

Volume 1

MAJOR KNESSET DEBATES,
1948-1981

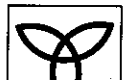
People's Council and Provisional
Council of State 1948-1949

Edited by
Netanel Lorch

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*For my grandchildren—Gilad, Ariel, Guy, Shani
and Dafna.*

May they grow up, and understand.



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FOREWORD

Daniel J. Elazar

In its hardly more than 40 years of existence as a state, Israel has been almost constantly in the news, news that has focused on wars with its neighbors, its conflict with the Palestinian Arabs as rival claimants for the same land, and its various and sundry internal problems. In the process of being so frequently headlined, many of its most solid accomplishments have escaped unnoticed. Not the least of these is the work of its governing institutions in forging a polity capable of serving the needs of an expanding people in a developing society. In part this is because the raw materials needed to acquire the necessary knowledge are inaccessible to most non-Israelis because they are in Hebrew. Of critical importance among those raw materials are the debates of the Israeli Knesset.

The Israeli Knesset falls well within the Jewish tradition of legislative assemblies, despite the fact that it was in many respects designed by its founders along the model of continental European parliaments. First of all, its name, Knesset, which means assembly, harks back to the *Anshe Knesset Hagedolah* (Men of the Great Assembly), the oldest authenticated representative Jewish legislature, established in the fifth century BCE by Ezra and Nehemiah as part of the regime change that took place in restored Judea after the Babylonian exile that we know as the Second Commonwealth. The Hebrew term *knesset*, related to the Aramaic *knishta*, is a translation of the older biblical term *edah*, meaning the assembled body politic, indicating that the *Anshe Knesset Hagedolah* was designed to represent the entire Jewish people, the notion behind the foundation of the present Knesset as well.

The number of Knesset members—120—also follows that of the *Anshe Knesset Hagedolah* and is designed to reflect national comprehensiveness as manifested in the twelve tribes of ancient Israel. The principle of 120 is that a political body, in this case a tribe, can be deemed to exist if it has a *minyán* of ten members (as reflected in Jewish religious tradition in the number required for a prayer quorum and in Jewish legal tradition in the number required to constitute a court). Thus twelve times ten would be the minimum number of adults necessary to constitute the full Jewish people.

In one sense the Knesset is a legislative assembly like all others. In another it is analogous to a representative town meeting of the kind found in many New England communities where the entirety of the voters elect people not only to represent them in the normal constituency sense, but to represent the community as a whole because not all of the community can assemble to do its business. This also falls within patterns common in Jewish political history. Hence the Knesset does not

simply perform the normal parliamentary functions of legislation and legislative oversight; it includes discussions of Israel-diaspora relations, anti-Semitism past and present, aliyah (immigration to Israel), and other such issues confronting Israel as a Jewish state in addition to the normal considerations of state and governmental business. Its wide-ranging debates often do not have an immediate legislative or oversight objective.

The functioning of the Knesset has taken on its own characteristics as well. Unlike so many European parliaments, especially the British "mother of parliaments," which have become so dependent upon their governments or cabinets that they have lost almost all power to function independently, the Knesset has developed a fairly substantial means of independent action when it comes to the modification of proposed legislation submitted by the ministries and in oversight of the administration. Its powers are mostly manifested through its committee system which is far better articulated than in most parliaments. It includes such features as frequent allocation of committee chairmanships to the opposition so as to ensure better oversight.

While these features are written about from time to time, the special character of the Knesset has not been properly explored. This volume helps us understand something more about the first dimension of that special character.

Israel formally achieved statehood on May 14, 1948, the 5th of Iyar, 5748, according to the Hebrew calendar. Its first Knesset was elected in February 1949 as a constituent assembly to draft a new constitution for the new state pursuant to the United Nations resolution of 29 November 1947. While it soon became apparent that Israel was not ready to prepare a full-blown constitution at one fell swoop, the Knesset continued to sit as the state's legislative body and retained its constituent powers. Consequently it has not only had to deal with ordinary legislation but has conducted what is essentially a continuing constitutional forum on the critical issues facing the new state, leading to the development of a body of organic laws known as Basic Laws of constitutional import and standing, plus a substantial body of ordinary legislation which has added to Israel's constitutional tradition. Examination of these materials offers an insight into Israeli political thinking as well as an understanding of Israel's legislative process, its constitutional development, and its policy positions on the critical issues of contemporary government.

Netanel Lorch, one of Israel's noted political and military historians, himself among the generation that was actively engaged in the state's founding, who served in various capacities as soldier, administrator, and diplomat before becoming the Secretary General of the Knesset for twelve years, has rendered Israel and scholarship at large a great service by culling the first generation of Knesset debates

and selecting those portions of them which lay out the work of that body and deserve the attention of a larger audience.

Dr. Lorch begins by giving us a general introduction to the Knesset and its work, which is in itself an important contribution to Israeli political science. He brings selections from Israel's two provisional legislative bodies that functioned prior to the election of the First Knesset—the People's Council that declared Israel's independence, and the Provisional Council of State, its successor on 14 May 1948, which continued until 10 February 1949 as Israel's supreme legislative body. He takes us from the First through the Ninth Knessets, issue by issue.

The subject matter of this selection covers the critical issues in Israel's history. The selections from the debates of the People's Council deal with declaring Israel's independence. The Provisional Council debates deal with the establishment of the institutions and symbols of the new state, the progress of the War of Independence, the challenge to state authority on the part of the Irgun Zvai Leumi in the Altalena affair, the conclusion of the first truces, and preparations for the Rhodes armistice negotiations that brought an end to the War of Independence.

Over the following years the collection treats such diverse issues as the debate over whether or not to adopt a full-blown constitution for the State of Israel; the adoption of the individual Basic Laws that form the basis of Israel's present constitution; the adoption of the state's symbols; responses to Arab threats, terrorism and aggression, and efforts to negotiate peace with the neighboring states; relations with the Great Powers; the development of a legal infrastructure for the young state and the court system that today is its pride; the debate over whether or not Israel's legal system would continue to be attached to the Common Law tradition or would shift to a new connection with the Jewish legal tradition and, if so, how. Issues such as the Law of Return, German reparations, and mass immigration from the Arab lands are covered in the way that only the living debates can provide. In sum, all the critical issues which Israel has faced, domestic and foreign, can be found within the covers of these volumes.

Nothing can replace the direct encounter with the stuff of which history is made and Dr. Lorch has rendered a signal service in providing us with this collection which will become a classic work of reference on the subject. The Jerusalem Center for Public Affairs is proud to add this vital contribution to the understanding of Israel's democracy and the continuing history of the Jewish people in its land to its series of basic works on both subjects.

PREFACE

This book presents a selection from the debates held in the Knesset and in the legislative bodies immediately preceding it—the People's Council and the Provisional Council of State—arranged chronologically, from 1948 to 1981. The subjects have been selected with a view to their long-term relevance, and include political questions, fundamental constitutional issues, and problems concerning the relationship between the Jewish diaspora and the State of Israel.

All the major events in Israel's eventful history, and the weighty decisions taken in its course, are reflected, including the decision to establish the state, and the formulation of its Declaration of Independence; the manifold occasions when war and peace, life and death, were in the balance—the War of Independence of 1948, the Sinai Campaign of 1956, the Six-Day War of 1967, the Yom Kippur War of 1973—culminating in President Sadat's visit to the Knesset and the ensuing Peace Treaty between Egypt and Israel; relations with postwar Germany, in their different phases; the questions of a written constitution, the electoral system, a bill of rights, the Law of Return, and the related issue of who is a Jew—to mention but some of the subjects.

All of Israel's well-known leaders, and many less well-known, are represented through their performance in the parliamentary arena. Thus the book constitutes a mini-history of the State of Israel.

The People's Council and the Provisional Council of State have been accorded a somewhat disproportionate amount of space in view of their importance as Founding Fathers.

Except for a few cases, preference has been given to debates in which several differing viewpoints converge on a given subject rather than to individual speeches or series of monologues, in which the Knesset records abound.

Altogether, somewhat less than 2 percent of all available material—well over 100 double-column volumes in the original Hebrew—has been included, after a three-stage process of selection: of debates, of speakers in debates, and of passages within speeches.

The principal criterion for inclusion has been the extent to which an item contributes in terms of concepts, ideas, arguments—and, rarely, also language—to the debate on a given subject; however, the position of the speaker has also been taken into account. Thus the Prime Minister of the day and his senior colleagues, as well as the chief spokesmen for the opposition, have been given pride of place. At the same time no attempt has been made to achieve a precise proportional division of space in accordance with parliamentary strength. It is for that reason that the editor preferred to undertake the arduous process of selection by himself, thus avoiding any sort of political or other pressure.

In order to avoid technicalities and to minimize the need to refer to outside documents, including draft laws, only debates on the principles involved in legislation, not their details, have been included, i.e., the preliminary reading for private members' bills, and the first reading for government-sponsored bills.

Budget debates, which take up a good deal of Knesset time, have been eliminated altogether. On the other hand, a good many "mini-debates" on Motions for the Agenda have been included, as well as several Parliamentary Questions.

Some ceremonial sittings have been reproduced, including Sadat's visit to the Knesset in November 1977, and President Carter's visit in 1979, both reproduced verbatim.

Each debate is preceded by a short introduction relating to the circumstances under which it took place. There is also an introduction to each Knesset outlining its composition, and a general introduction to the Knesset, its history, structure, procedure, the manner of its election, and related matters.

The book is accompanied by a Glossary of Political Parties and Personalities.

It is to be hoped that this book will contribute to a better understanding of the sometimes bizarre, strange ways of Israel's fledgling democracy. It will draw attention to the fact that in spite of continuous warfare, in the absence of a single day of both formal and actual peace, Israel—with all its shortcomings, and they are many—has never abridged the democratic freedom of its citizens.

Netanel Lorch
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The Knesset—Israel's Parliament

General Introduction

The Knesset is Israel's house of representatives.

Its roots in Israel's history are deep. During the first Return to Zion, that of the exiles from Babylon, the Great Knesset (Assembly) met in Jerusalem. It numbered one hundred and twenty members, some of them heads of households from Jerusalem, some heads of households from the provinces, some were priests and Levites, while the rest were scribes according to one version, prophets according to another.

When a Jewish state was reestablished in Eretz Israel during the recent return to Zion its parliament was given the name *Knesset* at the suggestion of Dr. Zerah Warhaftig, and the number of its members was set at 120 to underline the concept of continuity; this parliament is not something brand new but the revival of an ancient tradition. Like the members of the Great Knesset in ancient times, the Knesset Members of our day sought to restore a great tradition.

The immediate sources of the Knesset derive from modern history. Both the World Zionist Organization and the organized Jewish population of Mandatory Palestine—the Yishuv—governed themselves democratically, holding secret elections from time to time: to the Zionist Congress, and its executive, the Zionist Executive, on the one hand, and the Elected Assembly and its “government,” the National Committee (*Vaad Leumi*), on the other. The elections to both organizations were proportional, a system which had established itself in Europe to a large extent after the First World War. Zionists from various countries participated in the Zionist Congresses; they included Socialist Zionists, Religious Zionists, General Zionists, etc., who would form blocs at the Congresses on the basis of their outlook rather than their countries of origin. The elections to the Elected Assembly were also undertaken on the basis of countrywide lists of parties distinguished from one another by their ideology, outlook and vision for the Jewish society in Eretz Israel; there were no geographically circumscribed constituencies.

In accordance with the United Nations Assembly resolution of 29 November 1947 to partition Palestine, steps were taken to establish the organs of government of the Jewish state which was to come into being simultaneously with an Arab state, and an international enclave—*corpus separatum*—in Jerusalem and its environs. The resolution was predicated on the assumption that it would be implemented peaceably and that the three newly established political entities would constitute a single economic, fiscal and monetary unit. It soon became evident that these assumptions were totally unfounded. The representatives of Palestinian Arabs, as well as those of Arab governments, totally re-

jected the idea of a Jewish state in any part of Palestine, and threatened openly to resort to violence in order to prevent it. Thus, on the morrow of the resolution riots broke out in Palestine, their dimensions growing rapidly. Nevertheless, the leadership of the Yishuv and the Zionist movement persevered in preparations for independence, even when it became clear that the partition resolution was not going to be implemented. The U.N. Implementation Committee was not permitted to enter the country and became defunct even before it was born. The Mandate authorities refused to permit any national organization prior to the completion of the British departure. In accordance with the decision of the Committee of the Zionist Executive and the National Committee, two bodies were established on 4 April 1948: the People's Council (*Moetzet Ha'am*) and the People's Directorate, (*Minhelet Ha'am*).

The Council—a quasi-legislative body—was to comprise 37 members, the members of the Zionist Executive and the National Committee, in addition to the representatives of bodies which had not taken part in those two organizations and had gone their separate ways till then: the Revisionist Party, Agudat Israel, the Communist Party, and others. Thirteen members of the Council were elected to the People's Directorate, each one being in charge of a specific area: defense, foreign relations, the treasury, education and culture, commerce and industry, etc.

The Provisional Council of State

The historic occasion at which the establishment of the Jewish state in Eretz Israel was proclaimed was convened by David Ben-Gurion in his capacity as Chairman of the People's Council and the People's Directorate and was held at the Tel Aviv Museum on 14 May 1948 (5 Iyar 5708). At its conclusion the Council became the Provisional Council of State, and the Directorate the Provisional Government, on which Ben-Gurion served as Prime Minister and Minister of Defense. Soon after its establishment Ben-Gurion resigned as Chairman of the Council, in accordance with the tradition of the Zionist movement whereby a member of the Executive cannot serve simultaneously as head of the legislature—the Congress. Joseph Sprinzak, who was elected in his stead, was an experienced member of the Praesidium of Zionist Congresses, having served on them ever since the 1920s.

The Provisional Council of State held 39 meetings, during the course of which all the issues of the day were discussed—the war effort, the political struggle, the organization of the institutions of state, etc. The main task of the Council was to prepare the elections for the Constituent Assembly which were supposed to be held before 1 October 1948, in accordance with the U.N. resolution, but because of the exigencies of the times, and primarily because of the war which was being fought

throughout the newly-emergent state, the elections were postponed, being held four months later than planned, on 25 January 1949—after the battles had ceased but before the Armistice Agreements were signed.

The elections were held according to proportional representation, which was familiar and easy to implement in a country whose borders had not yet been fixed and where it was therefore difficult to define electoral constituencies. Those who opposed this system were told that its employment in this instance did not constitute a permanent arrangement, and that the Constituent Assembly would pass laws to determine permanent electoral arrangements. No date was set from the outset for the completion of the Constituent Assembly's work, and it was assumed that when the formulation of a constitution had been completed new elections would be held accordingly. It soon became apparent that this was no easy matter. There were those who doubted the necessity of formulating a constitution for the state, using the example of Great Britain, which had never had a written constitution. But even those who advocated a written constitution discovered that this gave rise to a great many difficulties deriving from differences in basic worldviews. Consequently, the Constituent Assembly contented itself with passing the Transition Law, also known as the "Little Constitution," which determined governance arrangements, and a resolution to the effect that the constitution would be formulated in stages to be known as "basic laws," and only when the labor was completed would all the basic laws be enshrined in one constitution. As soon as the Constituent Assembly had absolved itself of the task of formulating a constitution it changed its name to the (First) Knesset. Although by law the Knesset was supposed to serve for four years, the First Knesset did not last its full term because of a government crisis over the religious or secular education of the children of immigrants. It was dissolved after two and a half years, and the elections to the Second Knesset were held on 30 July 1951.

Elections to the Knesset

The Basic Law: the Knesset of 1958 (5718), which replaced the parallel section of the Transition Law, determines that every Israeli citizen aged eighteen years or more is entitled to vote for the Knesset (clause 5) provided the courts have not deprived him or her of this right by law. In effect, persons outside the country—even in the service of Israel—or in prison on election day are precluded from voting. Sailors serving on ships flying the Israeli flag are the exception to this rule.

With regard to the electoral system, the law determines that the Knesset shall be elected by general, nationwide, direct, equal, secret and proportional elections, in accordance with the Knesset Elections Law (clause 4). This clause is distinguished by being the only one of all

the laws passed by the Knesset which can be changed only by an absolute majority of Knesset Members. Thus, the Knesset adopted the system of proportional elections according to which the entire country is one constituency. Each party or group of parties or a group of citizens may submit a list of candidates provided certain requirements are met: the candidates' agreement to be included on the list is confirmed; a number of signatures of support are submitted—in the 1951 elections the number was 250, but with time it grew, and in 1984 was 2,500; a sum of money is deposited for the benefit of the state, which is forfeited if the list does not win a single seat. This deposit changes from time to time, in order to offset the effects of inflation, but has never been more than three monthly salaries, on the basis of an average salary in Israel. Lists which are represented in the outgoing Knesset are absolved of the need to meet the last two conditions.

Regulations introduced in 1951 determine that a list which has gained less than one percent of the legitimate votes—the minimum threshold—will not be represented in the Knesset. That is a low threshold whose influence is only marginal given that the number of Knesset Members is 120. If its object was to prevent the submission of a great many lists it is doubtful whether this was achieved. The number of lists submitted ranged from 14 for the Fifth Knesset in 1961 to 31 for the Tenth Knesset in 1981. The lists which received at least one seat ranged from a minimum of 10 for the Seventh (1969), Eighth (1973) and Tenth (1981) Knessets to a maximum of 15 for the Second (1951) and Eleventh (1984).

The multiplicity of small parties led to a situation in which the way surpluses were calculated became a crucial problem. The system shifted from time to time, sometimes being based on the principle of the largest *surplus*, generally benefiting the small parties, and sometimes on that of the largest *average*, benefiting the larger parties. The first principle was applied in the first six election campaigns, from the Second to the Seventh Knessets, after which the principle of the largest average (known as the d'Hondt system, after the Dutch scholar who devised it) was reintroduced following a fierce struggle between the small parties (ranging from the Communists to Agudat Israel) and the two largest ones. The law recognizes surplus agreement arrangements between parties provided these are submitted in advance to the Chairman of the Central Elections Committee who by law must be a Justice of the Supreme Court appointed to this position by the President of the Court.

From the outset the law has not restricted candidates for election, provided that they are citizens of Israel and at least twenty-one years old on election day. No restrictions were placed on party lists either. At a later stage restrictions were determined for the holders of certain offices, headed by the President of the state, as well as career officers of the IDF, senior civil servants and judges, who may not be candidates unless they resign from their posts one hundred days prior to the elections.

Another restriction was added by the Ninth Knesset, precluding someone who has been sent to jail for five years or more for committing a crime against the security of the state (clause 6, amendment no. 8) from standing for election. The nature of the lists was not restricted in any way either, until the Eleventh Knesset barred the submission of lists whose platform negated the existence of the Jewish state or its democratic character. As these lines are being written that restriction has not yet been tested in an actual election. Those restrictions notwithstanding, the principle remains that everything is in the voters' hands and their right to vote for the party of their choice in a free and sovereign way should not be limited *a priori*. There is no rule regarding the way candidates are to be chosen and the order in which they are to be presented in each list, since this is the sole prerogative of the parties or the groups submitting the list. Some parties make use of an organizing committee, while others select candidates in the party centers or in the branches. In some instances the person at the head of the list decides—whether in theory or in practice—who should follow him on the list and in what order, while in others secret elections are held beforehand, with the participation of all the members of the group or party in question. In recent years lists comprising several parties, and this also includes all the major parties, generally reserve certain places on their lists for each of the parties they contain, each such party filling those places in its own way or according to its own regulations.

