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Considerations Affecting Certain of the Provisions of the General Assembly Resolution on the "Future Government of Palestine": Recruitment by the Provisional Councils, of Government of Armed Militias and Operations of the Latter Under Control of the Commission

(Working Paper Prepared by the Secretariat)

1. The Assembly's Plan contains the following 'provisions in Part I referring to the question of the armed militia:

"B.8. The Provisional Council of Government of each State shall, within the shortest time possible, recruit an armed militia from the residents of that State, sufficient in number to maintain internal order and to prevent frontier clashes.

"This armed militia in each State shall, for operational purposes, be under the command of Jewish or Arab officers resident in that State, but general political and military control) including the choice of the militia's High Command, shall be exercised by the Commission."

It will also be noted that paragraph B.13 provides for "a progressive transfer, from the Mandatory Power to the Commission, of responsibility for all the functions of Government, including that of maintaining law and order in the areas from which the forces of the Mandatory Power have been withdrawn."

The question of the armed militia is dealt with in this paper under three headings:

- (a) Purpose and functions of the Militia
- (b) The present security position in Palestine
- (c) Problems that will arise in the establishment, control and arming of the Militia,

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A. Purpose and Functions of the Militia

2. The United Kingdom authorities have made it clear that British armed forces cannot be used to implement the Assembly's plan against either Arabs or Jews, and that, after the termination of the Mandate, British forces would maintain law and order *only* in the areas they had not yet evacuated, for the purposes of protecting and hastening their withdrawal. The United Kingdom representative in the Assembly drew attention to the "gap" which would exist in the maintenance of security in Palestine when the Mandate was terminated. Mr. Creech Jones, in his speech on 11 December 1947 in the House of Commons, stated "It is disturbing that the Commission will go to its task with inadequate support for its decisions."

3. The Assembly's plan for implementing its recommendations was based on the idea that any problem relating to the maintenance of international peace and security would be dealt with by the Security Council, while problems relating to the maintenance of internal peace and security in Palestine would be dealt with by the armed militia provided for in paragraph B.8, under the general political and military control of the Commission. The armed militia are therefore the only means of enforcement in Palestine which can be used by the Commission in implementing the Assembly's plan.

4. In reply to a question as to the nature of the "armed militia" the Chairman of Sub-Committee I made the following statement in the 27th meeting of the Ad Hoc Committee on the Palestinian Question:

"The definition of 'militia' in the Encyclopedia Britannica and Larousse is quite the same. 'Militia' is something like the Home Guard in the United Kingdom, an armed force raised from the people in order to defend some villages, to defend their land, and to supply something that is between an army and the police. I think that is rather a clear answer and we are completely in agreement as to the general meaning of the word 'militia'."

In reply to a question as to whether the militia of the Jewish
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State would be used to maintain law and order in the Arab State, if the Arabs refused to co-operate in establishing the Arab State, he replied:

"...it is not contemplated that the militia of the Jewish State will be used for maintaining law and order in the Arab State. That is not contemplated at all."

5. While the scope of the functions of the armed militia is subject to a very broad interpretation, it appears from the above that **it is** intended to perform functions which are considerably more than those performed by a local police but not quite those of a full national army. The armed militia of each of the two proposed States is intended to be something in the nature of a "Home Guard" raised from among the local residents of each State, but capable of dealing with large-scale internal disturbances and preventing frontier clashes and border attacks. On these assumptions the successful execution by the armed militia of its tasks would require that it be a mobile force possessing sufficient equipment and training to enable it to defend the borders of each State and to cope with widespread disorders, guerilla attacks by organized bands and sabotage of public utilities. In addition it would be required to maintain proper control of disturbed areas, to protect life and property, to ensure the continued operation of essential public utilities, and safe communication and transport facilities.

B. The Present Security Position
in Palestine

6. The present military police and para-military forces in Palestine are stated to be as follows:

(a) British

The British Army has been variously estimated to number from 60,000 to 100,000 and to include two divisions, an armoured brigade and air force units. The present police forces total some 32,000

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and were stated by the Palestine Government in June 1947 to be as follows!

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| Officers (British and Palestinian) | 479 |
| British other ranks - district police | 5,271 |
| Palestinian other ranks | |
| District police | 3,218 |
| Jewish settlement police | 1,929 |
| Temporary additional police (general) | 5,053 |
| " " (railways and ports) | 1,240 |
| Palestinian Special Constables | |
| Jewish settlements | 13,481 |
| Urban areas | 1,516 |

(b) Jews

In a White Paper, published by the United Kingdom Government in July 1946 (Cmd. 6873) the strength of the three Jewish illegal paramilitary organizations was conservatively estimated as follows:

"The Hagana and Palmach:- An illegal and well-armed military organization, organized under a central command with subsidiary territorial commands, in three branches, each of which includes women, viz:-

a static force composed of settlers and townsfolk, with an estimated strength of 40,000;

a field army, based on the Jewish Settlement Police and trained in more mobile operations, with an estimated strength of 16,000;

a full-time force (Palmach), permanent mobilised and provided with transport, with an estimated peace establishment of 2,000 and war establishment of some 6,000,

"The Irgun Zvai Leumi (National Military Organization):- formed in 1935 from dissident members of the Hagana. Operates under its secret command, with a strength estimated between 3,000 and 5,000.

