

Constitution or the Rule of Conscience? How the Psychology of Zionism Explains Israeli Law

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Michael J. Weiner
Mentor: Professor Neil Rogachevsky, Political Science

Why doesn't the State of Israel have a written constitution? This is a notable question because every single other democracy in the world has one, with only four exceptions. Moreover, Israel and its political leaders were fully on track to develop and implement a written constitution, in accordance with UN Resolution 181 of November 29, 1947, which asserted that "the Constituent Assembly of each state (Jewish and Arab) shall draft a democratic constitution for its state." Just six months later, on May 14, 1948, the Israeli Declaration of Independence was unveiled, and it made explicit reference to a "Constitution which shall be adopted by the Elected Constituent Assembly not later than the 1st October 1948." Thus, from a legal standpoint, both the UN Resolution setting out the conditions for the creation of a future Jewish state and the Israeli declaration of statehood itself make clear that a written constitution was to be an essential part of the political regime of Israel. Additionally, Nir Kedar points out that the Provisional State Council (Moetzet Ha'am), Israel's interim parliament which served before the first Knesset elections were held in 1949, passed the Transition Act (Chok Hama'avar), which formally assigned the task of drafting the written constitution to the incoming Knesset (3). Alas, it was not to be. Arguments immediately broke out between pro and anti-constitution political camps, and the matter was only finally resolved by the 1950 Harari Proposal, which pumped the brakes on the constitutional drafting process by recommending the document be compiled "one section at a time (ibid 4)." Over the course of the seven decades since then, Israel has passed a series of Basic Laws -- fundamental laws addressing the powers of the Knesset, the role of the President, and the protection of individual rights, among other things -- while steadfastly neglecting to draft a written constitution.

At the risk of slight exaggeration, much of the credit (or blame) for this decision can be laid at

the feet of one man, David Ben-Gurion. As the reigning head of the Jewish Agency and the World Zionist Organization, and the chairman of the Moetzet Ha'am, prior to becoming Israel's first Prime Minister, he bestrode Israel's political scene like a colossus and played a major role in shaping its founding documents and institutions. In our case, as Prof. Neil Rogachevsky has recently discussed, Ben-Gurion was decisively against a constitution from the beginning of Israeli statehood, and successfully sealed its demise through a powerful speech before the Knesset's "Constitution, Law, and Justice" committee on July 13, 1949. What was the root of his opposition? Scholars have proposed various theories, each of which emphasizes a different element in Ben-Gurion's own speeches on the topic. Some point to the pressing security and economic quandaries of the newborn state, and the practical necessity of prioritizing other issues as underlying Ben-Gurion's wariness. Prof. Rogachevsky captures this sentiment by citing Ben-Gurion's powerful line that Israel has to "build houses for immigrants" before drafting a constitution. Along the same lines, Kedar writes that Ben-Gurion feared a constitutional convention would be too divisive and split the fledgling nation apart, as the "ideological and cultural argument regarding the content of the constitution would turn into a futile cultural polemic... (1)." Another reason, offered by Prof. Rogachevsky, takes seriously the political theory being offered in Ben-Gurion's 1949 Knesset speech, which unabashedly supports the idea of majoritarianism, under which "all of the laws should be decided by the majority." By contrast, constitutions are inherently anti-democratic inasmuch as they set up a framework of laws and principles to govern the state that are only amendable by a supermajority, can be interpreted by judges as they please, and "bind future generations to the laws or practices of the past." Such a system, Ben-Gurion argued, robs future decision makers of the ability to control their own political future based on the needs of their own time. If "there is no eternity in law," and what

works today might become unhelpful tomorrow, then what good is a constitution? Finally, as to be expected in any discussion of Ben-Gurion, still others see his opposition as a simple Machiavellian tactic to acquire more power. The British parliamentary system, with its lack of a constitution, granted immense power to the ruling party, and adopting it would allow Ben-Gurion and his dominate Mapai party to single-handedly rule the Knesset and enact its will. As Aronson writes, “Ben-Gurion's refusal to adopt a written constitution during the legislative period of the First Knesset can be interpreted as a short-range tactic to retain maximum maneuverability for himself and his party in a parliament splintered in numerous rival factions (194).”

While all of these arguments have clear merit and are certainly not mutually exclusive – indeed, most likely all are right -- I wish to add another reason that has hitherto been missing from the literature. A number of passages within Ben-Gurion’s 1949 speech suggest that his majoritarian, anti-constitutional impulse can be interpreted not just through the lens of statecraft or political theory, but also an expression of classical Zionist philosophy about Jewish law, authority, and identification with the past. A dominant strand of early Zionist thought known as *shelilat hagalut* understood Zionism to be a radical break from its exilic past, and permeated the literature of the period. In reading Ben-Gurion’s outrage at the “higher law” that a constitution will impose and bind, which will limit future generations from freely taking popular, democratic action (ie expressing their sovereign will), one cannot help but hear an echo of the political psychology of *shelilat hagalut* Zionist literature, which held that exilic life – including both antisemitic persecution as well as pious obedience to the Law – had made exilic Jews dependent, weak, submissive, and incapable of exercising their will to control their fate. Creating an independent

Jewish state in the land of Israel, then, was not simply an effective political solution to the problem of European antisemitism, but rather a psychological project to transform the Jewish character through liberation from both the subservience of exilic life as well as the demands of Jewish tradition.

By examining and tracing this idea in writings from Ahad Ha'am to Brenner and Berdichevsky to Ben-Gurion himself, and understanding its influence on the fiercely independent, unconstrained character of both the Jew and the Jewish state that early-20th century Zionists hoped to create, we may see that Ben-Gurion's opposition to a written constitution embodies the Zionist yearning for maximal sovereignty and freedom -- from persecution, emancipation, and the weight of history and tradition itself. Thus, the complex relationship with Jewish exilic identity and religious practice that plagued early Zionist writers made its way into the development of Israeli law, as Ben-Gurion relies on the concepts of absolute collective sovereignty/self-determination and freedom from the past to oppose a written constitution he feared would destroy both.