This electoral system—which is unparalleled elsewhere in the world, except for Holland—has come under criticism since the establishment of the state on three counts: it is said to lead to a multiplicity of party groups in the Knesset; it in effect prevents the formation of a party group with an absolute majority, and therefore forces the country to have recourse to coalitions whose stability is dubious and ability to decide limited, and often grants exaggerated political power—over and above their actual strength—to a small party group or groups which are able to tip the scales and can decide whether or not the government has a majority in the Knesset.

It has also been said that the system is undemocratic because, except for a few instances, the individual voter is unable to affect the composition of the list and there is no direct contact between the voter and the candidate, the two features being interconnected.

The advocates of the system maintain that the system is far more just than any other because it reflects every shade of political opinion and represents their popularity among the voting public, as opposed to the one-man constituency (Westminster) system, which in effect leads to the loss of all the votes given to the candidates who are not elected and enables a small majority (and sometimes even a minority) of the voters to gain a large majority (and sometimes even an overwhelming majority) in the parliament.

Over the years amendments to the electoral system have been proposed repeatedly, most of them suggesting a mixed system (such as that employed in the Federal Republic of Germany) which modifies the proportional principle but does not cancel it completely. Even when the amendment of the electoral system was included in the coalition agreement (in the Ninth Knesset)—namely, when most of the Knesset Members were committed to supporting a change in the electoral system—this did not work out. The electoral system which had been introduced in 1948 as a provisional measure only for the elections to the Constituent Assembly has remained in force without any substantial change ever since.

The Tasks of the Knesset

In the Transition Law the Knesset is referred to as the "Legislature." This definition was replaced in the Basic Law: the Knesset by the term "House of Representatives," describing the nature of the House but not its tasks. The tasks, whether those which devolve from basic laws or other laws, those which are defined in the Knesset's rules of procedure, or those which are the result of tradition and convention, are as follows:

A. The Knesset is indeed Israel's legislature, and the moment its decisions assume the form of law they are binding on all its citizens and inhabitants, including the Cabinet and every other branch of government.

Most of the laws which are brought before the Knesset are initiated by the Government, and only a minority by private members, party groups or Knesset committees, though this does not detract from the principle that the Knesset is free to accept or reject them, and very few bills are adopted by the Knesset in their original form, from whichever source they may derive. This task also involves monitoring of the implementation of laws in order to check whether they are really upheld and do in effect attain their objective. Certain legislatures attach the highest importance to this function, but this is not the case with the Knesset.

B. The Knesset fulfills an equally important task in the process of forming the Government. The Prime Minister must be one of the 120 Knesset Members; most of its members have always been Knesset Members, even though this is not mandatory. Thus, on election day, the voter elects the reservoir from which the members of the Government are drawn, as well the members of the legislature. A government cannot begin functioning until it has gained the confidence of the majority of the Knesset, as indicated by a vote of confidence. The coalition agreement, which is usually discussed by the heads of the lists or the

party groups, also requires the approval of the Knesset. And just as a vote of confidence is a precondition for the start of the Government's work, a vote of no confidence puts an end to it, even though it continues to function until a new government is formed, in order to ensure the continued activity of the machinery of government. In theory, a minority government is possible in Israel (if some of the Knesset Members abstain from the vote or absent themselves from it), but in effect no minority government in Israel has lasted longer than a few days.

C. From the moment a government is formed, the Knesset can and must supervise its activities, having several tools for doing so: questions to Ministers; summoning Ministers to appear before Knesset committees or send them their authorized representatives; and motions or urgent motions for the agenda. The State Comptroller, whose task it is to examine the efficiency, legality and ethical probity with which the government operates, is appointed by the Knesset and submits to it an annual report, as well as specially-requested reports from time to time. The same applies to the Ombudsman, who is identical with the State Comptroller in Israel, but has a separate bureaucracy for each function.

D. Approximately one-third of the Knesset plenum's time—more than in most parliaments—is devoted to political debates, which deal with presenting the Government's policy and actions, primarily in the crucial area of Israel's relations with its neighbors. In these debates the issues of war, acts of terrorism, ways of achieving peace, and Israel's relations with the Powers and countries outside the region are raised. Problems which appear to have only a tenuous connection with the central subject, such as economic issues and Israel's relations with the diaspora, are also often examined in that light. These debates generally conclude with a resolution to the effect that "The Knesset takes note of the Government's statement," which constitutes what amounts to a renewed—and expected—expression of confidence in the government. But it is the debate, not the resolution, which is the main point, providing an opportunity for the representatives of the party groups to express their views, whether critical or supportive. In these debates the Knesset is the forum of the state in the classical sense of the term—that is, the state's "market place" of ideas. In the era of mass communications—whether printed or electronic—the Knesset no longer has the monopoly over this vital sphere, and must fight for supremacy in cooperation with the media rather than in competition with them. The parliamentary correspondents are a respected feature of the Knesset, constituting welcome guests. From the outset, the Knesset was distinguished among world parliaments for the way in which it facilitated coverage of its debates in the press, on the radio and, later on, on television. Other parliaments began to follow suit as regards radio and television only at a much later stage, while imposing restrictions on this. There are still parliaments, including the House of Commons of Britain, which do not permit televi-

sion coverage. Alongside the cooperation between the media and the Knesset, the competition between them continues, and from time to time the Knesset has to struggle to ensure that an important political statement is delivered in the Knesset and not beforehand on television, so that the debate in the Knesset does not lag behind the discussion in the media.

E. The Knesset constitutes the symbol of sovereignty and its representative, both internally and externally. Many official occasions and state ceremonies are held in the Knesset, whether in the plenum, the foyer or the square in front of the building. A special area has been allocated for demonstrations in the Rose Garden on the hill facing the Knesset. Groups of individuals, once the appropriate arrangements have been made, are entitled to gather there in order to voice their views and complaints to the representatives of the people. Visiting heads of state and of international organizations are occasionally invited to address the Knesset. The Knesset is a member of the Inter-Parliamentary Union, and its observers regularly attend the sessions of the Parliamentary Assembly of the Council of Europe. Since 1978 it has exchanged delegations annually with the European Parliament, the house of representatives of the European Economic Community. It also exchanges delegations with other parliaments, and the Knesset Speaker invites his colleagues and is invited by them. The Knesset does not have executive tasks in the sphere of foreign relations, and even the task intended for it by some of the founding fathers, the ratification of international conventions and treaties, has not actually been accorded to it. Only as a special concession have draft agreements of great importance—such as the Disengagement Agreements following the Yom Kippur War and the Peace Treaty with Egypt—been brought before it for debate and a vote prior to their final signature by a representative of the government. In the Eleventh Knesset the practice was introduced whereby the government deposits the draft of an agreement in the office of the Secretary-General of the Knesset for a certain amount of time before it is brought before the government for approval, and Knesset Members can read the draft and make their comments and, if they see fit, can initiate a debate in the Knesset or in one of its committees before the government makes a final and binding decision. In the nature of things, the Knesset does not engage in diplomatic negotiations, but in an age when diplomacy is affected by atmosphere and the creation of an international climate to an increasing degree, the Knesset also plays an important role in the area of foreign relations.

The Structure and Work of the Knesset

The Speaker and his Deputies

When a new Knesset has been elected it is opened by the *doyen d'age* of the Knesset Members. Members to whom this honor has fallen have included David Ben-Gurion, Golda Meir, Yitzhak Meir Levin, Zerah Warhaftig, Joseph Burg and Abba Eban. After a brief speech he invites the Members of the Knesset to take the oath of loyalty, because only after so doing do they begin to serve in their positions. After that the Knesset elects a Speaker from among the Members, who is to serve throughout the Knesset's term. The first Speaker of the Knesset, Joseph Sprinzak (1949–1959) and the third, Kadish Luz (1959–1969), served ten years each, the rest for shorter terms, from eight months in the case of Nahum Nir, who completed Sprinzak's term after his death in 1959, to five years in the case of Israel Yeshayahu (1972–1977), who completed Reuben Barkat's term and then served a full term.

After that the Knesset elects Deputy Speakers, whose number ranges from two (as in the Tenth Knesset) to eight. The elections for the Speaker and the Deputy Speakers are open. The Deputy Speakers are generally chosen by agreement between the major party groups so that they are represented proportionally in the Praesidium. From time to time there have been attempts by the smaller party groups of every shade collectively to obtain a place in the Praesidium, but to no avail. The Speaker conducts the sittings and affairs of the Knesset and represents it. The Deputies share the running of the sittings with him in accordance with a pre-determined timetable. In conducting a sitting, a Deputy Speaker has all the authority of the Speaker. The Speaker determines the agenda for two days of the week in accordance with the recommendations of the Cabinet, while the agenda for the third day, usually Wednesday, is given over to topics initiated by Knesset Members and is determined by the Speaker and the Deputies at their weekly meeting at midday on Monday, which is also attended by one or two representatives of the Cabinet.

The Speaker and the Deputies determine the urgency of motions for the agenda, as well as permitting private members' bills to be placed on the agenda. In the past they did not have any discretionary power in this, because in accordance with a legal opinion adopted by the Knesset, every proposal which had the form and content of a draft bill had to be placed on the agenda, unless it insulted human dignity in some way. In the Eleventh Knesset, following an attempt to place a racist proposal on the agenda, the Speaker and the Deputies were given the additional authority to reject proposals if they harmed the state's right to exist or democratic character. The Speaker and the Deputies must permit any

other draft bill to be placed on the agenda so that the Knesset may decide whether to adopt it or not.

The Speaker is responsible to the Knesset for administration and finances. The Secretary-General of the Knesset, the Secretariat and the other Knesset employees are under his authority, the Speaker having the authority of a Minister in this respect and the Secretary-General that of a Director-General. He is also responsible for the security of the Knesset and for the preservation of order within its bounds, by means of the Knesset Sergeant-at-Arms, the Knesset Guard and the Knesset ushers.

According to the rules of procedure, the Speaker "shall conduct the affairs of the Knesset and represent it externally; he shall see to the preservation of its dignity, the decorum of its sittings and the observance of its rules of procedure; and he shall preside over the sittings of the Knesset and conduct them, put questions to a vote, and determine the results of each vote and of all elections which take place in the Knesset." The Speaker is entitled to take part in the vote, like any other Knesset Member, but it is not customary for him to participate in the debate and express his views.

The Knesset Plenum

In accordance with the Basic Law: the Knesset, the Knesset plenum must sit no less than eight months a year in two sessions: the Winter Session, which usually begins on the second day of the second week after the Feast of Tabernacles (Succot) and ends before Passover (Pesach); and the Summer Session, which begins after Independence Day and ends in the high summer months of Av or Tammuz. Special Knesset sessions can be convened during the recess at the initiative of the Government or thirty Knesset Members. Because of the large size of the coalition in the Eleventh Knesset, which left only twenty-four Knesset Members in the opposition, the figure was reduced to twenty.

The government may initiate a special session for any subject considered appropriate, while Knesset Members are entitled to do so only for a motion for the agenda. Legislative initiatives by Knesset Members and motions of no confidence must wait for the opening of the next regular session. The House Committee is entitled to add to or detract from the foregoing. That is what happened at the end of the Yom Kippur War, when it was decided to postpone elections, and the Knesset session was reopened after it had been formally closed.

A Knesset sitting is legal with any number of participants, as is the vote. In contrast with most parliaments in the world, there is no quorum—minimum number of participants—requirement for Knesset debates or at least votes. Only for a few laws has it been determined in advance that their amendment requires an absolute majority. The most important of these is the Basic Law: the Knesset, clause 4 of which de-

termines the electoral system and can be changed only by an absolute majority, i.e., 61 of the 120 Members, at each reading, while clause 45 of the same basic law states that it can be changed by the Emergency Regulations only with the approval of two-thirds of the Knesset Members. An absolute majority is also required under the terms of the basic law in order to suspend or impeach the President. That clause has never been applied.

The vote in the plenum is by a show of hands—in favor, against and abstentions. Sometimes an MK may want it noted in the minutes that he did not participate in the vote, even though he was present in the Chamber, and the Speaker permits him to do so, even though there is no basis in the rules of procedure for this form of voting. If the Speaker sees that there is an absolute majority for one side or another he need not insist on the votes being counted. If he is in doubt, or is requested to do so by several MKs, he may instruct the Secretary-General of the Knesset to count the votes, or he may appoint two counters from among the Knesset Members, usually one from those in favor of the issue and one from those against it. If their figures tally, that is the final vote; if not, the vote is taken again.

If at least twenty Knesset Members request it, a roll-call vote may be held. The Secretary-General of the Knesset calls out the names of the Knesset Members, and each of them answers in turn. The vote is held in this way when the subject on the agenda seems to those who request this to be of particular importance. They may also serve as a means of drawing out the debate, constituting one of the means of expressing disapproval open to the Knesset Members in the minority, instead of the "filibuster," the unending speeches, permitted in many other parliaments.

Secret votes are held in the Knesset only on subjects which affect individuals. The President is elected by the Knesset Members by a secret vote, thus also is the decision taken whether to deprive a Knesset Member of his parliamentary immunity. The Knesset's representatives on the committees for the appointment of judges, Jewish law judges, *kadis* (Moslem law judges) and *madhab kadis* (Druse law judges) are elected by a secret vote. For this purpose a screen is erected by the podium, and each Knesset Member comes in turn and marks the slip as he sees fit, puts it in an envelope and places it in the ballot box in view of everyone. Several Knesset Members, usually three, are appointed by the Speaker to count the votes.

In one instance, when the House Committee used its authority "to act contrary to the rules of procedure," and decided on a secret vote on a subject which did not affect an individual—to bring the elections forward—the Speaker refused to act accordingly. Preparations were begun in the Eleventh Knesset for the introduction of electronic voting, the benefit of

which is that the voter's names and decisions are recorded and can be published.

The Knesset Debates

Knesset debates are generally held on an individual or party group basis. Any Knesset Member may participate in an individual debate, within the framework of the time allotted for this by the Speaker, usually between ten and twenty minutes per speaker. If the Speaker sees that the list of speakers is very long he may refuse to accept any new names. The participants speak in the order in which they have registered, on the principle of first come, first served. The Speaker may change this order, but does so only rarely. For a party-group debate the total time allotted is decided by the House Committee. That amount of time is then divided up among the party groups according to the number of their members, and each party group determines who shall speak for it and in what order, no party group being allotted less than eight minutes. The chances of a member of a small party group of participating in debates are far greater than those of a member of a large one. If a Minister speaks on behalf of the Government his time is not limited, and it is not customary to limit the time allotted to the leader of the largest opposition party. When a speaker's time is up the Speaker reminds him that this is the case. If he continues speaking the Speaker may stop him and, if necessary, give instructions for the continuation not to be recorded in the minutes. If a Knesset Member's turn to speak comes and he is not in the Chamber he loses his turn.

During the Eleventh Knesset a closed-circuit television system was installed with sets in various places in the Knesset building displaying the subject of the debate, the name of the current speaker and the next in line, so that the person due to speak next can reach the Chamber in time.

An individual debate is generally held for the first reading of a bill, but has sometimes been used for other subjects, such as the Camp David Accords and the Peace Treaty with Egypt. In both cases anyone who wished to do so could speak. One hundred and eighteen Knesset Members—almost all the members of the House—participated in the debate on the Peace Treaty. A party-group debate is generally held for debates arising from government statements, whether on political or other subjects, for motions of no confidence, for debates on the budget, government ministries and subjects which the Knesset has decided to debate following motions for the agenda.

Only a limited number of Knesset Members may take part in a debate on a motion for the agenda: the Knesset Member who proposed the motion is allotted fifteen minutes, each Knesset Member who has a different proposal, whether to remove the original proposal from the

agenda or to transfer it to one of the Knesset committees, is allotted five minutes. A Minister may reply on behalf of the Government to every proposal. A Knesset Member may not repeat the Minister's proposal; thus, if the Minister has advocated transferring the proposal to a committee the Knesset Member may not raise that again. In a preliminary debate on a private member's bill the Knesset Member may argue his case within the framework of his fifteen minutes; a minister or, if no minister wishes to reply, a Knesset Member whose opinion is different from that of the proposer, may reply, after which the Knesset Member who proposed the bill is entitled to return to the podium for five minutes to respond to the reply.

Only Knesset Members who have proposed amendments may participate in a debate on the second reading of a bill, with five minutes allotted to each amendment. Since the number of amendments and the number of Knesset Members allowed to write their names against each amendment is unlimited, this is one of the rare opportunities when those who wish to talk endlessly may do so. In the debate on what was known as the Bader-Ofer Law regarding the distribution of surplus votes, all the small party groups combined forces and the debate continued all night, until everyone grew tired and the vote, in which the large party groups had a majority, as was to be expected, was held at dawn the next day.

A Knesset Member who has abstained on the vote may explain his abstention within the five-minute limit. In many cases a party group has abstained, or an individual Knesset Member has done so with his party group's blessing, simply in order to gain the floor and give his viewpoint.

If a Knesset Member has submitted a question, he is entitled to ask the Minister a supplementary question after the first one has been answered. If an urgent question has been asked—a practice first introduced in the Eleventh Knesset—two Knesset Members are entitled to ask supplementary questions. The Speaker selects the questioners, generally ensuring that they come from both sides of the House—the coalition and the opposition.

The House Committee is entitled to lay down special arrangements for debates from time to time. This was the case when President Sadat and President Carter visited the Knesset, when the floor was given only to the Prime Minister and the Leader of the Opposition. The rules of procedure determine a similar practice regarding memorial sittings for Knesset Members or other persons who have passed away and to whom the Knesset has seen fit to devote some of its time. In such instances only the Speaker and one representative each of the government and the Knesset speak.

Towards the end of a debate, and before the vote, the Secretary-General of the Knesset rings a bell which is heard throughout the House,

summoning the Knesset Members to take their places in the Chamber. When it was found that the bell no longer served its purpose a second bell with a different sound was installed: the first being rung a few minutes prior to the vote, the second as the voting actually began. The first one rouses sleepers, while the second, shriller, one could awaken the dead. Sometimes neither one nor the other has any effect, especially when the coalition is broad and the government's majority seems assured.

The Knesset's debates are held in Hebrew, though a Knesset Member may address the House in Arabic, in which case his speech is translated into Hebrew as soon as he has finished speaking, and the Hebrew version is published in the *Knesset Record*. Very few Arab or Druse Knesset Members make their speeches in Arabic as a rule; on the other hand, a Jewish Knesset Member or minister has occasionally chosen to speak in Arabic. This practice is not dealt with by the rules of procedure. In the early days of the Knesset someone demanded that only Hebrew be accorded the status of official language, and when this was rejected he began speaking in another language, and was stopped by the Speaker. A Knesset Member who was a new immigrant sought to speak in his native tongue, French, but the House Committee did not grant his request.

