to 6000 immigrants per month during the course of the truce, depending upon the duration of the truce.

ARTICLE 12

This article has two purposes: (a) to emphasize the protection of the Holy Places, and (b) to open the way for special arrangements for the City of Jerusalem. Apart from the Holy Places, the Jerusalem problem is serious from the standpoint of the Jews because there are approximately 100,000 Jews in that city who are surrounded by Arabs and are in the position of hostages. A substantial Jewish military effort would be required to maintain and protect the Jews in Jerusalem. Hence, the Jews are most anxious for some international arrangement which would relieve them of this burden. For your own private information, our interest in special arrangements for Jerusalem are based not only upon public interest in the Holy Places but also upon the support which we are obtaining from large and influential groups of American Jews for a truce effort which includes some arrangement for Jerusalem.

ARTICLE 13

This article merely provides three Arab and three Jewish representatives to constitute a Palestine Truce Council to assist the Security Council Truce Commission in carrying out its functions.

ARTICLE 14

This article on the duration of the truce is fundamental to the acceptance of the entire scheme by both sides. By its terms, the truce (after a minimum of three months) can be terminated on thirty days notice. This would provide four months for further negotiations on a peaceful settlement. The short duration of the truce is unfortunate since it may be terminated just before the next regular session of the General Assembly and the American elections. Nevertheless, both Jews and Arabs have raised objections to an arrangement which extends over a longer period because each has a number of reservations about the truce and wishes the right to terminate it if its terms become onerous.

Special Note: One point which seriously worries the Jews is the possibility that the Arab States (not bound by the truce) may use the period of the truce greatly to improve their military position while the Jews are prevented by the truce from continuing their own preparations. Shertok will probably want some assurance on our attitude on this question. We do not believe the Jewish fears will materialize. It is more likely that Arab interest in military intervention in Palestine will decline after May 15. However, we have told Shertok that if the truce were signed we would watch developments very carefully and that if we found either side engaging in activities which would upset or abuse the truce, we would take the matter up with other governments and in the Security Council.

GENERAL

We have already impressed upon Mr. Shertok the importance we attach to the truce and have made the following points:

1. The United States will make every possible effort to bring about a truce in Palestine in order to stop the fighting and save life.
2. The United States Government considers the Articles of Truce as now drawn to be fair and equitable and is prepared to back these articles in every appropriate way.
3. If a truce is not agreed, we believe that the situation with respect to Palestine will constitute a threat to international peace and will urge the Security Council to take the necessary action to remove that threat to the peace. In connection with such Security Council action, the United States will direct its own policies and conduct in support of the Security Council decisions.
4. If the truce is agreed, we shall support compliance and will oppose violations. If we discover that either party, or outsiders, are taking advantage of the truce to create military advantage for one side or the other, the United States will vigorously oppose such attempts.
5. The United States has no hidden purposes in connection with

this truce; we shall act as a member of the Security Council Truce Commission with complete impartiality and in accordance with the terms of the Articles of Truce and the directives which the Security Council may give to the Security Council Truce Commission.

Clifford Papers

Memorandum by the President's Special Counsel (Clifford)

[WASHINGTON?,] May 8, 1948.

In a conversation with Mr. Dean Rusk this morning, May 8th, he indicated the following:

Considerable doubt as to the advantage of the British "Neutral Authority Plan".
~~In a conversation with Mr. Dean Rusk this morning, May 8th, he~~
 Authority Plan". He more or less characterized the British position as one of doing nothing between now and May 15th when the mandate is surrendered.

2. He believes that sufficient votes are available in the General Assembly to approve a simplified trusteeship for Palestine if a truce is not obtained before the 15th. He sees such a simplified trusteeship plan as amounting to a substitute for the November 29th Resolution, with the advantage of placing the Arabs in the position of being brought before the Security Council in case of invasion after the 15th. (Of course this is true now to the same extent with respect to the November 29th Resolution; and the Jews would be faced with similar Security Council action if they forcibly oppose such a trusteeship).

3. Mr. Rusk indicates that the chief desire of the United States is for a truce agreement before the 15th. It is probably that the so-called simplified trusteeship plan, for which Mr. Rusk believes the necessary votes are available, is being held in reserve pending efforts to obtain a truce.

