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**Shabtai Rosenne
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JK: For the record, Mr. Rosenne, could you explain the role that you played around the time of the establishment of the state of Israel and I think we will have to start a few years back.

Rosenne: Yes, you're quite right. I was demobilized from the Royal Air Force -- I remember the date very well -- on the first of April 1946. On which date I went into the Political Department of the London office of the Jewish Agency for Palestine. That was an agency that was established in 1929 under specific provisions of the Palestine Mandate and represented the Jewish people as a whole vis-a-vis both the British government, the mandatory, and the League of Nations as the supervising authority of those days. Its main office was in Jerusalem. Its second main office was in London. And its third main office which existed right throughout the whole period was in Geneva. Actually our Geneva mission today is our oldest diplomatic mission abroad except perhaps London. But it also had offices in I suppose Washington. I forget now where it was in the United States. As I say it was representative vis-a-vis the British government and the League of Nations. The League of Nations was dissolved later in 1946 and replaced by the United Nations and the British maintained their position as mandatory until, of course, 1948. The office in London carried the burden of direct representation

with the British government as opposed to the Jerusalem office which was related to the Palestine government. And, of course, the two were distinct. The Political Department carried the burden of the work of relations both with the British government which was primarily either the Colonial Office in those days or the Foreign Office depending really which level was being discussed. And if it was sort of detailed Palestinian level it would probably be the Colonial Office. If it was a broader political level it would have been the Foreign Office. It dealt also with Parliament. It also did the public relations job in connection with both Houses of Parliament, the House of Commons and the House of Lords, and with the press on the major Palestinian issues, issues related to Palestine's events.

I had actually worked before the War even in a voluntary capacity when I was a student. I went into their employ as I say immediately after demobilization in April, 1946. I plunged into a life of crises which has continued virtually without end since that date.

JK: When the UN met in England in 1946 was the Palestine issue brought up?

Rosenne: No, the Palestine issue was not brought up in the UN at that stage. It was brought up at San Francisco indirectly and article 80 of the Charter reflects it to some extent. It was brought up in Geneva at the

dissolution of the League of Nations in March/April, 1946. Then the UN was out of it. Other aspects of the Jewish problem of those days were raised in the initial meetings in London especially what was called the "Displaced Persons", the DPs, which was a major problem in the immediate turmoil of Europe at the end of the War. That was handled by ECOSOC to some extent and by a provisional IRO which subsequently became the IRO itself which it now being dissolved. That was the International Refugee Organization. The Allied Forces had a big unit operating for all the DPs not only Jewish DPs. I think there were millions and millions of people wandering around Europe at that time. We had to handle that as well.

JK: As we approach 1947 the British still had a mandate to govern Palestine. What was the situation at the time that they brought the issue to the UN?

Rosenne: Well, the situation got very bad. Relations between the British and the Jewish population and the Jewish Agency had become extremely bad. I wouldn't say there was a terribly strong demand for the end of the mandate or for independence as such, although it certainly existed. The thought had been planted by the Royal Commission of 1937 and was endorsed by the League of Nations with some difficulty. And it had been endorsed by the so called Biltmore Conference in 1942, I think it was, in New York

with the American Jewish and the American Zionist bodies. But I wouldn't say there was a terribly overriding demand to an end to the British mandate per se. The demand was for immigration because of the DP problem in the aftermath of WWII and the Holocaust.

JK: Can I ask where you were at that time?

Rosenne: In London.

JK: Could you mention something about the White Papers?

Rosenne: Yes, sure. The White Paper was published in 1940 and it prohibited Jewish immigration after a five year period unless there was Arab consent to it. Of course tremendous bitterness was caused by that because of the Holocaust. The British may have relaxed it very slightly but negligibly in light of the proportions of the problem as we found it as the War came to an end in 1945. There were Palestinian units in the British army at that time who were wandering around Europe seeing really what the situation was. Of course the stories were appalling.

The immediate demand was for the removal of these White Paper restrictions, two in particular. One was on immigration and the other was on land sales which, by the way, partly affects the configuration today of the State of Israel and is related to the whole problem of the "green line" and the contemporary problem of the frontiers of Israel. The origin can be traced back to that White Paper of 1940.

The British tried throughout 1946 to see if they could reach some sort of agreement directly with us and with the Arabs. They themselves were exhausted after the War and their heart wasn't in what they were doing. That's for sure. We know that, in the armed forces. The Royal Navy, for instance, was blockading Palestine itself in the interest of what was called illegal immigration. The army tried to put down the tensions and the disturbances that were happening all around the country. The whole situation was mucky and difficult and unpleasant.

The British tried to resolve it in several ways which were sometimes contradictory. The Palestine administration would sometimes go off on one tack and the people in London would go off on another. For instance, about towards the end of June, 1946, what we call the "Black Sabbath", they arrested all the leaders of the Jewish Agency in Palestine and put them in a prison camp in a place called Latrun which is in the middle of Israel today. We tried to carry on negotiations in London first of all to get this brought to an end and then to deal with the situation as a whole. Bevin was not all that helpful I must say. Attlee as Prime Minister was in a way a second ranker. He got that position as a kind of compromise between various strong candidates in the Labor Party itself. The Labor Party we always felt reneged on

its own position which it had proclaimed not only in its electoral campaign messages or program in the elections of 1945 but also its traditional position. It became as hardened as anybody and Bevin was a very tough nut.

JK: What were the British objections to the Jewish immigration?

Rosenne: Fear of the Arabs. Don't forget at that time the British Empire was still fairly intact. Their major problem at that time was India. They had agreed on the independence of India. I don't think they wanted the partition of India which came under very bloody circumstances as you know in '46-'47. There was uncertainty how they were going to get out of India and what was going to take their place. There was on the horizon even then the problem of Africa which burst out much later in the '60s but was on the horizon then. The whole question of the imperial lines of communication was uncertain. There was also the Suez Canal running through Egypt which was at that time was their major line of communication both for the Far East and for East Africa. So, they were in a position of uncertainty. And I am not sure that they knew how weak they had become after WW II. After all they had an enormous army still and didn't demobilize it as quickly as the Americans had demobilized their army. They had armed forces that were first rate. There is no question about that. But they didn't know how weak they

had become or if they did know they didn't want to show it. It came out later.

They conceived of an idea which had been started in 1939 but had been unsuccessful and had led to the White Paper of 1940 which I mentioned. That was a new tripartite agreement between us, the British, and the Arabs. What Arabs I don't know. It was on the future of Palestine. For that purpose they convened conferences again in St. James's palace in the winter of 1946-47, that terrible winter. I attended those conferences in a very junior position. I was taking the notes. One has to start somewhere and I started by taking notes at conferences. These conferences were extremely difficult. The delegations were talking at cross purposes. The British delegation had at least two parts to it. One was the Foreign Office part and one was the Colonial Office part. They were sometimes at loggerheads across the table even. The thing broke up in complete disunity.

Bevin used what he thought was a threat that he would transfer the whole problem of Palestine to the UN. This was already around February of '47 that this came up. We made our own analysis of what that would entail. It would have gone to the UN anyhow under the Charter through the transfer of the mandate into something else, either a trusteeship agreement or independence, whatever. So, we weren't terribly put off by the threat. It was an

empty threat to transfer the thing to the UN. The question was a different one. The question was what would we aim at if it went to the UN.

To diverge for a minute, you have to understand that the partition proposal of the Royal Commission of 1937 had created a tremendous controversy in Jewish ranks. The idea of a Jewish state, apart from the non-Jewish reaction to it which was also extremely mixed and on the whole negative, I would say for many deep reason which I don't need to go into, in Jewish ranks too it had created quite a deal of almost consternation. There was by no means unanimity in the Jewish world, even in the Zionist world up until the very proclamation of Israel's independence, on the desirability or the feasibility of complete independence. They were thinking in terms of maybe a dominion in the British Empire at the most. But when Bevin started using this threat to go to the UN that's when I think opinion gelled. In that case we were going all out for full independence, by the way over the whole country not over any partitioned area.

JK: Was his threat aimed at the Arabs? Was it affective as far as their interests were concerned?

Rosenne: Yes, they didn't worry at all about it. Don't forget there were five independent Arab states those days in the UN. They didn't have the political weight that they have today or the political power that they have today but,

they were by no means insignificant. There had been the famous meeting of Roosevelt with King Ibn Saoud in Cairo in '43 or '44, his last visit to the Middle East, which changed the whole picture of Arab/American relations. Up until then they'd sort of been Aramco semi-colonial relations. All of a sudden they over night changed into a much more independent status with Arabism and Panarabism. They were far less worried about the UN than our people were, but our calculation was quite a cold clinical one that if we handled things properly we would get at any rate enough of partitioned Palestine to enable the DP problem to be solved. There was this terrible connection all the time of the DP problem with this. If you go into the records, for instance, of UNSCOP you would see that there was tremendous opposition in UNSCOP and by the Arabs to UNSCOP visiting any DP camp. There was a compromise reached on that but I have forgotten the details. Either one or two members went individually or something like that. That's how it was done.

The Arabs and the anti-Israeli elements, whoever they might have been, understood this connection of the DPs and the Palestine question and did everything to break it.

JK: In the spring of 1947 there was a special session at the United Nations on the Palestine question. The Jewish Agency represented the Jewish people. Was there any

opposition to the Jewish Agency being the representative?

Rosenne: There may have been in two areas. I am speaking now from memory. On the extreme religious right the people who are today opposed to Zionism and an independent Israel particularly, especially what are called the Sotmor Hasidim which are now quite strong in New York. They were brought over from Eastern Europe, what was left of them. Then there were the extreme assimilationist circles in this country concentrated in what was called the American Council of Judaism. It still exists. I don't think it was terribly effective because the bulk of the Jewish world, due to this connection with the DPs, wanted some action taken to resolve it.

JK: Was the position of the Jewish Agency at that time to promote statehood?

Rosenne: Yes.

JK: Who were representing the Arabs?

Rosenne: The Palestinian Arabs had a committee. I don't recall exactly how their relations went. They were represented by five Arab states of which the most important was Egypt which had its own major conflict with the UK at that time over the British bases and the Suez Canal and so on, getting out of its vassel status it had been in between the two wars and independence. There was a resolution in the UN authorizing the appearance of the

Jewish Agency for Palestine which created quite a row. The next day there was a parallel resolution for the Arab High Committee. I don't recall now whether they appeared or not. It would be in the records. They were to some extent in a tainted position. I use the word quite advisedly because their leader Hajj Amin el Husseini, who is related to the Husseini who is now prominent in Palestine and who is a relative moderate, was mufti which is to say a chief religious leader, put in by the British. He was an extremist and he had had contacts with Hitler during the War. There are actual pictures of him in Berlin. That did not do the Palestinian Arab cause any good in those days when the UN was very much an anti-Nazi organization.

JK: Then a special committee was appointed and they had recommended partition. Was the Jewish Agency supportive of that recommendation?

Rosenne: Yes, I think it is fair to say that it was supportive of that recommendation if it had been implemented in its entirety. That recommendation had three parts to it. One was the establishment of the Jewish state. One was the establishment of the Arab state. The third was a separate status for Jerusalem. There was, of course, strong objection in Jewish circles to having a Jewish state without Jerusalem, without any part of Jerusalem being a part of it. But it was accepted on the condition

that the whole thing in its entirety was put into effect because it offered the opportunity to solve this DP problem.

JK: Later on in November of 1947 the General Assembly adopted that resolution.

Rosenne: With a major modification to our advantage, which was most of the Negev in the Jewish state which we certainly wanted because that was the area we saw as the settlement area for the DPs.

JK: What happened with that recommendation? Why was it never implemented?

Rosenne: I would say that it was never implemented partly because of Arab refusal to accept it. That was certainly the prime reason. Arab refusal to accept and the Arab use of force to buttress their refusal to accept it. The British refused to accept it, too. One must never overlook that. I am not quite sure how far the US and the USSR really backed it. They both voted for it but, it is one thing to vote in the UN and it is always another thing to give it political backing. I have never been sure in my own mind that the two of them really backed it. The Americans openly withdrew from it a few months later for temporary reasons. The Cold War was beginning to shape up then and, of course, it was acute in the Middle East. People overlook that. The first crisis to be dealt with by the Security Council was

Azerbaijan in the Middle East. Nothing in Europe or any other part of the world, it was there. That was where the three powers met, the British were in the process of disappearing. They were still a force to be reckoned with. French interests were worse at that time and the French were completely knocked out.