Procedure in the Plenum

When speaking from the podium a Knesset Member must keep to the subject which appears on the agenda. If he deviates from it the Speaker is entitled to point this out to him and even to stop him, although this is not normally done. It often happens that a Knesset Member takes advantage of the fact that he has the floor to speak on one subject in order to say something about another, normally a current event, but is not prevented from doing so provided he keeps to his allotted time limit.

It is accepted in the Knesset that Knesset Members may make interjections. Although the rules of procedure state that a speaker may be interrupted only with his consent, this is not observed. Interjections certainly liven up the debate, but when they turn into entire speeches or become too frequent or noisy, preventing the speaker from proceeding, they may upset the debate completely. In such cases the Speaker is authorized to order a Knesset Member to be removed from the Chamber for that debate, after having called him to order three times. In the past the Speaker had to put the removal of someone from the Chamber to a vote, but in one case most of the Knesset Members present voted against it, the Knesset Member who had interrupted the speaker remained in the Chamber and the dignity of the office of Speaker was slighted. As a result, the rule was changed so that no vote was required in order to remove a Knesset Member from the Chamber.

Only the House Committee is entitled to remove a Knesset Member from the Chamber for more than one sitting. A Knesset Member who has been removed from a sitting may return before the vote and cast his vote. A Knesset Member who has been told to leave usually does so of his own accord. There have been instances in which a Knesset Member has refused to do so, and the Knesset ushers have been called to eject him, but it has never been really necessary to use force to do so. Whereas interjections are accepted in the Knesset, applause or, alternatively, shouts of dissent or disgust are not, although the House Committee has very occasionally authorized applause for a speaker, such as at the sitting held during President Sadat's visit.

If a Knesset Member uses an insulting—unparliamentary—expression, the Speaker may demand that he retract it. If he refuses, the Speaker may instruct that the expression be removed from the record. The House Committee has determined that in actual fact the expression is not removed from the record, but the phrase plus the Speaker's instruction to remove it go down in the record. There are parliaments where, in the course of time, as a result of precedents, a dictionary of unparliamentary expressions has developed, as has a list of euphemisms to be substituted for those phrases. No uniform system has as yet been found for the Knesset, one Speaker permitting a certain expression which another has forbidden, and there is no hard and fast rule to which a new Knesset Member can adhere.

Exceptional Behavior

The Knesset, or parliament, from the French word "*parler*," to speak, is a place where one speaks. Every now and again, instead of speaking, Knesset Members make a dramatic gesture in order to attract the attention of the House, the audience in the gallery or the media. Thus, it has happened that a Knesset Member has stood at the podium and torn up a document, such as an identity card or a Reform prayer book. After being denied the status of a party group by the House Committee, a certain Knesset Member appeared wearing a shirt bearing the name his party group would have taken had it been recognized. Several Knesset Members brandished a banner in the Chamber to protest against a visiting delegation. A Knesset Member who wished to make the point that talking to the Government was like talking to a blank wall turned around to the wall and addressed it. When speaking of conditions in prisons, the same Knesset Member chained himself to the podium, and the Knesset guards had to quickly bring tools with which to cut the iron and release him from his chains. In order to demonstrate the cost of living, the same Knesset Member brought items of food with him and, still speaking, descended from the podium and offered them to

the Minister of Agriculture, who was sitting at the government table and listening. Tricks of this kind, which deviate from the rules of procedure, are usually tolerated by the Speaker and his deputies, providing they do not disrupt the proceedings. This was not so when there was a danger that one Knesset Member would use violence against another, in which cases the ushers were instructed to intervene firmly and without delay.

The Knesset Committees

An important part of the Knesset's work is done within the framework of its ten committees, whose terms of reference are:

1. **The House Committee:** the Knesset rules of procedure and matters deriving from them; the immunity of Members and requests for its withdrawal; House arrangements; recommendations regarding the composition and chairmen of the permanent committees and committees on specific subjects; delimitation and coordination of the business of the committees; the transfer of requests submitted to the Knesset by the public to the Speaker or the appropriate committees; consideration of complaints about Knesset Members; payments to Knesset Members; consideration of requests and subjects which are not the concern of any other committee or have not been included among the duties of another committee.

2. **The Finance Committee:** the state budget; taxes of any kind; customs and excise; loans; currency and foreign currency matters; banking and banknotes; state revenues and expenditures.

3. **The Economics Committee:** trade and industry; supply and rationing; agriculture and fishing; all branches of transportation; cooperative enterprises; economic planning and coordination; development; state concessions and custodianship of property; property of absentee Arabs, of Jews from enemy countries and of deceased Jews; public works; housing.

4. **The Foreign Affairs and Defense Committee:** the foreign affairs, armed forces and security of the state.

5. **The Internal Affairs and Environment Committee:** local government; town planning; entry into Israel and population registry; citizenship; press and information; religious and ethnic communities; religious organization of Jews and non-Jews; police and prisons.

6. **The Constitution, Law and Justice Committee:** the constitution of the state; basic laws; law and the administration of justice.

7. **The Immigration and Absorption Committee:** immigration; absorption; emigrants; Jewish and Zionist education in the diaspora; all the subjects which are associated with its concerns and fall within the

sphere of the institution coordinating between the government of Israel and the World Zionist Organization, and between the government of Israel and the Jewish Agency.

8. **The Education and Culture Committee:** education; culture; science; art; broadcasting; cinema; physical culture.

9. **The Labor and Welfare Committee:** labor; social security, including the network for the assurance of income; the National Insurance Institute; health; relief; rehabilitation; the disabled and their rehabilitation, including Israel Defense Forces disabled and the families of war and other casualties; juvenile delinquents; pensions and provident funds; payments to soldiers and their families.

10. **The State Control Committee:** contacts with the State Comptroller and Ombudsman; powers under the State Comptroller Law and other laws.

The number of committees, their titles and spheres of activity are set down in the rules of procedure, though this does not apply to the number of members on each committee, which is decided at the beginning of each Knesset, first by an informal organizing committee, and later, formally, by the House Committee, on the basis of the party groups' representation in the Knesset and following negotiations, primarily between the major parties. At the beginning the number of Knesset Members on each committee has been more or less equal. In the course of time it transpired that on certain committees seats were greatly sought after, primarily the Finance and the Foreign Affairs and Defense Committees, while others were less popular. Thus, the number of members of each committee varies from eight to twenty-five.

Usually the overall number of places on all the committees is decided and divided by 120, thus obtaining a "key" of places, which is approximately one and a half, so that every two Knesset Members have between them three places on committees. These places are not divided up equally. Ministers may not serve simultaneously as members of committees. The ability to participate of other Knesset Members, who belong to party groups which form the government, is limited by the public posts they occupy. Thus, the burden is heavier on Knesset Members of the coalition, some of them serving on two, three and even four committees, which prevents them from participating fully, since several committees may sit simultaneously.

On three committees—the Foreign Affairs and Defense Committee, the Finance Committee and the State Control Committee—it is customary to allocate places only to the larger party groups, although they can give part of their allocation to the smaller party groups associated with them. Thus, on the other committees there is a relatively large number of members from the medium-sized and small party groups. Nonethe-

less, an effort is usually made to adhere to the principle that in each committee the coalition has a majority.

The chairman of a committee is elected by the committee at the recommendation of the House Committee, in order to ensure that the chairmanship of the various committees is divided between the major party groups, from both the coalition and the opposition, in accordance with their representation in the Knesset. The chairman of the committee decides the committee's agenda and program of discussions. If one-third of the committee members request that a topic be added to the agenda, it is added at the end of the agenda and discussed after all the other subjects have been dealt with. The authority to determine the agenda gives the chairman of the committee a great deal of power, and it is obvious why the coalition, whatever its composition, aspires to ensure that the chairmanship of the committees which are essential for the government's work is in the hands of one of its members.

The committees consider bills transferred to them by the plenum. Government bills are reviewed after their first reading and prior to their second and third readings in the plenum. Private members' bills face an additional hurdle—they are discussed in the committee also after their preliminary reading, prior to their debate in the plenum for their first reading.

The committees also discuss topics transferred to them by the plenum following a motion for the agenda, and make decisions concerning them. These are conveyed to the minister concerned. Even though in constitutional terms these are merely recommendations, the minister cannot ignore them. He must report on the implementation of the recommendations within six months or, if they have not been implemented wholly or in part, must give the reasons for this.

Certain committees, and first and foremost the Finance Committee, are required by law to discuss certain actions taken by the minister concerned within the framework of his authority. Some of these must be approved by the committee before being implemented or immediately afterwards, while others only require consultation. The Finance Committee must also approve certain government decisions, such as the transfer of sums of money from one budgetary item to another, the provision of government guarantees and the extent of levies. This committee also determines the Israel Broadcasting Authority's budget and the salaries of judges and ministers.

The authority of the Finance Committee is mentioned in 150 separate legal instruments. It is only natural that it holds far more meetings and is considered to have greater practical and instrumental authority than any other committee, and its chairman is regarded as having no less standing and influence than most of the ministers.

Committees may also raise issues for discussion at the initiative of their members or chairman. Some committees do this a great deal,

others to a lesser extent. Among the former are the Foreign Affairs and Defense Committee, most of whose discussions are initiated by its members or derive from its traditional activities rather than from the plenum. This committee meets regularly with the Prime Minister, the Foreign Minister, the Minister of Defense and the Chief of Military Intelligence, receiving reports from them and discussing them. These discussions only rarely conclude with a recommendation and a vote, and their importance lies in the fact that they are held and an opportunity is given to the members of the committee to receive reports directly from the representatives of the Executive, ask them questions and put their views and reservations to them. The discussions of the Immigration and Absorption Committee are also initiated primarily from within.

The sittings of the plenum are open to the public and the media. Although the authors of the rules of procedure envisaged the possibility of holding *in camera* plenum sittings, this has in effect been done in only one instance, in 1960. The meetings of the committees are *in camera*, however, apart from exceptional cases when committees hold open meetings, such as the Economics Committee in the case of a notorious mishap, "Auto-cars," and the subcommittee on traffic accidents, which hoped to have an educational impact by opening its doors to the media.

The meetings of the Foreign Affairs and Defense Committee, and certain meetings of the Finance Committee, are not only held *in camera*, but are also secret, and their members sign a written undertaking not to convey anything of what is said in them to any unauthorized person. Nonetheless, there has been an increasing amount of leaks from these meetings, to the extent that certain ministers and senior officials have avoided giving them confidential information.

At the conclusion of the committee meetings which are not secret the chairman usually issues a statement to the press, via the secretary, summarizing the main points of the proceedings. Television coverage of the meeting of a committee is permitted only after special permission has been given by the Speaker; this is usually granted only for the opening of the meeting and not for its deliberations.

Because of its confidential nature, the defense budget is discussed in a joint committee of the Finance and the Foreign Affairs and Defense Committees and a joint subcommittee of these two committees, rather than in the plenum.

The House Committee, which was originally known as the Committee of Committees, and is known in other parliaments as the Procedure or Ethics Committee, is in charge of the arrangements of the House; it is authorized to set up joint committees for subjects which fall within the spheres of competence of several committees, or a special committee for a specific subject. The committees are entitled to establish subcommittees, whether permanent or temporary, for specific subjects or spheres.

Thus, within the framework of the Internal Affairs Committee permanent subcommittees on the environment, on the one hand, and the police and the prisons, on the other, functioned for many years. The Economics Committee established subcommittees from among its members on such subjects as energy and traffic accidents. Since 1982 the Foreign Affairs and Defense Committee has split up into subcommittees dealing with such subjects as the Foreign Ministry, purchases and the defense industries, as well as for supervising the secret services. The last subcommittee, whose very existence and composition were a secret for many years, was exposed and received publicity in Israel and abroad in the wake of its concern with the Pollard affair in 1987.

Only Knesset Members are permitted to address the plenum, but this is not the case with the committees. A Minister may send a representative to appear before a committee on his behalf, and a committee is entitled to summon persons from the outside who are asked or want to give their opinion on a specific subject or add information which contributes to its understanding. Knesset employees who are members of the secretariat or advisors may also be invited to express their views. No Knesset committee is entitled to oblige a person to appear before it or demand that a Minister send a particular official who is subordinate to him to appear before it, but there have been very few instances in which people refused to appear or evaded doing so. Thus, the discussions held by committees are sometimes more productive than those of the plenum, and it has been known to happen that a subcommittee consisting of one Knesset Member together with several highly-qualified advisors reviewed a certain very complex law (the Cultivation of Strains Law, which deals with copyright on strains of plants) and produced a law which served as an example for legislation on that topic in other countries.

There are no hard and fast rules for deliberations in the committees, and each committee works as it thinks best, in accordance with its traditions and the decisions of its chairman. It has happened that a Knesset Member has burst into the meeting of a committee together with several other people and has refused to leave. Upon examination it was found that the chairman of the committee did not have the authority to eject him. Consequently, it was decided that the chairman of a committee should have the same authority regarding procedure in the committee as the Speaker has regarding procedure in the plenum. But there is very little need to have recourse to that. The more intimate atmosphere of the deliberations, which take place while the members are seated around a table, partaking of refreshments and in the absence of the media, contributes to enabling the work of the committees generally to be conducted in a calm fashion.

The Party Groups in the Knesset

Although personalities play an important role in politics, in Israel as elsewhere, parties are constituted primarily on an ideological basis. There are several, sometimes conflicting, criteria for the establishment of parties. On one level, they are differentiated along the traditional left-right continuum, depending on their attitude to the role of the state in the ownership and control of means of production and the distribution of wealth, even though—because of the peculiar economic structure of Israel and the dominant role of the Histadrut, the Federation of Labor, and its associated enterprises—the translation of basic attitudes into concrete policies may at times seem unusual to outside observers.

On another level—of major importance—one finds the hawk-dove continuum, differentiating parties in accordance with their attitudes to Israel's Arab neighbors, future permanent boundaries and activism vs. restraint in defense policy.

A third dimension is the secular-orthodox religious axis along which parties can be grouped. Some, at one extreme of the spectrum, advocate total separation between religion and state, while others, at the opposite extreme, insist on the total application of the Halacha, Jewish religious law, in the Jewish state, with any number of nuances in between.

Finally, there is an ethnic criterion which is not basically ideological although it is frequently accompanied by a pro-under-privileged sector motif, an attempt to attract political loyalties from groups of the population belonging to strata of society which regard themselves as being deprived or as having specific problems and Jews from a distinct geographical and cultural background, on the one hand, and members of the Arab minority, on the other. Such parties have come and gone in Israel's history, with transient success. At the time of writing no purely Arab list is represented in the Knesset, and the number of Jewish MKs elected on what is partially an ethnic platform is 5 out of 120.

These dimensions are not mutually exclusive; thus, there may be religious hawks and religious doves, secular leftists and secular centrists, etc.

Different parties may—and frequently do—combine forces and establish political alliances which present joint lists for elections. Thus, the Alignment, the Israel Labor Party, is a coalition between some minor parties on the moderate left, and the Likud is a coalition between Herut, the Liberals and others in the center.

The selection of candidates and the determination of their order on the party group list (a vital element in a proportional electoral system) is entirely at the discretion of each party or group. Although several at-

tempts have been made to legislate a party law, at the time of writing a bill of that nature has never proceeded beyond the preliminary stage.

The Knesset Members who are elected from one list constitute a party group in the Knesset. Each party group has a room or rooms, if possible, in the Knesset building, in accordance with its size, as well as an office, and is allocated a budget to cover its activities. The party group determines who will speak for it in a debate held on a party group basis. Party groups sometimes demand the right to approve motions for the agenda, bills and even questions submitted by their members, prior to their submission. It constitutes a framework for discussions in which a joint position is determined vis-à-vis topics due to come up on the Knesset's agenda.

Only rarely is the number and composition of all party groups the same at the end of the Knesset's term as at the beginning. In every single Knesset party groups have split and combined. This creates both procedural and practical problems.

A great part of the House Committee's time is devoted to discussing this subject, i.e., whether to recognize new party groups and approve their names, especially when a new party group seeks to inherit the name of the one which has been cancelled, or a similar name, and other party groups object to this. The practical outcome of recognition of a new party group is the allocation of funds, namely, the funding of the parties, which is undertaken by the Ministry of Finance throughout the year, and the funding of elections, which is intended to cover expenses incurred during the election campaign. Both are paid via the party groups. The sums involved are large, and have grown over the years, eventually becoming the major share of the parties' income and an essential condition for their central and branch activities.

Various rules have been laid down in this respect, the overall principle being that the voters' wishes should be respected and stability encouraged, in other words, election results should be adhered to. Thus, someone who secedes from a party group during the term of the Knesset loses, but when a party group splits into two, who has seceded and who remains? In one case, a party group comprising fifteen Knesset Members split, with seven going one way and seven another, while one person remained in the original body. Naturally, it was impossible to give him all the funds originally allocated to the entire party group.

The distribution of rooms to the party groups, which is also done at the beginning of the Knesset, constitutes a problem. The Knesset building is large and spacious, but office space is relatively scarce, and what exists was not—and could not have been—planned with the multiplicity of party groups in the Knesset in mind. Immediately after the general elections the Knesset's hard-working building staff is often engaged in a race against time, erecting and knocking down walls in order to adapt the structure to the new situation. The problem is more compli-

cated still when it comes to party groups formed during a Knesset's term, since no one is eager to relinquish territory to which he has an established claim. In one instance, when a Knesset Member who had seceded from her party group did not receive a room to her liking, she established herself in the office of the Secretary-General of the Knesset and announced that she would not move out until an appropriate office was found for her, as, indeed, it was.

The Knesset Members

The law defining the rights and duties of the Knesset Members contains more of the former than the latter. A Knesset Member is entitled to receive the salary determined by the House Committee. For many years this has been linked to the salary of a deputy minister, and parallels that of a director-general of a ministry, the highest grade in the civil service, on a non-professional scale. A Knesset Member is not entitled to receive a salary from any other source, so that he or she remains independent of any employer. Although a Knesset Member may not receive a *salary*, he or she may receive a fee, as a consultant or a lawyer, for example. This distinction between fee and salary has often caused tension among Knesset Members, and between them and parts of the electorate, since the income of some of them from their work in their own businesses is incomparably higher than their salaries as Knesset Members, and in some cases this income increases considerably during their term as Knesset Members. It has been claimed by some people that this increase in their income derives from the fact of their being Knesset Members. From time to time Knesset and/or public committees have reviewed this problem, and certain restrictions have been imposed, for example, on Knesset Members who are also lawyers, but the principle remains: a salary from another source is forbidden, while a fee for work is permitted.

Knesset Members are also entitled to additional payments to cover travel and other expenses incurred by having to travel from their homes. They are entitled to free travel on public transport, a right which was important primarily in the early days of the state. They are entitled to a certain number of free telephone calls as well as to the installation of a phone in their home, however remote from an exchange it may be. A Beduin Knesset Member had a phone installed in his tribe's encampment, for which purpose a special line dozens of miles long was built from the nearest place of settlement. That Knesset Member was murdered later, when he refused to give up his place for the next person on the list, as he had undertaken to do. The sons of his successor in the Knesset were found guilty of the murder.

A Knesset Member is entitled to receive government publications free. He is also entitled to a pension if he has completed one full term and is at least forty years old. The pension is calculated on the basis of four percentage points per annum. The spouse of a Knesset Member who has passed away continues to receive the pension the former Knesset Member received during his lifetime. A Knesset Member who is not entitled to a pension is eligible for compensation.