I urged that the United States take no position between now and the 15th which would tie the hands of the United States after May 15th. I pointed out the likelihood that the Jew and the Arab States would be proclaimed and the United States should then be in a position to deal with the result and that a truce was just as likely to be feasible then as between now and the 15th; that there was strong indication of actual partition now and we should be in a position to reconcile the two peoples under the actual situation without creating a United Nations' legal substitute for partition; that there was just as much danger of continued conflict under such a substitute as under the existing Resolution and that when each had made proclamations there might be a better chance of conciliation. I said that if the United States were seeking an armed truce without a political truce there would be no difficulty.

Mr. Rusk denied that there was actual partition along the lines of the November Resolution, saying that the Jews were in control of only about one-third of the area of the Jewish State as described in the November Resolution. He meant that Negeb was not under their

control and indicated the problem would be simpler if in November the delineation of the Jewish State had been different.

The matter seems to me to sum up as follows:

1. The United States as represented in this conversation with Mr. Rusk prefers and thinks it can obtain a simplified trusteeship plan in preference to the British neutral authority plan, unless the efforts of the United States for a truce succeed;

2. Mr. Rusk prefers such a trusteeship plan to leaving the November 29th Resolution untouched when May 15th arrives. He does not see the British plan as seriously impairing the November 29th Resolution;

3. The present principal effort of the United States is directed towards a truce, armed and also political in the sense of excluding the proclamation of States.

501.BB Palestine/5-848: Telegram

*The United States Representative at the United Nations (Austin)
to the Secretary of State*

SECRET NIACT

NEW YORK, May 8, 1948—2 p. m.

610. From Ross. Hare, Wilkins and I spent about three hours last night discussing with Beeley and Trafford Smith for the UK and Hopkins and Lewis for Canada the question of trusteeship for Palestine.¹ We told them we saw practical value of suggestions made by Creech Jones for carrying on minimum of central administrative services.

The great weakness of Creech Jones' plan, however, was lack of sound legal foundation in UN charter. In order to provide such sound legal foundation we had originally suggested trusteeship.

Difficulty with attempting to provide interim administrative regime based on SC powers under chapter 7 of charter was involvement in veto.

Canadians suggested possible legal basis for Creech Jones' proposals might be article 14 of charter, providing that GA "may recommend measures for the peaceful adjustment of any situation." We pointed out such recommendation had no more validity than recommended solution by partition in November 29 resolution. Russians would be free to ignore and follow any course suited to their political objectives.

In support of necessity basing political regime on trusteeship provisions of charter we made following points:

1. When UK lays down mandate May 15 there will be no successor authority unless created by UN. Doctrine of principal allied and associated powers (US, UK, France) not accepted by British and involves

¹ See editorial note, p. 912.

US on too narrow a basis. US objective is broad sharing of responsibility in UN.

2. In absence of UN constituted authority with sound legal basis in charter Jews would undoubtedly argue legal foundation in November 29 resolution for proclamation their state. This legal argument could be forestalled only by involvement in very embarrassing debate in special session for suspension of November 29 resolution.

3. On Arab side, in absence of sound legal basis of trusteeship we would encounter legal difficulties with regard to Arab invasion, if Abdullah, for example, on invitation of Palestinian Arabs goes into Arab portion of Palestine.

4. If UN action taken on flimsy legal basis, problem of recognition with particular reference recognition of Jewish state by Russia and satellites would be very difficult to deal with. Thus Russian penetration of area and incidentally embarrassment to Jews themselves would be greatly facilitated.

We gave Beeley on informal and noncommittal basis text of simplified draft for provisional regime based on chapter XII of charter.² Text follows in next telegram.³ We pointed out that this draft was effort to combine our concept of necessity basing provisional regime on trusteeship provisions of charter with "British empirical" approach. Beeley said that statements made by Creech Jones in opposition to trusteeship were based on concept of trusteeship, either requiring force to implement or agreement of both parties. Beeley said Creech Jones was not opposed necessarily to concept of trusteeship as legal basis for action. In appearing to brush trusteeship aside he merely wanted to emphasize necessity of focusing attention on simple practical measures that might be taken.

We pointed out that our present concept did not require force to implement but would provide opportunity to seek forces if necessary.

We also pointed out that at present we do not have in mind imposing trusteeship in absence agreement of parties. On other hand if we have sound legal framework we feel getting agreement of parties on specific administrative steps to be taken would be facilitated.