"The Stern Group:- originated as a dissident faction within the Irgun Zvai Leumi when the latter decided temporarily to suspend activities in 1939. Its strength is said to be between 200 and 300 dangerous fanatics. They have been for some time fully cooperating with the Irgun Zvai Leumi, since both are equally committed to a policy of unrestrained extremism."

(c) Arabs

Reliable information concerning Arab paramilitary organizations is not available, but two Youth Organizations (Futuawah and Najada) have been variously estimated as having a total of some 10,000 members. In addition there has been recently formed another Arab paramilitary

Youth Organization (Munazimet Shabab), whose center is reported to be at Nablus, where some 10,000 members are reported to have gathered.

Press reports indicate that Arabs in the surrounding Arab States are facilitating the recruitment and organization of guerilla forces to proceed to Palestine to fight against partition;

7. Little is known about the equipment and arms of either the Jewish or Arab para-military organizations. Although there has been no evidence that they possess any heavy arms, they appear to be well supplied with rifles, pistols, sub-machine guns, grenades, bombs and mortars.

8. During the Assembly's session the Arab Higher Committee stated that it rejected the Plan for Partition and that the Arabs of Palestine would fight to the death against it. The Arab States stated that they did not consider themselves bound by the Assembly's decision and reserved their freedom of action. According to press reports, various Arab leaders have since stated their determination to fight against the Plan for Partition and to render all possible aid to the Arabs of Palestine in opposing the Plan by force. In the month following the adoption of the Assembly's resolution, it is estimated in press reports that some 500 Arabs and Jews have been killed in sporadic rioting and fighting in Palestine, and about twice that number wounded.

9. Since the Jewish Agency has accepted the Assembly's decision while the Arab Higher Committee and the Arab States have rejected it, the major problem of enforcement that will confront the Commission will be the problem of maintaining order in the Jewish State, where there is a substantial Arab minority, and in the City of Jerusalem. The question of obtaining Arab co-operation in implementing the plan in the Arab State, in view of Arab hostility, is a matter of serious concern, and it may be necessary to invoke the aid of the Security Council under the second part of paragraph B.4..

C. Problems that will arise in the Establishment,
Control and Arming of the Militia

10. The initial responsibility for recruiting the militia in each State is that of the Provisional Council of Government. But since the Commission will have "general political and military control, including the choice of the militia's High Command", it would appear that the Commission will have the final say in all matters except details of administration and operation. Since the operational command of the militia will be vested in its own officers appointed by the Provisional Council of Government, it seems important, in order that the Commission may exercise effective supervision and control, that there be a centralized system of organization and control through a "chain of command" under the militia's High Command,

11. Since the function of the militia is to maintain internal order and prevent frontier clashes, it would be in the interests of economy and efficiency if it were freed from the less onerous duties of ordinary police work in the suppression and control of crime. The Provisional Councils of Government may, if they choose, establish local police bodies (under paragraph B.7) to aid the administration of justice and prevention of crime. Such local police forces could be entirely separate and distinct from the armed militia referred to in paragraph B.8,

12. Unless the United Kingdom Government is willing to allow, in some of the areas which it intends to evacuate prior to the termination of the Mandate, the recruitment of armed militias in conformity with paragraph B.8 of Part I of the Plan, it will be impossible to have such militias officially in existence when the Commission takes over, on May 15. But in order that the militia of each State should be ready to perform its functions by the date of termination of the Mandate, it is necessary that plans for their formation, training and equipment be prepared as soon as possible, so that the Provisional Councils of Government

can ensure their establishment and operations as soon as the Councils themselves are in existence. In this connection the Commission may consider it useful to start the preparation of detailed plans on such matters as recruitment, organization, composition, training, armament and equipment, deployment and control,

13. This may not present serious difficulties in the case of the Jewish State. In the case of the Arab State the question of the establishment of an Arab militia is linked with that of the establishment of an Arab Provisional Council of Government and it may be foreseen that no Arab militia can be recruited according to the Assembly's plan. If such were the case the Commission would have to report to the Security Council.

14. Since the Commission is responsible for maintaining law and order in all areas of Palestine when the British forces are withdrawn, it must also make provision for the security of the City of Jerusalem until such time as the Governor is appointed and has organized the special police force, provided for in paragraph C.4 of Part III of the Plan. The question of the security of Jerusalem is dealt with in the working paper on the establishment of the International Regime for the City.

