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ISRAELI POLITICS

Jay N. Miller

Thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts in Hebrew Letters and
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Referee, Prof. Stanley Chyet

DIGEST

This thesis is designed to give the reader both a general introduction to the subject of Israeli politics and some understanding of the more specific details of how the political system works.

Chapter one contains a general overview from the earliest period of Zionism in Europe to the present situation in the State of Israel. Chapter Two provides a more specific description of the early development of Jewish political organizations in and out of Jewish Palestine prior to statehood. Chapter Three examines the political situation of the State, beginning with the period in which statehood was achieved and the political institutions of the Yishuv were unified and formalized. The chapter then describes the Knesset (parliament), the Presidency, and the Government (the executive power of the state). Finally this chapter describes the nature of the party system and the numerous political parties in Israel. The Appendix includes documents and laws relevant to the creation of the state and the nature of its political institutions and political issues.

This thesis examines the unique qualities of the Israeli political system, as well as some of the major issues facing Israel today. The State of Israel is young, it has yet to establish a stable political system. Hopefully, this thesis will provide those interested with a basis for a better understanding of the nature of Israeli politics, as it grows and develops.

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INTRODUCTION

When this thesis was begun, the nature of the Israeli political system was important mostly to Israelis and to students of political science. Israel was twenty-five years old, her political system seemed stable; there were only hints of impending minor political struggles. The balance between religion and state needed to be resolved, the need for a line of succession within the ruling Mapai Party grew more urgent each year, and the economy was increasingly inflationary. All this was true, but there was no apparent crisis, and the particular ways in which Israel's political machinery worked seemed of little significance in the resolution of these issues, especially in the eyes of world Jewry. That was in the summer of 1973. Now, in the spring of 1974, the nature of the Israeli political process is of world concern. The ins and outs of a coalition government and the nature of the many parties that contribute to the stability or instability of the Government (the executive power in the State of Israel) are frequently the subject of network news in the United States and around the world.

As a result of the political struggles that followed the Yom Kippur War of October, 1973, Americans -- and especially American Jews -- have discovered that Israeli policy is affected by how Knesset elections are conducted, what parties participate in the

formation of a coalition, as well as the other components of a democratic government. The knowledge which came out of this experience should also be applied by all those interested in the future of the State of Israel to a better understanding of the other issues which confront Israelis today: the economy, overall security, the place of religion within the state, the general quality of life in Israel, and the stability of the current government.

This thesis is designed to give the reader both a general introduction to the subject of Israeli politics and some understanding of the more specific details of how the political system works.

Chapter One contains a general overview from the earliest period of Zionism in Europe to the present situation in the State of Israel. Chapter Two provides a more specific description of the early development of Jewish political organizations in and out of Jewish Palestine to statehood. Chapter Three examines the political situation of the State, beginning with the period in which statehood was achieved and the political institutions of the Yishuv were unified and formalized. The chapter then describes the Knesset (parliament), the Presidency, and the Government (the executive power of the state). Finally, Chapter Three describes the nature of the party system and the

political parties in Israel. Chapter Four explores some of the current political issues facing the State of Israel.

World Jewry has contributed much material support to the State of Israel. As Israel grows, the importance and complexity of political issues increase. World Jewry can contribute to the resolution of political issues through involvement and council, but not without an understanding of the political system within which those issues will be considered. It is hoped that this thesis will help promote such understanding, and consequently, in some small way contribute to the further growth of the State of Israel.

This thesis would not have been possible without the help of several friends; Ron, Bob, and of course, Lisa. I am especially grateful to Dr. Stanley Chyet, who has contributed so much as my teacher, and as my thesis advisor.

Chapter One

THE DEVELOPMENT OF ISRAELI POLITICS: THE RISE OF ZIONISM TO THE PRESENT

The Foundations of Zionism: 1880-1899

For approximately 3000 years, the Jewish people has been striving to achieve statehood in the Land of Israel. Four times Jewish states have struggled to maintain themselves in the Land of Israel, three times their efforts to preserve statehood have terminated in disaster. First, in the eleventh century before the Common Era, then again in the fifth century of the same era, and for a few years in the second century of the Common Era, Jews were able to establish governments of their own. Now, in the twentieth century, Jews have again established a state and are able to govern themselves in the Land of Israel.

It is common to think of the State of Israel as the result of Zionism. It is also common to think of Zionism as a worldwide movement launched by Theodore Herzl in 1897. But the foundations of the state involve more than just the Zionist Organization.

Robert Dahl, in his book Modern Political Analysis, proposes the following definition of a state: the political system made up of the residents and government of a territorial area which successfully holds a claim to the exclusive regulation of the legitimate

use of physical force in maintaining its rule within that given area [underlining mine].¹

It could almost be said that, in 1897, the elements of Israel's statehood as implied in Dahl's definition -- people, government, land -- were scattered in three different places in the world. The organizational framework was in Western Europe, the masses of Jews were in Eastern Europe, and the territory was Turkish-ruled Palestine in the Middle East.

Two events dominated Jewish history from 1880 to 1897. The pogroms of Russia in 1881 and the trial of Dreyfus in France in 1895. With these events, the Jews of Eastern and Western Europe actively moved in the direction which had been only hinted at previously.²

The first clearcut appeal to Jewish nationalism was voiced by Dr. Leon Pinsker, a physician from Odessa. In his major work, Auto-Emancipation (Self-Emancipation), published in 1882, he wrote:

Nations live side by side in a state of relative peace, which is based chiefly on the fundamental equality between them... But it is different with the people of Israel. This people is not counted among the nations, because since it was exiled from its land it has lacked the essential attributes of nationality³ by which one nation is distinguished from another.

It was not a simple task, however, to transform an inspired idea into a viable movement. Small numbers of Jews living in the Tsarist Pale of Settlement participated in groups collecting money

and studying Hebrew and Jewish history. These groups became known as the Lovers of Zion. They met in a national convention in 1884, in a small town across the German border, out of reach of the Russian secret police. At this convention, Pinsker was elected president of the organization.⁴

Through the efforts of this organization and as a result of the pogroms, the first wave of immigrants traveled to Palestine to work on Jewish agricultural settlements. These settlements were managed by Jews, and supported largely by funds from Baron Edmond de Rothchild. While the pioneers fared poorly, they did manage to maintain three settlements: Rosh Pinah, Zichron Ya'akov, and Petah Tikvah.⁵ These immigrants were the first of many Jews who would form the pioneering base for Zionism.

In 1895, Theodore Herzl, a Viennese journalist, was horrified by the Dreyfus case and began a personal campaign to secure for the Jews rights to self-government in Palestine. In 1896, he wrote The Jewish State and began approaching wealthy and politically powerful Jews for support.

When he was refused funds by wealthy Jews in Western and Central Europe he turned his attention to the masses of Jews who had cheered him in his travels, especially in Galicia and the Tsarist east. His decision to assemble a World Zionist Congress met with skepticism and even opposition. Yet Herzl was well-qualified for the task

he had undertaken. He possessed a superbly commanding presence and personality, a sound legal background, and years of journalistic experience covering the working of Western parliaments.⁶

The First Zionist Congress convened on August 29, 1897, in Basel, Switzerland. Some 204 delegates attended, representing thousands of Jews from Europe as well as Jews from Russia and America. From this meeting emerged an organization that formed the institutional base for Zionism.

Simultaneous with these events in Western and Eastern Europe, Turkish rule over Palestine was in its decline.⁷ As early as the 1850's, all the major European powers and the United States had established consulates in Jerusalem, hoping to gain a foothold in the vacuum that was beginning to develop.⁸ By the turn of the century, the vacuum in the Middle East had materialized and both Eastern and Western European Jews set their sights on their ancient homeland as the logical territorial base for Zionism.

Building a Jewish Homeland: 1897-1947

The fifty-year period from 1897 to 1947 can be divided into two stages, each leading up to and involving a world war: 1897-1920 and 1920-1947. In the first period, the Zionist Organization had its greatest growth and influence. In the second period, the Yishuv, the name generally given the Jewish community in Palestine before Statehood, came more and more to the forefront.

In the years immediately following the First Zionist Congress, Herzl continued his diplomatic efforts in favor of a charter for Jews to settle in Palestine. His efforts were unsuccessful. The movement he had started was, however, making impressive advances. By 1901, the number of Zionist societies throughout the world had increased from 117 to 913. The Jewish Colonial Trust and the Jewish National Fund were also founded in those early years, giving the Zionist Organization the financial backing that led to land purchases and settlements in Palestine.⁹

In Palestine, the survivors of the first aliyah were joined by Jews who fled Russia following the abortive Russian Revolution of 1905. The Jews of the second aliyah came to Palestine determined to create a Jewish working class.

In 1908, the Zionist Organization opened an office in Jaffa. Arthur Ruppin, a German lawyer and member of the Zionist Organization was asked to supervise the organization's activities in Palestine as director of the Jaffa office. Under his direction, these new settlers received financial aid and guidance which led to the establishment of the first communal agricultural settlement, Degania, in 1909.¹⁰ This type of combined effort on the part of the growing Zionist Organization, centered in Europe, and the new pioneers, settling in Palestine, produced ten years of development that set the stage for official recognition of a Jewish community in Palestine when the Turkish government

was removed from the area at the end of World War I.

The British government's Balfour Declaration in 1917 (Appendix One) and the League of Nations' Mandate of 1922 (Appendix Two) provided for the creation of a National homeland in Palestine and the establishment of a "Jewish Agency" to assist in its creation. The responsibility of acting as the "Jewish Agency" was given to the Zionist Organization, now under the leadership of Chaim Weizmann. Weizmann was a Russian Jew who studied Chemistry in Western European universities. He was an early participant in the Haskalah¹¹ and Zionist activities.

During the period of the British Mandate, the Jewish population in Palestine increased as immigrants came, primarily from Russia, Poland, and Germany, in the third, fourth, and fifth aliyot. (Appendix Three). The strengthened Yishuv formed the Jewish Community Government and, in 1920, with the aid of the Jewish Agency, established the Histadrut, a cooperative labor organization, and the Haganah, a citizen's defense force. By the mid-thirties, the Jewish Agency was dominated by the Zionist Organization representatives from the Yishuv.

When the Jews of the world began to sense the dimensions of the Nazi threat they turned their efforts to the rescue of European Jewry. This rescue included bringing escaped Jews to Palestine, the so-called sixth aliyah (Appendix Three). Rescue efforts were

hampered by the British who, in a White Paper in 1939, placed severe limits on immigration to Palestine.¹² Jewish resistance to this policy created a crisis which simmered throughout World War II. At the end of the war, hostilities increased between the British and the Yishuv and in 1947, the British turned the Palestine question over to the United Nations. On November 29, 1947, the United Nations voted, 33-13, to partition Palestine into two states, one Jewish and one Arab (Appendix Five).

The State of Israel: 1947 - Today

From 1947 to 1949, a transitional period ensued. David Ben Gurion, who was at that time Chairman of the Executives of the Jewish Agency and the Zionist Organization, headed a Joint Emergency Committee, responsible for making the preparations for sovereign statehood.¹³ Under his direction, on May 14, 1948, a Declaration of Independence (Appendix Six) was issued, and a provisional government was established.

The provisional government was responsible for the defense of the new state, normalization of life within the state, and the fixing of elections for a representative legislative body that would be responsible for the creation of a constitution. The elected body did not succeed in enacting a constitution, but in the "Transition Law, 1949", (Appendix Seven) provision was made for the creation of the Knesset (Parliament), the Presidency, and the Government, the executive, of

the new state.

The Knesset assembled for the first time on February 16, 1949, and elected Chaim Weizmann the first President of the State. On March 10, 1949, the first Government was formed by David Ben Gurion, who became its Prime Minister.

The leadership level of the Yishuv, primarily Ben Gurion and his successors as well as the other leaders of Mapai, the Israeli Labor Party, and its coalition partners have maintained uninterrupted control of the political institutions of the state to this day. There have been eight Knessets in the history of the State (1949, 1951, 1955, 1959, 1961, 1965, 1969, 1973). The Mapai party and its affiliates have never gained a majority of the seats in the Knesset, but have always been able to form a Government and retain the office of Prime Minister.

The history of the state is often periodized with reference to its wars: 1947-49, the War of Independence; 1956, the Sinai Campaign; 1967, the Six-Day War; 1973, the Yom Kippur War. The overall issues facing the state can be seen more clearly when the history of the state is periodized with reference to changes in the Knesset, or more significantly in the Government (i.e., the executive, the cabinet). Issues like religion, economy, foreign policy, and defense are best understood when viewed through the give and take involved in the Israeli political process, as carried on by the people and parties participating in that process.

The Zionist Organization and the Jewish Community Government in Mandatory Palestine bequeathed to the State of Israel a political tradition that molded the institutions of the new state. But an ideologically-based organization is more homogeneous than a sovereign state, and the problems of struggling to achieve statehood and administering settlements within the country were more limited than the problems involved in full statehood.

The new government was responsible for the following: caring for immigrants from the massive seventh Aliyah (Appendix Three), which began with the founding of the state; establishing schools; providing for the defense of the country; regulating civil and criminal courts for all residents and visitors; and dealing with religious matters in a country whose citizens included Moslems and Christians as well as Jews. Many issues have been resolved, many have not.

In addition, the existence of the State of Israel as a Jewish State has been challenged in four wars. While the components of statehood, as expressed by Dahl -- people, government, territory -- have been brought and held together in Israel, the final realization of the State will not be achieved until the Jewish people is assured of the exclusive -- i. e. , unchallenged -- right to self-rule within territorial borders reached in agreement with the state's neighbors.

Chapter Two

THE PRE-STATE PERIOD

When Herzl founded the Zionist Organization in 1897, it was modeled after the Western parliamentary systems with which he was familiar. The Zionist Congress was scheduled to meet annually to elect an Action Committee. The Action Committee met more regularly and was responsible for the ongoing programs of the Zionist Organization. An Executive Committee was chosen by the Action Committee to handle the day-to-day operations of the organization.

At each Zionist Congress, the Jews of the world were represented by delegates selected from geographical areas. With the later development of more diverse opinions among the Zionists, splinter groups began to appear. This led to a multi-party structure within the Zionist Organization, including socialists, orthodox Zionists, and labor Zionists. These parties and others were able to send delegates from each region to the Congress, along with the regular delegates, known as the General Zionists.

The structure established for the Zionist Organization and the multi-party system which developed, served as the model for the political system in the Yishuv, developed in the 1920's, and for the Jewish Agency, when it became an independent body in 1929 (Appendix

Eight). A variation of this structure was later established for the Knesset of the State of Israel, in which the multi-party system of representation plays an integral part.

Following the formal organization of the Zionist Organization, Zionist policy was dominated by Herzl, who had been elected President.¹⁴ His commitment to securing a charter as a preliminary requirement to the settlement of Palestine was not shared by all Zionists.

Ahad Ha'am, an influential East-European writer and teacher, was an early opponent of Herzl's concept of "Political Zionism". Ahad Ha'am's program of "Cultural Zionism" called for assistance to any group of Jews who wanted to live in Palestine, and Jewish education for Jews wherever they lived.¹⁵ He had an effect on other Zionists who saw a need for immediate action. Known as the "practicals", this group was led by Chaim Weizmann and others, and received most of its support from East European Jewry.

In 1903, the issue of "Cultural" vs. "Political Zionism" came to a head. Herzl, still committed to securing a recognized charter, was offered territory in Africa by the British government. This proposal fulfilled his requirement of working within the framework of national and international authorities. It did not reflect a commitment to a homeland in Israel.

That same year, Herzl toured Eastern Europe and saw the

results of the Kishinev pogrom.¹⁶ Sensing the need to act, he proposed the Uganda plan for a temporary homeland in Africa. Opposition to this plan was vehement. Although the Zionist Congress of 1903 carried the plan by a small majority, the Russian Jews walked out of the Zionist Congress and the plan was effectively thwarted.

In 1904, Herzl died. He was the recognized leader of Zionists around the world, despite the split over the issue of formal charter vs. informal settlements. The second president of the Zionist Organization, David Wolffsohn, was able to bring about a compromise at the Zionist Congress of 1907.¹⁷ Those who supported Herzl's "Political Zionism" and the "practicals" united under a policy of diplomacy in favor of a charter and immediate support of settlements in Palestine.

The Zionist Organization office in Jaffa, under the direction of Dr. Arthur Ruppin, aided immigrants of the second aliyah, 1904-1914. These immigrants came out of the socialist movement and were committed to the development of a Jewish working class. Using the financial resources of the Jewish Colonial Trust and the Jewish National Fund, Ruppin helped these new pioneers to settle cooperative settlements. From 1914-1917, however, progress lagged. The First World War cut off immigration and the Zionist Organization, now under Weizmann's leadership, was forced to curtail its activities.

Also during Wolffsohn's term as president, diplomatic efforts within the world Jewish community had brought several groups into the Zionist Organization that had previously avoided that association. Orthodox Jews participated in Zionist activities through the Mizrahi party, seeking to stand guard against the impairment of traditional Judaism in the Movement. Socialist Jews were represented by Poale Zion, and sought a co-operative commonwealth in Palestine.¹⁸

Prior to the war, there had been Zionist offices in countries on both sides of the conflict. At the war's outset, a neutral headquarters was established in Copenhagen, but this did not help in uniting the organization. A member of the Zionist Organization Executive, Shmaryahu Levin, found himself in New York at the outbreak of the war and organized the Provisional Executive Committee for General Zionist Affairs. This provided a center for two and a half million American Jews to support Zionism during the war. The president of the Provisional Executive was Louis Brandeis, an Associate Justice of the United States Supreme Court and the leader of the American Zionists.¹⁹

During the war, an agreement was worked out between the Arabs and the British that was to affect the Middle East in years to come. When the Turks sided with the Germans, the British were desirous of allies as a buffer between their interest in Egypt and the

Canal area, and the Turkish forces. The British were approached by the leaders of the Hashemi family, offering Arab support in exchange for a promise of British assurances of Arab independence after the war. The Arabs were promised an independent state in the former Turkish domains -- with certain exceptions. It is the ambiguity of these exceptions that was the focus of later conflicts over rights to Palestine.²⁰

In 1917, Britain, France, Arabs, and Jews were all involved in the division of the Ottoman Middle East. Chaim Weizmann, now president of the Zionist Organization, had great influence with the British, due to his scientific assistance in the war effort. But the first proposal, the Sykes-Picot agreement, was completed between the English and the French, and Weizmann was unaware of its contents.

In this agreement, the British did not receive as much area on both sides of the Canal as they felt they required. The British offered the establishment of a Jewish national homeland in Palestine if Weizmann would ask for a British protectorate in the area. In April, 1917, Weizmann made such a statement for the Zionist Organization.²¹ On November 2, 1917, the British issued the "Balfour Declaration" in the form of a letter from Lord Balfour to Rothschild, President of the British Zionist Federation.²²

In Palestine, during the war, the Turkish government had arrested the leaders of Jewish and Arab national movements, fearing

their support of the Western alliance. Many of the active Zionists of the Yishuv, Shertok (Sharett), Ben Gurion, and Ben Zvi, escaped arrest and lived in exile for those years. They took advantage of their exile to make plans from another vantage point.²³ Ben Gurion spent much of his time in the United States and England gaining support for the Yishuv and establishing himself in the Zionist movement.

In May, 1917, Allenby liberated Palestine from Ottoman control. With Palestine under British control and the promise of the Balfour Declaration, the goal of Zionism seemed closer to reality than ever.

The successes of "Synthetic Zionism", the combination of political and practical Zionism, under Weizmann, and the demands of the war produced several years within the Zionist Organization free from factional struggles. In 1920, however, the economic policy of the Weizmann administration came under fire. The opposition centered around one personality, Louis Brandeis. The basic issue revolved around the policy of using Zionist Organization funds for industrial development in Palestine. Brandeis wanted the Zionist Organization to restrict its activity to welfare and immigration. Private and corporate investment should, according to Brandeis, be responsible for industrial development in Palestine. At the Zionist Congress of 1920, Brandeis clashed with Weizmann, but Weizmann successfully maintained his dominant position within

the organization.²⁴

From 1881, the beginning of the first aliyah, to 1920, the growth and development of the Jewish community in Palestine, the Yishuv, had been controlled by informal political groups, and by the policy developed by the Zionist Organization. From 1920, the beginning of the Mandate, political activity within the Yishuv became more formal.

Three times since 1900, the Jewish pioneers in Palestine had tried to organize a representative governing body. The third attempt in 1920 proved successful. In 1917, a preparatory assembly met with representatives from the various parties and organizations representing Palestinian Jews. They arranged for the election of a Constituent Assembly. The Yishuv's exceedingly diverse religious and social backgrounds caused many problems. In April, 1920, elections finally took place. The body was formally called the Elected Assembly, and was modeled after the Zionist Organization. The Elected Assembly established a budget and elected a National Council, commonly referred to as the General Council by the British authorities. The day-to-day activities of the new Jewish Community Government were carried out by the Executive Committee.

The Jewish Community Government was not recognized by the Mandatory authority, but served the needs of the Jewish community in functions in which they maintained autonomy. In other matters,

the Zionist Organization was the recognized "Jewish Agency" authorized in the Mandate to represent the Jewish community with the British Mandatory authorities.

The lack of official status did not keep the Jews living in Palestine from efforts at establishing self-government for their community. The positions held by the members of the Executive Committee of the Yishuv were representative of the activities of the Yishuv. Typical were political affairs, local communities, rabbinate, education, health, social welfare, physical culture, and information.²⁵ They also maintained their own defense forces, the Haganah.

Of major importance was the founding, in 1920, of the labor organization, the Histadrut (General Federation of Labor), by Berl Katznelson, one of the leaders of the second aliyah and the spiritual counselor of the Yishuv's labor movement.²⁶ The Secretary-General of the Histadrut from 1921 to 1935 was David Ben Gurion. The Histadrut "started as a movement first for the founding of a homeland, and then for building it into a workers socialistic commonwealth."²⁷ It was not only a trade union, but also a key investor in the economy of the Yishuv. All profits were used for further development of the economy or for the benefit of the workers, such as low-cost housing, medical facilities (Kupot Holim), and other welfare services.

The first of Histadrut's activities in the economic sector

was the creation of Solel Boneh, established in 1921 as a contracting firm for road laying. This company soon expanded into major building activities. In 1933, Egged, an interurban transportation cooperative, was founded. In 1936, Mekorot, for the supply of water, and Zim, a shipping company, were founded. All these companies were developed within Hevrat Haovdim, Histadrut's overall economic organization.²⁸

In 1927, the Yishuv was recognized by the Mandatory authority as officially representing the Jews of Palestine in matters involving internal affairs.

In 1929, Weizmann decided to create a separate organization which would be called the Jewish Agency, but would not be run exclusively by the Zionist Organization. The Jewish Agency was structured along the lines of the Zionist Organization, with the Jewish Agency Council, Administrative Committee, and Executive.²⁹ The president of the Zionist Organization was to be president of the Jewish Agency, and the meetings of the Jewish Agency Council were held following the meetings of the Zionist Congress. The Jewish Agency continued to be dominated by the Zionist Organization, but as an independent body, it could appeal to non-Zionists who wished to support the Jewish homeland.

At peace talks held in Paris after World War I, Emir Faisal, representing the Arab peoples, was ignored and insulted by the representatives of the allied powers.³⁰ The Arabs continued to

resist any foreign encroachment in the land they felt had been promised to them. Riots broke out in May, 1921. The British responded to the situation in 1922 with a White Paper issued by Churchill in which the Balfour Declaration was both reaffirmed and redefined.

The Zionist Organization was to accept the White Paper, which they did in 1922, in order to facilitate the final approval of the Mandate by the League of Nations.³¹ The White Paper did not actually contradict anything to which the Zionists were committed. It did limit the flexibility which had existed before the further clarifications spelled out in the White Paper. More significantly, this White Paper became the first of a series of clarifications which did restrict the development of a Jewish homeland.

Each crisis in the Arab-Jewish conflict resulted in another commission sent by the British to investigate the situation. In most cases, these investigations led to the issuance of a White Paper. Particularly disappointing to the Zionists was the White Paper which resulted from the investigation of riots which took place in 1929. The Shaw Commission reported that the riots were the result of the inability of the country to successfully absorb Jewish immigrants. Lord Passfield, himself a member of the sympathetic Labor Government, issued a White Paper in 1930 "which virtually 'interpreted' the Balfour Declaration to death".³²

"Outraged by the 'betrayal', Weizmann resigned as President

of the World Zionist Organization."³³ Within a year, Prime Minister MacDonald apologized for the Passfield White Paper. Because Weizmann was so strongly identified with the "collaboration-with-Britain-at-any-price school",³⁴ he accepted his friends' advice not to resume the presidency.

Nahum Sokolow, the new president of the Zionist Organization, opened the seventeenth Zionist Congress in Basel in 1931. He called this "a congress of realism",³⁵ and the major issue to be discussed was future Zionist policy with regard to the British and the Arabs. Weizmann insisted that there was no other way to build a country than "dunam by dunam, man by man...".³⁶ Vladimir Jabotinsky thought that the realities of the situation were such that economic achievements were insufficient to create a strong political position. He claimed that talk of a bi-national state in Palestine was defeatist and that Zionism ought to be committed to a Jewish State on both sides of the Jordan River.³⁷

Ben Gurion led the counter-attack against the Revisionists, who were represented by Jabotinsky.³⁸ The debate ended with the rejection of Weizmann, but not his policy. Even Weizmann's rejection was reversed four years later, when he was restored to the presidency. The Revisionists split from the Zionist Organization, and formed the New Zionist Organization.

