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Chapter 1. Initial Disagreements

The Hosni Zaim Coup

The Israeli-Syrian armistice negotiations began on 5 April 1949 and concluded on 20 July. Thirteen plenary sessions were held.¹ A mixed military sub-commission met three times as the talks were winding down. A mixed formulations committee also met three times.² The members of the Syrian delegation were: Lieutenant Colonel Fawzi Selo, delegation head; Major Muhammad Nasser; Captain Afif Bizri; and Mr. Salah Terazi, legal adviser. Taking part on the Israeli side were: Lieutenant Colonel Mordechai Makleff, head of delegation; Mr. Joshua Pelman from the Foreign Ministry; Mr. Shabtai Rosenne, the Foreign Ministry's legal adviser; Major Spector; and Major Gilad. The UN was represented by Mr. Henri Vigier, the personal representative of the acting mediator; and by General Riley, UNTSO chief of staff. The meetings were held in the no-man's-land near Kibbutz Mahanayim.

On 30 March 1949, days before the talks were to begin, a coup in Syria brought to power Colonel Hosni Zaim. Although he would rule only briefly (four and a half months, until August), Zaim left his mark in various spheres: he beefed up and replenished the army; slashed the military bureaucracy; gave literate women the vote; and banned the use of titles (such as "pasha" or "bey").

Zaim had less success as a political tactician. Dazzled by the power in his hands, and seeking to legitimize his coup, Zaim aspired to become president. The disbanding of the country's political parties (May 1949) and Zaim's intense desire to sign an armistice agreement with Israel--so that he could withdraw the army from the front and thus strengthen his domestic standing--are explained by his craving for the presidency.

To enhance his position in the armistice negotiations, Zaim turned to Iraq, and on April 13, following contacts with Baghdad, he sent an emissary there to participate in drawing up a draft military agreement between the two countries. Its provisions included: joint

defense in case of an attack by a third party, cooperation in the event of an attack by Israel, joint command in a war to be headed by an officer from the first country attacked, and a joint planning staff in peacetime. In a personal letter to Iraqi Prime Minister Nuri al-Said, Zaim asked him to sign the accord, but in its reply of 14 April the Iraqi government effectively rejected the proposal. The Iraqis noted that a formal treaty with Zaim would run contrary to their agreement with Britain and indicated that they objected to Zaim's illegitimate methods. Egypt and Saudi Arabia, too, pressured Zaim not to conclude an agreement with Iraq.

In the meantime, France engaged in intensive efforts to improve its relations with Syria following Zaim's assumption of power. The French also tried to persuade other countries to recognize the new government.

Immediately after the coup Zaim informed the UN that he had decided "to go with the armistice negotiations same place and same arrangements as preceding Government."³ Now it was up to Israel to inform the UN whether it recognized the new government as a negotiating partner. The argument against negotiating with the new regime in Damascus was made most forcefully by Eliahu Sasson, director of the Foreign Ministry's Middle East Department and an expert on Arab affairs. In discussions held with the prime minister and the foreign minister, Sasson explained that strengthening Zaim would be detrimental to Israel, as it would promote unity between Iraq, Jordan, Syria and Lebanon and trigger a renewal of the violent conflict between Israel and the Arab world. Israel, Sasson held, should therefore try to weaken Zaim, not negotiate with him.

Nevertheless, on 2 April the Israeli government officially informed Dr. Bunche of its readiness to continue negotiations with Syria on an armistice agreement according to the conditions already agreed upon.⁵ One reason for this decision was Ben-Gurion's insistence that "the primary thing is absorption of immigrants" and that "this matter"--immigration "--should determine our negotiating policy with the Arabs."⁶ In other words, Israel's overriding requirement to devote its resources to absorption of hundreds of thousands of desperate immigrants dictated a short-term policy of stability with its neighbors at all costs.

As negotiations got underway, the subjects initially dealt with were of a preliminary character, but were important because they could determine the framework of the substantive talks to follow. It will be useful, then, to examine briefly each of these subjects: chairmanship of the meetings; movement of forces; agenda; and credentials.

Preliminary Issues

Chairing the meetings. The question of the chair of the meetings was the first to be raised. Israel suggested Dr. Bunche, an idea seconded by Andrew Cordier (coordinator of Middle East questions at UN Headquarters in New York). "Consider this advisable," he said in a message to Bunche, "mainly on grounds of rounding out personally total responsibility for achieving armistice."⁷

But Dr. Bunche balked, saying he was "completely worn out physically and mentally."⁸ Another reason, which is more difficult to accept, was that "This is altogether inadvisable, however, in view of the present internal political situation in Syria."⁹ Bunche did not elaborate, and this was probably only a pretext. His own suggestion was that Vigier and Gen. Riley conduct the discussions and that he stay in daily touch with Vigier throughout. Vigier was thus given direct responsibility, although Bunche did in fact follow the talks closely, even intervening and exercising his influence when he deemed it necessary.

Movement of forces. This referred to attempts by both sides to "correct positions" by moving forces across the truce lines. This tried-and-tested method, universally applied in post-war negotiations, aims to improve bargaining positions.

When the negotiations commenced on 5 April 1949, the Syrians lodged a complaint about "an Israeli incursion into Syrian territory" near Kibbutz Shamir.¹⁰ The acting mediator termed the incursion a flagrant violation of the Security Council's truce order.¹¹ The Syrians warned that if Israel did not withdraw by 1 a.m. on 6 April, they would take "immediate action."¹² Following diplomatic

activity, the Israel Foreign Ministry informed the UN that "order would be issued for an immediate withdrawal of Israeli forces from Syrian territory."¹³ The incident was closed.

Israel submitted a complaint of its own, which had Dr. Bunche's support, that Syria had violated the truce by seizing Hill 223 (east of Kibbutz Mahanayim) and that it must evacuate the site.¹⁴ Israel warned that it would not continue the talks until the Syrians removed their forces from the hill.¹⁵ The UN stand, as relayed to Damascus, was that "your forces remain on hill 223 in violation of truce...strongly urge you...to withdraw your forces from there."¹⁶ The Syrians finally complied, on 27 April, and the hill became part of no-man's-land. However, the talks had resumed earlier: the second session was held on 13 April after the Syrians had pledged, in an informal meeting the previous day, to evacuate the hill within ten days.

Agenda. The agenda had actually been established by the Security Council resolution of 16 November 1948, stating that "in order to eliminate the threat to the peace in Palestine and to facilitate the transition...to permanent peace in Palestine, an armistice shall be established in all sectors of Palestine."¹⁷ From the outset, it was clear to the sides that the deliberations would focus on securing an armistice agreement. Moreover, as negotiations with the Syrians began after those with the other Arab states involved had already concluded, formulations already agreed upon could be invoked and the negotiators could concentrate on problems particular to Israel and Syria. Setting the agenda was therefore not an obstacle.

Credentials. A dispute over this issue arose in the very first session, which was wholly devoted to the topic. The Israeli delegation's letter of credence was signed by the director-general of the Foreign Ministry, and it authorized the delegation "to represent the Government of Israel at the armistice conference with Syria." In contrast, the Syrians' credentials stated that their delegation had been appointed by "the Commander in Chief of the Syrian Armed Forces," and bore his signature.¹⁹ The disparity reflected divergent approaches: Syria wanted negotiations solely on military questions whereas Israel sought an agreement that would also be of political significance.