The oldest debate in Zionism is between political and cultural Zionists, who disputed the very goal of the nascent movement: creating a new Jewish state or a new Jewish character? Herzl, responding to the failures of emancipation in Western Europe and the virulent endurance of antisemitism, felt that statehood was the only way to ensure Jewish security: "We have honestly endeavored everywhere to merge ourselves in the social life of surrounding communities and to preserve the faith of our fathers. We are not permitted to do so... It is useless, therefore, for us to be loyal patriots." Herzl wrote with astounding confidence that a Jewish state could be founded

and administered: “Let the sovereignty be granted us over a portion of the globe large enough to satisfy the rightful requirements of a nation; the rest we shall manage for ourselves (92).” And indeed, just fifty years after Herzl’s death, his ideological heirs did exactly that, successfully building up a functioning and secure state with an army and a government out of the string of measly agricultural colonies that existed in Herzl’s time. They created strong political and economic institutions to organize and sustain the Yishuv, strengthened diplomatic ties with foreign powers who had a say on the future of Palestine, and raised an army of new Jewish farmers and Holocaust survivors that successfully defended hundreds of thousands of Jews under attack for the first time in two thousand years.

And yet, Herzl had little of substance to say about the Jewish character of the future state. In *The Jewish State*, he essentially writes one paragraph on the topic, which can be summed up in the line, “Shall we end by having a theocracy? No, indeed.” As is evident, what is missing from Herzl’s political project is much reflection on the kind of psychological character and religious ideology necessary for Jews to successfully unify as a nation, regain sovereignty in their ancestral land, and build a state. Ahad Ha’am, who opposed Herzlian efforts to wangle a Jewish state out of friendly colonial powers, was the one to supply compelling answers to this “character” question. He called for a cultural renewal of the Jewish character and the Jewish religion, which would re-energize Jewish national identity and create new forms of Jewishness that were inspired by history and tradition but not bound by them. As Micah Goodman has put it, Zionism for Ha’am is actually a “rebellion of Jews against Judaism,” and his most sacred watchword is ‘freedom’ rather than ‘piety’ or ‘loyalty.’ While proud of Jewish survival and cultural productivity over millennia of exile and suffering, which he says is a “miracle without

parallel in human history (Hertzberg 259),” Ha’am was also harshly critical of typical Jewish commitment to tradition in exile and its potentially harmful psychological effects: “a ‘people of the book,’ unlike a normal people, is a slave to the book. It has surrendered its whole soul to the written word. The book ceases to be... a source of ever-new inspiration and moral strength; on the contrary, its function in life is to weaken... all spontaneity of action and emotion (Hertzberg 252).” Ultimately then, Ha’am is ambivalent about the merits of exilic Judaism: on the one hand it preserved a nation, while on the other it desiccated a legal tradition and creative national spirit, which will Jews will need to rediscover to endure the challenges of modernity.

Both of these visions of Zionism eventually took their place in the Jewish state that was established. While Herzl set the political goals of statehood, security from antisemitism, and geopolitical bandwagoning, Ha’am inspired the Jewish Zionist soul, in terms of its conflicted relationship with traditional Jewish religion and history, and desire for liberation. Ha’am had many influential students, and Arthur Hertzberg, in his Zionist reader, titles his section on them as “Rebels at Their Most Defiant!” Many of them, who traveled to Israel and operated during the Second Aliyah, took Ha’am’s religious critique even further, arguing that maintaining traditions of the past robs Jews of their individual agency. One of these students, the writer Micha Yosef Berdichevski, famously asserted that his generation faced the choice to be “the last Jews or the first Hebrews (Hertzberg 293).” What he meant is that whereas Jews living in exile, robbed of independence and creativity, had been turned into “spiritual slaves (ibid 294),” who follow an unchanging tradition, the new builders of Israel would need to become “Jews in our own right, as a living and developing nationality (ibid),” unbound by the traditional credo. In regards to Jewish law and authority, he uses a very similar metaphor to Ha’am in describing the sense of constraint

and submissiveness that obedience to the law effectuates in its adherents: “we must cease to be tablets on which books are transcribed and thoughts handed down to us – always handed down (ibid 295).”

Another one of Ha'am's most significant intellectual heirs was Hayyim Nahman Bialik, who many consider to be the founding poet of modern Israel. Grappling with the same tension between Jewish tradition and individual autonomy, Bialik wrote a number of works celebrating the traditional Jewish literature of exile, most notably including his popular *Sefer HaAggadah* (Book of Legends), in which he collected Talmudic tales that emphasized creativity and spirituality, in contrast to what he perceived to be the constraint and submission of *halacha* (Jewish law). Additionally, in his controversial 1904 poem, “In The City of Slaughter,” written in the wake of the bloody Kishinev pogrom, Bialik offered a horrifying, “victim-blaming” critique of Jewish suffering and antisemitic violence in exile, which he identified as partially due to Jewish traits of weakness and submission, carryovers from traditional obedience to religion along with centuries of oppression, which made Jewish self-defense and self-respect nearly impossible. In particular, Bialik depicts the striking, unsettling image of pious Jewish men watching and praying – helpless – as their wives and daughters are violated, psychologically unable to offer any defense: “Note also do not fail to note, In that dark corner, and behind that cask, crouched husbands, bridegrooms, brothers, peering from the cracks, watching the sacred bodies struggling underneath, the bestial breath, stifled in filth, and swallowing their blood! Crushed in their shame, they saw it all; They did not stir nor move; They did not pluck their eyes out; they beat not their brains against the wall! Perhaps, perhaps, each watcher had it in his heart to pray: A miracle, O Lord,—and spare my skin this day! Those who survived this foulness, who

from their blood awoke, Beheld their life polluted, the light of their world gone out— How did their menfolk bear it, how did they bear this yoke? They crawled forth from their holes, they fled to the house of the Lord, They offered thanks to Him, the sweet benedictory word. The Cohanim sallied forth, to the Rabbi's house they flitted: Tell me, O Rabbi, tell, is my own wife permitted? The matter ends; and nothing more. And all is as it was before.” Many have pointed out the historical inaccuracy of these lines of Bialik’s poem. Indeed, many Jews did form self-defense leagues before and after the Kishinev Pogrom, but they were largely ineffective in the face of overwhelming government-sanctioned popular violence. In any case, what is most relevant for our purposes is Bialik’s powerful sentiment, real or not, that wholehearted devotion to the past was to be held responsible for a lack of self-determination in the present.