At the 18th Zionist Congress, held in 1933, the labor

leaders in the Yishuv, now united in the Mapai party, gained control of the Zionist Executive. Eliezer Kaplan, Moshe Sharett, and David Ben Gurion were elected as labor representatives on the Zionist Executive, as well as Yitzhak Gruenbaum of the Progressive Liberals and Arthur Ruppin of the German Zionists. Sharett headed the political department and Gruenbaum the labor department. Ruppin remained in charge of the settlement department under Gruenbaum. Ben Gurion worked in the political department, concerned with the problems of immigration.³⁹ For several years these men were able to achieve great successes in immigration and development under a sympathetic High Commissioner, Sir Arthur Wauchope.⁴⁰

In 1935, Mussolini attacked Ethiopia and began a drive for control of the Middle East. Acting for the Italian-Germans, the Mufti of Jerusalem would encourage riots, in April, 1936, in Jaffa, that spread throughout the country.⁴¹ In response to the growing crisis, the 19th Zionist Congress of 1935 again elected Weizmann as President. Weizmann and Ben Gurion were among those who negotiated with the British as the situation in Palestine deteriorated.

Following the riots in 1936, the Peel Commission met in Palestine, and Weizmann spoke of the fate of the Jews of Palestine as well as those six million Jews in Europe. The Peel Commission, supporting Jewish claims that the Balfour Declaration had promised a Jewish State, proposed the creation of two states west of the Jordan

River, one Jewish and one Arab.

The debate in Parliament was indecisive and the issue was turned over to The League of Nations. This led nowhere. The years 1936 to 1939 were a period of continued strife in Palestine. In 1938, the British sent a commission under Woodhead. This commission recommended a cut in immigration and was followed by the 1939 White Paper in which immigration was limited to some 75,000 Jews over the next five years and, following that period of time, no immigration at all unless the Arabs approved.⁴²

As long as the White Paper of 1939 remained in force, the Zionists and the British would be unable to reach any resolution of the Palestine issue. Immigration was a central factor to the Zionists, especially with the growing plight of European Jewry under the Nazis. Ben Gurion, then head of the Jewish Agency Executive, summarized the position of Zionists as follows: we shall fight the White Paper as if there was no war and the war as if there was no White Paper.⁴³

At no time during the war did the Zionists and Jews of the world forget the necessity of maintaining their commitment to Palestine, and at no time during the war were Jews in Palestine and in the rest of the world lax in their battle against the Nazis. By 1942, 19,000 Palestinian Jews were fighting in the war.⁴⁴ In that same year, Jews met at the Biltmore Hotel in New York to adopt the plan which called for full immigration to Palestine and recognition of a

Jewish State. In the end, it was Jewish commitment to the Allies and Arab support of the Axis that proved to be the Zionist's strongest argument against the White Paper.

At the conclusion of the World War, the pressing need for a homeland for thousands of Displaced Persons and dissatisfaction with previous British policy created a concentrated effort on the part of Zionists for the establishment of a Jewish State.

In 1946, the Anglo-American Committee of Inquiry recommended the establishment of a bi-national government in Palestine and the admittance of 100,000 refugees.⁴⁵ The British continually refused to allow the admittance of refugees from the war, a policy advanced by Ernest Bevin, the Foreign Secretary, who desired to cultivate Arab friendship and oil.⁴⁶ Also in 1946, the first Zionist Congress following the war was convened by Weizmann. Ben Gurion, leader of the Yishuv, and Abba Hillel Silver, leader of American Jewry, pushed for more active resistance to the British. Weizmann continued his moderate stand. Because the majority of organized world Jewry was now in Palestine and America, Ben Gurion and Silver set the mood at the Zionist Congress -- and in the twenty years which followed.

Two forms of resistance developed. The militant arm of the Revisionist movement, the Irgun Zvai Leumi, began a campaign of anti-British terrorist attacks within Palestine. They were assisted

in their effort by the Stern gang, whose tactics included political assassinations.

The other form of resistance was the smuggling of illegals into Palestine in defiance of British policy and the blockade of the Palestine coastline. The Jewish Agency, following the war, ordered the Haganah to organize mass immigration of Displaced Persons who had been stranded in Europe. The Mossad was the Haganah force in Europe responsible for these activities. Most ships did not get past the British blockade. The spectacle of refugees being returned to Displaced Persons' camps -- and even to Germany -- by the British, was a major factor in forcing the British to soften their stand.⁴⁷

Foreign Secretary Bevin of the British Labor Party insisted that there would be no immigration. Pressure from President Truman did little to change his mind. In the summer of 1946, Bevin was no longer able to withstand world opinion, and he asked Truman to assist him in reaching a solution to the Palestine issue. When joint American-British efforts failed, Bevin turned the issue of the Middle East over to the United Nations.

The United Nations Special Commission on Palestine (UNSCOP) was established, and after many months of inquiry, they proposed partition, which was accepted in the United Nations General Assembly on November 29, 1947. A committee of five nations was to work with Britain to facilitate a smooth transition to statehood,

no later than October 1, 1948. The Jewish portion was to include 5,500 square miles, or about 55 percent of Cis-Jordanian Palestine.

In March, 1948, Palestine was almost in a state of war. The British had adopted a policy of giving no assistance to the orderly transition to statehood, and the Arabs took full advantage of this policy to begin terrorist activities against the Jewish settlements. The United States representative to the United Nations suggested that partition be postponed until after a period of United Nations supervision. ⁴⁸

On March 25, 1948, Ben Gurion, chairman of the Jewish Agency and Zionist Organization Executive, informed the United Nations that the Jews were proceeding with the formation of a provisional government to prepare for the final establishment of the state. ⁴⁹

Chapter Three

THE STATE OF ISRAEL

Statehood

When Ben Gurion announced on March 25th that he was establishing a provisional government, he began the final process of unification within Jewish Palestine. He spoke on March 25th as head of the Jewish Agency Executive and with the support of the National Council of the Yishuv. On March 30th, the Administrative Council of the Jewish Agency accepted the newly-proposed provisional government as proposed by Ben Gurion. On April 12th, the Zionist Council gave their consent to the proposal.⁵⁰

The provisional government was to consist of two bodies: the Provisional Council with thirty-seven members and the Provisional Government with thirteen members. The members of the provisional government would be charged with the preparation for the establishment of the state on May 14th, and from that date on would serve as the government of the state until such time as an elected assembly could fix the permanent structure of the government.

The composition of the provisional government was to include the existing leadership of the Yishuv and representatives of the various factions represented by the parties of the Zionist General Council and the Elected Assembly of the Yishuv. As part of the

discussion which took place prior to the Zionist General Council's commitment to the provisional government, the allocation of seats on the Provisional Council and Provisional Government were fixed.

The decision was reached to allocate ten of the thirteen seats in the Provisional Government in the following manner: Mapai--four; General Zionists--two; Mizrahi and Hapeel Hamizrahi--two; Mapam--two. There were four candidates for the remaining three seats: the Sephardim, the Aliya Hadasha Party (later the Progressives), Agudat Israel and Citizen's Union. It was decided that one seat each would be allocated to the Aliya Hadasha, the Sephardim, and Agudat Israel.

The parties nominated the following men:

Mapai--David Ben Gurion Eliezer Kaplan	David Remez Moshe Shertok (Sharett)
General Zionists-- Peretz Bernstein	Yitzhak Gruenbaum
Mapam--Mordekhai Bentov	Aharon Zisling
Mizrahi and Hapoel Hamizrahi-- Moshe Shapira	Rabbi Y. L. Fishman
Aliya Hadasha--Felix Rosenblueth	
Sephardim--Behor Shitreet	
Agudat Israel--Rabbi Yitzchak Meir Levin	

The Provisional Council was composed of these men, plus the following additional members, elected from party lists.

Daniel Auster
 Yitzchak Ben Zvi
 Eliyahu Berlin
 Rachel Cohen
 Eliyahu Dobkin
 Rabbi Wolf Gold
 Ben-Zion Goldberg
 Meir Gravovsky
 Dr. Abraham Granovsky
 Kalman Kahana
 Dr. Abraham Katznelson
 Saadia Kobashi

Moshe Kolodny (Kol)
 Meir David Levinstein
 Zvi Luria
 Golda Myerson (Meir)
 Nahum Nir
 David Pinkas
 Berl Repetur
 Zvi Segal
 Mordekhai Shattner
 Herzl Vardi
 Zerah Wahrhaftig
 Meir Wilner

These men and women represented a number of parties not represented in the Provisional Government. These were the Revisionists, the Communists, the Yemenites, Pealei Agudat Israel, and WIZO (Women's International Zionist Organization). In addition, Arabs recognizing the state would be asked to join the Provisional Council, but no such Arabs were found until after the War of Independence.⁵¹

Ben Gurion led the council in preparation of the Declaration of Independence and on Friday, May 14th, the Council gathered in Tel Aviv to establish the State of Israel.

The first act of the newly established government of the State was a proclamation, which (1) gave the Provisional Council legislative authority and the Provisional Government authority to act in urgent situations; (2) revoked the White Paper of 1939 with regard to the regulation of immigration and land transfers; (3) continued in force all laws in effect at that time unless changed by acts of the

authorities of the State.⁵²

On Sunday, May 16th, Chaim Weizmann, then in New York, was elected President of the new state by the new government. Over that weekend, the declaration of statehood was acknowledged by the United States and the Soviet Union, both countries leading other United Nations members in recognizing the State of Israel.

The political activities of that weekend were overshadowed by the reaction of the Arab nations which surrounded Israel. Until the week of May 14th, hostilities had been limited -- officially at any rate -- to conflicts between Jewish and Arab Palestinians. But in the week prior to the departure of the British, Arab forces from neighboring countries had begun limited assaults in Jerusalem and Kfar Etzion. On May 15th, full scale war broke out. Fighting lasted for several weeks, but after the Arab forces' first assault was repelled by the Israeli forces, a truce was called on June 11th, under United Nations auspices. The truce ended on July 9th, and fighting resumed for almost a week, when a second truce was called. On October 15th, the third and final round of the conflict began. By this time, the south was the only real ~~area~~ of conflict. By January, 1949, the Israelis had destroyed the Arab hold on the Negev and in March, the Arabs and Israelis agreed to an armistice on existing cease-fire lines.⁵³

In the period of Israel's War of Independence, the Provisional Government enacted ordinances directed at organizing the

state in its war effort and in other matters such as immigration, the economy, and the administration of the state.

Elections for the Constituent Assembly which would be responsible for creating a constitutional government were to have been held by October, 1948. It was not until January 25, 1949, that conditions politically and militarily were right for these elections.⁵⁴ In these elections, everyone over 18 was eligible to vote for a party list from which 120 delegates were selected according to the percentage vote received by each party.⁵⁵

The Constituent Assembly met for the first time on February 14th and elected Chaim Weizmann as president of the Assembly. On February 16th, the Constituent Assembly enacted the "Transition Law, 5709-1949", providing for a permanent political structure for the state. The "Transition Law" provided for a legislative assembly to be known as the Knesset. The Constituent Assembly became the first Knesset and henceforth all acts of that body became known as laws, and not ordinances.⁵⁶ The "Transition Law" also provided for a president of the state, and an executive, to be called the Government, The Judicial structure as accepted by the Provisional Council in the "Law and Administration Ordinance, 1948"⁵⁷ was continued as the judicial structure of the state.

The "Transition Law" was accepted in place of a constitution until such time as a constitution could be written. That time has

so far not come. Four laws have been formally accepted as "Basic Laws" which govern the state as mini-constitutions. These four laws are "The Basic Law: The Knesset," (1958), "Israel Lands", (1960), "The President" (1964), "The Government" (1968) (Appendices nine through twelve). A fifth Basic Law, on human rights, is currently being written. Other constitutional laws exist in the form of laws of the Knesset, until such time as they can be formally accepted as capital basic laws.

The Institutions of the State

The Knesset

While the first Knesset was not elected as such, the process by which the Constituent Assembly was elected was the process which was used to elect the second and each subsequent Knesset. Elections in Israel have always revolved around the political party. (Appendix thirteen). Since the earliest periods of Zionist and Yishuv history, representation has always been by political parties representing ideological viewpoints.

These parties primarily are involved in much more than political activity; but a major aspect of their service and power is derived from their influence in the Knesset and hopefully in the Government.

Israelis vote for a national party list, and not for individual candidates, nor by districts. Prior to elections, any party

or group in Israel may submit a party list of 120 candidates to the election council. Any citizen over the age of 21 may be included on this party list if a court has not deprived him of such right -- except certain individuals excluded by law. Those excluded by law are the President of the State, the two Chief Rabbis, a judge, so long as he is acting as such, a judge of a Religious court so long as he is acting as such, the State Comptroller, the Chief of the General Staff of the Defense Army of Israel, rabbis and priests of other faiths, so long as they are acting as such for remuneration, senior State officials and senior army officers of such ranks as may be prescribed by law.⁵⁸

Every Israeli citizen over the age of 18 may vote if a court has not deprived him of this right. Seats in the Knesset are assigned according to the percentage of the popular vote each party receives. Every party receiving at least 1 percent of the vote is entitled to at least one seat. If Party A receives 25 percent of the vote, it would receive 25 percent of the seats, or thirty seats. The first thirty candidates on this party's list represent that party in the Knesset. In the event any member of the Knesset should resign or die, he is replaced by the next candidate on the list. In the case of Party A, this would be the thirty-first person on the list. Party lists contain sure seats as well as honorary positions, since the popular vote in each election is usually predictable within a few percentage points.

The "Transition Law, 1949", did not fix the term of the first Knesset. The "Transitions to the Second Knesset Law, 1951",⁵⁹ fixed the term of the Second Knesset and every subsequent Knesset at four years. The Knesset may pass a law dissolving itself, but only after fixing a date for new elections. Every outgoing Knesset continues to function until the incoming Knesset assembles. "The Basic Law: The Knesset" as amended, and other Knesset laws, include all provisions under which the Knesset is elected and functions. Election to the Knesset is strictly controlled by election propaganda laws, fixing the period of campaigning and the amount any candidate or party may spend on a campaign. Two sessions of the Knesset must be held each year, lasting together a total of eight months. When the Knesset is in session, several public sessions are held a week. The Knesset is run by a Speaker, and, in his absence, a Deputy Speaker. The Knesset elects from among its members a Speaker, Deputy Speaker, permanent committees and any other committees as may be periodically needed.⁶⁰ The following are the standing committees of the Knesset:⁶¹

- The Knesset (procedure) Committee
- The Constitution, Law and Justice Committee
- The Finance Committee
- The Economic Committee
- The Committee for Foreign Affairs and Security
- The Internal Affairs Committee
- The Public Services Committee
- The Education and Culture Committee
- The Labour Committee

These committees consider laws in detail after they are accepted in principle by the full Knesset. After the committee has approved a law it is returned to the Knesset for its second reading. After all amendments to the bill have been considered, and accepted or rejected, the bill is voted on by the Knesset, in a third reading.

In addition to electing the President, and approving the Government, the Knesset examines the budget, questions Ministers on the activities of his, or her, Ministry. In other words, the Knesset is the most important and powerful body in the State, and once it is elected is responsible only to itself, until the next election. ⁶²

The Presidency

The president of the State is elected by the Knesset. Transition Law, 1949, provided that the first president would hold office until the end of the first Knesset, and thereafter until the third month of each new Knesset. The "Basic Law: The President" fixed the term at five years, independent of the life of the Knesset. The election takes place in the Knesset between ninety and thirty days prior to the expiration of the term of the current president. Any ten Knesset members may nominate a candidate. This nomination must be submitted to the Speaker in writing, and accompanied by a letter of consent from the candidate. The election is by secret ballot, and a majority vote is required to elect a candidate. If there is no majority on the first

ballot, there is a second ballot. If there is again no majority, there is a third ballot, and so on. On each ballot, following the second ballot, the name of the candidate with the least number of votes on the previous ballot is dropped. This procedure is repeated until one candidate receives a majority of the votes cast.

The duties of the President are limited to certain official functions enumerated in Section 11 of the "Basic Law: The President". They are: (1) to sign every law other than laws concerning his power; (2) to act for the formation of the Government and to receive the resignation of the Government in accordance with the law; (3) to receive from the Government a report of its meetings; (4) to accredit the diplomatic representatives of foreign states sent to Israel, to authorize the consular representatives of the state and to grant exequaturs⁶³ to consular representatives which foreign states have sent to Israel; (5) to sign treaties with foreign states which have been approved by the Knesset; (6) to perform any function assigned to him by law in connection with the appointment of Judges and of other office holders and to dismiss them from office. The president is also empowered to pardon offenders and to mitigate their sentences. He must also perform every other function, and may exercise every other power assigned to him by law.

Any twenty-five members of the Knesset may instigate hearings through the House Committee of the Knesset, on the

removal of the President from office. The removal of the President from office requires a vote of three-fourths of the Knesset. In all proceedings against the President, both in the House Committee and in the Knesset, he must have an opportunity to refute any charges brought against him. The President may be permanently removed from office for health reasons if the House Committee, based on medical opinion, determines by a two-thirds vote to recommend removal of the President, and the Knesset concurs by a majority vote.

The Speaker of Knesset assumes the duties of the President when the President is outside the borders of Israel and when he is unable for reasons of health to carry out his functions for a temporary period.

The Presidents of Israel have been:

Chaim Weizmann	(1947-52)
Itzhak Ben-Zvi	(1952-63)
Zalman Shazar	(1963-73)
Ephraim Katzir	(since 1973)

The Government

The Government, or executive, is composed of the Prime Minister and several ministers who are responsible for the running of the State of Israel. Upon the election of each Knesset, or upon a vote of no-confidence by the Knesset, or upon the resignation of the Government, the president is empowered by the "Basic Law: The

President" and the "Basic Law: The Government" to assign the task of forming a new government to a member of the Knesset. The task of forming a government entails the assigning of persons, Knesset member or not, to positions as ministers in such a way as to win a vote of approval from the Knesset. If one party controlled a majority of the Knesset, usually the member selected by the party elite as the first on the party list would simply award his or her fellow party leaders positions as ministers, and the Knesset, being controlled by the party, would approve the Government. This, however, has never been the case in the history of the State of Israel. No party has ever gained a majority of the seats in the Knesset.

The process, in reality, has always involved skillful political negotiation. The majority party has always been Mapai, the Labor Party, in various forms of party alignments and pre-election coalitions (Appendix fourteen). The leader of Mapai offers certain ministries to parties in exchange for their support of the Government. It is the party role in the process of forming and maintaining a coalition Government that is at the heart of the Israeli political process.

The Government usually consists of the following Ministries:

- Prime Minister
- Minister of Education and Culture
- Minister of Labor
- Foreign Minister
- Minister of the Interior
- Minister of Agriculture
- Minister of Development

Minister of Transportation
 Minister of Defense
 Minister of Police
 Minister of Religion
 Minister of Welfare
 Minister of the Treasury
 Minister of Commerce and Industry
 Minister of Absorption
 Minister of Communications
 Minister of Tourism
 Minister of Health
 Minister of Justice
 Minister of Housing

Political Parties

While it is the Government that is responsible for the running of the state, it is through the political parties that the policy of the Government is determined. Two major issues have traditionally divided Israel's political parties. One is the question of economic organization, the left versus the right debate. The other is the religious question.⁶⁴ The parties in Israel can be grouped around three blocs reflecting these issues: the left, the right, and the religious blocs. In addition, there are small groups reflecting various interests, best described as either splinter groups or pressure groups.⁶⁵

The philosophy of the labor parties, the left bloc, has dominated the decision-making process in Israel from the earliest days of the Yishuv to the present. That philosophy was first represented by the Mapai party in the 1930's. Exclusive control of the government

by the Mapai party and other labor parties aligned with Mapai has been checked only because of an apparent unwillingness by the electorate to give a majority status to any one party, and by astute use of the Israeli political system by the other parties.

Labor--The Alignment

In 1969, the four parties which make up the labor bloc participated in the Knesset elections as an alignment. One list for the election was submitted containing candidates from all four parties: Mapai, Ahdut HaAvodah, Rafi, and Mapam.

Domination by the labor bloc began in 1930, when smaller labor parties, chiefly Poale Zion and Hapoel Hatzair, united to form the Mapai party.⁶⁶ Prior to 1930, these two small labor groups were occupied with colonization in Kibbutzim and the development of the Histadrut. In 1929-30, labor united and took on the characteristics of a mass movement. By 1931, Mapai controlled the political institutions of the Yishuv and by 1933, the Political Department of the Jewish Agency.⁶⁷ From their positions in the Jewish Agency, the Mapai leadership gained important experience in government and in international relations.

The central figure in the Mapai party from its inception was David Ben Gurion. Typical of the Mapai leadership, Ben Gurion came from Eastern Europe during the second aliyah, was a leader in the

Poale Zion movement, served as Secretary-General of the Histadrut in the 1920's and on the Jewish Agency Executive and the Zionist Organization Executive in the 1930's and 1940's.⁶⁸ It was in these capacities that he and his fellow Mapai members learned both the trade of administration and designed the emerging organizations of the state to reflect their philosophy of democratic socialism. Versed in the problems of immigration, influential in the economic structure that controlled employment, personifying the image of the pioneer, the leaders of the Mapai party easily gained support from the people in the early years of the state.

In the First and Second Knessets, Ben Gurion headed the Mapai party and the Government as Prime Minister. The coalitions he formed depended greatly on the support of the religious parties. While an alignment with the other parties in the labor bloc might have seemed more logical, it would have required concessions by Mapai in its economic policy. The religious parties were willing to support the particulars of the Mapai economic policy, as long as Mapai granted them control over religious matters such as marriage and divorce and supervision of holy sites.

During these first two terms of the Knesset, the Government was affected by a conflict between Mapai and the religious parties over the question of control of education, especially in the immigrant camps. The first time the issue came to a crisis, in

1950, the Mapai leadership sought to replace the religious parties in the Government Coalition with the General Zionists. This non-socialist party, however, was not willing to support the coalition without changes in its economic policy which Mapai was not willing to make. In 1952, the issue came to a crisis again, and the General Zionists agreed to join the Government, enabling Ben Gurion to resign and form a new Government without the religious bloc.⁶⁹

In 1953, still during the Second Knesset, Ben Gurion resigned as Prime Minister. Sensing a need for the Government "to be on its own. . .", and for personal considerations, Ben Gurion moved to Sdeh Boker, a kibbutz in the Negev.⁷⁰ He was 67 years old. Ben Gurion recommended Levi Eshkol as his successor, but Eshkol refused the task of forming a government. The party then selected Moshe Sharett to succeed Ben Gurion.

In the election to the Third Knesset in 1955, Mapai gained only 32 percent of the vote, a drop of 5 percent from the previous election. This drop probably reflected Ben Gurion's resignation and the Lavon Affair, a misguided and mismanaged security operation in Cairo under Pinchas Lavon, then Minister of Defense. It was also seen as a sign of a growing dissatisfaction on the part of the party membership. The party leadership had become more and more independent. Fewer national conventions had been held, and the party lists were being formulated by the elite of the party. A revision

of the party structure was needed. Structured on the model of the Zionist Organization, the Mapai Central Committee met between conventions and elected an executive to conduct party business on a day-to-day basis. It was determined in the convention of August, 1956, that the 200 geographical districts would elect through direct vote a portion of the members of the Central Committee and a portion of the candidates for the Party List.⁷¹

In 1955, Ben Gurion had returned to the Government as Minister of Defense and, in 1956, had again accepted the position of Prime Minister. He led the government through the Fourth Knesset elected in 1959, and into the Fifth, elected in 1961. It was during the Fifth Knesset that the party faced another crisis.

In 1963, Ben Gurion resigned as Prime Minister. Eventually he left Mapai to form the Rafi party. There had been growing differences between Ben Gurion and the party leadership over key issues. Ben Gurion had been instrumental in the removal of Lavon from political activity after the party had officially cleared him of personal involvement in the Cairo incident. Ben Gurion also insisted on electoral reform, which he felt would strengthen the position of Mapai through a reduction in the number of political parties. He favored universal, free secondary education and, finally, wanted to see the old guard of the Histadrut and Mapai step aside for the younger leadership he felt the country would need in the coming years.

Upon Ben Gurion's resignation, the party leadership and the position of Prime Minister passed to Levi Eshkol. The leadership realized the need to strengthen its political position and provide for younger leadership. To accomplish this it sought to broaden its base and turned to the Ahduth Avodah Party. This party had been a part of Mapai until 1940 and had some governmental experience and a commitment to the principles of the labor philosophy. The leaders of this party were in their fifties, younger than the Mapai leaders, yet more mature than the youth in the Mapai movement. The united group, called Ma'arach, or the Alignment, was unsuccessful in winning a majority of the Knesset in the 1965 election to the Sixth Knesset, reflecting an unwillingness on the part of the electorate to alter the dynamics of the political system.

In 1967, in response to the growing threat of war, a Government of National Coalition was formed, which included all parties except the Arabs and the Communists. In 1968, Rafi joined the Alignment which also became known as the Israel Labor Party.⁷² When Eshkol died in 1969, the factions divided on the issue of his successor. Rafi supported Moshe Dayan, while Mapai and Ahdut Avodah supported Yigal Allen. When a decision seemed beyond reach, Golda Meir was accepted by all parties as a compromise candidate. She continues to lead the party, despite her poor health and the growing weakness of her political position after the Yom Kippur War.