JK: What were some of the fears of the recommendation for partition?

Rosenne: Well, I think even at that time there was beginning to be a fear of oil. There may have been others. You see the Arab world, nevertheless, does occupy a strategic position right across all the lines of communication from the West to the Far East. Even today most airlines go through Cairo from Europe to the Far East.

JK: Was the security situation in Palestine deteriorating?

Rosenne: Very much so. It became virtual war within two or three weeks of the partition resolution of November, 1947.

JK: Why was that? Was that in reaction to the resolution?

Rosenne: On the Arab side it was certainly in reaction to the resolution. On the Jewish side it was partly self-defense, well, mainly self-defense. I arrived in Palestine in December and already Jerusalem was under siege. We couldn't get to the airport in Tel Aviv even. We had to fly. It was not possible to go by road. It was 15 or 20 miles. Technically that period is often referred to as a civil war. I find it difficult to see

how a war could be a civil war and simply by the stroke of a pen on the 14th of May, 1948, become an international war. For those who were involved in it the date made no difference. It was still the same kind of war. It became in the first phase a war for the lines of communication. The main one being the road from Tel Aviv to Jerusalem. The second one being the road from Tel Aviv to Haifa. The third one being the road from Haifa across to Tiberias into Galilee.

The Arabs virtually succeeded in cutting off Jerusalem. That was their major success. It was an enormous effort to keep it open. I think the two sides exhausted themselves in that six months period. In that sense the Security Council's first truce resolution was fairly well timed.

I want to say something about that period all together. I was transferred from the London office to the Jerusalem office of the Jewish Agency in December of '47. I was immediately put to work in the newly formed legal section of the Political Department of the Jewish Agency for Palestine in Jerusalem. Our official duty was not to handle the detailed legal control system of the British which was going on every day about this rule and that rule, about this case and that case having to do with immigration and land sales and so forth. That was handled by other people. Our immediate task was to

prepare a kind of commission which was established immediately after the partition resolution to prepare for the independence of the Jewish state.

There are many stories about what happened in that period and probably all of them are true. There was a great deal of confusion as you can imagine. And the fact that Jerusalem was for all intents and purposes cut off within two or three weeks added to the confusion. Many people say that they did this and they did that and they probably did. Now the British announced that they were going to leave Palestine on the fifteenth of May, 1948. That was not the date in the partition resolution. The date in the partition resolution was later. It was August. But they decided unilaterally that they were going to leave on the fifteenth of May, 1948. I don't know why that particular date was chosen. I can tell you this that as soon as I arrived in Jerusalem I was called aside and I was told this: the British have announced that they are going to leave Palestine on the fifteenth of May, 1948. We don't know whether to believe them or not to believe them. Ben Gurion has decided that come what may the Jewish state is going to be proclaimed on the fifteenth of May, 1948. To be more accurate on the night of the fourteenth of May because that was the Sabbath.

JK: What was Ben Gurion's position at that time?

Rosenne: Ben Gurion at that time was very much like Shamir is today. He was the bete noir of the British. In fact when the people were attacked and put in Latrun -- he happened to be out of the country -- we wouldn't let him come into England because we thought he would be arrested. We kept him in Paris when he was in Europe. He was technically the Chairman of the Executive of the Jewish Agency for Palestine. He was, in fact, the commander-in-chief of the Hagana, the underground forces. He was the strong man of the country and a very determined person and a great leader and quite charismatic, too, on top of everything else. There had been a tremendous rivalry between him and Weizman at the time for this leadership position. And Weizman was quite a different character all together.

JK: Could you just say something about Weizman's position on declaring the state of Israel.

Rosenne: No one really knows what Weizman's position really was. They used to say that he was the first president, a position that he didn't want, of a state that he didn't want to see. But I think that is going too far, personally. I think that he was very much wedded . . . in the nature of things he was a old man and he was sick. He had an attachment to the British. He had, of course, done this tremendous thing with the Balfour Declaration in World War I. He had lived in Britian all his life.

Many of the Russian Jewish intelligencia of the pre-revolutionary period were very much attracted to Great Britain for many reasons. They were influenced by the great British philosophers whom they read and, of course, it was the bastion of democracy in Europe. All of that in those days was new to them. I don't think he ever lost that attraction for Britain and things British. Whereas Ben Gurion had a different background all together. He was not from the intelligencia, not from the Russian Jewish intelligencia. I don't even know if Ben Gurion spoke Russian. Whereas Weizman and his wife would normally speak in Russian between themselves and their correspondence was often in Russian. He was a Chemist of world renown. Whereas Ben Gurion came from the Jewish masses of Eastern Europe. He had a very thorough Jewish education but that didn't make him of the intelligencia. He was self taught. He taught himself Greek which he wrote quite well and read without any difficulty. French, I was at a meeting once with some UN people and he corrected the interpreter, correctly. His accent was very bad but, he knew the language well. His English was pretty good. He was a self taught man. His politics were self taught in the hard school of labor politics which is hard everywhere.

JK: Was Weizman capitulating to the British?

Rosenne: Yes, much more than Ben Gurion. And Ben Gurion was in

the country and Weizman wasn't. He was either living in London or in the United States which also made a big difference. But Weizman was the uncrowned king. Don't misunderstand what I am saying. People never forgot the Balfour Declaration and his part in it and he was really the uncrowned king.

If I may divert for a moment and put it on the record, I'll tell you an extraordinary story. Our first embassy to Uruguay was around 1949. Our Ambassador, who just died a few weeks ago, was from a very distinguished Jewish family from Vilna and from Jerusalem. When he paid a courtesy call to the British Ambassador, the British Ambassador started humming to him Ha-tigva, our national anthem. Our man was very surprised and asked what was going on. He said, "well I want to tell you. I was the third secretary in the Consulate General in Odessa in 1918 and after the Balfour declaration all the Jewish masses came to the Consulate and that's what they sang and I've remembered that tune ever since."

So, I was told please prepare the necessary documents that had been required. Well, these are not documents you learn about in law schools. And I was told not to tell anybody that I was doing this. These were the transitional documents. I couldn't do it by myself. It was too much. I think there was a group of four or five of us who worked on this almost non-stop, January,

February, March, April. We had difficulty getting the stuff down to Tel Aviv because of the siege of Jerusalem. As a matter of fact we were nearly unable to get early drafts down. And these consisted of the three documents which were issued. One was the Declaration of Independence itself. Here I was very irreverent and I said to Ben Gurion, "I am going to have a look at the legal part of it." (That's all the part that comes after "for these reasons") "But the Belles Lettres you can put in."

So, by curious fluke someone had sent me a new edition of Jefferson's Parliamentary Manual which came out around that time. How it got into Jerusalem I haven't the slightest idea. They had more important things to bring in than Jefferson's Parliamentary Manual and I say this now in the state of Virginia. When I read it, not for the first time in my life, but from a different perspective -- the American Declaration of Independence was there -- I saw that there were certain structures of it that certainly could be used. To tell the truth if you look very carefully at our Declaration of Independence you will see that it does follow the structure, not the wording, far from it. Curiously enough, it does not have an anti-British passage in it like the US Declaration has. Ben Gurion cut it out. It was in one of the early drafts, something like that. But he wouldn't allow it to go in.

He also did something which I think Jefferson wanted to do and couldn't get away with it. He cut out all the "whereases".

JK: To simplify the language.

Rosenne: And make it more beautiful. I certainly prepared the first drafts of these three documents. I won't say the only first drafts but, I certainly prepared the first drafts. The Declaration of Independence, and there was the curious proclamation which I've seen signs of amazement about it in the literature at home and even in the courts. It was a proclamation which the State Council, the people who adopted the Declaration of Independence, adopted with it. It empowered the government to work by decree indefinitely without any parliamentary responsibility. The reason for it was our anticipation that the Arab armies would succeed in cutting the State into two or three parts. This proclamation would allow the army commanders of each area to take full control. Fortunately that didn't happen.

There was a third document which became the basic law still in force called the Law and Administration Ordinance of 1948 which laid down the basic structure of the transfer of various authorities from the mandatory system to the independence system coupled with the abolition of two discriminatory laws which we would not

allow in our statute book for one minute. It was the British immigration law and the land transfer law. I would say the two White Paper laws, addressing both of those.

Now, we had in Jerusalem, as it happened, an embryonic foreign office. It was not in Tel Aviv. It was in Jerusalem. They were caught in the siege. We worked on establishing the Foreign Office and planning it. I was frequently asked to give opinions on various legal questions which arose nearly every day. And I think that this is interesting from the point of view of this oral history. I would say until after what we call the second truce which was in July of 1948 my basic instruction was to remain within the framework of the partition resolution. This is probably not widely known but, all the initial planning of the preparatory commission which I have mentioned, both on its legal side and on the economic side and other sides, was within the framework of the rather detailed partition resolution of 1947. It was only after that, that that instruction was removed. The reason for the removal of that instruction was, apart from the non-acceptance by the Arabs of that part of the partition, the breakdown of the UN in doing anything about the siege of Jerusalem. When things quietened down after the second truce in July, 1948, the Jewish population of Jerusalem, which when all was said and done

at that time was about 25 thousand if not more, were down to one loaf of bread and one sardine a day. The total Jewish population of Palestine was about 600 thousand. There was a food line toward the end.

They could not understand why they were being excluded from the Jewish state. Under the partition resolution they were. There was a very strong demand to put an end to that. Ben Gurion hesitated a little bit but towards the end of July you'll find somewhere in the law books that extraordinary proclamation by the Provisional Government of Israel making Jewish Jerusalem part of the Jewish state. Let me say that legislation was passed. That signified the end to any close attachment to the partition resolution.

JK: I would like to just back up a few months before July of '48 just to cover some things that happened earlier before the mandate had expired. The Security Council had called for a truce in April because of the fighting that had been going on. That truce was not particularly effective.

Rosenne: No, none of them were. First of all, there was nothing to back them up. The full story of the British involvement in that phase of the war of independence has really not yet been written. I think that the widely held assumption that they adopted on the whole an anti-Jewish position may not be fully justified. I think the

Arabs also have a gripe at them. But they were certainly a factor partly because they had to extricate themselves. If they were going to leave on the fifteenth of May they had to have their own lines of communication open to Haifa, to their port. They had problems of their own protection. They were a factor which interfered certainly with planning.

The general staff of Hagana had a general basic directive which was ammended in about March of 1948. This general directive was to maintain the lines of communication open, to defend all the area allocated to the Jewish state under the partition resolution, but not to get involved with the British, not to interfere with them except for self-defense, of course. That was ammended around about this time. I really can't recall the exact ammendment, but there was a very important book in Hebrew that came out three or four years ago on the war of independence. Its name is taken from the Psalms, "We were as dreamers", edited by Professor Yehuda Wallach, a military historian at Tel Aviv University. It consisted of about ten or eleven essays on different aspects of that period written by people who participated. There is an essay by myself on Israel and the UN in that period. I haven't got a copy of it here. I have a copy of it at home. I could send you one if you wanted it for your records. It has never been translated

into English. We could put it on the record here for the purpose of research and I'll send one of the off prints in Hebrew. You can put it in your file. (A revised English version is being included in a collection of my essays to be published later in 1992 or early 1993 by my publishers, Nijhoff of Dordrecht, Holland.)

This ammendment, if I remember rightly, was no longer limited to defending the area allocated to the Jewish state under the partition resolution. It was just to defend in general. I think that was the major ammendment. The rest was technical.

JK: Were the British at that time attempting to maintain law and order?

Rosenne: Not really. They evacuated the Tel Aviv area fairly quickly and handed it over. Jerusalem was completely divided with big barbed wire partitions. They had divided it for some time. In Jerusalem they had two or three British zones of their own in which they concentrated their troops and British personnel. These zones also divided Jewish Jersalem from Arab Jerusalem. I don't know whether you have been there or know Jerusalem. Right in the center of Jerusalem there has always been the Russian compound going back to just after the Crimean War. We used to call them Bevingrads named after Bevin. The "grad" from Stalingrad, of course. The main one was there where the Russian compound is, the

Central Post Office and other public buildings. When they left it there was a tremendous battle between us and the Arabs to see who would get hold of it because it was a strategic center, right in the center of Jerusalem. Fortunately, we got hold of it.

The rest of the country, as long as their communication lines to Haifa were kept open they did not have very much to fear. They knew they were leaving and it was pointless for them to get involved and to lose men as they would have.

JK: There was a second special session set up at the UN in April.

