

A Daring Declaration

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As late as three weeks before Israel declared independence on May 14, 1948, no draft of an Israeli Declaration of Independence had yet been written. Cobbled together by legal draftsmen, attorneys and politicians, the final version reflected the influence of multiple authors and texts, including a draft of an Israeli constitution (written in January 1948), the American Declaration of Independence and the American Constitution. Having taken under 12 minutes to read, the document contains an essential history of the Jewish people, recounting, among other things, the Jewish longing to return to *Eretz Yisrael*, the emergence of Zionism and the movement's international legitimation by the League of Nations and the United Nations. The declaration defined the rights of its citizens, looked ahead toward future Jewish immigration from the Diaspora and extended an olive branch to belligerent Arab neighbors.

The state was declared on the run, against a setting of bureaucratic, political and military turmoil. Uncertainty and fear abounded. Ending 30 years of rule in Palestine, the British government was heavy handed in its antagonism toward the emerging Jewish state — key British installations and military materials were intentionally left at the disposal of Arabs in Palestine. Mobilization for the state's establishment and for war against Arab foes had begun in earnest the previous October.

In the years and months leading up to the declaration, the primary Zionist diplomatic task had aimed at persuading U.N. member states to support the creation of a Jewish state; once that was accomplished with the partition vote on November 29, 1947, the 600,000 Jews in Palestine felt the brunt of Arab hit-and-run attacks. Assaults against Jewish civilians began immediately. As civil war unfolded, Palestinian Arabs fled their homes, causing as many as 250,000 to leave before Israel declared independence. Arabs in Palestine and in surrounding Arab states repeatedly refused all diplomatic

overtures that would have included acceptance of an Arab and Jewish state side by side in Palestine.

For the Zionists, there was no time to savor the U.N. vote. Under the duress of a coming war, future ministries for the state were organized. Though not sufficient, fundraising abroad was stepped up, manpower mobilized, arms smuggled into Palestine and still some things were left to the last moment. Only after April 25 was the decision to name the state Israel finalized. Meanwhile, efforts to forge a truce in the ongoing battle for Jerusalem failed, leaving the city under siege by Arab fighters.

On May 13, the Jewish settlements of Kfar Etzion, south of Jerusalem, were obliterated; in Tel Aviv, a secretary working for drafters of the declaration secured a safe deposit box at a local bank for the document's safekeeping during the expected Egyptian bombing of the city; and in Washington, Harry Truman's White House asked Israel to submit a written request for recognition. Patches of Jewish land and settlements were left isolated. Only the disunity of Arab states and their incapacity for fighting a prolonged war gave the nascent State of Israel the oxygen to survive. At the time, however, the Zionists who worked diligently to reach this moment did not yet know how inept Arab forces would be in the coming war.

The next morning, Friday, May 14, following some debate, the Jewish Agency's National Council, composed of several dozen Jewish leaders, voted to accept the final text of the recently written Declaration of Independence. That afternoon, at 4 p.m., David Ben-Gurion (head of the Jewish Agency and poised to become Israel's first prime minister), flanked by a dozen fellow ministers of the proposed state, read the declaration at the Tel Aviv Museum. Without electricity in Jerusalem, few there heard Ben-Gurion's words or the singing and playing of "*Hatikvah*," the song that contained the key phrase, "to be a free people in our land." The song would immediately become Israel's unofficial national anthem. The declaration signified a formal break with British control in Palestine; meanwhile, in most of Palestine, Jews were fighting Arabs for control of roads, villages, settlements, city quarters and strategic assets. Many Jews, already exhausted from months of fighting, only had time for fleeting thoughts about the historic nature of the moment.

The Declaration of Independence itself is divided into four parts: a Biblical, historical and international legal case for the existence of a Jewish state in the Land of Israel; the self-evident right of the Jewish people to claim statehood; the actual declaration of statehood; and statements about how the state would operate, including an enumeration of citizens' rights and the requirement to have a constitution. (Israel initiated a constitutional process but postponed it indefinitely in June 1950.)

