

BADIL Briefing Note – **29 November 1947, UN Palestine Partition Plan**

- *Why have the legitimacy of the UN Palestine Partition Plan (1947) and the subsequent establishment of Israel as a "Jewish State" remained challenged?*
- *Was Israel established by the United Nations?*

Below is a summary of the events and useful quotes from the:

UN Special Committee on Palestine (UNSCOP) Report to the General Assembly A/364, 3 September 1947

<http://domino.un.org/UNISPAL.NSF/99818751a6a4c9c6852560690077ef61/07175de9fa2de563852568d3006e10f3!OpenDocument>

UNSCOP Activities and Report

1. In April 1947, Britain announced that it would terminate its Mandate over Palestine and requested the United Nations to convene a special session on the question of Palestine. **A request by Arab states to add the additional agenda item "The termination of the Mandate over Palestine and the declaration of its independence", as well as repeated requests by Arab states to refer the question regarding the legal status of Palestine to the International Court of Justice (ICJ), were rejected by the General Assembly.**
2. On 15 May 1947, the General Assembly established UNSCOP with the mandate to prepare a report and submit proposals for the solution of the problem of Palestine for consideration by the General Assembly. UNSCOP was composed of representatives of: Australia, Canada, Czechoslovakia, Guatemala, India, Iran, Netherlands, Peru, Sweden, Uruguay and Yugoslavia.
3. UNSCOP assessed previous promises to the parties and obligations under the British Mandate and reached the conclusion that **"it may well be said" that the Jewish National Home and the Mandate contradict the internationally recognized right to self-determination of the Arab majority in Palestine** (Chapter II, paragraph 176)
4. Following review of the conflicting claims and proposals of the parties, UNSCOP issued a set of general recommendations **for any proposed solution**, including:
 - To bring about independence of Palestine;
 - Not to negate the national aspirations of any of the two parties;
 - To condition independence of the new state/s upon the passing of (a) constitution/s which would guarantee the fundamental rights, including equality, of all members of each national group, economic viability, and the religious rights and interests of the three religions.
 - Not to resolve the "wider Jewish question", i.e. the massive Jewish displacement in Europe, exclusively in Palestine, but also through resettlement elsewhere;
 - To be followed by enforcement through United Nations, because it would be opposed by the parties.

5. UNSCOP then decided to prepare two detailed proposals, one for a Federal State (minority proposal of India, Iran and Yugoslavia), and the other for Partition with Economic Unity (majority proposal).

The UNSCOP Proposals

6. The (minority) Federal State Proposal:
 - was based on the assumption that Jewish nationalism and the demand for a separate and sovereign Jewish state must **not** be recognized at all cost, "**since the well-being of the country and its people as a whole is accepted as outweighing the aspirations of the Jews in this regard.**" It was further argued that, "**Future peace and order in Palestine and the Near East generally will be vitally affected by the nature of the solution decided upon for the Palestine question. In this regard, it is important to avoid an acceleration of the separatism which now characterizes the relations of Arabs and Jews in the Near East, and to avoid laying the foundations of a dangerous irredentism there, which would be the inevitable consequences of partition, in whatever form.**" [...] "**There is no basis for an assumption that these two peoples cannot live and work together for common purposes once they realize that there is no alternative.**" (Chapter VII/III, para. 5, 11, 16)
 - Based on the above, the plan proposed a federal government, a federal court and a federal legislative body composed of two chambers (one elected by majority, one based on equal representation of Jews and Arabs). The federal state would include an Arab and a Jewish state with full powers of local self-government. It would be granted independence only after its constitution (to enshrine equality, and property, minority and religious rights of members of all groups) was approved by the UN General Assembly. Jewish immigration would be permitted into the Jewish state only, subject to a quota determined by an international commission.
7. The (majority) proposal for Partition with Economic Unity:
 - was based on the assumption that, "**Regardless of the historic origins of the conflict, the rights and wrongs of the promises and counter promises and the international intervention incident to the Mandate, there are now in Palestine 650,000 Jews and some 1,200,000 Arabs who are dissimilar in their ways of living and [...] separated by political interests which render difficult full and effective cooperation among them, whether voluntary or induced by constitutional arrangements.**" (Chapter VI/I, para. 3)
 - Based on the above, the plan proposed partition into an independent Jewish state (**55% of the country, including the Arab city of Jaffa, with a population of 905,000, including 497,000 Arabs**), an independent Arab state (45% of the country, with a population of 735,000, including 10,000 Jews), and the city of Jerusalem under an international regime (205,000 inhabitants, among them 100,000 Jews). Each state would be granted independence only after its constitution (to enshrine equality, and property, minority and religious rights of members of all groups) was approved by the UN General Assembly. Jewish immigration would be permitted into the Jewish state only, subject to determination by its government.
 - **It was recognized that the economic viability of the Arab state would be threatened.** The plan therefore proposed a constitutionally enshrined Joint Economic Board that would ensure equal distribution of the surplus revenues of both states, as well as international aid for the Arab state.