Faced with the Syrians' credentials, the Israelis wanted to know "whether the Syrian delegation has authority to negotiate in the name of the Government of Syria or in the name of the Syrian Armed Forces."²⁰ The reply: "The Syrian delegation has received credentials which permit the starting of negotiations."²¹ Finally a compromise was worked out: the Israeli delegation agreed that the negotiations would begin based on the understanding that before an agreement was signed, the Syrian delegation would affirm that it had full authority to sign in the name of its government. When the time came, the Syrians produced the required confirmations.

Main Points in Dispute

Linkage between Israeli withdrawal from Lebanon and Syrian withdrawal from Israel. During the war, Israel had captured an area of southern Lebanon containing 14 villages, whereas Syria had captured territory west of the international boundary (notably around Kibbutz Mishmar Hayarden). Lebanon conditioned the start of armistice talks on an Israeli undertaking to withdraw from its territory. Israel, for its part, was interested in linking that withdrawal with a Syrian pullback. The acting mediator rejected the Israeli argument. UN pressure on Israel to withdraw from Lebanon, he explained, "was entirely due to Ben-Gurion's assurance to me in Tel-Aviv on 5 September which was [the] basis on which I obtained Riad Solh's consent to enter into negotiations."²²

Did linkage between Israeli evacuation from Lebanon and the withdrawal of Syrian forces to the east of the international boundary exist before or during the armistice negotiations with Lebanon?

According to the report of the American representative at the UN, Dr. Bunche argued that "Lebanese agreement not a fair comparison for Syrian agreement since Israelis agreed to withdraw from Lebanon as a prior condition to negotiations in talk between Ben-Gurion and Bunche December 5."²³ In fact, no UN report of such a conversation could be found. However, the Israeli report about the talk, although concise, seems to support Dr. Bunche's case:

"Other matters discussed were... (2) Our troops on Lebanon state soil which Ben-Gurion stated small matter, easily disposable."²⁴

A cable sent on 1 January 1949 from Israeli Foreign Minister Sharett to the Israeli envoy in Paris confirms Dr. Bunche's account. Sharett confirmed that Israel would be ready to evacuate the Lebanese villages as soon as Lebanon stated its readiness to hold negotiations on an armistice agreement.²⁵ This indicates that Israel was prepared to withdraw without linkage to a Syrian pullback. In a letter dated 17 January the Israeli representative in Paris apprised the French Foreign Ministry that his government was willing to withdraw from Lebanon "on one condition, namely that the government in Beirut declare its readiness to enter into negotiations to achieve an armistice between the two countries."²⁶

In every negotiation it is natural for the sides to harden their positions, before softening them with a view toward conciliation. Initially, in a talk with the mediator in December 1948, Israel had agreed that no linkage existed between the Lebanese and Syrian fronts; now it demanded that the principle of withdrawal be applied to the boundary with Syria. As Foreign Minister Sharett put it, "We will not be able to withdraw from Lebanon if the Syrians also do not withdraw to the east of our boundary, along the Jordan River and Lake Tiberias."²⁷ It is notable that Sharett, considered a moderate, took this position. He did so "without first clarifying the matter with Ben-Gurion, who is busy with the tangle of forming government."²⁸

Israel had in fact decided to try to exploit its bargaining position in Lebanon in order to compel Syria to enter negotiations and agree to the principle of withdrawal.²⁹ That this was not the final Israeli stand was made clear by Sharett's assertion that "there is [a] second defense line, but meanwhile we stick as [explained above]."³⁰ Even Dr. Rosenne, a member of the Israeli delegation, thought the demand "unjustified, because... practically speaking, it is difficult to exploit our advantage concerning [withdrawal from Lebanon in order to secure Syrian withdrawal from our territory]. In any event, Israel stuck to its position, insisting, for example, that no agreement could be reached with the Lebanese on withdrawal and force reductions while the Syrians continued "to maintain themselves

in full strength in positions threatening Israel's security."³² The point was raised when the armistice negotiations with Lebanon had been concluded and all that remained was for the two sides to sign. But before signing, Israel "insist[ed] on inclusion article providing Israelis may continue occupy strategic points Lebanese territory, until Syrian armistice is concluded."³³

The Israeli General Staff added its pressure on the Foreign Ministry not to sign with Lebanon until an agreement was reached with Syria--"otherwise we will be in a difficult situation." Relying on an assessment that in the Syrian case, in contrast to Egypt "the military problems are of paramount importance... while the political aspect is less crucial," Yigael Yadin, the head of the General Staff Branch, asked Foreign Ministry personnel to show greater patience and not be in a rush to conclude the negotiations.³⁴ Replying to General Yadin, the director-general of the Foreign Ministry promised that clear instructions would be issued to the ministry's representatives to assure "our unified posture in the negotiations."³⁵

On 17 March, following pressure exerted by the Americans and by the acting mediator, who declared that the Israel-Lebanon armistice accord "[was] held up solely by Israeli intransigence,"³⁶ and after a meeting with the participation of Foreign Ministry personnel and Gen. Yadin, Ben-Gurion's decision was: "Have them sign an armistice."³⁷ The military was incensed. In a note to the chief of staff on 19 March, Lt. Col. Makleff, head of the Israeli delegation to the negotiations with Lebanon and with Syria--who had not been invited to the meeting with Ben-Gurion--objected strenuously to the decision and asked to be relieved of his duties as negotiator with the Syrians. His request was denied.

The Israel-Lebanon Armistice Agreement was signed on 23 March 1949. Israel's linkage argument won no supporters. Still, in the talks with the Syrians, Israel continued to invoke the concept of mutuality. It explained that in the armistice talks with Lebanon the principle that the demarcation line would correspond with the international boundary had led to its withdrawal from Lebanon. Accordingly, "the negotiations with Syria can make no progress unless the Syrian government is prepared to accept the same principle."³⁸ And to the Americans the message was the same:

"Having evacuated hundred per cent Lebanese area, we must insist the same from Syria not one per cent less."³⁹ Moreover, "Israel maintains its right to carry out the principles advocated in the Lebanese negotiations, namely the withdrawal of Syrian troops to the frontier, with Israel taking over control on its own territory previously occupied."⁴⁰

To sum up, then, at the outset, when the subject came up from the political angle in December 1948, Israel apparently decided not to condition armistice talks with Lebanon or its withdrawal from Lebanese territory on the outcome of negotiations with Syria or on Syria's evacuation of Israeli territory. Israel did not link the two issues in a meeting with the acting mediator in December 1948, and agreed to remove its forces from Lebanon without citing the principle of mutuality. If Israel had been able to convince the UN from the beginning that, politically, its withdrawal from Lebanon entailed Syrian withdrawal from Israel, it might have been able to achieve that goal in the armistice talks without having to make concessions and compromises.

However, at a later stage, during the negotiations with Lebanon--and probably at the initiative of Foreign Minister Sharett who was backed by the General Staff--Israel demanded that Syria enter negotiations and undertake to pull back its forces across the international boundary in advance of an Israeli pullback from Lebanon. But the gambit failed; Israel finally agreed to sign, and implement, the agreement with Lebanon without reference to a Syrian withdrawal.

The Israeli failure cannot be ascribed solely to the stand of the acting mediator, who was backed by the Americans; it stemmed above all, from Israel's own order of priorities and the constraints under which it operated. Had Jerusalem refused to budge from its stand, negotiations with both Lebanon and Jordan would have broken down, and Israel probably would have found itself using force to capture the West Bank. These were not Ben-Gurion's aims; his primary goal was, as noted, to facilitate the absorption of the huge influx of immigrants.