Parliamentary Immunity

From the day the election results are published a Knesset Member "shall not bear criminal or civil responsibility and shall be immune before any legal process because of the way he has voted or because of an opinion he has expressed verbally or in writing, or something he has done, in the Knesset or outside it...in the discharge of his duties or in order to do his work as a Knesset Member."

The idea behind immunity is to enable a Knesset Member to do his work as he thinks fit and as his conscience dictates without being afraid, and to prevent the Executive, which controls the police and the Prosecutor-General's office, from hindering or harassing him. Immunity rules obtain in most of the parliaments of the free world; however, many or most of them restrict immunity to the sphere of expressing opinions and not to actions, and some only to opinions expressed in the precincts of parliament. In Israel immunity is absolute and continues to apply to a Knesset Member whose term of office has ended as regards things he said or did while a Knesset Member.

This does not apply to the period prior to his election, and he has only procedural immunity regarding things he said or did then. If a Knesset Member is suspected of having broken the law prior to his election, the Attorney-General must appear before the House Committee, demand that the specific Knesset Member's immunity be removed and explain why. In a quasi-legal procedure, the House Committee must ascertain whether the Attorney-General has extraneous reasons for making that demand. If most of the members of the Committee are convinced that the Attorney-General's arguments are genuine and that he is not influenced by political or personal considerations, they vote accordingly by a show of hands. After that the subject is debated in the plenum which, after allowing the Knesset Member concerned to plead his case, holds a secret vote on whether to accede to the Attorney-General's request to remove the Knesset Member's immunity. During the early years there were very few instances in which the Knesset was asked to strip a Member of his immunity. Some of them related to traffic accidents, and the Knesset Members concerned did not object to being stripped of their im-

munity, or even supported the Attorney-General's request, so that they could stand trial.

In recent years there have been more cases involving MKs' immunity, and the discussions focusing on them have grown longer since the Knesset Member concerned has been entitled to appear before the House Committee accompanied by his lawyer. In most cases the Attorney-General's request was granted. In one instance a minister was tried for embezzling public funds prior to his election to the Knesset and was found guilty. In another instance a Knesset Member was tried for accepting a bribe in his previous position as mayor. In yet another instance the charge—which was proven in court—was of giving election bribes during the election campaign. On one occasion the Knesset plenum refused, in a secret vote, to endorse the House Committee's decision to deprive several Knesset Members accused of traffic violations of their immunity as requested by the Attorney-General, but a solution was found enabling Knesset Members to pay fines for traffic offenses without this being regarded as an admission of guilt on their part, which would have contradicted the law of immunity.

The Knesset Buildings

The People's Council, with its 39 members, and its successor, the Provisional Council of State, held their meetings in the JNF building in Tel Aviv, apart from the ceremonial sitting of 14 May 1948 when the State of Israel was proclaimed. That sitting was held in the "large" hall of the Tel Aviv Museum. The Constituent Assembly—which later became the First Knesset—first met in the Jewish Agency building in Jerusalem, a symbolic act intended to express the adherence to the eternal capital without as yet making any final decision as to the city's status as the capital of Israel. In the same building, in a hall named after him, Chaim Weizmann was sworn in before the Assembly as the first President of Israel. After that the Assembly transferred its meetings to Tel Aviv, to the Kesem cinema, at the end of Allenby Street, by the seashore.

After the U.N. General Assembly passed another resolution regarding the international status of Jerusalem, the Knesset decided on 15 December 1949 that after Hanukka (the Festival of Lights) (the sitting being held two days previously), the sittings would be resumed in Jerusalem. Even though only the first few meetings of the Constituent Assembly had been held in Jerusalem, and all the others, for almost a year, in Tel Aviv, the expression used was that the meetings would be "resumed" in Jerusalem, indicating that this was a continuation, not an innovation. Further to that debate, the Constitution, Law and Justice Committee and the Foreign Affairs and Defense Committee decided on

19 January 1950 that: "With the establishment of the Jewish state Jerusalem has become its capital once more." In Jerusalem the Knesset established itself in the Froumine building on King George Street, in the center of the Jewish part, not far from the armistice lines. It was evident that this would not be its permanent home, as regards both its location and its size and structure. The late Kadish Luz, the third Speaker, undertook to build the Knesset a structure befitting its position and task. He succeeded in this with the aid of a generous gift from the Rothschild family. In August 1966 the Knesset came to its definitive abode in the present building.

Major Events

Among the many thousands of hours of debates in the Knesset many were hours of tedium, of boring, technical debates of no interest to the public and often to the Knesset Members themselves. Every now and again there has been a moment which rises above the routine, a moment of exaltation or one of bitterness and hostility, a moment of joy or one of anxiety and fear. Those moments, the Knesset's finest or worst hours, stand out in our memory.

They began with an event which has already been mentioned, in the Tel Aviv Museum, when the People's Council became the Provisional Council of State, and the establishment of the State of Israel was proclaimed. The declaration itself makes no specific mention of the religious significance of the event apart from a reference to the "Rock of Israel," which can be interpreted in a variety of ways. Rabbi Maimon pronounced the blessing "who hast preserved us in life and brought us to this time." The event was organized so hastily that the only recording was made by a private person.

On 14 February 1949 (15 Shevat 5710), on their way to the first sitting of the Constituent Assembly, the Members of the Assembly planted trees in Sha'ar Hagai to mark the event. Ever since then the Knesset's anniversary has been marked on that date, which coincides with the festival of the new year for trees. For many years the day was marked by planting trees around the Knesset. Outstanding soldiers are hosted by the Knesset on that day, and schoolchildren are invited to take part in the festivities. A festive sitting is usually held then, as is a debate on the Knesset's work, providing an opportunity for the Knesset to examine itself.

In January 1952, one of the Knesset's most penetrating debates was held on the subject of reparations from Germany. The debate was imbued with emotions and full of bitterness. While it was being held demonstrators attempted to break into the building, but were kept back by policemen. Batons were wielded and tear gas used, and stones

thrown from outside broke windows and fell inside the building. The Chamber, where a verbal battle was being waged between the Prime Minister, David Ben-Gurion, and Knesset Member Menahem Begin, filled up with dust and gas, and the Speaker had to stop the sitting. In the wake of that day's events, the Knesset decided for the first time, by a majority of 56 to 47, to remove a Knesset Member—Menahem Begin—from several Knesset sittings. Among those who opposed this were Knesset Members who belonged to a minority party group opposed to Menahem Begin's views, but who were afraid of the precedent of the removal of a Knesset Member at the decision of the majority.

On 29 October 1957, a Mills hand-grenade was thrown into the Chamber from the gallery, exploding between the podium, where Knesset Member Raphael was speaking, and the Government table. Several ministers, including Prime Minister David Ben-Gurion, Minister of Interior Moshe Shapira, Foreign Minister Golda Meir, and Minister of Transport Moshe Carmel, were injured by the shrapnel. Minister Shapira was badly wounded, and added Haim ("Life") to his name after his recovery. The person who had thrown the grenade was caught and sentenced to fifteen years imprisonment. In the course of time it transpired that he was mentally disturbed, and he was transferred to a closed institution until he recovered. Many years later he stood for election to the Knesset, without success. That incident led the planners of the permanent Knesset building to erect a glass barrier between the visitors' gallery and the Chamber, causing the former to be known as "the aquarium."

On 31 August 1966, the new Knesset building was inaugurated in the presence of thousands of guests, who gathered in the square in front of the Knesset and included ministers, former and present Knesset Members, representatives of all diaspora Jewry and the Speakers of world parliaments. The Speaker, Kadish Luz, ended his speech by expressing the hope that "the honor of the latter home will be greater than that of the former one." The mayor, Teddy Kollek, concluded with the verse: "Behold, I have graven thee upon the palms of my hands; thy walls are continually before me." The Speaker of the oldest parliament, that of Iceland, praised the achievements of the young democracy, while Mrs. Dorothy de Rothschild concluded with the verse: "And thou shalt teach them ordinances and laws, and shalt show them the way wherein they must walk, and the work that they must do." The following day the first debate, on the Basic Law: the Government, was held in the new building.

On 5 June 1967, in a Cabinet meeting held in the Knesset's shelter because of the shelling of the city and the Knesset by the Arab Legion, the Minister of Defense was authorized to counter-attack in Jerusalem and liberate the Old City.

On 14 October 1974, eight days after the start of the Yom Kippur War, the Knesset met for its first sitting since the outbreak of the war. After the fear and grief which had characterized the first few days, the Knesset was informed by Prime Minister Golda Meir that IDF forces were fighting on the western side of the Suez Canal at that moment.

On 4 July 1976, the Knesset was convened for a special sitting, with only a few hours advance notice, and Prime Minister Yitzhak Rabin told the House that the hostages of Air France flight 139, who had been kidnaped a few days before by terrorists and were being held at Entebbe airport, had been freed in a daring IDF operation (Operation Jonathan), and were on their way to Israel.

The Knesset has witnessed many festive events. Israel's Presidents—Weizmann, Ben-Zvi, Shazar, Katzir, Navon and Herzog—were sworn in there, as were the Prime Ministers—David Ben-Gurion, Moshe Sharett, Levi Eshkol, Golda Meir, Yitzhak Rabin, Menahem Begin, Yitzhak Shamir and Shimon Peres—and the Ministers. From time to time the Presidents of other countries have been invited to address the House at festive sittings, as have the Presidents of the U.N. General Assembly and the Inter-Parliamentary Union.

The most dramatic of all these events was undoubtedly the one which took place on 20 November 1977, when President Anwar Sadat of Egypt addressed the Knesset. It was dramatic on two counts: first, because it was unexpected, and only three days beforehand few people would have believed that any such event was even possible; secondly, because it symbolized the start of a new era, marking a sharp transition from decades of bloody wars to a time of peace between Israel and Egypt. The conditions presented by Sadat, both in his speech to the Knesset and in the negotiations which were conducted for almost two years subsequently, were tough, but what remains in one's memory of that scene is the assurance that was given that henceforth there would be "no more war" and that Egypt was ready to live with Israel as neighbors, side by side. The author will never forget the modest ceremony when Sadat placed a wreath before the eternal flame in the Knesset square and the sculpture in the form of "the burning bush which was not consumed," constituting the memorial for those killed in Israel's wars. Most of those had fallen in wars against Egypt, Sadat's country.

Principles of Selection

In preparing the present selection of *Major Knesset Debates*, it was necessary to reduce ca. 100,000 closely printed pages in Hebrew—the equivalent of almost 200,000 pages in English—to 2,400 pages in English; in other words, selecting approximately 1 percent of the total,

which has been a mammoth task. The guidelines the Editor set himself were the following:

- a. The emphasis is on *debates*, in which there is a direct confrontation between viewpoints, *not* on individual speeches (with some notable exceptions). This is not a selection of *major speeches*.
- b. Priority has been accorded to debates related to:
 1. Israel's foreign policy, defense problems and relations with Arabs—subjects which have been of constant international concern;
 2. Constitutional questions of more than passing interest;
 3. Debates of importance to an understanding of the Jewish dimensions of Israel;
 4. The People's Council of May 1948, the Provisional Council of State and the First Knesset ("Constituent Assembly"), in their capacity of "Founding Fathers," have been allotted proportionately more space than the subsequent Knessets.
- c. Within each debate and speech an attempt has been made to reduce repetition.
- d. Technicalities, not easily understood, which constitute the nitty-gritty of debates in genuinely democratic parliaments, had perforce to be omitted. As a result, hardly anything has been included from the lengthy (some say interminable) budget debates and others relating to economic, fiscal or monetary matters.
- e. For the same reason only first (or preliminary) readings of debates on bills have been included, since the second reading (discussion in detail) cannot be understood without constant reference to the legislative text.
- f. A limited number of sittings on solemn occasions—although not strictly debates—have been included.

Introductions are brief and serve primarily as explanations of the context in which a given debate took place.

All the major figures in Israel's history are represented—Ben-Gurion, Sharett, Begin, Meir, Eshkol, Peres, Dayan, Eban (even Weizmann, though not a Member of the Knesset, when he addressed it as President)—as are less well-known MKs. By the nature of democracy, members of sometimes small opposition parties receive exposure disproportionate to their political strength.

Also represented are some Heads of State who addressed the Knesset by special dispensation, notably Sadat and Carter.

All the major milestones in Israel's history are reflected: the Declaration of Independence; the War of 1948 and the Armistice Agreements; the War of 1956 and its aftermath; the Six Day War; the Yom Kippur War and its aftermath; Sadat's visit; peace with Egypt.

PEOPLE'S COUNCIL

People's Council

Introduction

On 2 April 1947, Great Britain, the Mandatory Power for Palestine, asked that the question of Palestine be placed on the agenda of the next regular session of the United Nations General Assembly, so that recommendations concerning the future government of Palestine could be considered. The summoning of a special session was requested for the purpose of constituting and instructing a special committee to prepare the recommendations.

The request came after a long political crisis over the future of Palestine. In 1937 the British government declared the Palestine Mandate, construed as facilitating the establishment in Palestine of a national home for the Jewish people, to be unworkable. It first pronounced itself in favor of establishing two independent states, following the recommendations of the Royal Commission headed by Lord Peel, but later shelved that proposal. In its White Paper of May 1939 it declared "unequivocally that it is not part of their policy that Palestine should become a Jewish state," and that its objective was "the establishment within ten years of an independent Palestinian state." Jewish immigration would be limited to 75,000 for the next five years and would be permitted afterwards only if the Arabs were prepared to agree to it. The Jews, who would be doomed to the status of a permanent minority under this policy, denounced the White Paper as a betrayal of Britain's obligations under the Balfour Declaration of 1917 and the Mandate. In the summer of 1939 the majority of members of the League of Nations' Permanent Mandates Commission declared that the policy of the White Paper was not in conformity with the Mandate. The case did not come before the League's Council because of the outbreak of the Second World War.

The Mandate having been wrecked by the White Paper policy, and far-reaching political changes being anticipated after the war, the Jews found it imperative to define their ultimate aims clearly. Owing to wartime conditions, this was done first at a National Conference of American Zionists in May 1942, which adopted a program urging "that the gates of Palestine be opened, that the Jewish Agency be vested with the control of immigration into Palestine and with the necessary authority for building up the country, including the development of its unoccupied and uncultivated lands, and that Palestine be established as a Jewish Commonwealth integrated in the structure of the new democratic world." This program was accepted at the first post-World War Zionist Conference held in London in August 1945. It was rejected by the newly-elected British Labour Government, as was the Jewish Agency's

demand for the immediate admission into Palestine of 100,000 Jewish refugees and displaced persons, survivors of Hitler's death camps, a demand which was supported by President Truman and by the unanimous recommendation of the Anglo-American Committee of Inquiry in 1946. Instead, the British Government put forward several suggestions for solving the Palestine question, the idea underlying them all being that the Jews should remain a permanent minority. The Jewish Agency, in its turn, rejected that suggestion as being utterly unacceptable, but in July 1946 declared its readiness "to discuss a proposal for the establishment of a viable Jewish state in an adequate area of Palestine." At the same time it renewed its demand for the immediate granting of 100,000 immigration permits, immediate full autonomy in the area to be designated a Jewish state, and the right to control immigration into it by its Administration. This submission gained the support of President Truman in his statement of 4 October 1946. The Arabs for their part opposed further Jewish immigration and demanded the immediate termination of the Mandate for Palestine and the declaration of Palestine's independence. In this impasse with both the Jews and the Arabs, and having failed to reach an understanding with the United States on a coordinated policy, the British government decided to put the Palestine question before the United Nations. The step was not meant, at that time, to end the British administration, but its purpose was described in the House of Commons by Colonial Secretary Arthur Creech-Jones as follows: "We are not going to the U.N. to surrender the Mandate. We are going to the U.N. to set out the problems and ask for their advice as to how the Mandate can be administered. If the Mandate cannot be administered in its present form, we would like to know how it can be amended."

The Special Session of the General Assembly, held between 20 April and 15 May 1947, set up a Special Committee on Palestine (UNSCOP), vested with the widest powers to ascertain and record facts and to investigate all relevant questions and issues. The Committee was required to submit its report not later than 1 September 1947. In the debate preceding the decision to establish the Jewish state many delegates, and especially the Soviet one, expressed their sympathy with the Jewish cause.

The Committee proceeded to Palestine to conduct its investigation. After its return to Geneva, where it drafted its report, a subcommittee visited several camps of displaced Jewish persons in Germany and Austria, emphasizing thereby how relevant the Jewish problem was to any decision. At the end of August the Committee presented its report, which contained twelve statements of principle, all but one adopted unanimously, the first two being that the Mandate be terminated and Palestine be granted independence at the earliest possible date. As to the future government of the territory, there was a majority and a minority report, with one member (Australia) abstaining. The majority plan

(proposed by the representatives of Sweden, Canada, Czechoslovakia, Guatemala, Holland, Peru and Uruguay) recommended the partition of Palestine into an Arab and a Jewish state, with Jerusalem internationalized, the three to be linked in an economic union. The Mandate was to come to an end and from 1 September 1947, Britain, either alone or with other members of the U.N., was to administer Palestine for two years, under U.N. auspices, to implement the decision. The minority report (proposed by the representatives of India, Iran and Yugoslavia) recommended a federal regime, leaving defense, foreign relations and immigration in the sphere of the central government.

The Palestine question was the central issue on the agenda of the second regular General Assembly, which convened on 16 September 1947. The representatives of the Jewish Agency for Palestine, who were invited to take part in the deliberations of the ad hoc political committee, declared that although the Partition Plan would involve a heavy sacrifice for the Jewish people, they were ready to accept it in order to achieve a peaceful solution and end Jewish homelessness. The Arabs, including representatives of the Arab Higher Committee for Palestine as well as the delegations of the Arab states, rejected the proposal outright and demanded an independent, unitary Arab state. During the long deliberations in the Committee a majority opinion for partition evolved, supported by the U.S., the Soviet Union, most British Dominions (but not Britain itself) and most of the countries of Europe (both West and East) and Latin America. The Committee recommended partition with economic union, along the lines of the UNSCOP majority report, with several alterations. The interim period until the establishment of the two states was to be reduced from two years to eight months (1 August 1948). The implementation was not to be the task of the Mandatory Government but would be entrusted to a special U.N. Palestine Commission acting under the guidance of the Security Council. A seaport with adequate facilities for substantial immigration into the Jewish state was to be evacuated by the Mandatory Government not later than 1 February 1948. The partition map was altered to the detriment of the Jewish state by excluding from it the city of Jaffa, which was to become an Arab enclave within the territory of the Jewish state, and an area in the western Negev. On 19 November 1947, the General Assembly adopted this plan by 33 votes to 13, with 19 abstentions.