- The proponents of the partition plan commented: "[...] **in the Jewish State there will be a considerable minority of Arabs. That is the detriment of the scheme. But such a minority is inevitable in any feasible plan which does not place the whole of Palestine under the present majority of the Arabs. One cannot disregard the specific purpose of the Mandate and its implications nor the existing conditions,** and the safeguarding of political, civil and cultural rights by the scheme are as ample as can be devised."
(Chapter VII/4, Commentary)

The Vote by the General Assembly (29 November 1947)

8. The minority proposal (Federal State) was rejected, and the proposal for Partition with Economic Unity was accepted by a majority vote as UN General Assembly Resolution 181. The 33 countries that voted in favor were: [Australia](#), [Belgium](#), [Bolivia](#), [Brazil](#), [Byelorussian SSR](#), [Canada](#), [Costa Rica](#), [Czechoslovakia](#), [Denmark](#), [Dominican Republic](#), [Ecuador](#), [France](#), [Guatemala](#), [Haiti](#), [Iceland](#), [Liberia](#), [Luxembourg](#), [Netherlands](#), [New Zealand](#), [Nicaragua](#), [Norway](#), [Panama](#), [Paraguay](#), [Peru](#), [Philippines](#), [Poland](#), [Sweden](#), [South Africa](#), [Ukrainian SSR](#), [United States of America](#), [Union of Soviet Socialist Republics](#), [Uruguay](#), [Venezuela](#).

The 13 countries that voted against partition were: [Afghanistan](#), [Cuba](#), [Egypt](#), [Greece](#), [India](#), [Iran](#), [Iraq](#), [Lebanon](#), [Pakistan](#), [Saudi Arabia](#), [Syria](#), [Turkey](#), [Yemen](#).

The 10 countries that abstained were: [Argentina](#), [Chile](#), [Republic of China](#), [Colombia](#), [El Salvador](#), [Ethiopia](#), [Honduras](#), [Mexico](#), [United Kingdom of Great Britain and Northern Ireland](#), [Yugoslavia](#).

One state ([Thailand](#)) was absent.

Subsequent Developments in Palestine

9. The UN Partition Plan (UNGAR 181) **was never implemented because states were unwilling to commit troupes for enforcement.**
10. In response to the UN Partition Plan, hostilities between local Arab militia and the Zionist forces in Palestine peaked. Following **Israel's unilateral declaration of independence** on 14 May 1948, Arab neighbor states declared war.
11. **Israel subsequently established itself by force on 78% of Palestine.**
12. **Israel has never respected the provisions of the UN Partition Plan. It does not have a constitution that would enshrine equality and/or the right to citizenship and property of the indigenous Arab population of Palestine,** including those made refugees and IDPs in the war of 1948 and subsequent armed conflicts. Israel rather legislated a dual system of laws and orders, which excludes and discriminates against Palestinians and privileges Jews in Israel and worldwide.

For more synthesis and analysis prepared by BADIL about the 1947 UN Partition Plan, see:

<http://www.badil.org/Publications/Bulletins/Bulletin-22.htm>

<http://www.badil.org/Publications/Bulletins/Bulletin-03.htm>

<http://www.badil.org/al-majdal/2000/majdal08.pdf>