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analysis of the subject,  
far above the standard  
required for the course.  
This work merits public  
attention

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March 1974

THE EGYPTIAN-ISRAELI NEGOTIATIONS IN THE  
AFTERMATH OF THE OCTOBER WAR:  
BACKGROUND AND PROSPECTS

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THE EGYPTIAN-ISRAELI NEGOTIATIONS IN THE AFTERMATH  
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By Salim Ahmed Salim

INTRODUCTION

In his book, Modern International Negotiations, Ambassador Lall writes: "Direct peaceful exchanges among the parties to a dispute or situation, with a view to a settlement or adjustment,<sup>1</sup> is the very essence of negotiation." He further states that, "... for a large proportion of disputes or situations, the most productive form of negotiation is direct discussion among the parties concerned."<sup>2</sup> Yet, this generally accepted ideal form of negotiation has proved elusive among the belligerent in the Middle East conflict for more than two decades.

Seven years ago, after the crushing and humiliating defeat inflicted on the Arab States, particularly Egypt, by the Israelis, the Arab Kings and Presidents or their representatives met at Khartoum, Sudan, and decided to enforce "the principle of non-recognition and non-negotiation, and to make no peace with

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1. Arthur Lall, Modern International Negotiation, Columbia University Press, New York, 1966, pp. 16 & 17.
  2. Ibid, p. 17.

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Israel for the sake of the Palestinian people in their homeland."

(My emphasis)

Despite the displayed differences within the Arab ranks at  
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Khartoum, the Summit decisions clearly demonstrated that the third Arab-Israeli war had solved nothing. In fact it became increasingly clear that the "Six Days War" had created even more problems, compounding the already intricate and traumatic Middle East situation.

The Israelis who have all along insisted on direct negotiations with their Arab neighbours, and strived in vain to be recognized and accepted as a sovereign entity in the region, were soon to realize that the Arab will, determination and "unreasonableness" had been hardened.

3. The proceedings of the Khartoum Arab Summit Conference were held in camera. No official reports of the Summit proceedings were published. The decision of "non-recognition, non-negotiation and no peace" with Israel, was one of several decisions adopted by the Summit. See Keesing's Contemporary Archives, 16th Volume, 1967/68 pp. 22275 & 22276.

The then Prime Minister of Israel, Mr. Eshkol, deploring this resolution of the Khartoum Summit, stated that it "made the prospects for peace in our region dimmer" and strengthened Israel's resolve "not to allow to return to conditions" ante the June hostilities. Keesing's, Ibid, p. 22285.

4. Syria boycotted the Conference. President Boumediene of Algeria did not attend and was instead represented by his Foreign Minister Abdel Aziz Bouteflika, Both Syria and Algeria were critical of the Egyptian acceptance of the ceasefire. They had advocated the continuation of the war, if necessary, through guerilla warfare or what the emergency congress of the ruling Baathist Socialist Party in its resolution of August 30, 1967 termed a "war of popular liberation." There were also differences of opinion on how the Arabs should react on the economic domain (principally oil) in their relations with the United States and other Western powers - at that time almost all except Spain and perhaps France, considered to be supporters of Israel.

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The "new facts" brought about by the decisive military victory failed to "induce" the Arabs in giving in to the Israeli demands. The militancy and uncompromising position of the Arab States, acquired new dimensions. For the Arabs had now not only to think of the "legitimate rights" of the Palestinians whose uprooting from their homeland is the main source of conflict in the first place. They had to consider how to retrieve their conquered lands which by any standard were substantial (the Sinai peninsula, Gaza, the strategic Sharm El Sheikh, the western bank of Jordan, the old city of Jerusalem and militarily important Golan Heights).

Above all, there emerged the element of "injured Arab pride." The Arabs were being depicted as cowardly, underdeveloped, technologically inferior people who had too much money but did not know what to do with it. The Israelis, as we shall see later in this paper, did not make the Arab humiliation, any less burdensome.

While, therefore, the Israelis kept unceasingly pressing for direct negotiations, the Arabs considered this as simply as manifestation of growing Israeli arrogance of power and the desire by the latter to dictate its terms to the vanquished. Writing in the Foreign Affairs of Journal in October, 1972 (on the occasion of the Fiftieth Anniversary Issue), President Anwar

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negotiations, Egyptian and Israeli Generals with the full backing of their respective governments were meeting near Suez city at "Kilometer 101" in direct face to face negotiations working out, to begin with the implementation of the ceasefire agreement and exchange of prisoners and later for the implementation of the "disengagement pact" worked out through the mediation efforts of Secretary of State Henry Kissinger of the United States. Furthermore, prior to the agreement on disengagement, a formal Peace Conference held under the auspices of the United Nations Secretary General Kurt Waldheim had been inaugurated in Geneva on December 21, 1973, with Israeli and Egyptian Foreign Ministers leading their respective delegations.

To any student of Middle East politics, this face to face negotiations between the Israelis and the Egyptians certainly constituted a new era - a new chapter - and hopefully a more positive one - in the short but highly inflammable history of the post 1948 relations between the Arabs and the Zionists in the Middle East. Significantly, optimism is being expressed in different areas of the world to the effect that these negotiations marked a dramatic breakthrough towards the untangling of the highly emotional and complex confrontation in the near East between

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held strategic calculations proved to have been made on false premises. The American-Soviet detente was put to a severe test, if not strain. The market economy developed countries began to realize how precariously dependent their economies were to the developing countries as the energy crisis threatened their economies; while a great majority of the developing countries were facing the real possibility of their economies being in utter ruin thanks to serious inflationary trends brought about by the spiralling fuel prices as well the increased prices of manufactured goods from the industrialized world. All these are extremely interesting issues - some of which involving what could be described as a "matter of life and death" for a multitude of nations.

Each aspect could very well be a topic for a comprehensive treatment by itself. In a paper of this nature, however, it would be unrealistic to seriously consider all of them. Yet peripheral mention is a must. For after all they are in the final analysis the ramifications of the October war which in turn is a by-product of the failure of the international community to bring a just and final settlement to a conflict which on four occasions during the last twenty five years, had witnessed an



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all out war between the Israelis and the Arabs.

This paper will not be discussing the Egyptian-Israeli negotiations per se. Such a discussion is premature in the light of the fact that very little is publicly known as to what has been going on at "Kilometer 101", in Geneva, or for that matter what transpired in the course of Kissinger's flying visits to Tel Aviv, Cairo and various Arab capitals. Rather, the paper will make an analysis and evaluation of the factors which led to the current era of negotiations. In other words, it will attempt to provide an explanation behind the willingness of the Egyptians to sit down with the Israelis in an attempt to find a peaceful settlement to the Arab-Israeli conflict. It will also consider the possibilities for peace in the light of these negotiations and taking into account the different positions of both the Israelis and the Arabs.

As the title suggests, in this paper we are going to concentrate on the Egyptians and the Israelis. The author is very much aware of the interrelated nature of the Middle East conflict and that the Egyptian's position must be coordinated with and finally approved by, the other Arab States - in particular Syria

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and Jordan as well as the Palestinians if the goal of peace in this turbulent region is to be realized. And quite naturally, in the course of this paper, this inter-relationship will be reflected. We have nonetheless concentrated upon Egypt for our current study for a number of obvious reasons.

Because of its demographic, political, military and strategic importance to the Arab world, Egypt has been considered the leader of Israel's Arab antagonists. Rhetoric of many of the Arab nations notwithstanding, when the chips are down, it is the Egyptians who have had to bear the greatest burden of the wars. The only other Arab States who could have as much "right" as the Egyptians in deciding whether or not there should be peace with the Jewish State are of course the two contiguous States of Jordan and Syria which, like Egypt, lost considerable territories to the Israelis in the June war. This then brings us to the reason why Egypt has been chosen rather than Syria or Jordan. And here the reason is self-evident. It is Egypt's Sadat who made history by consenting to direct, face to face, negotiations with the Israelis.

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II

BACKGROUND TO THE CONFLICT

So much has been said and written about the Middle East conflict that it becomes almost superfluous to engage here in a historical survey of the events which have led to the present impasse. Yet, for the purpose of an appropriate take off for our paper, it may be pertinent to recapitulate very briefly one or two salient elements. To begin with, one must recognize from a historical perspective the mess which Imperial Britain has created and left as her legacy in a number of spots in the world. Apartheid South Africa, the divided Indian sub-continent pursuant to the partition of the area into India and Pakistan in 1947, and the illegal rebellious white minority racist regime led by Ian Smith in Southern Rhodesia are easy references. The Middle East is no exception. The famous or infamous (depending which side of the fence one is on) Balfour Declaration is our starting point.

On November 2, 1917, British Foreign Secretary Lord Arthur Balfour wrote an official letter to a private British subject Lord Lionel Walter Rothschild, which was subsequently adopted by the British Government, and came to be known as the Balfour Declaration. The letter stipulated that the British Government viewed

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with favour the establishment in Palestine of a homeland for the Jewish people. <sup>9</sup> Several factors were behind this British act.

In the spring of 1917, the German Government began to solicit the support of German and World Jewry. In Russia, the Kerensky Government put a number of Jews into key positions in the new Russian Duma. Britain hoped to outbid the Germans on one hand, and to encourage Russian Jewish leaders to keep Russia in the war. In addition, Zionist advocates in Britain maintained that a Jewish-dominated Palestine would strengthen Britain's strategic position in the area. They also appealed to the religious sentiments of the British public. <sup>10</sup>

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9. Lord Balfour's letter to Lord Rothschild stated: "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status/  
M.D. Donelan and M.J. Grieve, INTERNATIONAL DISPUTES: Case Histories 1945-1970, Europe Publications, London, 1973, p. 45
  
  10. Fred Khouri, The Arab-Israeli Dilemma, Syracuse University Press, 1968, pp. 293-294.

∟ enjoyed by the Jews in any other country."

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This British declaration was certainly a tremendous victory for the World Zionist movement which had been campaigning for the setting up of a "home in Palestine" for the Jews.<sup>11</sup>

The Palestinian Arabs who at that time outnumbered their Jewish compatriots ten to one and owned almost 90% of the land could not be expected to react to this British policy with equanimity. And from the time the Balfour Declaration was incorporated in the League of Nations' mandate for Palestine, they strongly and persistently opposed the contemplated plan. Their opposition did not diminish with the approval by the United Nations General Assembly of the Partition of Palestine into Arab<sup>12</sup> and Jewish States. The Arab States who like the Palestinians were "horrified" and infuriated by the policy plan set out by Lord Balfour in 1917, vigorously opposed the creation of the Jewish State.

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11. In 1897, a group of Jewish intellectuals met at Basle, Switzerland and launched the World Zionist Organization, for the primary purpose of campaigning in favour of establishing a homeland for the Jews. This first Zionist Congress was organised by Theodor Herzl. Donelan & Grieve, Op. cit., p. 45.
  12. General Assembly Resolution 181A(II) of 29 November, 1947.

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On May 14, 1948, Israel proclaimed its independence. And "only eleven minutes after Israel became a State ... its existence was officially recognized by the United States." <sup>13</sup> The instant recognition which, like the very creation of Israel itself by the United Nations, was brought about by the incredible pressures <sup>14</sup> of the Zionists on different Western Governments, reflected the degree of "attachment" which the United States had for Israel. Events have shown that the United States has proved to be a strong "defender" and "ally" of Israel even at the risk of total isolation from her (United States) own allies, the Netherlands and Portugal excepted.

It is part of the turbulent history of the Middle East which is common knowledge, that in their efforts to resist 'the foreign element' injected in the Arab body politic, Arab armies

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13. Merle Miller, Plain Speaking, An Oral Biography of Harry S. Truman (Berkley Publishing Corporation, United States, 1973, 1974), p. 218.
  14. Reflecting on the Zionist pressures, President Truman was to say, "There has never been anything like it /pressure on the White House/ before, and there wasn't after. Not even when I fired MacArthur /Commanding General of the U.S. Armed Forces, U.S. Commander in Chief, Far East Command, Supreme Commander for the Allied Powers in Japan and Commander in Chief of the so called United Nations Command in Korea/, there wasn't ...." Ibid, p. 216.

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went to war against the young Jewish State in which the Arabs lost. We shall not go into details of that except to mention that Four Arab States including Egypt agreed on an armistice with Israel in 1949. Mention must also be made of the fact that if the Arabs had opposed the creation of Israel terming it an act of betrayal, they were soon to have other fears. The Arab allegation of Israeli 'expansionism' dates back to that first of the Arab-Israeli wars. For the net result of the 1948 war was that Israel's size became twice than that envisaged in the United Nations Partition Plan.

Ambassador Bishara of Kuwait explained the Arabs' preoccupation with Israeli "expansionism" in the following terms:

"The Arabs have a genuine fear of the expansionist nature of Israel. That fear existed from the early days of the conflict, and has accumulated throughout the years as irrefutable evidence of Israel's expansionism demonstrated itself.

"Not only had Israel sought to expand into areas assigned to the Palestine Arab State before the outbreak of the war on 15 May, 1948, but it actually made its greatest territorial gains in that period during the second and permanent truce which the United Nations had established. On 14 October, 1948, Israel deliberately mounted its offensive in the Negev and in the Galilee areas despite the United Nations permanent truces in order to conquer more land and to expand as much as possible.

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"... On 22 December, 1948 Israel again attacked in the Negev to gain even more land, and again according to Dr. Bunche's (Acting Mediator Ralph Bunche) report (S/1152), without justification, even after 1948, Israel continued its expansionist policy. Despite the United Nations opposition, it seized control of most of the Syrian-Israel demilitarized zone, and in 1955 all of the El-Auja demilitarized zone.

"This horrendous record of expansionism, which climaxed in 1967, has exposed the true nature of Israel." 15

Taking into consideration the reality of Israel's existence, it becomes a futile academic exercise to discuss whether or not the United Nations acted wisely and justly to create Israel and thus pave a way for the usurpation of the rights of hundreds of thousands indigenous Palestinians. It is however interesting to reflect on the reasoning given by many an 'impartial' observer in support of the existence of the Jewish State. The thoughts of the Tanzanian Leader will be given here, if only because, from its very inception as an independent State, Tanzania esta-

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15. PROVISIONAL VERBATEM RECORD OF THE SEVENTEEN HUNDRED AND TWENTIETH MEETING OF THE SECURITY COUNCIL, held at Headquarters, New York, Monday, 11 June, 1973, p. 18 and 19-20.



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blished and developed close relations with the State of Israel, and cannot therefore be accused of either anti-semitism or being an original opponent!

Making a Policy statement on Foreign Affairs in October 1967 at the biannual National Conference of the ruling Tanganyika African National Union (TANU) at Mwanza, President Nyerere made the following telling observations on Israel and its policies in the Middle East:

"The establishment of the State of Israel was an act of aggression against the Arab people. It was connived at by the international community because of the history of persecution against the Jews. This persecution reached its climax in the murder by Nazi Germany of six million Jewish men, women and children - a number equal to half the population of Tanzania, and more than that of many independent African States. The survivors of this persecution sought security in a Jewish national State in Arab Palestine. The international community accepted this. The Arab States did not and could not accept that act of aggression. We believe that there cannot be lasting peace in the Middle East until the Arab States have accepted the fact of Israel. But the Arab States cannot be beaten into such acceptance. On the contrary, attempts to coerce the Arab States into recognizing Israel - whether it be by a refusal to relinquish occupied territory, or by an insistence on direct negotiations between the two sides - would only make such acceptance impossible."

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16. Julius K. Nyerere, FREEDOM AND SOCIALISM, Oxford University Press, London, 1968 p. 371.

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In the same statement, Nyerere reiterates Tanzania's position as being that of "recognizing" Israel and of wishing "to be friendly with her as well as with the Arab nations" while emphatically stipulating "but we cannot condone aggression on any pretext nor accept victory in war as a justification for the exploitation of other lands, or governments over other peoples."<sup>17</sup>

The point to bear in mind here is that in analysing Nyerere's statement, one is left in no doubt that the creation of the State of Israel was an immoral act perpetrated against the Arabs. There are of course many other schools of thought,<sup>18</sup> but it is fairly safe to assume that among the non-aligned countries, particularly those in Africa who recognized and maintained relations with Israel, the injustice done to the Palestinians is not simply ignored. Rather the trend is that what has been done cannot be undone and it is therefore best for everybody (except of course for the Palestinians) not to search one's "conscience" too much!

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17. Ibid, p. 372.

18. According to Israeli Prime Minister, Mrs. Meir, for example:

"The renewal of Jewish independence (i.e., the creation of Israel) after centuries of dispersion and persecution, is one of the great ethical affirmations of our time. An Age-old inequity was at last redressed, not at the expense of another people, but with full regard to the rights of others."

Golda Meir, "Israel in Search of Lasting Peace, "FOREIGN AFFAIRS; an American Quarterly Review, Vol. 51. No. 3, April 1973 p. 448.

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III

THE SIX-DAYS WAR AND ITS CONSEQUENCES

On May 22, 1967, President Nasser of Egypt declared:

"We are ready for war. Our armed forces and all our people are ready for war."<sup>19</sup>

This statement was made after the Egyptian forces had occupied the Gulf of Aqaba subsequent to the withdrawal of the United Nations Emergency Force at the request of Cairo.<sup>20</sup> Without the background

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19. New York Times of May 26, 1967. Quoted in Arthur Lall, The UN and the Middle East Crisis, 1967, p. 30.
20. UN Secretary-General U Thant had given instructions for the withdrawal of the Force on May 18, 1967. The debate is still going as to whether U Thant acted rightly in complying instantly to the Egyptian demand. Some argue that since the Force was created by the UN, it could only be disbanded by the Organization's decision. Others contend that the Force was in Egyptian territory and with Cairo's consent and the withdrawal of that consent dictated the removal of the Force. Otherwise the sovereignty of Egypt would have been put into question. Mohammed Hasananein Heikal, Nasser's confidant and former Editor in Chief of the influential Cairo Daily, Al Alhram (he was sacked by Sadat in February, 1973 accused of creating a "new centre" or power using the press) made the following comments on UNEF's withdrawal:

"The status of UNEF was defined in an agreement with Hammarskjold's legal adviser, Constantin Stavropoulos, And it is important in the light of the later events to note that Nasser stipulated that since UNEF was coming to Egypt then it followed that UNEF could not remain or operate except with the continuation of Egypt's consent." Mohammed Heikal, NASSER, THE CAIRO DOCUMENTS, p. 163.

Whatever the pros and cons of the "rightness" of the Secretary General's decision, one thing is obvious; it could hardly be described as a wise decision. Perhaps referring the matter to the Assembly or appealing for more time could possibly have defused the situation.

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activities of the rapidly deteriorating situation, that statement by Nasser by itself would scarcely have raised an eyebrow. In the short history of the Arab-Israel conflict, one thing has clearly emerged. The Arab's capacity for rhetoric vis a vis their attitude and intentions towards Israel has been really legendary!

But the taking over of Sharm el Sheikh preceded by the movement of Egyptian troops into the Sinai on the borders with Israel and the decision of the Egyptians to blockade the Gulf of Aqaba thereby prohibiting access of Israeli shipping to the Strait of Tiran notwithstanding Israel's repeated position that such an act would constitute an act of aggression, clearly presaged an ominously dangerous confrontation. It was then pointed out by the Egyptian leadership that these moves were being taken to prepare for Egyptian support in defense of the sister state of Syria which, it was explained, confronted an imminent threat from Israel. In this connection it is pertinent to recollect the written communication which the then Commander of UNEF, General Indar Jit Rikhe received in person, from the Chief of Staff of the Egyptian Armed Forces General Mohammed Fawzy. The letter stated:

"I have my instructions to all United Arab Republic Armed

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21. It was during the same May 22nd statement already referred to above that President Nasser announced that the Strait of Tiran will be closed to Israel shipping and thus blockading the Israel port of Elath.

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forces to be ready for action against Israel the moment it might carry out any aggressive action against any Arab country."<sup>22</sup>

In the light of all these confident and warlike statements, it is easy to comprehend why world public opinion and more particularly Western public opinion initially believed the Israeli claims that Egypt had initiated the hostilities of June 5, 1967. Israel, of course, has continued to claim that she was attacked first and that all her armed forces did was to exercise their legitimate right of self defense.<sup>23</sup> And with characteristic eloquence reknown of Israeli spokesmen, Israel has repeatedly accused the Egyptians and the Arabs in the Security Council, in the General Assembly and elsewhere of having comitted aggression for the purpose of "liquidating" the State of Israel and "exterminating" its Jewish inhabitants. Israel has also fully utilised the offer repeated reckless rhetoric of certain Arab leaders of "throwing the Israelis" into the sea, to depict a picture of a small, peaceful state surrounded by blood-thirsty "aggressors" seeking to wipe her out of the map but resiliently resisting their menace!

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22. A/6669, May 18, 1967, p.4. Professor Lall also in a different context, draws attention to this letter of the Egyptian Armed Forces Chief of Staff. Lall, The UN and the Middle East Crisis, p. 19.

23. At 3:10 a.m. on June 5, 1967, the Israeli Permanent Representative Amb. Rafael informed the President of the Security Council, Amb. Hans Tabor of Denmark that the Egyptian land and Air forces had launched an attack against Israel and the the latter's forces were engaged in repelling the aggressors. So the Israelis were clearly the first to cry wolf. S/PV.1347, pp. 4-5.

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Did the Arabs really attack first? Did Nasser intend to launch an offensive against Israel? The answer to the first question is perhaps succinctly given by President Sadat of Egypt:

"The myth that was created by Israel and her supporters that in 1967 she was exposed to a grave danger of 'extermination' by Egypt is now being dissipated by those who have created it themselves. Israeli generals now confess that there was never such a danger, that Egypt was not prepared and did not intend to attack. According to the correspondent of Le Monde in Israel, writing to his paper on June 10, 1972: "Mr. Benton, member of the (Israeli) Council of Ministers during the six-days war... affirmed that the very story of the threat of extermination has been invented (by Israel), to justify the annexation of the (Arab) occupied territories."<sup>24</sup>

An analysis of the Middle East situation as it prevailed then would simply lead one to one conclusion. That it would have been the height of naivete and miscalculation for President Nasser to have initiated the war. Nasser like any other political leader or statesman had his weaknesses. Yet he was also an astute politician and a great Statesman. He was not a military genius but at the same time he was not a grotesque military fool either. Perhaps more than any other Arab leader, Nasser never underestimated the military capacity and ability of the Israelis. He was very much aware of the superiority of their forces and the strength of their motivation. Indeed Nasser made it publicly known that whereas

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24. Anwar el Sadat, "Where Egypt stands," op. cit., p. 119.

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"the battle of destiny" i.e. military confrontation with Israel was bound to come, it would take years and even decades before the Arab Armies could tackle the Israelis effectively and defeat them. <sup>25</sup>

But even assuming that the circumstances were such that Nasser felt that he had to try a round against Israel, how can one explain the very lackadaisical and unprepared nature of the Egyptian Armed Forces? It is now common knowledge that almost the entire Egyptian Air Force was destroyed on the ground during the very first two hours of the war. It is reliably understood that when the hostilities broke out the Egyptian War Minister and Deputy Supreme Commander of the Armed Forces, Field Marshal Abdel Hakim Amir was caught airborne together with a number of his senior officers on the way to inspect forward units! Furthermore how does one explain the fact that on the day that the war broke out the then U.A.R. Vice President Zakaria Moheiddin was scheduled to leave for Washington as a special emissary of President Nasser to confer with President Johnson with a view to finding a way out of the ugly confrontation. <sup>26</sup>

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25. From the personal experiences of the author while serving in the United Arab Republic in 1964/65, he found that the Egyptian leadership's approach to the Israelis as that of "preparations combined with extreme caution" notwithstanding the barrage of rhetoric that used to pour from Radio Cairo and even among some leaders not excluding Nasser himself.
26. It is now known that the USSR cautioned Nasser against initiating hostilities and assured him that the Israelis would not likewise do that. The Soviet assurance, so it is said, was based on United States assurances.

There is yet another major factor which made the commencement by Egypt of military hostilities a very unlikely possibility. By moving his troops into the Sinai and thereby showing Egypt's readiness to support Syria; by dislodging the United Nations Emergency Force and asserting Egyptian Sovereignty over the Sharm el Sheikh and by imposing a blockade over the Gulf Aqaba, Nasser was certainly in an extremely commanding position politically. He had clearly outmaneuvered the "enemy" (Israel). He had shown that Egypt was a power to be reckoned with and had obviously immensely strengthened her bargaining position. Nasser's popularity was at its very peak in the Arab World. One after another of the Arab Leaders pledged their support and solidarity.<sup>27</sup> Under the circumstances, and taking into consideration the obvious military superiority which Israel possessed, and which Nasser must have been more than aware of, it would have been sheer shortsightedness to enter into a military gamble! And quite clearly, the Egyptians did not start the hostilities.<sup>28</sup>

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27. On May 30, 1967, Jordan came to the fold. She signed a mutual defence pact with Egypt.
28. Professor Lall, in his book, The United Nations and the Middle East Crisis, 1967, concurs with this view when he states: "It soon became clear that, apart from sporadic shooting across the frontier, the massive military strike on the morning of June 5 was in fact commenced by Israel. Indeed, privately, Israeli diplomats admitted this to be the case." pp. 47 & 48.



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But while Egypt did not unleash the offensive, there is no doubt that a series of moves undertaken by the Egyptian leadership just prior to the outbreak of war precipitated the crisis and gave the Israelis the opportunity and 'excuse' to launch its attacks. And it is here that one must point out Nasser's greatest blunder. He underestimated Israel's possible reaction of being "outmaneuvered" and overestimated the willingness and determination of the major powers to salvage the situation by finding a compromise formula. When Moshe Dayan was appointed Israel's Defense Minister in Israel, Nasser should have seen the hand writing on the wall! He apparently chose instead to trust on the assurances given that Israel would not attack!