Some time later, Ben-Gurion explained his reasons for rejecting the linkage idea: it was not in Israel's interest, he said, to

tie together different Arab states; an armistice agreement with Lebanon would strengthen the Israeli position vis-a-vis Eilat (captured 10 March 1949); and it would also enhance the Israeli stand in the talks with Jordan and underscore Israel's demands of Syria.⁴¹ This approach pointed to Israel's intention of exploiting its full withdrawal from Lebanon as a bargaining card in the talks with Syria: Damascus, too, would have to pull back to the international boundary.

In retrospect, it seems unreasonable to suppose that Israel could have maintained its position that the two withdrawals were linked without jeopardizing the armistice process and without risking a military clash with Syria. The decision not to insist on political-juridical mutuality, and instead to exploit the IDF's withdrawal from Lebanon in the negotiations with Syria was, therefore, the right one. Throughout the talks with Syria, Israel repeatedly used its agreement to withdraw from Lebanon as a lever with which to prod the Syrians into removing their troops from the areas they had captured west of the international boundary.⁴²

The armistice demarcation line. Discussions about the armistice demarcation line began in the third meeting with the Syrians, held near Mahanayim on 21 April 1949. Sharp differences on this question kept it on the agenda during the entire negotiating process. The interests of the two sides collided here: Israel wanted the line to correspond with the international boundary and for the Syrians to withdraw to that line. But the Syrians, as noted above, wanted to confine the negotiations with Israel, and their agreement, strictly to the military sphere, with no political implications. Possibly the Syrians also thought that military talks would increase the chances that the armistice demarcation line would be based on the outcome of the fighting--in other words, on the truce lines. If so, Damascus would preserve its military gains.

The Syrians' initial bargaining position went beyond the question of a demarcation line. According to Vigier, they also sought "Jewish withdrawal from western Galilee"⁴³ and the replacement of the truce lines on the Israeli-Syrian border with armistice lines. That would consolidate the status quo and prove more convenient for the Syrians. They would retain the areas they

had taken around the Banias and the Mishmar Hayarden enclave while giving Israel Lake Hula; the Jordan River would become the armistice demarcation line south of the enclave, with "Lake Tiberias halved by north south."⁴⁴ These demands may have reflected the initiative of the Syrian representative to the talks, rather than Damascus's policy. Syrian Foreign Minister Emir Aadel Arsala said that the reason this issue proved so time-consuming was that "Fawzi Selo, head of the Syrian delegation to the negotiations, wanted to secure conditions even better than those over which Zaim was ready to compromise."⁴⁵

The Israeli delegation stated its final position from the outset. Following the third session, the delegation was given clear and firm instructions from which it was not permitted to budge: "The only demarcation line which is to be inserted into an armistice agreement is the international frontier."⁴⁶ It was emphasized strongly that "this is not a position for bargaining, it is the last word of the Israeli delegation."⁴⁷

The differences between the two sides over the demarcation line were well understood by the UN's Vigier and, undoubtedly, by the sides themselves. Vigier's assessment as the talks began was that the "Syrian position is first in series of positions for bargaining while the Israeli position may as they stated be final."⁴⁸ All the countries involved sought not only optimal territorial gains from the demarcation lines, but also a convenient point of departure for possible future political negotiations.

Chapter 2. Preventing an Impasse

Direct Approaches without the UN

Both sides were interested in breaking the deadlock that had ensued from the dispute over Syrian withdrawal and the demarcation line. At first, apparently at Vigier's suggestion, Damascus agreed to direct contacts between the two delegations, to be held in Arabic, without a UN presence.¹ The decision reflected a pragmatic approach in both countries, and was especially notable with regard to the Syrians, who rejected Israel's very existence. In any event, secret informal meetings were held on 15, 16 and 18 April, but no progress was made. In the first meeting, held on 15 and 16 April, the Israeli representatives were Lieutenant Colonel Makleff and Joshua Pelman. Although no breakthrough occurred on the issue, the Syrians for the first time raised the possibility of a separate peace with Israel.² In the 18 April session the Syrians mentioned the "possibility of direct talks between our representatives and Zaim."³ However, on the question of the armistice line there was a "clear and unbending" clash.⁴

At the end of April, with the talks deadlocked, Israel considered mounting a military operation to push the Syrians across the international boundary. On 25 April Ben-Gurion, pondering the question, described his position as "preparing for an operation to expel the Syrians from our territory [from the bridgehead at Mishmar Hayarden]."⁵ On 27 April he told the Knesset's Foreign Affairs and Defense Committee: "With Syria the conflict has not ended, and it may end only with force."⁶ On the same day the IDF submitted a proposal for military action against Syria to Ben-Gurion: "Makleff came to see me--apparently the Syrians are not ready to move, except in the north [east of Kibbutz Dafna and Kibbutz Dan], and they will have to be pushed out with force, and [that] will take, following preparations, 5-6 days."⁷

The use of force was deliberated again at a meeting attended by Ben-Gurion, Sharett, Foreign Ministry officials and IDF officers.

According to Ben-Gurion's summary, "We considered a possible discussion of the demarcation line, has already been mentioned. On 10 May the Syrian delegation presented a second proposal according to which Lake Hula, the Jordan River and the Tsemah area would become "no-man's-land." As part of the Syrian concept, "the Mishmar Hayarden area would be evacuated...two bridgeheads would be abandoned, one at Mishmar Hayarden and the other where the Jordan flows into Lake Tiberias."¹⁴ This was construed to mean that the Syrians would withdraw to the international boundary. It was a significant Syrian step that reflected a pragmatic approach.

In the end, though, the idea of a strike was dropped "owing to military and political considerations," and the focus again reverted to negotiations.⁹ One political rationale for the decision was that a military operation could jeopardize Israel's chances of being accepted for membership in the UN; in addition, "it may also destroy the armistice agreements and ruin all prospects of reaching anything like an agreed settlement with the Arab world."¹⁰

Some time later Israel proposed "very secret talks between parties at highest level."¹¹ This led to a meeting on 5 May at which Israel was represented by a ranking delegation that included Reuven Shiloah of the Foreign Ministry and the head of the General Staff Branch, General Yigael Yadin. The Syrians present were members of the delegation to the armistice negotiations: Terazi, the Foreign Ministry counselor, and Lieutenant Colonel Nasser. However, nothing came of the meeting, even though on that same day Syrian ruler Zaim told the US head of legation in Damascus that he intended "to meet concessions with concessions."¹²

Evidently the UN acting mediator reached the conclusion that the sides were not yet ready for negotiations on crucial issues and that they were still unable to arrive at a compromise without the initiative of a third party--in this case, the UN.

On 28 April Dr. Bunche completed the formulation of his "compromise arrangement" and in a cable to Vigier he directed that it be presented to the sides in his name "if it appears complete. If an impasse is reached in meeting on 29th [of April]."¹³ The arrangement was duly presented at the conclusion of the sixth plenary session, held on 10 May, despite--or perhaps because of--the impression that both sides were willing to be flexible. The Israeli position of 27 April, insisting on a Syrian withdrawal without a prior

At this stage the two sides, wishing to reach an agreement, further moderated their stands to create a basis for negotiation. Each delegation understood that there were certain matters which the other side could not concede, even if it meant the collapse of the talks. Israel made the first gesture toward compromise. Although still demanding a Syrian withdrawal to the east of the international boundary, the Israelis no longer insisted that the demarcation line correspond with the boundary line. Syria reciprocated by noting that under certain conditions its forces would withdraw to the international boundary line. The Syrians' readiness for compromise appeared to reflect their assessment of what they could realistically get, without risking another war.