On several occasions she has expressed a wish to or seemed destined to resign, but a major factor in her continuation as Prime Minister has been the certainty of a struggle between Dayan, Allon, and Sapir over the succession.

In the 1969 election, Mapam joined the Alignment creating a single Labor list for the Knesset election -- the Israeli Labor Party-Mapam Alignment. Mapam and Achdut HaAvodah are labor-oriented, but remained separated from Mapai because of their commitment to an ideologically purer, stricter, socialism. Mapam was founded in 1948 as a coalition of left-wing groups that had split from Mapai, along with the more orthodox Marxist group, Hashomer Hatzair, which had stayed outside the original Mapai coalition of 1929-1930. Mapam dropped from the second largest party in the 1949 election to the fifth largest party after the 1965 election. This drop was due primarily to the instability of the coalition through which it was formed. Mapam was based on kibbutz support, yet each major group within Mapam maintained its own independent kibbutz movement. The party also included groups committed to a pro-Soviet political orientation, but with a growing anti-Israel and anti-Semitic policy in the Soviet Union, the party became more neutral, creating a split with its more leftist members who moved into the Communist parties. Finally, in 1954, members who were particularly upset with Mapam's limited Soviet orientation split from Mapam to form Ahdut HaAvodah,

which took its place in the political spectrum between Mapam and Mapai. Like Mapam, its strength is in its Kibbutz movement.

Opposition - The Likud

In the summer of 1973, Ma'arach's "opposition" also united, forming the Likud party. Those parties in the Likud are united by their position to the right of the Labor bloc, on the economic scale, and their general opposition to the policies of the Labor-dominated Government primarily in the areas of security, religion, and foreign policy. The Gahal coalition, a combination of the Herut party and the Liberal or General Zionist party, is the center of the opposition. It was joined by three other parties, State List, Free Center, and Greater Israel, in making up the Likud.

One of the main developments in the period of statehood was the formation of an opposition party -- Herut, an heir to the pre-state right-wing Revisionists who had organized the terrorist National Military Organization (Irgun Zvai Leumi). The party stood opposed to every aspect of the Government, under Mapai leadership, especially Mapai's economic policy and wish for coexistence with the Arabs. In 1949, the Herut was the third largest party, but its popularity dropped in the 1951 election. In 1955, it regained its position of popularity and has maintained that position ever since. It has never shared in the Government, except in 1967. Herut's major strength

was found in those dissatisfied with government control of the economy and new immigrants who are unhappy with their treatment by the government-controlled absorption process.

Herut's history stretches back to 1925, when one of World Zionism's prominent leaders, Vladimir Jabotinsky, founded the Revisionist movement.⁷³ The Revisionist movement supported resistance to the British and Arab presence in Palestine through increased self-reliance and militarism. In the 1930's, some prominent leaders of the movement formed the Irgun Zvai Leumi, a terrorist organization committed to the use of force in achieving the movement's goals. During World War II, their activities were limited, but in the period between the end of the war and the founding of the state, the Irgun was a major force in Palestine: it collided with the British and, to a degree, with the authorities of the Yishuv. After Statehood, the Irgun was forced to dissolve. The ability of the Government, under Ben Gurion, to deal with this organization was seen as a sign of the new state's unity, but also served as a rallying point for the formation of an opposition party -- Herut.

The undisputed leader of Herut was the former leader of the Irgun, Menahem Begin. He continues to lead the Likud as head of Gahal. He and Ben Gurion stood against each other not only by virtue of their positions as leaders of opposing parties, but out of a personal animosity shared privately and publicly. Ben Gurion's departure and

the passing years have changed things somewhat -- but apparently not enough to alter most Israelis' earliest impressions of Begin. Herut, in any event, has gained much of its support from the more settled urban middle class, some because of their opposition to the Labor-led welfare state and some because of a general resentment of Mapai.

Until 1965, not everyone opposed to the Mapai party could be counted on to support the "Opposition" represented by Herut. In those years the Liberals also offered an alternative to the Labor monopoly. The Liberal party began as the Progressive party and as the General Zionists. The Progressive party was Israel's closest approximation to a liberal party and, though small, wielded considerable moral influence. The party evolved partially from Aliya Hadasha, a party made up mainly of Central European immigrants who came to Palestine after 1933. The Progressive party, founded in 1948, was committed to a national educational system, an independent civil service and judiciary, guarantees of personal liberty, state rather than Histadrut control of public transportation, health services, labor exchanges, encouragement of private investment, and more liberal treatment of Arabs living in Israel.⁷⁴ In 1961, the Progressives merged with the General Zionists to form the Liberal party.

The General Zionist party was made up of a merger of

different interest groups, such as the Manufacturers' Association and Citrus Growers' Association, various merchant groups, and the leaders of some municipal groups. In 1948, the party stood for private enterprise in an economy dominated by the Histadrut. In 1949, the General Zionists won only seven seats in the Knesset, but in 1951, they won twenty seats and later picked up three more through their affiliation with minor party delegates. The General Zionists joined the Government coalition with Mapai in 1952-1955. In the years 1955-1961, the party lost strength. This loss of strength led to the 1961 merger with the Progressives.

The Liberal party, under that title was short-lived. In 1965, most members of this party accepted the formation of a bloc, Gahal, with Herut. Those members who did not accept this coalition, mostly former Progressives, founded the Independent Liberal Party.

In forming the Likud, three small parties joined with Gahal. The State List was founded in 1969 by former members of Rafi who did not want to join the Alignment. The Free Center was founded in 1967 by former members of Herut. Greater Israel is a new party committed to Israeli annexation of the Occupied Territories, a major aspect of Likud's policy.⁷⁵

The merger leading to Likud did not create a unification of the opposition vote or the equivalent of a two-party system. The small parties, representing minority points of view and functioning

almost as pressure groups, continue to play their part in the political process. These parties give voice to popular themes in the country and create the give-and-take required when no one party controls a majority of the members of the Knesset.

Religious Parties

The third major bloc in Israeli politics, and the major pressure group, has always been made up of the religious parties. Since the earliest days of the Zionist Organization, religious parties have actively lobbied for consideration of their position. The religious parties represent not only a specific group of people, but also an ideological concept which plays a central role in the creation of the state as a Jewish state. Even today, a working balance between matters of religion and state has not been reached. Some say it is because of the influence of the religious parties that the state maintains its Jewish character. Others say that the religious parties have inhibited the realization of the proper relationship between religion and state, even for Israel.

There are four religious parties in Israel. They are: Mizrahi, Hapoel Hamizrahi, Agudat Israel, and Poale Agudat Israel. In 1949, all four parties ran as the United Religious Front, gaining fifteen seats in the Knesset. In 1973, Mizrahi and Hapoel Hamizrahi ran together as the National Religious Party, as they have done

since 1951. Agudat Israel and Poale Agudat Israel supported one list in the 1973 Knesset election as they had done in 1951, 1955, and 1959. In 1961, 1965 and 1969 they each ran separate lists.⁷⁶

In 1902, Mizrahi was initiated within the Zionist movement, striving specifically for a homeland in the spirit of the Torah and in observance of the rabbinic laws. Hapoel Hamizrahi stood for principles of socialism within the framework of Orthodox Jewry.⁷⁷ Hapoel Hamizrahi's ideology was particularly affected by its large membership in youth movements and collective settlements. In 1951, Mizrahi and Hapoel Hamizrahi submitted a unified list for the Knesset elections. In 1956, they merged, forming one party, the N. R. P.

Hapoel Hamizrahi is by far the larger of the N. R. P. 's two constituent organizations. The combined party is, therefore, close to Mapai in its economic policy. The N. R. P. has traditionally been a member of the Government. From its position in the Government, the N. R. P. has been able to offer support for Government policy in general, in exchange for extensive authority over religious matters. Since such matters intrude on areas not strictly related to religious practices, such as family law, hotel management, and public transportation, N. R. P. 's policies have wide effect and are widely debated. Nevertheless, the party's demands are relatively moderate as compared to those of the Agudah parties.⁷⁸

Agudat Israel and Poale Agudat Israel together are only

half as large as the N. R. P. The Agudah parties, especially Agudat Israel, are the home of Israel's true believers. Their strength cannot be measured by numbers alone, nor by the usual indices of political power. In order to avoid charges of religious coercion, actual violence, or suspicion of insensitive oppression, no Government has felt able to turn its back on the demands of the Agudah parties.⁷⁹

Agudat Israel was founded in Kattowitz, then in Germany, in 1913.⁸⁰ It hoped to promote Jewish interest on a religious basis and was not concerned with political issues. After World War I, the movement committed itself to the building of Yeshivot in Palestine, in opposition to the secular tendencies of Zionism. Agudat Israel did not participate in the Jewish Community Government of the Mandate Period.⁸¹ Since 1948, Agudat Israel has kept its cultural independence by maintaining its own schools. Its membership is made up largely of Jews from Oriental and North African Orthodox communities.⁸² In order to maintain its position in Israel, the Agudah membership was forced to participate in the politics of the state.⁸³

Poale Agudat Israel was founded in Poland in 1922 as the labor wing of Agudat Israel. These Orthodox Jews were committed to the building of a Jewish homeland. They fought alongside the Haganah and participated in some Histadrut activities. Poale Agudat Israel's orientation toward the labor movement distinguishes it from

Agudat Israel. Its strength is derived from agricultural areas rather than the Orthodox quarters of Jerusalem and Tel Aviv, the center of most of Agudat Israel's support. Because of these qualities, it has found it possible to join in Government coalitions from time to time, a privilege that has not been open to Agudat Israel.⁸⁴

Splinter Groups

Communist Parties

Functioning under a variety of names from 1919 to 1948, the Communist parties finally crystalized their identity as Maki. Maki's orientation was Marxist-Leninist, and its allegiance was to Moscow. Before the establishment of the state, it resisted the notion of Jewish independence in Palestine, viewing Zionism as an instrument of British imperialism. Maki aimed at the liberation of the Arab masses from both. In 1948, it accepted the inevitable, and joined in the political process, especially since the Soviet Union at that time supported the idea of Jewish self-determination. When the Soviet Union turned anti-Israel, so did Maki.⁸⁵ Maki's following in Israel is small. In its early days, most of the party's membership was Jewish. After 1948, it attracted many more Arabs than Jews, mainly because it gave individuals an opportunity to express their nationalist Arab feelings and to protest their grievances.⁸⁶ In the

early 1960's, the party was fragmented on Peking versus Moscow lines, and also along ethnic lines. The Six-Day War brought a final split. The group headed by Dr. Moshe Sneh, who died in 1972, and Shmuel Mikunis retained the name Maki. In the 1973 election, Maki joined with a new party, the Blue-Red party, and ran one list under the name Moked.

The rival Communist faction with mostly Arabs and some Jewish followers, assumed the name Rakah under the leadership of Tawfig Taubi and Meir Wilner. Neither of the two Communist parties is involved in security-sensitive committees of the Knesset.

Arab Parties

Arabs have been organized into two political parties, gaining four seats in most Knesset elections and always affiliating with Mapai.⁸⁷ In the 1973 election, one of the parties, Cooperation and Brotherhood, won no seats; but a new Arab party, Bedouins and Villagers, gained one seat. Progress and Development, the other Arab party, again won two seats. Little is known about the political organization of the Arab communities. The Arab parties provide an opportunity for the Arabs in Israel to participate in the political process, while maintaining their ethnic individuality.

Civil Liberties Parties

The most recent development in the Israeli party structure has been the growth in popularity of small parties committed to

individual rights. The first of these parties was Haolam Hazeh, headed and represented by Uri Avneri in the Sixth Knesset. Avneri pledged himself to speak for the people in causes usually ignored by the governmental bureaucracy. In 1973, he ran as head of the Meri party, but was unsuccessful.

One reason for Avneri's defeat in 1973 was the tremendous success of the new Citizens' Rights Party, headed by a former Mapai member, Shulamit Aloni. In a growing atmosphere of dissatisfaction with the government and as a reaction to the Yom Kippur War, Aloni's party won three seats in the Eighth Knesset, and became an unexpected force in the formation of the Government. Committed to freedom from the religious policy dictated by the Orthodox parties, civil rights for all citizens, and frankness in government, Aloni is representative of a growing sentiment in Israel (Appendix fifteen).

One source of support for these civil liberties parties has been the Oriental Jew, organized in "Panther" parties of various degrees of militancy. These parties have proposed lists for Knesset elections, but have not gained substantial support -- which does not mean that the Panther groups do not influence the policy of other parties which cultivate their support.

Chapter Four

ISSUES

Amos Elon, a gifted writer and political analyst, has studied the "founders and sons" of Israel and their struggles to resolve the issues that reflect the major social, economic, and political conditions of their country.

... Had Israel been established in quieter times, had it been able to develop more slowly in the calm and sunny peace of its green plains and rugged mountains, it is possible its people might sooner have come to share with other, happier nations the traditions of civility and the same subdued tone, instead of assuming the tense, exclamatory voice it now strains so often.

A harassed people has come into its own under convulsive circumstances that had not been imagined by anyone. What was planned as an orderly exodus came as a desperate escape. A people who strove above all to flee their historic fate--utter dependence upon the shifting moods of tolerance--were denied their aim. Instead of calm and rest there is unending and unnerving conflict. Instead of peace there is war with no end in sight.

Little wonder it is, then, that issues which might have been more satisfactorily resolved in calmer times still loom in the country's future like storm clouds which can bring either spring showers or late winter hail. In their fight for physical survival, the Israelis' determination to persevere seems undiminished. But as they come of age as a nation they are torn by conflicting forces, contending for their character as a people.⁸⁸

The form of Israel's institutions emerged from the history of the Yishuv and the Zionist Organization; but the character of Israel

and her institutions is destined to be a synthesis that will result from the resolution of controversies over key issues which have been a part of Israeli political life since the time of the Yishuv.

These controversies revolve around five major issues:

(1) economics, (2) security, (3) religion, (4) quality of life, and (5) the political future. The issues are part of a two-way street. In one direction, the issues have a tremendous effect on factors of Israeli life; in the other direction, factors of Israeli life have a tremendous effect on these issues. In other words, religious issues, for example, have influenced the state's current political system, and the current political system has affected religious issues. Economic issues have affected the state's immigration, and immigration has affected economic issues.

There are three overriding factors which seem to interact with these various issues. They are the nature of the political system, especially the party structure; the threat of war and war itself; and the dominant role of immigration in Israel. To understand the Israeli political scene fully, one must achieve some grasp of the dynamic forces which merge the five major issues with these three critical factors, created by the unique makeup of the State of Israel. The extent of this interaction can be seen most vividly in the area of economics.

Clearly a key factor in the development of the country's

economic policy is the defence budget. In 1973, defence expenditures equalled one-fourth of the gross national product. A large part of the internal expenditures for defence purposes must be financed through revenue-raising measures expressly labelled for defence purposes. These include the voluntary Defence Fund, the Defence Levy and the Defence Stamp, all established in the middle and late fifties to offset the costs of the Sinai Campaign.⁸⁹

The concrete deliberations and decisions which lead to such acts as revenue-raising measures and the entire economic policy of the country are in the hands of the Government's various economic ministries--The Ministries of Finance, Trade and Commerce, Development, Agriculture--each of which constitutes an empire of its own with its own particular interest. In addition to this division of responsibility for economic policy among the agencies of the government, there is also a division in the area of development among three sectors--private, Histadrut, and government. These divisions have hindered the creation of a uniform policy developed and implemented by a relatively cohesive administration.⁹⁰

In the early days of the Yishuv and the State, a primary factor which guided economic policy was the dominance of the Labor parties. Their coalition governments were able to dictate economic policy based on the immediate needs of defence and absorption, with

a heavy emphasis on the collective institutions within the State, such as the Histadrut and the Kibbutz. Today, the central force in regulating economic policy is Pinchas Sapir.⁹¹ As Minister of Finance, his power extends over the other ministries in the government. As a -- possibly the -- central figure in Mapai, he is influential in the Histadrut; and based on these positions and his own personal stature, he commands tremendous influence among the industrial interests in the state.

The centrality of one party and one man in the development of economic policy has diminished over the years, as the country has become dependent less on a politico-economic and socio-economic approach and dependent more on the scientific approach of modern econometrics.⁹²

In 1948, a young professor, Dan Patinkin, introduced the modern methodological tools of econometrics at the Hebrew University and, consequently, in the field of economic research in Israel. Patinkin taught men who are now the senior advisors and top government administrators of the Civil Service.⁹³

Five major types of economic policy are generally available to the government. The first is the regulation of monetary policy effected mainly through the Bank of Israel and the control of exchange rates. Second is the fiscal policy, regulated by the Treasury and implemented through direct taxes (income) and

indirect taxes (customs, etc.). The third is production and trade regulations through import and export licenses, subsidies, etc. Fourth is the social policy of the country, including health services, defence requirements, and other areas of public welfare. Fifth is the field of wage control, officially in the hands of the Histadrut and the Employers' Association, but greatly influenced by the government as one of the biggest employers in the country and because wage control is one of the government's basic economic problems.⁹⁴

The extent to which -- and in what direction -- the government will use these controls is a key issue in the make up of the state's political parties. The following are excerpts from the platforms of the main parties of the three major blocs in the 1969 Knesset election:

ALIGNMENT /Ma'arach/

In the last two years, our national product has grown by an average rate of 12 percent per year, and our competitive position in the world's markets is improving.

The value of our agricultural production will soon reach two billion Israeli pounds.

All this has been achieved while protecting full employment, and a steady rise in the standard of living.

In the future the Alignment will protect full employment, a proper increase in the standard of living--especially for the underprivileged strata--a just distribution of the national income, decreasing social disparities and building a progressive society in Israel.

The policy of eliminating poverty and distress will be implemented. . .

The system of insurance and pensions will be expanded, and will gradually be extended to the entire population.

GAHAL

The goal of our economic policy is to develop the national economy and to make it more efficient in order that it may be self-sufficient.

The economy must be liberated from the constant dependence on the authorities; restricting regulation and bureaucratic rigidity must be eliminated; conditions for the development of free enterprise in all areas of production must be encouraged.

A tax system will be introduced which assures the individual a just share of the fruits of his labor, his enterprise, and his capital, and which encourages effort and willingness to save and to invest. Sectoral and political discrimination in tax regulations will be done away with.

N R P /Mafdal/

The efforts to strengthen the economy and to increase the national product must continue in spite of the heavy demands made by defense.

The National Religious Party demands the continued growth of the economy on a scale which will assure full employment and which will allow filling the requirements of defense expenditures and immigrant absorption.⁹⁵

The economic ideology of the parties is only one factor in the creation of economic policy. Even before the scientific analysis of "the Patinkin boys",⁹⁶ it was clear to economic authorities that the absorption rate of the country was a key factor in creating the economic conditions which the government would be required to

regulate. Essential factors affected by the high rate of immigration are the balance between agriculture and industrial development and the balance between production and consumption.⁹⁷ The most critical issue in Israel's economic situation is the inflationary gap between production and consumption. This gap is not due to a lack of production, but the inability of production to keep up with consumption.⁹⁸ The critical factor in the creation of this gap is the policy of absorption as it relates to the productivization of the immigrants. In an effort to provide security for new immigrants and to reduce competition between newcomers and older residents, government policy has created a situation where immigrants consume at the level which would properly be expected of them, but produce at a level below their capacity.

In addition to this immediate imbalance, there is the potential in the system for perpetuation of the imbalance, as well as for facilitation of greater productivity. The security provided by the absorption policy can give the immigrant an opportunity to learn new skills and increase productivity; or it can create satisfaction with the immediate situation and thereby dependence on the absorption agency.⁹⁹ Both the immediate necessity of the absorption process and the continued effects of the policy become essential factors to be considered in the regulation of the economic policy of the country.

The gap between consumption and production is not limited

to new immigrants. Capital inflow from outside sources has made possible a tremendous rise in the standard of living for all Israelis. Consequently, inflation remains a serious obstacle to stability throughout the economy.¹⁰⁰

This is only a sketch of some of the factors that affect the issue of economics in Israel. Of primary concern to any country is security. In Israel, the issue of security is affected primarily by the reality of actual war and, consequently, has a tremendous effect on the political process.

The following are excerpts from the platforms of the three major political parties for the 1969 Knesset election:

ALIGNMENT

The strengthening of the Israel Defense Forces will continue to be the number one priority. Every effort will be made to promote research and to quickly broaden independent production within the military and aeronautical industries so that our dependence on foreign sources will be limited.

Until peace comes, our forces will remain on all the cease-fire lines.

Israel will never return to the armistice lines used before the Six Day War. The State's boundaries must be strategic boundaries, as is needed to insure the State's survival.

Steps will be taken to strengthen, to fortify and to raise the level of preparedness of border settlements, even in the face of prolonged aggression. Additional settlements will be established in the border areas.

In order to meet the security demands and to perpetuate

normal conditions, the use of human and economic resources must be planned in full coordination with the needs of the economy.

GAHAL

As a result of our nation's right to the land of Israel, the national sovereignty of the State must be extended to the liberated areas of the country.

We seek peace with the Arab nations. Peace means making peace treaties which can be achieved only by direct negotiations between the parties. Our security requirements in peace treaties with Arab states, stemming from our experience, demand our ruling in areas which served as the basis of our enemies' aggression.

Large-scale Jewish settlement, urban and rural, in Judah, Samaria, Gaza, the Golan Heights and Sinai must be given priority in the development plans of the state.

Terrorist groups are nothing but the continuing instrument of aggression of the Arab states. Those states from whose territory these gangs operate must be held fully responsible for acts of murder and sabotage.

N R P

With complete and unshakable faith in the Divine promise given by the prophets of truth and justice concerning the return of the nation of God to the inheritance of its forefathers... in order to establish a kingdom of Law and commandments, we see the political and security developments in the last generation as a process and as a step on the road to the complete salvation of the people of Israel in the land of its fathers.

Peace treaties will be achieved by direct negotiations between the parties. The representatives of Israel will be guided by the following basic principles in negotiation:

- (1) The religious and historical right of the Jewish people to the land promised by the God of Israel,
- (2) The desire for lasting peace, (3) The establishment of agreed security borders.

The NRP will work for continued large-scale, speedy urban and rural settlements in the liberated areas. ¹⁰¹

In his analysis of these platforms, Alan Arian, chairman of the Department of Political Science at Tel Aviv University, points out the striking similarity in these positions. In 1973, the party positions with regard to security were greatly affected by the emotions and tensions of the Yom Kippur War. In 1969, however, the question of the occupied territories had provided a more theoretical area of debate. Clues to the fine differences in party philosophy can be seen in Gahal's use of the term "liberated territories", which were simply "territories" to the Alignment. The Alignment was faced with internal struggles within the labor party; Eban and Sapir were more dovish than Dayan, Meir, and Allon. The demands of Mapam, the Alignment partner furthest to the left, also had to be considered.

The issues which the war created and with which the government must deal are a part of our daily diet of news. Their analysis is the subject of countless debates in the Knesset, on "Meet the Press", and in volumes of periodicals and texts. Issues like the Russian influence and the position of the United Nations are not subject to Israeli control, so that debates within Israel usually

revolve around such matters as dealing with the neighboring Arab nations, with the Arabs within Israel, and with the status of the Israeli Defense Forces.

It has already been mentioned that following the First World War the potential of Arab nationalism was greatly underestimated by the British and the Jews. The British seem to have come quickly to appreciate the power and determination of the Arabs; their policy in the years that followed suggests such a realization. The Jews, on the whole, long ignored the realities of Arab nationalism. This may have been due -- justifiably -- in part to the plight of the Jews of the first and second Aliyot and their naive belief that they all be able to share the Land. Certainly, the Jews who were fleeing from the concentration camps were concerned primarily with their right to have somewhere to live. Who can blame them? These immediate problems do not change the fact that in twenty-five years the leadership of the Jewish State has tended to class all Arabs as belonging to one of the Arab nations at war with Israel. One might point to policies which Dayan has instituted in the occupied territories as the most liberal occupation policies in history and also to the presence of Arab political parties in Israel's Knesset. But Dayan's policies are still policies of occupation, and the leadership of Israel has yet to propose solutions to the needs of Israeli Arabs which are not dominated by ignorance or military necessity.

S. N. Eisenstadt, a sociologist at the Hebrew University, has recently published a book called Israeli Society. This volume is described as "a unique profile of the development of Israel into a modern society. This book answers several critical questions... it is full of vital social data not easily available elsewhere... it provides an exhaustive and incisive sociological analysis of Israeli society and institutions... It sets the basis through which [the] development of contemporary Israel can be understood..."¹⁰² The sections of this volume devoted to Arab parties in Israel are identical, almost word for word, to the sections on the same subject in The Politics of Israel, by Marver H. Bernstein, published in 1957.¹⁰³ Interest in the Arab in Israel has not been a major concern of the government or the university; and without a genuine interest, one can hardly expect an honest solution to a pressing problem.

The Israeli government was called to task in the period between the Six Day War and the Yom Kippur War for its inability to achieve more meaningful negotiations with the Arabs. There is much debate within the country, centering on the necessity and advisability of making territorial concessions in exchange for peace. Secure borders was the key term; but "not one inch" was another key phrase, heard from the parties of the right. The Dayan plan and the Sapir plan and a dozen other plans have all been proposed, yet the feeling that no plan was worth anything without negotiations seemed to

prevail in the country prior to the Yom Kippur War. Now all plans wait the results of negotiations fostered by that most recent war.