Canadians raised question how we would deal with problem of warfare in Palestine in absence of forces to implement trusteeship. We replied that if circumstances indicated threat to peace in Palestine this would be matter for SC. This comment led us into discussion of sanctions. British outlined probable developments as they envisage them. Haganah in alliance with Irgun were on the march and could not be restricted to Jewish area. They would be in effect the aggressors against Arab communities and Arab parts of Palestine. Arab action would probably be restricted to "invasion" only of Arab areas and defensive operations against Jews. There would probably be weak

² This chapter dealt with the international trusteeship system.

³ No. 611, May 8, 2:10 p. m., not printed; but for later text drawn up informally with British and Canadian spokesmen, see telegram 614 from New York, May 9, p. 942.

legal basis for sanctions against Arabs. In any event if by sanctions we meant force this impossible because forces required would be very large and are not forthcoming. British position not to supply forces for this purpose reiterated flatly.

On question of economic sanctions against Arabs, British said they could not envisage any economic sanctions we might apply that would not hurt us more than it would the Arabs. They said flatly that in the British view any attempt to apply economic sanctions against the Arab states would wreck the Marshall Plan and everything we are trying to do in Western Europe. They mentioned the essentiality of oil supplies in this connection. Beeley said that relations with the Arab world were basic to Commonwealth policy.

On question of sanctions against Jews, Beeley expressed frank doubts whether US Government would in show-down apply against Jews only effective sanction which would be to stop flow of dollars which enabled Jews to support their military potential. We replied question was obviously hypothetical and we could not undertake to say what US Government might do. We did say, however, that our present mood is considerably firmer in this regard than it has been.

Beeley said there was one sanction which he felt might be most equitable and feasible against both Jews and Arabs, namely, arms embargo not only for Palestine but for entire Middle East if necessary. He was quite categorical in his statements to effect that flow of arms to Arab states could be controlled.

The main question in his mind, however, was whether US would maintain effective embargo on shipment of arms from US to Jews.

We indicated that US control of shipments from this country was rigid. We raised question of necessity of blockade to control importation of arms, whether by Jews or Arabs. Beeley agreed blockade necessary and we asked him if British would be prepared to participate in contribution naval forces for this purpose. He said he could not speak for his government but his personal guess was that they would agree to participate.

In response to Canadian question, Beeley said UK Government would certainly not contribute as much as 80 percent.

It was clear in context of Beeley's remarks that he envisaged some kind of joint UN action, although probably by or on behalf of powers administering trusteeship.

On this later point British are very skeptical of our concept of UN itself as administering authority. They appear to have in mind possibility of group of powers in which connection Beeley said that UK would not necessarily be willing to be one of administering powers.

We all agreed that prospects for large majority in favor of specific proposal based on compromise of US and UK views would be very

good and that we could probably get one or two other members of UN to introduce such proposal, if desirable.

Canadians said very emphatically they would support anything on which US and UK agreed.

In conclusion we agreed to cooperate in development of draft compromise proposal. Beeley is cabling London to find out if UK Government will support legal concept of trusteeship, and will do his best to get reply by Monday.

He asked us if his government replied in negative whether US would support proposal along lines Creech Jones' suggestions. We replied we did not like to say no but we very strongly preferred our trusteeship approach. We agreed to ask Department for answer to Beeley's question.

Entire foregoing conversation was on most informal basis and without any commitments given or implied by participants.

We cannot emphasize too strongly very tight time schedule against which we are now operating. Assuming maximum of good will on part of most members of Assembly and minimum of obstructionism from Soviets, their satellites and few others, we have to get through subcommittee, committee one itself, and plenary session and meanwhile carry on intensive negotiations outside of committee structure. We consider, therefore, that decision on line we are to follow is essential by Monday at latest.

We are continuing work with British in effort to develop compromise draft which we hope to send you tonight or tomorrow morning.

Our general impression following this conversation is rather more heartening than impression we had following conversation with Shertok yesterday afternoon.⁴ British seemed to be making effort to cooperate with us. On other hand, we cannot but recall that these matters have been discussed very fully for several months with British here, in Washington and in London without being productive of British willingness to support, and it is a little difficult to understand this apparent sudden change in attitude at this eleventh hour, and to determine whether present conversations will result in real and continuing support for a compromise plan.