Rosenne: That was a US initiative. That was to abolish the partition resolution and to replace it with a US suggestion for a kind of trusteeship. They saw the way things were going. It failed, of course. The US brought quite strong pressure on us not to declare independence. And, in fact, Shertok, as his name was then, Sharett when he hebraized it, was in Washington a few days before the Declaration of Independence and he met with the Secretary of State at the time and had a very difficult meeting with him. He came back with this very pessimistic reaction. But given the structure of the American administration the State Department is one thing and the Congress is another thing and the White House is another thing as you know. I am not familiar with all the

details because I was not all that involved on the American side of it. Obviously I was locked up in Jerusalem. People who were concerned were able through Truman to get this quite unexpected, quick US recognition which even took the US delegation in the UN by surprise. You see it in the records even though the records are very cautious on this. For instance, a man like Jessup with whom I was quite friendly and Dean Rusk and people of that caliber were taken completely by surprise. In fact, I think they even heard about it off the radio.

JK: Were the US fears that the Jews would not be able to defend themselves?

Rosenne: I don't quite know. I can't answer that question. There was a feeling at that stage that US Middle East policy had yet reached its level of independence that it has today. They were still closely influenced by the British Foreign Office. The US had not been a Middle East power, really. It had interests, Aramco especially, and missionary interests in Palestine especially. But it had no presence in the Middle East. There was no American presence in the Middle East. The presence was British. The navy was British. The army was British. Most of the Americans had liaison duties in Cairo or wherever, the Russians, too. But, there was no presence as such. This only came later.

JK: Who were the spokespersons at the UN in New York for the

Jewish Agency?

Rosenne: A Rabbi named Abba Hillel Silver from Cleveland, if I remember rightly, Abba Eban, Eliahu Elath was Ambassador to Wahington (he's still alive), Sharett came, of course, from time to time. I was going to tell you for your oral history there are two people in Israel you ought to get a hold of if you can on this period. One is Abba Eban himself. He is often in the States. The other is a man who lives in Jerusalem named Gideon Rafael. His other name before he Hebraized it was Ruffer. I think he is in Jerusalem. There should be no difficulty in getting his address. We are quite close friends because he was number one when I was number two in New York during the Six Day War period. He was very much involved in all of this in the UN. He is one of the real experts on the inner workings of the UN during that period, very much so. I'll be home in about a month's time. So, if you'd like to send me a letter for him I will send it off to him. It would be no problem at all.

JK: Good, I have been trying to reach him.

Rosenne: In some respects he would be even better than Eban because he, I think like all good diplomats, interested himself in the inner workings of the thing. So did I. I mean if I wanted a transcript of a Security Council record five minutes after it was spoken I could get it because I knew where to go in what they called the

kitchen of the UN. You have to know these things. Whereas I don't think that Eban even knows that the records exist. He was at a higher level all together.

JK: During this special session at the UN a UN mediator was appointed for the Palestine issue, Count Bernadotte. How effective was he and was he considered impartial by both parties?

Rosenne: Well, I can't speak for anybody else but, he was not considered impartial in Israel. In fact, if Israel had had any political clout at that time, which it didn't have, I'm not sure that we would have agreed to him. It is true that he had played a very significant role in negotiating the final stages of the war in Europe. It was on that basis actually that he was chosen. I think it was only after Hitler's death in that last few days when they had to negotiate the unconditional surrender of Germany. For the West it was Bernadotte as president of the Swedish Red Cross who was able to do that.

He was not a good mediator in this case. We felt that he was pretty much under the control of the British who retained their opposition to the Jewish State until early 1949. There was a terrible incident in the Negev where we shot down 5 RAF planes which was no small feat. We were all RAF trained, too. It was no fun doing that. That really brought them up with a start and made them change their minds. I think that one of the reasons for

his assassination was that he was not regarded as impartial. He was regarded as hostile. And he proposed amendments to the partition plan and I don't know what led him to do it either. Whereas there was a great deal of confidence in Bunche. Bunche was known in our affairs way back to San Francisco. I promised Lawrence Finkelstein that I would try and track this down, but so far I have not succeeded. I think that Bunche was the author of Article 80 of the Charter but I have not been able to track it down. A couple of years ago there was a seminar on Bunche in New York at the Ralph Bunche Institute. There was an article by myself on Bunche in that book, an extremely intimate, personal article which brings out sides of Bunche that had not been brought out before. It is not a dry diplomatic history either, a sort of drinking a glass of beer around the billiard table.

Bunche had a far better reputation as far as our affairs were concerned. Yet he had a remarkable reputation for fairness anyhow, at that period and in my opinion right through til the end. But not everybody shares that. I think that the fact that you are opposed sometimes doesn't mean to say that the man is not being fair. Whereas people are inclined to equate opposition with unfairness. I never had that feeling with Bunche. I don't think that Bernadotte could have done what Bunche

did, somehow or other. I don't think he had the physical stamina to start with. I don't think he had the down to earth personality that Bunche had. The team spirit that Bunche created not only amongst his own staff but amongst others. He was really quite remarkable.

JK: What do you think would have happened if the Jews had taken no action when the mandate expired?

Rosenne: I think probably we would have all been slaughtered, to tell the truth. The Arabs were in that kind of a mood. And I don't think the outside world would have done very much about it.

JK: What did the declaration of statehood imply in terms of the UN Charter?

Rosenne: I don't think we payed too much attention to it at that time. There is a reference to the UN in the Declaration of Independence. The concept of self-determination and independence as they developed later in the UN certainly didn't exist in those days. We are talking about the immediate aftermath of the War. And in a way one has to look at the Declaration of Independence and what happened in the Middle East as really a part of the concluding phases of World War II as opposed to the decolonization operations which started in the late 1950s and 1960s in the UN where the Charter provisions for self-determination assumed quite a new significance. Whereas a man like Bunche who has been credited as one of the

fathers of that part of the Charter may have dreamt about it in World War II, it was certainly not seen then as a matter of practical politics.

The Declaration of Independence is much more, to put in these terms, a consummation of the mandate of the League of Nations rather than of the UN and the United Nations was still working with League of Nations concepts at that time rather than the quite new concept of self-determination and human rights which has emerged in the UN since.

JK: Did the declaration of statehood affect aggression towards the new state?

Rosenne: Very much so. You had no definitions and anyhow all definitions are dangerous and not effective. I would put it this way. The admittance of Israel into the UN gave a certain international standing to its de facto borders at that date through Article 2, paragraph 4. If you take the subsequent events at the UN, various resolutions on reaffirming principles of the Charter and so on, when you get to Article 2, paragraph 4, there are frequent references to "boundary lines or the word "lines." They were designed to refer to these kinds of armistice lines, or whatever you might call them, both in Israel or in other parts of the world where all sorts of provisional lines came into existence in conjunction with some sort of UN action.

JK: Was it anticipated that the declaration of statehood would in some ways bring in the UN in terms of protection against aggression?

Rosenne: Yes, quite definitely because simultaneously with the independence there application for membership in the UN, as provided for in the Partition Resolution, by the way. In fact, the Arabs today make use of that telegram as an argument that we should be pushed back, not to the armistice demarcation lines even, but to the partition lines of 1947. They say, "well, that's what you undertook." They forget that it was a part of the acceptance of the totality of the partition plan.

JK: Was the declaration of statehood also important to the Jews in Israel that were fighting?

Rosenne: Very much so. Overnight it turned underground forces who had only been partly well disciplined into a national fighting force, a national army which could unite the people. Here Ben Gurion was very far sighted when he disbanded forceably what was the elite force in the underground, the Palmah, because it was too left-wing for him. He was a socialist himself but middle of the road. Ultimately the right wing, too, the Altalena incident, with Begin and Shamir and so on, he disbanded them both. He insisted on a single national army. All that was only possible because of the Declaration of Independence. It was the supremacy of the government,

the supremacy of the parliament, and the control, such as it might be, of the government by the Knesset, by the parliament. It is actually based on the British system and not on the American system, which means that the control is actually rather weak. But it is there, I would say. All that was only possible after the Declaration of Independence.

It also had another effect on the war by creating a much more unified fighting force. The professional soldiers -- there must have been 30 or 40 thousand of them in the country at that time or more -- those who had fought in the allied forces during the War were now brought fully into it. To tell the truth the underground, the Palmah especially, looked with a certain disdain on the professional soldiers who knew how to salute and polish their boots and so on. They thought all that was unnecessary. But, of course, it isn't. It is part of a properly run army.

JK: Initially before the announcement of independence, how was that decision arrived at by the Jews? Was there full support initially?

Rosenne: Do you mean the Jews of Palestine or the outside world as well?

JK: Was there a difference?

Rosenne: Yes, the Jews of Palestine had quite a well developed system of autonomy which had been created within the

framework of the mandate going down to quite a low level in local government and their own representation vis a vis the Jewish Agency, by the way. They had the normal democratic processes of discussion and decision making through various executives and various committees. As far as the outside world is concerned there was no question with European Jewry, it was completely disorganized. There was none at that time. The only Jewish communities of any significance were in the UK and the USA and perhaps places like Australia, too far away to be of any real significance. The British Jewish community was virtually at that time 100% behind the idea. The American Jewish community was certainly divided, but it threw its weight behind the idea. The Jewish community was 5 or 6 million people already then. Although it was probably more homogeneous then than it is today. It was much more concentrated in the East. That was before it started spreading out.

The formal organization backed it. There was quite a lot of volunteer manpower that came and, of course, money. For instance, there was a man who only died a year or two ago. I had met him in of all places, Las Vegas. He literally stole from the American air force. He was an air force pilot for the US air force. He stole I think three big bombers. How he got them I don't know. He got them to Israel. He was very severely punished.

I've forgotten what the punishment was. He got some sort of severe punishment and I think it was Johnson who rehabilitated him. Then he became king of Las Vegas. Hank Greenspan I think his name was. You couldn't fly aircraft unless they belonged to a state under the ordinary law of aviation. And you were in trouble with ships at sea unless they flew a flag of a recognized state. There is a famous case of a ship in the English law reports in 1948 called the Asya who was picked up by the Royal Navy. She had struck the Zionist colors. They knew that this was a unrecognized state. So, there were certainly practical implications of statehood apart from the emotional ones.

JK: Did the declaration of statehood affect Arab intentions in any way? And what were the Arab intentions?

Rosenne: The Arab intentions were certainly to prevent the independence of Israel. They would have slaughtered us all. They made no bones about it. They wanted us all out. I don't think the declaration of statehood terribly affected this underlying aspiration of theirs. It may have intensified it.

JK: Did they ever offer any efforts toward a peaceful solution?

Rosenne: No. Not to the best of my knowledge. I must make that reservation to be fair to them.

JK: From your position in Jerusalem I'm not sure you would

have any personal experience with this but, in your view was the Secretary-General involved in the Palestine issue?

Rosenne: Trygve Lie, yes.

JK: Was he supportive of the Jewish state?

Rosenne: I believe so, yes. He was very supportive of Bunche, as far as I know, too. Well, there is no question about it. You've only got to read his book. His letters to the Permanent Members of the Security Council of 15 May, 1948, telling them if they don't do something the UN will have turned into the footsteps of the League. I think that was the first time that letter was published. It was in his book. I think it is called In the Cause of Peace. He was a hard headed Norwegian. I think he had been foreign minister at one time. He was a fairly hard headed politician and he saw in the Palestine issue a test case for the UN, to prevent it from going the way the League went.

JK: Immediately after the mandate had expired and Israel had announced its statehood then very heavy fighting broke out.

Rosenne: That's when the Arab armies entered the scene. Actually the Jordanian army entered about a week before. Basically that was when the Egyptian army which was the main army entered. Although the Jordanian army was the best. There is no question about that. But the Egyptian

was the biggest. What is not realized is that the Iraqi army managed certainly to get a contingent as far as Jerusalem and hurried away in the Jordanian armistice agreement is a clause about Iraq. They wouldn't enter into an armistice agreement directly. It was limited to the immediate states. Nasser was in that invading force in the part that was cut off, the Arab units that were cut off at a place called Faluja. There was a special agreement about them in the armistice negotiations to allow them to march out in military order. Nasser was there and that's where our people got to know him. He wasn't unknown to us as a person. I think he was a captain at the time.

JK: The first calls for a cease-fire by the Security Council were ineffective. How was the truce finally accepted and put into full effect?