15. In the absence of a detailed intimate knowledge of the problem of public safety that will confront the Commission and the Provisional Councils of Government, it is not possible to estimate how large a force will be required. But it is significant that the United Kingdom representatives in the General Assembly repeatedly stressed the "risks" involved in implementing the Assembly's recommendations and the "gap" that would result in the process of enforcement. It is also noteworthy that the very substantial British military and police forces now in Palestine have not succeeded in preventing disorder and violence. It would accordingly appear that the armed militia, particularly in the Jewish State would require considerable personnel. Although the recruitment of the armed militia is the responsibility of the Provisional

Councils of Government, general political and military control over the militia will be exercised by the Commission. It is not clear from the language of the text whether questions of over-all size and organization should be determined solely by the Provisional Councils or whether the Commission should exercise a supervisory function in these matters. In any ^{close} case/consultation between each Provisional Council and the Commission would appear to be necessary in the interests of all.

16. With respect to recruitment, the provisions of paragraph B.8 preclude the enlistment of non-residents of Palestine. It is probable that the Provisional Council of Government of the Jewish State will wish to regularize the "illegal" forces of the Jewish Resistance Movement.

It may be considered necessary to enlarge the Palmach so as to make it the full-time active service force of the militia. The other members of the Hagana may continue as a static reserve force to be used in time of emergency as required. A difficult problem arises in connection with the Irgun Zvai Leumi and the Stern Group as it is not known how far they will accept the authority of the Jewish Provisional Council of Government. It is not impossible that the militia of the Jewish State may meet with opposition from these two bodies, although press reports, during the last week of December have indicated the possibility of an agreement between them and the Hagana.

17. It is probable that one of the most difficult problems in connection with the creation of the armed militia will be the acquisition of arms and equipment. The matter was raised by the representatives of the Jewish Agency in the Working Group on Implementation and in Sub-Committee I of the Ad Hoc Committee on the Palestinian Question. Those bodies did not enter into details of the question. Insofar as the British are concerned, Mr. Bevin stated in the House of Commons on 12 December 1947,

"I do not think it is right for us to begin arming anybody in Palestine - either side..... We shall not leave any warlike stores

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behind after 1st August." It therefore seems clear that neither the armed militia nor the Provisional Councils of Government will be able to obtain any arms or equipment from the British. It is possible, however, that the British might consider furnishing arms and equipment to the Commission, which it could later transfer to the Provisional Councils of Government. In general the certification or approval of the Commission as to the propriety of and necessity for specific armaments would be helpful in obtaining military supplies **for the** armed militia from the Members of the United Nations. It is conceivable that some States, while not willing to furnish arms directly to the Provisional Councils of Government, would be prepared to furnish them either to the Commission or to the Provisional Councils on the request of the Commission.

18. The number and type of arms and equipment that will be required will also pose a difficult problem for the Commission. The better the militia is equipped, the greater will be the economy in manpower. A few warplanes may obviate the need for hundreds of infantry and reconnaissance troops; and may be a strong deterrent to organized violence. The use of planes has been an effective feature of the suppression of tribal disturbances by the British Desert Patrol in the Arabian desert and may well be indispensable in controlling the Negeb. In any case, reconnaissance planes would be invaluable for intelligence purposes and rapid deployment. The armed militia would have to be extremely mobile and for this purpose armoured cars and trucks, light tanks and motor-cycles would be necessary, and light and heavy machine guns would be the most useful weapons. Although the illegal forces of both Arabs and Jews in Palestine appear to have a quantity of small arms, the question arises of the advisability of the standardization of arms. In connection with this whole problem of armament and equipment it will be noted that the British forces in Palestine include air force and armoured units in addition to infantry,

19. Another serious question that arises is that of financing both the acquisition of arms and equipment and the maintenance of the armed militia. The Commission may wish to direct its attention to the subject at an early stage of its work.

20. As has been pointed out in paragraph 9 above, the major problem of security that will arise will be of security in the Jewish State. It is not excluded that the area of the proposed Arab State will become a base for operations against the Jewish State, where most of the disorder and fighting will occur. The Jewish militia will be faced with the problem of Arab attacks both from the large Arab minority in the Jewish State and from Arabs in the Arab State. In addition it may also be faced with the problem of preventing Jewish retaliation and terrorist acts against the Arab minority in the Jewish State, and of preventing retaliatory raids by Jews against the Arab State. The Commission will also have to consider the question of the security of the small Jewish minority in the Arab State,

21. As is pointed out in the working paper on the withdrawal of British forces, according to press reports the question of creating an international police force for Palestine may be under consideration by some States. In the event that such a force is created, the duties of the armed militia would become less than those envisaged in this paper, and an entirely different set of problems would have to be considered.