New impression we get out of this discussion with reference to Abdullah invasion and effective partition with Jewish state concept, is that instead of pursuing clear-cut objective British seem to take it for granted that this is inevitable solution which will result after laying down mandate, together with defeatist attitude toward possibility of guiding this or any other solution through peaceful channels rather than leaving it to parties to shoot it out.

British appeared to be working on hypothesis that intervention by neighboring Arab states, aside from Transjordan, would be of negli-

⁴ See telegram 585, May 6, p. 917.

gible importance but that Transjordan would be factor with which to reckon. We noted that such being the case British, through their special relations with Abdullah, would be in position to exercise decisive influence in stabilizing situation. Beeley made evasive reply to effect that British control of Abdullah not as great as might be imagined.

AUSTIN

501.BB Palestine/5-848 : Telegram

*The Secretary of State to the British Secretary of State for Foreign Affairs (Bevin)*¹

TOP SECRET US URGENT
NIACT

WASHINGTON, May 8, 1948—6 p. m.

I have just completed a lengthy meeting with Moshe Shertok of Jewish Agency who has left for New York by air and flies to Palestine tonight.² Shertok, in reporting a conversation he had just had with Creech Jones, had gained the definite impression (which was apparently strongly influencing Jewish Agency attitude) that Abdullah would move his Arab Legion into Palestine but would occupy only the Arab section and not the presently defined limits of the proposed Jewish state. Shertok said that Creech Jones predicted that the Jews would have their Jewish state on May 15; and stated that the United Kingdom is anxious not to permit a general invasion of Palestine, but that he (Creech Jones) believed that Abdullah would not commit aggression against the Jews and asked Shertok whether that would not suit the Jewish Agency.

Shertok also repeated information which he read from a cable that Brigadier Glubb's assistant, Colonel Goldy, had made contact with Haganah in order to coordinate their respective military plans in order to "avoid clashes without appearing to betray the Arab cause."

I understand that Creech Jones is now at sea returning to London. Shertok gave us the definite impression that Creech Jones' statements reflected British policy. Shertok also gave us the definite impression that as a result of his conversation with Creech Jones there was a very limited possibility of the Jewish Agency accepting a truce.

¹ Sent to the Embassy in the United Kingdom in telegram 1672, with the introductory portion reading "Please transmit the following message from me to Foreign Secretary Bevin:"

² No specific memorandum of this conversation has been found. It appears that Shertok was accompanied by Eliahu Epstein and that Under Secretary Lovett was also present. Additional observations on this discussion will be found in Secretary Marshall's memorandum of conversation of May 12, p. 972. An account is also in the memoir published by Moshe Sharett (Shertok) under the title *Be-Sha'ar ha Umot* [At the Threshold of Statehood], Tel Aviv, Am Ovid, 1958.

Objections to truce expressed by Shertok today took substantially different line from that taken by him during truce negotiations of past three weeks.

I transmit this to you to apprise you of the situation at the moment.

MARSHALL

501.BB Palestine/5-848 : Telegram

The Secretary of State to the Embassy in the United Kingdom

TOP SECRET NIACT

WASHINGTON, May 8, 1948—6 p. m.

1673. With reference to my message to Bevin,¹ transmitted in immediately preceding telegram, please endeavor to ascertain from Foreign Secretary whether Shertok's report of his conversation with Creech Jones accurately reflects British policy and Bevin's understanding of Abdullah's intentions. We should also wish to know whether Creech Jones' statements as reported mean that Bevin feels that further truce effort is unnecessary.

British Embassy has just telephoned that word has been received from Foreign Office, London, to effect that UK Govt welcomes our truce proposals and thinks they are good.

In light of these conflicting reports, it is imperative that we have prompt indication of what Bevin's real policy is.

MARSHALL

¹ *Supra.*

USUN Files

*Memorandum of Telephone Conversation, by Mr. John C. Ross*¹

SECRET

[NEW YORK,] May 9, 1948.

Participants: Mr. Dean Rusk, United States Mission
Mr. John C. Ross, United States Mission
Dr. Philip C. Jessup, United States Mission

Mr. Rusk said that he had discussed the current situation this morning with Mr. Lovett, Mr. Armour and Mr. Henderson with the following tentative conclusions:

(1) We must be certain that we do not get into a theoretical position which would be wide of the factual situation.

(2) We must clear up the books making clear the efforts which have been made for a peaceful settlement which has failed because of the lack of cooperation from the parties.