The Negotiating positions of the Belligerents

Israel made full and effective use of her offensive. She routed the Arab Armies. The defeat inflicted on the Egyptian Armed Forces was particularly devastating and humiliating. After six days of combat, the landscape of the Middle East had been radically redrawn. Israel conquered the whole of Sinai peninsula (and dug in on the Eastern bank of the Suez Canal), the Gaza Strip, Sharm el Sheikh; the old city of Jerusalem (Arab Jerusalem) and the west bank of Jordan; and the strategic Golan Heights in Syria.

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At this juncture, it is interesting to consider the negotiating positions of the belligerents in the aftermath of the June war. To begin with, we find that Israel, whose negotiating position had been tremendously enhanced due to - (a) its newly conquered Arab lands, (b) its unquestionable military superiority in the region and (c) the shattered morale of its opponents and the decimated nature of their armed forces - made it quite clear that there was no going back to the position of status quo ante the hostilities. Addressing a Press Conference in Tel a Viv on August 14, 1967, the Foreign Minister of Israel, Mr. Eban declared that the map of the Middle East as it existed on June 7 has been "irrevocably destroyed" and that Israel would reject "vague and ambiguous interpretation of solutions" falling short of a peace settlement. He stated:

"We reject... what is called armistice, we reject all kinds of euphemisms designed to provide our neighbours with an escape-route from the necessity of formal inter-state relations. There is no substitute for a directly-negotiated peace settlement... Declarations by the third parties concerning their view of the juridical situation would not have any effect...

"There are two possible maps. There is the cease-fire map as it exists today, or there is the new map of the Middle East which could be achieved only by peace settlements. What the map would look like would only emerge in the peace negotiations themselves, and we have certain very clear ideas about what we think it will look like and what we should like it to look like...

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"The June 5 map has been destroyed irrevocably. There is now the cease-fire map, or there are the frontiers which would be negotiated by Israel and her neighbours. In such negotiations we would offer reasonable and practical proposals. I believe that every Arab Government which negotiated peace settlement with us would benefit from that peace settlement just as Israel would benefit from it... We would make our proposals in detail to each Arab State in the event of direct negotiations. We are prepared to meet at any time with the Governments of Egypt, Syria, Lebanon, and Jordan..."<sup>29</sup>

The maximum negotiating position of the Israelis could therefore roughly be described as constituting the following elements:

- i) Termination of Arab belligerency;
- ii) Direct, face to face, negotiations with the Arabs. While not completely ruling out intermediaries, the latter's role, if at all necessary, would be that of "assisting" to get the negotiations going and not "mediating".
- iii) Guarantee to Israeli shipping both through the Suez Canal and the Straits of Tiran. There should be iron-clad guarantees on this.

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29. Keasing's, op. cit. p. 22285.

iv) Jerusalem's new status is not negotiable.<sup>30</sup>

The city cannot be divided again. It will remain the capital of Israel.

v) Though the status of Jerusalem is not negotiable, Israel would guarantee access to the holy shrines - to Muslims and Christians alike - without hindrance or harassment. Furthermore she would be quite willing to consider favourably, some sort of internationally accepted arrangement for the city's holy places.

vi) Israel bears no special responsibility for the Palestinian refugees. The solution to their problems must be worked out within the framework of an overall settlement. In any case, there are a number of

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30. Indeed immediately after the conquest of the old city, Israel has demonstrated both in word and deed that she has no intention of giving it back. In this case, she has ignored or treated with absolute contempt many resolutions of the Security Council and the General Assembly calling upon her not to change the status of the old city. General Assembly resolutions 2253(ES-V) and 2254(ES-V) and Security Council Resolutions 252(1968), 267(1969) and 271(1969) are pertinent examples. For an illuminating expose of the Arabs' complaints on the Israeli actions in the old city in a move to make it a permanently integral part of Israel, see statement by the Special Representative of Jordan, Mr. B. Toukan, in the Security Council at its 1579th meeting, on 16th September, 1971. Security Council Official Records, Document S/PV.1579.

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Jewish "refugees" who had been "forced to flee from their countries of origin in the Arab world including North Africa. These left their properties there. Thus, there has really been "exchange" of populations. As to the demands of the Arab States for the "restoration of the legitimate rights of the Palestinians", the Israelis treated this as a camouflaged way of challenging the very existence of Israel. And they have treated the demand with maximum scorn.

What of the Egyptian and indeed the other Arab belligerents' position? We have already alluded to the Khartoum Summit's decision of the three No's (No recognition, No negotiation and No peace). The Khartoum resolutions were however to be considered as broad guidelines. In terms of specifics, the Arab position, confronted by the above mentioned demands of their victor, could briefly be summarised as follows:

- i) No recognition of Israel and no renunciation of belligerency.
- ii) No negotiation with the 'enemy' until she has forfeited the fruits of her aggression, i.e. until Israel has completely withdrawn from all occupied territories.

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- iii) No negotiations until the legitimate rights of the Palestinians have been restored. In Egyptian parlance,<sup>31</sup> this means that until the Palestinian refugees are allowed to go back home in what is now Israel or given compensation in accordance with the United Nations General Assembly resolutions.
- iv) There would be no direct, face-to-face, negotiations as such mode of international negotiation would be fully exploited by Israel due to her position of "victor". That type of negotiation would amount <sup>not</sup> to dictation. It would/be among equals.
- v) Any negotiations must be indirect through third party intermediaries and should be strictly based on Security Council Resolution 242 of November, 1967.

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31. Writing from Cairo in a dispatch to his paper, the Chief Correspondent of the New York Times, Henry Tanner writes: "Egyptian officials define the "legitimate" rights of the Palestinians as the rights of the refugees to return to their homes or receive compensation in accordance with United Nations resolutions". Henry Tanner, "Arabs qualifying support of Sadat", the NEW YORK TIMES, Saturday, February 2, 1974, p. 3.

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One of the significant phenomena of the negotiating positions of the belligerents in the Middle East conflict is that as the Egyptians and the Arabs in general became more forthcoming, compromising and obviously making significant concessions, the Israelis became more difficult, hardening their position, increasing their list of "non-negotiables" and treating world public opinion with either indifference or at times conspicuous contempt.<sup>32</sup>

As the years of occupation lingered on, and in an obvious attempt to break the stalemate, the Egyptians as well as the Jordanians started softening their terms. Egypt intimated its willingness to allow access through the Straits of Tiran in return for Israeli withdrawal from occupied Arab lands. She even hinted that Israel-bound cargoes could pass through the Suez Canal. Jordan, on the other hand, expressed its willingness to have the Western Bank demilitarised. She also undertook to allow free access to the Israelis to their holiest of shrines - the Wailing Wall. Subsequently, both Jordan (first) and later Egypt were to declare that "Israel is

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32. The Israelis have demonstrated increasing disenchantment with, and even hostility to, the United Nations. They have repeatedly accused the United Nations of having an inbuilt majority against them. Furthermore, they have simply ignored many of the decisions of the Security Council and resolutions of the General Assembly even when these decisions are adopted unanimously by the Security Council and resolutions agreed by overwhelming majority in the Assembly. The question of the status of Jerusalem is particularly relevant in this connection.

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a fact of life" - a position which taken in the context of Israeli-Arab hostilities, is by no means insignificant. But perhaps a most significant concession from the Egyptians came in 1971 when, as we shall see later, Egypt told the U.N. mediator, Ambassador Jarring that she would be prepared to sign a Peace Treaty with Israel.

Instead of making use of this opportunity to come to terms with her Arab neighbours, it would appear that the Israeli leadership hoped to extract the maximum of concessions from "the vanquished" Arabs. Steadily, but with firmness, Israel's demands were being maximised. In March 1969, Israel is reported to have declared that it will not accept any peace proposal that fails to provide for direct negotiations with the Arabs and for Israeli retention of some occupied lands.<sup>33</sup> And on March 12, 1972, the Israeli Prime Minister, Mrs. Meir was reported by the London Times to have made the following points on the elements which Israel considers essential for a Middle East settlement:<sup>34</sup>

- a) Israel must have Sharm-El-Sheikh, which dominates the Straits of Tiran, and have access to it. Sinai must be demilitarised. There should be mixed force to guarantee demilitarization;

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33. Newsweek, International Edition, October 15, 1973, p. 41.

34. Mrs. Meir, in an interview with Louis Herin of the Times of London, March 12, 1973.



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- b) Egypt could not return to Gaza;
- c) The border around Elath, Israel's port on the Gulf of Aqaba, must be negotiated;
- d) Israel would not relinquish the Golan Heights;
- e) Jerusalem must remain united and part of Israel;
- f) The Jordan river must not be open for Arab troops to cross. Israel must have something there and perhaps on the heights behind;
- g) Israel was opposed to an independent Palestinian West Bank; and
- h) the final borders on the West Bank must not divide but connect Israelis and Arabs.

These were certainly heavy demands. They obviously constituted an escalation of the Israeli requirements for settlement, at a time when the Egyptians and their allies had shown a clear trend of de-escalating theirs. And they were demands that could hardly be seriously considered, much less accepted, by the Arabs. The Permanent Representative of Kuwait to the United Nations commented on Mrs. Meir's terms for peace as follows: "it is clear from such a map that Israel is determined to impose a conquerer's peace upon the Arabs. It is not an offer but a provocation. No Arab will accept such a diktat, nor would any other people accept a similar one.

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This Israeli behaviour can only be explained in the context of how Israel presumably began to see its role and position in the region - a powerful force capable of having its way and possibly even dictating its terms. Naturally, this attitude of the Israeli authorities, made negotiations more difficult and elusive. For as Professor Lall candidly observes:

"When there is a real of assumed significant disparity of power between the parties to a dispute or situation, or when one of the parties is imbued with a sense of growing power, then such disparity or sense of buoyant power may militate against resort<sup>36</sup> to negotiation to settle the dispute or ameliorate the situation." (emphasis added).

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36. Arthur Lall, Modern International Negotiation, p. 150.

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IV. EFFORTS AT MEDIATION

In retrospect, we can point out that one of the great tragedies of the June 1967 war was the fact that while all assessment was pointing out to the inevitability of a military confrontation, the international community, and in particular, the Security Council failed to take the necessary measures to prevent it. In this respect, Arthur Lall's observations are relevant:

"There was disquieting evidence in plenty which renders it impossible to acquit the Security Council of the charge that in April and much of May, 1967, it failed to read the writing on the wall and did not discharge its Charter functions and responsibilities in regard to the maintenance of international peace and security ... The Security Council failed to respond to the clear needs of the hour. By so failing it contributed to the rapid development of the militant actions which took place in the Middle East during the second half of May and the first half of June, 1967." 37

The failure by the United Nations to prevent either through direct action or through what is termed "preventive diplomacy" a number of crises from developing into military conflagrations is certainly one of the greatest drawbacks of the world body. The

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37. Arthur Lall, The U.N. and the Middle East Crisis, 1967, p. 10.

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Middle East is one area, though by no means the only one, where the United Nations has been particularly remiss. Another example which comes immediately to mind is the Indo-Pakistan confrontation leading to the December, 1971 war.

The trend towards "immobility" exhibited by the Security Council in confronting the aforementioned crisis situations must certainly be viewed as great disappointments to the millions, if not billions, throughout the world who have placed so much faith in the ability and capacity of the organization to confront and overcome such crises and in particular to prevent and contain local incidents from being internationalised. The founding fathers of the Organization, meeting in San Francisco did certainly place a preeminent importance to the United Nations' role in the preservation and maintenance of international peace and security when they declared that objective as the first purpose of the Organization and in the realisation of which, they had pledged themselves: "...to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international

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disputes or situations which might lead to a breach of the peace." 38

(Emphasis added)

Furthermore, the conferees at San Francisco must have been conscious of and had confidence in, the dictum, "All international disputes and situations are at one stage or another, negotiable, either directly between the parties concerned, or through other agreed forums and procedures," <sup>39</sup> when they declared that all Members of the United Nations shall settle their international disputes peacefully so as not to endanger international peace and security and justice. <sup>40</sup> When, therefore, the United Nations, despite clear warnings, fails to defuse a crisis and it develops into a military confrontation, as was the case in the 1967 war, the very foundation of the Organization undergoes a severe traumatic moral and psychological, if not physical, strain.

But while criticisms can and should be made on the Security Council's failure to act promptly prior to the outbreak of hostili-

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38. Charter of the United Nations, Article I (1)

39. Arthur Lall, Modern International Negotiation, p. 131.

40. Charter of the United Nations, Article 2 (3).

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ties, and by the General Assembly after the war, in an attempt to find a solution to the conflict. The Council adopted a series of resolutions calculated to bring a halt to the shooting and cessation<sup>41</sup> of all hostilities. These marked a beginning of a continuing and intensive interest and activity both in the Security Council and the General Assembly on the question of the Middle East.

There is one significant element about all the Security Council resolutions which should however be immediately highlighted. This is the lack of "withdrawal of troops" clause in any of them. They all related to the question of ceasefire, cessation of hostilities or strengthening of ceasefire situation. This "failure" by the Council to immediately pronounce itself on the question of withdrawal, though perhaps understandable under the then prevailing circumstances, was to inevitably create a lot of difficulties later as the United Nations attempted to untangle the Middle East "jigsaw puzzle."

Let us now consider the various peace initiatives taken from the end of the June, 1967 war to the advent of yet another major

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41. Security Council Resolutions: 233 (1967) of June 6, 1967; 234 (1967) of June 7, 1967; 235 (1967) of June 9, 1967 & 236 (1967) of June 12, 1967.

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war in the Middle East in October 1973. Here we find that there were initiatives taken both within the Organization and without. That these initiatives failed to ameliorate the situation in the Middle East or for that matter settle the conflict among the disputants, is a reflection not of a lack of concern and of constructive ideas on the part of the international community. Rather, it is, as we shall demonstrate later, the result of the "unreasonable" position held by one of the principal belligerents.

Resolution 242 (1967)

At the United Nations level, there is, of course, the famous Security Council Resolution 242 (1967) which was unanimously adopted on November 22, 1967. Earlier, an Emergency Special Session of the General Assembly which was convened in June and July at the initiative of the Soviet Union, ended without adopting any decision. The deadlock was precipitated due to the lack of harmonious agreement between different groups in the Organization which could command

42. The Emergency Special Session was convened on June 17, 1967 and for two months, the Session endeavoured in vain to agree on a common course of action. This was the Fifth Emergency Session in the history of the Organization. The Other four were: (i) in 1956 on the Suez Crisis; (ii) in November, 1956 on the Question of Hungary; (iii) in August 1958, on the Lebanese Crisis regarding the withdrawal of American troops from the area; and (iv) in 1961 on the Congo Crisis.

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the broadest support of the membership of the Organization and be acceptable to the Arab States. Yet, notwithstanding the fact that the Special Session had agreed on no resolution, the Session was important since it provided an opportunity for members of the United Nations to define their respective positions with respect to the Middle East Conflict and how it could be resolved. In the light of the controversy that has eventually developed regarding the interpretation of Resolution 242, the background of the Special Session becomes particularly important and relevant.

This singularly important United Nations document which provides the necessary elements of a framework for peaceful settlement in the Middle East, merits some examination. To begin with, it is to be noted that both the two principal belligerents -  
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Egypt and Israel have accepted it. Indeed, it is significant that even after the outbreak of the fourth Arab-Israeli war in October 1973, the resolution continues to be the only acceptable

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43. The Egyptians were the first to accept Resolution 242. The Israelis took their time. After considerable speculation within United Nations circles and much "taunting" by the Egyptians that the Israelis were not in favour of the resolution, Tel Aviv declared its support.



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basis for negotiating a possible solution to the conflict. Clearly therefore, the document is considered, at least by both Egypt and Israel, to contain all the essential elements to provide peace, justice and security in the area.

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The resolution which was introduced by the United Kingdom and unanimously accepted by the Security Council, contains inter alia the following elements:

- (i) withdrawal of Israeli troops;
- (ii) termination of belligerency, and respect for the independence and territorial integrity of every State in the Middle East to live in peace within secure and recognized boundaries;
- (iii) freedom of navigation through international waterways i.e., through the Suez Canal and the Strait of Tiran;

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44. Though the draft was introduced by Britain's Lord Caradon, it is reliably reported that the draft was a United States "brain-child". A comparison of this draft with the United States draft resolution introduced during the Fifth Emergency Session, A/L.520 of June 20, 1967, clearly shows that but for the provision on the "inadmissibility of the acquisition of territory by war" included in the preambular paragraph of Resolution 242, most of the other elements contained in the Security Council draft reflect the United States' position.

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- (iv) the settlement of the Palestinian refugees;
- (v) establishment of measures including demilitarized zones to guarantee the independence of every  
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state in the region.

But while both Egypt and Israel accepted this Security Council Resolution and expressed their readiness to implement its provisions, it became increasingly clear that the two sides attached different meanings to some of the provisions of the resolution. This issue of interpretation emerged, at least superficially, as the greatest stumbling block to the implementation of the resolution. The fundamental area of disagreement lies in the meaning of operative paragraph 1 of the resolution on the issue of "withdrawal" of troops and "...the right of every state to live in peace within secure and recognized boundaries ..." (emphasis added). With Egypt's subsequently expressed readiness to enter into a peace treaty with Israel and thereby terminating the status of belligerency, the issue of withdrawal really became the strong bond of contention.

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45. For a full text of Security Council Resolution 242 (1967) of November 22, 1967 see Appendix I.

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The resolution refers to "withdrawal of Israeli armed forces from territories occupied in the recent conflict." The omission, inadvertent or otherwise, of the article "the" or the word "all" before "territories" seems to have given the Israelis the reasoning that the resolution was not rigid on the question of withdrawal; that it was deliberately flexible so that the Arabs and the Israelis should work out between themselves the extent and exactitude of withdrawal. In other words the Israeli argument is that the omission in Resolution 242 of "the" or "all" was deliberate and not inadvertent.

The other bond of contention - though apparently of a secondary importance - is the question of what should come first? The resolution outlines a number of action-oriented principles but does not specify how these are to be brought about or for that matter, in what order or priority.

Addressing the 28th regular session of the General Assembly, on October 3, 1973, just two days prior to the October war, Israel's Foreign Minister Aba Eban made the following remarks on the question of Resolution 242:

"What about Security Council Resolution 242 (1967)?"

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The answer is yes, we accept it as the basis for negotiation with Egypt and Jordan ... It is vital to understand what the resolution says and what it does not say. It rules out withdrawal except in the context of a "just and lasting peace." It does not require any unconditional Israeli action without balancing actions on the Arab side. And it specifically makes provision for the establishment of secure and recognized boundaries by agreement between Member States. When Arab Governments persuaded international conferences to say that Resolution 242 (1967) requires immediate and unconditional withdrawal from all the territories, they commit a triple forgery within a single sentence and put our documentary consensus in jeopardy. But as it stands and as written, it is a documentary basis for negotiation." <sup>46</sup> (Emphasis added).

Here we can discern at least three important elements in Mr. Eban's statement. Firstly, there can be no withdrawal without simultaneous action by the Arabs fulfilling their parts of the resolution's requirements, e.g., termination of belligerence and free passage through the Suez Canal. Secondly, the Arabs' position of insisting upon withdrawal from all the territories is a distortion of the provisions of Resolution 242. Thirdly, that the resolution is not a panacea for the settlement of the conflict; rather it is "a documentary basis for negotiation."

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46. A/PV.2139, p. 37.

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The Israeli Foreign Minister made his country's position on withdrawal clear, when he further stated:

"Do we accept the principle of withdrawal? Yes. In the context of a permanent peace, Israeli forces would withdraw to positions and boundaries determined mutually by the peace agreements. Our policy is not unilateral annexation but the negotiation of agreements on the final boundary. The position is in full accord with the intentions of those who drafted and sponsored Security Council Resolution 242 (1967)<sup>47</sup> (Emphasis added).

Two points here are of interest regarding Mr. Ebans' statement. In the first place, he reiterates Israel's acceptance of the principle of withdrawal but then goes on to qualify it. He conceives such a withdrawal in the context of mutually agreed boundaries which, as we have pointed out earlier, quoting different statements of Israeli leaders, preclude withdrawal to the June 4, 1967 position. Here is an eloquent statesman playing with words and appearing both reasonable and moderate (no unilateral annexation) and yet not giving in an inch to the Israeli held position which briefly put, entails the redrawing of the Middle East map and incorporating into Israel a number of conquered territories! Mr. Eban stated that there was to be no unilateral annexation and yet

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47. Ibid, pp. 37 & 38.

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that is exactly what Israel has done in respect to Jerusalem. And  
it was Mr. Eban who wrote to the Secretary General rejecting the  
General Assembly's resolution regarding the status of Jerusalem.

The other point of interest in Mr. Eban's statement is the way he rationalises and justifies Israel's position as being compatible with "the intentions of those who drafted and sponsored Resolution 242 (1967)". Mr. Eban had the United States' position specifically in mind. For, he went on to quote what the United States Secretary of State Mr. Joseph Sisco said in 1970:

"That resolution (242) did not say withdrawal to the pre-June 5 line. The resolution said the parties must negotiate to achieve agreement on the so-called final and secure recognized borders. In other words, the question of final borders is a matter of negotiation between the parties." 50

There is no doubt that the Resolution (242) is vague and ambiguous on a number of points. But then it is a document of compromise and like all documents of compromise the element of

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48. General Assembly Resolution 2253 (ES-V), July 4, 1967. Following this rejection by Israel, the General Assembly adopted yet another resolution on July 14 calling upon Israel to rescind all new measures undertaken in respect of the status of Jerusalem. G.A. Resolution 2254 (ES-V), July 14, 1967.

49. For Mr. Eban's Letter of July 10, 1967, see A/6753.

50. A/PV.2139, p. 38.

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certain ambiguity and multi-faceted interpretations is bound to arise. Foreign Minister Eban is certainly on firm grounds when he asserted that the Resolution "does not require any unconditional Israeli action without balancing actions on the Arab side." On the other hand, however, it is difficult to sustain Israel's interpretation on the question of withdrawal.

The principle of non-acquisition of territory by force, is a sacrosanct principle as far as the United Nations is concerned. It is therefore hard to try and rationalize even by inference, that the United Nations through its principal organ responsible for the maintenance of international peace and security, could have acquiesced to the concept of "territorial aggrandisement."<sup>51</sup>

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51. Assistant Professor of International Law, Ruth Lapidoth, of Hebrew University, Jerusalem tries to make this rationalisation. In her article "U.N. Resolution 242," she wrote:

"An analysis of the text therefore, appears to indicate that the resolution envisaged a withdrawal of Israeli forces to new and mutually agreed frontiers."

Professor Lapidoth argues that the resolution was not aiming at a complete withdrawal to the frontiers as they existed before June 4, 1967.

Ruth Lapidoth, "U.N. Resolution 242", pamphlet reprinted from the Wiener Library Bulletin, VD.XXVI, Nos. 1/2, new series No.s 26/7. printed in Britain by the Eastern press Ltd.

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In his report to the General Assembly's 22nd Session, Secretary General U-Thant had the following to say regarding the question of withdrawal of Israeli troops from occupied areas:

"There is near unanimity on this issue in principle, because every one agrees that there should be no territorial gains by military conquest. It would, in my view, lead to disastrous consequences if the U.N. were to abandon or compromise this fundamental principle." 52

The trend of the debate during the Fifth Emergency Session of the United Nations General Assembly (June and July, 1967) was almost in unanimous concurrence with this line adopted by the then Secretary General. In fact, U Thant was in a way simply reflecting the views of the general membership of the Organization since his report came out after the inconclusive ending of the Emergency Session. Nevertheless, perhaps it would be useful to recapitulate the various statements made, as a sample of the cross-section of opinion of the United Nations membership.

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52. Annual Report of the Secretary General to the General Assembly covering a period of June 16, 1966 to June 15, 1967 Official Records of the General Assembly-Twenty Second Session, Supplement No. 1 [ A/6701 ]



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Let us begin with the United Kingdom whose delegation was later to be the official mover of Security Council Resolution 242 (1967). Addressing the General Assembly, the British Foreign Secretary, George Brown (now Lord Brown) referred to Article 2 of the United Nations Charter and categorically declared that, "In my view, it follows from the words in the charter that war shall not lead to territorial aggrandisement."<sup>53</sup>

This position of the United Kingdom was to be reaffirmed by Lord Caradon in the Security Council when introducing draft resolution which was subsequently adopted as Resolution 242 (1967). Lord Caradon then stated:

"If I had to sum up the policy which has been repeatedly stated by my Government I would go back to the words used by my Foreign Secretary in the General Assembly less than a month ago [in September during the 22nd session]. These were his words: 'I should like to repeat what I said when I was here before (during the Emergency Special Session): Britain does not accept war as a means of settling disputes, nor that a state should be allowed to extend its frontiers<sup>54</sup> as a result of war. This means that Israel must withdraw."

The French position both in the Emergency Session Assembly and in the Security Council was even more unequivocal. In the

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53. A/P.V.1529, p. 135.

54. Official Records of the Security Council, Twenty Second War, 1381 st meeting, para. 20.

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Assembly, France voted for the non-aligned resolution which called for the immediate withdrawal of Israel to positions ante the June 5 hostilities. While explaining his vote in the Security Council after the voting Monsieur Berard, the representative of France stated:

"We must admit, however, that on the point which the French delegation has always stressed as being essential - the question of withdrawal of occupation forces - the Resolution which has been adopted, if we refer to the French text which is equally authentic with the English, leaves no room for any ambiguity, since it speaks of withdrawal 'des territoires occupes', which indisputably corresponds to the express 'occupied territories.'