The proposal advanced by Vigier, in Dr. Bunche's name, was, without actually saying so, to create a demilitarized zone. Its boundaries would be defined in the armistice agreement: "The zone on the Syrian side [will] extend to the international boundary between Syria and Palestine..., neither side shall maintain forces along the permanent armistice demarcation lines, with possibility [of] a few exceptions where defensive needs may make it imperative...[and] no military activities shall take place on Lake Tiberias or on Lake Hula."¹⁵

At the meeting on 17 May the topic of discussion was the proposal of 10 May. The two delegations accepted the proposal as a basis for further discussion, but a serious disagreement arose over the presence of Syrian forces west of the international boundary. The Syrians wanted to maintain "defensive forces only in reduced strength" in the Demilitarized Zone.¹⁶ The UN's assessment was that Syria "clearly expected to be able to retain many outposts in

Palestine."¹⁷ But the Israelis were adamant: "The Israeli Government is not able to sign an armistice agreement which will leave Syrian defined outposts or troops west of the international frontier."¹⁸ The renewed impasse necessitated another UN proposal. Vigier concluded the meeting by stating: "I will tell him [Dr. Bunche] that both delegations accept that the negotiations be suspended until he is in a position to send new instructions."¹⁹ The mediator, Vigier reported that the "meeting of 17th [May] was pure farce."²⁰

Direct Contacts: The Abortive Summit

With the negotiations deadlocked owing to sharp differences over the armistice demarcation line, Syria proposed that a political solution be reached by the UN conciliation commission. However, already in April 1949 Ben-Gurion recorded in his diary that participation in informal meetings between Syrian and Israeli representatives, "of the situation: cessation of war, 'peace [and] an interim period."²⁵ Syrians proposed a separate peace with Israel, cooperation and a joint cessation of war could be attained, he believed, but not peace: "For army, but they want the border changed; [they want] half of Lebanon. Peace you have to work hard," and during the interim period informal ties [could be] forged with several Arab states."²⁶ Sasson

In a report dated 2 May, the US minister in Syria quoted Prime Minister Zaim as saying he sought a quick solution for the "Palestinian problem" and would be ready to absorb a quarter of a million refugees. This was a positive and extraordinarily unusual position for an Arab leader to take. The report added that Zaim "stated his willingness to accept as part comprehensive settlement of the Palestine conflict quarter million or more Arab refugees for resettlement provided they are compensated for their losses and Syria is given adequate financial aid necessary to resettle them."²²

The importance to Israel of a solution of the refugee problem is seen in a report prepared around the same time by Foreign Minister Sharett: "We have been informed by General Riley, who there is no reason not to trust, that Zaim is ready to talk about absorbing 300,000 refugees in Syria...For us that is something tremendous, it means he is willing to absorb three times the number of refugees presently in Syria and Lebanon...I think it is worth

meeting with Zaim, particularly to clarify the matter of absorbing the refugees."²³

On 5 May the US minister in Syria reported Zaim's continued willingness personally meet Israeli representatives of equal rank for direct discussions all outstanding issues."²⁴ The report was sent in connection with the armistice discussions, and the sides met informally that same day.

In Israel there were mixed feelings about Zaim's suggestion. The ruling conception--shared by Foreign Ministry officials--was that peace with the Arab states was not an immediate goal, if only because of the high price Israel would have to pay in two areas: absorption of Palestinian refugees and border concessions. The transition from ceasefire to peace was perceived as a three-tiered

process, with peace as the final element. In late December 1948, Eliahu Sasson, head of the Foreign Ministry's Middle East Department, had stated in a political consultation with Ben-Gurion's participation that a distinction should be drawn between three aspects of the situation: cessation of war, "peace [and] an interim period."²⁵

Cessation of war could be attained, he believed, but not peace: "For army, but they want the border changed; [they want] half of Lebanon. Peace you have to work hard," and during the interim period informal ties [could be] forged with several Arab states."²⁶ Sasson

therefore proposed a three-staged program: cessation of the war (an armistice agreement), de facto relations and, finally, formal relations (peace). Zaim's proposal could reduce Israeli fears about the price to be paid for peace, as Syria would assume part of the refugee problem. But the border question remained open.

As a counter-proposal to Zaim, Israel suggested that Gen. Yadin and the Foreign Ministry's Reuven Shiloah meet in secret "with highest [Syrian] level."²⁷ The precedent of Israel's being represented by senior officials had already been set in talks held with

Jordan's King Abdullah. But Zaim turned down the Israeli idea and was backed by Dr. Bunche: "In my view Zaim's position is correct in refusing to deal with Shiloah and Yadin."²⁸ On 5 May the two Israelis met with Col. Nasser and Mr. Terazi, members of the Syrian delegation to the armistice talks.

Bunche, who knew about the Syrian initiative to set up a meeting with Ben-Gurion on the border "with regard to armistice and

other matters,"²⁹ instructed Vigier on 5 May that "you might suggest this if an impasse develops" in the armistice negotiations. He also advised him that the "effort to arrange suggested consultations with BG should be continued."³¹ In his continuing effort to break the impasse, Bunche then directly suggested a meeting between Zaim and Ben-Gurion. In a cable to the latter dated 9 May, sent through Bunche's representative in Tel Aviv, Dr. P. Mohn, the acting mediator, stated: "There is distressing lack of progress towards agreement in Israeli-Syrian armistice negotiations.... I appeal to you therefore to agree to consult with Colonel Zaim of Syria on the Israeli-Syrian frontier or at some other mutually agreeable place on an early date to discuss the armistice lines and any other matters relating to peace between your two countries that you may mutually agree to discuss."³² Mohn transmitted the message to Ben-Gurion the following day. The proposal sought primarily to break the deadlock in the talks.

On 9 May Dr. Bunche also informed Zaim, in a message sent via Vigier, of his appeal to Ben-Gurion. Bunche asked Zaim to "consent to a private meeting with Ben-Gurion in an effort to find a basis for agreement which will make possible an armistice between the Armed Forces of Syria and Israel."³³ Nothing was said about peace talks. In any event, the message was not transmitted to Zaim as Dr. Bunche accepted Vigier's suggestion to "await BG's answer before contacting Zaim."³⁴

Ben-Gurion had in fact instructed the Israeli delegation in April to tell the Syrians "in clear language that first [we must] settle an armistice based on the previous international boundaries and then afterward--discussion concerning peace and an alliance. We will be ready for maximum cooperation."³⁵ In his reply to the UN on 10 May, delivered through Reuven Shiloah, Ben-Gurion again summed up the situation as he saw it, and declared: "I am quite prepared to meet Col. Zaim in order to promote peace between the two countries but I see no purpose in any such meeting as long as the representatives of Syria in the armistice negotiations do not declare in an unequivocal manner that their forces are prepared to withdraw to their pre-war territory."³⁶ Ben-Gurion, who did not believe there was anything to be gained from a meeting with Zaim about the demarcation line--indeed, he may have feared that negotiations on that subject would torpedo the talks or force Israel into concessions--proposed that the two sides go on with the talks, and offered to meet with Zaim after an agreement was reached on Syrian withdrawal to the international boundary.

Dr. Bunche, following a meeting with Sharett, concluded that a meeting between the Syrians and either Sharett or Ben-Gurion would be feasible only "if armistice negotiations collapse and Zaim is willing to discuss all outstanding problems."³⁷ At this stage the Foreign Ministry's legal adviser reported on his meeting with Gen. Riley of 17 May at which he had heard about Zaim's proposal to settle 300,000 refugees in Syria in return for a peace accord arranged through a conciliation committee. Riley had told Rosenne that "Hosni al-Zaim wants to resolve the Syrian-Israeli problem in an honorable and peaceful manner so that he can devote himself fully to his goals--the renewal and rebuilding of Syria."³⁸ As for the armistice demarcation line, Zaim's suggestion was that until the conclusion of the conciliation committee's talks, the truce line should be construed as the armistice line.³⁹ But Israel, as already noted, turned down the idea, explaining that it could not possibly accept the arrangement concerning the armistice line and that Ben-Gurion first sought a military settlement through the armistice negotiations, with peace in the political sense to be discussed only afterward.