(3) The Palestine Commission and the Truce Council cannot carry out their responsibilities under the 29 November Resolution but we probably should not erase this Resolution altogether.

¹ Initialed by Ambassador Austin.

(4) We are not willing to take on as a member of the Truce Commission any additional administrative responsibilities. More specifically, we definitely will not do so if the United Kingdom will not.

Mr. Rusk indicated that according to Mr. Shertok the Jews are not likely to proclaim their State right away but would start out only by establishing their provisional government.

Mr. Lovett's present view was inclined against the United States putting in any formal proposal at this stage. He also appears to feel that a trusteeship for all of Palestine would be unrealistic in the light of the present situation as it is developing.

JOHN C. ROSS

501.BB Palestine/5-948: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET

NEW YORK, May 9, 1948—2:26 p.m.

614. The following is text of an arrangement for possible provisional regime based on chapter XII of the Charter worked out informally with the British and Canadians. Comments follow. Text begins:

DRAFT RESOLUTION OF THE GA RELATING TO THE FUTURE GOVERNMENT OF PALESTINE

PREAMBLE

Whereas the United Kingdom as mandatory power will cease to exercise authority over Palestine on May 15, 1948; and

Whereas the maintenance and furtherance of international peace and security require that the UN should as a matter of emergency exercise temporary authority in (the city of Jerusalem and throughout) Palestine; and

Whereas Chapter XII of the Charter authorizes the UN to exercise such temporary authority:

I

Now therefore the GA of the UN, without prejudice to the ultimate political settlement, decides that temporary authority in Palestine shall, from May 15, 1948 be exercised in accordance with the following articles:

ARTICLE 1

The UN is designated as the administering authority for Palestine. The TC, operating under the authority of the GA, shall assist in carrying out the functions of the administering authority.

ARTICLE 2

The administering authority shall exercise such powers of administration, legislation, and jurisdiction over Palestine as are set forth in these articles and as may be subsequently determined to be necessary by the TC.

ARTICLE 3

A high commissioner for Palestine shall be appointed by the TC and shall be subject to it in the exercise of his duties.

ARTICLE 4

The high commissioner shall encourage local or community authorities in such a way as to secure their maximum cooperation. He shall use his good offices to arrange for the operation of such common services as may be agreed upon by the principal communities.

ARTICLE 5

The high commissioner is empowered to exercise the right of the administering authority to organize and make use of locally recruited police and volunteer forces.

ARTICLE 6

The high commissioner shall cooperate with the Truce Commission for Palestine appointed by the SC on 23 April 1948 and shall give it every possible assistance in carrying out the truce resolution adopted by the SC on 17 April 1948 and any further truce arrangements concluded by the Truce Commission or otherwise under the authority of the UN. In connection with his duties under this article the high commissioner may communicate with the SC through the SYG.

ARTICLE 7

The high commissioner shall use his best endeavors to mediate between the principal communities in Palestine with the object of reaching agreement on the future government of Palestine.

ARTICLE 8

The expenses of the government of Palestine shall be defrayed from the revenues of Palestine, supplemented, when deemed necessary by the TC, by funds provided by the UN either through subsidies or through loans repayable from future revenues of Palestine.

ARTICLE 9

The special municipal commissioner for the city of Jerusalem appointed in accordance with the recommendation of the GA of 6 May

1948 shall continue to exercise his functions under the authority of the UN high commissioner.

ARTICLE 10

The high commissioner shall use his best endeavors in cooperation with the communities and authorities concerned to assure the protection of the holy places, religious buildings and sites in Palestine.

ARTICLE 11

The high commissioner may, with a view to the promotion of the welfare of the inhabitants of Palestine, invite the assistance and cooperation of appropriate specialized agencies of the UN such as the WHO, of the International Red Cross, and of other governmental or non-governmental organizations of a humanitarian and non-political character.

ARTICLE 12

The temporary authority of the UN as set forth in these articles shall terminate on January 1, 1950 or on such earlier date as may be determined by the GA or upon notification to the TC by the high commissioner that agreement has been concluded by the principal communities of Palestine for the future government of Palestine.

II

During the currency of this resolution the GA suspends the implementation of its resolution of November 29, 1947 on the future government of Palestine 181 (II).

III

The GA calls upon all persons, organizations and governments to cooperate in the implementation of this resolution and to refrain from any action which would be inconsistent with this resolution.

