

The Evolution of Israel's Boundaries

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On July 22, 1922, the Council of the League of Nations adopted the Palestine Mandate which in its preamble incorporated the Balfour Declaration of November 2, 1917.¹ It further stated that “recognition has thereby been given to the historical connection of the Jewish people with Palestine and the grounds for reconstituting their national home in that country.” The Council then entrusted Great Britain with the Palestine Mandate and with the responsibility for promoting the political, administrative, and economic conditions to secure the establishment of the Jewish national home (Article 2), as well as for facilitating Jewish immigration and encouraging close settlement by Jews on the land, including state lands and waste lands (Article 6).

While the United States did not become a member of the League of Nations, the two Houses of Congress, in joint resolution, on June 30, 1922, unanimously endorsed the Balfour Declaration, even before the League's approval of the Palestine Mandate. That joint resolution was then approved by President Warren Harding.

The Palestine Mandate did not provide for the boundaries of the new territorial entity specifically carved out for the purpose of establishing the Jewish national home therein. During the Ottoman period the territories that became Palestine had been included within various administrative districts (such as the *sanjaks* of Beirut and Damascus), with Jerusalem, due its religious significance, being placed under the direct jurisdiction of Constantinople. Thus, with the adoption of the Mandate, it became necessary to designate the boundaries of Palestine. The decisions reached at that time have shaped the boundary issues of Israel to the present day.

Zionist support for a British Palestine Mandate was a decisive factor in the League's decision (and was duly resented by France – Great Britain's imperial rival in the Middle East). While the interests of Great Britain and the Zionist movement initially converged in this regard, they were certainly not identical.

Great Britain was interested primarily in securing for itself the hinterland of the Suez Canal, a land connection between Palestine and Mesopotamia (later renamed Iraq, also under British Mandate), and an oil pipeline from the Mosul-Kirkuk region to the Mediterranean.

By contrast, the Zionists were interested in the strategic and economic viability of their national home which they viewed as a forerunner of their future state. Accordingly, they asked for boundaries that would fit that bill, with their emphasis on the economic aspect: in the north the Litani River and Mount Hermon, the latter essential for the control of the headwaters of the Jordan; in the east a line to the west of the Hejaz railway, thus securing for Palestine, for future agricultural settlement, the fertile yet largely uninhabited Gilead, east of the Jordan River; in the south a line leading from Wadi El-Arish ("the Brook of Egypt") to Ras Mohammed, the southernmost point of Sinai, thus dividing it more or less evenly between Egypt and Palestine, or, as an alternative, a line leading from Wadi El-Arish to Taba on the Gulf of Aqaba.

The British, having secured for themselves the Palestine Mandate, gave less than half-hearted support to these Zionist demands. In the south they preferred the Rafah-Taba frontier of 1906, and in the east they opted for a Palestine border beyond the Transjordanian desert where it met Mesopotamia. This satisfied their main imperial interests and, in return, they were willing to meet French objections to the Zionist demands in the north.

While France's unfriendly attitude towards the Jewish national movement was partly a by-product of the strong anti-British sentiments that swept that country in the latter part of the 1920s, it also had deeper reasons. Reporting to British Foreign Secretary Lord Curzon in November 1920, Robert Vansittart, a leading member of the British delegation to the Paris Peace Conference, wrote:

[T]he French refusal...was perhaps more fundamental than we understood, and...it was useless for me to put forward again the economic arguments to which they had often listened....They had agreed to a Jewish National Home, not to a Jewish State. They considered we were steering straight upon the latter, and the very last thing they would do was to enlarge that State for they totally disapproved our policy. Reduced to barest terms, the proposition is that the French are increasingly anti-Zionist. They mistrust and fear our whole policy in Palestine....They believe that we are in a direct train of making an all Jewish State, as opposed to a national home....They...remain obstinately convinced that they are going to have

a Bolshevik colony on their flank....The French are therefore determined that this "Bolshevik colony" shall be as small as possible, and conceive this necessary for their own safety....It is this fundamental view rather than any superficial desire to haggle about waters that has lain at the root of their attitude throughout the negotiations, and now emerges clearly.²