The influential Zionist thinker, Yosef Haim Brenner, picked up on this same theme of Jewish enslavement to the past through obedience to tradition and its deleterious effects on national character: “A living Jewish people... a people each generation of which adds a new stratum to what preceded it and each part of which is united with the other – such a people hardly exists any longer (ibid 307).” Thus, we can see a consistent theme in early Zionist writings that exile, and the attendant loss of political independence, created the conditions by which the Jewish tradition could not evolve, forcing Jews to simply obey rather than impose their own will and create necessary change. By being tethered to the past, so the argument goes, Jews gave up their freedom and creativity; in essence, their entire sense of self. A.D. Gordon, influential Zionist Socialist writer and visionary, who promoted agricultural colonies as the ideal means of Jewish settlement of the land of Israel, was particularly sensitive to the ways in which liberated Jewish life in Israel would usher in a renewed Jewish character and approach to the Jewish religion:

“What are we seeking in Palestine? Is it not that which we can never find elsewhere – the fresh milk of a healthy people’s culture? We intend to create creeds and ideologies, art and poetry, and ethics and religion, all growing out of a healthy life... In Palestine we must do with our own hands all the things that make up the sum total of life (Hertzberg 374, 377).”

Ben-Gurion, too, was sympathetic to this Zionist interpretation of Jewish history and religious experience. In a 1944 speech entitled “The Imperatives of the Jewish Revolution,” he (like Ha’am) pays homage to the “resistance and unshakable tenacity (Hertzberg 608)” of the Jewish people during 2,000 years of exile, but ultimately concludes that the new pioneers must make a clean break with their Jewish past: “Galut means dependence – material, political spiritual... because we are aliens, a minority, bereft of homeland, rootless... our task is to break radically with this dependence and to become masters of our own fate... (ibid 609).” To be sure, Ben-Gurion did have positive things to say about diasporic Judaism, as Ha’am did as well, but his praise was far more limited and circumspect: “Resistance by a small people for so many centuries to so many powerful enemies... this, in short, is the essential significance of Jewish history in Galut (ibid).” Unlike Ha’am or Bialik, who celebrated the literature, law, and intellectual creativity of Jews struggling for life and liberty under millennia of instability and recurring crisis in exile, Ben-Gurion saw nothing of value in these sentiments. For him, all of exilic life was merely an insignificant waiting period, where Jewish virtue was only on display through its hopes for a renewed Jewish life in Israel sometime in the future. In Israel’s Proclamation of Independence, written just four years later, Ben-Gurion makes a similar claim: “After being forcibly exiled from their land, the people kept faith with it throughout their Dispersion and never ceased to pray and hope for their return to it and for the restoration in it of their political freedom.” This is the sum total of what he can say positively about 2,000 years of

Jewish experience outside the land of Israel – that during those years, Jews prayed to return to the land. Given the philosophical priority that Ben-Gurion gives to a life of independence, this is no wonder, and it affected his view of Jewish law, and, as I will argue later, Israeli law.

In his own personal life, Ben-Gurion emulated the antinomianism and break with traditional Jewish law that characterized his earlier Zionist antecedents like Brenner and Berdichevsky. Although a believer in the God of Spinoza, he spurned traditional Jewish observances. In an article on Ben-Gurion's private religious practice, Zvi Zameret cites a number of such antinomian examples: "Ben-Gurion believed that the practice of strictly observing Jewish diet laws ["keeping kosher"] was an anachronism... He scoffed at the practice of hanging a mezuzah... When he was called to stand witness in court, he refused to place his hand on the Bible for oath-taking... At the funeral of the Nobel prize-winning Hebrew novelist, Shmuel Yosef Agnon, he spurned the explicit request of Rabbi Menachem Porush to place a covering on his head out of respect for the deceased (Zameret 67-71)." The point is not simply that Ben-Gurion was a rulebreaker, but rather that he felt there was little of value in Judaism or Jewish history in between the periods of "Tanach and Palmach." Consequently, while he loved and cherished the Hebrew Bible, as a source of ethical values and connection to the land of Israel, he only once stepped foot in an Israeli synagogue. As Anita Shapira writes in an article on the Bible in Israeli identity, the philosopher Nathan Rotenstreich "objected to Ben-Gurion's attempt to maneuver "a historical leap" by discarding the sum total of the Jewish people's cultural achievements since biblical times. Ben-Gurion was not perturbed: The Jews had indeed managed a historical leap in time and space, he claimed, from the biblical era to modern statehood, and from the Diaspora to Israel (31)." Through this stroke of genius, Biblicists like Ben-Gurion were

able to celebrate Jewish literature through the Bible and inculcate Jewish pride without linking the Zionist project to 2,000 years of Jewish history and its attendant weakness and passivity.

Given this wider historiographical context, we can now return to Ben-Gurion's 1949 speech against the drafting of a written constitution and attempt to understand how his forceful defense of a political system based on majoritarianism and the unchecked sovereign will of the people reflects and reinforces formative Zionist attitudes towards religious traditions and the Jewish exilic past -- and the desire to be liberated from the collective weight of that double burden.

Ben-Gurion begins his speech by insisting that the State of Israel has the absolute freedom to create whatever government it wants and needs given the circumstances, bound not by the precedent of other nations: "The fact that something is done or not done in another place—that doesn't obligate us." Ben-Gurion then proceeds to define what a constitution actually means in most states, and how the laws it creates are different, because a constitution is "a series of laws, or a single law, that have a legal standing different from the other laws. With respect to all the other laws, one parliament permits, and a subsequent parliament forbids," whereas constitutional provisions are nearly unchangeable. Thus, the entire concept of creating a constitution is that the first generation can enact "foundational laws" which subsequent parliaments have no choice but to obey. Ben-Gurion cannot tolerate this claim to moral and legal authority: "I also don't know what authority we have to tie the hands of those who will be elected in a year, or in five years." It's possible that this generation has a certain ethical weight, but it doesn't have greater wisdom than those that will come after it. Are we sure that those who come after us will not have the same wisdom, the same devotion, that they will not understand the needs of the nation as we do? Why should we restrict them?"

Again and again, Ben-Gurion returns to this same fundamental point that the current Knesset, whatever its merits and successes, has no right to create unalterable legislation that will be binding on future generations: “there are no grounds for restricting future elected representatives.” In Ben-Gurion’s vision of democracy, if the people of Israel want to do something and express their collective will, then there should be no obstacle impeding their ability to do it. This radical version of democracy is exactly what the framers of the United States Constitution were most afraid of, which is why they set strict limits on the powers of each branch of government and enacted certain individual rights that legislation cannot infringe through the Bill of Rights. Ben-Gurion, on the other hand, expresses no fears about the possibly dangerous excesses of democracy, and on the contrary, is most worried that this inaugural Knesset will overstep its power vis a vis future assemblies. In other words, Ben-Gurion is most disturbed at the idea that future legislators might feel bound to the claims of the Israeli past, and its original founding fathers. He insists that future generations will be no more foolish than us, and should thus be free to act as they please: “they’ll see what has to be done to meet the needs of the state at that time.”