Rosenne: My own feeling was that it was exhaustion. They kept coming with these calls. They were half hearted. They didn't have any backup machinery which was worth anything. They had the Consular Commission in Jerusalem but, it was completely cut off. It couldn't do anything. The Red Cross was also being fairly ineffective at that time. The president was Ruessen from Switzerland. But I think that the main truce which was on June 10th was rather better timed from the point of view of the Security Council. They had a closer

appreciation for the realities of the situation and there really was complete exhaustion. Certainly on our side. We had nothing, literally nothing. I remember one night I had been given a rifle and given a bullet and told the bullet didn't fit the rifle.

JK: The cease-fire was in effect for a while.

Rosenne: Four weeks. That was its prescribed time.

JK: Why did the fighting break out again?

Rosenne: It broke out again because the Arabs wanted it to. If I remember rightly, subject to correction, it was actually for a four week period. The Arabs broke about a day or two before the end of that four week period. That was one of the biggest military mistakes that they have made. We had managed to get ourselves better organized.

JK: Then what is known as the Ten Day Offensive took place.

Rosenne: Yes, it gave us half the Negev.

JK: The final truce went into effect on July 18th. That was when we were really able to set about organizing the state. Although there was sporadic fighting it was isolated after that. There was a little fighting in Jerusalem and there had been another outbreak in Galilee. The main front was still Egypt and the Negev where there was continuous military action on a relatively small scale but it was there nevertheless.

It was the outbreaks there which led to the two resolutions of November, 4th and 16th of 1948 which laid

the basis for the armistice negotiations.

JK: Why was the July 18th truce able to be put into effect?
Were the Arabs willing at that point?

Rosenne: Yes, everybody was exhausted by that time. The war had been going on for six months. The losses were fairly heavy. I think our losses in the War of Independence were greater than the losses in all our other wars. They were very heavy. It was complete exhaustion. There was no real administration. It was sort of hand to mouth from one day to the next. Also the UN in the meantime had managed to in an empiric way put together what became the beginnings of the UNTSO which is still in existence. They had already by the second truce the capability not of preventing outbreaks -- They didn't have that and they were never intended to have that; the big powers would never have agreed under the Charter itself -- but, they had the ability to observe and report. It is from then onwards that you get much more objective and militarily accurate reporting than we were having beforehand.

JK: The UN could have a presence there and could observe what was actually going on. There was continued fighting even though it would break out periodically.

Rosenne: The whole situation was extremely unstable. The Security Council simply said that such and such a time on such and such a date the fighting will finish. Well, it didn't work that way. The lines were only really straightened

out in the armistice negotiations. You would have lines mixed. The forward lines would be mixed. Let's say that the forward line of one side would be behind the forward line of the other side and all sorts of things like that.

JK: So, even the demarcation lines were not absolutely clear.

Rosenne: They weren't demarcated in the fronts. The fronts were not stable. You weren't in a stable military situation at all. The Security Council simply said at X hours on such and such a date the fighting will stop. The demarcation lines had to be established after that.

JK: Then were they established?

Rosenne: They were partly established after that by negotiations with UN assistance especially the lines in Jerusalem. The lines in Jerusalem were basically established then. In the north they were not established. They were established at Rhodes.

There was a major outbreak of fighting in the Negev because of the crisscrossing of the roads and the use of the roads. There were very few roads at that time. The road system was very poor and very central through the whole thing. Very difficult arrangements had to be made to let the Egyptian convoys in to supply their troops and to let our convoys in to supply our people and that's how the whole thing was very unstable.

A great deal of credit here goes to General Riley,

Bunche's number two, of the US Marine Corps. who handled this with great skill in my opinion. A Marine General doesn't stand for any nonsense. His yes is yes and his no is no. He can twist your arm and twist your arm and so on.

JK: Was it this particular incident which brought about a greater concern for establishing peace negotiations?

Rosenne: Yes, the Negev, I would say so. There were two resolutions. They were local incidents, but they were quite serious. There were two resolutions in the south. There was only one for the other fronts which made the armistice negotiations easier. I won't go into all the details because in this article of mine on Bunche in the Bunche book I go into that.

JK: This part of the interview will deal with the Armistice negotiations that took place in January and February of 1949. Just to fill in a little bit of background on this, the British mandate had expired in May of 1948.

Rosenne: When you say expired I would say terminated. It was basically a unilateral termination. It was an Act of Parliament.

JK: Upon which the Jewish people announced the establishment of the state of Israel which was immediately recognized by the US through the support of President Truman.

Rosenne: Yes, it was also immediately recognized by the Soviet Union. I think the Soviet Union was in first because

they didn't and still don't recognize the difference between recognition de jure and recognition de facto and the US was de facto only. A subtle technicality to it but, technically, they were first.

JK: Then immediately following that day fighting broke out between the Arabs and the Jews.

Rosenne: Between the Arab states because the Paletinian Arabs had started fighting immediately on the 30th of November, 1947. It broke out in Jerusalem first. The fighting had been going on since the beginning of December. The armies invaded on the 15th of May. They notified the UN that they were doing it.

JK: As you had mentioned it was the Egyptian armies at that point.

Rosenne: They were the main most serious one, the biggest one. The Jordanian army was also quite serious.

JK: Several truces had been called for by the Security Council but, it wasn't until July 18th of 1948 that the truce was finally put into effect.

Rosenne: If I can clarify that for a minute. These appeals from the Security Council were graduated. That is to say that they started by asking for a cease-fire and they developed from cease-fire to truce which led to the first and second truces of the summer of 1948. But the inherent instability led to further outbreaks especially in the south. From truce they advanced to armistice, a

general armistice they called it. In fact, I think the preamble to the armistice agreements talk about transition from the present truce to permanent peace in Palestine.

JK: It became clear that the truce itself was not going to be enough and that there needed to be an armistice negotiation which was face-to-face. In your book on the armistice which you published shortly after that in 1951, you spent some pages actually discussing the difference between a cease-fire, a truce, and an armistice. Is there an important difference in these in terms of their effectiveness or how the Security Council can use them?

Rosenne: Yes, I think there is but, don't forget that at that time we were still very much under the influence of what is called traditional classic law which was legitimate and recognized and governed by The Hague Convention of 1907 and under the impact of the armistices of 1944-45. And we were rather inclined to think in those terms. I doubt that the UN had any clear idea of what they meant. I think that they were political gradations, I think is the best word. But once it ceased to be a matter inside the territory of Palestine alone, that was when they used the expression cease-fire. It was rather irreverently translated into Yidish in the words shiss fire which means "shoot". As the independence grew stronger so this vocabulary of the Security Council advanced from cease-

fire, which a policeman can do if he sees a brawl in the street almost, to truce which is traditionally something arranged by military commanders, not on governmental level. Certainly with governmental consent but, it is not at the governmental level. Whereas armistice is already at governmental level. It was related to another quite technical aspect. In those days the Security Council was much more technical than it has become since, and wisely so. The question was in those days: under what article of the Charter was the Security Council acting? Behind that question is a second question namely, under what chapter of the Charter were they acting? And behind that question is the main political issue. If it is under Chapter VI, that is headed "the pacific settlement of disputes," the resolutions of the Security Council are technically recommendations. If they are acting under Chapter VII, they are technically mandatory, subject to their terms. Now we had a political aspiration in 1948 to move the Palestine question, as it was called on the agenda of the Security Council, from Chapter VI into Chapter VII because as we saw it, it was the Arabs that were causing the breakdown of peace all the time. In fact, after the Arab move which brought the first truce to an end, the Security Council did move into Chapter VII and the second truce was actually ordered by the Security Council under

Chapter VII. There is a significant difference.

JK: In going over some of the background leading up to the armistice negotiations the UN mediator, Count Bernadotte, had been assassinated in September.

Rosenne: September 17th, I believe it was.

JK: What were the circumstances of his death and can you elaborate on what the Bernadotte plan was that had been recommended?

Rosenne: The Bernadotte plan -- I'm speaking from memory -- was called a progress report to the General Assembly and I think he signed it the night before he was killed, as late as that. Basically it involved a very major redistribution of the land territory of Palestine to our disadvantage. This goes back to an earlier part of our conversation when we talked about the importance of the Negev. The change which the General Assembly in 1947 made on the UNSCOP plan basically related to the Negev which was put into the Jewish state. His plan involved taking it out of the Jewish state. It also involved putting Jerusalem into Arab hands as opposed to the internationalization of it with some elements of autonomy, of course, for the non-Muslim populations of Jerusalem. The Jewish population was the majority of the city. The two together made it absolutely impossible to even look at the so called Bernadotte plan. It was doomed before it started. What the relationship between

that and his assassination is, quite honestly, I don't know. It is something that I never got to. I, quite honestly, don't know. I had to draw up the documents which were sent to the UN and which were sent to Sweden about that. I drafted what was given to me and I was not allowed to go behind those documents.

JK: But, in general, as we had talked about earlier, he was not considered impartial.

Rosenne: No, he was never considered impartial. I think that had we had any real say in his appointment I doubt very much if we would have agreed to it. He wasn't an unknown personality like, for example, Ambassador Jarring after the Six Day War who was relatively unknown.

JK: In terms of playing the role as a mediator he was not effective in that capacity.

Rosenne: No. There was also another confusion. You see, the General Assembly uses these words and no one really knows what it means by them. Going back to the beginning of the century and the Hague Convention of 1907 all these things like mediation and "good offices" are all spelled out in considerable detail. One of the problems was when the General Assembly used the word "mediator", call in a "mediator", was it thinking in these legalistic terms or did it have something else in mind. We had continuous disputes with Bernadotte really over his powers. In other words, did he have power only to make

recommendations and if so, to whom? Or did he have any other powers? This was a source of bitter discussions with him. Those of us who were old enough to know, and I don't include myself at that time, the one man in our foreign service who had actually worked through the League of Nations and his thinking was closely influenced by League of Nations' procedures and practices [Jacob Robinson]. I'm quite sure that had the League of Nations used the word "mediator" in any particular situation, it would have meant in that technical sense of the Hague Convention. I'm pretty certain that is what it would have meant. The UN was itself going through a transitional phase. It used these words and I don't think anybody could be sure what was meant by them. We had the same problem in Rhodes over the word "armistice." It was very interesting and I discussed that in my essay on Bunche in the Bunche book. So, I needn't spend time on it here. The whole issue is discussed there.

JK: Did the death of Count Bernadotte help the negotiation process?

Rosenne: I think so, yes. First of all, Bunche was much more energetic. Bunche was much more nimble minded and very quick at exploiting the slightest opening. I'm not sure that Bernadotte had that capacity.

JK: Then Ralph Bunche was named the acting mediator.

Rosenne: He was Bernadotte's number two at the time. He

automatically took over. There was enough difficulty over appointing Bernadotte. Bernadotte was technically appointed by a committee of the General Assembly. That committee of the General Assembly consisted of the five Permanent Members of the Security Council. The Cold War in 1948 had not reached the level it reached even later on in 1948, let alone what happened later on. I doubt that those five Permanent Members could have agreed quickly at any rate on a person to take Bernadotte's place. So, it all automatically fell on Bunche as number two. That brought in General Riley of the US Marine Corps as his chief military advisor in place of a Swedish General who had been Bernadotte's military advisor. As a result of that the whole of the mediation effort was in US hands, at any rate, technically. Riley was a serving officer seconded to the UN. Bunche by that time was no longer in the American service. He was not seconded to the UN. He was a real international civil servant.

He had three or four people. One was Stavropoulos who became legal advisor to the UN. He was Greek and had been a member of the Greek government in exile. He had quite an important role to play in all this. There was a Frenchman named Henri Vigier (he died within the last 15 years) who had been in the legal and security section of the League of Nations already. I've come across League of Nations files going back to the 1920s with his

initials on them. I had done some research in their archives in Geneva. There was another very curious character named Paul Mohn. He wrote a pamphlet in "International Conciliation," a very important pamphlet around about that time. He was Bunche's representative in Tel Aviv between September and January or even later, I suppose. He is one of these quiet, unassuming, extremely competent, capable diplomats. He was capable of doing rough work and doing it well. He wrote an important pamphlet in that wonderful series of the Carnegie Endowment at one time called "International Conciliation." I recommend that you take a look at it. I think it was on the mediation effort. I've lost track of him completely. I don't know whether he is still alive although a Swedish friend of mine recently told me that he is. It might be interesting if you could find him.

JK: Around the same time that Ralph Bunche was appointed acting mediator the UN recommended the establishment of armistice negotiations.