"We were likewise gratified to hear the United Kingdom representative stress the link between this paragraph of his resolution and the principle of inadmissibility of the acquisition of territories by force." (Emphasis added). 56

As to be expected, the position of the Soviet Union - a

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55. A/L.522/Rev.3 of July 3, 1967. This draft is being referred to later in the paper.

56. Official Records of the Security Council, Twenty Second Year 1382nd meeting, paras 111 and 112.

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third permanent member of the Security Council was uncompromising on the question of withdrawal. The Soviet Union, under whose initiative, the Emergency Special Session was convened, had tabled its own Resolution in the Assembly which, if approved, would have the Assembly "demand that Israel should immediately and unconditionally all its forces from the territory of those States to positions behind the armistice demarcation lines, as stipulated in the general armistice agreements, and should respect the status of the demilitarised zones, as prescribed in the armistice agreements."

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The Russians who sent Chairman Kosygin in person to the Emergency Special Session, were represented by their reputed trouble shooter, in the Security Council debate. Deputy Foreign

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57. Thus of the five Permanent Members of the Council, three supported clearly the principle of total withdrawal as their statements already cited confirm. The fourth, the Peoples Republic of China, which regained its membership in 1971 after the expulsion of the Chiang Kai-shek regime's representatives, does not only support the principle of total withdrawal but indeed considers Resolution 242 (1967) as being too mild. Therefore, only the United States, among the Permanent Members has a somewhat prevaricating and ambivalent position on the issue of "total withdrawal".
58. Operative paragraph 2 of the draft resolution of the USSR, A/L.519 dated June 19, 1967.

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Minister Kuznetsov explained the Soviet positive vote on Resolution 242 (1967) in the following terms:

"We understand the decision taken to mean the withdrawal of Israel forces from all, and we repeat, all territories belonging to Arab States and seized by Israel following its attack on those States on June 5, 1967. This is borne out by the preamble to the United Kingdom draft resolution /S/82477 which stresses the 'inadmissibility of the acquisition of territory of (sic) war.' It follows that the provision contained in that draft relating to the right of all States in the Near East 'to live in peace within secure and recognized boundaries' cannot serve as a pretext for the maintenance of Israeli forces on any part of the Arab territories seized by them as a result of war. (Emphasis added). 59

Let us now consider some of the statements made by the non-permanent members of the Security Council as well as non-members of the Council in the Emergency Special Session and in some cases during the Security Council October/November 1967 debate. And since the pro-total withdrawal position of the Afro-Asian non-aligned members is clearly known and reflected in their resolution which we have already referred to, it would be

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59. Official Records of the Security Council, Twenty Second Year 1382nd meeting, para. 119.
60. Draft Resolution A/L.522/Rev.3, July 3, 1967 sponsored by the following non-aligned States: Afghanistan, Burundi, Cambodia, Ceylon, Congo (Brazzaville), Cyprus, Guinea, India, Indonesia, Kenya, Malaysia, Mali, Pakistan, Senegal, Somalia, United Republic of Tanzania, Yugoslavia and Zambia.

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ideal to examine the views of those countries which cannot in any way be considered as being anti-Israel or pro-Arab in their traditional as well as current foreign policy positions.

The Deputy Prime Minister and Foreign Minister of Ireland Mr. Frank Aiken maintained that, "... any thing less than a complete withdrawal (of Israel troops) would be intolerable on the part of a signatory of the United Nations Charter." <sup>61</sup> Canada's Foreign Minister reaffirmed the statement made by Canada's elder statesman Lester Pearson in 1957: "We cannot but agree that if Israel has a right to live and prosper free from the fear of strangulation from its neighbours, the Arab States also have a right to feel confident that Israel will not attempt to expand its territory at their expense." <sup>62</sup> Supporting the principle of full withdrawal the Prime Minister of Denmark Mr. Otto Krag, categorically declared that, "Military action should not lead to territorial gains." <sup>63</sup>

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61. A/PV.1538, pp. 18-20.

62. A/PV.1533, pp. 43-45.

63. A/PV.1529, p. 37.

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The Latin Americans, who have a reputation at the United Nations for scrupulous adherence to and respect of, juridical principles, were not less emphatic on the principle of total withdrawal. The Permanent Representative of Ecuador, Ambassador Benitez (who in 1973 presided over the 28th Session of the General Assembly) - an eminent international lawyer in his own right, declared:

"I have specific instructions from my Government to state that we openly reject any territorial conquest through force or the retention of territories that have been occupied as a means of exerting pressure on further negotiations for peace." <sup>64</sup>

Argentina's position was made both in the Assembly and in the Security Council. Speaking during the Emergency Session of the Assembly, the Argentine Foreign Minister asserted that "withdrawal must be a concomittant with cessation of the state of belligerency if it is to have truly a logical meaning and a

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juridical basis." And Ambassador Ruda, the Permanent Representative of Argentina was to make the following explanation of vote

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64. A/PV.1539, p. 11.

65. A/PV.1537, p. 57.

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when the Security Council was adopting its Resolution 242 (1967):

"We have felt all along that the road towards final peace was through sound and effective decisions involving mutual concessions such as are normal in this type of conflict. Basically, this means the withdrawal of troops from the occupied areas on the one hand and the cessation of belligerency on the other." 66

Another Latin American State which was also a non-permanent member of the Security Council was Brazil. Explaining his delegation's vote on the Resolution 242 (1967) Ambassador De Carvlho Silos stated:

"I should like to restate, on behalf of my delegation the general principle that no stable international order can be based on the threat or use of force, and that the occupation or acquisition of territories brought about by such means should not be recognized. The validity of this rule cannot be contested and is not challenged by anyone around this table." 67

The Permanent Representative of Colombia told the Emergency Session that, "there could be no legitimate alteration of territorial boundaries by force, a position to which Colombia was committed not only as a member of the United Nations." 68

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66. Official Records of the Security Council, Twenty Second Year, 1382nd Meeting, para. 156.

67. Ibid, para. 163.

68. A/PV.1538, p. 32.

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While Costa Rica's Ambassador Luis Demetrio Tinoco admonished Israel not to "forget that modern law has totally abandoned the ancient concept which caused so much suffering and bloodshed: that the spoils of war go to the victor and that the victor can dictate terms in peace."<sup>69</sup>

To crown it all, the resolution which the Latin Americans jointly presented for consideration and decision by the Emergency Special Session,<sup>70</sup> had as its operative paragraph 1(a) an Assembly's urgent request to the effect that "Israel to withdraw all its forces from all the territories occupied by it as a result of the recent conflict" (emphasis added). Thus, in the clearest possible terms, the Latin American States made their position known. There should be no enjoyment of the fruits of conquest. Israel must effect a total withdrawal.

It was therefore not surprising to those who had followed

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69. A/PV.1542, p. 57-60.

70. Draft Resolution A/L.523, June 30, 1967 sponsored by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Trinidad and Tobago and Venezuela.



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the debate during the Fifth Emergency Special Session, when the President of the Assembly, Afghanistan' Permanent Representative, A.R. Pazhwak, giving his interpretation of the work of the Assembly stated that one of the three areas of broadest agreement was that,

"There is virtual unanimity in upholding the principle that conquest of territory by war is inadmissible in our time and under our Charter." <sup>71</sup>

We have therefore seen that both in the Assembly during its Fifth Emergency Special Session and in the Security Council prior to and after the adoption of Security Council Resolution 242 (1967) there was a clear consensus that "acquisition of territories by force" is impermissible, that conquests create no rights and that any attempt to flout these principles is repugnant to the principles of the Charter of the United Nations. <sup>72</sup> Indeed, as we have already elucidated elsewhere, four, out of the five general resolutions presented in the Assembly, specifically called for a complete withdrawal of Israeli forces from

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71. A/PV.1549, p. 37.

72. These are the draft resolutions presented by the USSR, the Non-Aligned States, The Latin American States and Albania.

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occupied Arab territories. Only the United States draft resolution was ambiguous on the question of withdrawal by stipulating in its operative paragraph 3(a) thus:

"Mutual recognition of the political independence and territorial integrity of all countries in the area, encompassing recognized boundaries and other arrangements, including disengagement and withdrawal of forces, that will give them security against terror, destruction and war." 73

Yet, notwithstanding this ambiguous position projected in the United States draft resolution with respect to the question of withdrawal, it is significant and indeed crucially important to take note of the fact that the United States did vote in favour of the Latin American draft resolution which among other things, as already stipulated, contained the element of total withdrawal of Israeli troops. The fact that the resolution did not get through, since it failed to get the required two-third majority, does not in any way detract from the substance of the matter namely, the United States like almost every other State which took part in the 5th Emergency Special Session of the Assembly to consider the question of the Middle East,

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73. Operative paragraph 1 of the Draft Resolution of the United States, A/L.520, June 20, 1967.

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supported the principle of total withdrawal. There can be no other meaning or interpretation to the United States affirmative vote on the Latin American draft. Furthermore, the fact that post 5th Emergency Session official United States position - made either publicly or through refraining to commit oneself when such a commitment is called for - on the issue of withdrawal has been generally accepted to be that of being firmly sympathetic to Israeli position of not returning to the pre-June 5 positions - again does not alter the fact that at one time the United States supported the principle of "complete" withdrawal.

The purpose of the above rather lengthy exercise of analysing the background concerning the issue of withdrawal in Resolution 242 (1967) is to uphold a position that though the Resolution does not refer to "all" the territories, it is quite clear that that was the intention. For as has already been explained, resolutions are read taking into account both their preambular parts as well as the operative paragraphs. Preambular paragraph two of the Resolution read in conjunction with operative paragraph 1(i) leaves no room for ambiguity. Speaking for his delegation, the Permanent Representative of

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India, Ambassador Parthasarathi made the following explanation of vote which was more or less reiterated by the African and Asian non-aligned members of the Council (Mali, Nigeria, and Ethiopia):

"The principle of the inadmissibility of territorial acquisition by force is absolutely fundamental to our approach and we cannot accept or acquiesce in any decision that leaves out territories occupied by military conquest from the provision of withdrawal.

"It is our understanding that the draft resolution, if approved by the Council will commit it to the application of total withdrawal of Israel forces from all the territories - I repeat, all the territories - occupied by Israel as a result of the conflict which began on June 5, 1967.

".....This being so, Israel cannot use the words 'secure and recognized Boundaries' ....to retain any territory occupied in the recent conflict." 74 (emphasis added).

In concluding our observations with regards to Security Council Resolution 242 (1967) concerning the question of withdrawal, we note that a number of other General Assembly and Security Council Resolutions in addition to Resolution 242 (1967), have reaffirmed" the established principle that acquisition of

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74. Official Records of the Security Council Twenty-Second Year, 1382nd Meeting, paras 49 and 52.

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territory by military conquest is inadmissible" and have called for the "withdrawal of Israeli armed forces from territories occupied" in the June, 1967 conflict.  
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Jarring Mission

Operative paragraph three of Security Council Resolution 242 (1967) contained a request to the Secretary General to "designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the states concerned in order to promote agreement and assist in efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principle of this resolution." Accordingly, the Secretary General appointed Ambassador Gunnar Jarring, of Sweden. The latter assumed his responsibilities at the end of November,  
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1967.

For five years the Special Representative tried to bridge the gap that conspicuously lay between the Egyptians and the other Arabs States concerned on the one hand and the Israelis

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75. These include Security Council Resolutions 252 (1968), 267 (1969), 298 (1971) and General Assembly Resolutions 2628 (XXV) of 1970, 2727 (XXV) of 1970 and 2799 (XXVI) of 1971.

76. S/8259.

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on the other. Ambassador Jarring initiated contacts and undertook consultations in New York as well as in the capitals of the belligerent powers. We shall not here go in to the details of

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Ambassador Jarring's activities. A few salient points would however be worth mentioning:

- i) The Special Representative's first hurdle was to try and get the belligerents to communicate. Israel suggested that Egypt and herself should  
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as a first step discuss an agenda for peace. Egyptian response which was shared by Jordan was that "there could be no question of discussions between the parties until the Israeli forces had been withdrawn to the position occupied by them  
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prior to June 5, 1967." This problem of how to initiate the dialogue was eventually solved when the Israelis concurred to indirect negotiations though at the same time stipulating

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77. For a brief but a consider resume of Ambassador Jarring's activities see the REPORT OF THE SECRETARY-GENERAL UNDER SECURITY COUNCIL RESOLUTION 311 (1973) of 20 April, 1973, S/10929, 18 May '73 pp. 23-40.

78. Ibid, para. 46, p. 23.

79. Ibid, para. 47, p. 24.

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that such indirect negotiations should "lead to at a later stage (to) direct negotiations and agreement."<sup>80</sup>

- ii) We have already alluded to the differences between Egypt and Israel on the question of interpretation of Resolution 242 (1967). We must now mention that these differences immediately confronted the Special Representative. Secretary General Kurt Waldheim in his report to the Security Council summed up these differences facing Ambassador Jarring:

"On the one hand, Israel regarded the Security Council Resolution as a statement of principles in the light of which the parties should negotiate peace and, on the other hand, the United Arab Republic considered that the resolution provided a plan for settlement of the Middle East dispute to be implemented by the parties according to the modalities established by the Special Representative. It was also abundantly clear that there was a crucial difference of opinion over the meaning attached to the withdrawal provisions of the Security resolution, which according to the Arab States applied to all territories occupied since 5 June 1967 and according to Israel applied only to the extent required when agreement has been reached

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80. Ibid, para. 50, p. 25.

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between the parties on secure and recognized borders between them." <sup>81</sup> (emphasis added).

Ambassador Jarring was never able to bridge these differences though he made every effort to. Perhaps, his most significant initiative came on February 8, 1971. The veteran Swedish diplomat had come to the conclusion that the only possibility of breaking the deadlock created due to the differing interpretations of the discussants "was for him to seek from each side the parallel and simultaneous commitments that seemed to be inevitable prerequisites of an eventual peace settlement between them." <sup>82</sup> Guided by this conviction, the Special Representative submitted identical aide-memoires to Israel and Egypt and asked the two Governments to make to him

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81. Ibid, para. 59, p. 27.

82. Ibid, para. 79, p. 32..



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prior commitments.

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83. The crux of Ambassador Jarring's aide-memoire stated:

"...I wish to request the Governments of Israel and the United Arab Republic to make to me at this stage the following prior commitments simultaneously and on condition that the other party makes its commitment and subject to the eventual satisfactory determination of all other aspects of a peace settlement, including in particular a just settlement of the /Palestinian/refugee problem: Israel would give a commitment to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine on the understanding that satisfactory arrangements are made for:

- "(a) Establishing demilitarized zones;
- "(b) Practical security arrangements in the Sharm el Sheikh area for guaranteeing freedom of navigation through the Straits of Tiran, and
- "(c) Freedom of navigation through the Suez Canal

"The United Arab Republic would give a commitment to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, undertakings and acknowledgements covering the following subjects:

- "(a) Termination of all claims or states of belligerency;
  - "(b) Respect for and acknowledgement of each other's sovereignty territorial integrity and political independency;
  - "(c) Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries;
  - "(d) Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are not committed from within their respective territories against the population, citizens or property of the other party; and
  - "(e) Non-interference in each other's domestic affairs."
- [A/8541, pp. 9 and 10]

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Israel was requested to make a commitment that she will withdraw her forces from the Egyptian occupied territory to the former international boundary between Egypt and the British mandate of Palestine.<sup>84</sup> Israel's reply to this crucial point given to Ambassador Jarring on 26 February, 1971 was unequivocal.<sup>85</sup> "Israel would not withdraw to the pre-5 June 1967 lines."

Egypt was asked to give a commitment to enter into peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, various undertakings and acknowledgements arising either directly or indirectly from paragraph 1 (ii) of Resolution 242 (1967)<sup>86</sup> which stipulates:

"Termination of all claims of state of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force."

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84. Ibid, para. 80, p. 32.

85. Ibid, para. 84, p. 33, (see also text of the Communication presented to Ambassador Jarring by Israel on 26 February 1971). Ibid, Annex IV, p. 1.

86. Ibid, para. 80, p. 32.

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On February 15, the Egyptian Government replied to Jarring's aide memoire and the reply clearly testified a rather dramatic shift of position of the Egyptian leadership in favour of compromise. Egypt stated that if Israel committed itself to implement the provisions of Security Council Resolution 242 (1967) "including committments for the withdrawal of its armed forces from Sinai and the Gaza Strip and for the achievement of a just settlement of the refugee problem in accordance with United Nations resolutions, the United Arab Republic would be<sup>87</sup> ready to enter into a peace agreement with Israel." (emphasis added).

This declaration by Egypt of its readiness to sign a peace treaty with Israel was as dramatic as it was almost unbelievable. It undoubtedly marked a complete reversal of policy in so far as Egypt's attitude towards Israel as a State was concerned. Thus one of Israel's bitterest and persistent complaint that the Arabs refuse to recognize her "existence" was here laid to rest.

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87. Ibid, para 81.

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And yet notwithstanding this obvious concession given by the Egyptian leadership which must have been taken at a great political risk in terms of Middle East politics, <sup>it</sup> was not matched by a corresponding Israeli positive attitude. The assertion by the latter that there was no going back to the pre-June 5 position was a vindication to those, particularly the Arabs who have claimed that Israel was not really preoccupied with the question of "security"; rather her interest was to acquire more territory at the expense of her Arab neighbours.

With the benefit of hindsight, one could state that the negative attitude displayed by Israel to the Jarring Memorandum of February 8, marked a turning point in the erosion of international sympathy and support for Israel. Egypt's attitude and "reasonable" response did more for a better understanding of the Arab cause than any amount of propaganda that could have been unleashed from Cairo or any of the Arab capitals! And this did not take long to manifest itself on the international arena.

The former United Nations Secretary General of the United Nations wrote in his report to the Security Council dated March 5, 1971:

"I wish moreover to note with satisfaction the positive

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reply given by the United Arab Republic to Ambassador Jarring's initiative. However, the Government of Israel has so far not responded to the request of Ambassador Jarring that it should give a commitment on withdrawal to the international boundary of the United Arab Republic.

"... I appeal, therefore, to the Government of Israel to give further consideration to this question and to respond favourably to Ambassador Jarring's initiative."<sup>88</sup>

These sentiments of the U.N. Chief Executive were strongly echoed by the General Assembly that year in the course of its twenty-sixth Session. By its resolution 2799 (XXVI) adopted on 13 December 1971, the General Assembly in its operative paragraphs, after "reaffirming that the acquisition of territories by force is inadmissible and that consequently, territories thus

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88. Ibid, para 88, p. 33. For a complete report of the Secretary General of March 5, 1971, see S/10070/Add. 2.

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occupied must be restored"; pronounced itself in a manner which can only be interpreted as understanding of and support for the Egyptian position while at the same time admonishing Israel's negativism and "stubbornness". In this connection, the Assembly expressed its full support "for the efforts of the Special Representative to implement Security Council resolution 242 (1967); noted with appreciation" the positive reply given by Egypt to the Special Representative's initiative for establishing a just and lasting peace in the Middle East" and called "upon Israel to respond favourably to the Special Representative's peace initiative."

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Israel did not respond favourably to Jarring's initiative notwithstanding the General Assembly's call. In a much stronger resolution, the General Assembly, during its twenty-seventh Session

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89. General Assembly Resolution 2799 (XXVI), operative paragraph 1.
90. This support for the Special Representative was particularly significant at this time. For Israel, apart from refusing to extend 'positive' cooperation was accusing Ambassador Jarring of having exceeded his mandate and of acting outside the context of Security Resolution 242 (1967).
91. General Assembly Resolution 2799 (XXVI), operative paragraphs 4, 5 and 6.

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"invited Israel" to declare publicly its adherence to the principle of non-annexation of territories through the use of force."<sup>92</sup>

Note must be taken here that both these two resolutions [2799 (XXVI) and 2949 (XXVII)] were adopted by very large majorities. In fact they both received more than a two third majority.<sup>93</sup> Support was very cross sectional - from all continents with most of the West Europeans (the traditional allies of Israel) as well as a number of Latin American voting in favour.

As, has been pointed out earlier, Israel has accused the United Nations of having inbuilt majorities against her. But is this really so? If, such were the case, why was the Emergency Special Session of 1967 immobilised? There have been only a few additions to the membership of the United Nations since then and these at best (or worst) are evenly divided between those whose

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92. General Assembly Resolution 2949 (XXVII) on December 8, 1972, operative para. 6.

93. Resolution 2799 (XXVI) contained in document A/L.650/Rev.1 received 79 votes with 7 against and 36 abstentions. Resolution 2949 (XXVII) contained in A/L.686/Rev.1 and Add.1 was passed by 86 votes with 7 against and 31 abstentions.

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sympathy lie with the Arabs and those supporting Israel. The real answer to this erosion of support for Israel in the United Nations lie in Israel's own behaviour. In 1967, there were many who would never have thought of entertaining any criticism of Israel because it was then felt by them that Israel had its own "legitimate" claims and "complaints." Then, a considerable number of members - perhaps the majority - of the international community were concerned with Israel's claim to "security". But six years of occupation of the Arab territories had clearly

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94. Egypt's former Foreign Minister, commenting on Israel's attitude to the United Nations, in his statement made before the 27th Session of the United Nations General Assembly on October 11, 1972, stated:

"The simple regrettable fact is that political Zionism, having used this Organization to realise its ambition of partitioning Palestine, cannot now suffer the nations of the world looking over its shoulders trying to arrest its pre-conceived and pre-planned expansionism."

Mohamed H. El Zayyat, "The situation in the Middel East", published by the Egyptian Mission to the United Nations, New York, 1973, p. 3. For a full statement of Minister El Zayyat, see also, A/PV.2062, pp. 51 - 83.



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dissipated the "soft spot" for the novel misconception of "David fighting against the mighty Goliath."

Despite formidable perseverance and patience on the part of the United Nations Secretary General's Special Representative, it was obvious that given the Israeli position on the question of withdrawal, the prospects for any meaningful progress towards the implementation of Security Council Resolution 242 (1967) were bleak. Efforts to salvage Ambassador Jarring's were many and varied. These were undertaken both within and outside the Organization. Foremost among those are (i) the Four-Power talks, (ii) the Rogers' initiative and (iii) the OAU initiative.

The Four-Power Talks

With a view of "arriving at a common interpretation of Security Council Resolution 242 (1967)"<sup>95</sup> and in order to arrive at a common approach in the formulation of its general provisions for peaceful settlement, the Permanent Representatives of Four<sup>96</sup> Permanent Members of the Security Council or their assistants,

95. S/10929, para. 63, p. 28.

96. The United States, the United Kingdom the USSR and France. When China regained her seat in the United Nations in October, 1971, she made it clear that she would not participate in the meetings. The talks were not making headway any way, and China's declared hostility to such a dialogue made their continuation more meaningless.

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held a series of meetings. These meetings were held on different occasions and at different intervals effective from April 3, 1969. The meetings which were indefinitely postponed in September 1971, were held in Camera and not much was disclosed. What is however public knowledge is the fact that this forum was yet another effort in trying to narrow the differences between the Arabs and the Israelis with the objective of finding a settlement to the conflict in conformity with resolution 242 (1967). In this, the meetings were intended to bolster the mediations efforts of Ambassador Jarring. The latter was kept informed of the substance of the discussions after every meeting by the Secretary General, who in turn was being briefed by the Chairman of the meetings.

Though very little is known as to what really transpired in these meetings of the so called "Big-Four", it is interesting to take note of the observations made by the former US Permanent Representative to the United Nations Ambassador Charles Yost who was one of the participants in the talks. He wrote in Life Magazine, in its issue of April 9, 1971:

"It has been my strong impression, growing out of the four-Power talks... that the Arabs have

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in fact been ready for a year and a half to make such a peace and undertake such commitments -- as Israel had been demanding for more than 20 years. The Egyptians have accepted the commitments requested by Jarring. The Israelis have not. If they do, the negotiations can proceed rapidly to a settlement.... If the Israelis do not accept, the negotiations will before long break down, fighting will resume, on a small scale at first but inevitably escalating." 97

The Rogers initiative

This was an attempt by the United States to promote an interim agreement. Secretary of State William Rogers visited Egypt and other Middle Eastern countries including Israel in April, 1971. Pursuant to this visit, the so called "Rogers' initiative" was in full swing. The interim agreement envisaged the opening of the Suez Canal. Such a move, it was felt, would have given the opportunity to somewhat defuse the confrontation that was then certainly escalating between Egypt and Israel. The Rogers' initiative was however stillborn as Israel rejected

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97. Charles W. Yost, "Last Chance for Peace in the Middle East." LIFE, April 9, 1971, p. 4.

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the Egyptian position that under such an accord Egyptian troops be allowed to cross the Canal. Reflecting in retrospect on this Israeli opposition, it is indeed symptomatic of the changed situation in the Middle East that the Israelis in post - October war, have accepted and implemented a disengagement pact which would not only leave the Egyptian Army control of the Eastern bank of the canal but indeed necessitated Israel's withdrawal from those Western bank areas that she occupied.

The OAU initiative .

As an African state whose territory was under occupation by an extra-continental power, Egypt had every reason to expect the 'fraternal solidarity' of the African States. Yet, a closer study of the positions of the other forty independent African States clearly shows that the support extended to Egypt was not automatic. No was it instantaneous, except of course, for the North African States and a dozen or so other African States who are sometimes labelled as the "radical" group. Yet, just before, during, and immediately after the October war, there was in incredible demonstration of solidarity on the part of Africa towards Egypt. Israel, which had diplomatic and in some cases

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very close relations with almost all independent African States south of the Sahara, now has diplomatic ties only with four (Mauritius, Malawi, Lesotho and Swaziland).