As should be clear by now, the rhetoric of Ben-Gurion’s criticism of constitutionalism and elevation of majoritarian self-rule by each generation as the ideal political system for Israel -- without constraints or obligations to the legal precedents of the past – sounds eerily similar to the tradition of Zionist philosophy and literature that sought to achieve statehood by transforming the Jewish character and severing the connection to exilic Jewish history. Ahad Ha’am’s cultural project to create a Judaism inspired by great literature and values but unencumbered by traditional obstacles to progress led directly to the literary diatribes of Brenner and Berdichevski

about creating a new generation of “Hebrews” (not Jews!) in the land of Israel who can finally start the creative work of reviving the Jewish nation and advancing its sovereign will, unhindered by millennia of diaspora-created rabbinic rituals and restrictions. The first generation of Israel’s founders, including Ben-Gurion himself, were raised on this literature and taken with this exhilarating conception of resuscitating Jewish national life in Israel alongside a psychological and cultural transformation in Jewish character from dependence and submission to self-determination and liberation. I would argue that this profoundly and uniquely Zionist approach to Jewish continuity is reflected and embodied in Ben-Gurion’s speech against written constitutions and for unconstrained majoritarian democracy. He has only disdain for a people that would “surrender its whole soul to the written word” (Ha’am) or turn itself into a passive “tablet on which books are transcribed (Berdichevski). Rather, echoing thinkers like Brenner and A.D. Gordon, Ben-Gurion advocates for a view of law that allows for dynamic changes over time and enables each generation to be the master of its own fate.

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Addendum:

Honors Thesis translation project: The Meeting Minutes of Minhelet Ha'am

1. 05/12/1948 - Yeshiva "bet" - evening meeting minutes:
(pp. 105-115)

Declaration of the state ("hachrazah al hamedinah"):

Pinchas Rosenblüth:

First of all, there is the question raised by Shertok (*ED: Moshe Sharett*): should the proclamation be made explicitly within in the framework of the decision of the United Nations, or rather merely on its basis? I am in favor of making it explicitly within the framework. That is to say, we must stand on the basis of the "new fiction" -- that today is more than fiction -- that the decision of November 29, 1947 stands. Just today, at 11, I received a proposed declaration authored by Professor Lauterpacht (*ED: Hersch Lauterpacht*), who is a great international authority, and perhaps the greatest authority today in the area of international law. I also received Robinson's comments (*ED: Jacob Robinson*) attached to the proposal. I want to express that this proposal is also based on the UN resolution.

David Ben-Gurion:

We first need to make a political decision whether we are going to declare a state or not declare a state, whether we are going to announce a government or not announce a government. And if so, then we will be obliged to announce the name -- "government," "interim government" -- and then announce that there is a provisional government and a provisional cabinet. Then it has to be decided whether we will put together the wording of the declaration at this meeting, or hand it over to a small committee to prepare the wording.

Pinchas Rosenblüth:

Before we hand this matter over to a committee, it seems to me that here we should set out some binding principles. First of all, I say, the background and basis need to be the UN resolution of November 29th. In connection with this, Neumann's telegram (*ED: Emanuel Neumann*), which must be interpreted, is significant, as he wants to declare the state before the UN resolution is annulled.

David Ben-Gurion:

That is out of the question. We already have a decision, which was adopted by the Zionist General Council (*ED: הוועד הפועל הציוני*), that the State will begin operating on May 16, with the end of the Mandate. That is to say, right now, after May 15. Lauterpacht and Robinson also begin with this point. Then there is the question of whether to declare a state. Shertok says: maybe declare a government, but don't declare a sovereign state. In connection with this I want to say that, although Robinson, in his memorandum, attempts to distinguish between an independent state and a mere state (*ED: "medinah stam"*), he says that we will achieve an independent state only on October 1. However, in my opinion, this is illogical from a legal standpoint. Because there can be an "independent state" and a "dependent state" (*ED: both phrases in quotes are the transliterated English words*). So long as the partition committee (*ED:*

UNSCOP) represented our sovereignty, then we could have put this matter before the partition committee. But now within this empty vacuum our state can only be a sovereign state, or else not be a state at all. That is to say, from a legal standpoint I do not accept the argument of Robinson, which is entirely spurious. He also says that the Jewish state in fact already exists according to the decision of November 29. Lauterpacht says, which makes sense, that on November 29 it was indisputably decided that the Jewish people have a right to found a state. This was not contested, even as in the meantime there have been difficulties and attempts to make the thing fail. In his opinion, we have the right to proclaim a state, which the Security Council was supposed to do. This theory we have to accept.

Haim-Moshe Shapira:

I suggest:

- A) Elect a committee and have it draft the declaration
- B) Allow it to also determine the order and nature of the declaration

David Ben-Gurion:

I say: we should not state 'in the framework of the decision of the UN,' but rather 'on the basis of the decision of the UN'; we should not discuss sovereignty or lack of sovereignty, but rather discuss a state. We must approve the term: 'the State of Israel.' To announce: from this moment onwards The State of Israel is now established. We have to decide upon the government and if we're announcing its establishment. I propose that we not proclaim the 'government of the Jews' but rather 'the government of the state,' and should the state be named 'Israel,' then 'the government of the State of Israel.' After that I suggest we say "provisional government." There is a need for this, because we have another body that needs to declare its establishment – the Provisional State Council (ED: Moetzet Ha'am).

Pinchas Rosenblüth:

We can't help but mention the borders.

David Ben-Gurion:

Anything is possible. If we decide we're not mentioning borders, then we won't mention them. There's no a priori requirement.

Pinchas Rosenblüth:

It's not an a priori, but it's a matter of law.

David Ben-Gurion:

Law – that's something that is made by men.

Peretz Bernstein:

Before we determine how and wherefore, what to say and what not to say, we must determine whether to declare or not to declare. There can be two reasons to not declare a state:

- A) What we heard today - that on the basis of such a declaration, the Americans might impose an embargo on money and other items for our country. Earlier, I found this reasoning to be strong. After what I heard from Shertok, I think that it is not a decisive reason.