To this French attitude may be added also a "theological," or at least pseudo-theological, motive. Colonel Richard Meinertzhagen (a member of the British delegation to the Paris Peace Conference) confides to his diary the following interesting entry:

[Zionist leader] Weizmann tells me that when he met Clemenceau with a view to enlisting his sympathy with the National Home, that he found him unsympathetic and remarked: "We Christians can never forgive the Jews for crucifying Christ," to which Weizmann remarked: "Monsieur Clemenceau, you know perfectly well that if Jesus of Nazareth were to apply for a visa to enter France, he would be refused on the grounds that he was a political agitator."³

With all the amusing and witty nature of this exchange, Clemenceau's remark (which may have been half-teasing and half-scolding) may also be indicative of some more deep-seated resentment against Zionism, as evidenced also by the attitude of the Catholic Church towards Zionism and the State of Israel.

Be that as it may, Great Britain wanted to avoid a confrontation with France and thus the Litani-Hermon line demanded by the Zionists was abandoned in favor of a line running from Ras Nakura eastward. Likewise, of the three main headwaters of the Jordan (Hazbani, Baniyas, and Dan), only the latter was included within the Palestine Mandate, largely because Lloyd George remembered from his Bible classes in Wales that the Holy Land extended from Dan to Beer Sheva, although he could not point out Dan on the map. The frontier was to run in the middle of the Jordan River and of Lake Tiberias, with one exception: a triangular area on the Golan, with Quneitra at the head of the triangle, was included within Palestine.

However, even this Palestinian territory on the Golan was transferred to the French Mandate of Syria in 1923, to accommodate an influential sheikh residing in Syria whose lands were in Palestine. Weizmann, a political moderate by any standard, and a self-confessed Anglophile, called this "a wanton mutilation of the Palestine Mandate." The only silver lining of these

developments was the fact that the Palestine-Syrian frontier was to run at a distance of at least fifty meters to the east of the Jordan, thus leaving the entire river within Palestine. Also, Lake Tiberias in its entirety was included within Palestine, with the border running ten meters from its eastern shore.

Thus France succeeded in crippling in advance the future Jewish state both economically (by depriving it of its natural water resources) and militarily, for the border in the north was virtually indefensible, with serious ramifications for Israel in the period between 1948 and 1967.

A no less serious blow to Zionism had already been built into the Mandate from the outset. Article 25 of the Mandate provided that Britain could, with the consent of the League Council, exclude, in the territories east of the Jordan River, from the scope of application of the Mandate such provisions as it deemed unsuited to local conditions. With the Council's consent, the Jewish National Home provisions of the Mandate were deemed to belong to this category, thus reducing the territory earmarked for the Jewish National Home to less than one-fourth of its original size.

Here again, this British move was motivated by the Anglo-French rivalry and by an attempt to avoid an Anglo-French confrontation. When the French ousted the Hashemite Feisal from Damascus in 1921, his brother Abdullah marched from the Hejaz to Feisal's aid. The British, fearing a collision with the French, stopped him around Amman and offered him an emirate in the eastern part of the Palestine Mandate, that is east of the Jordan River (Feisal was compensated with the crown of Iraq). Thus "Transjordan" came into being, albeit as an integral part of the Palestine Mandate until 1946 when, with the consent of the UN General Assembly, it was detached from the Mandate and made into the "Kingdom of Transjordan," subsequently changing its name in 1950 to "Kingdom of Jordan."

In the 1920s, in a move motivated by Anglo-French rivalry, the British transformed more than three-fourths of the territory earmarked by the League of Nations for the Jewish National Home into the Arab emirate of "Transjordan," later the Kingdom of Jordan.