Every plan also waits for an answer to the questions raised in the Yom Kippur War concerning the abilities of the Defence Forces and in particular its leadership, military and civilian. The public emotions that brought Dayan into the government prior to the Six Day War may soon see his removal because of the Yom Kippur War. The loss of life in Israel touched everyone, the requirements of security are tremendous, and there are no mistakes that go unnoticed. While all parties appear to agree on the concept of "Israel must live," a clearcut answer to how that life shall be defended and sustained pragmatically does not seem to be part of the platform of any party.

In 1889, early pioneering Jews from Russia clashed with traditional Jews, long time residents of Jerusalem, over the enforcement of biblical injunctions concerning the Sabbatical year. Neither side was able to convince the other of the validity of its position. So they went their separate ways -- the pioneers to their farms, the traditional Jews to their holy cities. In 1902, the Mizrahi party took advantage of the development of the party within the Zionist Organization to raise its voice among world Jewry for the acceptance of traditional Jewish law as the primary legal system for the

Jewish homeland. Since the achievement of statehood, the Mizrahi parties, supported in principle by the Agudah parties, have continued to press for the binding of the Jewish state to traditional Jewish law. It is the unique structure of the multi-party system which first gave the Mizrahi party its position in the Zionist Organization and has allowed the religious parties in the State of Israel to press for religious controls far beyond the strength gained by their few parliamentary representatives. From the inception of the Knesset, the religious parties have maintained a combined strength in the Knessets of roughly 10 percent. Yet the National Religious Party (Mizrahi and Hapoel HaMizrahi) is a regular member of the Government Coalition and until recently was essential to Mapai's ability to form a government without yielding in its economic or security policy.

What have been the gains for the religious party? Chiefly, the orthodox religious authorities have been able to maintain absolute control in the state over laws of marriage and divorce, keeping them within their strict interpretation of the halakah, traditional Jewish law. Within the State of Israel exist two distinct types of courts, civil courts and religious courts. All matters which come under the jurisdiction of the religious authorities are tried by Rabbinical Courts, Christian Courts, or Moslem Courts, depending on the affiliation of the parties involved. The religious authorities also maintain control over religious sites. More recently, they have been involved

in the question of "Who is a Jew?" -- particularly important because of the rights of entry to Israel and of citizenship guaranteed every Jew.

The question of who is a Jew involves two areas where the established religious authorities in the state would like to retain their authority. The first concerns the rights of groups not within the mainstream of Judaism who consider themselves Jews and would like to immigrate to Israel. These include the Black Hebrews and other sects. The more significant area concerns the growth in influence of Reform and Conservative Jews (in America), Liberal Jews (in England), and Progressive Jews (in Israel). The popularity of these groups is great, but the ceremonies conducted by their Rabbis have been held invalid by the orthodox Rabbinate in Israel. Consequently, the ability of these non-orthodox rabbis to serve their congregants has been greatly restricted.

There are other areas of concern within the religious issue. The use of buses on Shabbat has always been restricted by law in Israel, preventing many families from traveling on the one non-working day of the week. Hotel kitchens must be kept strictly kosher to the satisfaction of the Rabbinic authorities, a requirement that has been used to pressure hotels into compliance with other religious concepts. These restraints are seen by some as important aspects of Jewish life that maintain Israel's unique Jewish quality.

Schweid, in his book Israel at the Crossroads, discusses the religious issue facing the state in terms of individual identity, not political power. He classifies Jews in Israel today as "religious Jews" and "nationalistic Jews". He argues for the synthesis which would create the "cultural Jew". The obstacles for such a synthesis are numerous; he contends that, even after twenty-five years, "the contemporary man is not ready for the halakah, nor is the halakah ready for the contemporary man", ¹⁰⁴

Inasmuch as the synthesis has not taken place, the religious debate continues. The following is a summary of the positions of the major political parties in their 1969 Knesset platforms:

ALIGNMENT ---

GAHAL

We are for legislation of a constitution which will insure democratic government and civil liberties, will set forward the political and social rights of the citizen, will separate the branches of government and define their authorities, will guarantee freedom of conscience and of expression and the equality of all citizens before the law, regardless of race, origin, sex, religion, ethnic group, or belief, and will establish the primacy of the law. The constitution will be altered only as a result of a special majority of the Knesset. No law will contradict the constitution.

N R P

The /NRP/ sees legislation as the proper way to settle disputed issues in the social and public spheres and rejects violence and derogatory remarks.

The NRP promises that no law will be legislated in the state of Israel which is not in accord with the Law (Torah).

The party will also work in other ways to promote legislation based on Torah law and the tradition of Israel. The party will initiate activities whose purpose is to increase the awareness of the importance of basing life in Israel on the principles of Jewish law.¹⁰⁵

The National Religious Party's importance to the Alignment is reflected in the unwillingness of the Alignment to discuss the issue. The opposition to religious "interference" in the individual rights of Israelis is no longer confined to the Gahal or the Likud, but has also become a critical feature of the civil rights parties -- Haolam Hazeh in 1969 and the Citizens Rights party in 1973.

Political and non-political concern over this issue is high. The issue was debated on a non-political basis in 1973 at a conference at the Haifa Technion. In 1972, Golda Meir insisted that she would resign her position as Prime Minister if any party or member of the coalition forced the issue to a Knesset debate; for any debate at that time which sought to resolve the issue could only have led to division in the government and in the nation. The situation does not seem to have changed. If the political alliances or the political structure were to be altered, creating a shift in government policy on religion, it is assumed that the reaction

within the nation would be one of protest and possible violence. When change comes, it will probably not be a political change, but one brought on by the passage of time.

Religion, economics, and security are all established issues in the structure of Israeli society. They have often been debated at party conventions, on the Knesset floor, in Pinchas Sapir's monthly gatherings at his Kfar Saba home, in Golda's kitchen, and before that in Ben Gurion's kitchen; and most significantly, in the fields of kibbutzim and moshavim and from balconies in Tel Aviv, Haifa, and Jerusalem. These issues have been at the heart of Israeli life and consequently, at the heart of Israeli politics.

In twenty-five years, one generation has begun to pass from the scene and another is beginning to take its place. Elon's book on founders and sons of Israel has been mentioned earlier and provides a key to the mood of Israel. Even the terms illustrate the situation: founders of Israel, those who molded the state; sons of Israel, those who were molded by the state. New issues have joined the old issues, for better and for worse. They too are products of and are reflected in the major factors that remain the dominant forces in the structure of Israeli political life -- war, the political structure, and immigration.

Recently, two issues have become primary in the minds

of Israelis and are therefore gaining significance as political issues. The quality of life in Israel is the first of these issues. The term is used almost exclusively in the sources by Elon¹⁰⁶ and in the political arena by Avneri and Aloni. The quality of life used to be of secondary importance to the issues of survival; security, economy, and religion (made central by the position of its advocates). After the Six Day War, the security of victory and distant borders created a change in the priorities of some Israelis. In addition, the "sons and daughters," Sabras, those born in the Land, did not know the hardship of the Yishuv or the anti-semitism of the Galut. Their fathers and mothers' satisfaction with a life better than it was is no longer a strong party line for a young Israeli who sees the luxuries of the world in the movies or hears of them from cousins in America and wants to know why he too cannot enjoy these conveniences.

David Ben Gurion, in the years in which he was at odds with the old guard of the party, argued for free education for all Israelis through high school. Education has long been considered the prerequisite to upgrading the quality of life. Yet today in Israel, a free education is offered only to the ninth grade, and it is only since the Six Day War that the government has moved to include all the middle grades in the educational system supported by the state.

Dissatisfaction with the quality of life in Israel has affected immigration into Israel and has also created a situation where more and more Israelis are living out of the country temporarily or permanently. For many, the economic possibilities outside Israel have had great appeal, and the potential of anti-semitism has been seen as less formidable against the background of the reality of four wars. This dissatisfaction has had a tremendous effect on the stability of the political system in Israel. The opposition always gains support from those dissatisfied with the running of the country, but the discontent has spread within the party, and the appeal to voters for support in recent years has gone beyond the issues of security, religion, and economics, to include items of pollution, education, civil rights, etc., all involved in the question of the quality of life (Appendix Fifteen).

Consideration of the issues of security, the economy, religion, and even quality of life is a part of the usual routine of the political system. The wars may have created situations which were difficult for the system to handle, but the state always survived. Massive waves of immigration may have created numbers of factions within the country, but most of them were absorbed relatively successfully through agencies representing the system. It used to be said that as Mapai goes, so goes the nation. In recent months, there has been some question as to whether the statement might not finally

be reversed: As the country goes, so goes Mapai. And more significantly, there has also been some question as to what it would mean if Mapai went. In short, the political system has become a fifth issue to be considered. The political system as an issue can also be best understood in relation to the factors of war, immigration, and even the nature of the political process.

The fourth war in the history of the state not only came at a time when another was least expected, but the outcome of the war was anything but satisfactory -- over 3,000 Israelis dead and thousands wounded, almost helpless dependence on the aid of the United States, and clear strategic gains for Egypt and Syria both in damage to Israel's military strength and morale. Confidence in the Government was shaken. What does this mean for the political structure of the state?

The political structure of the state was modelled on the Zionist Organization. The parliamentary democracies of Western Europe provided the model for the Zionist Organization. It was, however, the variety of ideological beliefs within the Zionist Organization that created the multi-party system which is a critical factor in how the system works. Ideology seems to have diminished as a factor in voters' preferences. Issues and personalities have become more important to voters, and the development of communications -- especially television -- has contributed to that change.

Once all young pioneers looked alike, the men and women of the Irgun and the Mizrahi represented the opposition and the religious parties. Now Dayan and Sapir are both labor, but each has his own supporters. Begin represents the opposition, but not all who would like to join the opposition will support Begin. Some other individual might gain substantial support on his own. For example, Arik Sharon, a military commander who recently resigned his post to speak out against the Government handling of the Yom Kippur War, has become well-known to many Israelis. The country has even come to recognize diverse personalities within the Religious factions in the country. Shlome Goren, the newly-elected Chief Ashkenazi Rabbi, represents a trend of compromise, as opposed to Rabbi I. Y. Unterman, whom he succeeded.

Chaim Weizmann argued against the multi-party system when the state was created.¹⁰⁸ In the 1950's, Ben Gurion argued for election reform, including the election of Knesset members by districts instead of the entire country being organized as one district divided by ideologies. In an electoral system where representatives are elected by districts in a two- or even three-party system, the individual candidate and the current issues come more to the forefront.¹⁰⁹ What would this type of system mean for the political structure of the state?

All these factors -- the wars, the changes in the makeup

of the constituency, the questioning of the nature of the political structure -- have made an issue of the political system. If realized, this may mean more than a change in the Prime Minister, or even more than the first non-Mapai-led Government. It is difficult to say what would be the total effect of a shift in the makeup of the government or the structure of the governmental process. The opposition might be bureaucratized and might function much the same as Labor functioned with regard to issues of survival (with the possible exception of the religious issue). Certainly the Labor government, originally coming from a democratic-socialist ideology, has encouraged private investment in the state, and not all social services are controlled by the state or even by the Histadrut. The recent Likud policy of "we won't give up an inch" might well become "we won't give up an inch -- unless and except". This, too, is the practical application of the labor policy.

The politics of a democracy is the politics of shifting interest groups or factions. Whichever party gathers the support of the greatest number of factions becomes the ruling party. Which party controls may depend on such things as who got there first, who holds the power, whom the people respect, or which party seems to represent the interests of the most people. The party that governs governs best when it reflects the will of the people; the system that functions best is the one which allows for the systematic shift of

ruling parties when necessary. For Israel, it may be time for a shift in the ruling power and even the form of the democratic system.

CONCLUSION

Israel's existence today as a state has been seen both as a miracle and as a political achievement.¹¹⁰ Whatever the sense of the miraculous, the role of politics in the creation and maintenance of the state cannot be overlooked. No nation exists without the internal and external forces that demand a political system. Robert Dahl has proposed three ingredients as essential to a political system: residents, governmental institutions, and territorial areas.

The unique way in which these ingredients appear in Israel gives the Israeli political system its particular character. Three factors that affect Israeli political life were stressed in the previous chapter. They are the nature of the political structure, especially the party structure, the threat of war and war itself, and the dominant role of immigration in Israel. These factors represent the necessary ingredients specified by Dahl as they are uniquely manifested in Israel. Her residents come from all over the world; her claim to territorial rights is repeatedly challenged; the structure of her government creates certain complexities in the give and take of this political democracy. So, in Israel, issues are debated and resolved in a political system fashioned by its own set of factors.

This thesis has examined the unique qualities of the Israeli political system, as well as some of the major issues facing Israel

today. Many issues were not covered. The role of local governments and the courts have not been included in this thesis. These are areas that have not entered into the political process to a great degree. Because of the shifts in the political structure, these and other areas may soon become more influential.

Changes in the political system in Israel will require interested participants and observers to re-examine some of the information provided in this thesis. The State of Israel is young, and changes in its political system may be more significant than in countries whose political systems are older and more stable. Hopefully, this thesis will provide those interested with a basis for a better understanding of the nature of Israeli politics.

Appendix One

THE BALFOUR DECLARATION ¹¹¹

*Foreign Office
2 November 1917*

Dear Lord Rothschild,

I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations which has been submitted to, and approved by, the Cabinet.

'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 enjoyed by Jews in any other country.'

I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation.

Yours sincerely,
Arthur James Balfour.

Appendix Two

THE LEAGUE OF NATIONS' PALESTINE MANDATE ¹¹²

July 24, 1922

"The Council of the League of Nations:

Whereas the Principal Allied Powers have agreed, for the purpose of giving effect to the provisions of Article 22 of the Covenant of the League of Nations, to entrust to a Mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them; and

Whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and

Whereas recognition has thereby been given to the historical connexion of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country; and

Whereas the Principal Allied Powers have selected His Britannic Majesty as the Mandatory for Palestine; and

Whereas the mandate in respect of Palestine has been formulated in the following terms and submitted to the Council of the League for approval; and

Whereas His Britannic Majesty has accepted the mandate in respect of Palestine and undertaken to exercise it on behalf of the League of Nations in conformity with the following provisions; and

Whereas by the aforementioned Article 22 (paragraph 8), it is provided that the degree of authority, control or administration to be exercised by the Mandatory, not having been

previously agreed upon by the Members of the League, shall be explicitly defined by the Council of the League of Nations; Confirming the said Mandate, defines its terms as follows:

ARTICLE 1

The Mandatory shall have full powers of legislation and of administration, save as they may be limited by the terms of this mandate.

ARTICLE 2

The Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

ARTICLE 3

The Mandatory shall, so far as circumstances permit, encourage local autonomy.

ARTICLE 4

An appropriate Jewish agency shall be recognized as a public body for the purpose of advising and cooperating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country.

The Zionist Organization, so long as its organization and constitution are in the opinion of the Mandatory appropriate, shall be recognized as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the co-operation of all Jews who are willing to assist in the establishment of the Jewish national home.

ARTICLE 5

The Mandatory shall be responsible for seeing that no Palestine territory shall be ceded or leased to, or in any way placed under the control of, the Government of any foreign Power.

ARTICLE 6

The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes.

ARTICLE 7

The Administration of Palestine shall be responsible for enacting a nationality law. There shall be included in this law provisions framed so as to facilitate the acquisition of Palestinian citizenship by Jews who take up their permanent residence in Palestine.

ARTICLE 8

The privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by Capitulation or usage in the Ottoman Empire, shall not be applicable in Palestine.

Unless the Powers whose nationals enjoyed the aforementioned privileges and immunities on August 1st, 1914, shall have previously renounced the right to their re-establishment, or shall have agreed to their non-application for a specified period, these privileges and immunities shall, at the expiration of the mandate, be immediately re-established in their entirety or with such modifications as may have been agreed upon between the Powers concerned.

ARTICLE 9

The Mandatory shall be responsible for seeing that the judicial system established in Palestine shall assure to foreign-

ers, as well as to natives, a complete guarantee of their rights.

Respect for the personal status of the various peoples and communities and for their religious interests shall be fully guaranteed. In particular, the control and administration of Waqfs shall be exercised in accordance with religious law and the dispositions of the founders.

ARTICLE 10

Pending the making of special extradition agreements relating to Palestine, the extradition treaties in force between the Mandatory and other foreign Powers shall apply to Palestine.

ARTICLE 11

The Administration of Palestine shall take all necessary measures to safeguard the interests of the community in connection with the development of the country, and, subject to any international obligations accepted by the Mandatory, shall have full power to provide for public ownership or control of any of the natural resources of the country or of the public works, services and utilities established or to be established therein. It shall introduce a land system appropriate to the needs of the country having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land.

The Administration may arrange with the Jewish agency mentioned in Article 4 to construct or operate, upon fair and equitable terms, any public works, services and utilities, and to develop any of the natural resources of the country, in so far as these matters are not directly undertaken by the Administration. Any such arrangements shall provide that no profits distributed by such agency, directly or indirectly, shall exceed a reasonable rate of interest on the capital, and any further profits shall be utilized by it for the benefit of the country in a manner approved by the Administration.

ARTICLE 12

The Mandatory shall be entrusted with the control of the foreign relations of Palestine, and the right to issue exequaturs

to consuls appointed by foreign Powers. He shall also be entitled to afford diplomatic and consular protection to citizens of Palestine when outside its territorial limits.

ARTICLE 13

All responsibility in connexion with the Holy Places and religious buildings or sites in Palestine, including that of preserving existing rights and of securing free access to the Holy Places, religious buildings and sites and the free exercise of worship, while ensuring the requirements of public order and decorum, is assumed by the Mandatory, who shall be responsible solely to the League of Nations in all matters connected herewith, provided that nothing in this article shall prevent the Mandatory from entering into such arrangements as he may deem reasonable with the Administration for the purpose of carrying the provisions of this article into effect; and provided also that nothing in this Mandate shall be construed as conferring upon the Mandatory authority to interfere with the fabric or the management of purely Moslem sacred shrines, the immunities of which are guaranteed.

ARTICLE 14

A special Commission shall be appointed by the Mandatory to study, define and determine the rights and claims in connection with the Holy Places and the rights and claims relating to the different religious communities in Palestine. The method of nomination, the composition and the functions of this Commission shall be submitted to the Council of the League for its approval, and the Commission shall not be appointed or enter upon its functions without the approval of the Council.

ARTICLE 15

The Mandatory shall see that complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals are ensured to all. No discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race,

religion or language. No person shall be excluded from Palestine on the sole ground of his religious belief.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Administration may impose, shall not be denied or impaired.

ARTICLE 16

The Mandatory shall be responsible for exercising such supervision over religious or eleemosynary bodies of all faiths in Palestine as may be required for the maintenance of public order and good government. Subject to such supervision, no measures shall be taken in Palestine to obstruct or interfere with the enterprise of such bodies or to discriminate against any representative or member of them on the ground of his religion or nationality.

ARTICLE 17

The Administration of Palestine may organize on a voluntary basis the forces necessary for the preservation of peace and order, and also for the defence of the country, subject, however, to the supervision of the Mandatory, but shall not use them for purposes other than those above specified save with the consent of the Mandatory. Except for such purposes, no military, naval or air forces shall be raised or maintained by the Administration of Palestine.

Nothing in this article shall preclude the Administration of Palestine from contributing to the cost of the maintenance of the forces of the Mandatory in Palestine.

The Mandatory shall be entitled at all times to use the roads, railways and ports of Palestine for the movement of armed forces and the carriage of fuel and supplies.

ARTICLE 18

The Mandatory shall see that there is no discrimination in Palestine against the nationals of any State Member of the League of Nations (including companies incorporated under

its laws) as compared with those of the Mandatory or of any foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Similarly, there shall be no discrimination in Palestine against goods originating in or destined for any of the said States, and there shall be freedom of transit under equitable conditions across the mandated area.

Subject as aforesaid and to the other provisions of this mandate, the Administration of Palestine may, on the advice of the Mandatory, impose such taxes and customs duties as it may consider necessary, and take such steps as it may think best to promote the development of the natural resources of the country and to safeguard the interests of the population. It may also, on the advice of the Mandatory, conclude a special customs agreement with any State the territory of which in 1914 was wholly included in Asiatic Turkey or Arabia.

ARTICLE 19

The Mandatory shall adhere on behalf of the Administration of Palestine to any general international conventions already existing, or which may be concluded hereafter with the approval of the League of Nations, respecting the slave traffic, the traffic in arms and ammunition, or the traffic in drugs, or relating to commercial equality, freedom of transit and navigation, aerial navigation and postal, telegraphic and wireless communication or literary, artistic or industrial property.

ARTICLE 20

The Mandatory shall co-operate on behalf of the Administration of Palestine, so far as religious, social and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

ARTICLE 21

The Mandatory shall secure the enactment within twelve months from this date, and shall ensure the execution of a

Law of Antiquities based on the following rules. This law shall ensure equality of treatment in the matter of excavations and archaeological research to the nationals of all States Members of the League of Nations. . . .

ARTICLE 22

English, Arabic and Hebrew shall be the official languages of Palestine. Any statement or inscription in Arabic on stamps or money in Palestine shall be repeated in Hebrew and any statement or inscription in Hebrew shall be repeated in Arabic.

ARTICLE 23

The Administration of Palestine shall recognize the holy days of the respective communities in Palestine as legal days of rest for the members of such communities.

ARTICLE 24

The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council as to the measures taken during the year to carry out the provisions of the mandate. Copies of all laws and regulations promulgated or issued during the year shall be communicated with the report.

ARTICLE 25

In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or withhold application of such provisions of this mandate as he may consider inapplicable to the existing local conditions, and to make such provision for the administration of the territories as he may consider suitable to those conditions, provided that no action shall be taken which is inconsistent with the provisions of Articles 15, 16 and 18.

ARTICLE 26

The Mandatory agrees that if any dispute whatever should arise between the Mandatory and another Member of the

League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations.

ARTICLE 27

The consent of the Council of the League of Nations is required for any modification of the terms of this mandate.

ARTICLE 28

In the event of the termination of the mandate hereby conferred upon the Mandatory, the Council of the League of Nations shall make such arrangements as may be deemed necessary for safeguarding in perpetuity, under guarantee of the League, the rights secured by Articles 13 and 14, and shall use its influence for securing, under the guarantee of the League, that the Government of Palestine will fully honour the financial obligations legitimately incurred by the Administration of Palestine during the period of the mandate, including the rights of public servants to pensions or gratuities.

The present instrument shall be deposited in original in the archives of the League of Nations and certified copies shall be forwarded by the Secretary General of the League of Nations to all Members of the League.

DONE AT LONDON the twenty-fourth day of July, one thousand nine hundred and twenty-two."

Appendix Three
CHART OF ALIYOT¹¹³

First Aliyah,	1882-1903, From Russia, early pioneers	25,000
Second Aliyah,	1904-1914, From Russia, socialist Zionists	40,000
Third Aliyah,	1919-1923, From Russia, young people	35,000
Fourth Aliyah,	1924-1931, From Poland, middle class	82,000
Fifth Aliyah,	1932-1940, From Germany, refugees	225,000
Sixth Aliyah,	1941-1947, From Germany, "illegals", refugees from Europe	85,000
Seventh Aliyah, 1948,	From Europe and Oriental countries	over 1,000,000

May 17, 1939

In the Statement on Palestine, issued on 9th November, 1938, His Majesty's Government announced their intention to invite representatives of the Arabs of Palestine, of certain neighbouring countries and of the Jewish Agency to confer with them in London regarding future policy. It was their sincere hope that, as a result of full, free and frank discussion, some understanding might be reached. Conferences recently took place with Arab and Jewish delegations, lasting for a period of several weeks, and served the purpose of a complete exchange of views between British Ministers and the Arab and Jewish representatives. In the light of the discussions as well as of the situation in Palestine and of the Reports of the Royal Commission and the Partition Commission, certain proposals were formulated by His Majesty's Government and were laid before the Arab and Jewish delegations as the basis of an agreed settlement. Neither the Arab nor the Jewish delegation felt able to accept these proposals, and the conferences therefore did not result in an agreement. Accordingly His Majesty's Government are free to formulate their own policy, and after careful consideration they have decided to adhere generally to the proposals which were finally submitted to, and discussed with, the Arab and Jewish delegations.

2. The Mandate for Palestine, the terms of which were confirmed by the Council of the League of Nations in 1922, has governed the policy of successive British Governments for nearly 20 years. It embodies the Balfour Declaration and imposes on the Mandatory four main obligations. These obligations are set out in Article 2, 6 and 13 of the Mandate. There is no dispute regarding the interpretation of one of these obligations, that touching the protection of and access to the Holy Places and religious buildings or sites. The other three main obligations are generally as follows:—

(i) To place the country under such political, administrative and economic conditions as will secure the establishment in Palestine of a national home for the Jewish people, to facilitate Jewish immigration under suitable conditions, and to encourage, in co-operation with the Jewish Agency, close settlement by Jews on the land.

(ii) To safeguard the civil and religious rights of all the inhabitants of Palestine irrespective of race and religion, and, whilst facilitating Jewish immigration and settlement, to ensure that the rights and position of other sections of the population are not prejudiced.

(iii) To place the country under such political, administrative and economic conditions as will secure the development of self-governing institutions.