It is tempting but not relevant for the purpose of this paper to examine this phenomena in detail. One element is however, pertinent, in respect to the totality of issues which contributed to the complete identification of free Africa to Egypt's cause. This is Israel's failure to understand that no African State can take lightly the idea of territorial annexation as the fruit of conquest. Ironically, an 'independent' Israeli Observer Douglas L. Greener, was to write in January, 1974:

"Many African governments, when they did announce the break, alluded to just this fact of Israel's occupation of African land.

"Other Observers have noted that African countries, in addition to their desire for continental unity, are sincerely angered by Israel's prolonged occupation of territory in principle. Their own borders being no more than lines drawn on colonial maps African States are especially sensitive to conquest and occupation being set as precedents for whatever reason." 98

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98. Douglas L. Greener, "Israel-African Relations: the End of An Era", AFRICA, No. 29, January, 1974, Published by Africa Journal Ltd. London, p. 64.

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Apart, from the position that she has been publicly advocating with regard to her interpretation of the withdrawal provision of Resolution 242 (1967) (a position that at least some African States friendly to Israel - had considered to be a merely negotiating point), Israel was to reaffirm its intention to the representatives of the Assembly of Heads of State and Government of the Organization of Africa Unity, when the latter met the Israeli leaders in Tel Aviv on November 7 and 23, 1971.

These meetings the first of which was between the Israeli Leaders and four African Leaders - Presidents Ahidjo (Cameroun), Mobutu (Zaire), Gowon (Nigeria) and Senghor (Senegal - who chaired the Mission) were being held following the peace initiative launched by the Organization of African Unity at its Eighth Ordinary Session of the Assembly of Heads of State and Government held in Addis Ababa in June, 1971.

It is interesting to observe here that up to this time, though the OAU has been adopting resolutions reaffirming its support for and solidarity with Egypt for regaining her conquered lands, there was still a sizeable number of African States who had strong ties with Israel and prevailed on the Organization from taking a completely pro-Egypt or for that matter pro-Arab

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stance. At the same time, it must, however, be emphasized that even those who maintained the best of relations with the Jewish State had no second thoughts on the imperatives of total Israel withdrawal from occupied Arab territories.

The decision to initiative a peace initiative taken by the Addis Summit was itself one of compromise. It served to satisfy those who argued that Africa should not take a completely 'one-sided' position to the conflict; that it must try to use its good offices to mediate and conciliate and that above all it must energetically assist Ambassador Jarring. Since the last objective was particularly attractive to every one, the Summit decided to create a Committee of Ten Heads of State and Govern-  
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ment. Earlier on, the Summit had adopted a resolution on the question of the Middle East by which the Assembly inter alia (a) supported the efforts of Ambassador Jarring to implement Resolution 242 (1967) and declared its full support to the

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99. The Ten-Member Committee which was sometimes referred to within OAU circles as the "Committee of Wiseman" comprised of the Heads of States of" Cameroun, Ethiopia, Senegal, Nigeria, Zaire, Zambia, Tanzania, Ivory Coast, Kenya and Liberia.

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Special Representative's initiative of February 8, 1971;

(b) commended Egypt for its positive reply and called upon  
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Israel to do likewise. Operative paragraph 6 of the same  
resolution stated:

"Requests the Current Chairman of the OAU to consult  
with the Heads of State and Government so that they  
use their influence to ensure full implementation of  
this resolution." 101

The Committee of "Wisemen" established within the context  
of this mandate, held its first meeting in Kinshasa, in August  
1971, and decided to send a "delegation of Five Heads of State,  
102  
Members of the OAU, to the Egyptian and Israeli Governments."

The Mission visited Tel Aviv and Cairo and held discussions with

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100. AHG/RES. 66 (VIII), Resolution on the Continued Aggression  
Against U.A.R." RESOLUTIONS AND STATEMENTS ADOPTED BY THE  
MEETINGS OF THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT  
(1963-1973), Published by the OAU General Secretariat, Addis  
Ababa, May 1973, p. 90.
101. Ibid, p. 91. The Current OAU Chairman for the period in  
question was President Ould Dadah of the Islamic Republic  
of Mauritania.
102. GENERAL REPORT COVERING OAU ACTIVITIES FOR THE PERIOD  
1963-1973 Prepared and Presented by the Administrative  
Secretary General, Addis Ababa, May 1973. AHG/67 (PART II)  
(X), para. 98, p. 33.



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Israeli and Egyptian Leaders respectively.

The Mission did not succeed in getting from Israel the assurances that she will not annex Egyptian territory though it was well received by the Israeli Government. On the other hand President Sadat impressed the Mission with his readiness to sign a peace treaty and fulfil corresponding obligations. In his report to the Security Council dated May 18, 1973 Secretary General Kurt Waldheim made the following observations concerning the OAU Mission to Israel and Egypt:

"... The Mission came to the conclusion that the success of renewed negotiations (between Israel and Egypt) could be regarded as assured, if the practical application of the concept of secure and recognized boundaries did not oblige Egypt to alienate part of its national territory and that it was necessary to obtain Israel's agreement to putting into effect (without territorial annexation) of arrangements offering sufficient guarantees to ensure its Security." 104  
(emphasis added).

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103. Only Four Heads of State undertook the Mission namely General Gowon (Nigeria), President Ahidjo (Cameroun), President Mobutu (Zaire) and its Chairman, President Senghor of Senegal. The fifth Member, President Houphet Boigny of the Ivory Coast was not able to join the Middle East trip.

104. S/10929, para. 96, p. 35.

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Bluntly put the Committee of Ten had failed in its peace efforts. And this failure was, to quote the Chairman of the Mission, President Senghor of Senegal, due to Israel's "stub-  
105  
borness". And that year, for the first time, the OAU Heads of State in their meeting in Rabat, Morocco, from 12 to 15 June, 1972, adopted a more strongly worded resolution, which both condemned Israel's "negative and obstructive attitude which prevents the resumption of the Jarring Mission" and called upon her to "publicly declare its adherence to the principle of non-annexation of territories through the use of force." The Summit also demanded Israeli withdrawal to pre-June 5, 1967 "in accordance  
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with the Security Council Resolution 242 of November 22, 1967." Thus the OAU Summit officially gave their interpretation of Security Council Resolution to mean total withdrawal.

If one were therefore to trace the origin of greater "radicalisation" of the OAU position in support of Egypt, the failure of the OAU peace initiative subsequent to Israeli

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105. Quoted by Peter Enahoro, "The Middle East: Background to Crisis", AFRICA, No. 28, December 1973, Published by Africa Journal Ltd. London, p. 31.

106. "Resolution on the Continued Aggression against the Arab Republic of Egypt," AHG/Res. 67 (IX), Rabat, June 1972.

insistence on not giving up Egyptian territory i.e. African territory, is perhaps a turning point. Commenting on the October war, the Head of State of Senegal and Chairman of the OAU Special Mission to Tel Aviv and Egypt in 1971, President Leopold Senghor stated, "Thousands of young lives would have been spared" if Israel had heeded to the appeals of the Special Mission sent to the Middle East by the Organization of African Unity. 107

Commenting on the origins of "the new attitude of Africa towards Israel", Peter Enahoro, Editor of the monthly magazine AFRICA, and one of Africa's prominent journalists wrote:

"... As in other parts of the world (including, incidentally, sections of Europe) her (Israel's) refusal to withdraw from occupied territories was viewed (by Africa) with impatience bordering resentment." 108

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107. Statement made to the press at the Airport, Rabat, on February 6, 1974 by President Senghor. The statement was carried by REUTERS, dateline February 6, 1974, Rabat, Morocco.

108. Enahoro, op. cit. p. 31

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V. THE ROAD TO CONFRONTATION

As one peace initiative after another became frustrated and the Israelis "stubbornness" became more and more conspicuous, the position of President Sadat became more uneasy and his credibility seriously being put in jeopardy. Cairo, as we have already shown, had demonstrated a clearly compromising attitude on the resolution of the Middle East conflict. She has been responding positively to a number of peace initiatives. To quote President Sadat"

"Egypt accepted all U.N. decisions and suggestions. Egypt has been cooperating with the Special Representative of the Secretary General appointed in accordance with Resolution 242 of November, 1967. Egypt accepted and attentively followed the four-power talks conducted by the Permanent Members of the Security Council seeking to assist the Special Representative, Ambassador Jarring. Egypt accepted all the General Assembly resolutions in the year that followed. Egypt responded affirmatively to the proposal of the U.S. Government in June 1970 to cease-fire for a specified period and to appoint a representative for discussion with the U.N. Secretary General's Representative Ambassador Jarring. I also initiated a 'Test for Peace' when we called for an interim step that would have resulted in a partial withdrawal and an opening of the Suez Canal as the first step towards an agreed evacuation of the occupied lands, and restoration of the legitimate and acknowledged rights of Palestinian people and peace." 109

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109. Anwar El-Sadat, "Where Egypt Stands", Foreign Affairs, Vol. 51, No. 1, October, 1972, p. 120.

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Giving her country's point of view, Prime Minister Golda Meir wrote in the same Foreign Affairs journal of April, 1973 Israel's conception of the road to peace. And obviously Mrs. Meir's comments did not really make things any easier for Sadat. For, stripped of its verbal circumlocution, Mrs. Meir's article simply reiterated the Israeli position that there would be no withdrawal to the pre-June 5, 1967 positions irrespective of the Arabs' demands which in this case were supported by the overwhelming majority of the international community. The Israeli leader stated:

"We have said that whereas Israel would not return to the tragically vulnerable pre-June 1967 armistice lines, we do not insist the present cease-fire lines be final.... The Arab States, on the other hand, continue to reiterate their demand for Israel 'total withdrawal' to the June 4, 1967 lines. By this demand they distort Security Council Resolution 242 which never called for total withdrawal, or withdrawal from all the territories. The language of the Resolution is withdrawal 'from territories.' acknowledging Israel's right to live within 'secure and recognized boundaries.' All attempts made to insert in the resolution the demand for total withdrawal or withdrawal from 'the' territories were rejected by the Security Council." 110

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110. Golda Meir, "ISRAEL IN SEARCH OF LASTING PEACE", FOREIGN AFFAIRS, Volume, No. 51, No. 3, April, 1973, p. 452.

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Confronted with a standstill in so far as his efforts to achieve a settlement of the Middle East conflict through diplomacy were concerned, President Sadat's position both in Cairo and within the Arab world was being questioned. Furthermore his many statements relating to "the inevitability of the coming battle," "the Year of decision", etc. which were gradually being proven to be empty rhetoric did not help matters. Indeed, Sadat issued so many warnings, and with apparently little conspicuous follow up action, that some western commentators began to make fun of him. And according to press reports, the Egyptian leader was beginning to suffer a credibility gap in his own country. He was so to speak being considered as a "paper tiger."

Viewed in this context only, can one understand the degree of astonishment and absolute bewilderment that struck the world and more particularly the West, when news of the outbreak of hostilities in the Middle East on October 6, 1973 began to filter

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111. For example, Sana Hassan, an Egyptian Ph.D. candidate at Harvard wrote in the New York Times Magazine of February 10, 1974: "After Sadat's famous year of decision, credibility gap between the Government and students had grown to such an extent that no one believed official assertions that Egypt was preparing for the battle with Israel."

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through the international press and radio. Otherwise, how could a clear cut warning made by Sadat in April, 1973 go either unnoticed  
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or completely ignored?

To recapitulate, in an exclusive interview with Mr. Arnaud de Borchgrave, Senior Editor of Newsweek, the Head of State of Egypt declared that everything in Egypt "is now being mobilized in earnest for the resumption of the battle - which is now inevitable." The Egyptian leader further stated:

"Everyone has fallen asleep over the Middle East crisis... The time has come for a shock. Diplomacy will continue before, during and after the battle.. The Arabs will never be totally defeated. But we can have several more defeats as in 1967 and survive. And eventually the conquerer will have to give up, as all conquerors have through history. They (the Israelis) are occupying territories in three Arab countries.... Let's see if they can stay like this (in the Sinai Desert). I say they can't. And you will soon see who was right." 113 (emphasis added).

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112. Mention must however be made of an analysis made by the Tel Aviv based "Middle East Intelligence Survey" in its edition of August 1, 1973 which speculated that Sadat may take dramatic shift in his Middle East approach: "Sadat has been increasingly criticized for holding to unimaginative policies that have led to a dead-end in all avenues. Observers of Egyptian affairs have been wondering whether an impending sense of futurity may lead him to a dramatic shift. "Middle East Intelligence Survey, Published by the Middle East Information Media, Tel Aviv, Vol.1, No. 9, August 1, 1973, p. 66.

113. "Sadat's April Warning: 'Time for a Shock'," NEWSWEEK, International Edition, October 15, 1973, p. 40. This is a reproduction of the relevant points of the interview which President Sadat had with Borchgrave in Cairo, in April, 1973.

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Security Council fails again

The adage that "History repeats itself" could not be more relevant than in the handling of the Middle East crisis by the Security Council particularly during its June and July Sessions of 1973 when Egypt supported by the African States brought the issue before the Council.

During its Tenth Ordinary Session, the Assembly of Heads of State and Government of the Organization of African Unity took a decision to support bringing the question of the continued occupation of Egyptian and other Arab territories to the Security Council so that the latter could consider effective means to implement its Resolution 242 (1967). The African Summit's decision was in support of and as a result of Egypt's initiative. In presenting his report to the Assembly, the Administrative Secretary General of the Organization of African Unity Mr. Nzo Ekangaki inter alia made the following observations regarding the Middle East situation:

"Despite the failure of the Committee of Ten, it would be opportune, on the occasion of the Tenth Anniversary, for the Organization of African Unity to consider ways and means of finding a concrete solution to the Middle East Crisis by first seeking the withdrawal of Israeli troops from the occupied



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territories and then establishing a just and lasting solution." 114

The Summit in deciding to support the Egyptian move to convene a meeting of the Security Council specifically to consider the whole question of the Middle East, also mandated seven African Foreign Ministers to be its spokesmen. These were the Ministers of Algeria, Chad, Guinea, Kenya, Nigeria, Sudan and the United Republic of Tanzania.

The Security Council was seized with the matter in its sessions in June and July, 1973. The Session was interrupted in mid June ostensibly to allow further consultations but in reality to wait the outcome of the Breznev/Nixon Summit which took place in Washington following the state visit of the Secretary General of the Communist Party of the Soviet Union in the United States

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114. General Report Covering OAU Activities for the Period 1963 - 1973. Prepared by and Presented by the Administrative Secretary General, Addis Ababa, May, 1973 - AHG/67 (PART II) para. 99, p. 33.

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during the second half of June, 1967.

This was the first Security Council Session that dealt with the substantive question of the Middle East since the Council adopted its Resolution 242 (1967) on November 22, 1967. And one element that clearly emerged from the proceedings of the Council was

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115. Many African, Arab and other diplomats sympathetic to the Egyptian position were unhappy at the decision to suspend the Security Council deliberations for the purpose of facilitating "a smooth Summit" of the two Super powers. They considered the Egyptian concurrence of such a postponement which was in the final analysis decisive in securing the suspension as "ill-advised" since it was unlikely that President Nixon and Secretary General Breznev would agree on a common position in favour of Israeli withdrawal. As it turned out these apprehensions were well founded. As the Middle East Intelligence Survey points out "the watered down communique" did not even mention the 242 Resolution or the Jarring Mission. "...although the attitudes of the two powers towards the Middle East are likely to remain competitive rather than co-operative, each favours the status quo as a better alternative than any discernible within the scope of practical politics at present... Egyptian political circles view the outcome of the summit... With marked pessimism. Political analysts of the Egyptian radio and press have not hidden their disappointment, and some even imply the Egyptian move (to convene the Security Council) has backfired: instead of the UN discussions producing a pro-Arab impact on the Big Two Summit, the summit had, in fact, a neutralizing effect at the United Nations". Middle-East Intelligence Survey, July 1, 1973 - Vol. 1, No. 7, pp. 51 & 52.

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the sense of urgency and seriousness that the participants felt for the crisis. Almost every speaker stressed on this point. Indeed every one emphasised the inevitable adverse consequences in the event of the Council failing to assume its responsibilities for the maintenance of peace and security. Egypt, supported actively by African and Arab spokesmen as well as by representatives of several non-aligned countries called on the Council to take decisive measures towards the implementation of the Resolution 242 including in particular the elimination of "the consequences of aggression" i.e. the evacuation of Israeli forces from the Arab territories occupied during the June, 1967 war.

A perusal of the records of the proceedings of the Security Council during this period brings into focus one salient point. This is that participants repeatedly emphasized that the situation in the area was so fragile and so precarious that if the Council fails to act then a military confrontation was inevitable.

Former Egyptian Foreign Minister El-Zayyat who opened the debate, explaining that Egypt had asked the meetings of the Security Council after "six years of effort and endurance have failed to put an end to the Israeli military occupation of our land", went to state: "During those six years the eyes of

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millions of our people have remained turned to the United Nations, at times to this Council, at times to the General Assembly, at other times to the Secretary General and his Special Representative.

They have awaited with hope the tangible results of these efforts and deliberations. Those hopes, unfulfilled, are giving place to

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disillusion and scepticism." In concluding his statement, Minister Zayyat uttered words which should have spurred the Council to action. Reminding the Council of what Emperor Haile Sellasie I of Ethiopia had told the League of Nations on June 30, 1936 following Mussolini - led Italy's occupation of Ethiopia, the Egyptian Minister declared:

"At moments such as this one does not seek to win a battle of words. The only battle I wish to win for my people is the battle against despair. Hope shall find us Charter - abiding Members of this Organization ready to do its will. Despair can only mean that in a cold world unprotected by the Charter each one of us will have to fend for himself as best as he can. The question I am asking today is the same that Ethiopia asked the League of Nations in Geneva in 1936: What do I take back to my people?"  
(emphasis added) 117

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116. S/PV.1717, pp. 16 and 17-20.

117. Ibid, p. 47.

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During the succeeding Session of the Council, on June 7, 1973, the Egyptian Minister plea was even more urgent with a clear warning of the likely repercussions in the event of Security Council's  
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immobility. He stated:

"It is with a heavy heart and the greatest sense of responsibility that I say again that we are patiently waiting to see what light will come out of this Council. A green light, a faint green light, opening the door to living sovereign and free, would enable us to develop our resources and to try and improve the conditions of the Egyptians, thus making them better citizens of the world. If there is no light, I repeat again that we shall be living in a cold world, in which every one will have to fend for himself." 119 (Emphasis added).

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118. Previous to this warning, the Egyptian Foreign Minister, like his own Head of State, had severally warned the international community that if the Israelis did not withdraw, there would be armed resistance. Thus in his statement before the General Assembly 27th Session on November 29, 1972 during the debate on the Middle East situation, El Zayyat stated: "... a persisting inability of the United Nations to uphold the Charter and to introduce peace and justice in the Middle East will leave us aware only of our sacred duty to restore our legitimate rights by every possible means, no matter how heavy the sacrifices. Egypt will not hesitate to avail itself of Article 51 of the Charter, which clearly recognizes the inherent rights of the victims of aggression to defend themselves and to restore their rights and their territorial integrity" A/PV.2092. For full text of Foreign Minister's statement, see pp. 2-3.

In an earlier statement issued during the course of the debate in the same 27th Session, Mr. El-Zayyat warned: "History teaches us that the acquisition or occupation of territory plants the seeds of the future war. That lesson should not be lost on us ..." A/PV.2062. Full text to be found at pp. 51-83.

119. S/PV.1718, p. 72.

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Other representatives were no less emphatic in their demand for Security Council action and in their pessimistic assesment for the peace of the region in the event of non-action by the Security Council. Tanzania's Foreign Minister John Malecela stated: "The Security Council must respond to the challenge in search of peace and justice. Failure on the part of the Council to act, and act firmly and decisively, would inevitably have far-reaching repucussions." <sup>120</sup> Dr. Arikpo, Foreign Minister of Nigeria whose President, General Gowon is the Current Chairman of the OAU, spoke in pleading but equally firm terms. "We (the representatives that every effort should be made to implement solutions of the African States) have come to plead humbly/which you adopt here in the Security, Council, particularly resolution 242 (1967). Being small and powerless countries, we have come to declare solemnly that in this age of mindless violence it is high time that morality and law take percedence over arms..." <sup>121</sup> The Nigerian Minister went on:

"Deeply conscious of Article 2 and 25 of the Charter

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120. Ibid, p. 22.

121. Ibid, p. 37.

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of the United Nations Organization, we, the representatives of Africa, are confident that at the end of your present deliberations you will be able to answer some of the questions which the Foreign Minister of the Arab Republic of Egypt put to you yesterday (June 7) in the name of justice and peace. Otherwise, the future does not look too bright either for the Middle East or for the United Nations itself." 122 (emphasis added).

The Foreign Minister of Algeria, Abdel Aziz Bouteflika, addressing the Council as an African spokesman, like the Foreign Ministers of Tanzania and Nigeria before him, declared:

"If a solution in accordance with the demands of justice and peace were not to be applied by the Council, it would no longer be possible to control the flames which will inevitably engulf all the Middle East. The fragile balance that you will have been able to preserve heretofore, through the situation where we have neither peace no war, has become vulnerable to Zenith degree. Either you will consecrate the fait accompli and the victors of today will not necessarily be those of tomorrow, or there will be a return to a more equitable appreciation of responsibilities which are naturally held by high international bodies, and without delay we must prepare the necessary remedies." 123 (Emphasis added).

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122. Ibid, pp. 38-40.

123. S/PV.1720, pp. 36 and 37.

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Finally, reference ought to be made to the statement made by Ambassador Bishara of Kuwait who is known for his scholarship and sense of moderation. In this connection, the Permanent Representative of Kuwait joined his African colleagues in warning the Council when he stated:

"This series of meeting is (sic) historic in the sense that the Arabs and peace-loving peoples look to you with the eyes of expectancy. Your decision is exceedingly crucial. It either plunges the area into the morass of chaos and turmoil or kindles a light of hope after decades of sombre resignation and despair. The Security Council should act to arrest the deterioration of the situation in the area and reverse the trend therein so that people may have hope in building a better future. The message brought by Egypt is so serious that there is no room for inaction or levity. The peoples of the Middle East are at the end of their patience.... The status quo is intolerable. You will either shoulder your responsibility as a body entrusted with the maintenance of peace or bear the onus of what will evolve in the future. There are already enough signs of alarm to spur the Council to act firmly and expeditiously. The situation is fraught with danger.." 124  
(Emphasis added).



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In essence, these statements by African and Arab spokesmen were confirming the apprehensions expressed six years earlier by the then Secretary-General of the United Nations. In his report to the General Assembly on September 11, 1967 covering the period of June 16, 1966 to June 15, 1967, U Thant had warned of the inevitability of another military conflict in the Middle East unless the United Nations "came to grips with the deep seated and angrily festering problems" of the region. Prophetically, the Secretary General had then warned:

" I am bound to express my fear that, if again no effort is exerted and no effort is made toward removing the root causes of conflict, within a few years there will be ineluctably a new eruption of war. There is a desperate need for a determined, immediate, and urgent effort by the U.N. to help bring about the conditions essential to peace in the Middle East." 125

But was the Security Council spurred into action? Admittedly, the Council deliberated on the issue with solemn seriousness. Concededly, there was a clear trend emerging in favour of concrete action to arrest the rapidly deteriorating situation. There was a near unanimity among those who took part in the debate of the urgency of implementing in full the provisions of Resolution 242 (1967) including in particular the scrupulous observance of the

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125. Official Records of the General Assembly - Twenty Second Session, Supplement No. I, [A/6701].

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principle of non-recognition of fruits of conquest. The overwhelming majority of the Members of the Security Council, supported a resolution which would have inter alia in its Operative Paragraph 2 strongly deplored Israel's continuing occupation "of the territories occupied as a result of the 1967 conflict, contrary to the principles of the Charter." The resolution had many other substantive elements as can be seen from its following operative Paragraphs:

1. Deeply regrets that the Secretary-General was unable to report any significant progress by him or by his Special Representative in carrying out the terms of resolution 242 (1967), and that nearly six years after its adoption a just and lasting peace in the Middle East has still not been achieved;
2. Strongly deplores Israel's continuing occupation of the territories occupied as a result of the 1967 conflict, contrary to the principles of the Charter;
3. Expresses serious concern at Israel's lack of co-operation with the Special Representative of the Secretary-General;
4. Supports the initiatives of the Special Representative of the Secretary-General taken in conformity with his mandate and contained in his aide-memoire of 8 February 1971;
5. Expresses its conviction that a just and peaceful solution of the problem of the Middle East can be achieved only on the basis of respect for national sovereignty, territorial integrity, the rights of all States in the area and for the rights and legitimate aspirations of the Palestinians;
6. Declares that in the occupied territories no changes which may obstruct a peaceful and final settlement or which may adversely affect the political and other fundamental rights of all the inhabitants in these territories should be introduced or recognized;

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7. Requests the Secretary-General and his Special Representative to resume and to pursue their efforts to promote a just and peaceful solution of the Middle East problem;

8. Decides to afford the Secretary-General and his Special Representative all support and assistance for the discharge of their responsibilities;

9. Calls upon all parties concerned to extend full co-operation to the Secretary-General and his Special Representative;

10. Decides to remain seized of the problem and to meet again urgently whenever it becomes necessary." 126

When the resolution was put to a vote, 13 countries voted for it. The 14th, namely China, did not participate on the voting on the grounds that the draft resolution was too mild. Under the circumstances, it is therefore considered that the resolution had the support of the 14 out of the 15 Members of the Council. But the United States vetoed the resolution. It would appear that the main source of controversy was the Operative Paragraph dealing with the question of withdrawal.