The evolution of the Palestine Mandate boundaries was thus correctly summed up by Frischwasser-Ra'anana, some three decades later, in the following terms:

Not only did the...boundaries [of the Palestine Mandate] pay no attention whatsoever to the historical unit Palestine, as accurately described in the Bible, not only did they completely ignore the economic and strategic requirements of the new Jewish national home, they did not even approximate to a natural frontier in the purely geographic sense....In fact, those frontiers were not intended so much to shape the physical outline of a new national unit as to delimit the spheres of influence in the Middle East of the British and French Empires.⁴

Some twenty-five years after the determination of the Mandate boundaries, the UN General Assembly, in Resolution 181(II) of November 29, 1947, recommended the establishment, in the reduced Palestinian Mandate territory, of a Jewish state, an Arab state, and a *corpus separatum* in Jerusalem under UN trusteeship. Although this partition plan, with the impossible jigsaw boundaries envisioned by it, amounted to a second mutilation of the Jewish National Home, the Zionist representatives agreed to it on condition of reciprocity, to ensure its peaceful implementation. However, the Arabs of Palestine, with the support of the neighboring Arab countries, decided to use force unlawfully to thwart the UN resolution.

Thus, when Israel was proclaimed on May 14, 1948, its Declaration of Independence made no reference to the new state's boundaries. Asked about this omission a few hours before the formal ceremony, David Ben-Gurion (Israel's first prime minister) explained that it was a deliberate decision to evade the issue of the boundaries. He told his colleagues that, since the UN had done nothing to implement its resolution, the boundaries recommended by the General Assembly no longer had any validity. Israel's boundaries, he went on to say, would be determined by the outcome of the military activities.⁵

In the event, in the course of the hostilities between Israel and the neighboring Arab countries, Israel brought under its control some 5,000 square km, in addition to the 15,500 square km allocated to the Jewish state under the partition resolution. (The territory of the former Palestine Mandate west of the Jordan River amounted to 27,000 square km.) Between February and July 1949 Israel concluded General Armistice Agreements with Egypt, Lebanon, Transjordan, and Syria, in that order. Since the Arab states persisted in their

policy of non-recognition of Israel, they insisted that the agreements made it clear that the armistice lines were not to be considered as boundaries and that those lines were dictated exclusively by military considerations, even in those instances where the armistice lines were identical to the former Palestine boundary. Accordingly, provisions to this effect were indeed included in each of those agreements.⁶ Transjordan, which had invaded what was to become known as the “West Bank,” in 1950 formally annexed that region, in the process changing the country’s name to “Kingdom of Jordan.” This was in clear violation of the international law of belligerent occupation which prohibits the annexation by the occupier of occupied territory. It was not recognized by the international community – including the Arab states – except for Great Britain (which was the real power behind the Jordanian throne and which excluded eastern Jerusalem from the scope of its recognition) and Pakistan. Egypt never purported to annex the Gaza Strip and placed it under a military administration while in control of that area before 1967.

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Even on the eve of the Six-Day War of June 1967, the Arab position was stated in the Security Council by Jordan’s representative in the following terms: “There is an Armistice Agreement. The Agreement did not fix boundaries....Thus I know of no boundary; I know of a situation frozen by an Armistice Agreement.”⁷

The armistice regime was shattered by the Six-Day War and from then on Israel has had only “cease-fire lines” with its neighbors.⁸ A return to the former armistice lines, as demanded by the Arabs and their supporters, was rejected by Israel. Then Foreign Minister Abba Eban termed those lines “Israel’s Auschwitz borders”; they could only invite renewed aggression.⁹