Rosenne: It more than recommended, it called for them. By this time the Security Council was acting under Chapter VII of the Charter and its resolutions were essentially mandatory subject to the actual text, of course. Here the Security Council went beyond recommending. What the actual words were I don't recall. It may have been

"called for" or "invited the parties to enter" or something like that. The essential thing was not that verb. The essential thing was the negotiations. We have never moved from this position. We want direct negotiations with each one of the Arab states and not anything through intermediaries. Here the Security Council picked us up on that and rightly so. Bunche knew that and knew how to exploit it. It was heavily undercut by the Palestine Conciliation Commission which was also part of Bernadotte's recommendations. The PCC was established by the General Assembly in November/December of 1948. There was considerable rivalry between Bunche and the UN itself and this PCC, which was composed of the representatives of the United States, France, and Turkey, a very curious mixture. The French were supposed to be the pro-Israeli side of things, Turkey the pro-Arab side, and the US a kind of impartial, neutral chairman. It didn't really work that way. It was quite unsuccessful. It convened two major conferences. The first was in Lausanne in the summer of 1949, immediately after the armistice negotiations finished. The main conference was in Paris in 1952. It was a complete failure because it never brought the parties together. It always kept them apart and transmitted messages from one to the other, not always in the form in which it was given but in the form that it thought was most likely to produce results.

Whereas with Bunche, the secret of the armistice negotiations was the fact that the Security Council had called for negotiations and this was interpreted by Bunche as meaning that "you boys sit in the same room and you're going to damn well sit there until you've reached an agreement." The UN had remarkable control over this in Rhodes because the island was virtually inaccessible at that time. The UN had one plane, the Dakota, and one day it went to Cairo and one day it went to Tel Aviv. You could only get off the island if you could get onto that plane. To get onto that plane you needed an OK from the UN. It was called the "milk run".

JK: What was your position in Rhodes?

Rosenne: I was legal advisor for the Israeli delegation for the two sets of talks in Rhodes. In the north, in Lebanon and Syria, we had a much smaller delegation there. The army man was the head of those two delegations. I think he was a colonel then, Makleff. He's dead now. He later became Chief of Staff. We had one Arab expert and myself from the Foreign Ministry. Those negotiations in the north are quite heavily documented in an unexpected way. What happened is this. The delegation in New York complained once that it did not have enough direct reporting from Rhodes to know what was going on, to know what the atmosphere was like and so on. It only got dry official reports. I was on very close personal relations

with a man who was the legal advisor of the delegation in New York, Jacob Robinson (no longer alive). He was the man who I told you had had a great deal of experience with the League of Nations in the minorities question. He had at one time been legal advisor to the government of Lithuania. Lithuania had a major dispute with Poland over Vilna, which ran right through the League of Nations. He had handled quite a lot of that dispute. That was where he got his experience at multilateral diplomacy which was in those days in its beginnings. That is how we were able to handle the UN quite early in our existence with a great deal of professionalism. He was in New York. I got into the habit of writing personal letters to him on a first name basis.

For some reason which has made me very angry the State Archives at home have included them in a volume of diplomatic documents relating to the Rhodes armistice agreements. These are not diplomatic documents at all. If anything they are undiplomatic documents. In one letter I say that the instructions given to us by Ben Gurion are complete rubbish and thank God we've not been able to carry them out and can now dispose of them. Now you don't put that kind of stuff in diplomatic documents. It is one thing for a student to pick them up going through the archives. I don't think they should be banned or anything but as a result nearly all my

correspondence to the delegation in New York on the negotiations in the north have been described in full even down to what we had for lunch and with whom and how we crawled through mine fields.

From Rhodes there was a certain amount because Eytan who was the head of the delegation in Rhodes was a good correspondent and writes with a facile pen. He used to write home quite a lot, or telegraph home quite a lot. A lot of his stuff is in the archives but, there is very little about the negotiations with Jordan. Partly because they didn't take place in Rhodes. They took place privately. Eytan can tell you about that. He conducted them. The first negotiations were with Egypt in Rhodes.

JK: Who were some of the major actors who were involved in the negotiations in Rhodes?

Rosenne: Bunche, Riley, Vigier, Stavropoulos, those four. On the Egyptian side apart from the official delegation which was headed by a colonel in the Egyptian army named Shareen who was somehow related to King Farouk. The Egyptians had a first class, highly professional ambassador who was not a member of the delegation in Rhodes. He was probably the main Egyptian civilian in that delegation. Their delegations were much more military than ours. Ours were evenly balanced. We attached as much importance to the political side of

these negotiations as to the military side. In fact, I don't think the civilian side paid too much attention to the military side. They went of into a military subcommittee and we were very happy to let General Riley and the officers work it out themselves with the lines or whatever they wanted to do. We were interested in the political side of it.

JK: Who else represented the Israeli side?

Rosenne: There was a man named Shilouh (no longer alive) who was an extremely skillful and experienced diplomat and who had conducted a great deal of our relations with the British military throughout the War in Cairo. I suppose he was about the most outstanding. The rest middle ranking army officers and intelligence units and Foreign Ministry people. From the army we had Rabin (later Chief of Staff and Prime Minister of Israel) there part of the time with Egypt. He was commander of the southern front at one time. Yigael Alon (later Foreign Minister) was there some of the time. But above all there was Yigael Yadin (not alive) who was deputy chief of staff in the War of Independence. He became chief of staff later. He was the son of an archeologist who had a worldwide reputation (Prof. Sukenik). Yadin himself has a worlwide reputation as an archeologist. With his knowledge of archeology and of the history of the country and his personality he became a very good chief of staff. He

knew enough about the Roman occupation of the country and the Crusaders and where the roads went and so on. Walter Eytan was the head of the delegation. Abba Eban was in New York. This man Shilouh whom I mentioned was the head of the delegation with Jordan. The real negotiations with Jordan did not take place at Rhodes.

JK: Not until later?

Rosenne: No, they were going on at the same time. In fact, the agreement was telegraphed to Rhodes after it had been reached and it was incorporated into the armistice agreement. We don't know how much Bunche knew of this. My suspicion is that Bunche did know and played the game extremely loyally. I have heard that he didn't know and was taken by surprise when he got this telegram saying that this was the contents of the agreement that the negotiations had gotten bogged down in Rhodes. They weren't bogged down. They were simply not taking place. The Jordanian delegation in Rhodes did not have full power. That did not matter very much. It was only a two hour flight to Amman and a two hour flight to Cairo.

We had to bring our own communications. We brought communications from the army. I think the Egyptians did the same, probably.

There were two great things that Bunche did. One was when he greeted us on arrival saying that there were no victors and no vanquished here. Everybody is here on

a footing of equality. The second was the socializing which he forced on us mainly through the billiard table. We were really all ex-army, one army or the other, from the War. Most of us could play billiards or snooker or pool or whatever you do around a billiard table with a glass of beer. Bunche used that to very great effect, very successfully to turn them into human beings and to realize that the others were human beings, also.

JK: So, the Egyptians and the Israelis played together.

Rosenne: We played three sided snooker, or whatever you call your pool, with the UN. And I've got a guess that the UN would arrange when the UN would win and when they wouldn't. That's a guess on my part. But it was very effective. It is the human side of diplomacy which makes it tick.

JK: You mentioned that there were both military and political aspects to the negotiations. How was that undertaken and how did the subcommittees operate?

Rosenne: It was undertaken at home by the good integration between Ben Gurion and Sharett. Ben Gurion was Prime Minister and Minister of Defense. He took this double job following the Churchill precedent in the UK during the war. Sharett was a very loyal Foreign Minister although he quarreled very bitterly with Ben Gurion afterwards. They were a clash of personalities as much as anything else. They had the coordination at the highest level.

The two parts of the delegation, of course, had differences of opinion obviously, but it basically worked well. We didn't pay too much attention to the military details unless we were asked for the civilian side of it. I can't say the same for the military people. They did try to lay down the law about the technical legal parts. I was actually told by Yadin, and I was angry with him, that everybody knows that the breadth for territorial sea is three miles. Therefore, we can say territorial sea in the agreements. I said I didn't know that the territorial sea was three miles and therefore, if you want three miles you've got to write three miles. But that is the difference between the army approach and the civilian approach.

JK: [This is the fifth side of the taped interview.] We were talking about the armistice negotiations that were going on in January and February of 1949. We were focusing on the negotiations going on in Rhodes between Egypt and Israel and we were talking about the differences between the military and the political aspects of the negotiations. What were the objectives of the military aspects and did they differ or coincide with the political issues?

Rosenne: By in large in those days there was fairly close coincidence. With Egypt there were two major objectives. One was to make it possible for us to get to the Gulf of

Agaba on the Red Sea. It ended up with Taba arbitration a couple of years ago because the Egyptians controlled that part of it. It was a kind of no-man's land. The Jordanians weren't in it yet. They were in Agaba itself which is on the east side of the Gulf but not in Taba. The other was to get the Egyptians out of Beersheba. The Egyptians had a government of some sort at Beersheba. They were as far north as that. We wanted them out from behind the Egyptian frontier altogether. We didn't quite succeed in that and it's regrettable in retrospect that that didn't happen because that was how the Gaza Strip was formed. The Gaza Strip was a small area, a very small area even today, which under the Armistice Agreement remained in Egyptian hands and that is at the root of all that has happened since. Apart from that we succeeded in getting them a) right behind the previous frontier, the 1906 frontier and b) with other arrangements which were of a military character the way was left open to us, if we wanted to, to get to Taba, to the Red Sea. Those were our main objectives. There was not much difference there between the political and the military objectives apart from the technicalities of the military.

JK: What about villages that were primarily Arab or primarily Jewish and how they would be fit into the various demarcations?

Rosenne: Most of that area was desert. The problem was not villages but nomadic tribes which continued for quite a long while afterwards, the problem of the Bedouin nomads. The real area was the Gaza Strip. That was how the Gaza Strip came into existence. That was not so elsewhere. In the Jordanian front there are divided villages but not anywhere else as I recall. They are settled pragmatically and the less the central governments know about it the better, to tell the truth.

I don't know whether you know this but, the 49th parallel frontier with Canada is not always along the 49th parallel precisely for that reason. Some of it goes north of it and some goes south of it to avoid cutting up Indian reservations and villages. It is done pragmatically.

JK: You mentioned that Ralph Bunche set a certain kind of mood at Rhodes by making it clear that there was no victor and no vanquished in the negotiations and also that he had everyone working face-to-face in the same room. Did it start out that way initially?

Rosenne: Yes, almost from the first day he convened a face-to-face meeting. By no means were all of the negotiations face-to-face. Don't misunderstand me on that. First of all, it is not possible in any diplomatic negotiations. We all ate in the same diningroom at the same time, at different tables, that's true, but the Hotel des Roses

had only one diningroom. It was wartime conditions even though it was as late as 1949. The area had been in Italian hands and had been transferred to Greece under the peace treaty which had only entered into force fairly recently. It wasn't in very good shape. The dinner was served at 1:00 and everybody ate at 1:00. If you jostled at the doorway with an Egyptian going in, you jostled with an Egyptian. The delegations were on three floors with the UN in between. One was on the first floor, the UN was on the second floor, and the other was on the third floor. That kept them apart to avoid any fisticuffs or anything like that which could easily have happened. But, at the same time they were all together.

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Quite a lot of private meetings went on especially on the civilian side in the hotel at Rhodes. And you couldn't get off the island, as I said, without the UN helping you off. Face-to-face meetings took place quite often without records, to discuss limited points either heads of delegations or number one or number two or whoever he wanted. For instance, I think some of the technical legal discussions were participated in by the Egyptians and Stavropoulos. The Egyptians had a legal advisor but they didn't seem to give him much authority. I don't know what he did but, I've lost touch with him. I've not seen him since.

Then every now and then there would be formal meetings with records. There weren't many of these formal meetings with records with the Egyptians. There were about four or five, that's all. But that was when things had already been more or less agreed, the way things are usually done.

JK: How much authority or autonomy did your delegation have?

Rosenne: Well, on this we had to check quite frequently with the government. We had brought directives, of course, but we would check nearly everyday, nearly every word. They relied on us quite a lot. Don't forget that the senior staff of the Foreign Ministry was in Rhodes. It was already second rank. I am not saying that in a disparaging sense. They were very good people both in Tel Aviv, as it was then, and in New York. But the top rank of the Foreign Ministry, the Director General, head of the Arab department, and the legal advisor were all in Rhodes. So, there was not much that could be done from home on any detail. On broad lines it was a different story. Both Sharett and Ben Gurion wouldn't agree quite a lot. We would ask and report and they would say we don't agree with what you've done, undo it. Just undo it. It's not the end of the world.