3. The Royal Commission and previous Commissions of Enquiry have drawn attention to the ambiguity of certain expressions in the Mandate, such as the expression "a national home for the Jewish people", and they have found in this ambiguity and the resulting uncertainty as to the objectives of policy a fundamental cause of unrest and hostility between Arabs and Jews. His Majesty's Government are convinced that in the interests of the peace and well-being of the whole people of Palestine a clear definition of policy and objectives is essential. The proposal of partition recommended by the Royal Commission would have afforded such clarity, but the establishment of self-supporting independent Arab and Jewish States within Palestine has been found to be impracticable. It has therefore been necessary for His Majesty's Government to devise an alternative policy which will, consistently with their obligations to Arabs and Jews, meet the needs of the situation in Palestine. Their views and proposals are set forth below under the three heads, (i) The Constitution, (ii) Immigration, and (iii) Land.

I.—THE CONSTITUTION

4. It has been urged that the expression "a national home for the Jewish people" offered a prospect that Palestine might in due course become a Jewish State or Commonwealth. His Majesty's Government do not wish to contest the view, which was expressed by the Royal Commission, that the Zionist leaders at the time of the issue of the Balfour Declaration recognised that an ultimate Jewish State was not precluded by the terms of the Declaration. But, with the Royal Commission, His Majesty's Government believe that the framers of the Mandate in which the Balfour Declaration was embodied could not have intended that Palestine should be converted into a Jewish State against the will of the Arab population of the country. That Palestine was not to be converted into a Jewish State might be held to be implied in the passage from the Command Paper of 1922 which reads as follows:—

"Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that 'Palestine is to become as Jewish as England is English.' His Majesty's Government regard any such expectation as impracticable and have no such aim in view. Nor have they at any time contemplated . . . the disappearance or the subordination of the Arabic population, language or culture in Palestine. They would draw attention to the fact that the terms of the (Balfour) Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded in Palestine."

But this statement has not removed doubts, and His Majesty's Government therefore now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State. They would indeed regard it as contrary to their obligations to the Arabs under the Mandate, as well as to the assurances which have been given to the Arab people in the past, that the Arab population of Palestine should be made the subjects of a Jewish State against their will.

5. The nature of the Jewish National Home in Palestine was further described in the Command Paper of 1922 as follows:

"During the last two or three generations the Jews have created in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs; an elected as-

sembly for the direction of its domestic concerns; elected councils in the towns; and an organisation for the control of its schools. It has its elected Chief Rabbi and Rabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language, and a Hebrew press serves its needs. It has its distinctive intellectual and displays considerable economic activity. This community, then, with its town and country population, its political, religious and social organisations, its own language, its own customs, its own life, has in fact 'national' characteristics. When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why it is necessary that the existence of a Jewish National Home in Palestine should be internationally guaranteed, and that it should be formally recognised to rest upon ancient historic connection."

6. His Majesty's Government adhere to this interpretation of the Declaration of 1917 and regard it as an authoritative and comprehensive description of the character of the Jewish National Home in Palestine. It envisaged the further development of the existing Jewish community with the assistance of Jews in other parts of the world. Evidence that His Majesty's Government have been carrying out their obligation in this respect is to be found in the facts that, since the statement of 1922 was published, more than 300,000 Jews have immigrated to Palestine, and that the population of the National Home has risen to some 450,000, or approaching a third of the entire population of the country. Nor has the Jewish community failed to take full advantage of the opportunities given to it. The growth of the Jewish National Home and its achievements in many fields are a remarkable constructive effort which must command the admiration of the world and must be, in particular, a source of pride to the Jewish people.

7. In the recent discussions the Arab delegations have re-

peated the contention that Palestine was included within the area in which Sir Henry McMahon, on behalf of the British Government, in October, 1915, undertook to recognise and support Arab independence. The validity of this claim, based on the terms of the correspondence which passed between Sir Henry McMahon and the Sharif of Mecca, was thoroughly and carefully investigated by British and Arab representatives during the recent conferences in London. Their Report, which has been published, states that both the Arab and the British representatives endeavoured to understand the point of view of the other party but that they were unable to reach agreement upon an interpretation of the correspondence. There is no need to summarize here the arguments presented by each side. His Majesty's Government regret the misunderstandings which have arisen as regards some of the phrases used. For their part they can only adhere, for the reasons given by their representatives in the Report, to the view that the whole of Palestine west of Jordan was excluded from Sir Henry McMahon's pledge, and they therefore cannot agree that the McMahon correspondence forms a just basis for the claim that Palestine should be converted into an Arab State.

8. His Majesty's Government are charged as the Mandatory authority "to secure the development of self-governing institutions" in Palestine. Apart from this specific obligation, they would regard it as contrary to the whole spirit of the Mandate system that the population of Palestine should remain forever under Mandatory tutelage. It is proper that the people of the country should as early as possible enjoy the rights of self-government which are exercised by the people of neighbouring countries. His Majesty's Government are unable at present to foresee the exact constitutional forms which government in Palestine will eventually take, but their objective is self-government, and they desire to see established ultimately an independent Palestine State. It should be a State in which the two peoples in Palestine, Arabs and Jews, share authority in government in such a way that the essential interests of each are secured.

9. The establishment of an independent State and the complete relinquishment of Mandatory control in Palestine would require such relations between the Arabs and the Jews as would make good government possible. Moreover, the growth of self-governing institutions in Palestine, as in other countries, must be an evolutionary process. A transitional period will be required before independence is achieved, throughout

which ultimate responsibility for the Government of the country will be retained by His Majesty's Government as the Mandatory authority, while the people of the country are taking an increasing share in the Government, and understanding and co-operation amongst them are growing. It will be the constant endeavour of His Majesty's Government to promote good relations between the Arabs and the Jews.

10. In the light of these considerations His Majesty's Government make the following declaration of their intentions regarding the future government of Palestine:—

(1) The objective of His Majesty's Government is the establishment within ten years of an independent Palestine State in such treaty relations with the United Kingdom as will provide satisfactory for the commercial and strategic requirements of both countries in the future. The proposal for the establishment of the independent State would involve consultation with the Council of the League of Nations with a view to the termination of the Mandate.

(2) The independent State should be one in which Arabs and Jews share in government in such a way as to ensure that the essential interests of each community are safeguarded.

(3) The establishment of the independent State will be preceded by a transitional period throughout which His Majesty's Government will retain responsibility for the government of the country. During the transitional period the people of Palestine will be given an increasing part in the government of their country. Both sections of the population will have an opportunity to participate in the machinery of government, and the process will be carried on whether or not they both avail themselves of it.

(4) As soon as peace and order have been sufficiently restored in Palestine steps will be taken to carry out this policy of giving the people of Palestine as increasing part in the government of their country, the objective being to place Palestinians in charge of all the Departments of Government, with the assistance of British advisers and subject to the control of the High Commissioner. With this object in view His Majesty's Government will be prepared immediately to arrange that Palestinians shall be placed in charge of certain Departments, with British advisers. The Palestinian heads of Departments will sit on the Executive Council which advises the High Commissioner. Arab and Jewish representatives will be invited to serve as heads of Departments approximately in proportion to their respective populations. The number of

Palestinians in charge of Departments will be increased as circumstances permit until all heads of Departments are Palestinians, exercising the administrative and advisory functions which are at present performed by British officials. When that stage is reached consideration will be given to the question of converting the Executive Council into a Council of Ministers with a consequential change in the status and functions of the Palestinian heads of Departments.

(5) His Majesty's Government make no proposals at this stage regarding the establishment of an elective legislature. Nevertheless they would regard this as an appropriate constitutional development, and, should public opinion in Palestine hereafter show itself in favour of such a development, they will be prepared, provided that local conditions permit, to establish the necessary machinery.

(6) At the end of five years from the restoration of peace and order, an appropriate body representative of the people of Palestine and of His Majesty's Government will be set up to review the working of the constitutional arrangements during the transitional period and to consider and make recommendations regarding the constitution of the independent Palestine State.

(7) His Majesty's Government will require to be satisfied that in the treaty contemplated by sub-paragraph (1) or in the constitution contemplated by sub-paragraph (6) adequate provision has been made for:—

(a) the security of, and freedom of access to, the Holy Places, and the protection of the interests and property of the various religious bodies.

(b) the protection of the different communities in Palestine in accordance with the obligations of His Majesty's Government to both Arabs and Jews and for the special position in Palestine of the Jewish National Home.

(c) such requirements to meet the strategic situation as may be regarded as necessary by His Majesty's Government in the light of the circumstances then existing.

His Majesty's Government will also require to be satisfied that the interests of certain foreign countries in Palestine, for the preservation of which they are at present responsible, are adequately safeguarded.

(8) His Majesty's Government will do everything in their power to create conditions which will enable the independent Palestine State to come into being within ten years. If, at the end of ten years, it appears to His Majesty's Government that

contrary to their hope, circumstances require the postponement of the establishment of the independent State, they will consult with representatives of the people of Palestine, the Council of the League of Nations and the neighbouring Arab States before deciding on such a postponement. If His Majesty's Government come to the conclusion that postponement is unavoidable, they will invite the co-operation of these parties in framing plans for the future with a view to achieving the desired objective at the earliest possible date.

11. During the transitional period steps will be taken to increase the powers and responsibilities of municipal corporations and local councils.

II.—IMMIGRATION

12. Under Article 6 of the Mandate, the Administration of Palestine, "while ensuring that the rights and position of other sections of the population are not prejudiced," is required to "facilitate Jewish immigration under suitable conditions." Beyond this, the extent to which Jewish immigration into Palestine is to be permitted is nowhere defined in the Mandate. But in the Command Paper of 1922 it was laid down that for the fulfilment of the policy of establishing a Jewish National Home

"it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the present population of their employment."

In practice, from that date onwards until recent times, the economic absorptive capacity of the country has been treated as the sole limiting factor, and in the letter which Mr. Ramsay MacDonald, as Prime Minister, sent to Dr. Weizmann in February 1931 it was laid down as a matter of policy that economic absorptive capacity was the sole criterion. This interpretation has been supported by resolutions of the Permanent Mandates Commission. But His Majesty's Government do not read either the Statement of Policy of 1922 or the letter of 1931 as implying that the Mandate requires them, for all time and in all circumstances, to facilitate the immigration of Jews into Palestine subject only to consideration of the country's economic absorptive capacity. Nor do they find any

fulfilled. The alternatives before His Majesty's Government are either (i) to seek to expand the Jewish National Home indefinitely by immigration, against the strongly expressed will of the Arab people of the country; or (ii) to permit further expansion of the Jewish National Home by immigration only if the Arabs are prepared to acquiesce in it. The former policy means rule by force. Apart from other considerations, such a policy seems to His Majesty's Government to be contrary to the whole spirit of Article 22 of the Covenant of the League of Nations, as well as to their specific obligations to the Arabs in the Palestine Mandate. Moreover, the relations between the Arabs and the Jews in Palestine must be based sooner or later on mutual tolerance and goodwill; the peace, security and progress of the Jewish National Home itself require this. Therefore His Majesty's Government, after earnest consideration, and taking into account the extent to which the growth of the Jewish National Home has been facilitated over the last twenty years, have decided that the time has come to adopt in principle the second of the alternatives referred to above.

14. It has been urged that all further Jewish immigration into Palestine should be stopped forthwith. His Majesty's Government cannot accept such a proposal. It would damage the whole of the financial and economic system of Palestine and thus affect adversely the interests of Arabs and Jews alike. Moreover, in the view of His Majesty's Government, abruptly to stop further immigration would be unjust to the Jewish National Home. But, above all, His Majesty's Government are conscious of the present unhappy plight of large numbers of Jews who seek a refuge from certain European countries, and they believe that Palestine can and should make a further contribution to the solution of this pressing world problem. In all these circumstances, they believe that they will be acting consistently with their Mandatory obligations to both Arabs and Jews, and in the manner best calculated to serve the interests of the whole people of Palestine, by adopting the following proposals regarding immigration:—

(1) Jewish immigration during the next five years will be at a rate which, if economic absorptive capacity permits, will bring the Jewish population up to approximately one-third of the total population of the country. Taking into account the expected natural increase of the Arab and Jewish populations, and the number of illegal Jewish immigrants now in the country, this would allow of the admission, as from the beginning of April this year, of some 75,000 immigrants over the next

thing in the Mandate or in subsequent Statements of Policy to support the view that the establishment of a Jewish National Home in Palestine cannot be effected unless immigration is allowed to continue indefinitely. If immigration has an adverse effect on the economic position in the country, it should clearly be restricted; and equally, if it has a seriously damaging effect on the political position in the country, that is a factor that should not be ignored. Although it is not difficult to contend that the large number of Jewish immigrants who have been admitted so far have been absorbed economically, the fear of the Arabs that this influx will continue indefinitely until the Jewish population is in a position to dominate them has produced consequences which are extremely grave for Jews and Arabs alike and for the peace and prosperity of Palestine. The lamentable disturbances of the past three years are only the latest and most sustained manifestation of this intense Arab apprehension. The methods employed by Arab terrorists against fellow-Arabs and Jews alike must receive unqualified condemnation. But it cannot be denied that fear of indefinite Jewish immigration is widespread amongst the Arab population and that this fear has made possible disturbances which have given a serious setback to economic progress, depleted the Palestine exchequer, rendered life and property insecure, and produced a bitterness between the Arab and Jewish populations which is deplorable between citizens of the same country. If in these circumstances immigration is continued up to the economic absorptive capacity of the country, regardless of all other considerations, a fatal enmity between the two peoples will be perpetuated, and the friction amongst all peoples in the Near and Middle East. His Majesty's Government cannot take the view that either their obligations under the Mandate, or considerations of common sense and justice, require that they should ignore these circumstances in framing immigration policy.

15. In the view of the Royal Commission the association of the policy of the Balfour Declaration with the Mandate system implied the belief that Arab hostility to the former would sooner or later be overcome. It has been the hope of British Governments ever since the Balfour Declaration was issued that in time the Arab population, recognizing the advantages to be derived from Jewish settlement and development in Palestine, would become reconciled to the further growth of the Jewish National Home. This hope has not been

five years. These immigrants would, subject to the criterion of economic absorptive capacity, be admitted as follows:—

(a) For each of the next five years a quota of 10,000 Jewish immigrants will be allowed on the understanding that a shortage in any one year may be added to the quotas for subsequent years, within the five-year period, if economic absorptive capacity permits.

(b) In addition, as a contribution towards the solution of the Jewish refugee problem, 25,000 refugees will be admitted as soon as the High Commissioner is satisfied that adequate provision for their maintenance is ensured, special consideration being given to refugee children and dependants.

(2) The existing machinery for ascertaining economic absorptive capacity will be retained, and the High Commissioner will have the ultimate responsibility for deciding the limits of economic capacity. Before each periodic decision is taken, Jewish and Arab representatives will be consulted.

(3) After the period of five years no further Jewish immigration will be permitted unless the Arabs of Palestine are prepared to acquiesce in it.

(4) His Majesty's Government are determined to check illegal immigration, and further preventive measures are being adopted. The numbers of any Jewish illegal immigrants who, despite these measures, may succeed in coming into the country and cannot be deported will be deducted from the yearly quotas.

15. His Majesty's Government are satisfied that, when the immigration over five years which is now contemplated has taken place, they will not be justified in facilitating, nor will they be under any obligation to facilitate, the further development of the Jewish National Home by immigration regardless of the wishes of the Arab population.

III.—LAND

16. The Administration of Palestine is required, under Article 6 of the Mandate, "while ensuring that the rights and position of other sections of the population are not prejudiced," to encourage "close settlement by Jews on the land," and no restriction has been imposed hitherto on the transfer of land from Arabs to Jews. The Reports of several expert Commissions have indicated that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews, there is now in certain areas no room for

further transfers of Arab land, whilst in some other areas such transfers of land must be restricted if Arab cultivators are to maintain their existing standard of life and a considerable landless Arab population is not soon to be created. In these circumstances, the High Commissioner will be given general powers to prohibit and regulate transfers of land. These powers will date from the publication of this statement of policy and the High Commissioner will retain them throughout the transitional period.

17. The policy of the Government will be directed towards the development of the land and the improvement, where possible, of methods of cultivation. In the light of such development it will be open to the High Commissioner, should he be satisfied that the "rights and position" of the Arab population will be duly preserved, to review and modify any orders passed relating to the prohibition or restriction of the transfer of land.

18. In framing these proposals His Majesty's Government have sincerely endeavoured to act in strict accordance with their obligations under the Mandate to both the Arabs and the Jews. The vagueness of the phrases employed in some instances to describe these obligations has led to controversy and has made the task of interpretation difficult. His Majesty's Government cannot hope to satisfy the periphrases of one party or the other in such controversy as the Mandate has aroused. Their purpose is to be just as between the two peoples in Palestine whose destinies in that country have been affected by the great events of recent years, and who, since they live side by side, must learn to practice mutual tolerance, goodwill and co-operation. In looking to the future, His Majesty's Government are not blind to the fact that some events of the past make the task of creating these relations difficult; but they are encouraged by the knowledge that at many times and in many places in Palestine during recent years the Arab and Jewish inhabitants have lived in friendship together. Each community has much to contribute to the welfare of their common land, and each must earnestly desire peace in which to assist in increasing the well-being of the whole people of the country. The responsibility which falls on them, no less than upon His Majesty's Government, to co-operate together to ensure peace is all the more solemn because their country is revered by many millions of Moslems, Jews and Christians throughout the world who pray for peace in Palestine and for the happiness of her people.

Appendix Five

UNITED NATIONS RESOLUTION ON PALESTINE

A

The General Assembly,

Having met in special session at the request of the mandatory Power to constitute and instruct a special committee to prepare for the consideration of the question of the future government of Palestine at the second regular session;

Having constituted a Special Committee and instructed it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem, and

Having received and examined the report of the Special Committee (document A/364) including a number of unanimous recommendations and a plan of partition with economic units approved by the majority of the Special Committee,

Considers that the present situation in Palestine is one which is likely to impair the general welfare and friendly relations among nations;

Takes note of the declaration by the mandatory Power that it plans to complete its evacuation of Palestine by 1 August 1948;

Recommends to the United Kingdom, as the mandatory Power for Palestine, and to all other Members of the United Nations the adoption and implementation, with regard to the future government of Palestine, of the plan of Partition with Economic Union set out below;

Requests that

(a) The Security Council take the necessary measures as provided for in the plan for its implementation;

(b) The Security Council consider, if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to the peace. If it decides that such a threat exists, and in order to maintain international peace and security, the Security Council should supplement the authorization of the General Assembly by taking measures, under Articles 39 and 41 of the Charter, to empower the United Nations Commission, as provided in this resolution, to exercise in Palestine the functions which are assigned to it by this resolution;

(c) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution;

(d) The Trusteeship Council be informed of the responsibilities envisaged for it in this plan;

Calls upon the inhabitants of Palestine to take such steps as may be necessary on their part to put this plan into effect;

Appeals to all Governments and all peoples to refrain from taking any action which might hamper or delay the carrying out of these recommendations, and

Authorizes the Secretary-General to reimburse travel and subsistence expenses of the members of the Commission referred to in Part I, Section B, paragraph 1 below on such basis and in such form as he may determine appropriate in the circumstances, and to provide the Commission with the necessary staff to assist in carrying out the functions assigned to the Commission by the General Assembly.

B*

The General Assembly

Authorizes the Secretary-General to draw from the Working Capital Fund a sum not to exceed \$ 2,000,000 for the purposes set forth in the last paragraph of the resolution on the future government of Palestine.

*128th plenary meeting,
29 November 1947.*

PLAN OF PARTITION WITH ECONOMIC UNION

PART I

Future constitution and government of Palestine

A. TERMINATION OF MANDATE, PARTITION AND INDEPENDENCE

1. The Mandate for Palestine shall terminate as soon as possible but in any case not later than 1 August 1948.
2. The armed forces of the mandatory Power shall be progressively withdrawn from Palestine, the withdrawal to be completed as soon as possible but in any case not later than 1 August 1948. Advance as possible, of its intention to terminate the Mandate and to evacuate such area.

The mandatory Power shall use its best endeavours to ensure that an area situated in the territory of the Jewish State, including a seaport and hinterland adequate to provide facilities for a substantial immigration, shall be evacuated at the earliest possible date and in any event not later than 1 February 1948.

3. Independent Arab and Jewish States and the Special International Regime for the City of Jerusalem set forth in part III of this plan, shall come into existence in Palestine two months after the evacuation of the armed forces of the mandatory Power has been completed but in any case not later than 1 October 1948. The boundaries of the Arab State, the Jewish State, and the City of Jerusalem shall be as described in parts II and III below.

4. The period between the adoption by the General Assembly of its recommendation on the question of Palestine and the establishment of the independence of the Arab and Jewish States shall be a transitional period.

B. STEPS PREPARATORY TO INDEPENDENCE

1. A Commission shall be set up consisting of one representative of each of five Member States. The Members represented on the Commission shall be elected by the General Assembly on as broad a basis, geographically and otherwise, as possible.

2. The administration of Palestine shall, as the mandatory Power withdraws its armed forces, be progressively turned over to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council. The mandatory Power shall to the fullest possible extent co-ordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated.

In the discharge of this administrative responsibility the Commission shall have authority to issue necessary regulations and take other measures as required.

The mandatory Power shall not take any action to prevent, obstruct or delay the implementation by the Commission of the measures recommended by the General Assembly.

3. On its arrival in Palestine the Commission shall proceed to carry out measures for the establishment of the frontiers of the Arab

and Jewish States and the City of Jerusalem in accordance with the general lines of the recommendations of the Provisional Council of Government of Palestine. Nevertheless, the boundaries as described in Part II of this plan are to be modified in such a way that village areas as a rule will not be divided by state boundaries unless pressing reasons make that necessary.

4. The Commission, after consultation with the democratic parties and other public organizations of the Arab and Jewish States, shall seek and establish in each State as rapidly as possible a Provisional Council of Government. The activities of both the Arab and Jewish Provisional Councils of Government shall be carried out under the general direction of the Commission.

If by 1 April 1948 a Provisional Council of Government cannot be selected for either of the States, or, if selected, cannot carry out its functions, the Commission shall communicate that fact to the Security Council for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for communication to the Members of the United Nations.

5. Subject to the provisions of these recommendations, during the transitional period the Provisional Councils of Government, acting under the Commission, shall have full authority in the areas under their control, including authority over matters of immigration and land regulation.

6. The Provisional Council of Government of each State, acting under the Commission, shall progressively receive from the Commission full responsibility for the administration of that State in the period between the termination of the Mandate and the establishment of the State's independence.

7. The Commission shall instruct the Provisional Councils of Government of both the Arab and Jewish States, after their formation, to proceed to the establishment of administrative organs of government, central and local.

8. The Provisional Council of Government of each State shall, within the shortest time possible, recruit an armed militia from the residents of that State, sufficient in number to maintain external order and to prevent frontier clashes.

This armed militia in each State shall, for operational purposes, be under the command of Jewish or Arab officers resident in that State, but general political and military control, including the choice of the militia's High Command, shall be exercised by the Commission.

9. The Provisional Council of Government of each State shall, not later than two months after the withdrawal of the armed forces of the mandatory power, hold elections to the Constituent Assembly which shall be conducted on democratic lines.

The election requirement in each State shall be drawn up by the Provisional Council of Government and approved by the Commission. Qualified voters for each State for this election shall be persons over eighteen years of age who are: (a) Palestinian citizens residing in that State and (b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.

Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens of the Arab or the Jewish State, shall be entitled to vote in the Arab and Jewish States respectively.

Women may vote and be elected to the Constituent Assembly.

During the transitional period no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Commission.

10. The Constituent Assembly of each State shall draft a democratic constitution for its State and choose a provisional government to succeed the Provisional Council of Government appointed by the Commission. The constitutions of the States shall embody chapters 1 and 2 of the Declaration provided for in section C below and include *inter alia* provisions for:

- (a) Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature;
- (b) Settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered;
- (c) Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;
- (d) Guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and

the enjoyment of human rights and fundamental freedoms, including freedom of religion, language, speech and publication, education, assembly and association:

- (d) Preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to considerations of national security, provided that each State shall control residence within its borders.

11. The Commission shall appoint a preparatory economic commission of three members to make whatever arrangements are possible for economic co-operation, with a view to establishing, as soon as practicable, the Economic Union and the Joint Economic Board, as provided in section D below.

12. During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the Mandate, the mandatory Power in Palestine shall maintain full responsibility for administration in areas from which it has not withdrawn its armed forces. The Commission shall assist the mandatory Power in the carrying out of these functions. Similarly the mandatory Power shall co-operate with the Commission in the execution of its functions.

13. With a view to ensuring that there shall be continuity in the functioning of administrative services, and that the withdrawal of the armed forces of the mandatory Power from the whole and in part of Palestine shall be in the charge of the Provisional Councils and the Joint Economic Board, respectively, acting under the Commission, there shall be a preparatory period for the mandatory Power in the Commission of responsibility for all the functions of government, including that of maintaining law and order in the areas from which the forces of the mandatory Power have been withdrawn.

14. The Commission shall be guided in its activities by the recommendations of the General Assembly and by such instructions as the Security Council may consider necessary to issue.

The measures taken by the Commission, within the recommendations of the General Assembly, shall become immediately effective unless the Commission has previously received contrary instructions from the Security Council.

The Commission shall render periodic monthly progress reports, or more frequently if desirable, to the Security Council.

15. The Commission shall make its final report to the next regular session of the General Assembly and to the Security Council simultaneously.

C. DECLARATION

A declaration shall be made to the United Nations by the provisional government of each proposed State before independence. It shall contain *inter alia* the following clauses:

GENERAL PROVISION

The stipulations contained in the declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations; nor shall any law, regulation or official action prevail over them.