The resolution was violently rejected by the Arabs. Attacks were launched on Jews by Palestinian Arabs the day after it was passed, and soon spread throughout the country, the local Arab forces being augmented by large numbers of armed men from neighboring countries. The British government announced its decision to terminate the Mandate on 15 May 1948, but refused to cooperate in the implementation of the U.N. resolution. The U.N. Commission was not permitted to come to Palestine before May 1. In fact, it never set foot in Palestine, and an ad-

vance party dispatched to prepare the ground for its work could accomplish nothing. In violation of its obligations under the Mandate the British Administration failed to maintain law and order. It withdrew from several areas, in regions allotted to either the Arab or the Jewish state, in some cases leaving military camps to the Arab Legion. Britain continued to supply the Arab countries with arms, which easily found their way to Palestine. By contrast, the British navy, army and police were deployed to intercept arms destined for the Jews. The port area meant to facilitate Jewish immigration was not evacuated by the British forces, which continued to deport "illegal" Jewish immigrants to detention camps in Cyprus. Palestine was excluded from the sterling bloc, thus disrupting its economy; rail and postal services were largely discontinued. A state of civil war developed, countenanced and even inflamed by the Mandatory Government, pursuant to a policy which the Jews had termed "Operation Chaos."

Despite protracted debates, the Security Council made no effort to enforce the General Assembly's resolution. In a situation of mounting violence the U.S., a leading supporter of the Partition Plan, reversed its policy and suggested on 19 March 1948 that partition be suspended and a temporary trusteeship regime instituted. The Jewish Agency expressed instant and unreserved opposition to this. On April 1, at the instigation of the U.S., the Council decided to convene the General Assembly in special session, and simultaneously issued a call to Arabs and Jews to cease acts of violence. The special session met on April 16 and discussed the trusteeship idea. Most delegations were unwilling to support the suggested change of policy, but neither was there consensus on any action. Secretary of State George Marshall sought to persuade Mr. Shertok (Sharett), Head of the Political Department of the Jewish Agency, that it would serve the interests of the Jews if they agreed to postpone the proclamation of the state, but the Jewish authorities declined to accept his advice. The discussions in the General Assembly continued, although time was running out since the Mandate was due to end at midnight on May 14-15 and no new resolution had yet been adopted. The resolution of 19 November 1947 had not been superseded, but no steps had been taken to implement it. The only resolution adopted on May 14 was to appoint a U.N. mediator and relieve the Palestine Commission of its task.

The deliberations of the special session of the General Assembly notwithstanding, and despite the fact that major elements of the Partition Plan had not been implemented, the Palestinian members of the Jewish Agency for Palestine, and the National Council of the Jews of Palestine, the Va'ad Leumi, decided to proceed with the establishment of the organs required for the eventual government of the Jewish state. This was done not only in order to avoid the creation of a political, legal and administrative vacuum, to thwart the "Operation Chaos" policy, but also with an eye to the unilateral implementation, as far as possible, of

the constitutional provisions of the Partition Resolution. These instructed the Palestine Commission (Article B4), after consultation with the democratic parties and other public organizations, to select and establish a Provisional Council of Government in each state as rapidly as possible. Since the Commission never arrived, the Jewish representative bodies decided to act on their own, regardless of Arab action. One of the anticipated results was the possibility of asking for and receiving international recognition as soon as the Mandate came to an end. The People's Council, which on May 14 adopted the name of Provisional Council of State, consisted of 37 members, representatives of the two bodies mentioned above, the number of members from each party being based on their proportional strength at the previous elections. This arrangement not only reflected the distribution of power in the Zionist Organization but also permitted representatives of those Jewish parties which did not take part in the Zionist movement but did participate in the Va'ad Leumi—the Communist party, the New Revisionist party and Agudat Israel, the Orthodox religious party—to participate.

The People's Council met only 4 times; its sittings are reproduced *in extenso*.

Report by the Chairman of the People's Directorate on the Political and Military Situation

Sitting 1 of the People's Council

4 May 1948 (25 Nissan 5708)
JNF House, Tel Aviv

The Chairman, D. Ben-Gurion: Gentlemen, on behalf of the National Administration I welcome the People's Council, which the Yishuv and the Zionist movement have charged with discussing the issues before us, namely: how to repel enemy attacks on the Yishuv and the revival of the Jewish people in its homeland, and how to organize and chart our national independence here as we establish the State of Israel.

First, we bow our heads and stand to attention in memory of those who fell, giving their lives bravely and loyally in defense of the homeland and national liberty. The People's Council conveys to the parents of our heroic defenders, and especially to their mothers, the Jewish people's appreciation of their grievous loss. To the mothers of these sons the Jewish people says: may God bless you. Those who fell are a new, sad and noble link in the long chain of two thousand years of history which binds the Jewish people to their land.

Gentlemen, the Council and the National Administration have two tasks: maintaining security and establishing a state. The question of security is not new to the Yishuv. Since its establishment seventy years ago, and throughout its existence, the Yishuv has assumed responsibility for its own defense. This was done within the limits of a government (Mandate) framework, whether friendly or not, which...was obliged to uphold the law and see to the security of its citizens. The security of the Yishuv was maintained through those decades by voluntary forces, each man having his appointed place and having been given elementary training and primitive equipment.

The question of security which has confronted us these past six months differs in essence from the one the Yishuv faced throughout the years. This time war has been declared on us, but now there is no government (Mandate) force which wants and is able to uphold the law and safeguard the citizens' lives. As long as it exists, the current Mandatory government is hostile and disruptive. The defense forces which we fostered and maintained for years were insufficient for the emergency which arose. In the midst of war we had to establish an army. We managed to train and equip our sons quickly, being obliged to fight constantly.

It is difficult to assess the debt the Yishuv and the Jewish people owe the local, voluntary defense forces which have existed all these years. Without them we could not have held out till today. However, in order to survive the new attacks by an army which has been trained and outfitted by the hostile regime of the Mandate Government, and in the face of constant incitement by Hitler's pupils and lackeys in the Arab world, our previous means of defense will not be enough. Although we did not have sufficient time to mobilize our full manpower potential or train it to fight under the new conditions, the first two stages of fighting are coming to an end. Our experience of the past five months should greatly encourage us. Despite our small numbers and lack of preparedness, we have not yet lost a single settlement....In contrast, about one hundred Arab towns and villages have been abandoned, and more than 150,000 Arabs have moved to the interior of the country or to neighboring Arab countries.

We may be coming to the end of the second stage of the fighting. The first stage, when our defense forces prevailed against local Arab gangs on highways and in towns, ended in total victory for us. Our urban settlements, including Jerusalem, remained intact, although that city suffered to the greatest extent of all Jewish settlements, being the focus of the assailants' fury.

In Jerusalem, government forces impeded Jewish defense from the start of the attack in December until the dreadful tragedy of Sheikh Jarrah, when the British army thwarted attempts by Jewish defenders to rescue the convoy of doctors, nurses and other professionals who were

going to their scientific and medical work at Hadassah Hospital and the University. Despite those attacks and the animosity of the government and its forces, even in Jerusalem our present political situation is far sounder than ever before. We are destroying the hostile bases, and although Jewish enclaves such as Yemin Moshe and Mekor Haim are attacked by night and day, they have not been—nor will they be—abandoned.

Nothing has given a clearer indication of the unbroken link between the Jews and their land than these battles. History has proved who is tied to this land and for whom it is a luxury which can easily be relinquished. To date, not one Jewish settlement, however remote, weak or isolated, has been abandoned. On the other hand, entire cities have been deserted by the Arabs. Tiberias and Haifa were simply evacuated after the first defeat, although the Arabs were not threatened with destruction or slaughter.

We must remember, however, that we have not yet begun to lay down our arms. It is still too early to boast of our achievements. A battle has just ended, and we are about to face the most dangerous stage of the fighting. We are confronting local forces and armed bands from neighboring countries as well as invasion by the regular armies of the Arab countries. Meanwhile, we are also witnessing a very strange invasion by the British army. After constantly proclaiming the date upon which the Mandate would end—in eleven or twelve days—and that of the army's final withdrawal, we are currently witnessing a strange drift of British armed forces in our direction. They are equipped with every kind of offensive weapons, including some never before seen in this country. It is not clear whether our successes have alarmed them, or whether they felt obliged to raise the spirits of the failing bands of Arabs, or even prepare the ground for an Arab invasion by weakening the Yishuv's defenses. The immediate future will tell. At all events, we must prepare for the worst.

Nonetheless, despite the boasts and threats of the Arab leaders, there are scattered signs of hesitancy. We know that some of the neighboring countries are not strong enough to allow themselves to send in their armies. Their regimes are shaky, resting on a small minority which rules only with the support of foreigners. Within these countries there are internecine struggles and it is doubtful that they would be able to send their armies here. We cannot rely on these political speculations, however, nor on internal opposition within these countries. When it comes to our defense, we can rely only on our own strength and our Father in Heaven.

The world which is organized within the U.N. is bound to a certain arrangement and its implementation. We appreciate what happened there. Even if there are some retractions from time to time, and the program is not executed as planned, the Jewish people will never forget the

goodwill of the thirty-three countries which last November recognized the right of the Jewish people to national independence and equal status among the nations of the world. But we cannot rely on these decisions alone, or even on the conscience of the world; we must rely on our own strength.

There are only a few days until the Mandate ends, although none of us can say confidently—despite the proclamations and legislation of the British parliament—that it will actually end on May 15 and that the government will remove its treacherous presence from our country. If the Mandate is extended it will certainly not be in order to help us or ensure our safety. We must therefore prepare all our energies and potential post haste for the immediate mobilization of thousands more men for fighting and for working. Time is of the essence.

We are faced with a partial vacuum, created by the disintegrating government—which we hope will soon be annulled—and concerning its obligations to the population and its responsibilities to the world. But a vacuum will not remain as regards the right to rule. British military rule still prevails in parts of the country. Army printing presses have prepared declarations and directives announcing unlimited, unconditional and independent rule by the army upon the termination of the Mandate. The British will evacuate only those places which they regard as not necessary for the army's security needs...

We must have no illusions. Once the Mandate is officially ended this country will be under military rule for an unknown period of time (they say until August 1, and some people believe this).

Meanwhile, a void will be created here as regards duties and services. We do not know what will be the outcome of the meeting America has called after retracting its support for the establishment of the Jewish state. Come what may, we must preserve the Yishuv and maintain services, so that this country will be able to absorb many thousands of immigrants, establish new settlements and develop our agriculture and industry at a quicker pace than ever before. Whether we are granted authority by others or not, we must prepare for Jewish rule.

The People's Council and National Administration constitute neither a parliament nor a government. We hope that there will soon be a free parliament in the State of Israel, based on democratic elections by all its Jewish citizens and those Arab citizens who choose to stay here. The government which will be elected then will be responsible to the democratic State of Israel.

The People's Council and National Administration meet the needs of the moment, enabling us to defend our borders and prevent the chaos which the Mandatory government has wantonly bequeathed this country, contrary to the U.N. resolution.

As the Supreme Command in an emergency, we may be unable to adhere to all the requirements of a democratic regime. At the moment

our principal concern is to fight for our survival and our freedom as a nation. This war must subordinate all our other needs and concerns. As soon as this conflict is resolved under our administration a free and authentic democracy will be established in the State of Israel.

Our battle is both a political and a military one. Until now we have been successful militarily while the enemy seems to have been successful politically. Although the U.N. resolution has not yet been overruled, it has been severely undermined.

A special session of the U.N. General Assembly has been called to reconsider the Palestine problem. The mere fact that a special session has been summoned reflects that an attempt is being made to overturn the previous decision. A new proposal for trusteeship, which the Yishuv and the Zionist movement has rejected, has been made.

According to our information, the initiators of the proposal have little chance of succeeding with their new idea, so a new proposal with the more attractive—though misleading—name of armistice has been submitted.

As you know, the Security Council established a committee of three consuls in Jerusalem, the chairman being the Belgian consul and the other two members being those from France and America. The committee's task is to mediate between the Jews and the Arabs. A special U.N. delegation may come here to negotiate the armistice.

We did not initiate this war. The request for a ceasefire should not be addressed to us, as was done only a few weeks ago by the High Commissioner. We said that the moment the Arabs stop firing throughout the country we would follow suit.

Yet the armistice proposal reflects no real intention of stopping the bloodshed in this country. If this were so we would all accept the armistice gladly. The object of the proposal before us now is to freeze the present situation and paralyze the Yishuv's actions designed to achieve independence and establish a state. It seeks to freeze the situation with regard to an even more serious issue—immigration.

The People's Council...will adopt the position of the Zionist Executive, which was acted upon earlier by the Jewish Agency, and that of the National Committee, namely, to reject unconditionally any armistice which entails paralyzing the activities aimed at achieving independence and encouraging Jewish immigration. We will not support a false armistice which will tie the hands of the Jewish defense forces and allow neighboring countries to invade and attack us at any moment. We insist that the conditions for an armistice are: a) the absence of political conditions limiting immigration or nation-building activities; b) the removal of foreign armed bands and the prevention of invasion by them. These criteria test whether the intentions of those who support the armistice are peaceful or not.

Since we are now on the eve of the most difficult and dangerous stage of our armed battle, we would like to make it clear to the Arab people and their leaders that no terrorism, acts of violence or threats will prevent the Jews from rebuilding their country, or deter those in the diaspora from returning to their land. As always, we seek peace. We want only to rebuild what has been ruined and make the desert bloom. We have no desire or need to take away what others have achieved. With our own hands we have created, and will create in the future, sources of life and livelihood in both town and country from what was abandoned and neglected. We have made those parts of this land which we have settled flourish. We can make the whole country thrive, and we are ready to work together with the free and independent Arab people to make the entire Near East prosper. We will not leave our homeland. We are sated with alienation and dispersion! Jewish immigration and settlement will be confined to the Jewish homeland and will not exceed its borders. We are prepared to cooperate with the peoples of the region in order to breathe life into the whole Near East, raise the standard of living and increase peace. We are prepared to make the Near East what it was in ancient times—a blooming and populated cultural center, a great human achievement.

But if you try to subdue us by force, and even though the U.N. or part of it succumbs to your threats, as some have already done, the Jewish people will not surrender! We stand fully-armed to defend our rights to our homeland and our independence. We are ready for peace as equals, as a nation in its own right, as a partner with equal rights in the alliance of Semitic peoples in the Middle East, and as a partner in the family of nations. But if anyone attempts to rob us of our rights by force, we will certainly answer with force! If the Palestine problem is to be settled by force rather than through international deliberations based on just and practical considerations, as the U.N. attempted to do last November, we shall mobilize all our might, and it shall decide!

To our great regret, some of the Jerusalem members of the People's Council could not get here today, the road from Jerusalem to Tel Aviv being impassable. The journey can be made only by air, but the weather has prevented our pilots from flying. We hope that this delay will not be protracted. In addition, some members of the National Administration were unable to participate in earlier sessions, when we made internal dispositions and discussed proposals, laws and directives to be submitted to the People's Council. For this reason, we are obliged to postpone the continuation of this session to tomorrow evening. We hope the weather will permit the twelve members residing in Jerusalem to fly here tomorrow, so that a session of the National Administration may be held tomorrow morning. The continuation of the sitting of the People's Council will be held here at eight tomorrow evening. I hereby close this sitting.

Statement by the Chairman of the People's Council

Sitting 2 of the People's Council

5 May 1948 (26 Nissan 5708)
JNF Building, Tel Aviv

The Chairman, D. Ben-Gurion: While the situation in Tel Aviv during the last few days has allowed us to forget that we are still at war, this meeting reminds us that the fighting continues. Unfortunately, the members from Jerusalem who were unable to get here yesterday cannot be here today either. At present, the only way to leave Jerusalem is by air. Due to the situation at the Etzion Bloc, where there are many casualties, the planes were needed there to transport medical supplies and evacuate the wounded. Consequently, we could not provide the Council members with transport here. We hope the situation will improve by tomorrow, although there is no guarantee of this. We live under abnormal conditions. Yesterday it was the Etzion Bloc; who knows what will happen tomorrow.

Thus, to our regret, we cannot begin our work, since the members from Jerusalem demand, quite rightly, that we not begin without them. Twelve members, almost a third of the People's Council, are involved. You all have before you the material which was to have been debated today. After discussing whether to hold our deliberations today or not, we concluded that the honor of the Council and our colleagues in Jerusalem requires us to refrain from beginning without them. We therefore ask that the members present take the material home for study.

I hesitate to say that we will meet tomorrow, although the chances for tomorrow are better than they were last night, but I am uncertain about that too. Thus, the sitting of the Council is postponed indefinitely. As soon as we know that the members from Jerusalem are coming we will inform you and assemble the Council without delay. We regret this very much, but far graver events are currently taking place. I hereby close this brief sitting.

Draft of the Declaration of the Establishment of the State of Israel

Sitting 3 of the People's Council

14 May 1948 (5 Iyar 5708)
JNF Building, Tel Aviv

The Chairman, D. Ben-Gurion: Today is a day of greater opportunities and graver dangers than we have faced for many generations. a) The Mandate has ended and we must establish Jewish rule; b) War has been declared on us. This war may be intensified by an invasion by the regular Arab armies.

Our defense forces are functioning with the utmost dedication on all fronts and will do their duty. Arrangements have been made with regard to the danger of invasion.

We have assembled here today to make preparations and dispositions for independent Jewish rule. You have before you two documents for consideration: the first, a declaration; the second, the first draft of an interim constitution, which is urgently needed so that the Jewish institutions will be able to function during this period.

We will start with the first document: "The Declaration by the People's Council of the Establishment of the State of Israel."

A. In the Land of Israel the Jewish people came into being. In this land their spiritual, religious and national character was shaped. Here they lived in sovereign independence. Here they created a culture of national and universal import, and gave to the world the eternal Book of Books.

B. Exiled by force, still the Jewish people kept faith with their land in all the countries of their dispersion, steadfast in their prayer and hope to return and here revive their political freedom.

C. Fired by this attachment to history and tradition, the Jews in every generation strove to renew their roots in the ancient homeland, and in recent generations they came home in their multitudes. Veteran pioneers and defenders, and newcomers braving blockade, they made the wilderness bloom, revived their Hebrew tongue, and built villages and towns. They founded a thriving society, master of its own economy and culture, pursuing peace but able to defend itself, bringing the blessing of progress to all the inhabitants of the land, and dedicated to the attainment of sovereign independence.

D. In 1897 the First Zionist Congress met at the call of Theodor Herzl, seer of the vision of the Jewish state, and gave public voice to the right of the Jewish people to national restoration in their land.

E. This right was acknowledged by the Balfour Declaration on 2 November 1917, and confirmed in the Mandate of the League of Nations, which accorded international validity to the historical connection between the Jewish people and the Land of Israel, and to their right to reestablish their National Home.

F. The Holocaust that in our time destroyed millions of Jews in Europe again proved beyond doubt the compelling need to solve the problem of Jewish homelessness and independence by the renewal of the Jewish state in the Land of Israel, which would open wide the gates of the homeland to every Jew and endow the Jewish people with the status of a nation with equality of rights within the family of nations.

G. Despite every hardship, hindrance and peril, the remnant that survived the grim Nazi slaughter in Europe, together with Jews from other countries, pressed on with their exodus to the Land of Israel and continued to assert their right to a life of dignity, freedom and honest toil in the homeland of their people.

H. In the Second World War the Jewish community in the Land of Israel played its full part in the struggle of the nations championing freedom and peace against the Nazi forces of evil. Its war effort and the lives of its soldiers won it the right to be numbered among the founding peoples of the United Nations.