JK: Do you recall who else was there from the United Nations?

Rosenne: As I said, it was Bunche, Riley, Vigier, and

Stavrapoulos. One of the secretaries was killed with Hammarskjöld, a French girl. We used French quite a lot in these negotiations. There was a man called Grant or Grand who was a press relations officer but, those were the four main people. There was one other named Pablo Azcarate. He was a Spaniard, I think a Republican. He had been prominent in the minorities section in the League of Nations secretariat at one time. He got involved and I remember him one day crying that Jerusalem in the height of the siege reminded him of the siege of Madrid. Eytan knows a lot about Azcarate. They were quite close.

JK: As we discussed there were separate discussions going on with Egypt, with Jordan, and Syria and so forth. Why was it handled in this way?

Rosenne: First of all, we would not have gone into any joint negotiations. That is for sure. Secondly, for a purely material point of view, the issues were quite different in each case. The main issue in Syria was actually the water line. It had nothing to do with the fighting at all. There our objective which we obtained was to get the whole of one of the sources of the Jordan, the Dan, the River Jordan itself, the Sea of Galilee, and the lower Jordan entirely in Israel. And that we succeeded. It had been entirely in Palestine. Through that we were able to construct the National Water Carrier to take the

water from the north down to the south. Incidentally, this year there is a drought in the north instead of the south and they are turning it around and sending it the other way. It is very curious. The Syrians wanted at all costs to prevent that and on that they failed. With Lebanon there was no real problem. With Jordan the problem was Jerusalem and what is now the West Bank.

JK: During the fighting were there other nations involved?

Rosenne: Iraq mainly, the rest was purely nominal. There may have been a platoon or a battalion or so.

JK: How was that handled in the negotiations?

Rosenne: They withdrew after the negotiations started. Iraq was the only one that was any problem. They were discussed at the Sunneh part of the Jordanian agreement. Jordan took responsibility for their actions. Actually they withdrew. The attack we made on Deis Yasseen which led to this terrible business afterwards was completely justified from a military point of view because the Iraqi army was there. They are not to be underestimated, the Iraqi army. They did get as far as Jerusalem which is quite a distance from Bagdad.

JK: In the agreements was there any acknowledgement that other forces had been involved?

Rosenne: No, only the Jordanian one. There were no independent Arab states at that time, don't forget. All the mediterranean states were still under European

occupation. The only independent state was Saudi Arabia at that time. They had a nominal unit. Well, Iraq was also independent.

JK: In your book you mentioned that each agreement had a preamble each of which stated that the negotiations were entered into at the request of the Security Council. Was there a specific political reason for including that?

Rosenne: Yes, the UN in those days was not what it is today. It was far more potent even then. It had not been destroyed by the Cold War at that stage. The Security Council meant something. From Israel's point of view we wanted to get admission into the UN, as well. In fact, a great deal of the armistice negotiations were partly politically motivated by our application for admission to the UN. If you look at the dates you will see the connection between them. Membership was May 15th, 1949. It was before the Syrian agreement was finished but, the other three were finished. There was a special cease-fire arrangement that was made with Syria that could be reported before the date of the crucial vote in the General Assembly. There was a definite connection between our position in the armistice negotiations and our admission into the UN. It also happens to be a historic fact. The UN had an interest in it, too. Bunche and Trygve Lie both had a UN interest in it.

JK: Also in the preamble it mentions that these agreements

were established to facilitate a transition to a more permanent peace. So, were these negotiations considered temporary?

Rosenne: Yes, we considered them temporary. As a matter of fact it produced quite curious incidents in the negotiations. As I mentioned in the article on Bunche I raised the question of the duration of the armistice agreements themselves. We wanted to follow the Hague Convention of 1907 and have an unlimited duration to be renewed in one year. The UN said under no circumstances would they have anything to do with an agreement which allowed the resumption of the use of force. It is quite a powerful argument. They got their way on that. The other was a very curious incident in the Syrian negotiations with this very complex arrangement of a demilitarized zone in the north which was an inhabited area not a desert area like the one in the south. The Syrians wanted it to be in force until replaced by the agreements to be worked out at Lausanne under the PCC. Whereas we by that time had become sophisticated enough to know that Lausanne was going to get no where. And we opposed that wording and we got our way on that on the ground that it was too indefinite.

I never understood what lay behind that demand by the Syrians. It was to me illogical. But the Syrians were very illogical. Negotiations with them were

extremely difficult. One day we got to the clause about the release of prisoners of war. The Syrian legal advisor, with whom I became personally friendly right through the whole period and who ended up being a judge on the International Court, said "well, we can't agree to that." I said, "what do you mean you can't agree to the release of a prisoner of war?" He said, "surely Mr. Rosenne knows about the Napoleonic division of powers which we have in our country." The prisoner was one who had had some disciplinary action taken against him. So, I said, "what the hell does that have to do with it?" He said, "it is in the hands of the judiciary." So, I did something very rude. I simply pulled out a big newspaper and put it in front of me and started to read. I said to Vigier, "when this fellow has learned his law let me know and I'll put my newspaper back." That was a dirty trick. But we remained very good friends. We used to bump into each other in the streets around New York.

JK: In the agreements seldom were the actual countries named until the end of the document.

Rosenne: I don't recollect that there was any special reason for that. I don't think any issue was made out of it. There was a different issue. It arose with the Syrians in particular. It was first of all the exchange of full powers at the governmental level not at the military level. An armistice is essentially a military document

but, we insisted on full powers emanating from the government, that they should be signed in the names of the governments of the countries rather than in the names of any particular unit or in the names of the armies or anything like that. That was an issue mainly with the Syrians. You're right that it is a little bit surprising to find the names of the countries only mentioned at the end but, I doubt if we made an issue out of it. I don't recollect making an issue out of it. I think we were a little bit sensitive to Arab susceptibilities about that.

JK: They still did not want to recognize Israel as a state.

Rosenne: Well, they're named once. They are not completely blank. Eytan may know more about that. I'm sure he would have consulted me if the question had arisen in any serious form. I believe we didn't pay too much attention to it nor did our people at home either. Sharett and Ben Gurion would have been very sensitive to anything like that. I think they saw only the importance that the name of the countries should be made somewhere in the document.

JK: Were there demilitarized zones set up during the talks?

Rosenne: Yes.

JK: How were they set up in terms of who would maintain law and order, etc.?

Rosenne: This issue didn't really arise in the Egyptian agreement because it was in the middle of the desert. It was an

area which Yadin happened to know from his knowledge of history and archeology that the Romans had used and the Crusaders had used and we had used it to get to the Sinai. It was uninhabited except for these Nomadic tribes. There was simply no problem about that at all. And it was a small area. The real problem arose in Jarusalem, a heavily populated urban area where there were demilitarized areas only a few yards wide from time to time and place to place. More seriously it was the north. The Syrians had gotten across the Jordan north of the Sea of Galilee at a place called Mahanagim which owes its place to history as the site where Jacob had his dream. The Syrians got across the Jordan there and wanted to retain their hold. That was part of this debate over the water line. Ultimately they agreed to withdraw from this area on the condition that the Israeli army didn't advance. So, the army became policemen. That's how it was done. The area as fixed was basically along the lines, maybe tidied up a little bit, of where the front actually was at the time.

JK: So, the Israelis functioned as police.

Rosenne: Police were allowed. This is quite common. It is done everywhere in the world in demilitarized zones which are inhabited. You can't have inhabited demilitarized zones without some kind of enforcement. There were births and deaths and marriages and things like that which no one

knew quite how to handle. Bunche said, "don't get bogged down with that kind of stuff. Just deal with it as it arises." In addition to that area which was more or less demarcated by the actual front, some more was thrown in as a kind of gift to the Syrians because part of Palestine lies on the east bank of the Sea of Galilee. The foothills of the Golan Heights, some parts of the Sea of Galilee were always in Palestine. That area was also demilitarized because the Syrians had succeeded in the southern part of the Sea of Galilee itself in getting to the water in Palestine. One of their conditions for withdrawing from there was that the whole of that side should be demilitarized. The frontier of that area was fixed. It was the old Palestinian frontier. The inclusion of it in the demilitarized zone was purely arbitrary.

JK: How was the armistice agreement to be implemented?

Rosenne: By quite an elaborate machinery in which the UN was very heavily involved through what was already in place, the UNTSO, but under a different hat. They were technically the supervisory organ of the parties to the armistice negotiations and not operating as the UNTSO. Under each agreement there was a separate Mixed Armistice Commission composed of an equal number of representatives of each side with a UN chairman. The Egyptian agreement went one further and had a kind of appeal commission that was not

followed in the other agreements. This appeal commission was used once or twice. It dealt with some pretty tough issues including the Suez Canal. That went through that machinery and so did Agaba, for that matter.

They were very patchy and it is in here that my criticism of the UN really began developing. Because they turned into kind of scoreboards. How many times were you found responsible for being guilty? How many times was country x found guilty? How many times was country y found guilty? This was without attempting to find out what were the underlying causes for these outbreaks. Some of them were purely local. A soldier might have gotten drunk and run across the lines and someone fired a shot at him. But they were all reported numerically. I was one of those and a few others that found that the UN instead of operating to take the language of the preamble as a transition to permanent peace were actually rather inclined to keep the parties at arms length and to report every so often to headquarters in New York. Party x has been condemned nine times or y has been condemned ten times. This went on with Egypt through 1956 and was one of the reasons why Ben Gurion refused to allow the agreement to be revived after the Suez War of 1956. Because it was just plain ridiculous. The other agreements went on until 1967.

Hammarskjold realized that, subject to the Security

Council, the armistice regime was teetering. He regarded the Egyptian part as the most important. I think he was right on that. He made his visit to the Middle East in 1956 when he tried to shore it up. But it was always keeping the parties at arms length with the UN as a kind of football umpire in the middle instead of really trying to bring them together in order to discuss issues and see what could be resolved. It was about that time that the Cold War came along and you can't separate the Middle East from the Cold War. The Cold War became serious in the early fifties. As early as 1954 when the Soviets started very heavily arming the different Arab countries mainly Egypt. The Iraqi-British agreement broke down in 1953. What happened after that is an integral part of the Cold War. The Middle East was not an independent factor in world affairs at all. It was one of the flash points of American-Russian tensions.

JK: The agreement had no expiration date. Were there provisions within the agreement to conduct further peace talks?

Rosenne: Yes, there were no specific provisions in the Armistice Agreement to conduct political negotiations. We would have liked it but, I don't think we would have gotten it. The Arabs certainly wouldn't have agreed to that because they regarded the Armistice Agreements as a military phase as the traditional concept of an armistice as a

military phase. In the Jordanian agreement there is a special clause calling for further talks to work out details especially as regards to Jerusalem. Jerusalem was a special issue. Populations were intermingled. A lot needed ironing out in Jerusalem. We tried to operate it and the Jordanians refused. It was a special committee of some sort that was supposed to be established under this agreement. We brought this before the Security Council, the refusal of Jordan to honor this part. And the Security Council did nothing about it. But by this time, 1953, the Security Council was so heavily distorted by the Cold War that it really became a useless operation. Around that time there was one year when the Security Council had no meeting at all on the Middle East, one year in its history. That was 1963, I think.

JK: Are there any other points you'd like to bring up in regards to the armistice?

Rosenne: This was the first time that an armistice of this scale had been organized through an international organization. There was a tremendous amount of experimentation that went on. It was a matter of personal pride that when they got involved in the armistice negotiations in Korea both sides asked for copies of my book. About the same day I got the requests from both Moscow and Washington. I met some of the people who were involved in the Korean

negotiations and they told me that they read that book from cover to cover. So, if it helped on that, it was something.

JK: Thank you. We have another session to do but, we can take a break.

JK: This portion of the interview will deal with the Suez War in 1956. Mr. Rosenne, what was your role in Israel at this particular time during the Suez crisis?

Rosenne: At that time I was still legal advisor for the Foreign Office in the Foreign Ministry in Jerusalem. I'll put it this way, there is a continuum from really the beginning right through to Camp David about freedom of navigation through both the Suez Canal and the Strait of Tiran. The two were linked. We had thought at Rhodes during the armistice in one of our later conversations with Bunche that the problem of Suez was resolved by the Armistice Agreement. The problem of Tiran had not yet arisen. We knew of the existence of the strait, of course, but, it was used very little at that time. One of our objectives there was to get this land, only a few miles, on the Red Sea in order to give us this outlet to Africa. In Bunche's report to the Security Council of August, 1948, when we had completed the last of the armistice negotiations with Syria there was a half sentence which

we didn't like very much. It was not really what we thought we were going to get. I don't remember the exact wording but, it said something like "and all vestiges of war (or war conditions) will be removed," something like words to that effect. That was intended as far as we were concerned (Eytan could tell you more about this) to deal with the freedom of passage through the Suez Canal which had come up through the armistice procedures and through the Security Council, the Security Council resolution of September 1, 1951.