Explaining the United States position, Ambassador Scali stated that the draft resolution was "highly partisan and unbalanced" and that its adoption could only have added "another obstacle to getting serious negotiations started between the parties." 127

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126. Draft Resolution S/10974 of 24 July 1973 sponsored by Guinea, India, Indonesia, Panama, Peru, Sudan and Yugoslavia.

127. S/PV.1735, p. 57.

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The United States Representative further argued that if the resolution had been adopted "it (the resolution) would have changed fundamentally, it would have overturned Security Council resolution 242 (1967)". Furthermore, the United States Permanent Representative declared, : "Operative Paragraph 2 of that draft resolution treats in isolation the Israeli presence in territories occupied in the 1967 conflict. It speaks of "the" territories, ignoring the significance -- recognized when resolution 242 (1967) was adopted -- of the omission of this definite article, the word "the", from the text of resolution 242 (1967). And it takes no notice of the other fundamental and inseparable elements of that resolution, namely: that the ending of the occupation must be in the context of peace between the parties; that it must be in the context of the right of all States in the area to live within secure and recognized boundaries; and that it must be on the basis of agreement between the parties. Operative Paragraph 2 bears no relationship to the provisions and principles of resolution 242 (1967). It would constitute an entirely different resolution, contrary to the entire concept of resolution 242 (1967)."

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From the above explanation of the United States Representative, it is clear that the American opposition stems from the fact that the Non-Aligned sponsored resolution which received overwhelming approval of the Security Council, attempted

to interpret resolution 242 (1967) as meaning total withdrawal of Israeli troops. In other words, it can be discerned from the reasons given by the United States on why they vetoed the resolution that Washington was sympathetic to the Israeli contention that the resolution 242 (1967) did not envisage total withdrawal of Israeli forces from the positions they occupied as a result of the June 1967 war.

In retrospect, one wonders if the failure to act by the Security Council, during its summer, 1973 Sessions on the pleas made by the Egyptians, the Arabs and actively supported by the Africans is not a repetition of its pre-June 1967 war omissions! Furthermore, the action of the United States in torpedoing an otherwise acceptable resolution by the Council would appear to be a repetition of a familiar scenario within the Council:

"Without exception, all of the Security Council members are against war and for peace, but when it comes to preventive action to preserve the peace, then such elements intervene as national interests and the calculations

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and often miscalculations - of the states directly concerned, as well as those of the great powers." 129

The point to be emphasized here is not that had the United States vetoed resolution been adopted, then there would have been complete peace and security in the Middle East. Most certainly however, the obvious paralysis of the Council, must have convinced the Egyptians and their allies that there was no hope in the International Organization acting to restore for them their conquered lands and that therefore the only alternative left to them was either complete capitulation to the Israelis or armed resistance. As it turned out, the Egyptians chose the latter alternative.

One of the sad anecdotes of the Security Council's handling of the Middle East conflict before and during the October war is that not only was the Council unable to prevent the outbreak of hostilities. It was also sadly immobilized for more than two weeks while the "carnage" went on in the area. For it was only on October 21, 1973, that the Council was able to adopt the USA/USSR sponsored draft resolution, calling on the combatants to ceasefire (Res. 338 (1973)). The war had then been raging since October 6!

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129. Arthur Lall, The United Nations and the Middle East Crisis, 1967, p. 9.

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VI.

THE OCTOBER WAR AND ITS CONSEQUENCES

In a paper of this nature, we are not really interested in how the war proceeded. Our interest must be confined to its causative factors as well as its consequential elements. As far as the former are concerned, the previous chapters of this paper have clearly elucidated them. What of the results? Have they made the road to peace more hazardous? Or has the war brought into focus "new recognition and new realities" in the region, opening for it possible avenues towards peace instead of perpetual confrontation.

Notwithstanding Egyptian claims that it was the Israelis who initiated the fighting on October 6, it is generally accepted that this time the Egyptians and the Syrians attacked first. In this connection, it is indeed pertinent to refresh our minds to a portentous statement made by King Hussein of Jordan in the aftermath of the June, 1967 war. Addressing the Fifth Emergency Special Session, the Jordanian Monarch declared:

"If there is one military lesson to be learned from the recent battle (June war), it is that victory goes to the one who strikes first..."<sup>130</sup>

Clearly the Egyptians and the Syrians had not forgotten King Hussein's words. The element of surprise had worked decisively in Israel's favour both in the 1956 and 1967 wars.

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130. A/PV.1536, p. 6.

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The Egyptians and their allies were obviously intent on not being bitten thrice (since in their case they seem not to have abided by the proverb: once bitten twice shy). The rather contradictory nature of the statements of Egyptian spokesmen both in the Assembly and in the Security Council, would seem to confirm the Israeli allegations that the Arabs did indeed initiate the fighting.

This then brings us to the first lesson of this war. Notwithstanding Israel's earlier claims that they had known that the war was imminent, it emerges that the Israelis were indeed taken by surprise by their opponents' move. So for that matter was Israel's principal supporter and benefactor - the United States. Arab intelligence, long underestimated and ridiculed, "outmaneuvered" the highly regarded Israeli Intelligence Unit. Paul Jacobs, a writer and associate of the Institute for Policy Studies, who was in Israel during the war, comments:

"The Israelis suffered another military shock ...: they discovered that the Arab intelligence operations, with the obvious assistance of the Russians, was of much higher quality than they had expected it to be."<sup>131</sup>

What of the actual results of the war? Who are the victors and who are the vanquished? Unlike the June War, the results of the October War makes it difficult to come up with a definite answer to these questions. The Egyptians made a dramatic and bold breakthrough

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131. Paul Jacobs, "The Mood in Tel Aviv," RAMPARTS, Vol. 12, No. 6, January 1974, Rampart Press Inc., San Francisco, California, p. 32.



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when they crossed the canal and wiped out the 'impregnable' Bar Lev defence line. For the first time in six years, the Egyptian flag was flying on Egyptian territory on the eastern bank of the Suez Canal. This by itself was a remarkable feat for the Egyptian armed forces considering their humiliating rout in 1967.

Yet these initial Egyptian successes were obviously 'neutralized' by the skillful and daring operations of the Israeli Defence Forces which managed subsequently to cross the bitter lake obviously taking the Egyptians by surprise and established a bridgehead on the Western bank of the canal - right in the heartland of Egypt proper. Furthermore, repeating her behaviour of 1967, Israel went on to consolidate her position and gain more territory after the U.N. Security Council had called for a ceasefire and despite the fact that both Egypt and Israel accepted the Council's ceasefire resolution [338(1973)]. Consequently, Israel was able to 'completely encircle' some sections of the Egyptian Third Army. Nevertheless, with the Egyptians holding firmly to the Eastern Bank, the war was almost like a stalemate as the ceasefire finally went into effective operation. It was, as Noam Chomsky describes it, "... much more of a close call than anyone had expected."<sup>132</sup> On the Syrian front, the Israelis had made territorial gains. Yet the Syrians fought hard and ferociously and the Israelis apparently had to fight their way every square mile.

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132. Noam Chomsky, "The Middle East War: The Background," ibid, p. 37.

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If one were to evaluate the results of the October war in terms of how much more territory the respective belligerents have acquired as a result of the war, there is no doubt that Israel would emerge the victor of the October war. Yet, this is one war that an assessment in terms of territorial gains per se would be at best simplistic and at worst deceptive. Victory can only be considered in terms of the totality of factors such as the aims of the belligerents, the cost - both human and material - incurred as well as the aftermath negotiating strength of the belligerents. In other words, victory must be considered in relative terms.

Viewed in this context it is difficult to talk in terms of Israeli 'victory'. Indeed it is much easier to talk of Arab 'gains' relatively speaking. To be able to comprehend these phenomena, we have to take into account several factors.

To begin with, it was generally assumed that in the event of war, Israel would as in the past smash her opponents. It was furthermore assumed not least by the Israelis themselves that such an "inevitable" victory would be realized in a matter of days - a quick "overkill" so to speak. The greatest and almost fatal mistake that Israel made during this war was to overestimate its own 'superiority' and contemptuously 'underestimate and underate her Arab neighbours. There is no doubt that the Arab strength, vigour and determination was completely unexpected by the Israelis.

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The determined fight put forward by the Egyptian and Syrian soldiers "disturbs Israelis because it means that their previous conviction about Arab cowardice was wrong too: the great majority of Arab soldiers who were killed or wounded were lost in battles, not in flights."<sup>134</sup>

Parallel with the obliteration of the myth of 'Arab cowardice' and the Arabs' 'chronic inability to keep secrets', was the serious questioning of the other Israeli created myth of 'eternal superiority' due to Israel's technological advancement and sophistication. It is in consonance with these precepts and arrogant underestimation of their neighbours that one can view the boisterous statements made by some top Israeli generals before and even during the war. Thus, for example, the former Commander of the Southern Front under whose leadership the thrust into the Western Bank of the Suez Canal was successfully launched, General Arik Sharon (currently a member of the Knesset and a leading personality in the Israeli Right Wing Coalition, LIKUD) is reported to have informed an Israeli meeting in July 1973 that Israel is so powerful that she is capable of conquering the area from Khartoum to Baghdad to Algeria within a week, if necessary.<sup>135</sup>

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134. Ibid., p.31.

135. Yedioth Aharonot, July 26, 1973 as cited by Noam Chomsky in his article, "The Middle East War: The Background," Ibid, p. 37.

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And in the midst of the war, the Chief of Staff of the Israeli Defence Force, General Elazar boasted in his first press conference, that the tide had already turned against the Egyptians and the Syrians and that Israeli forces would soon "break the bones" of their enemies.

As it turned out however none of these forecasts proved anywhere near the truth. The war went on for eighteen days and neither Egypt nor Syria were conquered to say nothing of General Sharon's boast of conquering most of the Middle East and North Africa within a week. As for General Elazar's predictions, they too proved to be both false and absurd. Notwithstanding Israeli territorial gains, particularly on the Syrian front, neither the Syrian nor the Egyptian Armies were destroyed. Indeed as Chomsky points out, "without massive U.S. military supply efforts, possibly exceeding Russian shipments according to Pentagon officials, and continuing without let up after the cease-fire. Israel might have been compelled to abandon parts of the occupied territories and Israeli urban centres might have been exposed to bombardment - as Damascus and other Arab cities were - by the still in tact Arab air-forces. The U.S. was sufficiently concerned to dispatch combat marines aboard two helicopter-carriers to the Sixth fleet ... American concerns over the fortunes of the Israeli military were real enough."<sup>136</sup>

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136. Ibid, p. 37.

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F From a purely military analysis point of view the following observation would appear to convey a lot with respect to the October war:

"It is a tragic irony that in 1967, starting from behind 'insecure' borders, with the world convinced they would lose, the Israelis smashed their enemies, while in 1973, with 'secure' boundaries and a military organization considered to be one of the world's best, Israel almost lost the war."<sup>137</sup>

The failure of Israel to win the 'quick' victory that they are so used to and that was almost taken for granted by many outside the Middle East and indeed by even not insignificant number of Arabs in the region coupled with the colossal loses that the Jewish State suffered - both human and material - would by themselves neutralize any territorial gains that Israel had achieved during the 18-day war.<sup>138</sup>

President Sadat, as we have already pointed out, stated that:

"the Arabs will never be totally defeated ... and can have several more defeats as in 1967 and survive..."

Evaluated from this perspective, one could say that the Egyptian Leader was underestimating the likely consequences (in Egyptian favour) of an imminent military confrontation. At any rate, from this point of departure, one can clearly discern that the mere resistance against the Israelis, is, from Sadat's point of view, a 'victory'.

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137. Paul Jacobs, "The Mood in Tel Aviv," Ibid, p. 31.

138. According to Israeli Official statements over 2,400 people were killed. Egyptians claim that at least four times that number of Israelis were killed on the Egyptian front alone.

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Taking this background in view, compared to the tremendous initial performance of the Egyptian armed forces, the Egyptian Leader could not but be elated with the outcome of the war, which observers including Israelis agree, was of limited objectives.

A consideration of a number of other elements would further demonstrate that the consequences of the October war could only be considered a plus for the Egyptians and in many ways a minus for the Israelis.

One of the foremost strategic calculations of the Americans and shared by the Israelis was proved, by the events of the October war, to be based on shaky if not altogether false premises. The assumption that the Arab States could not put forward a united front and adversely affect United States' interest due to the division from within its ranks has been repudiated. Notwithstanding its deficiencies, Arab support for and solidarity with Egypt and Syria has been remarkable as it lasted. The assumption that the conservative regimes of the area - the Saudi Arabian Kingdom, the Kuwait Emirate as well as the Sheikhdoms of the Persian Gulf would do nothing to jeopardise American interests has also been put to a serious test if not strain!

The 'oil weapon' has indeed been an unexpected and powerful arsenal in the hands of the Arabs. It was unexpected because previous attempts to use it, particularly in 1967, proved to be a miserable failure due to lack of cohesion and harmony among the Arabs themselves.

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This time the 'oil weapon' was used with impressive results notwithstanding its many loopholes - like the reported violations by Libya and Iraq! The 'spectacle of Ministers from 'radical' Algeria and 'conservative' Saudi Arabia moonlighting in different western capitals and speaking with one voice was indeed a new phenomena of post-October 1967 Middle East political scene which can only be to the detriment of Israeli 'interests'.<sup>139</sup>

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139. The politics of oil have introduced a completely new ball game into the world political and economic situation. Here we are referring only to the 'weapon' as it was used to ban export of oil to the U.S.A. and Netherlands and reduce exports to the other market economy developed countries. The sky rocketing prices which subsequently followed are a different matter. They cannot really be considered as a weapon in favour of the Arabs as such, since the spiralling prices, to begin with, is a result of a decision by all OPEC countries led by Iran, and secondly it has hurt both developed and developing countries but with the greatest negative impact on the latter - the friends and supporters of the Arabs. It is projected that the prices will cause a 39-billion dollars deficit to the developed countries, while causing the developing countries an estimated deficit of 29 billion dollars - a colossal amount by any standard. It is in fact, no exaggeration that many developing countries face not only serious economic dislocations but in some cases utter economic ruin as a result of the oil price spiral - unless some immediate remedial measures are taken particularly to replenish their drained foreign exchange reserves.

At the same time however, it must be pointed out that even on this question of prices, there is a positive element for all developing countries. It has demonstrated the bargaining position of the producers of raw material hithertofore unheralded. To the developed world, one hopes that the energy crisis has taught them of the imperative of inter-dependency in world trade and the necessity to reduce if not eliminate the gross exploitation of developing countries, in favour of a new and more solid foundation of a balanced and equitable commercial relationship.

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The "oil weapon" had its impact on the Western Europeans, particularly the EEC Countries and Japan. With the singular exception of the Netherlands (and excluding Portugal since she was herself a subject of "total" boycott for its colonial policies in Africa and for its "anti-Arab" position by providing transit facilities in the Azores for Israeli bound weapons from the United States during the October war), these countries have adopted a position considered favourable to the Arabs.

The attitude of these countries during and after the war also brought into focus another unexpected development. This is the open rift between the United States and her NATO allies in the handling of the crisis. NATO countries refused facilities for the United States trans-shipment of military hardware to Israel while the war was going on in the Middle East. Only Portugal remained the faithful and dependable ally of the United States in this regard. As an extension of this rift, the United States put its forces on a world-wide alert on October 22, without notifying her allies in time and the latter reacted negatively to the U.S. action. Terence MacCarthy, a consulting economist who until recently was a professor at Columbia University, wrote:

"America has lost Europe. The United States put its forces on a world-wide alert. Europe forbade it for U.S. forces on the Continent. The U.S. military base was instantly shrunken to its own territory, and to the Azores and the decks of U.S. carrier task forces at sea."<sup>140</sup>

140. Terence McCarthy, "Crisis for NATO," RAMPARTS, op. cit., p. 39.



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With very few exceptions - only four countries to be specific - free Africa severed diplomatic ties with Israel. And as Paul Jacobs comments:

"The impact of the African rejection of Israel has been acute. Israel had invested enormous sums of money and goodwill to its African programme, especially in countries like Ethiopia, where the Israelis had served the Emperor faithfully."<sup>142</sup>

If an attempt is made to make a tabulation of the comparative positions of the two principal belligerents arising from the October military confrontation, the following are some of the elements that would most likely feature:

<u>Egypt</u>	<u>Israel</u>
(i) Confident, with a sense of pride in redeeming the Arabs' honour. Egyptians have proved that they can fight and can also handle sophisticated weapons. Egypt feels that she together with Syria, has shattered the myth of Israeli "invincibility." <sup>143</sup>	(i) The Israeli Army managed to change the tide of the war and made advances into Syria and broke through in the West Bank of the Suez Canal. They did not however really win this war, considering their failure to "break the backbone" of the Egyptian Army which the Chief of Staff had boasted to be within days' range. Israel needed to win a decisive military victory which she was unable to score.

142. Paul Jacobs, "The Mood in Tel Aviv, RAMPARTS, op. cit., p. 32.

143. The Christian Science Monitor, in its edition of January 3, 1974, commented:

"It was assumed that Israeli superiority in the use of modern weapons would make it possible for Israel to impose whatever frontiers it chose, upon the less militarily proficient Arabs. All that is changed now. The Arabs are not yet as proficient in handling the new weapons. But they have come a long way since their rout in the 1967 war. The last round of fighting proved that they can learn modern warfare, and events since the last fighting prove that they can stay mobilized indefinitely and that Israel cannot."

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Egypt

Israel

- (ii) Despite the encirclement of the Third Army, there is elation and jubilation in Cairo for the "great job" of the Armed Forces. Sadat is at the pinnacle of popularity.
- (iii) Unprecedented Arab Solidarity, both during the war and after the war. Egypt is supported in all aspects. The Arab Sheikhs line up with the Arab radicals and use their oil weapon with tremendous effect, against the supporters of Israel. Third world solidarity is demonstrated to Egypt. The African states, in particular, come out solidly in support of Egypt - all but four severing diplomatic relations with Israel. Due to threats of oil embargo, one European power after another "capitulates" and supports the Arab demand
- (ii) Frustration and anger. Leadership is blamed for not being properly prepared. Open public clashes between Israeli generals, Mrs. Mier's own political position undermined, as evidenced by the comparatively weakened performance of her Party and allies in the Israeli General Elections held in December, 1973.<sup>144</sup>

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144. Paul Jacobs in his article, "The Mood in Tel Aviv," (Ramparts, op. cit. p. 32) points out that "the 'War of the Jews' as Israelis describe it, has started and no one knows where it will end." The New York Times, in its edition of Monday, February 18, 1974, reports a large anti-Dayan demonstration in Jerusalem on February 17. According to the report, the demonstrators, numbering several thousand (unprecedented in the history of Israel) were demanding the resignation of the Israeli Defence Minister, once a hero to millions of Jews, both in Israel and in the diaspora, for Israeli "failures" during the October war.

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Egypt

Israel

for withdrawal of Israeli troops from all occupied territory. The conspicuous exceptions being Portugal and the Netherlands. Japan also shifts its policy to a more pro-Arab stance.

- (iv) Egypt, though far away from achieving its goal of liberating its occupied lands, has demonstrated its determination and capacity to fight if need be, towards that goal. She has shown that she has tremendous military potential and cannot be treated with contempt of lightly as has hitherto been the case.
- (v) A dramatic contrast between Egypt's humiliating and hopeless position after its defeat in 1967, and its position after the October war, where the Egyptians seem to regard that result of the war as in their favour. Though their territory continues to be under occupation, they have demonstrated by their thrust into the Eastern Bank that they can liberate it - or at least make a determined trial to.
- (vi) Egypt's main objective of putting the Middle East conflict in the priority number one position in world capitals, particularly in Washington and Moscow (remember Sadat's statement on "THE NEED FOR A SHOCK") seem to have been achieved. Above all, the direct involvement of the super powers, particularly the United States, seemed to have satisfied Egyptian requirements.

- (iv) Obviously Israel still retains a military edge over Egypt and Syria, but must realize that the gap is narrowing.
- (v) Her bridgeheads in the Western bank had obviously neutralised the initial dramatic successes of the Egyptian forces. Yet the somewhat military stalemate that has emerged is definitely not in their favour. Casualties have been high. While they had a tremendous military, and psychologically advantageous negotiating position in 1967, that position has been seriously weakened.
- (vi) Israel could not possibly be happy by this seeming imposition of negotiations from without. Unlike the Egyptians, the Israelis have always been suspicious and cagey of possible super power involvement in the actual negotiations.

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VII

THE "SHUTTLE DIPLOMACY" OF HENRY  
KISSINGER

Security Council finally acts

Reference has already been made to the 'immobility' of the Security Council both before and during the war. At the request of the United States, the first Security Council meeting after the outbreak of hostilities, was held on October 8, 1967. This was two days after full-fledged hostilities had commenced.

It took exactly two weeks before a ceasefire resolution could be agreed upon by the Council. Many interpretations are attributed to this sad display of 'ineffectiveness' on the part of the Security Council. But essentially, it would seem that the disagreement arose in connection with the U.S. position that ceasefire should be coupled by a call for the belligerents to return to the status quo ante the October 6 hostilities.<sup>145</sup>

The demand was immediately rejected by Egypt whose Foreign Minister argued that to return to the pre-6 October positions, would simply be tantamount to calling upon Egypt to give up part of its territory (of the Eastern Bank of the Canal where Egyptian forces had by then dislodged the Israelis) for Israel to occupy. The Egyptian Minister stated that the only positions where the combatants should return to would be to those of pre-June 1967 war.<sup>146</sup>

145. Statement by Amb. Scali of the U.S.A. in the Security Council, October 8, 1973. U.N. Monthly, Vol. X, No. 10, November 1973, p.5.

146. Ibid, p. 6.

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These two positions were mutually exclusive. Israel consistently supported the U.S. position while the Socialist States as well as the non-aligned States concurred with the Egyptian view. The latter also adopted the approach that the time had come to resolve the root cause of the problem once and for all. <sup>147</sup> Three other statements merit mentioning in view of the importance of the countries concerned as Permanent Members of the Security Council.

Ambassador Huang Hua of China after lumping both the USSR and the USA for condemnation and holding them responsible for the "aggressive arrogance of the Israeli zionists," stated that if the Council is to adopt any resolution at all than that resolution must have the following elements:

- (i) Strong condemnation of Israel;
- (ii) Firm support to Egypt and Syria as well as to the Palestinian resistance movement;
- (iii) Demand for immediate withdrawal of Israeli forces from occupied Arab territories and
- (iv) Restoration of the national rights of the Palestinians. <sup>148</sup>

147. See Ambassador Malik's statement, Ibid, p. 7; Yugoslavia's Foreign Minister's statement, Ibid, p. 748, Guinea's statement at the Meeting on October 11 as well as statement by Peru at the same meeting. Ibid., p. 17.

148. Ibid., p. 16.

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China was to maintain its 'principled' position throughout the crisis refusing to take part in the voting of any resolution which failed to take the above mentioned factors into consideration. In fact when the Security Council eventually adopted resolutions on ceasefire and the placement of United Nations forces in Egypt, China made it quite clear that she was opposed to these moves and that she would only refrain from voting against them i.e. vetoing them out of respect for the wishes of the "victims of aggression" the Arab States themselves but at the same time declared that she would not pay the expenses of the Emergency Force.<sup>149</sup>

The United Kingdom Representative, Sir Donald Maitland in his statement on October 8, advocated for an immediate call for a ceasefire which he termed as an urgent responsibility facing the Council. He also stated that the hostilities should be treated as a catalyst for starting serious diplomatic moves towards peaceful settlement.<sup>150</sup> It is important to note that the British delegate's statement was for immediate ceasefire thus neither supporting the U.S. view in favour of withdrawal to the pre-October 6 position nor the Egyptian view of return to pre-June 5, 1967 position as part of the ceasefire 'deal.' The position in favour of a call for an immediate ceasefire was strongly supported by Austria.<sup>151</sup>

149. Ibid., pp. 28, 31, 32, 47, 58 & 62.

150. Ibid., p. 7.

151. Ibid., p. 9.

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At the meeting on October 9, the French Permanent Representative stressed on the necessity of linking the current hostilities with the whole Middle East situation. Provisional measures would be futile. While France was not opposed to a ceasefire call, but if such a move was an end by itself, the result would be negligible.<sup>152</sup> Though not directly, the French statement seemed to endorse the position taken by several non-aligned countries in favour of going to the root cause of the problem. Furthermore, like the United Kingdom, France did not support the U.S. position of returning to the Pre-October 6 positions.

It was only on October 21/22, 1973 that the Security Council succeeded in taking an agreed action. By then the war had gone on for over two weeks with heavy casualties on both sides. The adopted resolution which became known as Security Council Resolution 338(1973) was brief and contained three essential elements namely, ceasefire, implementation of resolution 242(1967) and commencement of negotiations for the purposes of establishing a just and durable peace in the area.<sup>153</sup>

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152. Ibid., p. 8.