There could be a second reason: that non-declaration would prevent the invasion. Since I do not believe this, I think that the state needs to be announced. Now, what exactly should we declare? It is possible to announce the formation of a government without even talking about a state. And I was in favor of this, announcing the formation of a government and not discussing the state or its borders. This gives us the opportunity to announce that the provisional government has now been formed. And there is no need, in my opinion, to talk about the implications of forming a government. In the establishment of a government, there are, in my opinion, differing implications and it is possible to specify them or not specify them. I oppose talking about borders. I would be satisfied with announcing the establishment of a government without a state.

Aharon Zisling:

I am in favor of a state. The provisional state council (ED: Moetzet Haam) – the council of the provisional government, and the Minhelet Haam – the administration of the provisional government. The text of the proclamation should include the maximum number of references to the language of the UN resolution of November 29. How should we put this in terms of borders and sovereignty? There is no need to use the terms “borders” or “sovereignty,” but it can be expressed in an explicit and convenient manner on the basis of the UN resolution. If we were to say, for example, that the Hebrew state will be willing to foster peaceful and cooperative relations with the Arab state that is to be established, etc, we have indeed said something about borders without the word “borders” being mentioned at all. The same is true of sovereignty. Not a declaration, but a legal claim. We appeal to the nations of the world with a request that the state be recognized as a state with equal rights in the family of nations and be accepted as a society and seek full support, etc. In this manner, it is possible to formulate the goals we want through explicit emphasis of the building before which we stand. Within the UN resolution, there are constitutional clauses. Although we are not currently considering the drafting of a great constitution, and we have no interest in it, precisely the sections with the conditions that apply to us would be desirable for us to copy.

Moshe Sharett:

I am against the idea that we would refer to the Moetzet Haam as the “provisional government council” in this declaration. If we want to use the terms of the resolution, we should use them correctly, and not incorrectly. The fact that we use the terms of the resolution, but not in the same sense that the resolution establishes, will cause confusion and raise the suspicion that we are doing some kind of trick, creating a false impression. The text states that from April 1 to October 1 the provisional government council (ED: moetzet haam) will operate. On October 1, an interim government will take office and it will organize the elections -- but we are advancing this stage of October 1 to May 15, because the assumption on which the resolution was based was that from May 15 to October 1, the matter would be in the hands of UNSCOP and the government’s Cabinet would operate under it. But since there is no UN committee, we must advance and inherit the mandate directly, not through the means of a UN committee, and thus we are now an interim government. There can be no provisional government council and interim government at the same time. One stage was dropped because of the failure of the UN. And when we read “provisional government council,” it looks like we are searching for support from the resolution, but there is deception in this, for if we use that particular term then this body must be the provisional government council, or its executive organ.

Eliezer Kaplan:

I generally agree with Zisling's approach. I just want to add one comment. I would suggest that in the declaration we announce that we are prepared to cooperate with the UN to implement the November 29 resolution.

Bechor-Shalom Sheerit:

I am in favor of a state and I agree with what Moshe said, that since there is no "partition committee", we are the heirs to the mandate and we draw our power from ourselves. With regard to borders I agree with Rosenblüth, because it is not possible to declare a known authority without identifying the domain of that authority. This could make things complicated for us. The Arabs have to know whether they fall under the sovereignty of the Jewish state or not. Whatever a state publicizes is law within its boundaries. What an international entity publishes -- even if it has not yet implemented what it decided on -- can be interpreted as a law. Therefore, when a state is established it must declare the boundaries of its borders.

Haim-Moshe Shapira:

A) We should not mention borders. We are speaking on the basis of a UN resolution, and everyone knows what that resolution is.

B) We should not mention sovereignty or a request for recognition from the nations of the world.

David Remez:

It may be that this matter needs further study. I do not commit to maintain my opinion tomorrow, but I want to suggest today, that it seems to me that we must act as if there is a partition committee and that it has indeed approved this matter (ED: the declaration), but that the declaration has occurred after the partition committee left. But that in all respects there was an existing partition committee. I do not see why the Moetzet of the government cannot be the heir. The partition committee is out of the calculation - and the Moetzet is the successor. There is both an external side and an internal side to this matter.

(Moshe Sharett:

This is possible! I was only against the idea that a temporary government Moetzet could coexist alongside an interim government at the same time.)

Remez cont:

The "la"z" will exist as an interim government council and the "ya"g" will function as the executive. And if we refer only to an interim government, by which we mean the "ya"g," then the Moetzet of the "la"z" is null and void, which raises a very serious internal question. It seems to me that given our situation today this would not force and strength to the government. I, therefore, propose to uphold everything, as if the partition committee had approved it. What we demanded from the partition committee to confirm - we ourselves must confirm that it exists, with regards to terminology and also in external relations.

(Mordechai Bentov:

Are you suggesting that this be established in April or October?)

Remez cont:

In April. In this matter we owe both ourselves and others complete clarity. In my opinion, there is no reason why we should now deviate from this matter.

Golda Meyerson:

This isn't useful to us. We have to go all the way. We can't zig-zag now. Something was supposed to emerge on April 1 – and it didn't. There was supposed to be a UN Council here. There wasn't, and there won't be. And so we are declaring independence – we are, ourselves, of necessity, declaring the foundation of the state. And if we do this – we must go all the way. All states among the gentiles have a government, and thus our state must have a government. However, since there have been no elections, this must be a temporary government. I do not propose to abolish this body. I accept what Moshe said only in an aesthetic sense. We should call it "la"z" or some other name, but not in the place of government.

I am in favor of the fact that with the declaration of the state, it is not possible that we won't appeal to the UN to recognize it. There should be a request and appeal to the nations that will recognize it. But to prevaricate and hesitate won't help us. It seems to me that this is what the world is waiting for. If there's a declaration – it's upon us to do the thing all the way.

Aharon Zisling:

I do not care if they call it a "Moetzet Medinah" or "Moetzet Memshalah." But I think we are attaching April to October. When it comes to seeking recognition, this certainly relies upon the UN resolutions. We can also quote precisely from the language that is written in this regard, that even just one of the countries, if it is established, can be accepted by the UN. I also asked permission to speak to the question of the current status of the partition committee and the news that the chairman of the committee is returning to the Land of Israel?

Moshe Shertok:

By the way, regarding recognition: this time, if we still wish to remain as much as we can within the framework of the UN resolution, we cannot simply turn to the UN and demand that they recognize us as a UN member nation without fulfilling the conditions that the UN has already presented to us. And there are two conditions:

1. We have to declare that we accept upon ourselves certain international obligations, which are explicit in the resolution.
2. We have to declare that when the economic alliance [between the two countries] is established, we will be ready to enter into this economic alliance.