I. On 29 November 1947, the General Assembly of the United Nations adopted a resolution calling for the establishment of a Jewish state in the Land of Israel, and required the inhabitants themselves to take all measures necessary on their part to carry out the resolution. This recognition by the United Nations of the right of the Jewish people to establish their own state is irrevocable.

J. It is the natural right of the Jewish people, like any other people, to control their own destiny in their sovereign state.

K. Accordingly we, the members of the People's Council, representing the Jewish people in the Land of Israel and the Zionist movement, have assembled on the day of the termination of the British Mandate for Palestine, and by virtue of our natural and historic right and of the resolution of the General Assembly of the United Nations, do hereby proclaim the establishment of a Jewish state in the Land of Israel—the State of Israel.

L. We resolve that from the moment the Mandate ends, at midnight on the Sabbath, 6 Iyar 5708, 15 May 1948, until the establishment of the duly elected authorities of the state in accordance with a constitution, to be adopted by the elected Constituent Assembly not later than 1 October 1948, the People's Council shall act as the Provisional Council of State, and its executive arm, the National Administration, shall constitute the

Provisional Government of the Jewish state, and the name of that state shall be Israel.

M. The State of Israel will be open to Jewish immigration and the ingathering of the exiles. It will devote itself to developing the land for the good of all its inhabitants. It will rest upon foundations of liberty, justice and peace as envisioned by the prophets of Israel. It will ensure complete equality of social and political rights for all its citizens, irrespective of creed, race or sex. It will guarantee freedom of religion, conscience, education and culture. It will safeguard the holy places of all religions. It will be loyal to the principles of the Charter of the United Nations.

N. The State of Israel will be prepared to cooperate with the organs and representatives of the United Nations in carrying out the General Assembly resolution of 29 November 1947, and will work for the establishment of the economic union of the whole Land of Israel.

O. We appeal to the United Nations to assist the Jewish people in the building of their state, and to admit the State of Israel into the family of nations.

P. Even amidst the violent attacks launched against us for months past, we call upon the sons of the Arab people dwelling in Israel to keep the peace and to play their part in building the state on the basis of full and equal citizenship and due representation in all its institutions, provisional and permanent.

Q. We extend our hand in peace and good-neighborliness to all the States around us and to their peoples, and we call upon them to cooperate in mutual helpfulness with the independent Jewish nation in its land. The State of Israel is prepared to make its contribution in a concerted effort for the advancement of the entire Middle East.

R. We call upon the Jewish people throughout the diaspora to join forces with us in immigration and construction, and to be at our right hand in the great endeavor to fulfil the age-old longing for the redemption of Israel.

S. With trust in the Rock of Israel, we set our hands in witness to this Declaration, 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, 5 Iyar 5708, 14 May 1948.

M. Wilner (Communists): Gentlemen, we are all united in appreciation of this great day for the Yishuv and the Jewish people—the day of the termination of the Mandate and the proclamation of the independent Jewish state. I regret to say that I was notified of the agenda of this meeting only two hours ago. As a member of the Council, I did not hear the report of the Jewish Agency representative to the U.N., although I had already confirmed that he represented my party too. This behavior is contrary to the principles of democracy and may turn this state into a fiction—something to which my party emphatically objects. We believe

that from the outset the Jewish state must be free and democratic in both theory and practice.

...The Israel Communist Party supports the Council's resolution on the proclamation of the Jewish state but objects to several expressions and suggests the following corrections: We propose that the following paragraph be added to the clause evaluating the British Mandate in Palestine: "The British Mandate was in essence a colonial administration, based on the political and military repression of the two peoples of Palestine. The alien Mandatory administration did its utmost to hinder the independence of both Jews and Arabs in order to separate them and incite conflict, and it is primarily responsible for the war being waged against both the Yishuv and the U.N. resolution."...

In our view, without this amendment the evaluation of the Mandate would be incomplete. We suggest adding to the proclamation a broader statement relating to the implementation of the U.N. resolution. Paragraph L states: "...in accordance with a constitution, to be adopted by the elected Constituent Assembly." We propose that the following sentence be added to the end of that paragraph: "The Assembly declares that the existence of alien army bases, whether British or not, in the Land of Israel after 1 August 1948 will be regarded as undermining the independent sovereignty of the State of Israel." This clause is included in the U.N. resolution establishing the date and the need for a Constituent Assembly...and also mentions elections once the British evacuation of the Land of Israel is completed. Accordingly, we also suggest that the following clause be added: "The Council declares that the right of the two peoples to self-determination and independence will serve as the cornerstone of its policy."

We suggest two further amendments. Where Paragraph M states: "...will guarantee freedom of religion, conscience, education and culture," we propose adding: "and will guarantee freedom of speech, assembly and organization." Where Paragraph I states: "...calling for the establishment of a Jewish state in the Land of Israel," we propose that the wording should be: "an independent, sovereign Jewish state in the Land of Israel."

In addition, we suggest that the Preamble should note that the forces of progress, democracy and peace support the establishment of our independent state, in contrast to the forces which oppose democracy and support war.

I would ask for my previous comments to be considered and that all the members of the Council appreciate as we do the importance of preserving the principles of democracy in the work of the Council of the Jewish state. This will ensure that the independent, democratic Jewish state will be a symbol of progress, peace, universal self-respect and liberty.

We think that forceful measures should be instituted against attempts to evade the mobilization of human and material resources, which still occur in certain parts of the Yishuv. The total mobilization of people and property is necessary in order to repel the attacks upon us which have been organized by the British via the neighboring countries and the Arab High Commission. What we need now is total mobilization for total independence.

M. Grabowski (Mapai): Paragraph M states: "The State of Israel will be open to Jewish immigration."...It seems to me that a clause should be added about the camps. The camps in Europe did not appear by chance. They are the result of evil, of years in which our nation was slaughtered, of our exile. The Jews of these camps, including those in Cyprus, have the right to be the first to immigrate to our state.

The same paragraph states: "...will guarantee freedom of religion, conscience, education and culture." I suggest adding the word "language." Although the word "culture" is inclusive, it may also be interpreted as differentiating between the status of Arabic and Hebrew. Our basic assumption is that there will be two languages with equal status in our state. Arabic may be used in the schools as well as in the courts. If there is any discrimination in this, or any intent to discriminate, I request that it be removed....

H. Vardi (Revisionists): We will also participate in the festivities which are to begin in two hours....It would not be right for the movement which my colleagues and I represent, and whose goals have always included the establishment of a Jewish state, to be absent from today's momentous event. We have come here not only to join in the festivities but also to share in the proclamation of the Jewish state. We do not wish to seek defects or suggest amendments at this point. If we were to draw up this declaration we would probably phrase certain points differently. But we are willing to accept the text as it stands, together with the rest of the Council. We hope that by making a small change you will enable us to sign the declaration.

I am referring to Paragraph N, which states: "The State of Israel will be prepared to cooperate with the organs and representatives of the United Nations in carrying out the General Assembly resolution of 29 November 1947, and will work for the establishment of the economic union of the whole Land of Israel." I am willing to admit that those who drafted this paragraph made every effort to refrain from stating explicitly that we accept the partition of the Land of Israel. They meant to say that we proclaim our independence in this land, yet it is possible to detect a tacit acceptance by the Council of the partition of the Land of Israel on the basis of the U.N. resolution. If the intention was to say that we abide by the U.N. resolution, that is stated explicitly in Paragraph I....Why restate it in Paragraph N, which is worded in a slightly more dangerous

way? It would seem that it was restated not in order to say the same thing twice but to imply that we accept both the principle of independence and the principle of partition.

The first paragraph, which states that we are building our state on the basis of the resolution and the principle of independence is sufficient. I suggest that we omit the second paragraph from the declaration. By doing this the supporters of partition do not lose anything, while allowing the other half of the Council, those of us who support the principle of Jewish independence in the whole Land of Israel rather than partition, to vote for the declaration too. From the general Zionist viewpoint, I think it is worthwhile for the members of the People's Council to forego this paragraph, so that on this festive occasion we may reach a unanimous decision on the principle of the establishment of the State of Israel....

M. Shattner (Mapai): Paragraph I states: "On 29 November 1947 the General Assembly of the United Nations....This recognition by the United Nations of the right of the Jewish people to establish their own state is irrevocable." Paragraph J states: "It is the natural right of the Jewish people, like any other people, to control their own destiny in their sovereign state." I understand that the intention is to say that the right of the Jewish people to establish a state is irrevocable. But one cannot say that the recognition of the U.N. is irrevocable. I suggest, therefore, that we leave the paragraph which reads: "It is the natural right..." as it is, and in Paragraph I replace "This recognition by the U.N." with "This right, which was recognized by the U.N."

Paragraph N states that the State of Israel "will take steps to bring about the economic union of the whole Land of Israel." I assume that the allusion is to the economic union which was decided upon by the General Assembly. I would therefore suggest adding either "the economic union" in parentheses or "which was decided upon by the General Assembly on 29 November 1947."

A. Zisling (Mapam): This document contains the essential facets, yet it fails to stress certain aspects and objectives which everyone interprets differently. It has been edited so as to incorporate as many common elements as possible. The authors of this proclamation could have improved it had they had sufficient time, but this is not the full proclamation of the Provisional Assembly of the State of Israel. It is merely a tool in the establishment of the state. The principles which have been outlined in this document will be elaborated upon through our basic constitution. At present we are still preoccupied with securing the existence of the state.

...The Revisionist representatives have suggested omitting the paragraph on the integrity of the country. We added that paragraph in connection with the economic union, which should be a bridge and a ba-

sis for mutual understanding, peace and agreement among nations, as well as for restoring and maintaining the integrity of the country. We had to abide by this principle, which was expressed in the U.N. resolution, during the debate in the Political Committee at Lake Success, and it was accepted by all the parties, including the Revisionists.

There is another topic which I hope can be put in its proper place with mutual respect and without insulting anyone, namely, the phrase "With trust in the Rock of Israel" in the final paragraph. We are about to embark on a life together; now and always we must respect one another's feelings and views. We have no intention of imposing religious limitations or any form of religious expression on those who believe. We do not restrict the freedom of expression which links the feelings of myriads of Jews in the past and the present with the principles of religion. We have no intention of restricting freedom of conscience or action. We appreciate values and beliefs. But let us not become accustomed to imposing the concept of "credo" on someone who does not have faith in his heart. Let each one of us believe as he wishes. We have no intention of limiting anyone's freedom of conscience. On the contrary, we proposed several paragraphs in order to show that we do not wish to slight any aspect of our past.

Let not those who believe oblige those of us who think differently and we do believe in our own way—to say "I believe" without faith in our hearts. The phrase here is "With trust in the Rock of Israel." Why impose this expression on us? Those members who were present during the debate on the wording of the declaration in the committee and the National Administration are aware of our attitude to that phrase. Let us not besmirch our credo. This version imposes an expression upon us which we do not accept...

M. Shertok (Mapai): ...Mr. Wilner's comment arose from the fact that the Council did not hear the report given by our representative to the U.N....I can attest to the fact that since my return to the country there has been no time for that report. We have constantly been faced with extremely urgent decisions. Hearing the report depends on the Council itself, and at the earliest opportunity I will gladly give you an account of the situation at Lake Success as I see it.

It has been proposed that we include an evaluation of the Mandatory regime. I do not think that a declaration of independence is the place for that. The fact that upon the termination of the Mandate we have decided to participate in an independent government through proclaiming the establishment of a Jewish state is enough to express the way we feel about the Mandatory regime. If we start with historical evaluations I am afraid that we will spoil the festive tone of the declaration and its immediate political practicality.

It seems to me that the same applies to a continued British occupation after August 1. There are no differences of opinion on this point. We are

totally opposed to any attempt to maintain a British military presence in our country after August 1. We will interpret this as an encroachment upon, and a severe blow to, the independence of the Jewish state, and as a threat to its existence and even to that of the Yishuv. I do not believe that this should be included in this festive declaration of independence, however. The Provisional Government will have to be on its guard on this subject, making it quite clear to all concerned, including the U.N., what our reaction would be to that eventuality. I do not think it advisable to blot our declaration of independence with the mention of that possibility....

In connection with what Council Member Grabowski said, it seems to me that the subject of refugees has been mentioned sufficiently in this document; the same applies to immigration. I do not think that any amendment will add anything of substance, and may even make matters more difficult. I propose that the Chairman accept the addition of the word "language."

...According to the U.N. resolution, a Provisional Council of Government was to be established in the areas of both the Jewish and the Arab states within Palestine. This Council was to be established after April 1 and was to remain in existence until October 1. From October 1 until the first general elections were held a Provisional Government was to be appointed. The two institutions were to be consecutive, not concurrent. Because we were faced with two vacuums, due to both the termination of the Mandate and the U.N.'s inability to implement its resolution, we had to fill them as if they were one. It was necessary to bring forward the establishment of the Provisional Government and to disregard the matter of a Council of Government.

We are building the government in two stages. There is a government and there is its executive body. In order to avoid mistakes and prevent the impression being gained that we are merely using the principles of the U.N. resolution without respecting its content, we feel that it is better to call the Council "The Council of State."

As for Dr. Vardi's comments about the economic union, it is up to us to decide whether to rely on the U.N. resolution or not. If we do we must fulfill its main provisions. One of its explicit conditions is that in order to qualify for U.N. recognition the Jewish (and the Arab) state must declare that it is ready to join the economic union. By mentioning this we do not fulfill our obligation, and will still have to issue a more detailed decision on it. We regarded it as beneficial, however, to remove any doubts by stating explicitly that we agree to the establishment of an economic union and will participate in it....I suggest that the members of Dr. Vardi's party refrain from making this a matter of principle after having accepted the declaration.

As for Council Member Shattner's comment, we were told by a great expert in international law that the recognition of the Jewish people's

right to their state cannot be revoked. The law recognizes it as a state, and this cannot be reversed. This situation will hold forever, unless the state is destroyed. There is no lease here that may or may not be renewed, this is total and perpetual recognition. The intention was not to stress the fact that the Jewish people's right cannot be revoked, because the people will always exercise it, but rather to indicate that the recognition of this right cannot be revoked.

Z. Pinkas (Mizrahi): We are filled with joy that, with God's help, we have reached this great moment. Consequently, we will try to forgive the small technical mistakes and the fact that we were given the material for review only a short time ago.

What is required of us is not only that we forgive technical errors, but also that we be prepared to regard the document submitted to us here as reflecting the opinion of us all. It is no secret that Mizrahi—and probably Agudat Israel, too—does not regard this version as being perfect. But we have accepted it on the assumption that it unites us all. We think that the phrase to which Mr. Zisling took exception, "With trust in the Rock of Israel," is an expression near to the heart of most of the Jewish people.

Adopting this approach, we were able to accept this document as one which unites all of us. What is missing, however, is the historical basis on which our existence as a nation in Israel rests. The document begins: "In the Land of Israel the Jewish people came into being." Before the Jewish people dwelt in Israel there were historical events. I propose that we add the following few words, which tell the whole story: "The Land of Israel is the land which was set aside for the Jewish people, as stated in the Law (Torah) and the books of the Prophets, and is the birthplace of the Jewish people, there its character was shaped, etc."

The Chairman, D. Ben-Gurion: The debate is over. I will make only a few brief comments, because time is short. I would like to tell Council Member Wilner that his complaint is justified, but we are living in abnormal times: a) the Mandate ends today; b) unfortunately, we were unable to bring a significant number of Council Members here from Jerusalem, despite their justified demand.

Mr. Shertok answered several of the comments, and I concur with him. I will add only four remarks:

1. It is not the function of this declaration to engage in political controversy (though we have many political accounts to settle). Its function is to serve as a basic declaration of independence. I agree with Mr. Pinkas that this document is not perfect, and no one, including its authors, would claim that it is. The intention was simply to express those sentiments which convey to the people of Israel, the general public and the U.N. what we are about to do today and why we are proclaiming our

independence....It is not a constitution. The subject of the constitution will be raised at next Sunday's meeting.

2. The topic of borders was discussed by the National Administration, and there was opposition to the proposal to determine them. We decided to evade (and I choose this word deliberately) this issue for a simple reason. If the U.N. lives up to its resolutions and commitments, keeps the peace, prevents the bombings and implements its resolution, we (I speak for the nation) will respect all the resolutions. To date the U.N. has not done this. Therefore, we are not bound by the resolutions and have left the matter open. We have not said that we reject the U.N. borders, nor have we said that we accept them....

3. No one objects to there being freedom of language, but not on the basis of Council Member Grabowski's argumentation. The state's official language is Hebrew; this does not deny the right of other inhabitants to use their language anywhere.

4. Concerning the phrase "The Rock of Israel," I think that we all believe, each in his own way. One of the many positive concepts of Judaism is "thou shalt" and "thou shalt not." We were not commanded how to believe. Each of us, in his own way, believes in the Rock of Israel. I speak as a Jew and a humanist when I say that there is no offense or coercion in saying that we trust in the Rock of Israel. I know what the Rock of Israel is for me. I am sure that my colleague on the right knows very well in whom he trusts, as does my colleague on the left. My only request is that you do not require me to put this phrase to a vote.

Is there any objection to adding the word "language," though not necessarily for the reasons mentioned? (No objection. The word is included.)

I will now put the full proposal to a vote, without any amendments. If it passes by a majority, I will put it to a vote and request that it be adopted unanimously. Whoever wishes to make an amendment may abstain from the first vote.

M. Wilner (Communists): There are several amendments which it seems would be accepted by everyone, such as including "freedom of the press, assembly, etc." in the paragraph dealing with "speech."

The Chairman, D. Ben-Gurion: This is not a constitution. There will be a separate constitution, and none of us disagrees with freedom of speech, assembly, etc. We have put in the basic phrases demanded by the U.N., and I am sure that they, and more, will be included in the law of the land.

The Vote

Those in favor of the entire document	16
Those abstaining	8

The Chairman, D. Ben-Gurion: The document is adopted as it stands. We have received a message from the members in Jerusalem, to whom I would like to express my deep appreciation. They met, despite their distress at the fact that they could not be brought here, and decided to endorse this declaration. I now request, though of course everyone is free to do as he pleases, that the document be adopted unanimously.

M. Wilner (Communists): I suggest phrasing the vote as follows: "Who is in favor of a declaration about the termination of the Mandate and the establishment of the Jewish state?"

The Chairman, D. Ben-Gurion: No!

M. Wilner (Communists): Then I suggest enabling the members to add statements.

The Chairman, D. Ben-Gurion: This demand will be met, but not today. We must take into account the fact that today we are not alone. This act is for the outside world. We will have a sitting on Sunday night, when everyone will be able to make statements.

I would like to tell the members that if they wish to make any amendments, or if they object to any clause, voting for the document as it stands does not mean that they are abandoning their objections or amendments. But so that the document will have internal validity and will serve as an expression of unity, the members will vote in favor of it while reserving the right to make statements.

H. Vardi (Revisionists): Will the Council Members be able to sign at the festive sitting and at that time register their objections to any clause?

The Chairman, D. Ben-Gurion: Not today, but a record has been kept. All the protests have been recorded, and members will be able to express them at the next sitting. We cannot do it today. I now request that all those in favor of the document as it stands raise their hands.

(All the members raise their hands. The declaration is adopted.)