153. Full Text of Security Council Resolution 338(1973) reads:

- (1) Calls upon all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy;
- (2) Calls upon the parties concerned to start immediately after the ceasefire the implementation of Security Council resolution 242(1967) in all its parts;
- (3) Decides that, immediately and concurrently with the ceasefire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

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The question that immediately arises when considering this draft resolution is why was such a draft not adopted at the very beginning of the hostilities and thus save thousands of lives? With the benefit of hindsight, it is perhaps not too difficult to provide a reply. The Israelis and the United States could not support a ceasefire resolution which did not call for Egyptian and Syrian withdrawal from the advances they had made during the initial days of the war. In this connection the position of the United States (demanding withdrawal to status quo ante October 6 position) was particularly untenable in the light of its own opposition or reluctance to stress on the same principle of withdrawal with respect to Israeli conquests after the June 1967 war.

Not unexpectedly the Egyptians rejected this demand. Egypt had initially the upper hand of the war and consequently it would have been meaningless and naive for Sadat to have withdrawn Egyptian forces from the territory they had liberated. The other reason given by the Egyptians and not without validity is that how could they be expected to withdraw from their own territory and thereby 'legitimise' the 1967 cease-fire lines as the 'boundaries' between Egypt and Israel?

Could Egypt have accepted an unconditional cease-fire at the very early stages of the war as advocated by the United Kingdom and Austria? Possibly yes. At the same time however, victory generates its own forces and with the initial Egyptian successes, it is quite possible that Cairo would have rejected the call.



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This is really a hypothetical exercise since that possibility was never put to a serious test.

Why did Israel and the United States favour the ceasefire resolution? The simplest answer would be for the same reason that they had rejected it earlier on. The change of the tide of the war which saw Israelis in occupation of certain sections of the Western Bank of the Canal on the Egyptian front and gaining more Syrian territory, neutralised the initial gains of her 'enemies.'

Other factors had also intervened. The possibility of straining or even destroying the patiently and jealously nurtured detente between the USSR and the USA became all the more real as the Middle East confrontation progressed with Moscow and Washington becoming increasingly committed to their respective allies. While the world-wide alert of U.S. armed forces imposed by the Nixon administration on the grounds of an imminent Soviet military intervention in the Middle East is considered even by many American observers, particularly the liberal press, as a 'hoax', there is no doubt that the situation in the area was so fluid and dangerous that a confrontation, even accidental, could not be totally ruled out. This became particularly serious after Israel used the ceasefire to conquer more territory and encircle parts of the Egyptian Third Army.

This then brings us to the most pertinent, even if not altogether satisfying, observation of the peace-making efforts during the latest of the Arab-Israeli wars.

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And this is the predominant and at times rather arbitrary rôle assumed by the two big powers - the United States and the USSR. Firstly, the very first resolution on ceasefire - 338(1973) was their invention. This followed the agreement reached by Secretary of State, Kissinger and Secretary General Breznev in Moscow. Quite clearly, all the other members of the Council (except China) did was to endorse the USSR/USA jointly sponsored draft resolution.

Similarly, when breaches of the ceasefire went on unabated, it was the USA/USSR joint draft which was subsequently adopted by the Council on October 23, 1973 as Resolution 338(1973).<sup>154</sup>

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154. The draft was aimed at the scrupulous observance of ceasefire by the belligerents and to this end a UN machinery to supervise observance was instituted. Full text of the resolution reads:

The Security Council

1. Confirms its decision on an immediate cessation of all kinds of firing and of all military action, and urges that the forces of the two sides be returned to the positions they occupied at the moment the ceasefire became effective;
2. Requests the Secretary-General to take measures for immediate dispatch of United Nations observers to supervise the observance of the cease fire between the forces of Israel and the Arab Republic of Egypt, using for this purpose the personnel of the United Nations now in the Middle East and first of all the personnel now in Cairo.

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Two other resolutions were adopted by the Security Council on October 25 and 27 respectively. The main element of Resolution 340(1973) of October 25, 1973 was the Council's edcision "to set up immediately under its authority a United Nations Emergency Force to be composed of personnel drawn from States members of the United Nations except the Permanent Members of the Security Council..." (operative paragraph 3).

Only two points need to be highlighted in respect of this resolution. Firstly, that it was a non-aligned draft resolution and was negotiated skillfully by them. As a corollary to that, it ought to be pointed out that notwithstanding the rather arbitrary way the non-permanent members as indeed the other three permanent members of the Council were treated by the USA and USSR in the adoption of the first two resolutions, this time it was the non-aligned states who were taking the initiative. It is to their credit that any agreement was reached at all on the question of UNEF.

The other observation relates to the specific exclusion of permanent members from serving in the Emergency Force. Ordinarily, this could not be a significant point since it is generally accepted that the Force is better off without them. Yet, in the light of the specific call by President Sadat for the USSR and the USA to send troops to supervise the ceasefire and U.S. opposition to the same, this exclusion was in a way a 'concession' to the American position.

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Yet, from a purely non-aligned position and not withstanding the Egyptian Leader's request, the U.S. position of non-participation of permanent members is more acceptable.

The Fourth Resolution adopted by the Security Council in the aftermath of the October war was adopted on October 27 as resolution 341(1973) and related to the mandate and duration of the Emergency Force.<sup>155</sup>

From the Pyramids to the Wailing Wall

Yet, notwithstanding all the aforementioned resolutions, and despite the stationing of United Nations forces between Egyptian and Israeli armies on the Western bank, the situation in the area continued to give source of serious concern. Apart from sporadic shootings, there was the real possibility of another full outbreak of hostilities. To disengage the two armies became the priority consideration. At the same time for the Egyptians, the implementation of Resolution 330(1973) which inter alia called for the forces of the two sides to return to positions respectively held from the first ceasefire call, was the urgent demand. For it was generally accepted

155. Security Council Resolution 341(1973)

1. Approves the report of the Secretary-General on the implementation of Security Council resolution 340(1973) contained in document S/11052/Rev. 1 dated 27 October, 1973;
2. Decides that the force shall be established in accordance with the above-mentioned report for an initial period of six months, and that it shall continue in operation thereafter, if required, provided the Security Council so decides.

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that it was Israel which capitalised on the ceasefire to gain more ground. Egypt needed such a withdrawal, not only because it was in conformity with the Council's resolutions, but more due to the predicament of part of the Egyptian Third Army which was isolated in the desert.<sup>156</sup>

156. While the Western press and media have sought to over emphasize the predicament of the Third Army as a demonstration of Israeli victory, Egyptian military spokesmen have tended to minimize the significance of this encirclement in military terms contending that the Israeli bridgeheads on the Western bank were more vulnerable positions in the event of outbreak of another flare-up.

Furthermore, after the Israelis had lifted their siege of the Third Army, and international press representatives crossed the Canal to the remnants of the Third Army, Time correspondent, Wilton Wyn, wrote the following observations on the conditions of the Army: "Somehow they did not look like survivors of a three-months siege. They appeared well fed. They stood smartly to attention, with uniforms incredibly clean and boots new and polished." And the Egyptian Commander of the Third Army, Major General Ahmed Badawy said: "We had enough ammunitions to go on fighting indefinitely, and we were getting supplies regularly. I am not going to tell you how we were getting our military supplies, but we were getting them." Time, European Edition, February 11, 1974, p. 16.

Newsweek of February 11, 1974, reporting on the heroes' welcome accorded to the Third Army troops when they reached Cairo inter alia pointed out: "Until last week, most of the world assumed that the Third Army - isolated by the Israeli clash across the Suez Canal - had been on the verge of collapse. But after the Israeli pull-back, the Egyptians ridiculed such reports and even denied that their men had been under siege. 'We always listened to foreign radio broadcasts', one Third Army officer told NEWSWEEK's Arnaud de Borchgrave, 'and it was amazing how they believed Israeli propaganda that we were under siege, starving, dying of thirst, doomed ...' After the October ceasefire, the Egyptians asserted that the Israelis made a major attempt to wipe out the Third Army, 'But not only did we hold on ground,' insisted one brigadier, 'we improved our positions.' And indeed last week after the Israeli pull-back, the Third Army looked very much like a fighting force that was proud of its performance. The men appeared fit and disciplined, and their leaders talked of the 'heroic epic of the Third Army'." Middle East Homecoming, NEWSWEEK, the International edition, p. 18.

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Israel on the other hand, wanted her POWs very badly.

It is with this background and a sense of serious concern on the possibility of another and perhaps more catastrophic war, that the indefatigable Henry Kissinger directly entered the scene and played his undoubtedly crucial mediation role culminating first in the Six-Point Agreement,<sup>157</sup> which despite a number of difficulties towards its implementation due to different interpretations given by the two sides, did a lot to defuse the increasingly dangerous situation.

This agreement - the first spectacular result of Kissinger's "shuttle diplomacy," had obvious deficiencies. In some respects, it was ambiguous and perhaps deliberately so, to allow flexible interpretation in conformity with Kissinger's concept.<sup>158</sup>

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157. The Agreement signed on November 11, 1973 contained the following

- (a) Egypt and Israel agree to observe scrupulously the ceasefire called for by the United Nations Security Council.
- (b) Both sides agree that discussions between them will begin immediately to settle the question of the return to the October 22 positions in the framework of agreement on the disengagement and separation of forces under the auspices of the United Nations.
- (c) The town of Suez will receive daily supplies of food water and medicine. All wounded civilians in the town of Suez will be evacuated.
- (d) There shall be no impediment to the movement of non-military supplies to the East bank.
- (e) The Israeli check points on the Cairo-Suez road will be replaced by U.N. check points. At the Suez end of the road, Israeli officers can participate with the United Nations to supervise the non-military nature of the Cargo at the bank of the Canal.
- (f) As soon as the United Nations check-points are established on the Cairo-Suez road, there will be an exchange of prisoners of war including wounded.

158. Middle East Intelligence Survey, November 15, 1973, Vol. 1, No. 16, p. 121.

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In this context, the hardest point was on the question of withdrawal to the positions of October 22. Egypt presented a map to General Silasvua of UNEF which indicated the military positions as they prevailed on October 22 and expected Israel to withdraw.<sup>159</sup> Israel, on the other hand, took the view that it was impossible to determine positions of October 22. Significantly this provision was never implemented until the agreement on disengagement came into force.

Yet, what should be emphasized is the fact that by this Agreement, the American Secretary of State was able to consolidate the fragile cease-fire on the Suez Front and at the same time initiate a "diplomatic bargaining process between the two belligerents."<sup>160</sup> And this paved a way for the Peace Conference in Geneva.

The Peace Conference on the Middle East which took place in Geneva on December 21 and 22 was attended by three of the belligerent powers - Egypt, Jordan and Israel, as well as by the USSR and the USA.

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159. Ibid., p. 122.

160. Ibid., p. 121.

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159. Ibid., p. 122.

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The Secretary-General of the U.N. who presided over both the formal opening session on December 21 and the closed session on January 22, issued the following statement with regards to the future work of the Peace Conference:

"After both formal and informal deliberations, the Conference reached a consensus to continue its work through the setting up of a military working group, as well as other working groups which the Conference may wish to establish. The military working group will start discussing forthwith the question of disengagement of forces. The working groups will report their findings and recommendations to the Conference, which is continuing on an ambassadorial level. The Conference at the foreign ministers' level will reconvene in Geneva as needed in the light of developments."<sup>161</sup>

A new era had thus been ushered. Formal negotiations between the Arabs and the Israelis had begun. And whatever the ultimate outcome of these negotiations, one thing remains incontestable. Had it not been for Kissinger's efforts, the very commencement of these negotiations would have been very doubtful indeed.

The Disengagement pact

Yet the most dramatic success of Kissinger's mediatory role was yet to come. This was the agreement to disengage the Egyptian and Israeli forces along the Suez Canal.

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161. S/11169, 24th December, 1973, "Report of the Secretary-General submitted in pursuance of Security Council Resolution 344 (1973," p. 1.

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Following the diplomatic shuttling of the United States Secretary of State between Aswan and Jerusalem, an official announcement made simultaneously in Cairo, Jerusalem and Washington on January 17, 1974 revealed of the disengagement pact arrived at by the Governments of Israel and Egypt with the assistance of the United States.<sup>162</sup> On January 18, the Chief of Staff of Egypt, Major General Mohammad Abdul Ghani-el-Gamasi (now Lt. General) and the Israeli Chief of Staff, Lt. General David Elazar signed the accord at 'kilometer 101' on the Cairo Suez road. And in conformith with this agreement the process of disengagement began and was concluded without untowards incidents.

The Agreement has been almost universally hailed as a significant step towards a peaceful settlement of the Middle East conflict. Whether such an evaluation is justifiable can perhaps be debatable. But what cannot be controverted is the fact that this pact has certainly reduced the chances of a military confrontation between Egypt and Israel. Furthermore if the spirit with which the Agreement was entered to is to prevail and be reflected by the principal belligerents in the search for a lasting and durable settlement then, the prophets of doom would be disappointed.

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162. Full text of the Disengagement Agreement is attached as Appendix II.

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In this respect, the leader's comment of the New York Times of January 22, 1974, would seem to be relevant:

"The importance of these days to the people of the Middle East is not found in the details of the disengagement now taking place on the banks of the Suez Canal. What is significant is that Israel and its most powerful Arab neighbour have for the first time, entered into a contract to coexist ... Israel has now the opportunity to demonstrate to skeptics in the Arab world that it is honestly willing to relinquish military positions in the context of political negotiation, that the national goal is not ever more annexation of territory, no matter what the hard line opposition politicians might demand.<sup>163</sup>

Like all such agreements of compromise, there are bound to be critics who would give their own interpretations. And not surprisingly the critics are to be found on both sides of the Israeli-Arab conflict. Some Arab states, notably Iraq and at one time Libya<sup>164</sup> had denounced the Accord as a sell-out to Arab interests.

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163. "Contractual-Co-existence," The New York Times, Tuesday, January 22, 1974.

164. Colonel Qadafi, the Libyan Leader is reported to have publicly apologized to President Sadat for Libya's former criticism of Egyptian policies in particular regarding the disengagement pact. The Libyan leader was addressing the Egyptian National Assembly in Cairo on February 19, 1974. See report by Henry Tanner, New York Times, February 20, 1974.

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On the other side, many Israelis particularly those of right wing convictions have similarly criticized the Accord in strong terms. <sup>165</sup>

That by itself may be a happy augury. Outside observers have also commented on the Agreement and the trend has been to attribute the accord as being of greater advantage to Egypt. Drew Middleton, in an analysis of the agreement wrote:

"However the Israelis may assess the disengagement from a diplomatic point of view, from a military point of view Israel's withdrawal from her major bridgehead west of the Suez Canal, and Egypt's retention of positions on the Eastern bank and of bridges across the canal, appear to shift the strategic balance in Cairo's favour."<sup>166</sup>

C.L. Sulzberger, the noted commentator of the New York Times had the following comments:

"Secretary Kissinger did produce by his indefatigable energy what one French newspaper called a demi-success for Egypt (after its demi-defeat on the battlefield) and a demi-defeat politically for Israel after what had been, militarily, a demi-victory.

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165. As an example we can cite the announcement made in Tel Aviv on January 18, 1974 by Major Gen. Ariel Sharon, who led the Israeli crossing of the Suez Canal in the October war. General Sharon was reported by the international press to have announced his decision to quit the Army as a protest against the Agreement. See New York Times, January 19, 1974.

166. Drew Middleton, The New York Times, January 29, 1974.

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"President Sadat has managed to dislodge the Israelis' from considerable territory seized 1967, which is in itself a justification for his policies of fighting and negotiating. The United States, for its part, has gone far toward re-establishing at least a partial credibility among the Arabs."<sup>167</sup>

Yet in reality, it would appear that in this agreement every side did make concessions. We have already pointed out that the Middle East situation is such that pure military considerations can be an elusive variable. Similarly, the disengagement pact must be considered in the context of its overall implications. We can for example refer to the compromise made by the Egyptians. And this is not that difficult to discern. By agreeing to the stationing of UNEF Forces between Israeli and Egyptian positions in the Sinai, Cairo was certainly giving up or at least neutralising one of its import strategic trump cards. This is her ability to mount swift military pressure against the forces of occupation. This is not to deduce that Egypt cannot or will not go to war against Israel should she so feel necessary, but there is no doubt that in such an exercise the presence of the UNEF as a buffer zone will act as an impediment, if not from military then certainly on political and diplomatic considerations. There are therefore advantages for both sides in this accord. The important thing however, is that it marks a beginning to a new and hopefully promising era in the area.

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167. C.L. Sulzberger, "A Long Trali Awinding", The New York Times, Sunday, January 20, 1974, p. E 17.

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While we can attribute the success of negotiating and concluding the disengagement pact between Egypt and Israel to the tremendous contribution, characterised by skill and indefatigable energy, of the principal mediator, it would be too simplistic to view the whole scenario as the Kissinger "miracle". Behind the United States Secretary of State negotiating abilities lay serious interests of the United States in the region. Thus, the first observation that we have to take careful note of is that the United States decidedly did its utmost to realize such an accord. The question then that arises is why this particularly conspicuous diplomatic offensive? As a corollary to this question, we could also ponder whether such an initiative could have been taken, say, during President Nasser's period, or were Nasser alive today!

In attempting to answer these questions, we must at the very outset point out that some of the aspects we have based our analysis are speculative. Let us start with the possible factors which have led the United States to adopt the position it has been adopting in the aftermath of the Middle East war which position, according to leading Arab spokesmen and some leaders including President Sadat of Egypt reflects a more "understanding" approach of the Arab position. The following would appear to be some of the pertinent factors being considered by the Nixon administration:

- (i) The October war has demonstrated how vulnerable the spirit of 'detente' can be if Washington and Moscow

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do not play their cards carefully in the Middle East.

A confrontation there could very easily engulf the major powers. Thus, both, in terms of preserving and promoting detente with the USSR as well as in the interest of international peace and security, the situation in the near East must be defused.

- (ii) The Nixon administration greatest "asset" has been in the field of foreign affairs with detente between the USSR and USA and rapprochement with Peking as the most prominent achievements. Both President Nixon and Secretary Kissinger who have spent considerable energy on this would not wish those gains to be dissipated. Furthermore, any progress in the Middle East gives Mr. Nixon a lot of credit at a time when such windfall is hard to come by in the wake of 'Watergate'!
- (iii) In view of the unexpected relative military proficiency demonstrated by the Egyptians and the Syrians, there is a real growing concern in the United States on the question of the future of the Jewish State. Achieving a settlement now which would not compromise the legitimate interests of Israel would be in the best interests of the Jewish State and would certainly be considered with favour and appreciation by the powerful Jewish constituency in the United States.

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- (iv) The war has clearly projected the United States as the only real ally of Israel. Israel's isolation has also reflected the total isolation of the United States. No power and particularly no major power would feel comfortable in such a situation.
- (v) United States estrangement from her NATO allies is not a particularly pleasant experience and the U.S. would wish to rectify this. Yet, the Middle East remains a source of constant divergence and even friction between the United States and her NATO partners.
- (vi) The adverse effect on the United States of the oil boycott imposed by the Arabs. Official denials notwithstanding, the energy crisis is hitting the United States a little hard. The crisis could also have ominous repercussions. For, as more and more Americans are exposed to the nuisance of energy shortage, they are bound to have their wrath against someone. If, it should be proved that the reason for the crisis is due not because of Israel's security and 'legitimate' right to exist as a sovereign state, but due to her 'obduracy' and 'intransigency' in clinging to the occupation of Arab lands, American public reaction could be different. There are genuine though by no means pervasive fears of a revival of anti-semitism.



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(vii) The October war has tended to threaten American economic and possibly strategic interests in the area. This becomes all the more painful to some American ruling and business circles when consideration is given that many of the countries in the area are strongly pro-American and would certainly prefer to remain in the friendliest of terms with the United States - but for her unqualified and massive support for Israel.<sup>168</sup>

This last point should also serve as our point of take off with respect to our second question. Could this have been possible under Nasser? Perhaps the more appropriate way of answering this is to reflect on Sadat's attitudes and policies towards the United States since Nasser's death. Here a clear shift of Egyptian foreign policy can be discerned. Sadat's style of operations has been to attach considerable importance to the relations with the United States. On the premises that short of total military confrontation only the United States can exert pressure for Israel to withdraw the Egyptian leader had clearly placed his fortunes in Washington, so to speak.

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168. According to Noam Chomsky, there "is little doubt that the regimes of the major oil-producing states would prefer to remain in the U.S. orbit (as, it appears, would Sadat). If the U.S. comes to the conclusion that the major premise of its policy is now inoperative, it can move towards an alternative policy option, and with Russian support, impose a settlement along the line of Resolution 242 of November, 1967." Ramparts, op. cit., p. 38.

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Mohammed Hasanein Heikal, the former confidant of President Nasser and until his ouster early in February this year, was Editor in Chief of Al Ahram, makes this point. He has asserted that it seemed to him President Sadat was putting all his eggs in one basket, i.e. American basket.

Clearly therefore President Sadat's political overtures have at last struck a response from Washington. On the other hand, it is difficult to imagine Nasser in such a situation. There was a mutual feeling of distrust between the late Egyptian President and successive American administrations. Nasser, in the eyes of the Americans, was too passionate an Arabist, too radical - in short too much of a 'trouble maker'. Sadat, on the other hand, is undoubtedly a moderate and perhaps more preoccupied with Egyptian interests first though not completely ignoring Arab sentiments and interests.

But whatever the motivations of the United States in the perpetuation of the "shuttle diplomacy" of Henry Kissinger, the fact remains that through utilisation of the other form of "proximity talks", Washington has been instrumental in the taking by the principal belligerents of a step which, it is to be hoped, constitutes "a giant step" in the march to peace and justice for all in the turbulent region

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VIII. PROBLEMS AND PROSPECTS FOR  
SUCCESS OF THE NEGOTIATIONS

No matter how serious a conflict, there is in the final analysis no substitute for direct negotiations between the disputants concerned. <sup>169</sup> This generally accepted role of conduct in the solution of international conflicts, may prove its equal validity with respect to the Middle East problem. The steps taken by Egypt and Israel - both through their face to face meetings in Geneva and at 'Kilometer. 101', are undoubtedly a step in the right direction. Yet it would be premature and even naive to speculate that peace is at the corner in the Middle East.

A long and arduous road lies ahead. Hard bargaining is inevitable as the problems are intricate and of long standing. There would have to be twists and turns. But what is most fundamental is that for such negotiations to continue meaningfully and produce concrete results, the belligerents must show the same perseverance and determination in search of peace as they had demonstrated in the course of military confrontation. Above all, new attitudes must be reflected in the region.

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169. Arthur Lall, The U.N. and the Middle East Crisis, 1967, p. 64

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Self righteous claims of morality are as unattractive as they are counter productive. Both sides must recognize their mutual legitimate claims and concern. It need hardly been reiterated that, "Israel has wholly legitimate claims and grievances as do the Arab States and the Palestinian Arabs. Only if both sides discard their self righteous rhetoric, the Arabs no less than the Israelis, can there be a lasting settlement to the benefit of the conflicting parties and to the world as a whole." 170

The October war has certainly brought about indications of new attitudes in the region perhaps out of recognition of 'new realities.' The disengagement agreement between the principal belligerent powers, and its subsequent relatively smooth implementation is evidence of this. Yet that steps was only a beginning. If the negotiations are to succeed and peace - which for more than twenty five years has proved elusive in the Middle East - is to return to the region, then the 'spirit of Kilometer 101' must be reflected in other more crucial spheres. Otherwise, that pact would simply be a temporary despite enabling the respective sides to rearm, consolidate their positions and once again put the region into flames!

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170. Richard J. Walton, New York Times, February 3, 1974 p. 15.

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What then are the prospects for successful negotiations between the Egyptians and the Israelis? In other words, what lies ahead on the road to peace, justice and security between the Arab States and Israel? Anyone familiar with the twenty five years history of the Arab-Israeli confrontation, its passions and hatred, would agree that it would be most unwise to forecast in concrete terms the prospects of peace in the area. Yet, encouraged by the events after the October war, we can attempt an analysis of those factors which, if appropriately tackled, could pave a way for genuine peace. In this connection, let us examine first of all the attitudes and positions of the contending forces, and then consider the issues involved.

The October war, as we have pointed out, brought into play an unprecedented solidarity among the Arab States. Both Egypt and Syria as the 'Confrontation' States, were recipient of political, economic and even military assistance from their Arab brethren. The impressive performance of the Egyptian and the Syrian armies inculcated among the Arab States a sense of pride. In turn, as the leader of the war effort, Egypt's fortune in the Arab World could never have been at a more impressive peak.

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To sustain this solidarity, Cairo and Damascus, which initiated and sustained the October war, were the prime movers of the Sixth Arab Summit Conference which was held in Algeria in November 1973. <sup>171</sup> It is reported that besides the Egyptians and the Syrians, the Saudi Arabians also played a crucial role in that Summit. <sup>172</sup> For, while Cairo and Damascus constituted the military axis in the perpetuation of the Fourth Arab-Israeli War, Cairo and Riyadh undoubtedly provided a coordinated diplomatic and economic reinforcement strategy for the battle.

In a final joint communique made public by the Arab League's Secretary General, former Egyptian Foreign Minister Mahmoud Riad, the Arab Summitteers clearly reiterated their demand for a just peace to include: (1) Withdrawal of all Israeli forces from all occupied Arab territories and in particular Arab Jerusalem (Eastern Jerusalem) and (11) The realization of "full national rights" of the Palestinians. These are however, the usual

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171. In attempting to forge Arab solidarity and unity of action (principally against Israel), President Nasser had taken the initiative to convene the First Arab Summit Conference. This was held at Cairo in January 1964. Subsequently, four other Summit Conferences of the Arab leaders were held prior to the Summit at Algiers. These were respectively convened at Alexandria in September 1964, Casablanca in September 1965, Khartoum in August 1967 and Rabat in December, 1969.