Noteworthy similarities and differences exist in relation to America's Declaration of Independence. Both Israelis and Americans asserted independence and the right to control their own destinies, free from legislative impositions and despotic abuses. Both saw Great Britain as a foe. In addition, both sought self-determination, liberty and

freedom; based their claims on natural human rights; and promised safeguards for the individual.

Both documents make reference to a higher authority. In the Israeli case, however, the declaration does not explicitly mention God, closing ambiguously with the phrase “with trust in the Rock of Israel” (*Tzur Yisrael* — a reference to God used in Samuel II, 23:3), which was Ben-Gurion’s compromise between secular and religious pressures. In contrast, the American declaration appeals to the “Supreme Judge” and “protection of Divine Providence.”

In contrast to the American situation — in which only minor skirmishes between Americans and the British were taking place when the American declaration was signed in 1776 — when Israel declared its independence, the nascent state was already in the midst of a full-fledged war for survival with the local Arab population, who were immediately joined by the surrounding Arab countries. Nonetheless, the Israeli declaration includes a pre-emptive declaratory statement, offering “peace and amity” to its neighbors and the request “to return to the ways of peace.”

Three years after the end of World War II, having barely survived an existential struggle imposed upon Jews by the Nazis, Zionists in Palestine voluntarily chose to take destiny into their own hands. Given the overwhelming populations in the Arab states, Zionist leaders took a calculated gamble to declare independence, a course of action that they knew would prompt the neighboring Arab states to invade. What if they had lost the gamble? The declaration was an assertive break with a long past dominated by powerlessness and control by others. The declaration, then, represented the steadfastness, perseverance and ingenuity of a relatively small number of Jews who wanted to determine their own future on a national territory. It culminated a century-long Zionist struggle characterized by fierce ideological debate, labored physical growth, the development of self-governing institutions and remarkable diplomatic achievements.

What was the impact of the declaration? Coupled with the success in the ensuing war of independence, the declaration served as a patriotic rallying point for Jews in Palestine and in the Diaspora. Representatives of virtually every Jewish political party signed the declaration. Jews in the Diaspora would make defense and support of Israel a secular religion. With the pending failure to ratify an Israel constitution, the declaration’s phrase “guaranteeing freedom of religion, conscience, language, education and culture” served as the foundation for the state’s basic law protecting civil liberties.

Eight hours after Ben-Gurion read the declaration, the Egyptian Air Force dropped its first bombs on the outskirts of Tel Aviv. At the war’s conclusion in 1949, no peace treaties were signed; neither Israel nor its borders were recognized by Arab states. The declaration and the War of Independence changed Jewish and Middle Eastern history; in 1949, the U.N. accepted Israel as a sovereign state. It would take another 30 years until an Egyptian president negotiated with Israeli counterparts for a treaty between their two countries.

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The Declaration of the Establishment of the State of Israel

The Land of Israel was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped. Here they first attained to statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books.

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.

Impelled by this historic and traditional attachment, Jews strove in every successive generation to re-establish themselves in their ancient homeland. In recent decades they returned in their masses. Pioneers, defiant returnees, and defenders, they made deserts bloom, revived the Hebrew language, built villages and towns, and created a thriving community controlling its own economy and culture, loving peace but knowing how to defend itself, bringing the blessings of progress to all the country's inhabitants, and aspiring towards independent nationhood.

In the year 5657 (1897), at the summons of the spiritual father of the Jewish State, Theodore Herzl, the First Zionist Congress convened and proclaimed the right of the Jewish people to national rebirth in its own country.

This right was recognized in the Balfour Declaration of the 2nd November, 1917, and reaffirmed in the Mandate of the League of Nations which, in particular, gave international sanction to the historic connection between the Jewish people and Eretz-Israel and to the right of the Jewish people to rebuild its National Home.

The catastrophe which recently befell the Jewish people - the massacre of millions of Jews in Europe - was another clear demonstration of the urgency of solving the problem of its homelessness by re-establishing in Eretz-Israel the Jewish State, which would open the gates of the homeland wide to every Jew and confer upon the Jewish people the status of a fully privileged member of the community of nations.