In fact, in the north, as already indicated, Israeli villages in the Jordan Valley and along Lake Tiberias (about two hundred meters below sea level) had been constantly harassed between 1948 and 1967 from the Syrian-held Golan Heights (eight hundred to one thousand meters above sea level). In the coastal region, Jordanian guns were positioned in Kalkilya, at a distance of sixteen kilometers from Tel Aviv. The distance from the Jordanian-Israeli armistice line to the Mediterranean was even shorter in the Netanya sector (Israel's so-called "narrow waistline"), where Jordanian positions in hilly Samaria had dominated the coastal Sharon Valley and where Israel could have been cut in two within a matter of minutes. Likewise, Israel's main international airport was only three kilometers away from the Jordanian armistice line. The corridor linking Israel's capital Jerusalem to the rest of the country was only four kilometers wide in the immediate approach to the city.

In November 1967 the Security Council adopted its well-known Resolution 242, which called upon Israel to withdraw its armed forces from territories occupied in the Six-Day War to secure and recognized boundaries. Arab-Soviet attempts to have the resolution demand Israel's total withdrawal to the former armistice lines were rejected by the resolution's sponsors, who insisted that Israel's future internationally recognized boundaries would have to be negotiated, with a view to also securing their defensibility.

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Following peace negotiations with Egypt, Israel concluded in 1979 a peace treaty with its southern neighbor, withdrawing in stages from the entire Sinai, conquered in 1967, to the Rafah-Taba border, first established in 1906, under British pressure, as the administrative boundary between Egypt and the Ottoman Empire. It then became Palestine's boundary with Egypt under the Mandate and the Israel-Egyptian armistice line between 1949 and

1967. Under Article II of the Israeli-Egyptian peace treaty, “[t]he permanent boundary between Egypt and Israel is the recognized international boundary between Egypt and the former mandated territory of Palestine.”¹⁰

In 1994 Israel concluded a peace treaty with Jordan under which the former boundary between Mandate Palestine and Transjordan became the international boundary between the two countries. The treaty provides that “[t]he international boundary between Israel and Jordan is delimited with reference to the boundary definition of the [Palestine] Mandate.” (Article 3[a]). While this boundary is termed “the permanent, secure and recognized international boundary between Israel and Jordan,” this is done “without prejudice to the status of any territories that came under Israeli military government control in 1967” (Article 3[b]).¹¹

As will be recalled, under Article V(3) of the Israel-PLO Declaration of Principles, the determination of borders is one of the issues to be dealt with in the permanent status negotiations between the parties,¹² which are yet to be concluded. In the north of the country, in the absence of peace treaties between Israel and Syria and Lebanon, respectively, the current legal status of the lines separating Israel from its neighbors is still in the nature of cease-fire lines, even where those lines happen to coincide, as they do along the border with Lebanon, with the international boundary of the Mandate period and with the armistice demarcation line of the 1949–1967 period.

Notes

- 1 “His Majesty’s Government view with favour the establishment in Palestine of a national home for the Jewish people.”
- 2 *British and Foreign State Papers, 1919–39*, 1st Series, vol. XIII, 374, 386–7.
- 3 R. Meinertzhagen, *Middle East Diary 1917–1956* (Cresset Press, 1959), 22.
- 4 H.F. Frischwasser-Ra’anan, *The Frontiers of a Nation* (Batchworth Press, 1955), 144, 146.
- 5 Third session of the People’s Council, *Records of the People’s Council and the Provisional Council of State*, vol. I, 19 [Hebrew].
- 6 See for example Article II(2) of the Israel-Jordan General Armistice Agreement of April 3, 1949.
- 7 UN Doc. S/PV.1345 of May 31, 1967, 47.
- 8 See UN Security Council resolutions 233–236, adopted between June 6 and 11, 1967.
- 9 Interview with *Der Spiegel* magazine of November 5, 1967.
- 10 Walter Laqueur and Barry Rubin (editors), *The Israel-Arab Reader: A Documentary History of the Middle East Conflict*, 6th rev. ed. (Harmondsworth, 2001), 228.
- 11 *Ibid.*, 479.
- 12 *Ibid.*, 414.