AUSTIN

501.BB Palestine/5-948 : Telegram

The Secretary of State to the Consulate General at Jerusalem

SECRET US URGENT

WASHINGTON, May 9, 1948—6 p. m.

377. Please deliver texts of Third Provisional Draft Articles of Truce¹ to your French and Belgian colleagues. French and Belgian Governments are expected to instruct them separately along following lines. Three governments represented on SC Truce Commission will

¹See circular telegram of May 7 and footnote 1 to Mr. McClintock's memorandum, pp. 927 and 925, respectively.

present Truce Articles informally to JA and AHC and Arab League in Palestine. If any basis of agreement on truce can be found in such articles or in revised texts as may be worked out in Palestine, SC Truce Commission should then present them formally to parties and report such action to the Security Council.

Crucial articles are 5 and 11. Latest text Article 5 was intended to give somewhat greater recognition to existing Jewish regime by reference to "Temporary Truce Regime" without going as far as "provisional government". Shertok apparently thought "Temporary Truce Regime" weakened the Article, hence those words could be dropped.

Article 11 merely states that Truce Commission would deal with question of immigration during period of truce. Actually, we have in mind that SC Truce Commission would be concerned with existing quota of 1500 monthly, but all parties would be aware that British are determined to empty their Cyprus camps into Palestine during truce. Article 11 would thus permit Arabs to take *status quo* in theory but acquiesce in fact to substantial Jewish immigration during truce. Jews on other hand would get 4,000-6,000 per month into Palestine during truce, a figure on which they could never hope to get Arab agreement.

Present estimate Dept is that Arabs might now accept truce along lines Third Provisional Draft but that Jewish Agency's attitude has stiffened considerably in past few days. Shertok plainly reflected in talks with Dept yesterday that JA is prepared to gamble on "now or never" basis and possibility of arrangement with Abdullah partitioning Palestine between Jews and Abdullah. US has had no part in such deals and will not be able to assist Jews if they gamble on any such arrangement and lose. We shall continue to follow truce policy so long as there is fighting and will seek truce on any reasonable basis which will in fact stop the fighting in Palestine.

Most unlikely that informal truce efforts in New York can now produce any result; main weight of truce negotiations now shifts to SC Truce Commission. Commission should use broad discretion in trying to find basis for cease fire as situation develops.

MARSHALL

867N.01/5-948: Telegram

The Consul at Jerusalem (Wasson) to the Secretary of State

SECRET URGENT

JERUSALEM, May 9, 1948—10 a. m.

566. Chief Secretary¹ informed me confidentially that their legal advisers had ruled that mandate will terminate at 12 o'clock midnight Friday May 14, and not on May 15 as is generally believed. High

¹ Of the Palestine Government.

Commissioner and remaining officials of Palestine Government will depart afternoon May 14 for Haifa.

Chief secretary expects Trans-Jordan and other Arab states to invade Palestine on May 15 or 16 with objective to occupy Arab areas. He seemed positive that there would not be an attack in Jerusalem.

WASSON

501.BB Palestine/5-948 : Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET US URGENT

NEW YORK, May 9, 1948—6:43 p. m.

617. From Ross. Parodi called meeting of British, Belgian, American, French representatives last night to discuss situation regarding truce and possible action which SC may be called to take following May 15. Hare and I attended.

Parodi said time fast running out and essential to make up minds now regarding certain problems.

He said that as of May 15 we would be faced by declarations two states of Palestine coupled with entrance of Abdullah. Regarding latter two ideas are current. The first is that if Abdullah moved beyond own frontier it might constitute an act of aggression. The second idea was that if he entered on invitation of Arab population of Palestine his act might not constitute aggression. Parodi said he was inclined to second theory and thought conclusion to that effect would avoid endless argument. Question which he wished to raise was whether truce proposal ran contrary to this thesis.

We said in our opinion we should continue pressure to obtain truce.

Beeley, UK, agreed we should try to get truce. As he envisaged situation there were 3 alternatives. First if truce were obtained Abdullah should be persuaded to observe it. Second, if negotiations were still continuing for truce it was not clear what action Abdullah would take. Third, if truce negotiations broke down it would not seem advisable to challenge Abdullah's entry on basis of crossing frontier but critical point would be when he actually came in contact with Jewish forces.