172. Middle-East Intelligence Survey, December 1, 1973 - Vol. 1, No. 17, p. 129.

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demands of the Arab States. What is nonetheless significant is the tacit support given to the principal Arab belligerents - Egypt and Syria - to take part in Geneva parley and by implication in such negotiations as are deemed necessary provided that such actions do not negate or contravene the aforementioned essential principles. <sup>173</sup> This was clearly a diplomatic triumph for Sadat.

But the Algiers Summit which served to further consolidate the Arabs' united front also brought into focus the element of division within the Arab ranks. The so-called radical states - principally Iraq and Libya boycotted the Summit. Some radical elements within the Palestinian resistance also criticized it. To them, the Summit epitomised an attempt to give blessing to the "abandonment of the struggle" against the "Zionist entity". These Maximalists among the Arabs consider fighting until complete liberation of Palestine from the 'Zionist usurpers' as the only acceptable method. To them, military struggle is the only way out. They therefore do not accept the Egyptian strategy (which apparently won the endorsement of the Summit) to consider military

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173. Ibid, p. 131.

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operations as an instrument towards securing more substantial achievements by the process of diplomacy. Though the opposition of Baghdad and Tripoli was considered unfortunate, Egypt did not seem particularly concerned at their criticism. And as events were to prove later, the Libyans ultimately decided to join the ranks of the majority and obviously abandoned their 'radical' comrades. How long the unpredictable young and idealistic Colonel will steer the current path is of course a matter of pure conjecture.

It is with this background that we must view the Sadat/Meir agreement to disengage the Egyptian and Israeli forces. Recognizing the importance of sustaining Arab solidarity particularly among those who have persistently stood by Egypt, President Sadat, managed to convince the Arab Leaders on the 'propriety' of this decision after making his own shuttle to several key Arab countries including Saudi Arabia, Kuwait, Bahrain, Qatar, Abu Dhabi, Algeria and Morocco.

With their sympathetic understanding, if not total backing assured, Egypt was poised to enter into serious negotiations with the Israelis, stipulating as to be expected, that before any further negotiations can proceed, there must be a disengagement on the Syrian front.



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Syria has been uneasy at the turn of events leading to the Suez disengagement. A sense of abandonment by the Egyptians was being emphasized by the maximalists within the ranks of the Syrian leadership. But notwithstanding the initial hesitation, it is quite clear that Syria will have to coordinate its peace efforts with Egypt as it did through the Cairo-Damascus military axis in the October confrontation.

There are of course other problems within the Arab front. Reference has already been made to the position of the more radical wing of the Palestinians. Thus for example, while the leader of the Palestine Liberation Organization (PLO) - the supreme organization of the entire Palestinian resistance movement - Yasir Arafat intimated understanding to Sadat's position on disengagement, other Palestinian high ranking officials of the organization were violently critical. A spokesman of the Executive Committee of the Organization in Beirut is reported to have described the disengagement as a serious step threatening the liquidation of the Palestine case. "This bilateral partial solution will lead to consolidating the positions of Israel and American Imperialism by drawing Egyptian fronts out of the conflict one after the other."

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174. Statement quoted by Palestine News Agency and referred to in the DAILY NEWS, TANZANIA, JANUARY 21, 1974.

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Mention must also be made of the preoccupations of the Hashemite Kingdom of Jordan. King Hussein has had reasons to feel particularly unhappy about the overall developments since the October flare up. Not only was Jordan's sovereignty over the Western Bank and Jerusalem being questioned by fellow Arabs in favour of a possible Palestinian State, but he was not getting a sympathetic hearing even from his otherwise arch supporters - the United States - with regard to the reintegration of these areas to the Hashemite Kingdom. Neither the United States nor the Soviet Union - the co-sponsors of the Geneva Conference - "has so far even remotely referred to the Hussein Plan of March, 1972, calling for the establishment of a federal structure between a Palestinian Province and a Jordanian Province under his rule." 175

The Algier's Arab Summit Conference recognized the Palestine Liberation Organization as the only legitimate spokesman of the Palestinian people 176 and the Summit conference of Islamic States held in Lahore, Pakistan in February 1974, the leader of the PLO, Yasir Arafat was accorded the status of Head of State.

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175. Yassin El-Ayouty, "Palestinians and the Fourth Arab-Israeli War." CURRENT HISTORY, February, 1974, p. 78.

176. Ibid.

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None of these factors were to limit the degree of freedom and diplomatic manoeuvring of the Egyptian leadership in their dealing with the 'enemy'. Indeed as the Disengagement Pact has demonstrated, President Sadat has the ability, capacity and freedom to take bold decisions without fearing undue repercussions provided he can explain and defend those decisions as not being in violation of the position adopted by Algiers' Summit Conference.

This then is roughly the picture of the Arab front in post disengagement pact period. Egypt, the main pillar of Arab strength and resistance against Israel, <sup>177</sup> continues to enjoy not only prestige among the overwhelming majority of the Arab States - thanks to her performance in the October war - but also as recipient of their support and solidarity, considers itself ready to negotiate with Israel. And the Arab front - some differences from within its ranks notwithstanding has continued to display a

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177. In his lamentation of past criticism against Egyptian policies and the Egyptian leadership, the Libyan Leader Colonel Muamar Qaddafi told the Egyptian Parliament in a broadcast speech that it he had been harsh, "My motive in all these (criticism) was my eagerness that Egypt shouldnot fall, because if Egypt falls the entire Arab Nation will collapse." REUTER - February 19, 1974, "MidEast - Nightlead Egypt" by Samiha Tawfik.

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great degree of solidarity and cohesiveness.

It is this stage both interesting and significant to observe the negotiating posture of the Egyptians. Clearly inspired and motivated by their regained confidence and strength couple with the reinforced Arab support and solidarity, Egypt, at least by implication would appear to have abandoned its initial conditions prerequisite for negotiations to start. She has neither demanded that Israel should withdraw from all the occupied territories before negotiations could commence nor has Cairo shown any rigidity on the imperatives of Israel giving a prior commitment towards total withdrawal. The first was the original condition persistently persued by Egypt in the wake of the Khartoum Summit Conference. The second is the conformity with the still unanswered Jarring memorandum of February 8, 1971. Prior to the October war this

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178. Newsweek of March 4, 1974, rightly assesses the Arab front when it asserts: "It was simply a matter of time, predicted many skeptics after the Arabs' success in the October war, before the Arabs would fall to squabbling among themselves and Israel would bounce back to its former role as Mideast overdog. But it has not worked that way. Four months after the war, Israel is in such a state of political disarray that Prime Minister Golda Meir is having trouble forming a government. In sharp contrast, the Arabs are demonstrating an astonishing togetherness." NEWSWEEK, "The Arabs' Surprising Solid Front", March 4, 1974, p. 39.

latter demand was an irreducible minimum as far the Egyptians were concerned.

But what of the Israelis? Have they learnt from the events in October and its aftermath that Israel "is no longer the super power of the Middle East which can arbitrarily determine its

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frontiers."? Do the Israeli leaders now recognize that "there

is a point in time where Israel's survival must be based on the

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consent of its Arab neighbours."? These are pertinent questions

whose answers would show the way either to peace or yet another

confrontation in the Middle East.

In Israel as in the Arab world, there are maximalists - the so called hawks - who would wish to base the country's security on its military "superiority". This body of opinion favours retention of most, if not all, the Arab territories conquered in the 1967 war.

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179. Editorial Comment, the Christian Science Monitor, January 3, 1974.

180. Ibid. According to the same editorial, Israeli Prime Minister understands that Israeli is no longer the super power and recognizes that the country's survival must be based on the good will of her Arab neighbours. And "this is what is involved in her acceptance of the Geneva journey. And this is what Israel's voters have accepted, albeit reluctantly, by returning her party to office."

The views of the hawks are strongly reflected in the Likud opposition party led by Menachem Begin. These advocates of 'Greater' Israel do not only base their argument on Israeli security but on a more fundamental reason namely the restoration of Jewish sovereignty over the whole of Palestine and beyond. The Editor of the "American Zionist," Elias Cooper who would fit well with the views of the right wing Likud opposition pointed out that the failure of Golda Meir's Government "is not its refusal to withdraw unilaterally from the territories, occupied in 1967 but the justification used for refusing to do so. The official Israeli position was based on the country's security requirements. This was a betrayal of the Zionist ideal - to restore Jewish sovereignty in the land of Israel in its entirety. That is both the real and the ideal justification for Israel's retention of the West bank, Golan Heights, Gaza and parts of the Sinai."

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But the so called hawks in Israel are not confined within the Likud opposition. The views of some of the prominent Israeli leaders within the labour party are no less expansionist. Thus in 1968 - one year after the June war, Israel's Defense Minister

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181. Elias Cooper, "Bringing Peace to the Middle East." the NEW YORK TIMES, Monday, January 21, 1974 p. 27. Mr. Cooper also teaches modern history at Bronx Community College, N.Y.

Moshe Dayan told American Jewish College students:

"During the last one hundred years our peoples  
in  
have been/the process of building up the country and  
the nation, of expansion, of giving additional Jews  
additional settlements in order to expand the borders  
here: let no Jew say that the Process has ended, let  
no Jew say that we are near the end of the road."<sup>182</sup>

Statements of this nature can hardly give comfort to the  
"Arab moderates" who desire a settlement with Israel. They  
undoubtedly play right in the hands of the Arab maximalists who  
consider that only the "liquidation of the Zionist usurping  
entity" can give peace in the region and ensure the security of  
the Arab states.

As opposed to the extreme views of the Likud, Mr. Dayan  
and company, we are told of the existence of the Doves like Deputy  
Prime Minister Yigal Allon and Foreign Minister Aba Eban. It is

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182. This declaration made by Mr. Dayan on the Golan Heights,  
was reported in Mariv of 7 July, 1968. Critics and opponents  
of Israel particularly Arab spokesmen have repeatedly cited  
it to demonstrate the "expansionist nature of Israel." See  
for example, statement by the Permanent Representative of  
Kuwait in the Security Council, S/PV.1720, pp. 19-20.

in these doves together with the 'centrist' Mrs. Meir that lie the hope for a peaceful settlement with the Arab states. Yet, for an outsider, it is sometimes rather difficult to make a clear-cut distinction as to who are the doves and who are the hawks and centrists in the Israeli body politic. As recent as last February 8, the Israeli Prime Minister is reported to have assured Israeli settlers on the Golan Heights that Israel would not pull back from Syrian territory beyond the ceasefire line of the June 1967 war as she considered that part of the Syrian territory conquered in the June war "an inseperable part of Israel."<sup>183</sup>

What ever the motivations of the Israeli leader in making this statement it is obvious that such a declaration affirming Israel's intention to maintain the colonization of Syrian territory can hardly improve the prospects of negotiations. The comments of the Economist in this connection are pertinent:

"Israel's plan ... to build a new town in the Golan Heights may be good news for all those, Arabs or Israelis who want to go no further along the road to a negotiated settlement.....

"Mrs. Meir's reported assurances ..... to a group of Israeli settlers that the Golan Heights are an integral part of Israel, is not calculated to induce a spirit of bargaining let alone trust."<sup>184</sup>

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183. The New York Times, Saturday, February 9, 1974, p. 8.

184. THE ECONOMISTS, February 16, 1974, p. 45.



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But besides 'polluting' the atmosphere of the negotiations, such postures by Israel tend to confirm Arab allegations that while Israel claims to be prepared to negotiate unconditionally, she has in fact set up a number of pre-conditions. And in this, Israel makes the Egyptian position more vulnerable to the criticisms of the Arabs Maximalists.

Peace or occupation

This then brings into focus the fundamental issues of peace or war that confront the Arab and Israeli negotiations at the Geneva Conference or for that matter in any other agreed forum of negotiations. Mrs. Meir's reported categorical assertions of continued permanent occupation of the Golan Heights, would appear to be in line with Israel's other territorial claims on the grounds of security including, as we have earlier mentioned, retention by Israel of such conquered Arab territories as the Sharm el Sheikh and Jerusalem. Ironically, these claims are considered, at least by the Israeli Prime Minister to be those of the Middle of the

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readers in Israel and thus moderate and reasonable. Included  
in the list of the areas to be retained by Israel as part of  
"significant changes" sought in conformity with Israel's 'generous'  
willingness of "territorial compromise" are some undefined parts  
of Sinai.

Rationalising Israel's intention of seeking to retain some  
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parts of the Sinai Mrs. Meir asserted that such acquisition  
does not involve loss of territory vital to Arab interests. The  
Sinai desert has in the past served no Egyptian purpose save to  
provide a ready staging-ground for attacks on Israel and for main-  
tenance of blockade. No Egyptian lives in Sinai and only a few

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185. Writing in Foreign Affairs, the Israeli leader had stated:

"Israel is a democracy in which various views mini-  
malist and maximalist, are freely advocated. We have our  
doves and hawks. Most Israelis are neither, but we do  
refuse the role of clay pigeon. More than once I have made  
clear that we have never said that the ceasefire lines have  
to be the peace boundaries on all sectors. The borders must  
be defensible and for that purpose significant changes in  
the previous line are necessary, but we are ready for terri-  
torial compromise." GOLDA MEIR, "ISRAEL IN SEARCH OF LASTING  
PEACE," FOREIGN AFFAIRS, Vol. 51, No. 3. p. 455.

186. Mrs. Meir wrote: "... Israel, under a peace settlement, would  
not seek to retain all or most of Sinai," Ibid. p. 453. This  
is a clear declaration of intention to have part of the Sinai.

Bedouin tribes (not Egyptian citizens) roam its sands."

A part from the obvious annexationist implications of the Israeli leader's position, this statement is clearly factually incorrect. Certainly, Mrs. Meir should know of the wealth that lie in the Sinai peninsula! Indeed some observers attribute Israel's reluctance to withdraw from Sinai to this economic factor rather than purely military and security considerations. Thus Dr. Thomas Stauffer, an economics lecturer at the Harvard Centre for Middle Eastern Studies and an oil consultant maintains that Israel "has a vital economic reason for being reluctant to return

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Sinai to Egypt." He points out that Israel's occupation has double advantage for the Jewish state in that the peninsula through its oil fields provide it with important revenues and at the same time deprives Egypt of considerable foreign exchange earnings - larger than those currently obtained by Israel:

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187. Ibid.

188. Dr. Thomas R. Stauffer, "Israel's hold on Sinai: Tel Aviv sees another reason to keep peninsula, "The Christian Science Monitor, Thursday, January 10, 1974, p. 2.

189. The income from only one part of the occupied territories i.e., the Sinai, conquered in the June 1967 hostilities, provide Israel with an equivalent of one third of its total export-earnings. Ibid.

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"In terms of cash Israel's withdrawal from Sinai could cost it upward of \$400 million a year. If Egypt gets Sinai back, the Egyptian economy stands to be boosted by \$600 million a year. Thus in terms of the economic balance between Israel and Egypt, Israel's loss would be greater still."<sup>190</sup>

Even if we are to take the Israeli leader's claim on its face value namely that the demand for "significant" border changes are motivated by security considerations, two observations would be pertinent. These relate to the 'legitimacy' of such claims and the validity of the assumptions under which they are based. Let us first consider the second proposition.

In rationalising the retention of several territories of occupied Arab land, the Israeli Prime Minister has argued: "the border changes sought by Israel will, by reducing the strategic advantage enjoyed by a would be aggressor, help to deter war. Conversely, reconstructing these advantages would facilitate hostile designs against Israel and renew the prospects of war."<sup>191</sup> This article was written in April 1973. Yet only six months later, with Israel clinging to all captured Arab territory and

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190. Ibid.

191. Golda Meir, "Israel in Search of Lasting Peace.", Foreign Affairs, Vol. 51, No. 3, April 1973, p. 453.

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thus in commanding strategic advantage, the October conflagration erupted. Clearly therefore the "would be-aggressor" was not deterred by reduced "strategic advantage". Such a premise could not and would not deter war. For no nation however "legitimate its fears can take another's land by force. Not only is this contrary to any concept of international morality, but, as events have proved, it inevitably sets the stage for another conflict, if ever the invaded nations have the strength to attempt to regain their 'Sacred Soil.'"

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Occupation invites resistance and the latter leads to war. It is altogether impossible to have both occupation and peace in the Middle East. Israel's argument on the need for greater power incorporating Arab territories to provide greater security for the Jewish state serves as a further incentive to resistance on the parts of the Arab states. For, obviously, Israel's greater security can only be achieved, from the Arab point of view, at the expense of greater insecurity to the Arabs. No people would be satiated by being subjected to a permanent state of inferiority and insecurity and the urge is always there to do their

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192. Richard J. Walton, "In talking about Israel, civility Peace!" The New York Times, Sunday, February 3, 1974, p. 15. Mr. Walton is author of the book, "Cold War and Counter Revolution: The Foreign Policy of John F. Kennedy."

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utmost to rectify the situation. This is clearly brought home by the events of the October war. Furthermore, the war has given notice to the effect that those who believe that security is best assured on strategically "defensible borders" are underestimating the whole concept of modern warfare and the determination of the belligerents. Former Israeli Prime Minister and Israeli's most respected elder statesman seemed to have recognized this when he stated that only mutual trust and friendship can provide the only security for Israel and that "militarily defensible borders" can not by themselves guarantee Israel's future.

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The other factor which militates against Israel's retention of conquered Arab lands is based on moral and legal grounds. In the age of the charter of the United Nations, it is inconceivable that conquest of territory and its eventual annexation can be an accepted norm of international behaviour. The violation of the principles of non-acquisition of territory by force by the Israelis is what has led to the latter's almost total diplomatic isolation

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193. Interview with former Prime Minister David Ben Gurion published in the THE SATURDAY REVIEW, April 3, 1971, pp. 14-16.

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within the international organization. Besides the charter provisions, numerous declarations and resolutions of the organization have stressed on the inviolability of the territorial integrity of states and reaffirmed the principle of non-occupation of territories by force. Thus the Declaration on the Principles of International Law concerning Friendly Relations and Cooperation among states, adopted during the commemoration of the silver jubilee of United Nations in October 1970 reaffirms the basic principle of international law when it stipulates that:

"the territory of a state shall not be the object of military occupation resulting from the use of force  
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in contravention of the provisions of the charter."

This cardinal principle of international law was reinforced by the Declaration on the strengthening of international peace and security adopted by the General Assembly during the same  
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session.

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194. General Assembly Resolution 2625 (XXV) of 24th October, 1970  
Official Records of the General Assembly-Twenty Fifth Session,  
Supplement No. 18, [A/8018].

195. General Assembly Resolution 2734 (XXV) of 16 December, 1970.  
Official Records of the General Assembly-Twenty Fifth Session  
Document A/8096.

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The question of the continued occupation by Israel of Arab lands captured during the June 1967 war is bound to be one of the most serious, if not the most serious issue in the negotiations. And while some Arab governments particularly Egypt have shown moderation and flexibility to some other issues bedevilling the relations between the Zionist Jews and the Arabs in the Middle East, it is unlikely that any Arab state would compromise on the issue of territory. It would indeed appear that for any Arab state, the evacuation by Israel of Arab lands constitutes an irreducible minimum condition for successful negotiations. Thus if negotiations are to proceed on a meaningful path leading to peace and security for all in the region, Israel will have to show a great more flexibility than she has hitherto displayed. She will have to recognize that the principle of non-acquisition of territory by force is as sacrosanct to the Arabs as it is to all civilized humanity. Consequently, Israel will have to be contented with only minor border adjustments to be mutually and voluntarily agreed with her Arab neighbours and abandon the demand for "significant border changes."



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The Palestinians

A closer examination of the Middle East conflict brings into focus its own ironies. While it is generally accepted that the root cause of the conflict is the plight of a million or so Palestinians uprooted from their homeland, one detects lesser emphasis being given to this question. For the last seven years, the priority question has been the question of continued occupation of Arab lands. Noam Chomsky contends that "it has long been clear that the rights and interests of the Palestinians are the concern of none of the contestants, apart from some inconsequential rhetoric. Every organized force in the region and the great powers as well will be more than pleased if the Palestinians' plea for justice is stilled."

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This assertion may perhaps be doing injustice to the declared 'commitment' and 'support' of the Arab States for the Palestinian cause. At the same time, the 'slaughter' of the Palestinians by the Hashemite Kingdom of Jordan in the summer of 1970 certainly gives some credibility to the allegation. But whether the Arab States in the Middle East or the international

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196. Noam Chomsky, "The Middle East WAR: BACKGROUND", RAMPARTS, Op. Cit. p. 38.

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community as a whole pay mere lip service to the 'legitimate' rights of the Palestinians or are sincere about them, the fact remains that no permanent peaceful solution can be reached on the Middle East conflict without giving the Palestinians at least a reasonable and fair deal.

The Palestinians have in the post June 1967 war been particularly assertive of their own rights. They have been the most militant and perhaps most active force in the region through modest guerilla operations inside Israeli occupied territories as well as the Lebanon/Israel frontier; through sabotage actions in Israel proper; through hijacking and other activities - some organized by the Palestine Liberation Organization and others undertaken by extremist elements among the Palestinian resistance without the consent or even with the denunciation of the PLO, the world has been made to understand more clearly the reality, plight

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197. Some of these activities have been as bloody as they were in fact counter productive if not senseless. They provoked the indignation rather than sympathy of the world public opinion. Most typical examples were the attacks at Israel's Lod airport in May 1972, the events leading to the death of eleven Israeli athletes at the Olympic Games in Munich in September 1972, as well as the most recent and senseless slaughter of civilians in December 1973 at Rome International Airport.

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and desperation of the Palestinians.

Furthermore, the Palestinian Liberation Organization through both its regular and irregular forces participated in the October war. As Professor El-Ayouty explains it: "The operations undertaken by the 'third front' reflected the broad spectrum of Palestinian tenets. Realizing that the war, with its successful beginning favouring the Arabs, would result in important political and geographical changes, the Palestinian resistance was anxious to prove its presence on every Arab front. Consequently, the Palestinian forces, both guerilla and conventional, participated in the Suez, on the Golan Heights and on the Southern Lebanese fronts, where for the first time since 1967 they entered villages which lie immediately across the Lebanese-Israeli Armistice lines..."

All these activities of the PLO and particularly its active participation in the October war, gave the resistance movement a greater standing in the Arab world leading to its recognition as the only true spokesman of the Palestinian people in the

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198. Yassin El-Ayouty, "Palestinians and the Fourth Arab-Israeli war", CURRENT HISTORY, February, 1974, p. 76.

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Sixth Summit Meeting of the Arab States held in Algiers in

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November 1973. It further reinforced the Palestinian cause.

Thus President Sadat is reported to have told the leaders of the PLO on February 1, 1974, that he would refuse to open the Suez Canal to Israeli shipping until Israel recognized 'the legitimate rights' of the Palestinians. He further asserted that this was a condition pre-request for Egypt's termination of the state of belligerency between her and Israel.

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What then will constitute a fair and reasonable deal for the Palestinians and thereby overcoming this major hurdle towards peace in the Middle East? Here we find that among the Palestinians there are also maximalists and minimalists. Perhaps it is true to say that in this context what would be most desirable by all

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199. Dr. El-Ayouty points out that through its active participation in the battle, "the PLO was able to demonstrate that the Jordanian King was not entitled to speak for the Palestinians, especially in the light of his tokenism as a contributor to the Syrian war effort, (and that)... the PLO merited full legitimization to perform that role (of speaking in the name of Palestinians). Ibid.
200. Henry Tanner, "Sadat Getting Qualified Arab Backing", The New York Times, 2 January, 1974, p. 3.

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Palestinians is what is contained in the official political programme of the PLO adopted in 1968. This programme advocated, inter alia for the creation of a united, secular and democratic state of Palestine. <sup>201</sup> Thus they interpret restoration of "legitimate rights" or to use the terminology of the Sixth Arab Summit, "national rights" to mean one thing only, namely, "the establishment of a democratic society in all of Palestine." <sup>202</sup> Clearly this position would preclude the possibility of any settlement in the Middle East since it questions the very foundation of the State of Israel and makes the presence of a Palestinian and a Jewish state mutually exclusive. Not only will the Israelis scorn such a proposition, but taking the "realities" of the situation, the international community would not acquiesce to the 'extinction' of the state of Israel. Both the two super-powers, the USA and the USSR are committed to the existence of Israel. As Sulzberge rightly puts it: "There is no prospect that Israel will ever cease to exist - as some Arab (and Palestinian) maximalists demand. Apart from American guarantees, the Soviet Union would never

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201. El-Ayouty, op. cit., p. 74.

202. Ibid. p. 75.

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permit it to disappear."

This maximalist position is matched by an equally maximalist position of the Israelis. The latter have not only denounced the "legitimate rights" of the Palestinians which have been repeatedly recognized and affirmed by the General Assembly but have simply ignored the annual demands of the International Community as originally envisaged in General Assembly Resolution 194 (III) of 11 December 1948 calling for the repatriation or compensation for the 1948 war Palestine refugees. In this respect, Mrs. Meir has affirmed that Israel "cannot accept the repatriation of those who originally joined our enemies and in the intervening years have become a hostile army proposing to submerge Israel."

Israel has further (so far) rejected the proposal which is widely gaining currency in the Arab World of an establishment

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203. C.L. Sulzberger, "Reshaping the Middle East, The New York Times, Sunday, December 23, 1973.
204. General Assembly Resolutions 2535 (XXIV), 2672C (XXV), 2649 (XXV) and 2792 (XXVI) have all recognized that "the full respect for the inalienable rights of the people of Palestine is an indispensable element in the establishment of a just and lasting peace in the Middle East."
205. Golda Meir, "Israel in Search of Lasting Peace," FOREIGN AFFAIRS, Vol. 51, No. 3, April 1973, p. 460.

