

Israel's Declaration of Independence

Israel's Declaration of Independence brings to life the debates and decisions at the founding of the state of Israel. Through a presentation of the drafts of Israel's Declaration of Independence in English for the first time, Neil Rogachevsky and Dov Zigler shed new light on the dilemmas of politics, diplomacy, and values faced by Israel's leaders as they charted the path to independence and composed what became modern Israel's most important political text.

The stakes began with war, state-building, strategy, and great power politics, and ascended to matters of high principle: freedom, liberty, sovereignty, rights, and religion. Using fast-paced narration of the meetings of Israel's leadership in April and May 1948, this volume tells the astonishing story of the drafting of Israel's Declaration of Independence, enriching and reframing the understanding of Israel's founding and its ideas – and tracing its legacy.

Neil Rogachevsky is Clinical Assistant Professor and Associate Director at the Straus Center of Yeshiva University, where he teaches Israel studies and political thought. His writing has appeared in the *Wall Street Journal*, *Tablet*, *Mosaic*, *Jewish Review of Books*, *American Affairs*, *Ha'aretz* and other publications.

Dov Zigler is an investor and Chief International Economist at Element Capital in New York.

Israel's Declaration of Independence

*The History and Political Theory of the Nation's
Founding Moment*

NEIL ROGACHEVSKY

Yeshiva University

DOV ZIGLER

Independent Scholar



CAMBRIDGE
UNIVERSITY PRESS

Cambridge University Press & Assessment
978-1-009-08831-2 — Israel's Declaration of Independence
Neil Rogachevsky, Dov Zigler
Frontmatter
[More Information](#)



CAMBRIDGE
UNIVERSITY PRESS

Shaftesbury Road, Cambridge CB2 8EA, United Kingdom
One Liberty Plaza, 20th Floor, New York, NY 10006, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
314-321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India
103 Penang Road, #05-06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment,
a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of
education, learning and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781009088312
DOI: 10.1017/9781009090841

© Cambridge University Press & Assessment 2023

This publication is in copyright. Subject to statutory exception and to the provisions
of relevant collective licensing agreements, no reproduction of any part may take
place without the written permission of Cambridge University Press & Assessment.

First published 2023
First paperback edition 2025

A catalogue record for this publication is available from the British Library

ISBN 978-1-316-51477-1 Hardback
ISBN 978-1-009-08831-2 Paperback

Cambridge University Press & Assessment has no responsibility for the persistence
or accuracy of URLs for external or third-party internet websites referred to in this
publication and does not guarantee that any content on such websites is, or will
remain, accurate or appropriate.

Contents

<i>Notes on the Text</i>	<i>page vii</i>
Introduction: Israel’s Declaration of Independence: History and Political Theory	I
PART I THE SETTING	
1 Government: The Origins of Israel’s Declaration of Independence	19
PART II POLITICAL THEORY	
2 Natural Rights	43
3 From Natural Rights to Labor Zionism: Tzvi Berenson and the Legal Department’s Draft	79
4 International Law: Herschel Lauterpacht’s Draft	113
PART III HISTORY	
5 Diplomacy: Moshe Shertok’s Draft	139
6 Politics and Law: Debating the Declaration	167
7 Natural and Historical Right: David Ben-Gurion and Israel’s Declaration	195

vi	<i>Contents</i>
PART IV LEGACY	
8	The Laws of Israel and the Declaration of Independence 235
	Conclusion: Sovereignty, the Jewish State, and Principles of Political Right 261
	Afterword and Acknowledgments 286
	<i>Appendix: Address by Zalman Rubashov (Shazar) to the Zionist Actions Committee, April 12, 1948</i> 292
	<i>Bibliography</i> 295
	<i>Index</i> 311

Notes on the Text

Zionism in the nineteenth and twentieth centuries often constituted a personal transformation: many who arrived in the land of Israel, including key Zionist figures, took on entirely new Hebrew names or Hebraicized existing ones at some point in their lives.

Our practice is to refer to individuals as they were known (officially) in the days leading up to Israel's Declaration of Independence in 1948. Thus, the future prime minister Golda Meir is Golda Meyerson, the future prime minister Moshe Sharett is Moshe Shertok, etc. Figures who had already Hebraicized their names formally, such as David Gruen, who had been known as David Ben-Gurion for years, are referred to accordingly.

Despite some accompanying stylistic infelicities, we have chosen to transliterate certain Hebrew proper names, particularly those of organizations, military groups, political parties, and other institutions of the Jewish settlement in Palestine (which we always call the *Yishuv*). Thus, we refer throughout to the new governing bodies set up in April 1948 as *Moetzet ha'Am* and *Minhelet ha'Am* rather than as the National Council and National Administration. This leads to some grammatical problems – any Hebrew speaker will chuckle at occasional references to the *Moetzet ha'Am* – but we thought that the benefits of using Hebrew names while keeping the English language straight for a non-Hebrew speaker outweighed the costs.

Of some additional importance: this book studies the early drafts of Israel's Declaration of Independence. In examining the early drafts, it was at times necessary to focus our study on a single text which was one amongst a sequence of similar drafts. The differences between these drafts are generally relatively minor, however, occasionally, they take on added significance. We explain our choices throughout the text. These deserve some attention.

An important primary source for this book has been the official minutes of the meetings of Zionist and *Yishuv* executive and deliberative bodies in the weeks leading up to independence, particularly those of *Minhelet ha'Am*, *Moetzet ha'Am*, and *Va'ad ha'Poel ha'Tzioni* (which we generally refer to using a dated but revealing translation, the Zionist Actions Committee, itself an English form of the original “Actionscomité.”) We treated the content of these minutes, and the discussion and speeches they contain, as accurate renditions of what was said at these meetings (as we have done for the records contained in *Foreign Relations of the United States* and elsewhere). Though the quality of these minutes is high, no such historical texts are free of possible elisions, oversights, abridgements, misquotations, and even additions. The reader should keep this in mind when encountering a direct quote from any of these meetings.

Unless otherwise noted, all translations are our own.