Parodi said that he had seen Goldmann of JA who had given him impression that Shertok returning Palestine to assert moderating influence. Parodi had also seen Husseini who at one and the same time had been intransigent but doubtful as to what he should do. However Husseini expressed strong continuing opposition immigration.

We inquired if any foundation report that JA planning negotiation with Abdullah. Beeley said there had been contact between JA and Abdullah but that Abdullah had been unable to recognize territorial limitations of November 29 resolution. However, Beeley thought agreement between them quite possible, although Jews might have to make some territorial concessions to Abdullah for maintenance his prestige.

We inquired if agreement JA and Abdullah possible before May 15. Beeley hesitated and then said he doubted it.

We asked if existence truce would stop Abdullah. Parodi doubted it. Beeley said since truce only between Arabs and Jews of Palestine Jews could not complain if Abdullah's forces stayed in Arab area. We pointed out that terms of SC truce resolution of April 17 called upon all governments particularly those of neighboring states to facilitate truce. We told Parodi we were instructed to emphasize continuance of truce efforts and to suggest that Parodi as president of SC request the Truce Commission in Jerusalem to present to the parties the third provisional draft of articles of truce and simultaneously inform the other members of the SC.

Parodi felt and Nisot agreed that Parodi could not as president of council request the Truce Commission to take proposed action unless he had received prior approval by SC of articles of truce and proposed procedure. As the representative of France he would have no difficulty in associating himself with procedure without consulting his government. Nisot agreed with Parodi's view but said he would have to clear instruction to Belgian Consul through Brussels. After some further discussion we all agreed following procedure would be followed as given to Rusk by telephone. (1) US would request Wasson to make copies of third provisional draft available for French and Belgian colleagues. (2) Each government would instruct its representative on Truce Commission to join with colleagues in joint presentation to the parties of truce articles as representing view of respective governments that these articles constitute fair and equitable basis for truce. Truce Commission should report to Parodi as President of Council before May 15.

Parodi returned question Abdullah observing Abdullah's entrance into Palestine would be incompatible with truce if obtained. He recalled Beeley's statement regarding restraint which would be exerted on Abdullah in such circumstances. Beeley agreed but added that truce in any event would depend on action by Arab League of which Transjordan was member and consequently should Abdullah agree to truce he would undertake obligation not to enter Palestine.

Beeley said reaction of London to second draft of truce terms had been received and it was favorable. However London would wish

reconsideration endorsement in light of changes of third provisional draft particularly articles 5 and 6. We suggested that to save time any comments UK Government has should be made available through High Commissioner to Truce Commission in Jerusalem as well as to delegation here.

Beeley added his instructions from London specified British not prepared to use non-acceptance of truce as means of exerting pressure on either party.

Returning Abdullah question Parodi observed question of getting matter before SC. He thought he as President of Council should raise question as development within purview of Palestine case as already on Council's agenda and thus avoid possibility of some other member particularly Russia taking initiative and raising as threat to peace. Nisot raised technical objection but we supported Parodi's views. We raised question continuance Truce Commission after May 15 stating we felt truce efforts should continue and Commission kept in existence for purpose. Parodi and Nisot agreed but reserved formal confirmation.

Parodi raised Jerusalem question stating fear that if no truce situation in Jerusalem would get completely out of hand in view of development hostilities in surrounding areas. He felt essential some action be taken either along lines originally suggested by France for international voluntary force or along lines of trusteeship. Ambassador Garreau spoke at length on this problem indicating rather strong feeling in favor trusteeship as providing soundest legal basis.

Beeley stressed that cease-fire for Jerusalem already obtained and prospects very good for truce governing essential factors of freedom of movement of Jews and assurance of food supplies, et cetera. Beeley thought Abdullah would surely respect truce for Jerusalem but doubtful if he would respect either trusteeship or international force.

We expressed view that matter of Jerusalem of obvious importance. We were prepared to explore fully two alternatives mentioned by Parodi, our preference [being?] for legal reasons stressed by Garreau for trusteeship for legal and practical reasons.

In concluding meeting Parodi restated his view of Abdullah problem as he anticipates it will arise in SC and indicated he hoped views of 4 delegations present could be concerted as to policy and said he wanted to have further meeting of 4 delegations before SC meeting.

After meeting I stayed behind and pursuant to phone conversation with Rusk gave Parodi outline of Shertok conversation with Secretary. Parodi very appreciative over keeping him informed. [Ross.]

AUSTIN