Nevertheless, a few days later Sharett expressed his willingness to meet with Col. Zaim.⁴⁰ He suggested that the meeting take place the following day at Rosh Pinna. Bunche reported that he had been told by Mr. Luria, Israel's acting representative to the UN, that the proposal had been made owing to the fact that "BG who is very blunt and often emotional, would not be very useful in role of negotiator. On other hand, if Zaim and Sharett could reach agreement, BG would accept it."⁴¹ Convinced that this was so, Dr. Bunche instructed Vigier to "use your good offices with Zaim to persuade him to accept."⁴² But the Syrian leader balked "because of repercussions in Arab opinion today, if fact of meeting leaked out."⁴³ This explanation is surprising, as a Zaim meeting with Ben-Gurion would certainly have generated far sharper reactions in the Arab world.

Vigier himself was skeptical about Zaim's original proposal. Zaim's advisers had told him, he reported, that they did not want to negotiate alone, nor was this his intention. Vigier added that he was "afraid original statement by Zaim that he would set the question if he met BG was taken too seriously."⁴⁴ meeting of ministers Foreign Affairs would not be advisable now to discuss first item."⁵⁵ Dr. Bunche emphasized that he was disappointed at Syrian rejection of Foreign Ministers meeting" and that he "[found] present Syrian position difficult to comprehend."⁵⁶

Also raised was the possibility of Sharett meeting with Syrian counterpart. Vigier thought "it might be arranged despite refusal." Sharett, hoping to turn the Syrian rejection to diplomatic advantage, asked the UN for "confirmation in writing of Syrian refusal."⁵⁷ However, Bunche instructed his representative in Tel Aviv to reply that "I see no necessity for formal written communication"⁵⁸ in this regard.

Thus ended the attempt to arrange a meeting between the Israeli foreign minister that "it can probably be arranged [him] to meet with Arslan, Syrian Foreign Minister."⁴⁶ Sharett replied that he was "willing [to] meet Arslan."⁴⁷ However, leaders of Israel and Syria. The episode raises several important questions, involving the positions of the two sides and their perception of the desirable solution and how to achieve it.

Initially, Zaim proposed that the Syrian delegation be headed by Ibrahim al-Adal Istouni, the administrative director of the Syrian Foreign Ministry. Bunche objected strenuously, noting that "discussing with Ben-Gurion a separate Syrian-Israeli peace. Clearly, Zaim's principal objective was to extract concessions from Israel on the armistice demarcation line and delineate it west of the international boundary. Hence his proposal to meet with Ben-Gurion should now reject Sharett's proposal for meeting of foreign ministers."⁴⁸ The result was a statement by Zaim that "Sharett's objection to meeting Istouni is however understood and there is no objection to Sharett-Arslan meeting provided Syrian Government prepare for it."⁴⁹ Zaim then suggested a preliminary meeting, "speedy solution Palestine problem...[and] prompt agreement with which Syria would be represented by Istouni, to work out the agreement for a meeting of the foreign ministers."⁵⁰ On the same occasion he offered to absorb "quarter million or more Arab refugees for resettlement."⁶¹

Sharett, for his part, expressed "unwillingness to consider a meeting between the foreign ministers, especially Arslan whose attitude has not changed since 1947."⁵¹ Thus, although Zaim's main goal was to get the armistice line demarcated in Syria's favor, he also expressed a willingness to meet secretly with the Israeli prime minister in order to discuss the establishment of peace between the two countries. To the US minister in Damascus Zaim said he would "go along on any reasonable arrangements that would serve cause some peace in the Middle East."⁶² Gen. Riley was sufficiently impressed by the Syrian proposals to comment that "Syria now offers best Arab leadership in reaching overall peace settlement."⁶³

Still, that same day the Israelis proposed two topics for discussion: (1) The problems connected with an armistice agreement between Israel and Syria. (2) The general problem of the future peaceful relations between the two countries."⁵² Syria's reply was a clear deviation from the idea, raised earlier by Zaim, of a "separate peace with Israel." Damascus declared that "it would be impossible for it [the Syrian government] to discuss second item without consulting the other Governments."⁵⁴ Although the term "making a separate peace with Israel" appeared in the reports only once,⁶⁴ Zaim apparently had in mind to get the prior consent of Egypt and Jordan. Thus his statement that he was "willing to meet with Abdullah and Farouk in effort to reach common basis for realistic approach to Israel."⁶⁵ Zaim's notion of

holding a high-level meeting with an Israeli leader was known to his aides and to several Syrian ministers, but as already noted there is no report to the effect that his aides objected to the idea because they construed such a meeting as formal recognition of Israel.⁶⁶

The Syrian explanation that a meeting of foreign ministers would have broad repercussions among Arab public opinion is inadequate. What the Syrians evidently meant was that, as far as they were concerned, other Arab states must be informed about the talks--and certainly in the event of a meeting between prime ministers. So, when Israel proposed the two subjects for the agenda, Syria rejected the idea of discussions on future peaceful relations. It is noteworthy that a week after the Armistice Agreement was signed, Ben-Gurion learned that Zaim "does not want to cause a breach in Arab unity...and therefore we should not push him now."⁶⁸ In the light of this, Zaim's proposal--and especially his ability to implement it--must be questioned.

The second question is why Ben-Gurion did not accept Zaim's proposal. The Israeli prime minister was under the impression, to which he gave expression in a discussion with the Foreign Ministry director-general and two senior officials, that Zaim "wants good relations with us."⁶⁹ The director-general thought that "the first peace might be made with Syria, and Zaim is ambitious to be the first Arab statesman to meet with us."⁷⁰

In any event, in mid-1949 Ben-Gurion was not eager to give his consent for Israel to participate in the talks Zaim proposed.⁷¹ There were several reasons for this. First, Syria had insisted on prior conditions in the territorial realm for holding peace talks. These included getting half of Lake Tiberias. That demand led Ben-Gurion to first assure the signing of "an armistice based on the international boundary line; and afterward--discussion concerning peace and an alliance between the two states." He did not think that Israel should agree to these conditions because he did not think that the

Ben-Gurion was hesitant also because he did not think the meeting with an Arab leader was important in and of itself, properly prepared. On 9 July 1949 he decided to send Eliahu Sasson to Damascus "to examine the ground."⁷³ Moreover, following signing of the armistice agreement, Sharett informed the prime minister that he had told Sasson that "he was free at Lausanne to choose the possibility of going to Damascus in order to arrange

meeting [for a discussion on future Israeli-Syrian relations]."⁷⁴ This did not come to pass, but during the deliberations of the Conciliation Commission at Lausanne (April-September 1949) direct contacts were held between members of the Israeli delegation (in particular Sasson) and Arab representatives, notably from Egypt, Jordan and Lebanon. On 6 August Sasson sent a letter to the Syrian prime minister proposing direct peace negotiations.⁷⁵

The third reason for Ben-Gurion's coolness to the idea of a peace conference was the view, widely held among Foreign Ministry officials, including Abba Eban, that "an armistice is enough for us" at that stage, and that it must be cemented first: "There is no...need to run after peace.... If we run after peace, the Arabs will demand from us as the price borders or refugees or both."⁷⁶ Sasson agreed, stating in a meeting held with Ben-Gurion that "for 3-4 years there is no fear that the Arabs will go to war against us--even without peace."⁷⁷ Even Sharett had reservations about peace. In his report on a meeting with King Abdullah, held 5 May 1949, he wrote: "The king asked: 'Did we not think that talks should be held on peace overall and agreement reached on a comprehensive peace,'" to which Sharett replied: "We favor gradual progress. The armistice agreement has laid the foundation, now we must build the walls by reaching a settlement on the issues still pending [which the special commission would have to resolve], and finally we shall build the roof, which is the comprehensive peace."⁷⁸

It was evidently these considerations that prompted Ben-Gurion to apprise the Syrians that peace talks must be preceded by an armistice agreement.