At the festive sitting the declaration will be read, but there will be no debate because that took place here. Council Members will be requested to adopt the declaration while standing. After that, Rabbi Fishman (the senior member) will recite the blessing: "...who hast kept us in life...." Afterwards, all the Council Members will sign the declaration in alphabetical order, and we will then sing the national anthem ("Hatikva"). With that, the festive sitting will be over. The document will be known as "The Declaration of Independence of the State of Israel."

E. Kaplan (Mapai): I suggest that during the sitting you mention the fact that our colleagues in Jerusalem have endorsed the declaration and will sign it when they come.

The Chairman, D. Ben-Gurion: We will leave room for the Council Members who are in Jerusalem, and each one will sign in his allotted space....

The Draft of the Proclamation

The Chairman, D. Ben-Gurion: We will now discuss the constitutional document, the draft of which you have before you.

P. Rosenblueth (Aliya Hadasha): The purpose of this proclamation is to fill a void, particularly as regards the law. I am sure that it speaks for itself and that no lengthy explanations are necessary; a reading will suffice.

By right of the Declaration of Independence published today, 14 May 1948 (5 Iyar 5708), according to which the Provisional Council of State and the Provisional Government of the State of Israel were established, the Provisional Council proclaims:

1. The Provisional Council of State is the legislative authority. The Provisional Council of State is entitled to and hereby does delegate some of its legislative powers to the Provisional Government for the purpose of urgent legislation.

2. Such provisions of the law as arise from the White Paper of 1939 are hereby declared null and void. Sections 13-15 of the Immigration Ordinance, 1941 and regulations 102-107c of the Defense (Emergency) Regulations, 1945 are hereby repealed. The Land Transfer Regulations, 1940 are hereby repealed retroactively as of 18 May 1939 (29 Iyar 5699).

3. Apart from the above clauses, and as long as no laws have been enacted by or on behalf of the Provisional Council of State, and insofar as this is consistent with these laws and with changes arising from the establishment of the state and its authorities, the law which existed in Palestine on 14 May 1948 (5 Iyar 5708) shall continue in force in the State of Israel.

N. Nir-Rafalkes (Mapam): The first clause of the Proclamation is phrased clearly, but "urgent legislation" is very ambiguous. The Provisional Council of State can say that anything is urgent, although I...might not agree. Who will have the last word?

The Chairman, D. Ben-Gurion: Council Member Rosenblueth forgot to add that the National Administration decided that if the Council is

granted the right to pass urgent legislation it would not do so until the next meeting of the Council, on Sunday evening, when the matter will be discussed.

N. Nir-Rafalkes (Mapam): I do not understand why that is necessary. There will be a sitting on Sunday evening. The Administration has guaranteed that nothing will be done until then. Why should we decide something now to which people object in principle? One of the principles of democracy is the separation of the legislature from the executive. But we are giving our administrators the power to legislate. There is a danger that the Council will become a fiction, and my experience in the People's Council and the Administration during recent months indicates that someone wants to do this. According to the resolution, two institutions were established, the People's Council and the National Administration, and until now the People's Council has met only once. Since the matter is not extremely urgent, I suggest that at this point we do not accept the first clause, and discuss it on Sunday evening.

M. Wilner (Communists): I support Council Member Nir's proposal. Since I object to this anti-democratic practice, I object more strongly to its endorsement by a resolution. Simple logic says that we, the Council, have decided to abolish the Council. That is the proposal and it has no other meaning. Since there is no time now, I suggest postponing the debate on the first clause until the Council meets on Sunday, leaving just the beginning of the clause, i.e., that the Provisional Council of State is the legislative authority. We can discuss the additions when we have time.

G. Myerson (Mapai): It appears to me that the clause can remain provided the words "and does delegate" are removed.

The Chairman, D. Ben-Gurion: I notified you of the Administration's decision not to use its authority until Sunday, even if it is delegated to it....As for Council Member Wilner's objections, every parliament, especially during an emergency situation, delegates this type of authority to its executive arm. We are at war. No one knows what will happen tomorrow. There is no guarantee that Tel Aviv will not be bombed or that something even worse will happen. I think that the members of the Administration deserve the confidence of the Council Members...but if events take an unforeseen turn, we do not want to be left completely without authority. The Mandatory laws have come to an end, we must legislate and issue instructions immediately, that is why the clause is worded in this way.

N. Nir-Rafalkes (Mapam): We could omit the phrase "The Provisional Council of State is entitled to delegate," and pass an internal resolution stating: "Until Sunday evening the Government can do nothing."

The Chairman, D. Ben-Gurion: This does not answer my argument. The Council may not be able to meet on Sunday.

N. Nir-Rafalkes (Mapam): If the circumstances you describe arise and the Council is unable to meet, it makes no difference anyway.

The Chairman, D. Ben-Gurion: I suggest a different internal resolution. By the way, an internal resolution is not a law, and no internal resolution will authorize the Government to legislate if we accept your proposal. Unless a situation arises which physically prevents the Council from meeting on Sunday, the Provisional Government is not allowed to act through the authorization it has been given.

M. Bentov (Mapam): There is a way out of this. The Council can meet, regardless of the number of members present. Till now we had no set charter, and there is no reason why we should not decide that in an emergency any number of members may act on behalf of the Council.

The Chairman, D. Ben-Gurion: In my opinion, from the point of view of democracy that is worse. I suggest an amendment stating that a resolution passed by a quorum is temporary, and when the entire Council meets it may amend the decision of the quorum. This means that the Council meets with however many members are present, but when the entire Council meets it supercedes the quorum.

(Council Member Bentov's proposal is put to a vote and adopted.)

D. Remez (Mapai): I suggest replacing "is entitled to delegate" with "has the right to delegate," and wording paragraph 3 as follows: "As long as no laws have been enacted by or on behalf of the Provisional Council of State, the law which existed in Palestine on 14 May 1948 (5 Iyar 5708) shall continue to be in force in the State of Israel, insofar as this is consistent with the contents of this proclamation and with the changes arising from the establishment of the state and its authorities."

The Chairman, D. Ben-Gurion: We will vote on the entire Proclamation.

(The Proclamation is adopted. The sitting is closed.)

Declaration of the Establishment of the State of Israel

Sitting 4 of the People's Council

14 May 1948 (5 Iyar 5708)
Museum Auditorium, Tel Aviv

Present: Members of the People's Council, representatives of the Jewish Agency, the Zionist Organization, the National Committee of the Jews of Palestine, the Jewish National Fund, the Jewish Foundation Fund, representatives of literature, art and journalism, party leaders, the Chief Rabbis, members of the Tel Aviv Municipality, the Chief of the General Staff of the Hagana and his associates, founders of the Yishuv and representatives of the Yishuv's economic bodies.

D. Ben-Gurion: I will now read out to you the Declaration of Independence of the State of Israel as it was approved at its first reading by the People's Council (see above)....

We will now rise to adopt the Declaration of Independence of the Jewish state. (All present stand). Kindly be seated. Those Council Members who wish to make statements regarding the Declaration of Independence will be able to do so at the next sitting of the People's Council which will be held on Sunday evening, we hope....I now give the floor to Rabbi Fishman.

Rabbi Fishman: Blessed art thou, O Lord our God, King of the Universe, who hast kept us in life and hast preserved us, and hast enabled us to reach this season.

D. Ben-Gurion: All the Jerusalem members of the People's Council, who were unfortunately unable to be here for obvious reasons, met in the Jewish Agency offices today and informed us that they join us in adopting this declaration. I will now read out to you the proclamation of the People's Council (see above)....

The Council Members are requested to approach the President's podium in alphabetical order. The Secretary of the Provisional Government will call out their names and each one will sign the Declaration of Independence. Places will be kept for the members from Jerusalem, in alphabetical order.

(The Secretary, Ze'ev Sharef, calls out the names of the members of the Provisional Council. After David Ben-Gurion has signed, they ap-

proach the podium in turn and sign, to the accompaniment of thunderous applause from the audience.)

The signatories to the Declaration of Independence of the State of Israel:

David Ben-Gurion	Zvi Luria
Daniel Auster	Golda Myerson
Mordecai Bentov	Nahum Nir
Yitzhak Ben-Zvi	Zvi Segal
Eliyahu Berligne	Rabbi Yehuda Leib Hacohen Fishman
Fritz Bernstein	David Zvi Pinkas
Rabbi Wolf Gold	Aharon Zisling
Meir Grabowski	Moshe Kolodny
Yitzhak Gruenbaum	Eliezer Kaplan
Dr. Abraham Granowsky	Abraham Katznelson
Eliyahu Dobkin	Felix Rosenblueth
Meir Wilner-Kovner	David Remez
Zerah Warhaftig	Berl Repetur
Herzl Vardi	Mordecai Shattner
Rachel Cohen	Benzion Sternberg
Rabbi Kalman Kahana	Behor Shitrit
Saadia Kobashi	Moshe Shapira
Rabbi Yitzhak Meir Levin	Moshe Shertok
Meir David Lowenstein	

D. Ben-Gurion: The State of Israel has come into being. The sitting is now closed.

PROVISIONAL COUNCIL OF STATE

Proclamation of State—Statements; Law and Administration Ordinance, 1948

Introduction

A few hours after the proclamation of independence, at midnight between May 14 and 15, the British Mandate in Palestine came formally to its end. The last British High Commissioner, General Cunningham, flew from Jerusalem to Haifa, from where he continued on board a British battleship. Only Haifa port remained officially as an enclave under British control. That night the regular armies of five Arab states invaded Palestine from the north, east and south. Tel Aviv was bombed by the Egyptian Air Force in the early morning of May 15. The Etzion Bloc had fallen to Transjordan's Arab Legion on the previous day. Syrian troops had penetrated to the perimeter of Degania, in the Jordan Valley. Jerusalem was cut off. The Jewish Quarter in the Old City of Jerusalem was in desperate straits. Egyptian forces crossed the international boundary and advanced rapidly towards Tel Aviv.

The U.S. government accorded *de facto* recognition to the Provisional Government of the new state eleven minutes after the proclamation, followed soon afterwards by the Soviet Union, the first to accord *de jure* recognition.

It is against this background that the following should be read.

Sitting 1 of the Provisional Council of State

16 May 1948 (7 Iyar 5708)
Tel Aviv

The Prime Minister, D. Ben-Gurion: Gentlemen, in Friday's meeting of what was known as the People's Council I promised that at the first sitting of the Council of State members would be able to make statements with regard to what has gone before. We will do that this evening, at the end of this sitting.

We have before us an urgent decision, without which there is no legal base for institutional activity and the courts would be placed in an embarrassing position. We must immediately discuss and decide on the bill proposed by the Provisional Government and known as the "Law and Administration Ordinance." It is not the country's constitution. If everything goes according to plan, we will meet to prepare a constitution. This will be submitted to the Constituent Assembly, which will meet not later than October 1....What we must approve today is a bill for

our most urgent and essential needs. It is not an exhaustive document...and there will be many others.

According to this bill, the heads of the various departments will be called ministers (*sarim*). I ask the Minister of Justice to bring the proposal before you.

The Minister of Justice, P. Rosenblueth: Before presenting the bill to you, I must discharge a special obligation, which is a great honor for me. I have been asked by the Government to submit a proposal to elect the President of the Provisional Council of State. On behalf of the Government, I hereby nominate Dr. Chaim Weizmann for election as President of the Provisional Council of State....This body could not begin its work in the State of Israel, starting a new era of Jewish history in the Land of Israel, without allying itself and its work with our celebrated leader, Dr. Chaim Weizmann. More than anyone else of his generation, Dr. Weizmann has made a crucial contribution to achieving the political and settlement goals of the Zionist movement during this period. I hereby nominate Dr. Chaim Weizmann as President of the Council, and request that we discuss this.

The Prime Minister, D. Ben-Gurion: I would like to second this nomination. Allow me, first of all, to give my personal reasons. I know that each member of the Government is prepared to accept a position in the Provisional Government solely to serve our cause. (I assure you that this was why I accepted this position.) Nevertheless, public recognition is associated with this position. I feel that I do not deserve the right to open sittings and make proclamations. I will gladly fulfill any task that is given me, to the best of my ability, but I have no need of privilege or fame. However, there is someone, although he is not here with us now, to whom the entire Jewish people is obligated, even though many opposed him. I am not revealing any secrets when I say that on many issues and occasions I was his opponent. I am happy to say that there are no differences of opinion between us now. He also acknowledges our need to fight, and has demanded the proclamation of our independence. There were times when I disagreed with him, sometimes even bitterly. Nevertheless, I feel, and have always felt—and we hope that this is the feeling of the great majority of the Jewish people—that if there is anyone alive who deserves to be President of the Jewish state it is Dr. Chaim Weizmann. It was he who had the historic privilege of bringing us the good tidings of the Balfour Declaration thirty years ago, and over the decades, whether as President of the Zionist Organization or as a simple soldier in the movement, he has worked tirelessly on missions for the Jewish people in the cause of building our national home. I am convinced, and I am sure most of us feel this way, that it would be a travesty of historical justice were the name of Weizmann not to be associated with the deeds and dispositions concerning the establishment of the

state. Who if not he has the right to that association? We must make amends and implement the general feeling with regard to Weizmann's undeniable rights. I do not know if Weizmann himself needs this recognition. That is not the determining factor for me, anyway. It seems to me, however, that it is the public feeling, and how could the name which has stood at the center of activities until today be ignored at this moment? We will make amends, so that the sentiments of the Jewish people, and perhaps the whole world, may be endorsed.

It can be claimed that this institution is not an elected one, and therefore has no right to choose its own President. It is true that this institution has been created artificially, to a great extent, having been installed by two institutions which did not have the authority to do so. Neither the National Committee nor the Jewish Agency was elected in order to establish the Council of State and the Government, yet circumstances obliged them to do just that, and the Zionist Executive backed them. The Council of State has no authority to adopt new members or to change its composition because this was decided upon by the Zionist Executive.

It could be said that the election of a President brings about a change in the composition of the Council, an act authorized by neither the National Committee nor the Zionist Executive. Thus, there could be a formal impediment. But perhaps the judges and jurists here will agree with me that there is sometimes a basic justice which goes beyond the formalities of the law. By electing Weizmann President of the Council we will be fulfilling a moral obligation of the Yishuv, the Zionist movement and the entire Jewish people, and we cannot be accused of infringing an abstract formality. I appeal especially to those of us who have been, and will remain in the future, political opponents of Weizmann to rise above such considerations for a moment in order to accept this election, which constitutes historical justice rather than a constitutional change or political appointment. Our legal system does not provide any political authority for appointing a President of the Council, but I ask all those here who for formal or political reasons feel that they have grounds for opposing Weizmann to put these considerations aside and enable us to elect him unanimously as President of the Council...

The Vote

Those in favor	13
Those against	2

(The Government's proposal to elect Dr. Weizmann as President of the Provisional Council of State is adopted.)

Law and Administration Ordinance, 1948

The Minister of Justice, P. Rosenblueth: I would like to be as brief as possible, but I would like to preface this proposal with a few words on the preparatory work of the past few months....At the end of last December the Jewish Agency and the National Committee appointed a Judicial Council comprising Israel's leading jurists. This Council chose two chairmen, Dr. Bernard Joseph and Dr. Eliash. The latter, as you know, was abroad throughout almost the entire period, and the brunt of the responsibility fell on Dr. Joseph. I would like to draw your attention to some passages in a letter written by Dr. Joseph at the end of April:

The Council chose 18 subcommittees from amongst its members, asking each one to review a specific area of the law. Each subcommittee consisted of a chairman and fifteen members. Specialists who were not members of the Judicial Council were assigned to some of the subcommittees. The main obstacle to the functioning of the subcommittees was that they all comprised people residing in different cities, and it was impossible to assemble them. Some of the subcommittees preferred to do their work by correspondence, while in others the Jerusalem and Tel Aviv members would hold separate sessions. Some of the subcommittees did not function at all....

Dr. Joseph explains that the Secretariat consisted of five permanent jurists: the lawyers Cohen, Heinzheimer and Vita from Jerusalem, and Golan and Rosen from Tel Aviv. When I dealt with the work two weeks ago I realized the difficulties involved in bringing even one Jerusalem member here....As you know, not even the members of the Provisional Council or Government could be brought here.

The preparatory work has not yet been completed, and only a few legislative proposals have been prepared. One is the promulgation of the law and its jurisdiction, the second concerns the courts, the third, the annulment of the laws devolving from the White Paper, the fourth, the allocation of emergency powers, the fifth, national service, and the sixth, the Civil Service.

...On most issues we faced problems to which I hope we have found fitting solutions in the proposal I bring before you now. It contains an abstract of laws, including the Transition Act which, as the Provisional Prime Minister has explained, is not a constitution, but is rather an emergency law. The Transition Act consists of the absolute minimum necessary at this moment to establish and consolidate the legal framework for our governmental work.

...The proclamation which has already been published expressed the fundamental idea that we must continue to uphold the existing law,

apart from some vital changes. We reached this conclusion under the guidance of the country's foremost jurists. After all the subcommittees had reviewed the laws they affirmed that a basic constitutional change cannot be made hastily, and that what must be done at this particular moment, during this period of transition, is to undertake the work of co-ordination and introducing essential corrections.

That is the content of this law, and I will now deal with the clauses. I assume that the Council Members have read the bill, so that we can discuss it clause by clause. As the provisional Prime Minister has explained, we removed the clause on the courts, as well as several others, from the text submitted to the Council a few days ago because the Provisional Government has not yet been able to discuss them. In order to avoid inordinate delay, however, and to reach a conclusion on those clauses which have been discussed by the Provisional Government, we decided to submit the Law and Administration Ordinance to you....

N. Nir-Rafalkes (Mapam): I object to a debate which proceeds clause by clause.

(The proposal is put to the vote and Council Member Nir-Rafalkes' proposal is adopted.)

The Minister of Justice, P. Rosenblueth: ...With regard to the budget, I would like to draw your attention to clause 5B of the second section, which is found in several constitutions. The essence of this clause is that the Council may accept or reject a budget, but cannot increase expenditure in opposition to the Government. The Council can put pressure on the Government through the committees and refuse to accept the budget, in which case the Government must discuss it again and decide what to do. But the Council cannot decide to increase expenditure in one section and decrease it in another, thereby altering the structure of the budget. The responsibility for the budget is the Government's. This point is especially important during this period of transition. We are not yet formulating a permanent constitution for the country, that is a matter for discussion in the coming months, but this proposal seems to us to be of crucial importance.

On the other hand, clause 6 in the second section states: "No government taxes whose imposition has not yet been authorized by law may be imposed, and no government taxes whose imposition is authorized by law may be increased, save in accordance with an ordinance of the Provisional Council of State." It could be said that this clause inordinately binds the hands of the Provisional Government. What will Mr. Kaplan do if he needs to increase a tax which has already been approved, such as income tax? Would this invariably necessitate a debate in the Provisional Council of State? The intention is to bring matters before the Provisional Council of State and obtain its consent, but there is a special regulation regarding emergencies in clause 9 which facilitates

the imposition of taxes in an emergency if there is no alternative. I am willing to discuss clause 9, but I do not want to hear that it is not democratic. It is an almost direct translation of Britain's "Emergency Powers Act," and Britain is certainly a democratic country. The difference is that all these bills will be annulled after a certain period of time, if parliament does not approve them. So, first of all the Government rather than the Provisional Council of State is given the power to legislate by decree in an emergency. Afterwards the Council will have the opportunity of discussing these laws, and if it decides that they are not acceptable it can change them. I think that that is necessary, since we want to put what has been done here today on a legal basis. All kinds of orders were issued on the authority of the Yishuv, but now we are a state. These issues may come before a court and our judges will first of all take the law into consideration. If these issues have no legal basis, even in an emergency, our judges, who are independent, will not take them into consideration. No country has ever been able to settle this other than through emergency regulations. In our current situation I do not regard this as harming the principles of democracy....