This was my first appearance attending Security Council meetings. My colleague, Robinson, was in Israel and we had to swap positions. I was in New York at that time. That was when I got my introduction to the Security Council. I had been in the General Assembly before that. I didn't present. Eban did the speaking in the Security Council, but I was the legal advisor. I knew quite a bit about the Suez Canal. In fact, I had lived there during the war and knew it physically quite well. So did Eban. I'm not sure that we didn't know it better than some of the Egyptians because it is not an area frequented much by Egyptians, at any rate south of Ismailia.

The Tiran issue began coming to the fore around late 1949 and early 1950, as far back as that. There was an exchange of correspondence through the US Embassy in

Cairo to the Egyptians. It was a bit obscure. That was when they occupied these islands. They had been unoccupied and I think technically belonged to Saudi Arabia. The Egyptians put a small army unit on it. The straits are very narrow there. They are a few hundred yards wide and could be controlled by one canon on the shore. The canon is probably still there. We in the Foreign Ministry already as early as that began thinking that there was going to be only one way to get the Egyptians off those straits and that was by force. They didn't seem to be moving voluntarily.

When Hammarskjöld came in the summer of 1956 a good deal of his time and attention was spent trying to solve what had already at that time become a twin problem, the Suez Canal and Tiran. There were major legal differences between the two because the Suez Canal was dealt with by the Constantinople Convention of 1888 whereas the Strait of Tiran was under general international law which at that time was in a state of major flux because it was just before the first conference on the law of the sea was convened. These matters are all connected and you will see why in a few minutes. Hammarskjöld very much thought that the two questions of freedom of passage through Suez and freedom of passage through the Strait of Tiran should go to the International Court for an advisory opinion. He thought at one time that Israel

would lose on the Suez Canal issue and win on the Strait of Tiran issue. That was never my opinion. My opinion was that the risk of losing on both was extremely high.

JK: What were Israel's objectives?

Rosenne: Trade with East Africa.

JK: So, they wanted basically freedom of passage.

Rosenne: Yes, freedom of passage, that's all. That's enough. That's what all the law of the sea conferences are about, more than anything else.

JK: They didn't want control.

Rosenne: No, only freedom of passage and overflight. Now, how were these connected? I think we managed to persuade Hammarskjöld to drop this idea of going to the International Court. Well, we did persuade him. Although if you take President Eisenhower's statement after the Suez War in 1957 around March, he does talk about until judicially determined. He uses words to that effect. I think that John Foster Dulles was also thinking along those lines.

After the Suez War the major issue that arose which we couldn't do anything about was how to withdraw from the Gaza Strip where the pressures were very great. I think in retrospect they were completely misplaced. A bunch of high level experts and technicians from the office of the UN High Commissioner for Refugees in Geneva came to look at the Gaza Strip and help us while we were

in occupation of it in that period. They very much thought they could have solved the problem then. They were ready to help. Here again the UN intervened. It belonged to the UNWRA, the special organization to deal with the Palestinian refugees and they wanted nothing to do with the High Commissioner for Refugees in Geneva where there was tremendous expertise in that period for settling large numbers of people. It was still post war period. They were kicked out when we left. There were very long and difficult negotiations with the Americans especially and with the UN. Hammarskjold was a strong personality. He had his own interests. The American delegation handled these negotiations mainly with Mrs. Meir who was then Foreign Minister. The delegation was headed by a very prominent lawyer named Arthur Dean who was with the firm of Sullivan and Cromwell which was also the firm of John Foster Dulles. This is a link up. Arthur Dean was afterwards the head of the US delegation to the first and the second conferences on the law of the sea in 1958 and 1960. Here you have a link up of a series of complicated issues. We said this to Hammarskjold and to the Americans that we felt that the question of Tiran could be solved through the conference on the law of the sea. It would be ridiculous for a government to put that kind of issue to a court where it loses control over the operation at a certain point, a

major operation of that kind. As far as Suez was concerned we said, "look, the Egyptians simply damn well better open the canal. That's what the Security Council resolution says." But it didn't happen that way.

The major objectives in the Suez War as far as we were concerned I think were two. Nasser had started organizing the Fedayeen which is what developed into the PLO as part of the Egyptian intelligence from Gaza Strip. They were beginning to cause a nuisance. At the same time we wanted freedom of passage through Tiran to develop our trade with the Far East and East Africa. Those were the major objectives. I think we actually got both, to tell the truth, in the end. Although it was difficult. There was a speech by Mrs. Meir in the General Assembly on March 1, 1957. It took several months to negotiate that speech. It was negotiated primarily in New York between her advisors in New York and Arthur Dean and his advisors and Hammarskjöld and his advisors. I was the backup in Jerusalem as far as the government was concerned. I had to continue as number two in the delegation for the first law of the sea conference, where we got the clause through which is often regarded as the Aqaba clause. [The reference is to Article 16, Paragraph 4 of the 1958 Convention on the Territorial Sea and the Contiguous Zone.] It partly settled the thing because the UN had an observer post at

the strait of Tiran which remained there until Nasser removed it in 1967. This was the UNEF One which was established then. UNEF One was a brilliant conception. I strongly suspect it was Bunche's and it was in the drawers. I think they must have foreseen something like this coming. I'm not sure if they foresaw the Anglo-French part of that operation. I don't think anybody did until after the nationalization of the Suez Canal Company. If you look at the documentation very carefully you will observe that Israel was dead silent on that. It never expressed itself on that. We had an observer at the London Conference on the Suez Canal. I don't think he opened his mouth and if he did he certainly didn't say anything against the Egyptians. We did not want to interfere with the Egyptian national aspirations. They were no concern of ours as long as we could get freedom of passage.

JK: How long had Israel's freedom of passage been blocked?

Rosenne: From 1946. The first Egyptian legislation was then directed against "Zionist goods" through the Suez Canal was in 1946. The British did nothing about it. They couldn't. After the independence in 1948 it became much easier for the Egyptians anyway. They had a Prize Court which operated. Most of its decisions have been published.

JK: In the summer of 1956 Nasser nationalized the canal which

the French and the British objected to highly. Can you tell me something about the agreements at Sevres?

Rosenne: I know nothing about the agreements at Sevres at all. Like everybody else we were just presented with certain operational instructions. There was the first glimmerings, apart from maybe the memoirs of Eban who was involved or maybe Ben Gurion, of anything serious of the inner history is an article which was published within the last two years in the British periodical International and Comparative Law Quarterly by Geoffrey Marston of Sidney Sussex College, Cambridge. He obviously had access to Foreign Office documents. It is quite an interesting account of how the legal people of the British Foreign Office were kept out of it. My guess is that the legal people of the Israeli Foreign Office were also kept out of it probably for the same reasons. It was a case which got beyond legalities. The legal people were left to clean up the mess, which often happens.

JK: The agreements were apparently to coordinate some kind of efforts between the British and the French and Israel.

Rosenne: Yes, as far as I know. I have never actually seen them. I don't even know if they have been published. I suppose they have been. I am an operational man on the whole. I've been very careful in all my writings, which are a lot, to avoid dealing with the Middle East. I didn't

want to cause any embarrassment to any particular government, Israel or anybody else, for that matter, by writing on the Middle East. I have a certain standing in the international community. I've kept off the Middle East and have not interested myself in the details of it except when I have had to professionally. I don't recall ever seeing the Sevres agreement.

JK: What were your instructions?

Rosenne: My instructions were basically to do what I could to get the freedom of navigation through both areas. That was our prime interest. The Foreign Office was more concerned with the Fedayeen and that side of it. We had issues with Egypt which we thought had been solved by the armistice but, it turned out differently. Don't forget there was a revolution in Egypt shortly after the Armistice Agreement. I don't think it really affected things all that much. It affected the personalities, the King and the corrupt government. Then Nasser took over with his strong personality and he became extremely anti-Israeli and leader of a wide anti-Israeli coalition by no means limited to the Arabs. He the one who really brought what is called the Third World into it. It was very curious, on the night that he died which was in the middle of a General Assembly we had scheduled a normal delegation reception that night. Some quite innocent delegate from some country came up to us and said, "I

suppose your reception for tonight will be cancelled." I said, "What for?" He said, "well, haven't you heard Nasser has died?" I answered, "we should cancel a reception because Nasser has died?" But, that's how things go at the UN. You don't always know who you are talking to.

There was a man before Nasser who was less hostile but less effective. His name was Naguib. He had also been involved in the 1948 war. Our people knew him also.

JK: On October 29, 1956, Israel attacked Egypt.

Rosenne: There was a tremendous camouflage operation that went on at that time. Everybody thought the tension was between Israel and Jordan. If you look at the press carefully you'll see that the tension that was spoken about was between Israel and Jordan.

JK: This was on purpose to deflect attention?

Rosenne: I don't know. I was in Europe at that time on something. I don't recall what took me to Europe but, I know I was called in a hurry about that time. I thought that war was going to break out with Jordan. You see, if war is going to break out, the last thing any military is going to do is tell any civilian that doesn't need to know.

JK: Was there a feeling that Egypt was going to attack Israel? Was this a preemption or was it really an attempt to gain something?

Rosenne: I think it was really jumping onto the band wagon. I think it was exploiting an opportunity which presented itself with Anglo-French initiatives vis-a-vis Egypt. The issues were there anyhow. I think the Foreign Ministry had reached a conclusion, or at any rate the higher echelons of the Foreign Ministry, that the only way to get freedom of passage through Tiran was sooner or later by the use of force. The Egyptians would not voluntarily relinquish any of their position there. I think that is the point of departure for the whole thinking. What I think happened, and here is to some extent informed guess work on my part, is that when the British and the French started their initiative to use force against Nasser for whatever purpose they wanted, our people, especially the Ministry of Defense and this is Shimeon Peres (he was the main contact in those days), saw an opportunity here to get the Strait of Tiran. This was by jumping piggyback. The French gave us one thing which was cardinal in all this. They gave us air cover over Tel Aviv which we didn't have. That was quid pro quo. The sequence of events was more or less like this. We did attack Egypt. There is no question about that, whether it was provoked, the Fedayeen, whatever. We were then presented with an ultimatum by the British and the French to cease and desist or withdraw, whatever, within a limited period of time or else. And it was on the

basis of the "or else" that they started their operation. That is how it was done. But their operation failed completely because it was so badly handled.

JK: I think they asked the Egyptians and the Israelis to separate themselves ten miles back from the Canal but, the Canal was in Egyptian territory.

Rosenne: Right, but they also mishandled it. They didn't have their troops in place. But they did give us air cover over Tel Aviv which we didn't have at that time. Our air force wasn't strong enough.

JK: After the fighting broke out the UN called for a cease-fire and a withdrawal of forces.

Rosenne: And also put the UNEF One in place. I think the prime objective of UNEF One was to save face for the British and French. It's original disposition was to separate the British and the French from the Egyptians vis-a-vis the Port of Said. From there it expanded outwards and was given a role. The armistice as far as we were concerned was dead and buried. Ben Gurion made a very sharp speech in Parliament about it being dead and buried and he said, "all the magicians in Egypt could not put it together again." This is a quotation from the Bible. The UN would not accept that, de jure, but de facto one has to accept the situation. Of course, when the Armistice Agreement disappeared, all the armistice commission and the observer set up disappeared along with

it. Anyhow, it would not have been big enough to observe this much larger area which now came into play. One of the conditions for our withdrawal from the Gaza Strip was UN observation posts at Tiran which remained there until 1967. There was freedom of passage through Tiran during all that period. That is the link up which was tidied up on the legal side through the first conference on the law of the sea in 1958. Again Arthur Dean, the same man with whom the terms of our withdrawal were negotiated, was head of the US delegation. He knew exactly the issues that were involved and we had at that stage very strong cooperation from the British and the French who realized the significance of straits in general. That became a major issue in the last conference on the law of the sea, keeping passage open and overflight.

JK: The resolution to call for a cease-fire came from the General Assembly.