What might have been the outcome of such talks?

In 1949 the enmity between Israel and the Arabs was less passionate than it later became. In fact, it is safe to say that at the time peace talks might have got underway and that transition from a state of war directly to a state of peace was more feasible than a transition to peace through an armistice. Indeed, the Armistice Agreement may have reduced the thrust for peace (by reducing the risk of war and by underscoring the high price to be paid by both sides) and thus caused the deferment of peace talks.

Still, it is improbable that a peace agreement could have been concluded at the time. It was only with difficulty that the two sides reached a nebulous compromise on an interim solution for an armistice; it seems unlikely that this particular Syrian leader could have made far-reaching concessions--nor could Israel. Intense efforts to reach a peace accord based on significant mutual concessions would have brought about Zaim's downfall. In the event, he was deposed on 14 August 1949.

But even assuming a lack of sincerity on Syria's part, granting the risks to both sides that a meeting between the leaders would have entailed (pressure for greater concessions or breakup of the meeting), we should examine, with the benefit of hindsight, whether Ben-Gurion made the right decision. It is an extraordinarily difficult question. In fact, Syria's proclivity for backtracking makes it unlikely that the meeting would have taken place, even if Ben-Gurion had agreed to attend. Similar doubts remain as to whether anything positive could have come out of such a meeting. Yet despite these risks and doubts, Zaim's proposal, coming as it did from the leader of a major Arab state, should have been followed through. By holding the meeting, the Israelis would have obtained legitimation for such encounters, and at a high level.

Syria's initiative showed a pragmatic approach, despite its extreme stance. By demonstrating readiness to eliminate the conflict with Israel through peaceful means, the Syrians not only displayed flexibility and a disposition toward realism in relations with Israel but deviated from their basic national goals. In terms of domestic politics, this may have been an impractical approach, but this may explain why a meeting between Israeli and Syrian leaders never took place.

The Mediator's Second Initiative

On 27 May Dr. Bunche forwarded a new proposal to representatives--Vigier in Damascus and Mohn in Tel Aviv--delayed relaying it to the sides. The mediator was still hoping for a positive response on a Zaim meeting with Ben-Gurion. However,

"disappointed at Syrian rejection of foreign ministers meeting."⁷⁹ With the possibility of a meeting no longer viable, Dr. Bunche on 7 June requested Vigier and Mohn to "formally communicate my compromise, proposal and notes to the respective governments."⁸⁰ Not long before, Syria's position had changed favorably. Col. Nasser, in an informal meeting with Gen. Riley on 4 June, raised two possibilities that might serve as the basis for a Syrian withdrawal to the international boundary. The first entailed withdrawal by all Israeli military and civilian personnel from the eastern shore of Lake Hula and of Lake Tiberias, no Israeli settlement at Mishmar Hayarden, and UN supervision in the region until the final border was decided. The second proposal stated that if all Jewish military forces were withdrawn from areas east of Lake Hula and [Lake] Tiberias, and if Jewish civilians were permitted to remain at Ein Gev and Dardara and to resettle at Mishmar Hayarden, then the Palestine Arab refugees must be allowed to return and occupy that portion of Samakh [Tsemah] formerly occupied by them, and also to return to other towns and villages."⁸¹ Here was a crucial step toward a compromise. Syria's readiness to pull back all its military forces to the international boundary, under conditions acceptable to Israel, seemed an extremely promising indication of realism. Dr. Bunche was encouraged by the proposal, which "seems to be not far from us."⁸² However, he doubted whether Col. Nasser had the authority to make it.⁸³ The following day, Vigier reported that Damascus had instructed its delegation "to accept return of Syrian forces to positions from which they had started"⁸⁴ on condition that all civilians and military were evacuated from Ein Gev and Dardara, which would then be placed under UN supervision. This was more demanding than Col. Nasser's second proposal; Israel could not agree to evacuate its civilians from the two settlements.

On 8 June Zaim and Sharett received a message from Dr. Bunche consisting of a draft proposal for armistice lines and an accompanying note. The purpose of the note, which was identical to both sides with the exception of one paragraph, was to encourage the recipients "to give this draft your most serious and sympathetic consideration."⁸⁵ The difference between the two notes lay in Para.

5, which appeared in the version sent to the Syrians but for obvious reasons was omitted in the version forwarded to the Israelis. In the mediator went as far as he could, and perhaps even further, accommodating the Arab states' decision to launch a war in Palestine. Dr. Bunche actually quoted from a cable sent by the Arab League secretary-general to the Security Council on 15 May 1948. The cable stated that "the Arab Governments find themselves compelled to intervene for the sole purpose of restoring peace and security." On that same day the Egyptian foreign minister had declared in a cable that "Egyptian armed forces had crossed the border to Palestine for purpose of security and order."⁸⁷ The UN had rejected the grounds and condemned the Arabs' use of force. Bunche, hoping to induce the Syrian leader to show good will and demonstrate readiness to make concessions, ignored earlier statements and declared: "I have had in mind the stated fact that the armed forces of the Arab states entered Palestine for the sole purpose of protecting the rights and interests of the Arabs of Palestine."⁸⁸

As regards the armistice line, each side received the same proposal. Two lines were proposed. One would be located "where the existing truce lines...run along the international boundary between Syria and Palestine."⁸⁹ In other places (where the truce line did not correspond with the international boundary), the mediator proposed "a line midway between the certified Truce Lines for the Israeli and the Syrian forces."⁹⁰

Dr. Bunche suggested further that the area between the armistice line (where it did not correspond with the international boundary) and the border "shall be established as a Demilitarized Zone from which the armed forces of both Parties shall be totally excluded."⁹¹ In practice, then, all Syrian forces would have to withdraw from "Palestine" and Israeli forces would leave the Demilitarized Zone "within ten weeks from the date on which the Agreement is signed."⁹²

The mediator's second initiative, which was based on a thorough examination of each side's positions, proposed a compromise that both could accept: Israel's gain would be the total withdrawal of Syrian forces, while the Syrians would achieve the

establishment of a Demilitarized Zone in the areas their forces had captured west of the international boundary.

With this initiative as the starting point, negotiations got underway for the creation of the Demilitarized Zone.

Chapter 3. Compromise

The idea of creating a demilitarized zone (DZ) was not new. It was first put forward, in the Syrian context, by Abba Eban to Dr. Bunche on 11 May 1949. According to the Israeli proposal, the area between the armistice line and the international boundary would be a DZ on al-Auja model with no forces on either side.¹ Bunche incorporated the idea into his proposal of the same day (which was not transmitted to the sides), referring to "a genuine Demilitarized Zone on al-Auja model with Syrian withdrawal to International frontier."² The "al-Auja" model was an element from the Israeli-Egyptian Armistice Agreement (Art. I, Para. 8): "The area comprising the village of al-Auja and vicinity...shall be demilitarized and both Egyptian and Israeli armed forces shall be totally excluded therefrom." The difference, though, was that the negotiation between Israel and Syria--in contrast to the talks with Egypt--dealt not only with demilitarization but also with civilian life in the DZ.