I do not think we need to include this entire document into the declaration. I suggest we declare independence in two stages: First, we declare the independence of the governing bodies of the state. These bodies, which can then fulfill the conditions of the United Nations, will present the case to the United Nations.

Eliezer Kaplan:

Maybe we should follow Lauterpacht and prepare two documents at once:

The first one being shorter

And the second which will clarify things a little more.

Mordechai Bentov:

On the one hand, we want to rely on UN resolutions and act within their framework, whether of April or October. But what will the legal aspect be if at the time of the declaration there is no new UN resolution, and the previous resolution remains in force? How do we want to turn to other countries that may recognize us? Should we ask that they recognize us simply as a new state that has just been established, or rather to recognize us specifically as the subject of the UN resolution? It seems to me that this is a consideration that needs to be taken into account.

Moshe Sharett:

I do not remember anything being said in the resolution about the recognition of the state by other states. There are provisions regarding the matter of recognition of the country by the UN, and its entry as a member.

David Ben-Gurion:

Regarding borders. This is a declaration of independence. There is, for instance, a declaration of independence of the United States. There is nothing therein on territorial arrangements. There's no need, no law for this. I read in the law books that a state consists of a territory and peoples. Every state has borders. We are talking about the document of the declaration, and whether it needs to indicate borders or not. I say there is no such law. In a declaration of the establishment of a state, it is not necessary to mention the borders of the state. And why shouldn't we state them? Because we do not know. If the UN upholds the borders – we won't fight against the UN. But if the UN is not involved in this matter, and war is made against us, and we defeat them, and we conquer the Western Galilee and the secondary road to Jerusalem -- all of this will be part of the state if we have the strength. Why should we hamper ourselves?

Second, we should not say anything in the declaration about requesting recognition. This will be the role of the government to be established. Our government will then turn to other governments. The very fact that independence is being announced – the essence of the matter is that the world is being asked to recognize it. An appeal to recognition is not necessary. The world is currently awaiting the declaration. That is, the political fact is: we are declaring that a state has been established. Some will be earlier and others later.

Third, I reject Shertok's argument about the name of a "temporary government council," though I am willing to accept the reasoning. We have to found a government. Without it all of this is an empty word. We do really, and will say this in the declaration, on the declaration of the United Nations. But in the UN declaration there were two things.

A) A solution to the question of the Land of Israel: the establishment of a Jewish state and an Arab state, economic unity, etc.

B) A specific procedure for the coming into being of these: the procedure of February 1, of April 1, and of the partition committee. That procedure has been proven counterfeit and does not exist now. And since it is counterfeit it does not oblige us. But the core of the matter – the emergence of a Jewish and also the emergence of an Arab state – this does bind us.

And if the UN does call for an economic union, then the boundaries of this will be obligatory for us. And if this stops us from capturing a manhole beyond our boundaries we won't capture it. But the procedure failed. It was not canceled by us, but because the UN had no power to implement it. And the name "temporary government council" is part of the procedure. We are

allowed to use it and there is no deceit in it. I do not see a more appropriate name. The body must be called by an appropriate name. Even if we call it by another name – this will not impair us. But if they do not establish the procedure – we can call them a different name. I propose to be satisfied with only these points and with what Zisling said, that we turned to peace and that we hope the UN will give us all of its support.

Eliezer Kaplan:

My suggestion is that we say we are ready to accept all of the support that the UN can offer.

David Ben-Gurion:

We will vote on the issue of borders.

Is anyone in favor of putting the issue of borders in the declaration? 4

Who is against the inclusion of the issue of borders in the declaration? 5

It was decided not to include the issue of borders in the declaration.

David Ben-Gurion:

There is now a proposal for a committee to compose the declaration. Proposed as members are the members P. Rosenblüth, M. Shertok, A. Zisling, M. Shapira, D. Remez.

The committee in the composition listed above was unanimously approved. It will convene at 10 am on Thursday, May 13, 1948, and present its proposal to the “ya”g” meeting.

It was also decided:

1. To hold another meeting of the Minhelet Ha'am on Thursday (13/5/1948), at 6 p.m.
2. To hold on Friday, at 1:30 p.m, a meeting of the Moetzet Ha'am, without connection to the possibility of the arrival of members who are in Jerusalem, for the approval of the declaration.
On the same day (14/5/1948) at 4 pm, to hold a celebratory meeting (in Museum Hall in Tel Aviv) to announce the official establishment of the state.
3. To send a telegram to members in Jerusalem with the content of this meeting's decisions.

2. 05/13/1948 - morning meeting minutes:

M. Shertok:

On behalf of the committee of the five [ED: drafters], I am introducing the wording of the declaration of the state, which underwent a first reading. Most of the comments were taken into account in the second draft. The second reading did not take place, because not all of the members were here. I would like to comment, that I had no choice but to select the formula accepted by the nations of the world. The declaration begins with "Whereas," just as the mandate and other documents begin. I do not like this formulation, but it is convenient and addresses the question of structure. There is no need for an overly tight logical connection between the sections.