Rosenne: What happened there was that is was the first application of the Uniting for Peace Resolution. That was a resolution that was adopted in 1950 after the Security Council had been completely stymied by the Russian veto in the Korean issue. That is when the Americans developed the idea shifting the center of gravity of the UN for the maintenance of peace from the Security Council to the General Assembly. Keep in mind that the General Assembly resolution is never more than a recommendation.

This is quite important in all this. Incidentally, we were very reserved towards that resolution but, by that time we couldn't oppose it. We did privately warn the Americans that it could backfire, as it has done in a bad way. One of our speeches in the UN expressed certain reserves. As the results of the vetoes in the Security Council, British and French vetoes, an emergency session of the General Assembly was called. To show you how things are linked, the West managed to get the issue of Hungary before the General Assembly where it was also vetoed. There was a second emergency session running in parallel over the Soviet intervention in Hungary. The two ran in parallel. It was complex. You can't separate one part of the world from the situation in another part of the world. It was extremely complex.

JK: [the tape was changed for the interview] We were discussing at the end of the last tape the linkage between different events at that time and that the resolution for a cease-fire had come from the General Assembly because of the veto in the Security Council. A cease-fire did take place and UN Emergency Forces were put into place. As you mentioned they were first at Port Said to separate the French and British from the Egyptians. How did this begin to interact with the Israeli position?

Rosenne: It opened up a possibility of an agreement with the

Egyptians to station the UNEF and included in that would be in the Gaza Strip and along the frontier. In fact, in the Taba arbitration one of the issues was, where was their post at Taba. This was a question of fact not a question of law. There was a long discussion about it. In the end they brought the Egyptian commandant of that post to give evidence as to where his post was. In the course of the discussion on the points where they would be stationed and patrol, it was possible in that context to have one quite a distance away at Tiran itself. That's how it was done. In retrospect it was quite a skillfully conceived diplomatic operation. I didn't have direct responsibility for that.

JK: So, at that point you had observation.

Rosenne: No, the observation with Egypt disappeared. It was replaced by UNEF.

JK: They were to occupy the border?

Rosenne: More or less. I wouldn't go as far as to say occupy. Don't forget half of it was desert and still is. They had these frontier posts to observe what was going on, to make sure that no one crossed into the other side. They were more important, from the observing point of view, on the Gaza Strip than half way down the Sinai which was rock and desert and at this one post at Tiran which operated until it was removed. It was through that that it was possible to get this ten year settlement of the

Tiran part of the problem but not the Suez Canal part of the problem. That was only settled in the peace treaty at Camp David.

JK: Then the UN operation that took place did have definite advantages for Israel over what the situation had been before.

Rosenne: In one sense, certainly, in another sense it went further than the observers ever went in keeping the parties apart. In that respect it may have been one of the underlying factors which led to the Six Day War.

JK: Why would that lead to further fighting when it was intended to keep peace?

Rosenne: It wasn't intended to be a buffer zone. You are reading too much into it. There was no zone at all. It was essentially a small unit of soldiers. I don't remember how many there were but, they were small companies. I don't think they were more than that. They were scattered down at various points by agreement as to where they were to be. They were not much different than the observers except there were more of them.

JK: Were they able effectively to stop the Fedayeen raids?

Rosenne: Yes, quite well. There they were quite effective and their presence kept the Strait of Tiran open. Although it wasn't terribly much used in that period after all that work. Tiran got its importance actually in the Iran-Iraq War where the Jordaian port of Aqaba became one

of the main Soviet supply routes to Iraq. As a result of that there was a major Soviet interest in keeping those straits open. It didn't worry us. The Port of Aqaba is quite an important contact both for East Africa and more importantly for the Far East.

JK: You've mentioned several times that keeping the parties separated did not aid in peaceful settlement. In what way did that operate negatively?

Rosenne: It operated negatively in the sense that there was never any attempt to get together and discuss underlying issues. It was the US initiative which really did that after what was in one sense a success and in one sense a failure of the Egyptian Prime Minister, Sadat. His success was in the Yom Kipur War, the first few days of it. His failure is that he hadn't planned it properly and in the end he nearly lost his whole country. That's enough. The Syrians were also the same. I was brought up in a country which says that the only battle of importance is the last one.

I think that Sadat goes into the category of great men in the sense that he realized what had happened and realized that the only way from his country's point of view to put an end to this situation and that was to reach some sort of agreement, creaky though it might be, with Israel. We are lucky that there is a desert. I'm not sure he could have done it if it had not been for the

Sinai desert. That's why the situation with Syria and the other countries is so difficult. But the main issues between Israel and Egypt were partly settled earlier but were finally settled in the peace treaty. That was achieved after all sorts of preliminaries. It took a long time with a lot of comings and goings. Barbara Walters was involved at one time. There are all sorts of curious ways that diplomacy works, as when the Egyptians and the Israelis were locked up at Camp David, literally physically locked up in Camp David. They were not let out until they had reached an agreement. In other words, it was a repetition of the Rhodes process. I would very much like to see what happened with Theodore Roosevelt and the Treaty of Plymouth in 1905, if he locked up the Japanese and the Russians somewhere. I haven't been able to find out yet. It is on my agenda to look into that one day to see what happened. It was that kind of diplomacy, the strong arm diplomacy of the Americans, skillful with skillful opposite numbers who knew their national interests and knew when to give and when to stand firm. That goes for Begin and that goes for Sadat.

JK: In retrospect today we talked about a lot of issues involving the Middle East crises and the United Nations. In retrospect were there ways that the UN operated effectively and were there ways in which they could

improve?

Rosenne: Personally, I think one must be very careful not to generalize. I think that every international dispute as far as I can see has its own contours, its own physiognomy. The concept of the UN peace-keeping force which emerged in stages simply out of sheer necessity has turned out to be a good one, but only up to a point. It is a good one in the sense that it does stop fighting or at any rate if it doesn't stop fighting altogether, it enables it to be kept under some sort of control and not expand too far. But it has not shown any capability of getting to grips with underlying issues. It needs a great power to take that in hand and it needs great statesmen to get into the act. The UN Charter is misconceived, the Charter itself. And it is probably just as well that it never worked because it is based on the false assumption of the perpetuation of the wartime alliance when there was nothing even to perpetuate. Because they were fighting against the same country doesn't make them real allies. The UN peace-keeping forces from which, in principle at any rate, the big powers are excluded generally unless by agreement, and which only operate by agreement has shown itself to be a more effective machinery for the maintenance of international peace after it has broken down, to bring it back and maintain it. I don't think it has shown itself

very effective for the solution of international disputes. But, on the other hand, I'm not sure in this modern world that the public doesn't expect major international disputes to be resolved over night. It is just not possible. For instance, I see no solution at all to Ulster and I see no solution at all to Gaza, for very much the same reasons in both cases. This is very, very tragic in both cases. If Ulster were not part of the UK there would almost certainly be a peace-keeping force there. There should be, there really should be. The reasons why neither of them get resolved are similar problems and they go very deep. I think that some international situations are such that the most that can be done by the international community is to keep them under control, not let them lead to major outbreaks like occurred in the early part of this century every time there was even a minor outbreak in the Balkans. For instance, who would have thought that the bullet that was shot in Sarajevo in 1914 would have led to what it did. It wouldn't have had the UN been in existence then.

JK: Do you think that an international organization is capable of peace making?

Rosenne: I wouldn't exclude it but on the whole, no. I think it has to be left to one of the big powers operating with general consent. It has to be removed from big power rivalry. The international organizations are too open to

rivalries. The Secretary-General U Thant, for whom I had the highest admiration (I worked with him quite a lot), said to us one day, "look, I'm managing director of a concern which has 120 share holders of which you have one share." In that sense the UN is not the League. In its heyday it had 60 members. The most it had was 65. That was before the big countries started withdrawing from it. It had two secretaries-general in the whole of its history. The UN has had a secretary-general with never more than two terms. Every ten years it has changed, or even more frequently. It goes in rotation and not necessarily on ability. For instance, U Thant was chosen after Hammarskjold died. There were two very strong candidates. One was Manfred Lacks and one was Monge Selim of Tunisia. There was strong opposition to both the big powers decided that they wanted what they thought was a weak man. We happened to know U Thant personally and had actually helped him when he arrived in New York as Permanent Representative of Burma, virtually unknown and unknown in New York. We had physically helped him and befriended him and so on. He turned out to be a much stronger personality than the big powers thought. That's for sure. Waldheim was chosen again because they wanted a weak man. And it was Europe's turn. I understand that the present Secretary-General is also not very good. So my sources tell me. I have no

personal opinion. I've had nothing to do with him. I'm told he's weak and indecisive. He was involved in the law of the sea conference and they say he didn't leave any mark on it. But it was Latin America's turn. The next turn is probably Africa and no one knows who it is going to be. The one man who could possibly have this job belongs to the wrong tribe in Uganda and is out of things at the present moment.

The publicity of the UN is the bane of any true diplomacy. You simply cannot do it if every move is public. I'm not saying you don't report what you do but to have every move reported, every time you sneeze reported is not the way to conduct public affairs. It simply can't be done that way.

JK: In the past in several of these situations the Security Council had its arms tied because of the veto.

Rosenne: I wouldn't say it is because of the veto. I think that is an over simplification. The veto is only expressive of something. It is an extremely inaccurate word to use. There is no such thing as a veto. It simply doesn't exist. The Charter says that certain resolutions require a majority. If that majority is not there, it's not there. There's no resolution. So, how one can talk about a veto I don't know. A veto here means when something has been passed by the Congress but, the President says, no. There is nothing passed by the

Security Council. So, it is a different concept. It's a legal technicality, perhaps, but not entirely. If the Security Council is hamstrung, it is hamstrung because of the fundamental lack of agreement among the major powers which finds expression if necessary through the veto. But more often than not it finds expression in that matters are not brought before the Security Council. Don't forget that before a meeting of the Security Council takes place there has to be nine votes in agreement that it should take place. The Secretary-General does not just send out an invitation to a meeting at 2:00 tomorrow afternoon. The actual meeting of the Security Council is negotiated first. The title of an agenda item is negotiated. There used to be enormous debates over the title of an agenda item in the Security Council. It would go on for days. Now it is simply a letter to avoid that. Before it can be convened for its first meeting there have to be nine votes in favor of it, nine countries agreeing to it.

JK: Now, with the situation changing between the US and Soviet Union and the Cold War waning, how does this affect the Middle East? Does Israel look favorably on this change in the international environment?

Rosenne: Basically, I can't speak for Israel anymore. I've been out of public service now for over ten years. I should think that one would be in favor of anything that would

reduce international tensions. We have good memories of joint American-Russian cooperation on the Middle East which was one of the things which enabled the Israeli independence to go through. I wrote a little article two or three years ago on Israel's invitation to the Security Council which I think was in July, 1948, as opposed to the Jewish Agency for Palestine. This was engineered through a representative of the Ukraine, Manuelski, Gromyko, and Jessup. That is how things were working in those days. There is no doubt that Israel is going to come under a very great squeeze over the next few years. Incidentally, I think that only the Shamir government is capable of reacting to it. I don't think Peres would be capable of reacting to it. We are in the situation of a war in Israel. I think this is one of the serious mistakes the American government is making, backing Peres over Shamir.

I'm not yet fully convinced that the Soviet-American rapprochement or reduction of tension goes beyond Europe. For instance, the classic traditional Russian demand for access to the Persian Gulf is still there. The tensions in the southern reaches of Russia has reminded me very much of the first dispute discussed at the Security Council which was over Azerbaijan. I think it is premature to rush to conclusions that because far reaching events are happening in Europe that they,

therefore, extend to other parts of the world. It is by no means clear that it does. I have often wondered that for the two big powers that priority should be given to the Middle East or the Far East. These are two danger spots. I'm still not sure that they have made up their minds and there are certain signs that they may be given priority to the Far East. There was a Gorbachev-Korea meeting in the United States last week. That may be a sign that they feel that the Far East is more dangerous than the Middle East. We must not forget that the Soviet Union is itself a Middle East power. Its access may be difficult but, it is never the less there. It has more direct interest in the Middle East than the United States has. It has a big frontier in the Muslim world. So, I wouldn't rush to any conclusions, yet. Anything that reduces international tension makes it possible to examine issues much more impartially without emotion and must be on the whole generally beneficial.

JK: I appreciate your taking this entire day to go through this. We have covered a lot of territory and it has been extremely helpful. I appreciate your cooperation.

Rosenne: Thanks for coming down.

JK: Thank you.

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