The new proposal, presented to the sides on 8 June, raised the possibility that "the area between the Armistice Demarcation Line and the [international] boundary...shall be established as a demilitarized zone."³ The DZ was to have the following features:

Demilitarization of armed forces. The proposal called for withdrawal "of such forces as are now found in the demilitarized zone,"⁴ and prohibited "an advance by the armed forces of either Party"⁵ into any part of the DZ.

Civilian life. There would be a "gradual restoration of normal civilian life in the area of the zone without compromise to the ultimate settlement [peace]."⁶

The question of sovereignty was left open. "The provision for a demilitarized zone...fully safeguards the territorial claims, positions and interests of both Parties for the final settlement."⁷

Sovereignty in the Demilitarized Zone

Dr. Bunche deliberately avoided any reference to the question of sovereignty in his proposal of 8 June and afterward as well. Probably he thought that Syria and Israel would never agree on this sensitive issue and that to raise it would jeopardize the entire process. Hence the vaguely worded proposal. Yet he also hinted that the sovereignty question remained unresolved.

In his 8 June message to the sides, Bunche noted that "it [the compromise proposal] is purely a temporary arrangement, for the duration of the armistice and pending territorial settlement."⁸ Territorial claims and other "final arrangements," he explained, "must properly await the peace settlement."⁹ In other words, neither country would be able to claim sovereignty as long as the armistice accord was not superseded by peace talks.

Bunche's proposal, which left the sovereignty issue open until peace negotiations--when the Syrians could put forward their claims--was satisfactory to Damascus. From the outset, apparently, Syria did not believe it could obtain sovereignty over the area west of the international boundary in armistice negotiations. Damascus therefore set out to ensure that the agreement would not result in Israeli sovereignty in the DZ. This, in the Syrians' perception, was achieved in Bunche's proposal.

Israel which claimed sovereignty in the DZ, nevertheless put forward no serious arguments in support of its claim. On at least one occasion, the Israeli delegation raised the subject for discussion, arguing that "there are two possible ways for the DZ: one, to have it an independent state belonging to Dr. Bunche. The other, to hand it over to one of the parties...being on this side of the international border, I think it should be attached to Israel."¹⁰ However, Israel seems to have held out little hope that this argument would be accepted and even drew a new distinction concerning Ein Gev and Dardara, which "for the Israeli delegation...are not in dispute...there are no territorial claims about those two points."¹¹ The inclusion of the two settlements in the DZ was not intended to enable Syria to claim them in negotiations on a final territorial agreement (peace), but to separate the armed forces of the two sides. Implicit in the

Israeli stand here was that the rest of the DZ would be open give-and-take, because one of the two goals of establishing the DZ was to ensure the territorial claims of the two sides.¹² However, Israel, having concluded that it would not be granted sovereign status in the DZ, did not press its claim.

Dr. Bunche's 8 June proposal was considered in a meeting of the delegations on 16 June. Both accepted it as a basis for discussion and its various clauses were addressed. Neither side raised the issue of the DZ's sovereignty or political status.¹³

Civil Administration in the Demilitarized Zone

With the question of sovereignty in the DZ left open, the focus shifted to the area's civil administration. The Syrians' goal was to achieve equal rights with Israel in the DZ, or to have the UN exercise maximum authority there for the duration of the armistice agreement. In this way Israel would be prevented from getting control. The Israelis took a diametrically opposed position, maintaining that civil responsibility in the DZ must be theirs and that the powers of the chairman of the UN Commission must be limited.

A few days before Dr. Bunche's proposal was transmitted to the sides, the Syrians presented their stand on the question of civil administration in the DZ. Their representative, Colonel Nasser, insisted that the "UN would retain control and supervision over the areas [in the DZ] pending final boundary settlement."¹⁴ The deputy prime minister and the foreign minister of Syria accepted Bunche's 8 June proposal as the "best basis yet suggested for discussion." Their consent, they stressed, was based on "UN responsibility over territory in proposed demilitarized zone"¹⁶ and "depends upon Israeli respect for UN guarantees."¹⁷ General Riley reported that the Syrian leader had agreed to the mediator's proposal "that the understanding demilitarized area would be completely separate from both Israel and Syria with ultimate responsibility for zone resting with UN."¹⁸

At the tenth plenary session (21 June), a serious discussion was held concerning the source of authority for the civilian

population in the DZ. The Syrians thought that final authority should rest with the UN chairman. Col. Nasser declared that "the DZ is under UN control."¹⁹ To the Israeli stand that the residents of the DZ should hold Israeli citizenship, the Syrian delegation replied, again, that "the relations of the inhabitants of the DZ with either Israel or Syria ought to be regulated by the UN."²⁰ In any event, Syria insisted, "we prefer that Jews should sell to Jews and Arabs to Arabs."²¹ If so, the Jewish population would have ties with Israel, while "we cannot prevent Arabs from having intercourse with Syria."²² In reply to an Israeli question concerning the authority to arrest and try criminals, Terazi stated: "The chairman of the MAC [Mixed Armistice Commission] is responsible for the security in that area."²³ The implication was that the chairman would be empowered to administer civilian life in the DZ. Col. Nasser was more explicit: "The UN...is also empowered to provide for the administration of the DZ created by it."²⁴

At this juncture Vigier remarked that Art. V, Para. 5a in the draft agreement did not make the chairman responsible for the direct administration and policing of villages and settlements. The Syrians proposed, in reply, "that more powers be given by parties to chairman of MAC or to UN with view to solving administrative problems and preventing friction."²⁵ Expressing puzzlement as to Vigier's statement concerning the chairman's lack of administrative authority, the Syrian delegation suggested that executive power "in all administrative matters [be given to the] MAC or sub-committee of MAC."²⁶

Israel's stand was two-pronged. It demanded control of civil administration, while also seeking to gain broad powers in the DZ by minimizing UN authority. The Israeli conception derived from a fundamental approach, but also sought to turn to its advantage the concrete needs that inevitably arose wherever there was a civilian presence. Foreign Minister Sharett noted that "civil authority over the demilitarized area must of necessity be placed in Israel hands."²⁷ Indeed, the Israeli assessment was that Syria might well "accept our viewpoint re civil rule if clearly told by him [Bunche] this is his interpretation."²⁸ As the UN personnel understood it, the Israeli

position was that "Israel authorities together with local Arab police will be responsible for administration."²⁹

As for the inhabitants, Israel said that all of them, Jews and Arabs alike, would be "Israeli citizens...[and the Arabs] get the same rights as any other Israeli citizen."³⁰ At the same time, the customs checkpoint, laws and other regulations "on this side of the international frontier"³¹ would be Israeli, the implication being that supervision over the population would also be in Israeli hands. However, try as they might, the Israeli delegates were unable to win Dr. Bunche around to their position. The Israeli delegation then began raising issues pertaining to everyday life which require solutions, such as: "How will people get married? How will they receive mail from abroad? Who will arrest a criminal? Who will take care of him?"³² And again: Kibbutz Mishmar Hayarden "will start producing fruit. To whom will they sell them?"³³

That such questions were raised shows that, at least on the Israeli side, the difficulties caused by the ambivalent definition of the DZ were understood. In the event, these and other basic questions remained open and would continue to preoccupy the sides in the future, even after the signing of the Armistice Agreement.