M. Shertok reads the declaration:

- 1) Whereas the Jewish people, which had been exiled by force of arms from its land, *Eretz Israel*, kept its faith throughout the generations of its exile and through the lands of its dispersion, and did not find in its wanderings a land in its stead, and never ceased praying and hoping to assemble the diaspora and to renew its freedom in its land;
- 2) And whereas in every generation and generation the children of the Jewish people strove to return to and possess their homeland, until in recent generations the pioneers of Israel were able, through onerous travel and by arms, to immigrate back to their land in large numbers, to free its soil and make its wilderness bloom, to revive there the Hebrew Language and to establish there an enduring community with sovereignty over its economy and its culture, defending itself with strength and bravery, bringing the blessing of progress to all the residents of the land, and advancing spiritually toward political independence and national sovereignty;
- 3) And whereas the First Zionist Congress, that gathered in the year 5657 (1897), at the summons of the spiritual father of the Jewish State, Theodor Herzl, proclaimed the right of the Jewish people to national rebirth in its own country and founded the World Zionist Congress as the means of accomplishing this vision;
- 4) And whereas this right was recognized in the declaration of the British Government of November 2, 1917, which initiated the British Mandate over the land of Israel;
- 5) And whereas this mandate was sanctioned by forty-two member states of the League of Nations and by the government of the United States, recognizing the historical connection between the Jewish people and the land of Israel and the right of the Jewish people to establish its national home anew in the land of Israel, to immigrate to it and to settle its land;
- 6) And whereas the persecution that has been visited from time immemorial upon the masses of Israel in different lands, and in particular during amidst the Holocaust visited upon them in Europe, in which millions of men, women, and children were condemned to slaughter, has proven anew the urgent necessity of a solution to the Jewish problem by way of a renewal of national independence in their land, so that its gates will be permanently open to all Jews seeking a home, conferring upon the Jewish people the status of a fully privileged member of the community of nations;
- 7) And whereas the Hebrew community in *Eretz-Israel* contributed its full share to the struggle of the nations supporting freedom and peace and against the forces of evil and servitude in the Second World War, and by the work of its hand and the blood of its volunteer soldiers, purchased the right to be counted amongst the nations that banded together as allies.
- 8) And whereas the survivors of the European inferno, the remnant of refugees, did not desist from immigration to the land despite every hardship and danger, dispersal and impediment, and would not cease to declaim to the entire world their right to a life of respect, freedom, and honest work in their motherland;
- 9) And whereas the Security Council of the United Nations, in the second regular sitting of its annual meeting, after exhaustive research and deep consideration, rendered on November 29, 1947, by a majority of over two-thirds, the decision mandating the establishment of an independent Jewish state in *Eretz-Israel*;
- 10) And whereas in this decision the Security Council recommended, before all member states of the United Nations, the acceptance and the implementation of the partition plan of *Eretz-Israel* with economic union, calling on the residents of *Eretz-Israel* to act on their part for the fulfillment of the plan, and requested from all governments of the world to desist from any act likely to damage or delay the implementation of its recommendation;

- 11) And whereas the recognition of the right of the Jewish people in *Eretz-Israel* to found its independent state, as dictated by the United Nations, cannot be revoked;
- 12) And whereas the British Government, which the League of Nations had delegated to oversee the land of Israel, has laid down, from this day forth, the Mandate, and renounces responsibility for ruling the land;
- 13) Accordingly we, members of the People's Council and representatives of the Zionist movement and the Hebrew community of the country, joyously assembled here and on the basis of the decision of the Security Council of the United Nations, hereby declare to the Jewish people in the Diaspora and to the world entire, the establishment of a Jewish state in the land of Israel, which shall be called the State of Israel.
- 14) We affirm that from the hour of the end of the Mandate, tonight at midnight, daybreak on Shabbat, *vav b'iyar*, 15 May 1948, and until the time of the establishment of permanent institutions of the state according to a constitution that will be ratified by a selected constituent assembly, the People's Council [*Moetzet Am*] will act as the temporary governing council, and its executive body, the National Administration, [*Minhalat Am*] will be the temporary government of the Jewish state, known as Israel.
- 15) We affirm that our state of Israel will be based on the principles of freedom, justice, and peace according to the vision of the prophets of Israel; will be open to widespread Jewish immigration; will bestow full and equal social and political rights upon all its citizens regardless of race or religion; will strive toward the development of the land for the good of all its inhabitants; will promise freedom of religion, conscience, education, and culture; will guard the holy places of all religions; and will align itself with the principles of the Charter of the United Nations.
- 16) We are prepared to partner with the institutions of the United Nations in the fulfillment of the decision of the Security Council and will work toward the creation of economic partnership in accordance with the decision. We call on the United Nations to help the Hebrew people in the building of its nation and its protection and to welcome the State of Israel into the family of nations.
- 17) In light of the bloody attack being visited upon us we call on the Arab people that live in the Land of Israel to keep the peace, to assume their part in the building of the state that offers them full citizenship, and to enjoy the rights that are owed to them to be represented in high institutions of state, both the temporary and permanent ones.
- 18) Amidst the current state of combat, we extend a hand of peace and good neighborliness to the surrounding nations and call upon them to desist from their quarrel with the Hebrew nation, entitled like them to a life of freedom and independence in its land, and ready to play its part in a shared effort for progress in the Middle East as a whole.
- 19) We call the Hebrew community to supreme effort and the enlistment of all its spiritual and material power to stand in battle while building the state and to build the state while standing in battle.
- 20) To the Jewish nation around the world, we call upon you to stand with the Hebrew community currently in battle, and to volunteer to help in its heavy struggle to realize the dream of so many generations.
- 21) To the enlightened world as a whole we address our voices to stand by the Jewish people in the establishment of our state.
- 22) And with our faith in the rock of Israel we affix our signatures to this declaration at this session of the provisional council of government, which includes the members of the temporary

government, here in the Hebrew city of Tel Aviv, this day, Erev Shabbat, *h' b'iyar*, 14 May, 1948.

D. Ben-Gurion:

I propose to delete "whereas" in every paragraph until paragraph 12. This is not Hebrew. I do not care if the word remains in English.

2) Delete some rhetorical expressions – “yishuv rav ayil,” “b’oz uvigevurah,” (M. Shertok agrees to this edit)

3) Correction of the syntheses and deletions in paragraph 13:

“Therefore, we, the members of the People's Council, the elected officials of the Zionist movement and the Jewish community in Israel, gathered today in a festive ceremony and are declaring on the basis of the United Nations General Assembly's resolution about the establishment of a state in Israel, which is the State of Israel.”

4) In paragraph 15 – “there will be equal rights” and not “granted.” They are entitled [ED: to these rights].

5) To add in paragraph 15 – “and to accept the State of Israel...”

6) Delete in paragraph 10 – “the partition plan of the Land of Israel along with an economic alliance.” Why should we mention partition?

D. Remez:

1) Word the end of paragraph 13 – “about the establishment of a Jewish state in the Land of Israel and its name is to be “Israel.”

2) To use the word “within” (*toch*) instead of “present” (*nochach*) in paragraph 17.

3) To combine paragraphs 9-10 into one paragraph as follows: “The Security Council of the United Nations, in the second regular sitting of its annual meeting, after exhaustive research and deep consideration, rendered on November 29, 1947, by a majority of over two-thirds, the decision mandating the establishment of an independent Jewish state in *Eretz-Israel*. The council called on the residents of Eretz-Israel to act on their part for the fulfillment of the plan...”

D. Ben Gurion:

The established English text is: A demand that the residents of the country take all the necessary steps on their part. The final version of paragraph 9: “The Security Council of the United Nations, in the second regular sitting of its annual meeting, rendered on November 29, 1947, by a majority of over two-thirds, the decision mandating the establishment of an independent Jewish state in *Eretz-Israel*. The council also called on the residents of Eretz-Israel and for them to attempt to fulfill the UN plan using any necessary means, and and requested from all governments of the world to desist from any act likely to damage or delay the implementation of its recommendation.