CHAPTER I

Holy Places, religious buildings and sites

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. In so far as Holy Places are concerned, the liberty of access, visit and transit shall be guaranteed, in conformity with existing rights, to all residents and citizens of the other State and of the City of Jerusalem, as well as to aliens, without distinction as to nationality, subject to requirements of national security, public order and decorum.

Similarly, freedom of worship shall be guaranteed in conformity with existing rights, subject to the maintenance of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious building or site is in need of urgent repair, the Government may call upon the community or communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or communities concerned if no action is taken within a reasonable time.

4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State.

No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected, and to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community with respect to such places, buildings and sites. He shall receive full co-operation and such privileges and immunities as are necessary for the exercise of his functions in the State.

CHAPTER 2

Religious and minority rights

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all.
2. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex.
3. All persons within the jurisdiction of the State shall be entitled to equal protection of the law.
4. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.
5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.
6. The State shall ensure adequate primary and secondary education for the Arab and Jewish minorities, respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the

education of its own members in its own language, while conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

7. No restriction shall be imposed on the free use by any citizen of the State of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.¹

8. No expropriation of land owned by an Arab in the Jewish State (by a Jew in the Arab State) shall be allowed except for public purposes. In all cases of expropriation full compensation as fixed by the Supreme Court shall be paid previous to dispossession.

CHAPTER 3

Citizenship, international conventions and financial obligations

1. *Citizenship.* Palestinian citizens residing in Palestine outside the City of Jerusalem, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine outside the City of Jerusalem shall, upon the recognition of independence, become citizens of the State in which they are resident and enjoy full civil and political rights. Persons over the age of eighteen years may opt, within one year from the date of recognition of independence of the State in which they reside, for citizenship of the other State, providing that no Arab residing in the area of the proposed Arab State shall have the right to opt for citizenship in the proposed Jewish State and no Jew residing in the proposed Jewish State shall have the right to opt for citizenship in the proposed Arab State. The exercise of this right of option will be taken to include the wives and children under eighteen years of age of persons so opting.

Arabs residing in the area of the proposed Jewish State and Jews residing in the area of the proposed Arab State who have signed a notice of intention to opt for citizenship of the other State shall be eligible to vote in the elections to the Constituent Assembly of that State.

1. The following stipulation shall be added to the declaration concerning the Jewish State: "in the Jewish State adequate facilities shall be given to Arab citizens for the use of their language, their study in Arabic, and their religious and cultural life."
2. In the declaration concerning the Arab State, the words "by an Arab in the Jewish State" should be replaced by the words "by a Jew in the Arab State."

State, but not in the elections to the Constituent Assembly of the State in which they reside.

2. *International conventions.* (a) The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.

(b) Any dispute about the applicability and continued validity of international conventions or treaties signed or adhered to by the mandatory Power on behalf of Palestine shall be referred to the International Court of Justice in accordance with the provisions of the Statute of the Court.

3. *Financial obligations.* (a) The State shall respect and fulfil all financial obligations of whatever nature assumed on behalf of Palestine by the mandatory Power during the exercise of the Mandate and recognized by the State. This provision includes the right of public servants to pensions, compensation or gratuities.

(b) These obligations shall be fulfilled through participation in the Joint Economic Board in respect of those obligations applicable to Palestine as a whole, and individually in respect of those applicable to, and fairly apportionable between, the States.

(c) A Court of Claims, affiliated with the Joint Economic Board, and composed of one member appointed by the United Nations, one representative of the United Kingdom and one representative of the State concerned, should be established. Any dispute between the United Kingdom and the State respecting claims not recognized by the latter should be referred to that Court.

(d) Commercial concessions granted in respect of any part of Palestine prior to the adoption of the resolution by the General Assembly shall continue to be valid according to their terms, unless modified by agreement between the concession-holder and the State.

CHAPTER 4

Miscellaneous provisions

1. The provisions of chapters 1 and 2 of the declaration shall be under the guarantee of the United Nations, and no modifications shall be made in them without the assent of the General Assembly of the United Nations. Any Member of the United Nations shall have the right to bring to the attention of the General Assembly any

infraction or danger of infraction of any of these stipulations, and the General Assembly may thereupon make such recommendations as it may deem proper in the circumstances.

2. Any dispute relating to the application or the interpretation of this declaration shall be referred, at the request of either party, to the International Court of Justice, unless the parties agree to another mode of settlement.

D. ECONOMIC UNION AND TRANSIT

1. The Provisional Council of Government of each State shall enter into an undertaking with respect to Economic Union and Transit. This undertaking shall be drafted by the Commission provided for in section B, paragraph 1, willing to the greatest possible extent the advice and co-operation of representative organizations and bodies from each of the proposed States. It shall contain provisions to establish the Economic Union of Palestine and provide for other matters of common interest. If by 1 April 1948 the Provisional Councils of Government have not entered into the undertaking, the undertaking shall be put into force by the Commission.

The Economic Union of Palestine

2. The objectives of the Economic Union of Palestine shall be:

- (a) A customs union;
- (b) A joint currency system providing for a single foreign exchange rate;
- (c) Operation in the common interest on a non-discriminatory basis of railways, inter-State highways, postal, telephone and telegraphic services, and ports and airports involved in international trade and commerce;
- (d) Joint economic development, especially in respect of irrigation, land reclamation and soil conservation;
- (e) Access for both States and for the City of Jerusalem on a non-discriminatory basis to water and power facilities.

3. There shall be established a Joint Economic Board, which shall consist of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations. The foreign members shall be appointed in the first instance for a term of three years; they shall serve as individuals and not as representatives of States.

10. All economic authority not specifically vested in the Joint Economic Board is reserved to each State.

11. There shall be a common customs tariff with complete freedom of trade between the States, and between the States and the City of Jerusalem.

12. The tariff schedules shall be drawn up by a Tariff Commission, consisting of representatives of each of the States in equal numbers, and shall be submitted to the Joint Economic Board for approval by a majority vote. In case of disagreement in the Tariff Commission, the Joint Economic Board shall arbitrate the points of difference. In the event that the Tariff Commission fails to draw up any schedule by a date to be fixed, the Joint Economic Board shall determine the tariff schedule.

13. The following items shall be a first charge on the customs and other common revenue of the Joint Economic Board:

- (a) The expenses of the customs service and of the operation of the joint services;
- (b) The administrative expenses of the Joint Economic Board;
- (c) The financial obligations of the Administration of Palestine consisting of:
 - (i) The service of the outstanding public debt;
 - (ii) The cost of superannuation benefits now being paid or falling due in the future in accordance with the rules and to the extent established by paragraph 3 of chapter 3 above.

14. After these obligations have been met in full, the surplus revenue from the customs and other common services shall be divided in the following manner: not less than 5 per cent and not more than 10 per cent to the City of Jerusalem; the residue shall be allocated to each State by the Joint Economic Board, equitably, with the objective of maintaining a sufficient and suitable level of government and social services in each State, except that a share of either State shall not exceed the amount of that State's contribution to the revenue of the Economic Union by more than approximately four million pounds in any year. The amount granted may be adjusted by the Board according to the price level in relation to the prices prevailing at the time of the establishment of the Union. After five years, the principles of the distribution of the joint revenues may be revised by the Joint Economic Board on a basis of equity.

4. The functions of the Joint Economic Board shall be to implement either directly or by delegation the measures necessary to realize the objectives of the Economic Union. It shall have all powers of organization and administration necessary to fulfil its functions.

5. The States shall bind themselves to put into effect the decisions of the Joint Economic Board. The Board's decisions shall be taken by a majority vote.

6. In the event of failure of a State to take the necessary action the Board may by a vote of six members, decide to withhold an appropriate portion of that part of the customs revenue to which the State in question is entitled under the Economic Union. Should the State persist in its failure to co-operate, the Board may decide by a simple majority vote upon such further sanctions, including disposition of funds which it has withheld, as it may deem appropriate.

7. In relation to economic development, the functions of the Board shall be the planning, investigation and encouragement of joint development projects, but it shall not undertake such projects except with the assent of both States and the City of Jerusalem, in the event that Jerusalem is directly involved in the development project.

8. In regard to the joint currency system the currency circulating in the two States and the City of Jerusalem shall be issued under the authority of the Joint Economic Board, which shall be the sole issuing authority and which shall determine the reserves to be held against such currencies.

9. So far as is consistent with paragraph 2 (b) above, each State may operate its own central bank, control its own fiscal and credit policy, its foreign exchange receipts and expenditures, the grant of import licenses, and may conduct its general financial operations on its own faith and credit. During the first two years after the termination of the Mandate, the Joint Economic Board shall have the authority to take such measures as may be necessary to ensure that—(a) to the extent that the total foreign exchange revenues of the two States, from the export of goods and services permit, and provided that each State takes appropriate measures to conserve its own foreign exchange resources—each State shall have available, in any twelve months' period, foreign exchange sufficient to assure the supply of quantities of imported goods and services for consumption in its territory equivalent to the quantities of such goods and services consumed in that territory in the twelve months' period ending 31 December 1947.

15. All international conventions and treaties affecting customs tariff rates and those communications services under the jurisdiction of the Joint Economic Board, shall be entered into by both States. In these matters, the two States shall be bound to act in accordance with the majority vote of the Joint Economic Board.

16. The Joint Economic Board shall endeavour to secure for Palestine's exports fair and equal access to world markets.

17. All enterprises operated by the Joint Economic Board shall pay fair wages on a uniform basis.

Freedom of transit and visit

18. The undertaking shall contain provisions preserving freedom of transit and visit for all residents or citizens of both States and of the City of Jerusalem, subject to security considerations; provided that each State and the City shall control residence within its borders.

Termination, modification and interpretation of the undertaking

19. The undertaking and any treaty issuing therefrom shall remain in force for a period of ten years. It shall continue in force until notice of termination, to take effect two years thereafter, is given by either of the parties.

20. During the initial ten-year period, the undertaking and any treaty issuing therefrom may not be modified except by consent of both parties and with the approval of the General Assembly.

21. Any dispute relating to the application or the interpretation of the undertaking and any treaty issuing therefrom shall be referred, at the request of either party, to the International Court of Justice, unless the parties agree to a other mode of settlement.

E. ASSETS

1. The movable assets of the Administration of Palestine shall be allocated to the Arab and Jewish States and the City of Jerusalem on an equitable basis. Applications should be made by the United Nations Commission referred to in section B, paragraph 1, above. Immoveable assets shall become the property of the government of the territory in which they are situated.

2. During the period between the appointment of the United Nations Commission and the termination of the Mandate, the mandatory Power shall, except in respect of ordinary operations, consult

with the Commission on any measure which it may contemplate involving the liquidation, disposal or encumbering of the assets of the Palestine Government, such as the accumulated treasury surplus, the proceeds of Government bond issues, State lands or any other asset.

F. ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

When the independence of either the Arab or the Jewish State as envisaged in this plan has become effective and its declaration and undertaking, as envisaged in this plan, have been signed by either of them, sympathetic consideration should be given to its application for admission to membership in the United Nations in accordance with Article 4 of the Charter of the United Nations.

PART II

Boundaries¹

A. THE ARAB STATE

The area of the Arab State in Western Galilee is bounded on the west by the Mediterranean and on the north by the frontier of the Lebanon from Ras on Naqura to a point south of Salita. From there the boundary proceeds southwards, leaving the bulk of the area of Salita in the Arab State to join the southernmost point of this village. Thence it follows the western boundary line of the villages of 'Alma, Rihanyia and Teitaba, thence following the northern boundary line of Meliun, villages to join the Acre-Safed sub-district boundary line. It follows this line to a point west of Es Samra, village and joins it again at the northernmost point of Faradiya. Thence it follows the sub-district boundary line to the Acre-Safed main road. From here it follows the western boundary of Kafir I'nan village until it reaches the Tiberias-Acre sub-district boundary line, passing to the west of the junction of the Acre-Safed and Lubia-Kafir I'nan roads. From the south-west corner of Kafir I'nan village the boundary line follows the western boundary of the Tiberias sub-district to a point close to the boundary line between the villages of Maghar and Elbab, thence bulging out to the west to include as much of the eastern part of the plain of

1. The boundary lines described in part II are indicated in Annex A. The base map used in marking and describing this boundary is "Palestine 1: 250,000" published by the Survey of Palestine, 1946.

Butraf as is necessary for the reservoir proposed by the Jewish Agency for the irrigation of lands to the south and east.

The boundary rejoins the Tiberias sub-district boundary at a point on the Nazareth-Tiberias road south-east of the built-up area of Tur'an; thence it runs southwards, at first following the sub-district boundary and then passing between the Kidoite Agricultural School and Mount Tabor, to a point due south at the base of Mount Tabor. From here it runs due west, parallel to the horizontal grid line 220, to the north-east corner of the village; lands of Tel Adashim. It then runs to the north-west corner of these lands, whence it turns south and west so as to include in the Arab State the sources of the Nazareth water supply in Yafa village. On reaching Gineiger it follows the eastern northern and western boundaries of the lands of this village to their south-west corner, whence it proceeds in a straight line to a point on the Haifa-Afula railway on the boundary between the villages of Sarid and El Mufedil. This is the point of intersection.

The south-western boundary of the area of the Arab State in Galilee takes a line from this point, passing northwards along the eastern boundaries of Sarid and Giza to the north-east corner of Nabhal, proceeding thence across the land of Kfar Ha Horeh to a central point on the southern boundary of the village of Hrit, thence westwards along that village boundary to the eastern boundary of Bait Lahim, thence northwards and north-eastwards along its western boundary to the north-eastern corner of Waltheim and thence northwards across the village lands of Shita 'Amr to the south-eastern corner of Kanaat, Yokusan. From here it runs due north-north-east to a point on the Shita 'Amr-Hafa road, west of its junction with the road to Hailin. From there it proceeds north-east to a point on the southern boundary of I 'dalin situated to the west of the I 'dalin-Hafa road. Thence along that boundary to its westernmost point, where it turns to the north, follows across the village land of Tanna to the north-western most corner and along the western boundary of Hailin until it reaches the Acre-Safad road. It then runs westwards along the southern side of the Safad-Acre road to the Gilboa-Hafa District boundary, from which point it follows that boundary to the sea.

The boundary of the hill country of Samaria and Judah starts on the Jordan River at the Wadi Maith south-east of Beisan and runs due west to meet the Beisan-Jenicho road and then follows the western side of that road in a north westerly direction to the junction of the boundaries of the sub-districts of Beisan, Nablus, and Jenin. From

that point it follows the Nablus-Jenin sub-district boundary westwards for a distance of about three kilometres and then turns north-westwards, passing to the east of the built-up areas of the villages of Jabbun and Faqu'a, to the boundary of the sub-districts of Jenin and Beisan at a point north east of Nuds. Thence it proceeds first north-westwards to a point due north of the built-up area of Zir 'a and then westwards to the Afula-Jenin railway, thence north-westwards along the district boundary line to the point of intersection on the Hafa railway. From here the boundary runs south-westwards, including the built-up area and some of the land of the village of Kh. Lud in the Arab State to cross the Haifa-Jenin road at a point on the district boundary between Hailin and Samaria west of El Musati. It follows this boundary to the southernmost point of the village of El Bu'aimal. From here it follows the northern and eastern boundaries of the village of Ar 'ara, rejoining the Haifa-Samaria district boundary at Wadi 'Ara, and thence proceeding south-south-westwards in an approximately straight line joining up with the western boundary of Oqoun to a point east of the railway line on the eastern boundary of Oqoun village. From here it runs along the railway line some distance to the east of it to a point just east of the Tulkarm railway station. Thence the boundary follows a line halfway between the railway and the Tulkarm-Qalqilya-Jalilija and Ra' el Ein road to a point just east of Ra' el Ein station, whence it proceeds along the railway some distance to the east of it to the point on the railway line south of the junction of the Haifa-Ludd and Beit Nabala lines, whence it proceeds along the southern border of Lydda airport to its south-west corner, thence in a south-westerly direction to a point just west of the built-up area of Sarfand el 'Amar, whence it turns south, passing just to the west of the built-up area of Abu el Fadil to the south-east corner of the lands of Barz Yis-Aqev. (The boundary line should be so demarcated as to allow distance to be measured from the Arab State to the airport). Thence the boundary follows the western and southern boundary of Ramle village; to the north-east corner of El Na'ana village, thence in a straight line to the southernmost point of El Barriya, along the eastern boundary of that village and the southern boundary of Innaba village. Thence it turns north to follow the southern side of the Jaffa-Jerusalem road until El Qubab, whence it follows the road to the boundary of Abu Shusha. It runs along the eastern boundaries of 'Abu Shusha, Sidsan, Haida to the southernmost point of Haida, thence westwards in a straight line to the north-eastern corner of Umm Kalkha, thence following the northern boundaries of Umm Kalkha, Qasva and the northern and western boundaries of Mukhezin to the Gaza District boundary and

thence runs across the village lands of El Mamiya, El Kabira, and Yasur to the southern point of intersection, which is midway between the built-up areas of Yasur and Bitani Sharqi.

From the southern point of intersection the boundary lines run north-westwards between the villages of Gan Yavne and Barqa to the sea at a point half way between Nubi Yunis and Minat el Qila, and south-eastwards to a point west of Qatima, whence it turns at a south-westerly direction, passing to the east of the built-up areas of Es Sawfar, Es Shardiya and Ibbis. From the south-east corner of Ibbis village it runs to a point south-west of the built-up area of Beit 'Alfa, crossing the Hebron-El Majdal road just to the west of the built-up area of Iraq Suweida. Thence it proceeds southwards along the western village boundary of El Paluja to the Beersheba sub-district boundary. It then runs across the tribal lands of 'Arab el Jubara to a point on the boundary between the sub-districts of Be'er-sheva and Hebron north of Kh. Kluweida, whence it proceeds in a south-westerly direction to a point on the Beersheba-Gaza main road two kilometres to the north-west of the town. It then turns south-eastwards to reach Wadi Sab' at a point situated one kilometre to the west of it. From here it turns north-eastwards and proceeds along Wadi Sab' and along the Beersheba-Hebron road for a distance of one kilometre, whence it turns eastwards and runs in a straight line to Kh. Kusifa to join the Beersheba-Hebron sub-district boundary. It then follows the Beersheba-Hebron boundary eastwards to a point north of Ras Ez Zuweira, only departing from it so as to cut across the base of the indentation between vertical grid lines 150 and 160.

About five kilometres north-east of Ras ez Zuweira it turns north, excluding from the Arab State a strip along the coast of the Dead Sea not more than seven kilometres in depth, as far as Bin Gedd, whence it turns due east to join the Transjordan frontier in the Dead Sea.

The northern boundary of the Arab section of the coastal plain runs from a point between Minat el Qila and Nubi Yunis, passing between the built-up areas of Gan Yavne and Barqa to the point of intersection. From here it turns south-westwards, running across the lands of Bataal Sharqi, along the eastern boundary of the lands of Beit Diras and across the lands of Julis, leaving the built-up areas of Bitani Sharqi and Julis to the westwards, as far as the north-west corner of the lands of Beit Tima. Thence it runs east of El Jiya across the village lands of El Barbara along the eastern boundaries of the villages of Beit Jifa, Deir Suneid and Dimsa. From the

south-east corner of Dimsa the boundary passes across the lands of Beit Hanan, leaving the Jewish lands of Nir-Am to the eastwards. From the south-east corner of Beit Hanan the line runs south-west to a point south of the parallel grid line 100, then turns north-west for two kilometres, turning again in a south-westerly direction and continuing in an almost straight line to the north-west corner of the village lands of Kribet Ikhriza. From there it follows the boundary line of this village to its southernmost point. It then runs in a southerly direction along the vertical grid line 90 to its junction with the horizontal grid line 70. It then turns south-eastwards to Kh. el Rutheba and then proceeds in a southerly direction to a point known as El Baha, beyond which it crosses the Beersheba-El 'Aja main road to the west of Kh. el Mushrif. From there it joins Wadi El Zarzaitin just to the west of El Subeia. From there it turns to the north-east and then to the south-east following this wadi and passes to the east of 'Abda to join Wadi Naf'h. It then bulges to the south-west along Wadi Naf'h, Wadi Ajrim and Wadi Lusan to the point where Wadi Lusan crosses the Egyptian frontier.

The area of the Arab enclave of Jafa consists of that part of the town-planning area of Jafa which lies to the west of the Jewish quarters lying south of Tel-Aviv, to the west of the continuation of Herzl street up to its junction with the Jafa-Jerusalem road, to the south-west of the section of the Jafa-Jerusalem road lying south-east of that junction, to the west of Miya Yisrael lands, to the north-west of Holon local council area, to the north of the line linking up the north-west corner of Holon with the north-east corner of Bat Yam local council area and to the north of Bat Yam local council area. The question of Karion quarter will be decided by the Boundary Commission, bearing in mind among other considerations the desirability of including the smallest possible number of its Arab inhabitants and the largest possible number of its Jewish inhabitants in the Jewish State.

B. THE JEWISH STATE

The north-eastern sector of the Jewish State (Eastern Galilee) is bounded on the north and west by the Lebanese frontier and on the east by the frontiers of Syria and Transjordan. It includes the whole of the Hula Basin, Lake Tiberias, the whole of the Bisan sub-district, the boundary line being extended to the east of the Gilead mountain and the Wadi Malh. From there the Jewish State extends north-west, following the boundary described in respect of the Arab State.

The Jewish section of the coastal plain extends from a point between Mitzit el Qila and Nabi Yunis in the Gaza sub-district and includes the towns of Ilitza and Tel-Aviv, leaving Jaffa as an enclave of the Arab State. The eastern frontier of the Jewish State follows the boundary described in respect of the Arab State.

The Beersheba area comprises the whole of the Beersheba sub-district, including the Negeb and the eastern part of the Gaza sub-district, but excluding the town of Beersheba and those areas described in respect of the Arab State. It includes also a strip of land along the Dead Sea stretching from the Beersheba-Jerusalem sub-district boundary line to Ein Gedi, as described in respect of the Arab State.

C. THE CITY OF JERUSALEM

The boundaries of the City of Jerusalem are as defined in the recommendations on the City of Jerusalem. (See Part III, Section B, below).

PART III

City of Jerusalem

A. SPECIAL REGIME

The City of Jerusalem shall be established as a *corpus separatum* under a special international regime and shall be administered by the United Nations. The Trusteeship Council shall be designated to discharge the responsibilities of the Administering Authority on behalf of the United Nations.

B. BOUNDARIES OF THE CITY

The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern, Bethlehem; the most western, Ein Karim (including also the built-up area of Motza); and the most northern Shu'fat, as indicated on the attached sketch-map (Annex B).

C. STATUTE OF THE CITY

The Trusteeship Council shall, within five months of the approval of the present plan, elaborate and approve a detailed Statute of the City which shall contain *inter alia* the substance of the following provisions:

1. Government machinery, special objectives. The Administering

Authority in discharging its administrative obligations shall pursue the following special objectives:

(a) To protect and to preserve the unique spiritual and religious interests located in the city of the three great monotheistic faiths throughout the world, Christian, Jewish and Moslem; to this end to ensure that order and peace, and especially religious peace, reign in Jerusalem;

(b) To foster co-operation among all the inhabitants of the city in their own interests as well as in order to encourage and support the peaceful development of the mutual relations between the two Palestinian peoples throughout the Holy Land; to promote the security, well-being and any constructive measures of development of the residents, having regard to the special circumstances and customs of the various peoples and communities.

2. *Governor and administrative staff.* A Governor of the City of Jerusalem shall be appointed by the Trusteeship Council and shall be responsible to it. He shall be selected on the basis of special qualifications and without regard to nationality. He shall not, however, be a citizen of either State in Palestine.

The Governor shall represent the United Nations in the City and shall exercise on their behalf all powers of administration, including the conduct of external affairs. He shall be assisted by an administrative staff chosen as international officers in the meaning of Article 100 of the Charter and chosen wherever practicable from the residents of the city and of the rest of Palestine on a non-discriminatory basis. A detailed plan for the organization of the administration of the city shall be submitted by the Governor to the Trusteeship Council and duly approved by it.

3. *Local autonomy.* (a) The existing local autonomous units in the territory of the city (villages, townships and municipalities) shall enjoy wide powers of local government and administration.

(b) The Governor shall study and submit for the consideration and decision of the Trusteeship Council a plan for the establishment of special town units consisting, respectively, of the Jewish and Arab sections of new Jerusalem. The new town units shall continue to form part of the present municipality of Jerusalem.

4. *Security measures.* (a) The City of Jerusalem shall be demilitarized; its neutrality shall be declared and preserved, and no para-military formations, exercises or activities shall be permitted within its borders.

(b) Should the administration of the City of Jerusalem be seriously obstructed or prevented by the non-co-operation or interference of one or more sections of the population, the Governor shall have authority to take such measures as may be necessary to restore the effective functioning of the administration.

(c) To assist in the maintenance of internal law and order and especially for the protection of the Holy Places and religious buildings and sites in the city, the Governor shall organize a special police force of adequate strength, the members of which shall be recruited outside of Palestine. The Governor shall be empowered to direct such budgetary provision as may be necessary for the maintenance of this force.

5. *Legislative organization.* A Legislative Council, elected by adult residents of the city irrespective of nationality on the basis of universal and secret suffrage and proportional representation, shall have powers of legislation and taxation. No legislative measure shall, however, conflict or interfere with the provisions which will be set forth in the Statute of the City, nor shall any law, regulation, or official action prevail over them. The Statute shall grant to the Governor a right of vetoing bills inconsistent with the provisions referred to in the preceding sentence. It shall also empower him to promulgate temporary ordinances in case the Council fails to adopt in time a bill deemed essential to the normal functioning of the administration.