Survivors of the Nazi holocaust in Europe, as well as Jews from other parts of the world, continued to migrate to Eretz-Israel, undaunted by difficulties, restrictions and dangers, and never ceased to assert their right to a life of dignity, freedom and honest toil in their national homeland.

In the Second World War, the Jewish community of this country contributed its full share to the struggle of the freedom- and peace-loving nations against the forces of Nazi

wickedness and, by the blood of its soldiers and its war effort, gained the right to be reckoned among the peoples who founded the United Nations.

On the 29th November, 1947, the United Nations General Assembly passed a resolution calling for the establishment of a Jewish State in Eretz-Israel; the General Assembly required the inhabitants of Eretz-Israel to take such steps as were necessary on their part for the implementation of that resolution. This recognition by the United Nations of the right of the Jewish people to establish their State is irrevocable.

This right is the natural right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign State.

Accordingly we, members of the People's Council, representatives of the Jewish Community of Eretz-Israel and of the Zionist Movement, are here assembled on the day of the termination of the British Mandate over Eretz-Israel and, by virtue of our natural and historic right and on the strength of the resolution of the United Nations General Assembly, hereby declare the establishment of a Jewish state in Eretz-Israel, to be known as the State of Israel.

We declare that, with effect from the moment of the termination of the Mandate being tonight, the eve of Sabbath, the 6th Iyar, 5708 (15th May, 1948), until the establishment of the elected, regular authorities of the State in accordance with the Constitution which shall be adopted by the Elected Constituent Assembly not later than the 1st October 1948, the People's Council shall act as a Provisional Council of State, and its executive organ, the People's Administration, shall be the Provisional Government of the Jewish State, to be called "Israel."

The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.

The State of Israel is prepared to cooperate with the agencies and representatives of the United Nations in implementing the resolution of the General Assembly of the 29th November, 1947, and will take steps to bring about the economic union of the whole of Eretz-Israel.

We appeal to the United Nations to assist the Jewish people in the building-up of its State and to receive the State of Israel into the community of nations.

We appeal - in the very midst of the onslaught launched against us now for months - to the Arab inhabitants of the State of Israel to preserve peace and participate in the

upbuilding of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions.

We extend our hand to all neighbouring states and their peoples in an offer of peace and good neighbourliness, and appeal to them to establish bonds of cooperation and mutual help with the sovereign Jewish people settled in its own land. The State of Israel is prepared to do its share in a common effort for the advancement of the entire Middle East.

We appeal to the Jewish people throughout the Diaspora to rally round the Jews of Eretz-Israel in the tasks of immigration and upbuilding and to stand by them in the great struggle for the realization of the age-old dream - the redemption of Israel.

Placing our trust in the Almighty, we affix our signatures to this proclamation at this session of the provisional Council of State, on the soil of the Homeland, in the city of Tel-Aviv, on this Sabbath eve, the 5th day of Iyar, 5708 (14th May, 1948).

David Ben-Gurion

Daniel Auster
Mordekhai Bentov
Yitzchak Ben Zvi
Eliyahu Berligne
Fritz Bernstein
Rabbi Wolf Gold Meir Grabovsky
Yitzchak Gruenbaum
Dr. Abraham Granovsky
Eliyahu Dobkin
Meir Wilner-Kovner
Zerach Wahrhaftig
Herzl Vardi
Rachel Cohen
Rabbi Kalman Kahana
Saadia Kobashi
Rabbi Yitzchak Meir Levin
Meir David Loewenstein
Zvi Luria
Golda Myerson
Nachum Nir
Zvi Segal
Rabbi Yehuda Leib
Hacohen Fishman
David Zvi Pinkas
Aharon Zisling
Moshe Kolodny
Eliezer Kaplan

Abraham Katznelson
Felix Rosenblueth
David Remez
Berl Repetur
Mordekhai Shattner
Ben Zion Sternberg
Bekhor Shitreet
Moshe Shapira
Moshe Shertok