M. Shapiro: Read a letter from “Hapoel Hamizrachi” in regards to the proposed declaration.

M. Bentov:

The declaration would have benefitted from being shortened. This is a catalog of 12 reasons why we are establishing a Jewish state. Weitzman once said that our tragedy is this, that we always feel the need to justify ourselves. In my opinion, there is no great need to justify ourselves and our rights. In this respect, the original proposal brought before us earlier was better. It stated the

two main things: that we have a historical right; that the Jewish people has a right to its homeland. I suggest to shorten it and not include so many details. Such is good for an article, whereas it weakens a declaration.

Rabbi Fishman:

I agree with Bentov. The length is extraordinary. The Jerusalem Talmud states, “for matters that are not entirely clear, lots of proofs are brought.” I agree with the chairman’s suggestion to delete the word “whereas.” On his logic, it would also be possible to delete the entire half of the first page.

A. Zisling:

It can be shortened, but I would not suggest fundamentally changing the structure. It applies to future generations, as well as today: the fundamental Jewish reasoning has both an external-political and internal aspect to it. This is not a flaw. The structure is lovely and fitting for this purpose.

And finally, I would like to discuss the language in paragraph 22, which states, “and our trust in the Rock of Israel.” I request that I not be taken to be giving offense: I agree with any wording that mentions the foundational principles that Jews believe in. I have no need to ignore it. However, I and my peers should not be required to declare “I believe” (*ani mamin*). I request that this sentence be omitted. In its place I approve of broadening its intent with verses that state facts and find a more honorable wording.

D. Remez:

I have no inclination to lengthiness, but I recommend this document and see almost nothing in it to omit. This is a document that “has a spirit within it” – and that is the significance of a document (ED: c.f. Numbers 27:18). When we say a “historical connection,” we have to convey this. The term alone does not express it. Here the author succeeded in expressing this fundamental connection and conveying much to every person and every gentile. This is an educational document – it says much about the foundation upon which we will build our state. Let us not exchange something significant for something technical.

M. Bentov:

I am sorry that Remez did not understand my intent. This is a document for generations. It is possible that in a hundred years children will learn it by heart. And it ought not be a document of legal clauses, but rather of human rights. It does not make sense in a historic moment to base everything on this or that section of the mandate or UN resolution. Our historical right is expressed in a multiplicity of passages, and I do not find in them an expression of the natural right of our people to a life of freedom in our homeland.

M. Shapiro:

We are signing this document not only on behalf of the Jewish community of *Eretz-Israel*, but also on behalf of 12 million Jews in all the lands of the world, and I cannot imagine that in such a historical document the name of God will be absent. It is possible to be non-religious, but it is impossible to not mention the name of God when we are establishing the Hebrew state. I am prepared to conduct a poll of all the heretics in the world – they can say if this is a sin. If it is

difficult for someone to sign this document – we can avoid signing it in the way that Zisling suggested. It is very difficult for us to accept not mentioning the God of Israel. Jews are killed every day and “Shema Yisrael” is on their lips. I had wanted it to say the “God of Israel,” and not just the “Rock of Israel and its Redeemer.” But a compromise was found.

D. Ben-Gurion:

I am of the same opinion as Zisling, but I can sign off on this sentence with a tranquil heart. I understand what “Rock of Israel” means. And the compromise that was reached is a beautiful compromise among Jewish society. As we stand on the brink of independence we need to be very careful about not intensifying these arguments.

To the document in general. I am a pragmatist in this respect and think we do not need to write a document that children will memorize in one hundred years; this should be a document that contains a deep and thorough Zionist public information for Jews – because there are still many Jews who doubt – as well as for gentiles who do not hate us. There is no place within it for judicial reasoning – it must establish political premises. However, if it possible to shorten – it should be shortened. I accept that we need to establish within it the natural right of our nation to be like all nations. I disagree with the suggestion to delete the Balfour Declaration. This is ridiculous and will be interpreted as small-hearted and biting.

I suggest that we hand it over to three members to polish the wording.

Bechor-Shalom Sheetrit:

The declaration begins from when the nation was exiled from its land. But until the exile there was something – there was a nation that championed its religion and tradition. And it is impossible for us not to mention our Book of Books. Heresy in Israel did not begin so long ago.

M. Shertok:

The proposals that have been heard mean to extend rather than shorten. The proposals are before us and must be heard, but the result will make the document longer.

I deliberately began with exile. I said: I cannot embrace the “everlasting arms” (ED: c.f. Deut. 33:27) and begin with Avraham our forefather. I assume that men of culture know these things. No one disagrees with this, that the nation of Israel dwelled in its land and gave the Bible to the world. The controversy begins with our return to the land.

Bentov’s proposal is very appropriate. Not only should the right of the Jewish people be emphasized but rather the right of Jews as human beings. Human dignity is what compels us to have a state.

D. Ben-Gurion:

We will hand it over to a small committee to draft the declaration. We must consider the comments that have been heard. The amended version will be brought for a final reading at the *minhelet ha’am* meeting before the People’s Council (*moetzet ha’am*) meeting tomorrow.

Professor Bernstein:

I propose to grant the committee power of attorney regarding the final draft.

D. Ben-Gurion:

If so, I would suggest that we decide on one thing here: to leave the words "Rock of Israel."

M. Bentov:

I do not object to the mention of "Rock of Israel" in this document, but I am opposed to the mention of relying on the "Rock of Israel." I would suggest putting these words in another paragraph.

Rabbi Fishman:

I have not yet seen a significant declaration from among the nations of the world, with the exception of Russia, in which the name of God is not mentioned.

M. Shapiro:

I request to add "and its Redeemer" – the Rock of Israel and its redeemer.

D. Ben-Gurion:

In a very sensitive and theoretical matter, what is called a matter of conscience – any addition is sure to be detrimental (ED: c.f. Talmudic saying). The question is how each of us will explain this to his children, when you say "Rock of Israel" – for you everything is said here. And I can explain to my children who are not devout why I signed it with a still heart and a clear conscience

Resolved:

To submit to a four-member committee to draft the declaration – on the basis of the comments and amendments that were heard – a final draft. Committee members: D. Ben-Gurion, Rabbi Fishman, A. Zisling, M. Shertok.