6. *Administration of justice.* The Statute shall provide for the establishment of an independent judiciary system, including a court of appeal. All the inhabitants of the City shall be subject to it.

7. *Economic union and economic regime.* The City of Jerusalem shall be included in the Economic Union of Palestine and be bound by all stipulations of the undertaking and of any treaties issued therefrom, as well as by the decisions of the Joint Economic Board. The headquarters of the Economic Board shall be established in the territory of the City.

The Statute shall provide for the regulation of economic matters not falling within the regime of the Economic Union, on the basis of equal treatment and non-discrimination for all Members of the United Nations and their nationals.

8. *Freedom of transit and visit; control of residents.* Subject to considerations of security, and of economic welfare as determined by the Governor under the directions of the Trusteeship Council, freedom of entry into, and residence within, the borders of the City shall be

guaranteed for the residents or citizens of the Arab and Jewish States Immigration into, and residence within, the borders of the city for nationals of other States shall be controlled by the Governor under the directions of the Trusteeship Council.

9. *Relations with the Arab and Jewish States.* Representatives of the Arab and Jewish States shall be accredited to the Governor of the City and charged with the protection of the interests of their States and nationals in connection with the international administration of the City.

10. *Official languages.* Arabic and Hebrew shall be the official languages of the city. This will not preclude the adoption of one or more additional working languages, as may be required.

11. *Citizenship.* All the residents shall become *ipso facto* citizens of the City of Jerusalem unless they opt for citizenship of the State of which they have been citizens or, if Arabs or Jews, have filed notice of intention to become citizens of the Arab or Jewish State respectively, according to part 1, section B, paragraph 9, of this plan.

The Trusteeship Council shall make arrangements for consider protection of the citizens of the City outside its territory.

12. *Freedom of citizens.* (a) Subject only to the requirements of public order and morals, the inhabitants of the City shall be ensured the enjoyment of human rights and fundamental freedoms, including freedom of conscience, religion and worship, language, education, speech and press, assembly and association, and petition. (b) No discrimination of any kind shall be made between the inhabitants on the grounds of race, religion, language or sex.

(c) All persons within the City shall be entitled to equal protection of the laws.

(d) The family law and personal status of the various persons and communities and their religious interests, including endowments, shall be respected.

(e) Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

(f) The City shall ensure adequate primary and secondary education for the Arab and Jewish communities respectively, in their own languages and in accordance with their cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while endeavoring to such educational requirements of a general nature as the City may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

(c) No restriction shall be imposed on the free use by any inhabitant of the City of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.

13. *Holy Places.* (a) Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

(b) Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.

(c) Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Governor that any particular Holy Place, religious building or site is in need of urgent repair, the Governor may call upon the community or communities concerned to carry out such repair. The Governor may carry it out himself at the expense of the community or communities concerned if no action is taken within a reasonable time.

(d) No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the City. No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favorable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

14. *Special powers of the Governor in respect of the Holy Places, religious buildings and sites in the City and in any part of Palestine.* (a) The protection of the Holy Places, religious buildings and sites located in the City of Jerusalem shall be a special concern of the Governor.

(b) With relation to such places, buildings and sites in Palestine outside the city, the Governor shall determine, on the ground of powers granted to him by the Constitutions of both States, whether the provisions of the Constitutions of the Arab and Jewish States in

Palestine dealing therewith and the religious rights appertaining thereto are being properly applied and respected.

(c) The Governor shall also be empowered to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community in respect of the Holy Places, religious buildings and sites in any part of Palestine.

In this task he may be assisted by a consultative council of representatives of different denominations acting in an advisory capacity.

D. DURATION OF THE SPECIAL REGIME

The Statute elaborated by the Trusteeship Council on the aforementioned principles shall come into force not later than 1 October 1948. It shall remain in force in the first instance for a period of ten years, unless the Trusteeship Council finds it necessary to undertake a re-examination of these provisions at an earlier date. After the expiration of this period the whole scheme shall be subject to re-examination by the Trusteeship Council in the light of the experience acquired with its functioning. The residents of the City shall be then free to express by means of a referendum their wishes as to possible modifications of the regime of the City.

PART IV

Capitulations

States whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection, as formerly enjoyed by capitulations or usage in the Ottoman Empire, shall be entitled to such privileges and immunities in the City of Jerusalem as the Government of the State to which they refer in the proposed Arab and Jewish States and the City of Jerusalem.

Appendix Six

DECLARATION OF THE ESTABLISHMENT OF THE STATE OF ISRAEL

ERETZ-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, *ma'pilim* 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 recognised in the Balfour Declaration of the 2nd November, 1917, and re-affirmed 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 comity 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 comity 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	Rachel Cohen	David Zvi Pinkas
Mordekhai Bentov	Rabbi Kalman	Aharon Zisling
Yitzchak Ben Zvi	Kahana	Moshe Kolodny
Eliyahu Berligne	Saadia Kobashi	Eliczer Kaplan
Fritz Bernstein	Rabbi Yitzchak Meir	Abraham Katzmelson
Rabbi Wolf Gold	Levin	Felix Rosenblueth
Meir Grabovsky	Meir David	David Remez
Yitzchak Gruenbaum	Loewenstein	Berl Repetur
Dr. Abraham	Zvi Luria	Mordekhai Shattner
Granovsky	Golda Myerson	Ben Zion Sternberg
Eliyahu Dobkin	Nachum Nir	Bekhor Shitreet
Meir Wilner-Kovner	Zvi Segal	Moshe Shapira
Zerach Wahrhaftig	Rabbi Yehuda Leib	Moshe Shertok
Herzl Vardi	Hacohen Fishman	

Appendix Seven

TRANSITION LAW, 5709-1947¹¹⁷

CHAPTER ONE: THE KNESSET

1. The legislative body of the State of Israel shall be called the Knesset. The Constituent Assembly shall be called "The First Knesset". A delegate to the Constituent Assembly shall be called a "member of the Knesset".

Designation of legislative body and of members of legislative body.

2. (a) An enactment of the Knesset shall be called a Law.

Laws.

(b) Every Law shall be signed by the Prime Minister and by the Minister or Ministers charged with its implementation.

(c) The President of the State shall sign every Law, except Laws concerning his powers.

(d) Every Law shall be published in *Reshumot* within ten days from the date of its being passed by the Knesset.

CHAPTER TWO: THE PRESIDENT OF THE STATE

3. (a) The President of the State shall be elected by the Knesset by secret ballot.

Election of the President.

(b) The candidate who obtains the votes of more than half of all the members of the Knesset shall be considered as elected.

(c) If no candidate obtains a majority of votes as aforesaid, there shall be a second ballot. If no such majority is obtained in the second ballot, voting shall continue, and in the third and any further ballot, the candidate who obtained the smallest number of votes in the preceding ballot shall not stand again for election. The candidate who in the third or any further ballot obtains the votes of more than half of the members of the Knesset taking part in the ballot shall be considered as elected.

4. Within seven days of his election, the President shall make and sign in the Knesset, or before the Chairman of the Knesset, the following declaration:

Declaration by the President.

"I, (name), pledge myself as President of the State to be loyal to the State of Israel and to its laws."

5. The President of the State shall hold office for the duration of the term of office of the First Knesset and until the expiration of three months from the convening of the new Knesset.

President's term of office.

6. The President of the State shall sign treaties with foreign states which have been ratified by the Knesset, appoint, upon the recommendation of the competent Minister, the diplomatic representatives of the State, receive diplomatic representatives of foreign states who have been sent to Israel, and approve the appointment of consuls of foreign states; he shall also be empowered to pardon offenders and to reduce punishments.

Functions of the President

7. Every official document signed by the President of the State shall be countersigned by the Prime Minister or by such other Minister as may be designated in that behalf by the Government.

Signature of the President.

CHAPTER THREE: THE GOVERNMENT

8. Immediately upon the election of the President of the State, the Provisional Government shall tender to him its resignation, but it shall continue to exercise its functions pending the constitution of a new Government.

Resignation of the Provisional Government.

9. After consultation with representatives of the party groups within the Knesset, the President of the State shall entrust a member of the Knesset with the task of forming a Government. Mandate to form Government.

10. The Government shall consist of the Prime Minister and of a number of Ministers, who may or may not be members of the Knesset. Composition of the Government.

11. (a) As soon as the Government has been formed, it shall present itself to the Knesset, and after having obtained a vote of confidence, it shall be considered as constituted. Constitution of the Government.

(b) Within seven days of the date on which the Government obtains such a vote of confidence, the Prime Minister and the other Ministers shall read and sign before the Knesset the following declaration:

"I, (name), as a member of the Government, pledge myself to be loyal to the State of Israel and to its laws, and to comply with the decisions of the Knesset."

(c) The Government shall be jointly responsible for its activities to the Knesset, shall report to it on its activities, and shall hold office as long as it enjoys the confidence of the Knesset.

(d) The Government which receives a vote of non-confidence from the Knesset, or which has decided to resign, shall immediately tender its resignation to the President of the State, but it shall continue to exercise its functions pending the constitution of a new Government in accordance with the provisions of this Law.

CHAPTER FOUR: FURTHER PROVISIONS

12. The Government shall have all the powers vested by law in the Provisional Government. Powers of the Government.

13. Everything required by law to be published in *Hon Rishmi* shall henceforward be published in *Reshumot*; every reference in the law to *Hon Rishmi* shall henceforward be deemed to be a reference to *Reshumot*. Reshumot.

14. Section 1 (c) and (d), section 2 (b) and (c), the second sentence of section 7 (a), and section 7 (b), of the Law and Administration Ordinance, 5708-1949, are hereby repealed. Repeal.

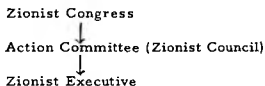
15. This Law shall have effect from the date of its being passed by the Knesset. Commencement

DAVID BEN-GURION
Prime Minister

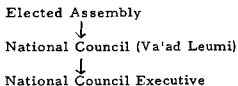
Appendix Eight

STRUCTURE OF JEWISH ORGANIZATIONS

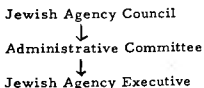
Zionist Organization (founded 1897):



Jewish Community Government (Palestine, 1920-1947):



Jewish Agency (after 1929):



Appendix Nine

BASIC LAW: THE KNESSET¹¹⁸

1. The Knesset is the parliament of the State. What the Knesset is.
2. The place of sitting of the Knesset is Jerusalem. Place of sitting.
3. The Knesset shall, upon its election, consist of one hundred and twenty members. Composition.
4. The Knesset shall be elected by general, national, direct, equal, secret and proportional elections, in accordance with the Knesset Elections Law; this section shall not be varied save by a majority of the members of the Knesset. Electoral system.
5. Every Israel national of or over the age of eighteen years shall have the right to vote in elections to the Knesset unless a court has deprived him of that right by virtue of any Law; the Elections Law shall determine the time at which a person shall be considered to be eighteen years of age for the purpose of the exercise of the right to vote in elections to the Knesset. The right to vote.
6. Every Israel national who on the day of the admission of a candidates' list containing his name is twenty-one years of age or over shall have the right to be elected to the Knesset unless a court has deprived him of that right by virtue of any Law. The right to be elected.
7. The following shall not be candidates for the Knesset: Who shall not be a candidate.
 - (1) the President of the State;
 - (2) the two Chief Rabbis;
 - (3) a judge (*shofet*), so long as he holds office;
 - (4) a judge (*dayan*) of a religious court, so long as he holds office;
 - (5) the State Comptroller;
 - (6) the Chief of the General Staff of the Defence Army of Israel;
 - (7) rabbis and ministers of other religions, so long as they hold office;
 - (8) senior State employees and senior Army officers of such grades or ranks and in such functions as shall be determined by Law.
8. The term of office of the Knesset shall be four years from the day on which it is elected. Term of office of the Knesset.

9. The elections to the Knesset shall take place on the third Tuesday of the month of Cheshvan in the year in which the tenure of the outgoing Knesset ends. Date of elections.
10. Election day shall be a day of rest, but transport services and other public services shall function normally. Election day to be a day of rest.
11. The results of the elections shall be published in *Reshumot* within fourteen days from election day. Publication of election results.
12. The Knesset shall convene for its first meeting on Monday in the second week following the week in which the election results are published, at four o'clock in the afternoon, or, if that day is a festival or the eve of festival, on the workday next following the festival. Convening of the Knesset.
13. The Knesset shall be opened by the President of the State or, in his absence, by the oldest Knesset member present; if the President of the State opens the Knesset, he shall hand over the chairmanship of the meeting to the oldest Knesset member present. Opening of the Knesset.
14. When the oldest Knesset member has opened the first meeting of the Knesset or taken over the chairmanship thereof, he shall make his declaration of allegiance as a Knesset member; the declaration shall read as follows:
"I pledge myself to bear allegiance to the State of Israel and faithfully to discharge my mandate in the Knesset."
When the oldest Knesset member has made his declaration of allegiance, he shall read the text once more to the members of the Knesset, and each of them in turn shall rise and declare:
"I pledge myself". Declaration of allegiance by members of the Knesset.
15. A Knesset member who was not present at the opening meeting or who became a Knesset member after that meeting shall make his declaration of allegiance at the first meeting that he attends; the chairman of the meeting shall read to him the text of the declaration, and the member shall rise and declare:
"I pledge myself". Declaration after the opening meeting.
16. Where the Chairman of the Knesset has called upon a member of the Knesset to make his declaration of allegiance and the member has not done so, the member shall not enjoy the rights of a member of the Knesset so long as he has not made the declaration. Failure to make declaration.
17. The members of the Knesset shall have immunity; particulars shall be prescribed by Law. Immunity of Knesset members.
18. The buildings of the Knesset shall have immunity; particulars shall be prescribed by Law. Immunity of Knesset buildings.

19. The Knesset shall itself prescribe its procedure ; in so far as such procedure has not been prescribed by Law, the Knesset shall prescribe it by rules; so long as the procedure has not been prescribed as aforesaid, the Knesset shall follow its accepted practice and routine. Procedure and rules.
20. The Knesset shall elect from among its members a Chairman and Vice-Chairmen. Chairman and Vice-Chairman.
21. The Knesset shall elect from among its members permanent committees, and it may elect from among its members committees for specific matters; the functions, powers and procedure of the committees shall, in so far as they are not prescribed by Law, be prescribed by the Rules. Committees.
22. The Knesset may appoint commissions of inquiry — either by empowering one of the permanent committees in that behalf or by electing a commission from among its members — to investigate matters designated by the Knesset; the powers and functions of a commission of inquiry shall be prescribed by the Knesset: every commission of inquiry shall include also representatives of party groups which do not participate in the Government, in accordance with the relative strength of the party groups in the Knesset. Commissions of inquiry.
23. A member of the Government who is not a member of the Knesset shall, as to everything relating to the Knesset, have the same status as a member of the Government who is a member of the Knesset, except that he shall not have the right to vote. Government member who is not a member of the Knesset.
24. The Knesset shall hold debates and pass decisions whatever the number of members present. Quorum.
25. Save as otherwise provided by Law, the Knesset shall pass its decisions by a majority of those participating in the voting — those abstaining not being reckoned as participating — and the voting procedure shall be prescribed by the Rules. Majority.
26. The meetings of the Knesset shall be held at its place of sitting: Provided that in special circumstances the Chairman of the Knesset may, in consultation with the Vice-Chairmen, convene the Knesset elsewhere. The meetings of the Knesset shall take place on workdays. Meetings.
27. The Knesset shall sit in public unless it has been decided, under such conditions and in such manner as has been prescribed by the Rules, that it shall sit *in camera*. Publicity of meetings.
28. The publication of proceedings taken and utterances made at an open meeting is not restricted and does not entail any criminal or civil liability: Provided that the chairman of the meeting may, in such manner as has been prescribed by the Rules, prohibit the publication. Publication — open meetings.

of anything the publication of which may, in his opinion, prejudice the security of the State.

29. The publication of proceedings taken and utterances made at a closed meeting is prohibited in so far as it has not been permitted in the manner prescribed by the Rules.

Publication — closed meetings.

30. A person who publishes anything the publication of which is prohibited under the preceding two sections is liable to the penalties prescribed by Law.

Prohibited publication.

31. The Knesset shall hold two sessions a year: one of them shall open within four weeks after the Feast of Tabernacles, the other within four weeks after Independence Day; the aggregate duration of the two sessions shall not be less than eight months.

Sessions.

32. If the Knesset has not been convened within the four weeks referred to in the preceding section, it shall convene on Monday in the fifth week, at four o'clock in the afternoon.

Time for opening of sessions.

33. In addition to the aforementioned sessions, the Chairman of the Knesset shall convene the Knesset upon the demand of thirty members of the Knesset or upon the demand of the Government.

Convening of the Knesset out of session.

34. The Knesset shall not decide to dissolve itself before the expiration of its term of office save by adopting a Law for that purpose.

Dissolution of the Knesset.

35. The Law concerning the dissolution of the Knesset shall contain a provision as to the date of the elections to the next Knesset.

Date of elections after dissolution of the Knesset.

36. If the Knesset decides to dissolve itself, the term of office of the next Knesset shall run until the month of Cheshvan next following the termination of four years from the day of its election.

Term of office of the Knesset after dissolution.

37. The outgoing Knesset shall continue to hold office until the convening of the incoming Knesset.

Continuity of the Knesset.

38. Any enactment due to expire during the last two months of the term of office of the outgoing Knesset or within four months after the Knesset has decided to dissolve itself or during the first three months of the term of office of the incoming Knesset shall continue in force until the expiration of the said three months.

Extension of validity of enactments.

39. The members of the Knesset shall receive a remuneration as provided by Law.

Remuneration of members of the Knesset.

40. A member of the Knesset may resign his office: resignation shall be by personal presentation of a letter of resignation by the resigning

Resignation of member of the Knesset.

member to the Chairman of the Knesset or, if the member is unable to present the letter of resignation personally, by transmission thereof in the manner prescribed by the Rules; the letter of resignation shall be signed on the day of the presentation or transmission.

41. If a member of the Knesset tenders his resignation, his membership of the Knesset shall cease forty-eight hours after the letter of resignation reaches the Chairman of the Knesset, unless the member withdraws his resignation before then.

Consequences of resignation.

42. If a member of the Knesset is elected or appointed to one of the posts the holders of which are debarred from being candidates for the Knesset, his membership of the Knesset shall cease upon the election or appointment.

Termination of tenure of member of the Knesset.

43. If the seat of a member of the Knesset falls vacant, it shall be filled by the candidate who, in the list of candidates which included the name of the late member, figured immediately after the last of the elected candidates.

Replacement of Knesset member.

44. Notwithstanding the provision of any other law, this Law cannot be varied, suspended, or made subject to conditions, by emergency regulations.

Law not to be affected by emergency regulations.

45. Section 44, or this section, shall not be varied save by a majority of eighty members of the Knesset.

Entrenched sections.

DAVID BEN-GURION
Prime Minister

YITZCHAK BEN-ZVI
President of the State

Appendix Ten

BASIC LAW: ISRAEL LANDS¹¹⁹

1. The ownership of Israel lands, being the lands in Israel of the State, the Development Authority or the Keren Kayemet Le-Israel, shall not be transferred either by sale or in any other manner.

Prohibition
of transfer
of ownership.

2. Section 1 shall not apply to classes of lands and classes of transactions determined for that purpose by Law.

Permission
by Law.

3. In this Law, "lands" means land, houses, buildings and any thing permanently fixed to land.

Definition.

DAVID BEN-GURION
Prime Minister

YITZCHAK BEN-ZVI
President of the State

Appendix Eleven

BASIC LAW: THE PRESIDENT OF THE STATE¹²⁰

- | | |
|---|--------------------------------|
| 1. A President shall stand at the head of the State. | Status. |
| 2. The place of residence of the President of the State shall be Jerusalem. | Place of residence. |
| 3. The President of the State shall be elected by the Knesset for five years. | Election and period of tenure. |
| 4. Every Israel national who is a resident of Israel is qualified to be a candidate for the office of President of the State. A person who has held office as President of the State for two successive periods shall not be a candidate in the election for the period immediately following. | Eligibility. |
| 5. The election of the President of the State shall be held not earlier than ninety days and not later than thirty days before the expiration of the period of tenure of the President in office. If the place of the President of the State falls vacant before the expiration of his period of tenure, the election shall be held within forty-five days from the day on which such place falls vacant. The Chairman of the Knesset, in consultation with the Deputy Chairman, shall fix the day of the election and shall notify it to all the Members of the Knesset in writing at least twenty days in advance. If the day of the election does not fall in one of the session terms of the Knesset, the Chairman of the Knesset shall convene the Knesset for the election of the President of the State. | Date of election. |
| 6. (a) When the day of the election has been fixed, any ten or more Members of the Knesset may propose a candidate. The proposal shall be in writing and shall be delivered to the Chairman of the Knesset, together with the consent of the candidate in writing or by telegram, not later than ten days before the day of the election. A member of the Knesset shall not sponsor the proposal of more than one candidate. | Proposal of candidates. |
| (b) The Chairman of the Knesset shall notify all the members of the Knesset, in writing, not later than seven days before the day of the election, of every candidate proposed and of the names of the Members of the Knesset who have proposed him, and shall announce the candidates at the opening of the meeting at which the election is held. | |
| 7. The election of the President of the State shall be by secret ballot at a meeting of the Knesset assigned only for that purpose. | Voting. |
| 8. The candidate who has received the votes of a majority of the Members of the Knesset is elected. If no candidate receives such a majority, a second ballot shall be held. If there is no majority as aforesaid at the second ballot, either, voting shall be continued. At the third and every subsequent ballot, the candidate who at the preceding ballot | Election by majority of votes. |

received the smallest number of votes shall no longer stand for election. The candidate who at the third or any subsequent ballot receives a majority of the votes of the Members of the Knesset who take part in the voting and vote for one of the candidates is elected. If two candidates receive the same number of votes, voting shall be repeated.

9. The President-Elect shall make and sign before the Knesset the following declaration of allegiance:

"I pledge myself to bear allegiance to the State of Israel and to its laws and faithfully to carry out my functions as President of the State."

10. The President-Elect shall make his declaration of allegiance and begin to hold office upon the expiration of the period of tenure of the preceding President of the State. If the place of the preceding President of the State falls vacant before the expiration of his period of tenure, the President-Elect shall make his declaration of allegiance as soon as possible after his election and shall begin to hold office upon making his declaration of allegiance.

11. (a) The President of the State—

(1) shall sign every Law, other than a Law relating to his powers;

(2) shall take action to achieve the formation of a Government and shall receive the resignation of the Government in accordance with Law;

(3) shall receive from the Government a report on its meetings;

(4) shall accredit the diplomatic representatives of the State, shall receive the credentials of diplomatic representatives sent to Israel by foreign states, shall empower the consular representatives of the State and shall confirm the appointments of consular representatives sent to Israel by foreign states;

(5) shall sign such conventions with foreign states as have been ratified by the Knesset;

(6) shall carry out every function assigned to him by Law in connection with the appointment and removal from office of judges and other office-holders.

(b) The President of the State shall have power to pardon offenders and to lighten penalties by the reduction or commutation thereof.

(c) The President of the State shall carry out every other function and have every other power assigned to him by Law.

12. The signature of the President of State on an official document, other than a document connected with the formation of a Government, shall require the countersignature of the Prime Minister or of such other Minister as the Government may decide.

Declaration of
allegiance.

Making of
declaration
and commence-
ment of period
of tenure.

Functions
and powers.

Counter-
signature.

13. (a) The President of the State shall not be amenable to any court or tribunal, and shall be immune from any legal act, in respect of anything connected with his functions or powers. Immunity with regard to discharge of functions.
- (b) The President of the State shall not, in giving evidence, have to disclose anything which came to his knowledge in the discharge of his functions as President of the State.
- (c) The immunity of the President of the State under this section shall continue after he has ceased to be President of the State.
14. The President of the State shall not be criminally prosecuted. The period during which, by virtue of this section, the President of the State cannot be prosecuted for an offence shall not be counted in calculating the period of prescription of that offence. Immunity from criminal proceedings.
15. If the President of the State is required to give evidence, his evidence shall be taken at such place and time as shall be determined with his sanction. Evidence.
16. The salary of the President of the State, and other payments to be made to him during or after his period of tenure, including payments to be made to his survivors, shall be fixed by resolution of the Knesset, which may empower the Finance Committee in that behalf. Resolutions under this section shall be published in *Reshumot*. Salary and other payments.
17. (a) Save with the sanction of the House Committee of the Knesset, the President of the State shall not hold any post, or exercise any function, other than the post and functions of President of the State. President to hold no other office.
- (b) The President of the State shall be exempt from all compulsory service.
18. The President of the State shall not leave the territory of the State save with the sanction of the Government. Departure for abroad.
19. The President of the State may resign his office by submitting a letter of resignation to the Chairman of the Knesset. The letter of resignation shall not require a countersignature. The place of the President of the State shall become vacant forty-eight hours after the letter of resignation reaches the Chairman of the Knesset. Resignation.
20. (a) The Knesset may, by resolution, remove the President of the State from office if it finds that he is unworthy of his office owing to conduct unbecoming his status as President of the State. Removal of President from office.
- (b) The Knesset shall not remove the President of the State from office, save following a complaint brought before the House Committee by at least twenty members of the Knesset and upon the proposal of the House Committee passed by a three-quarters majority of the members of the Committee. A resolution by the Knesset to remove the President from office shall require a three-quarters majority of the Members of the Knesset.
- (c) The House Committee shall not propose the removal of the President of the State from office before he has been given an opportunity to refute the complaint in accordance with procedure prescribed

by the Committee with the approval of the Knesset, and the Knesset shall not resolve to remove the President of the State from office before he has been given an opportunity to be heard in accordance with procedure prescribed by the House Committee with the approval of the Knesset.