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of a Palestinian state from the currently occupied areas of the West Bank of the Jordan, Gaza and possibly Jerusalem. Israel has also treated with contempt any suggestion that she enters into a dialogue with the Palestinian resistance movement through the PLO. "Obviously we have no common language with Palestine irredentists whose cry is the 'liquidation' of Israel, or assassins who pretend the names 'revolutionaries'," declared the  
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Israeli Prime Minister.

Clearly, if peace is to return to the Middle East, there will have to be compromises on the part of all the three sides - the Arab States, the Israelis and the Palestinians - on the issue as to what really constitutes the "legitimate rights" of the Palestinians. The Palestinians must relax their maximum demands and be prepared to accept the alleviation of their plight through the creation of a Palestinian State adjacent to pre-1967  
207  
June Israel, as well as receiving compensation for their pro-

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206. Ibid.

207. The New York Times of Thursday, February 21, 1974 reported that three major resistance organizations - Al Fatah, Al Saida and the Popular Democratic Front for the Liberation of Palestine (all members of the PLO) - were reported to have approved a document on February 19, 1974, calling for the establishment of an independent Palestinian state in any part of Palestinian territory vacated by Israel. (p. 3).

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perties left in Israel. The Israelis must stop treating the Palestinians as if they do not exist, and implement the U.N. resolutions on repatriation for those who so desire and provide compensation where applicable, and the Arab states must exert their efforts to be a moderating influence over the Palestinians.

Is this all possible? Can the Palestinians co-exist with Israel? Presently, there are indications, however inconclusive, that some changes have taken place in the Middle East after the October war, which give some guarded optimism to the proponents of peace. Thus as El Ayouty points out, "... it is clear that the post-October war period witnessed modifications in basic ideological positions previously regarded as 'non-negotiable' by the two primary parties to the conflict, namely, the original communities of man-  
208  
dated Palestine - the Arabs and the Jews." The reported readiness of the Palestine Liberation Organization to take part in the Geneva  
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Peace Conference, notwithstanding the opposition of some of the  
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radical elements within the resistance movement, is a step in the

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208. Yassin El-Ayouty, "Palestinians and the Fourth Arab-Israeli War, "CURRENT HISTORY, February, 1974, p. 78.

209. Ibid. p. 77.

210. The dissidents include the leftist oriented popular front for the Liberation of Palestine led by Dr. George Habash.



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right direction. For, it implies ipso facto recognition of the sovereignty of the state of Israel. The latter has so far rejected such participation but many observers consider that inevitably the Palestinians will eventually be represented at the Geneva Parley.

Though Israel has adopted a negative attitude towards the  
211  
United Nations resolutions on the repatriation or compensation of Palestinian refugees, it is significant to note that Israel's opposition stems from the former rather than the latter provision. Thus Mrs. Meir commented, "International funds, towards which Israel is prepared to contribute her share, (we have offered compensation for Arab properties in Israel) are available for  
212  
the resettlement of Arab refugees still living in camps."

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211. Among the recent United Nations calls for repatriation and/or compensation are to be found in General Assembly Resolutions 2792 (XXVI) of December 6, 1971, 2963 (XXVII) of December 13, 1972 and 3089 (XXVIII) of 7/12/73.

212. Golda Meir, "Israel in Search of Lasting Peace, "FOREIGN AFFAIRS, Vol. 51, No. 3, April 1973, p. 461.

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The real obstacle would therefore be the question of repatriation. But even on this, given the goodwill of all the contestants, it should be possible to come to an agreed formula. For example, Israel, as a symbol of her sincerity to the final resolution of the Middle East conflict could agree to allow the return of a token number of Palestinian refugees. Such an act would have important psychological results in breaking the impasse and would really in no way affect the population ratio of Israeli inhabitants since it is doubtful whether many Palestinians would opt to return to an Israeli governed "Palestine." Yet, unless the spirit of give and take is displayed, the root cause of the Middle East conflict will remain active and thus render the situation highly inflammable. A prominent American Jewish scholar put the question in its proper perspective when he pointed out:

"... Israel and Palestinians owed each other the fraternal recognition of another oppressed nationality and the political recognition of a self-determining Palestine alongside Israel." 213

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213. Arthur I. Waskow, "A time for terms in the Middle East," The New York Times, Saturday, November 24, 1973, p. 31. Mr. Waskow is a fellow of the Institute of Policy Studies and author of the book, "The Bush is Burning."

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We began this paper by stipulating that it would focus on two principal issues. These were, firstly, the reasons which led Egypt to agree to direct, face-to-face, negotiations with Israel after the October war, when for more than twenty years such a form of negotiations had eluded the disputants in the Middle East conflict. Secondly, in the light of these negotiations, to assess the prospects of peace in the region.

In the aftermath of the Fourth Arab-Israeli War, Egypt regained her prestige and confidence. President Sadat and his colleagues in the Egyptian leadership have been sufficiently encouraged by the results of the October war to consider it the greatest victory of the Arabs in the last five hundred years. The Egyptian Leader told the Country's Peoples Assembly (Parliament) on February 19, 1974:

"Five centuries of Arab defeat and backwardness have ended following the victory of the Egyptian and Syrian Forces".<sup>214</sup>

This regained 'glory' and Arab 'dignity', as Egypt sees it, has made it possible for her to feel that she can negotiate with Israel on the basis of equality and not be subject to Israeli 'diktat'. Egypt's position has been further strengthened through better and

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214. Reuter, Cairo, February 19, 1974

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sympathetic understanding of the Arab case by the international community with a corresponding almost total isolation of Israel diplomatically. Furthermore, Egypt has made effective use of the different regional and international groupings and organizations of which she is a member, to mobilize greater support.

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Egypt has felt that she could afford to be flexible thus discarding her previous conditions whose fulfilment was to be prerequisite to any negotiations with the Jewish State. But above all, Cairo has made it clear that she accepts Israel as a Sovereign State and as a "fact of life".

As far as the prospects for peace are concerned, we can conclude that the ball is really in Israel's court. For many years - indeed from the end of the 1967 hostilities - Israel has been arguing that if the Arabs would agree to state publicly that they would enter into peace agreement with her, this would prove their sincerity and she would then be willing to make the necessary concessions for peace. Egypt has already done this.

In April 1973, Mrs. Meir had expressed the hope that "... the many sovereign Arab States will come to terms with the idea of a

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215. Egypt, besides being a member of the United Nations, is also an active member of the following: (i) The Organization of African Unity; (ii) The Arab League; (iii) The Non-Aligned Movement and (iv) The Conference of Islamic States.

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Jewish national independence and with the reality of Israel, the  
one small land in which that independence can flourish".<sup>216</sup>

With the reported acceptance by Syria of Security Council Resolution 242(1967) just before the outbreak of the October War, all Israel's neighbours have therefore accepted this legitimate demand of the Israelis. Indeed, presently, the overwhelming majority of Arab States including the 'confrontation' states - Egypt and Syria - and the other two contiguous States - Jordan and Syria no longer challenge or question the existence of Israel. The question is: Will Israel make use of this changed situation and take decisive steps towards peace? Or will she continue to operate on the basis of the highly vulnerable concept of "military superiority over its neighbours" shunning all meaningful solutions to compromise? But even if she were to choose the latter path, will she continue to receive unqualified support and assistance from the United States - since Israel can only maintain such superiority with Washington's support? Richard Walton made the following pertinent observation in the New York Times:

"While the United States should, if necessary, take up arms to defend Israeli soil, I doubt if many Americans

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216. Golda Meir, "Israel in Search of Lasting Peace," Foreign Affairs Vol. 51, No. 3, April 1973, p.461.

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would be willing to send United States troops to defend Israel against an attack caused by Israeli refusal to return Arab land.

"This may be the moment for Israel to obtain the most effective guarantees she is ever likely to get. But it seems doubtful that she can get those guarantees without returning Arab territory. If she refuses to do so, this then provides an excuse for those who would abandon Israel for more selfish reasons".<sup>217</sup>

There is no doubt that the United States' role in the Middle East will be crucial in the days, months and years to come. While the USSR does exercise some leverage over the Egyptians - being the principal supplier of its military hardware - her 'influence' in Cairo is limited. This has been clearly demonstrated by President Sadat's abrupt move to expel Soviet military advisers in 1972. It also would appear that in the post-October war diplomatic negotiations Egypt has taken not only independent decisions without consulting the USSR, but has indeed allowed the U.S.A. to play a mediation role and agreeing to Kissinger's proposals without prior consultations with Moscow.<sup>218</sup> Furthermore, the events after the October war have

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217. Richard J. Walton, "In talking about Israel, civility please", The New York Times, Sunday, February 3, 1974, p.15

218. It is reported that the Kremlin was unhappy with the Egyptian leadership's position of not keeping them constantly informed of the negotiations. Henry Tanner, Chief of the New York Times Bureau in Cairo, for example, reported that diplomats in Cairo said that "When Foreign Minister Ismail Fahmy visited Moscow recently, he was met by suspicion and anger over the fact that the Egyptians had negotiated an agreement without consulting the Russians, still the Egyptians' most powerful ally". The New York Times, Saturday, February 2, 1974, p.3.

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demonstrated that Egypt and the other Arab States can obtain alternative supply of armaments thus reducing their obvious dependence on the USSR.

The Israelis, on the other hand, do not appear to have such an alternative source of military supply. Their dependence on the United States in this field as indeed in economic and financial aid, is vital. Correspondingly, the U.S. has a clear bargaining leverage over the Jewish State. While not underestimating U.S. commitment to Israel and notwithstanding the powerful Zionist lobby in the U.S. Congress and other Centres of power, it would seem that there is a limit to which the United States can go in its support for Israel. Even before the October war, there were indications that Washington was becoming restless at the obvious 'stubbornness' of the authorities in Tel Aviv. For example, Newsweek of December 6, 1971 reported:

"The Nixon administration regards Israeli inflexibility as the main cause for the diplomatic stalemate that has afflicted the Middle East for the last four years".

With this background in mind, are we to view Washington's post-October war diplomatic moves in favour of disengagement and peaceful settlement as a determined and deliberate policy of the United States to 'persuade' Israel from its 'inflexibility'. This would herald a change of U.S. policy from total partisanship with the Israeli

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position to that of a more even handed one. Some observers see Kissinger's increasing diplomatic moves a la 'shuttle diplomacy' as evidence of this determination. At least, President Sadat is convinced that the United States is changing its position from that of total support of Israeli position to a more neutral line. <sup>219</sup>

If this is indeed the case, given the power, prestige and influence of this great power and particularly the weight of her opinion on the authorities in Tel Aviv, there is indeed real hope for an eventual ending of the state of perpetual confrontation between the Jewish State and her Arab neighbours in the Middle East.

Thus either through the 'influence' of the United States or through Israel's own recognition of the need to get out of her delirium of power and take the essential steps towards peace lies the answer whether there is to be peace or further bloody conflagrations in the region. Israel could and should see this moment of potential danger to her own eventual security as a moment for making the claims of justice and security coincide. For this is the time when both

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219. The Egyptian leader has made several press statements to this effect. For example, he told a press corps in Pakistan on February 25, 1974 that the conclusion of the Islamic Summit Conference, that the U.S. is 'changing' its position on the Middle East conflict, implying that Washington's current position is more understanding of the Arab case.



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sides - Arab States with the Palestinians and Israel - can offer  
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each other decent terms.

The direct talks among the military Chiefs of Staff of Israel and Egypt at 'Kilometer 101' for the implementation of the disengagement of the Egyptian and Israeli Armies as well as the Peace Conference in Geneva marks a new chapter in the tragic post 1948 Middle East. They afford a unique opportunity on the road to peace, justice and security for all.

If this challenge towards peace is properly made use by the disputants, the world may finally be rid of one of the most serious hot-beds of tension which has posed a constant threat to international peace and security besides inflicting misery and colossal devastation to the people and property of the area itself. The danger is that if the opportunity is lost, the situation could witness a dramatic deterioration with inevitable outbreaks of hostilities whose dimension and magnitude could dwarf the last four wars between the Arab States and the Jewish State.

The world in general and particularly the United Nations has the responsibility to do their utmost to assist in ensuring the success of the negotiations and thus save the region further calamities whose international repercussions, the world can only dread and definitely cannot afford.

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220. Arthur I. Waskow, "A Time for terms in the Middle East",  
The New York Times, November 24, 1973, p.31.

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Annex II

TEXT OF THE AGREEMENT ON THE SEPARATION  
OF EGYPTIAN AND ISRAELI FORCES ON THE  
SUEZ FRONT SIGNED AT 'KILOMETER 101'  
ON JANUARY 18, 1974\*

(A) Egypt and Israel will scrupulously observe the cease-fire on the land, sea and air called for by the U.N. Security Council and will refrain from the time of the signing of this document from all military or paramilitary actions against each other.

(B) The military forces of Egypt and Israel will be separated in accordance with the following principles:

1. All Egyptian forces on the east side of the canal will be deployed west of the line designated as line A on the attached map. All Israeli forces including those west of the Suez Canal on the Bitter Lakes will be deployed east of the line designated as line B on the attached map.

2. The area between the Egyptian and Israeli lines will be a zone of disengagement in which the United Nations Emergency Force will be stationed. The U.N.E.F. will continue to consist of units from countries that are not permanent members of the Security Council.

3. The area between the Egyptian line and the Suez Canal will be limited in armament and forces.

4. The area between the Israeli line, line B on the attached map, and the line designated as line C on the attached map, which runs along the western base of the mountains where the Gidi and

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Mitla passes are located, will be limited in armament and forces.

5. The limitations referred to in paragraphs 3 and 4 will be inspected by U.N.E.F. Existing procedures of the U.N.E.F., including the attaching of Egyptian and Israeli liaison officers to U.N.E.F., will be continued.

(C) The detailed implementation of the disengagement of forces will be worked out by military representatives of Egypt and Israel, who will agree on the stages of this process. These representatives will meet no later than 48 hours after the signature of this agreement at Kilometer 101 under the aegis of the United Nations for this purpose. They will complete this task within five days. Disengagement will begin within 48 hours after the completion of the work of the military representatives, and in no event later than seven days after the signature of this agreement. The process of disengagement will be completed not later than 40 days after it begins.

(D) This agreement is not regarded by Egypt and Israel as a final peace agreement. It constitutes a first step towards a final and durable peace according to the provision of Security Council Resolution 338 and within the framework of the Geneva Conference.

\* Source: The New York Times, January 19, 1974.  
Middle-East Intelligence Survey, February 1, 1974, - Vol. 1,  
No. 21, p. 163.

## Text of Security Council Resolution 242 (1967) of 22 November 1967\*

## Decisions

At its 1373rd meeting, on 9 November 1967, the Council decided to invite the representatives of the United Arab Republic, Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the Middle East: Letter dated 7 November 1967 from the Permanent Representative of the United Arab Republic addressed to the President of the Security Council (S/8226)".<sup>11</sup>

At its 1375th meeting, on 13 November 1967, the Council decided to invite the representative of Syria to participate, without vote, in the discussion of the question.

## Resolution 242 (1967)

of 22 November 1967

*The Security Council,*

*Expressing* its continuing concern with the grave situation in the Middle East,

*Emphasizing* the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

*Emphasizing further* that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. *Affirms* that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

- (i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;
- (ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;

2. *Affirms further* the necessity

(a) For guaranteeing freedom of navigation through international waterways in the area;

(b) For achieving a just settlement of the refugee problem;

(c) For guaranteeing the territorial inviolability and political independence of every State in the area,

<sup>11</sup> *Ibid.*

## Décisions

A sa 1373<sup>e</sup> séance, le 9 novembre 1967, le Conseil a décidé d'inviter les représentants de la République arabe unie, d'Israël et de la Jordanie à participer, sans droit de vote, à la discussion de la question intitulée "La situation au Moyen-Orient: Lettre, en date du 7 novembre 1967, adressée au Président du Conseil de sécurité par le représentant permanent de la République arabe unie (S/8226)".

A sa 1375<sup>e</sup> séance, le 13 novembre 1967, le Conseil a décidé d'inviter le représentant de la Syrie à participer, sans droit de vote, à la discussion de la question.

## Résolution 242 (1967)

du 22 novembre 1967

*Le Conseil de sécurité,*

*Exprimant* l'inquiétude que continue de lui causer la grave situation au Moyen-Orient,

*Soulignant* l'inadmissibilité de l'acquisition de territoire par la guerre et la nécessité d'œuvrer pour une paix juste et durable permettant à chaque Etat de la région de vivre en sécurité,

*Soulignant en outre* que tous les Etats Membres, en acceptant la Charte des Nations Unies, ont contracté l'engagement d'agir conformément à l'Article 2 de la Charte,

1. *Affirme* que l'accomplissement des principes de la Charte exige l'instauration d'une paix juste et durable au Moyen-Orient qui devrait comprendre l'application des deux principes suivants:

- i) Retrait des forces armées israéliennes des territoires occupés lors du récent conflit;
- ii) Cessation de toutes assertions de belligérance ou de tous états de belligérance et respect et reconnaissance de la souveraineté, de l'intégrité territoriale et de l'indépendance politique de chaque Etat de la région et de leur droit de vivre en paix à l'intérieur de frontières sûres et reconnues à l'abri de menaces ou d'actes de force;

2. *Affirme en outre* la nécessité

a) De garantir la liberté de navigation sur les voies d'eau internationales de la région;

b) De réaliser un juste règlement du problème des réfugiés;

c) De garantir l'inviolabilité territoriale et l'indépendance politique de chaque Etat de la région, par

<sup>11</sup> *Ibid.*

through measures including the establishment of demilitarized zones;

3. *Requests* the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

4. *Requests* the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

*Adopted unanimously at the 1382nd meeting.*

### Decision

On 8 December 1967, the following statement which reflected the view of the members of the Council was circulated by the President as a Security Council document (S/8289):<sup>12</sup>

"As regards document S/8053/Add.3,<sup>12</sup> brought to the attention of the Security Council, the members, recalling the consensus reached at its 1366th meeting on 9 July 1967, recognize the necessity of the enlargement by the Secretary-General of the number of observers in the Suez Canal zone and the provision of additional technical material and means of transportation."

des mesures comprenant la création de zones démilitarisées;

3. *Prie* le Secrétaire général de désigner un représentant spécial pour se rendre au Moyen-Orient afin d'y établir et d'y maintenir des rapports avec les Etats intéressés en vue de favoriser un accord et de seconder les efforts tendant à aboutir à un règlement pacifique et accepté, conformément aux dispositions et aux principes de la présente résolution;

4. *Prie* le Secrétaire général de présenter aussitôt que possible au Conseil de sécurité un rapport d'activité sur les efforts du représentant spécial.

*Adoptée à l'unanimité à la 1382<sup>e</sup> séance.*

### Décision

Le 8 décembre 1967, le Président a fait distribuer, en tant que document du Conseil (S/8289<sup>12</sup>), la déclaration ci-après qui reflétait l'avis des membres du Conseil :

"En ce qui concerne le document S/8053/Add.3<sup>12</sup>, soumis à l'attention du Conseil de sécurité, les membres de celui-ci, rappelant le consensus intervenu à sa 1366<sup>e</sup> séance, le 9 juillet 1967, reconnaissent la nécessité de l'accroissement, par le Secrétaire général, du nombre des observateurs dans le secteur du canal de Suez et de la mise à la disposition de ceux-ci de matériel technique et de moyens de transport supplémentaires."

## THE CYPRUS QUESTION<sup>13</sup>

### Decision

At its 1362nd meeting, on 19 June 1967, the Council decided to invite the representatives of Cyprus, Turkey and Greece to participate, without vote, in the discussion of the item entitled "Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488):<sup>14</sup> report of the Secretary-General on the United Nations Operation in Cyprus (S/7969)".<sup>15</sup>

<sup>12</sup> *Ibid.*

<sup>13</sup> Resolutions or decisions on this question were also adopted in 1963, 1964, 1965 and 1966.

<sup>14</sup> See *Official Records of the Security Council, Eighteenth Year, Supplement for October, November and December 1963.*

<sup>15</sup> *Ibid., Twenty-second Year, Supplement for April, May and June 1967.*

## LA QUESTION DE CHYPRE<sup>13</sup>

### Décision

A sa 1362<sup>e</sup> séance, le 19 juin 1967, le Conseil a décidé d'inviter les représentants de Chypre, de la Turquie et de la Grèce à participer, sans droit de vote, à la discussion de la question intitulée "Lettre, en date du 26 décembre 1963, adressée au Président du Conseil de sécurité par le représentant permanent de Chypre (S/5488<sup>14</sup>) : rapport du Secrétaire général sur l'Opération des Nations Unies à Chypre (S/7969<sup>15</sup>)".

<sup>12</sup> *Ibid.*

<sup>13</sup> Question ayant fait l'objet de résolutions ou décisions de la part du Conseil en 1963, 1964, 1965 et 1966.

<sup>14</sup> Voir *Documents officiels du Conseil de sécurité, dix-huitième année, Supplément d'octobre, novembre et décembre 1963.*

<sup>15</sup> *Ibid., vingt-deuxième année, Supplément d'avril, mai et juin 1967.*

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Sadat of Egypt made the following remarks with respect to the suggestion of direct negotiations with the Israelis:

"Israel now insists on direct negotiations while she occupies our land and refuses even to announce her intention to withdraw from it in a context of peace. This is the same position she took in the Summer of 1967 before the Security Council (and which the Council, in its Resolution 242, found - by omission - to be unacceptable). She feels she has the military means to defy one and all. She does. Israel, emboldened by the help she receives from the United States, is now obviously seeking to annex territories outside the land of Palestine. She declares that she is prepared to negotiate: how much - if any - may be restored of the land of Egypt proper, and at what price? These terms, Israel knows to be unacceptable. Most probably, they are made because Israel is convinced that they are unacceptable. Israel, however, hopes to be able to dictate them in order that her will might be the law in our region." 5

Sadat was merely reiterating the strongly held Egyptian and Arab view that there can be no negotiations with the Israelis while the latter had not "restored the legitimate rights of the Palestinians" and more importantly, were "enjoying the fruits of their (Israeli) aggression" by clinging to occupied Arab territories. In this context, it is relevant to reflect on the

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5. Anwar el-Sadat, "Where Egypt Stands", FOREIGN AFFAIRS, an American Quarterly Review, Vol. 51, No. 1, published by Council of Foreign Relations, Inc., October, 1972, p. 121.

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words of the father of modern 'revolutionary' Egypt and the hero of the Arab masses, the late President Gamal Abdel Nasser:

"Accepting negotiations with Israel is impossible and I do not accept it. Recognition of Israel is impossible and I cannot do it. Conclusion of peace with Israel is impossible and I cannot do it." 6  
(My emphasis)

Why this persistent and almost angry refusal to direct negotiations with Israel? One obvious reason is that such an exercise would amount to at least de facto recognition of Israel which the Arabs were totally opposed to. The other reason, which gradually became more fundamental, is eloquently and cogently summed up by an observer who could not by any stretch of the imagination be considered to be espousing the Arab cause. Simcha Falapan, an Israeli writer and Editor writing in the New Outlook in December 1971, stated:

"Mr. Eba Eban (the Israeli Foreign Minister) keeps declaring that the best way to a settlement is

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6. The London Times, London, July 13, 1968.

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direct negotiations between Israel and its neighbours. It is a fact, however, that the Arabs refused such negotiations for the same reason that Israel proposed them: in direct negotiations, Israel has the advantage of playing out the weight of a military occupation, while the Arabs do not have the advantage of bringing into the play their economic and political influence throughout the world." 8

It would appear therefore, that the Arabs' refusal to negotiate directly with the Israelis was on very pragmatic grounds. And that is refusing to negotiate either under "duress", or more importantly, negotiating from a position of "weakness". And here Professor Lall is right in asserting that "negotiations must be among equals."

Yet a little less than six years after Nasser declared that "negotiations with Israel is impossible" and two years after the previously quoted article of President Sadat rejecting direct

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7. It should be pointed out that the demand for "face to face, direct negotiations" with the Arabs, has been repeated ad nauseam by the Israeli leaders since the June war. On September 10, 1967, the Israeli Cabinet instructed its delegation to the 22nd U.N. General Assembly Session to refuse to take part in any indirect peace talks with the Arab States and to oppose any third-party efforts at a peace settlement that did not bring the two sides together for direct negotiations. See Keesing's op. cit. p. 2285.
  8. Simcha Falapan, "The Middle East Brinkmanship," NEW OUTLOOK, December 1971, p. 5.



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the Arabs and the Israelis.

But how could such negotiations be possible when only six months ago such an undertaking was inconceivable and indeed to many a passionate Arab nationalist, the very notion of direct negotiations almost amounted to act of sacrilege. What is it that has made the Egyptian leadership ready to face the Israelis in a Conference table and thereby setting aside their original apprehensions that the Jewish State wanted to dictate unacceptable terms to the Arabs? How could Sadat agree to what his predecessor and mentor, Nasser had categorically asserted to be impossible and still be considered at least by the Egyptians as the modern Saladin? How could he have made such a dramatic shift of position? What sort of political metamorphosis has taken place in the Middle East to make what was impossible only yesterday, possible today?

This paper will attempt to provide some of the answers to these very pertinent questions. The October war - or as the Israelis call it, the Yom Kippur war - (the Muslims may as well call it the Ramadhan War since it fell during the holy month when Muslims all over the world were observing their fasting), undoubtedly transformed the political map of the Middle East. Myths which were upheld like conventional wisdom were exploded. Long

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