Israel, then, sought to minimize the UN's powers in the DZ to ensure that the international body would not replace the Israeli administration on the ground. Thus Israel insisted that the chairman be responsible for assuring that neither side moved forces into the DZ, as long as "he has no power for administering the civil population in there."³⁴ Civil authority, it was inferred from the statement, must rest with Israel.

As for the mediator's stand on these complex and sensitive issues, he refrained as a matter of principle from offering a clear interpretation. Bunche understood that if he got too deeply involved in detailed clarifications, the armistice talks would almost certainly break down. As a result, he proposed formulations that were both highly impractical and ambivalently phrased. Thus, he was silent on how civilian life would be conducted. However, his 8 June proposal stated that a certain authority would be vested in the chairman of the Armistice Commission. For example, Bunche proposed that the chairman:

"Shall be responsible for ensuring the full implementation of this Article."³⁵

"Shall be empowered to authorize the return of civilians to villages and settlements in the demilitarized zone and the employment of limited numbers of locally recruited civilian police in the zone for internal security purposes."³⁶

When it emerged, in the 21 June plenary session, that the sides had adopted conflicting positions, the chairman decided "to refer the matter to Bunche."³⁷ Vigier, who was sympathetic to Bunche's approach, said that essential arrangements would be permitted by the chairman of the Armistice Commission "in consultation and cooperation with local communities."³⁸ By "consultation," Vigier meant that the chairman would be in touch with the local settlements, not with the Israeli or Syrian authorities.

In Bunche's view, "it will be utterly impossible to achieve an agreement if either party insists on detailed provisions in the agreement."³⁹ It was crucial that "the agreement be in general terms," and should an incident occur in the DZ of a kind which was not addressed in that document, it "can be worked out, if need arises, by chairman of MAC or MAC itself after agreement is concluded."⁴⁰

On 26 June Dr. Bunche sent the sides a brief explanatory note with an accompanying letter concerning the civil administration. This time the mediator's primary problem was how to get the Israelis to accept the civil administration, as they had raised the queries and doubts regarding the 8 June proposal. Oddly, the accompanying letter to the Israeli side raised an issue which did not appear in the parallel letter to the Syrians. To placate the Israelis, Bunche referred to the question of sovereignty and not to the civil administration; his thinking was probably that the latter derived from the former and that the two were inextricably linked. He noted that in the case of Jordan an armistice line had been agreed that was different from the truce lines, this "without any question being raised as to the sovereignty"--which was "a matter for final peace settlement." Bunche stressed that this also held true for the al-Auja DZ in the Israeli-Egyptian agreement.⁴¹ On 26 June Bunche sent the two sides

identical letters of clarification concerning questions that had been raised in the 21 June meeting. However, the new document left matters just as vague. Two principles guided Bunche's approach: the necessity for a local administration (rather than one on behalf of the two states) and the necessity for the chairman to have authority regarding general supervision. Given the small area involved and the few settlements or villages, Bunche believed, "the administration and policing problem is not at all a severe or greatly complicated one." The new elements in his proposal were:

- * "Civil administration, including policing, will be on a local basis."⁴³
- * The civil administration and the policing of "an Israeli village or settlement will be by Israelis;" in Arab villages "a local Arab administration and police unit will be authorized. It is particularly noteworthy that the mediator used the terms "Israeli" and "Arab," but not "Syrian."
- * The chairman of the Armistice Commission would be empowered to exercise general supervision over local affairs but "will not assume responsibility for direct administration of the zone."⁴⁵ In any event (and here we have an example of vagueness regarding the scope of the chairman's authority), the chairman, "in consultation and cooperation with the local communities, will be in a position to authorize all necessary arrangements for the restoration and protection of civilian life."⁴⁶

The two delegations did not jointly examine or discuss Dr. Bunche's reply. They agreed only that "Dr. Bunche's explanatory note, once recorded in the minutes, to be used as authoritative comment."⁴⁷ Each side probably realized that the mediator would not be more forthcoming in interpreting their needs. Having no other alternative, Syria and Israel agreed to ambivalent formulations. Perhaps they thought that the vagueness would be to their advantage in the future. In any event, the wording of Article V of the Armistice Agreement, dealing with civil administration in the DZ, remained hazy.

Flexibility and Concessions on the Demilitarized Zone

The start of the breakthrough was the two sides' agreement that a demilitarized zone would be established in areas captured by the Syrians west of the international boundary and in the Ein Gev and Dardara regions. The agreement as such reflected a measure of flexibility and relative moderation on the part of both countries. Israel had wanted not a DZ but unlimited sovereignty to the west of the international frontier; the Syrians wanted to go on maintaining forces in at least part of the territory they had captured.

But even more flexibility was required before an armistice agreement could be signed. The Powers (especially the United States and France) pressured Israel and Syria to accept the mediator's proposals, and Bunche, too, spared no effort and used all the influence he could command to extract concessions and reach an agreement.

The flexibility shown by the sides related to the issues of sovereignty and the civil administration. Almost from the outset, Israel dropped its sovereignty claims; the armistice accord barely referred to the subject and Dr. Bunche's messages stated that the question would remain open pending peace negotiations. At that time, the two states would be entitled to present their territorial claims concerning the zone. The fact that the question of sovereignty was left unresolved meant that Syria acquired the status of a party with possible claims. Israel, though seeking confirmation for its sovereignty over all territory west of the international boundary, made a far-reaching concession that went beyond Syria's.

More immediately, and with the sovereignty issue left in abeyance, Israel attached greater importance to the DZ's civil administration. Unable to accept that Syria would bear any responsibility whatsoever for civil administration, Israel sought that status for itself with respect to all civilians in the DZ, including the Arab villages. This question was raised in the negotiations, but the sides did not succeed--and did not really try--to reach a compromise. On this point, the mediator was able to use his influence: both sides tried to win him around to their stands through direct contacts, but finally accepted his proposals to the letter. No discussion, for

example, was held about Bunche's 26 June clarifications, each side evidently believing that it could do no better. Neither Syria nor Israel rejected Bunche's proposals and neither requested more precise wording regarding the civil administration. Thus both sides, not wishing to cause the talks' breakdown, were willing to compromise on a vaguely worded formulation which did not meet their needs. Here, too, they displayed flexibility, though they were virtually coerced into accepting the mediator's proposals concerning the civil administration.

Israel and Syria compromised on the creation of the D largely for two reasons. First, the arrangement met each country's essential minimum. Syria assented to a situation in which the civil administration and policing would function on a local basis (with the hint that this referred to each settlement separately) "under the general supervision of the Chairman of the Mixed Armistice Commission"⁴⁸ and did not raise questions of jurisdiction, citizenship or sovereignty. Israel, for its part, was ready to agree that the armistice would extend to Israeli villages and settlements and to Arab settlements, without mention of Syria in this connection. The Israelis further agreed to a formulation under which the chairman "will be in a position to authorize all necessary arrangements for the restoration and protection of civilian life though his powers did not include "direct administration of the zone."⁴⁹ The second reason that understanding was reached was each side's realization that no further concessions could be extracted from the other and that the alternative, if no flexibility were shown, was war.

To sum up, the description of the civil administration method of operation had to be vague to make it palatable to both sides. The agreement that was reached could have been viable for a relatively short period, as long as both sides were flexible and ready to compromise, even though each placed a different interpretation on the fuzzily worded Article V. In the event, however, the agreement would prove fertile ground for disagreements and conflicting views. As a result, the armistice relations between Syria and Israel deteriorated and violent clashes ensued.

Part II

The Struggle over the Hula Project