(d) The President of the State may be represented before the House Committee and before the Knesset by an authorised representative. A Member of the Knesset shall not act as the representative of the President. The House Committee and the Knesset may summon the President of the State to be present at proceedings under this section.

(e) Proceedings of the Knesset under this section shall be taken at a meeting, or successive meetings, assigned solely for that purpose. The proceedings shall begin not later than twenty days after the resolution of the House Committee. The time of their beginning shall be notified by the Chairman of the Knesset to all the Members of the Knesset, in writing, at least ten days in advance. If the beginning of the proceedings does not fall in one of the session terms of the Knesset, the Chairman of the Knesset shall convene the Knesset for the proceedings.

21. (a) The Knesset may, by resolution passed by a majority of its members, declare that for reasons of health the President of the State is permanently unable to carry out his functions.

Vacation of
post for reasons
of health.

(b) The Knesset shall not pass a resolution as aforesaid save upon the proposal of the House Committee passed by a two-thirds majority of its members on the strength of a medical opinion given in accordance with rules prescribed by the Committee.

(c) If the Knesset resolves as aforesaid, the place of the President of the State shall become vacant on the day of the resolution.

22. (a) The President of the State shall temporarily cease to carry out his functions and exercise his powers—

Temporary
cessation of
exercise of
office.

(1) if he leaves the territory of the State—from the time of his leaving until his return;

(2) if he notifies the House Committee that for reasons of health he is temporarily unable to carry out his functions and the Knesset Committee approves his notification by a majority of votes—from the time of the approval of the notification until the expiration of the period fixed by the Committee in its resolution or until the President of the State notifies the House Committee that he is no longer unable to carry out his functions, whichever is the earlier date;

(3) if the House Committee, by a two-thirds majority of its members, on the strength of a medical opinion given in accordance with rules prescribed by the Committee, resolves that for reasons of health the President of the State is temporarily unable to carry out his functions—from the passing of the resolution until the expiration of the period fixed by the House Committee in the resolution or until the House Committee resolves that the President is no longer unable to carry out his functions.

(b) The House Committee shall not, under subsection (a)(2) or (3), fix a period exceeding three months. It may extend the period, without a break, up to a maximum of three additional months. Any further extension shall require a resolution of the Knesset passed by a majority of the Members of the Knesset upon the proposal of the House Committee.

23. (a) If the place of the President of the State has fallen vacant, and so long as the new President has not yet begun to hold office, the Chairman of the Knesset shall hold office as Interim President of the State.

Interim President and Acting President.

(b) During a period in which the President of the State has temporarily ceased to carry out his functions and exercise his powers, the Chairman of the Knesset shall hold office as Acting President of the State.

(c) While holding office as Interim President of the State or Acting President of the State, the Chairman of the Knesset shall carry out the functions assigned to the President of the State by Law and shall exercise the powers vested in the President of the State by Law.

24. (a) The Chairman of the Knesset shall publish a notice in *Reshumot* as to—

Notices in *Reshumot*.

- (1) the commencement of the tenure of the President of the State;
- (2) the vacancy of the place of the President of the State;
- (3) the commencement and termination of the tenure of the Chairman of the Knesset as Acting President of the State under section 22(a)(2) and (3).

(b) The Prime Minister shall publish a notice in *Reshumot* as to the President's leaving the territory of the State and as to his return.

25. Notwithstanding the provisions of any other law, this Law cannot be varied, suspended, or made subject to conditions, by emergency regulations.

Law not to be affected by emergency regulations.

26. (a) There are hereby repealed—

Repeal.

- (1) sections 2(c), 6 and 7 of the Transition Law, 5709–1949);
- (2) the State President (Tenure) Law, 5712–1951);

(b) The State President, Government Members and Chief Rabbis of Israel (Fixing of Salaries) Law, 5711–1950), shall no longer apply to the salary of the President of the State or to payments due to him or his survivors.

27. The President of the State who was elected by the Knesset on the 27th Iyar, 5723 (21st May, 1963) shall be deemed to have been elected, and to hold office, under this Law.

Transitional provision.

LEVI ESHKOL
Prime Minister

Appendix Twelve

BASIC LAW: THE GOVERNMENT¹²¹

1. The Government is the executive authority of the State. What the Government is.
2. The seat of the Government is Jerusalem. Seat of Government.
3. The Government holds office by virtue of the confidence of the Knesset. Source of authority.
4. The Government is collectively responsible to the Knesset. Responsibility.
5. (a) The Government consists of the Prime Minister and other Ministers. Composition and eligibility.
(b) The Prime Minister shall be a member of the Knesset. Another Minister need not be a member of the Knesset, but he must be an Israel national and an Israel resident. When a person becomes a Minister while holding one of the offices the holders of which are debarred from being candidates for the Knesset, his tenure of that office ceases upon his becoming a Minister.
(c) A Minister shall be in charge of a Ministry: Provided that he may be a Minister without Portfolio. One of the Ministers may be Deputy Prime Minister.
6. When a new Government has to be constituted, the President of the State shall, after consultation with representatives of party groups in the Knesset, assign the task of forming a Government to a Knesset Member who has notified him, within three days from the day on which he was asked, that he is prepared to accept the task. Assignment of task of forming Government.

7. The Knesset Member to whom the President has assigned the task of forming a Government shall have a period of twenty-one days for the fulfilment of such task. The President of the State may extend the period by additional periods not in the aggregate exceeding twenty-one days.

Periods for
formation of
Government.

8. (a) Where the periods referred to in section 7 have passed and the Knesset Member has not notified the President of the State that he has formed a Government, or where he has notified him before then that he is unable to form a Government, the President may assign the task of forming a Government to another Knesset Member who has notified him that he is prepared to accept the task.

Re-assignment
of task.

(b) The President of the State may do again as specified in subsection (a) as often as the situation indicated therein recurs.

(c) Before assigning the task of forming a Government under this section, the President may again consult with representatives of party groups in the Knesset.

(d) A Knesset Member to whom the task of forming a Government has been assigned under this section shall have the period specified in section 7 for the fulfilment of the task, and the President may extend the period as specified in that section.

9. (a) Where the President of the State has not assigned the task of forming a Government under section 8, or where he has assigned it under that section and the Knesset Member has not notified him within twenty-one days that he has formed a Government or has notified him before then that he is unable to form a Government, representatives of party groups in the Knesset whose members constitute a majority of the members of the Knesset may request the President of the State in writing to assign the task to a particular member of the Knesset.

Assignment
of task at the
request of
party groups.

(b) Where a request as aforesaid, accompanied by the written consent of the candidate, has been submitted to the President, the President shall assign the task of forming a Government to that Knesset Member.

(c) A Knesset Member to whom the task of forming a Government has been assigned under this section shall have a period of fourteen days for its fulfilment.

(d) Where a request as aforesaid is submitted during an additional period allowed to a Knesset Member to whom the President assigned the task under section 8, the President shall notify such Knesset Member of such request, and upon such notification the task of such Knesset Member shall terminate.

10. (a) Where the President of the State has assigned the task of forming a Government under section 6 or 8 and the period allowed to the Knesset Member for the fulfilment of the task has passed without his having informed the President that he has formed a Govern-

Notice of
non-formation
of
Government.

ment, or he has informed the President before then that he is unable to form a Government, the President may give notice to the Chairman of the Knesset that he sees no way of achieving the formation of a Government.

(b) Notice to the Chairman of the Knesset under subsection (a) shall not prevent the application of section 9.

11. When a Law for the dissolution of the Knesset has been adopted, the proceedings for the formation of a Government shall cease.

Discontinuance
of proceedings
for formation
of Government.

12. When a new Knesset has been elected, the President of the State may open a proceeding for the formation of a Government after the results of the elections have been published in *Reshumot* and before the new Knesset has convened. The consultation referred to in section 6 shall in this case be held with the representatives of candidates' lists.

Preliminary
proceedings
for formation
of Government.

13. (a) Where the President of the State has assigned to a Knesset Member the task of forming a Government, he shall notify the Chairman of the Knesset to such effect, and the Chairman of the Knesset shall notify the Knesset.

Notifications
in connection
with formation
of Government.

(b) Where the Knesset Member has formed a Government, he shall notify the President of the State and the Chairman of the Knesset to such effect, and the Chairman of the Knesset shall notify the Knesset.

14. The Knesset Member who has formed a Government shall head it.

Formation of
Government
and
Premiership.

15. When a Government has been formed, it shall present itself to the Knesset, shall announce the basic lines of its policy, its composition and the distribution of functions among the Ministers, and shall ask for an expression of confidence. The Government is constituted when the Knesset has expressed confidence in it, and the Ministers shall thereupon assume office.

Constitution
of Government.

16. As soon as, or as soon as possible after, the Knesset has expressed confidence in the Government, the Prime Minister shall make before the Knesset the following declaration of allegiance:

Declaration
of
allegiance.

"I (name) pledge myself as Prime Minister to bear allegiance to the State of Israel and to its laws, to carry out faithfully my functions as Prime Minister and to comply with the decisions of the Knesset",

and each of the other Ministers shall make the following declaration of allegiance:

"I (name) pledge myself as a member of the Government to bear allegiance to the State of Israel and to its laws, to carry out faithfully my functions as a member of the Government and to comply with the decisions of the Knesset."

17. (a) The Government may change the distribution of functions among the Ministers. The change shall require the approval of the Knesset.

Change in
distribution
of functions.

(b) This section shall not apply to the function of Prime Minister.

18. The Government may, upon the proposal of the Prime Minister, coopt a Minister to the Government. When the Government has decided to coopt a Minister, it shall notify such fact and the function of the additional Minister to the Knesset. Upon the approval of the notification by the Knesset, the additional Minister shall assume office, and as soon as possible after the approval he shall make his declaration of allegiance.

Cooptation
of Minister.

19. If the Prime Minister is absent from Israel or is temporarily unable to carry out his functions, the Government shall designate another of the Ministers who are members of the Knesset to act in his place until he returns to Israel or again carries out his functions.

Acting Prime
Minister.

20. If a Minister, other than the Prime Minister, is absent from Israel or is temporarily unable to carry out his functions, the Government shall designate another Minister to act in his place until he returns to Israel or again carries out his functions. So long as the Government has not done so, the Prime Minister shall act in the place of that Minister.

Minister
acting for
other
Minister.

21. (a) A Minister, other than the Prime Minister, may, after notifying the Government of his intention to do so, resign from the Government by submitting a letter of resignation to the Government. His tenure in the Government ceases forty-eight hours after the letter of resignation reaches the Government, unless he has withdrawn his resignation before then.

Termination
of tenure
of Minister.

(b) Where a Minister who is a member of the Government resigns from the Knesset, his tenure in the Government ceases on the day on which his membership in the Knesset ceases.

(c) The tenure of a Minister in the Government ceases upon his election or appointment to one of the functions the holders of which are debarred from being candidates for the Knesset.

(d) When the tenure of a Minister, other than the Prime Minister, in the Government ceases, the Government shall designate an-

other Minister to carry out his functions; such designation shall require the approval of the Knesset. So long as the Government has not done as aforesaid, the Prime Minister shall carry out the functions of that Minister.

22. (a) The Government may resign. If it decides to do so, the Prime Minister shall submit its letter of resignation to the President of the State. Resignation of Government.

(b) When a new Knesset has been elected, the Government shall be deemed to have resigned on the day of the election.

23. (a) The Prime Minister may, after notifying the Government of his intention to do so, resign by submitting a letter of resignation to the President of the State. The resignation of the Prime Minister shall be deemed to be the resignation of the Government. Resignation or death of Prime Minister.

(b) If the Prime Minister dies, the Government shall be deemed to have resigned on the day of his death.

24. If the Knesset has expressed non-confidence in the Government, the Chairman of the Knesset shall notify the President of the State to such effect, and the Government shall be deemed to have resigned on the day of the expression of non-confidence. Expression of non-confidence in the Government.

25. (a) When a new Knesset has been elected or the Government has resigned or the Prime Minister has resigned or died or the Knesset has expressed non-confidence in the Government, the President of the State shall begin proceedings for the formation of a new Government. The outgoing Government shall continue to carry out its functions until the new Government is constituted. Continuity of Government.

(b) A Prime Minister who has resigned shall continue to carry out his functions pending the constitution of the new Government. If the Prime Minister has died, the Government shall designate another of the Ministers who are members of the Knesset to be Interim Prime Minister pending the constitution of the new Government.

(c) The provisions of sections 18 and 21 (a) and (b) shall not apply when the Government is continuing to carry out its functions in accordance with this section.

26. The Government shall itself prescribe the procedure for its meetings and work, the modes of its deliberations and the manner of passing its decisions, either permanently or in respect of a particular matter. Work procedure.

27. The Government may act through committees of Ministers, which may be permanent, temporary or for particular matters. Committees of Ministers.

28. (a) The deliberations and decisions of the Government and of the committee of the Ministers on the following matters are secret and their publication is prohibited : Secrety.
- (1) the security of the State ;
 - (2) foreign relations of the State ;
 - (3) any other class of matters whose secrecy the Government regards as vital to the State and which it has proclaimed, by order, for the purposes of this section ;
 - (4) a matter which the Government has decided to keep secret : Provided that the disclosure and publication of such a matter shall only be prohibited to a person who knew about the decision.
- (b) The provisions of subsection (a) shall not apply to things whose publication has been permitted by the Government, the Prime Minister or a person empowered by it or him in that behalf or is required under any law.
29. The Government is competent to do in the name of the State, subject to any law, any act the doing of which is not enjoined by law upon another authority. Powers of Government.
30. Any power vested in or duty imposed on a Minister under any Law may be transferred by the Government, wholly or in part, to another Minister; a decision under this section requires the approval of the Knesset. Transfer of powers.
31. (a) A power vested in the Government under any Law may be delegated by it to one of the Ministers. Delegation of powers.
- (b) A power vested in one of the Ministers under any Law or transferred to him under section 30, other than a power to make regulations with legislative effect, may be delegated by him, wholly, in part or subject to restrictions, to a public servant.
- (c) A power delegated to a Minister by the Government under subsection (a), other than a power to make regulations with legislative effect, may be delegated by him to a public servant, wholly, in part or subject to restrictions, if the Government has empowered him to do so.
- (d) Any reference in this section to a power vested in the Government or a Minister shall be taken to include a duty imposed on it or him.
- (e) The provisions of this section shall apply in so far as no contrary intention appears from the Law conferring the power or imposing the duty.
32. A Minister charged with the implementation of any Law may, in so far as no contrary intention appears from that Law, assume any Assumption of powers.

power, other than a power of a judicial character, vested in a State employee under that Law; he may do so in respect of a specific matter or for a specific period.

33. (a) The Government may merge, divide and abolish Ministries and set up new Ministries. A decision under this provision shall require the approval of the Knesset. **Ministries.**

(b) The Government may transfer areas of activity from one Ministry to another.

34. A Minister in charge of a Ministry may, with the approval of the Government, appoint from among the members of the Knesset one Deputy Minister or two Deputy Ministers for that Ministry. A Deputy Minister shall assume office when the Government has announced his appointment in the Knesset. A Deputy Minister appointed by the Prime Minister shall be called a "Deputy Minister at the Prime Minister's Office". **Appointment of Deputy Ministers.**

35. A Deputy Minister shall, in the Knesset and in the Ministry for which he has been appointed, act in the name of the Minister who appointed him and within the scope of the matters entrusted to him by that Minister. **Functions of Deputy Minister.**

36. The tenure of a Deputy Minister shall terminate when — **Termination of tenure of Deputy Minister.**
(1) he resigns by submitting a letter of resignation to the Minister who appointed him; or
(2) that Minister ceases to be a Minister or to be in charge of that Ministry; or
(3) the Government or the Minister decides to terminate his tenure; or
(4) a new Government is established; or
(5) he ceases to be a member of the Knesset.

37. Ministers and Deputy Ministers shall receive such remuneration and other payments as shall be fixed by decision of the Knesset. The Knesset may empower the Finance Committee in that behalf. **Remuneration of Ministers and Deputy Ministers.**

38. The Government shall, upon the proposal of the Prime Minister, appoint the Government Secretary and prescribe his functions. **Government Secretary.**

39. (a) A document issued by the Government shall be signed by the Prime Minister or by such other Minister as the Government has empowered in that behalf or by the Government Secretary. **Evidence of Government acts.**

(b) A written confirmation by the Government Secretary that the Government has done a certain thing shall be evidence that such things has been done as stated in the confirmation.

40. (a) The Government shall give notice to the Knesset of the following :

Notices to
Knesset.

- (1) the designation of an Acting Prime Minister or Interim Prime Minister ;
- (2) the resignation of the Government ;
- (3) the resignation or death of the Prime Minister ;
- (4) the resignation or death of a Minister ;
- (5) the transfer of areas of activity from one Ministry to another ;
- (6) the termination of the tenure of a Deputy Minister under section 36 (1) or (3).

(b) Notice as aforesaid shall be given in the Knesset or, during a recess of the Knesset, to the Chairman of the Knesset, who shall bring it to the knowledge of the members of the Knesset.

41. (a) Notice of the following shall be published in *Reshumot* on behalf of the Knesset :

Publication
in *Reshumot*.

- (1) the constitution and composition of the Government, and the distribution of functions among the Ministers, under section 15 ;
- (2) the approval of a change in the distribution of the functions of the Ministers, under section 17 ;
- (3) the approval of the co-optation of a Minister to the Government, under section 18 ;
- (4) the approval of a decision under section 30 or 33 (a) ;
- (5) a decision under section 37.

(b) Notice of the following shall be published in *Reshumot* on behalf of the Government :

- (1) decisions by the Government under sections 19, 20, 21 (d), 25 (b), 31 (a) or (b) or 33 (a) ;
- (2) the assumption of a power under section 31 for a specific period ;
- (3) the appointment of a Deputy Minister under section 34 and the termination of his tenure under section 36 (1) or (3) ;
- (4) the appointment of a Government Secretary under section 38 and the termination of his tenure.

42. Notwithstanding anything contained in any other law, this Law cannot be varied, suspended, or made subject to conditions, by emergency regulations. This section may be varied only by a majority of the members of the Knesset.

Non-application
of emergency
regulations.

LEVI ESHKOL
Prime Minister

SHNEUR ZALMAN SHAZAR
President of the State

Appendix Thirteen

RESULTS OF KNESSET ELECTIONS, 1949-1973

	First 1/25/49	Second 7/30/51	Third 7/26/55	Fourth 11/3/59	Fifth 8/15/61	Sixth 11/2/65	Seventh 10/28/69	Eighth 12/31/73
Mapai	46	45	40	47	42	55e	56g	51
Achdut Ha'avodah	x ^a	x	10	7	8			
Mapam	19	15	9	9	9	8		
Herut	14	8	15	17	17		26	
General Zionists	7	23	13	8	17d	26f	4	39h
Progressives	5	4	5	6			2	
State List	x	x	x	x	x	x	x	
Free Center	x	x	x	x	x	x	x	
Greater Israel	x	x	x	x	x	x	x	
Independent Liberals	x	x	x	x	x	5	4	4
N. R. P.	16b	10	11	12	12	11	12	10
Agudat Israel		5	6	6	4	4	4	5
Poale Agudat Israel					2	2	2	
Haolam Hazech	x	x	x	x	x	x	2	0
Citizens Rights	x	x	x	x	x	x	x	3
Arab Parties	2	5	5	5	4	4	4	3
Maki	4	5	6	3	5	1	1	1
Rakah	x	x	x	x	x	3	3	4
Others	7c							

a. "x" indicates that party does not yet exist. b. In 1949 all four religious parties ran as the United Religious Front. c. Four Sephardim, one Yemenite, one WIZO, and one Fighters' (Lehi). d. Liberals. e. Ma'arach (including Rafi after 1968). f. Gahal. g. Ma'arach-Mapam coalition. h. Likud.

Appendix Fourteen

FORMATION OF COALITION GOVERNMENT 122

Mapai's Coalition Needs and Resources in Each of Six Parliaments (actual coalitions are in bold face type)

	<i>Knesset:</i>	<i>1st</i>	<i>2nd</i>	<i>3rd</i>	<i>4th</i>	<i>5th</i>	<i>6th</i>
Mapai Seats		46	45	40	47	42	45
Mapai + minor party support		57	57	50	58	48	60
Mapai + minor party support + NRP		73 ^a	67	61	70	60	71
Mapai + minor party support + NRP + General Zionists		80	87 ^b	74	78	77 ^c	*
Mapai + minor party support + NRP + Mapam + Ahduth Avodah		92	82	80	86	68 ^d	79 ^e

^a In the First Knesset, the NRP was, together with the Agudah parties, part of the Religious Bloc.

^b There were four different Governments during the Second Knesset, two based on the NRP alone option and two based on the NRP + General Zionist option.

^c By this time, the General Zionists had merged with the Progressives to form the Liberal Party. This removes the Progressives from the "minor party support" category, and is the reason for the reduction in that support which is seen in the second row.

^d Earlier coalitions in this row had included both Mapam and Ahduth Avodah; in the Fifth Knesset, as part of the effort to create an alignment between Mapai and Ahduth Avodah, Mapam was not included in the coalition.

^e The General Zionists, now having merged with Herut to form Gahal, cease to be an eligible coalition partner.

* The Mapai-Ahduth Avodah alignment is now reality, so this cell reflects only the added Mapam seats.

Appendix Fifteen

1973 KNESSET ELECTION
CAMPAIGN ADVERTISEMENTS 123

If you don't want wars without end
Don't vote for the Likud
If you don't accept the lack of a clear cut policy
Don't vote for the Ma'arach

The Persistent Power for Peace

LAMED AYIN THE INDEPENDENT LIBERALS



Even
a responsible
Government
can err

But
to elect
an irresponsible
Government
would be a grave error

Support the cause
of peace and security

NETAN

VOTE EMET KAHN MECHUNIM LITVINSKY PARTY MECHANISMS OF THE STATE / YEMIN

DO YOU AGREE?...

1. That "somebody" failed in their assessment of the Arab troop concentrations
2. That we were caught napping
3. That going back to pre-1967 borders is suicide
4. That we have a right to Erez Israel
5. That our foreign policy and public relations failed
6. That the Histadrut should be a labour union and should not control most of our largest industries
7. That we should have free schooling for all grades
8. That medical care should be run on a national level
9. That there has not been any dynamic positive programme for economic development
10. That our tax structure is unsound and needs revising
11. That more should be done for young couples and slum clearing
12. That there is too much bureaucracy and red tape
13. That a fund should be set up for returning soldiers
14. That a government that is in power for 25 years becomes sluggish, unproductive and rusty
15. Do you agree we need a change?

**IF YOU DO
VOTE LIKUD**

1712 003 28407

"1. FIRST THINGS FIRST!"

You don't have to agree with every last detail of our platform.

But you agree that the State of Israel should return to the values of Israel.

Give priority to the main thing and not to what is incidental.

**THERE CAN BE NO SECURITY WITHOUT FAITH.
PUT YOUR TRUST IN THE JUDAISM OF FAITH!**

WHERE
TODAY'S JUDAISM MOVES
Against Violence — Toward Actual Peace

חזק דתך הורדת

הנה מלחמה בדם אדם

לדבר עם ה' אלהים



**YOU'RE WORRIED ABOUT
YOUR CHILDREN'S FUTURE**



STATE
RELIGIOUS
EDUCATION

do interrupt the development
of youth

SUPPORT
RELIGIOUS
EDUCATION

Chazit Datit Le'umit
Hamitruchi—Haypoet Hamitruchi



התנועה הלאומית
המיתרית

URI AVNERY?

WHAT DOES HE WANT?

Separation of State and Religion... A five-day working week...
 Legalized abortion... Civil marriage and civil divorce...
 Abolition of travel taxes... A new Ministry for the Protection
 of the Environment... Social Housing for young couples...
 Air conditioning in all buses and taxis... Equal status for
 Reform, Conservative and Orthodox rabbis... Free University
 education... The nationalization of the Kippot-Holim and the
 creation of a British-style National Health Service for all...
 A law for the protection of animals... In short, a modern Israel.
 ANI... ABOVE ALL: PEACE!

ELECTION PROMISES?

No, Uri Avnery promises only one thing: to go on fighting
 for the same goals for which he waged needless fight during
 the last eight years in the Knesset. For these items, and for
 many more, which have become identified with the name of
 Israel's No. 1 Independent parliamentarian,

VOTE FOR URI AVNERY!

MERI (HA'OLAM HAZEH)

If you want to help: Tel. 451450, Tel Aviv. If you don't have a phone, see page 17.



Vote:

FOR the support of peace initiatives, for the
 fight against "not-an-inch" policies

FOR orderly, lawful government, for the
 protection of citizens' rights

FOR true representation through a reform
 of the electoral system

Clip out and send to a friend

VOTE **מרי**

SHULAMIT ALONI AND HER TEAM FOR THE KNESSET

The Movement for Citizens' Rights



262 Rehov Hayarkon, Tel Aviv, Tel. 451450

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