Clause 7 states, amongst other things: "The laws shall be called ordinances," because we want to keep the word "law" for the laws which will be passed in the future by the parliament....

N. Nir-Rafalkes (Mapam): I take issue with the way the Ordinance has been presented. I do not dispute the fact that the matter is urgent, but throughout the past five or six weeks the members of the Provisional Council have been without occupation....The Ordinance could have been prepared beforehand and given to us to review properly, but now we are being asked to accept the entire constitution this evening. I happen to be slightly familiar with these matters, but I am sure that this does not apply to most of the Council members, who are not jurists. In my opinion, what we should have begun with was a delineation of the powers and functions of the government and the Council. We should have decided that this Council chooses a Budget Committee, a Legislative Committee, etc., and that each minister presents his bill, as is done throughout the world. Finally, we are only 38, not a parliament of 600. The only difference between the government and the Council is that between 13 and 37. I read somewhere that a quorum is 19—the difference between 13 and 19 is even less. Why can't 19 people legislate, why must everything be brought before 13?

Clause 2B in the first section reads: "The Provisional Government shall act in accordance with the policy laid down by the Provisional Council of State, implement its decisions, report to it on its activities and be answerable to it for its actions." We have not yet decided on any policy or made any decisions. You have not given us a chance to make any decisions. We should have decided who was to be our Chairman. I see that Mr. Ben-Gurion is performing that function admirably, but I did

not elect him. Since we have elected a President today, we should also have elected a Chairman, so that we would at least know who presides over the sittings here. In article C of the same clause we read: "One of the members of the Provisional Government shall be Prime Minister." I have not read in any constitution that someone *shall be* Prime Minister, I have read that someone *shall be elected* Prime Minister.

A clear intention was expressed in clause 9. In clause 7 we read: "The Provisional Council of State is the legislative authority," and "The Provisional Council of State is entitled to delegate some of its legislative powers to the Provisional Government for emergency legislation." In clause 8 we read that each minister may issue regulations for the implementation of the ordinances which are within the scope of his authority, insofar as such ordinances confer the power to issue regulations. However, clause 9B reads: "An emergency regulation may revise or suspend or modify any law...." Thus, the privilege of legislating appears to belong to us, but the Provisional Government can enable the Prime Minister or any other minister to introduce a regulation which will annul any law we have passed. That is anti-democratic. We are not a parliament of 600 members, we are 38 in all, and we can be found at any time. Why then do we need the emergency regulations, which abrogate all our arrangements?

Clause 14A states: "Any power vested by law in the King of England or in any of the Secretaries of State, and any power vested by law in the High Commissioner, the High Commissioner in Council, or the Government of Palestine, shall henceforth be vested in the Provisional Government, unless such power has been vested in the Provisional Council of State by any of its ordinances." The power is to be vested in the Government, not the Council, which is supposed to be the source of power.

If we accept clauses 9 and 14 now the Council Members can go home and may not be called for another month or two, during which time the Government will continue to function. I am sure that it will act in the best interests of us all, but I also want to take part. I maintain that there is a certain anti-democratic quality to all this. The excuse which we are given is that these are emergency laws deriving to a large extent from the source which Mr. Rosenblueth has cited. To our regret, some of our lawyers who were educated in the schools of the Mandatory Government have difficulty thinking in the categories appropriate to a democratic government.

The Minister of Justice, P. Rosenblueth: I was not relying on Palestinian law, but rather on British law, which pertains to England!

N. Nir-Rafalkes (Mapam): It is not my concern whether someone wishes to annul a law or not. The question is whether it is possible to do

so. I maintain that on the basis of these laws it is possible to abolish the Council....

Clause 5A states that the Provisional Council of State is not authorized to increase budget expenditures. Once more I must ask the same question I have asked before: is the source of power in our country the Government or the Council? In my opinion, it is the Council, and the Government must derive its authority from it. If this is the case, why is the Government given the right to allocate a budget, and the Council granted the authority only to approve it or not?...This is almost an insult. Why do the members of the Government think that we are less responsible than they?...It is not enough to say that that is what is written in a constitution. I maintain that this limits the sovereignty of the Council, and every Council Member must oppose it, regardless of his party affiliation.

...To clause 12A I would suggest adding: "Any right granted by law to the British Crown and any privilege given to British officials is hereby annulled." I propose that our lawyers amend clause 14B regarding the powers held by the British Consuls, etc.

I also suggest that we issue a new Hebrew text with an Arabic translation, so that Arab citizens will have access to the laws.

M. Shattner (Mapai): In my view, it is important to facilitate the Minister of the Interior's approval of local authorities, especially those whose approval by the Government has been delayed. I propose that to clause 4 we add: "The Minister of the Interior is entitled to approve their jurisdiction and the extent of their authority."

The Minister of Justice, P. Rosenblueth: That is superfluous, because until now that authority was vested in the High Commissioner, and is now passed on to us.

M. Shattner (Mapai): It does not say that this authority is given specifically to the Minister of the Interior, and I propose that this be stated explicitly.

Clauses 5 and 6, pertaining to the budget and taxation policy, cannot be accepted as they stand, because they totally preclude any possibility of debate by the Council....It could be argued that the Council as presently constituted cannot be trusted to provide a balanced and functioning budget....But we cannot agree to a situation in which the Council has the possibility only of accepting or rejecting a clause, without making any changes.

I think that the Council should be given the right to impose taxes. Instead of assuming that all the existing taxes will be maintained, as indicated by: "No government taxes whose imposition has not yet been authorized by law may be imposed, and no government taxes whose imposition is authorized by law may be increased, save in accordance with an ordinance of the Provisional Council of State," we should have: "No

taxes are to be imposed save by an ordinance of the Provisional Council of State."

...In clause 9 we read that the Provisional Government is to decide on the appointment of the Prime Minister or any other minister who may determine regulations or annul other laws. I do not agree that this is necessary in order to manage the affairs of the state. The Council is a limited body of a few dozen people which can meet whenever necessary, and there is no need to give such extensive power to the Prime Minister or any other minister.

...The idea of continuity expressed in clause 18 is appropriate, but why does this begin with the Mandatory Government, from which we parted without undue sorrow? Why is there no reference to the Jewish Agency and the National Committee, which issued regulations and orders which are binding on the public and which we have no desire to abolish?...Do not the draft order and all the other orders issued by the Jewish Agency need to be revalidated by the new institution?...Dr. Rosenblueth has said that lawyers will appear in the courts and base their arguments on law; consequently we should add: "...by the Jewish Agency and the National Committee and the institutions appointed by them...."

D. Pinkas (Mizrahi): It is very difficult to produce observations regarding the Law and Administration Ordinance. We have been accustomed to doing this kind of work in committee, not in the larger forum of the Council. It is very flattering that the Government regards the members of the Council as being able to understand the depths of the proposal immediately and determine their position on it. I would be even happier if it were correct in this....

Two clauses are missing from this proposal which in my opinion are of the highest importance. In the government from which we have been liberated the Jewish Agency had a certain legal position towards which we, as Israel's Council of State, must determine our stand. I do not think that we can take another step without doing this. I propose that this first act include a definition of our attitude—obviously one which is far more positive and friendly than that of the Mandatory Government—towards the representatives of the Jewish people, the Jewish Agency or the Zionist Executive....

In addition, I propose reading 1948 as *Tashah* (the Hebrew year). I think that we should use the Hebrew date, and if it is necessary to mention the non-Jewish date, this should be given in parentheses. I think that the principal date has to be the Hebrew one, and I believe that this was indeed the case with the Declaration of Independence. I was happy to see the Hebrew date on our Post Office stamp, but fail to understand why the Post Office should have this honor before us, and before the whole country....

I also propose that we omit the word "Provisional," which is constantly repeated with regard to the Council of State. In our first proclamation we determined that this Council was a provisional one, remaining legitimate until a certain date. By doing so we did all that was needed to determine its temporary nature, and in every document it should be called the Council of State. The same principle applies to the Government....

In clause 2A we read: "One of the members of the Provisional Government shall be the Prime Minister." How shall he *be*? In my opinion, he should be elected, and we need to state explicitly who is to elect him. The words "shall be" are insufficient. I propose that the Government itself elect the Prime Minister.

Although I am aware of the fact that during a time of emergency the Government must be given greater powers, the text before us is not clear. A better definition, which protected the responsibility imposed upon the Council, would give the Government sufficient freedom of action....

In spite of the fact that there is as yet no section on the courts, is it not necessary to issue an order stating that verdicts issued by courts in accordance with the laws of the Mandatory Government will continue to be implemented and be legally valid? This is of undoubted importance for people whose rights are dependent on those verdicts....

In conclusion, I would like to propose that this document be submitted tonight to a committee which will be appointed to review it and formulate a final text, which will be brought before the Council tomorrow for its decision.

M. Grabowsky (Mapai): I propose that a time limit be set for speeches.

D. Pinkas (Mizrahi): I propose concluding the debate and appointing a committee which will bring us an agreed text tomorrow evening.

M. Grabowsky (Mapai): Let us not be miserly with our time. Let us continue the debate and, after hearing all the opinions, elect a committee and vote on its work tomorrow.

The Prime Minister, D. Ben-Gurion: Concluding the debate means electing the committee. If someone opposes ending the debate it does not necessarily mean that he opposes the committee.

D. Pinkas (Mizrahi): If Council Members have comments which they regard as vital, they should bring them before the committee.

(The vote is taken on D. Pinkas' proposal, and it is not adopted.)

(The vote is taken on M. Grabowsky's proposal, which is adopted.)

S. Mikunis (Communists): The document before us shows signs of having been prepared in haste. We are in the middle of a national revolution and a war, and this document does not reflect this. On the other

hand, we have legal conservatism. I find it shocking that while the proclamation which we received two days ago annulled the emergency laws of the Mandatory Government, this document—whose first clause should naturally have immediately restored the individual liberties denied by the Mandatory Government during recent years—contains no such clause....

Many clauses reveal a tendency towards centralized rule and the abrogation of the Council's powers. The entire section on legislation is built on an anti-democratic foundation....The composition and limited number of the members of this Council is a function of an emergency, so that it can act speedily, as circumstances require; and now they are seeking to make even this institution a fiction.

Mr. Shattner made the very important point that there is no true independence today without economic independence. It is known that our resources are few, but even fewer are under our control. The American government has 75-year concessions which have not yet been implemented. To speak of rescinding the privileges of a government, of officials or of the British Crown, etc. without mentioning the cancellation of concessions granted by the Mandatory Government indicates that there is no intention of annulling or nationalizing concessions which can constitute sources of income for a great many people and without which the economic development of the country is inconceivable.

We need resources, but the section concerning taxes states that taxes may not be imposed without special dispensations, etc. This means that there is no real change from the taxation policies of the Mandatory Government, namely, indirect and non-progressive taxation. If we are currently working with the full mobilization of our human resources, if we need large sums of money, we must immediately implement a system of progressive taxation which will be based on the important principle of human equality. Each man will get according to his need and give according to his ability. Human equality must be the basis of taxation for a struggling nation, and we must not adopt the previous taxation system.

I think that the European date should always be written next to the Hebrew date, simply because the former is used more frequently and is recognized throughout the world. There is no need to isolate ourselves on that issue. Certain things have been recognized ever since the French Revolution, such as the separation of church and state. We hope that, in accordance with the balance of power in the country, the state will be democratic and secular, with freedom of religious expression. That must also be included in this document, which may not be a constitution but is the beginning of legislation. The separation of church and state is an achievement to which every enlightened country adheres.

One more point is missing from the document. We have a large Arab minority, and one of the questions which concerns it is the right to

work....This is one of the personal liberties which should replace those abrogated by the Emergency Laws of the Mandatory Government....

I subscribe to Mr. Nir-Rafalkes' criticisms of the anti-democratic character of some of the clauses, as reflected in the tendency to annul the powers of the Council, an institution whose size and composition enable it to be active in helping the Provisional Government. I join those who propose electing a committee from within the Council which will take into account all the preceding comments, will accept additional remarks and will prepare an appropriate proposal.

M. Grabowsky (Mapai): I agree with the proposal for emergency arrangements on a provisional basis, even though there is sometimes nothing more dangerous than provisional arrangements, which often persist for quite a long time. I hope we will be true to ourselves and change these orders as soon as possible.

I would like to speak about two clauses, one concerning the powers of the Jewish Agency and the other regarding the concessions. First of all, in my view, the powers of the Jewish Agency with regard to the Jewish people have been transferred to the Jewish Government. In an international forum it is the Jewish Government and its representatives which will appear. What remains in the power of the Jewish Agency—the functions of settlement and immigration—are not external political matters, and will have to be discussed. At any rate, I do not regard the Jewish Agency as a body which either defends the rights of the Jewish people or protects democracy.

Second, the cancellation of concessions is a very complicated issue, and we should not go into it as one of our first steps when we are in dire need of international recognition. Foreign journalists will certainly ask to what degree does and will this country adhere to its international commitments. A revolutionary government can certainly annul laws—we did that on Friday when we abrogated the White Paper laws—but steps of that kind must be considered carefully. Even the Mandatory Government, the representative of a mighty empire, did not arbitrarily cancel the Turkish right to supply electricity to Jerusalem. I suggest that we use caution in these matters and give ourselves time to think them through. I know that there has been a great deal of exploitation and injustice in this region, but we do not want to find ourselves caught in a quagmire.

...I support Mr. Pinkas' proposal that we elect a small committee of between three and five members which will determine the procedure of the Council in detail.

B. Repetor (Mapam): We must ensure that the Government can act quickly and effectively, with the cooperation of the Council of State, in laying the foundations of our political future. But we must also find appropriate forms of true democracy, without limiting the Government's

operational ability or delaying the passing of the laws, ordinances and orders which an emergency demands....In addition, the committee which is to be appointed must determine how the Council will function, what its agenda will be and how its sittings will be scheduled. Even in a state of emergency, the Council should review our political situation, the progress of the war, and other issues at least once every two weeks....Certainly, we must first win the war, but during the course of the war we must lay the foundations for healthy democratic life. The proposals made here do not provide answers for all our needs....I hope that the provisional Prime Minister or the Foreign Minister will see to it that at the earliest opportunity our political and military situation is clarified in the Council of State.

Rabbi K. Kahane (Aguda): ...Council Member Mikunis raised the question of the separation of church and state. I do not think that this is the time to start a *Kulturkampf*, an internal struggle. I hope we do not reach that point later on, but at the moment each one of us should recognize the needs of the hour and refrain from making proposals of this nature, which are undesirable and are only likely to harm our cooperative efforts.

The Prime Minister, D. Ben-Gurion: It has been proposed that we elect a committee which will reformulate the text for the next sitting of the Council....This means that we are delaying the vote on the Ordinance.

(The vote is taken and the proposal is adopted. A five-man committee, comprising M. Grabowsky, D. Pinkas, Rabbi Kahane, M. Nir-Rafalkes and M. Shattner, is appointed for the purpose of reformulating the Ordinance. The committee is also asked to submit a proposal determining the procedures of the Provisional Council of State.)

Statements by Council Members on the Text of the Declaration of Independence

The Prime Minister, D. Ben-Gurion: Council Members, those of you who wish to make statements concerning the Declaration of Independence may do so now.

T. Segal (Hatzohar): ...We have reservations about the clause: "The State of Israel will be prepared to cooperate with the organs and representatives of the U.N. in carrying out the General Assembly resolution of 29 November 1947, and will work for the establishment of the economic union of the whole Land of Israel." In our view this clause contains the hint—and I stress, hint—of an agreement to partition....We participated in the last session of the People's Council so as not to isolate

ourselves from that important and festive event or undermine the image of unity and full support for the first Government.

D. Lowenstein (Aguda): ...The secular form and content of the Declaration, which functions as the basic charter of the State of Israel, has deeply wounded my feelings and those of all religious Jews. It ignores our exclusive right to the Land of Israel, based on the greatest of all covenants, made between God and Abraham our father, and the many promises repeated in the Prophets and the Holy Scriptures. Furthermore, it disregards the immense credit due to the Yishuv, which laid the foundations for building the country by infinite suffering and sacrifice and a genuine love of Zion, maintaining the eternal bond between the dispersed nation and its deserted land. The declaration omits to mention the pilgrimages of Maimonides, the students of the Vilna Gaon, and the Ba'al Shem Tov, stating only that in recent generations the Jews have returned to their land in great numbers. It also ignores the special character of our holy and promised land, which was destined for the Jewish people not solely in order to establish a sovereign state but primarily in which to live a holy and pure life. In defining the character of the State of Israel there is nothing to indicate that it will be based on the laws of our Holy Bible, and that it will aspire to fulfill all its commandments and laws....Lastly, it does not cite the God of Israel or thank Him for bringing us here. It refrains from mentioning the miracles which we have experienced of late, and from expressing our faith in and reliance upon the Lord.

In spite of all that I have just said, I also signed the Declaration of the People's Council as the representative of Agudat Israel. I did so in the awareness of the difficult and dangerous responsibility which rests on us to prevent the nations of the world from interpreting our reservations about the content and form of the secular text of the Declaration as an internal rift within Israel.

S. Mikunis (Communists): ...The British Mandate was a colonial government, based on the political, economic and military oppression of the two nations of Palestine. The Mandatory rulers did everything possible to create strife between the Jews and the Arabs, in accordance with the imperialist principle of "divide and rule" and thereby to prevent them from attaining national independence. The Mandatory rulers were and remain the principal organizers and instigators of the present war against the Yishuv and against the historic decision of the U.N. General Assembly of 29 November 1947. None of this is specified in the Declaration.

Another point is missing from this fundamental document....It should have been stated that the Council regards the presence of British or other military bases in the Land of Israel after 1 August 1948 as a threat to our independence and sovereignty.

We believe that this is evident to anyone who was and has remained our friend throughout the war, and who in the near and distant future will prove to be our friend in the realization of our independence. Our most fundamental document must cite the aid of the forces of peace and democracy in the attainment of our national liberation.

...At several points the term "Jewish state" is mentioned without the word "independent." I understand that everyone's intention is that we should have genuine independence, but at a time like this, when imperialism distorts the concept of independence, seeking to represent Transjordan and Iraq as independent countries, we must stress the aspect of a sovereign, independent Jewish state....

With all due respect for the Declaration of Independence, which mentions the equal rights of all the citizens of the State of Israel irrespective of nationality or religion, the fact remains that we have a large Arab minority, and its specific rights as such should have been noted, both in our own interests and our desire for friendship and cooperation, and in order to fulfill our basic obligation towards the national minorities of any democratic country.

T. Lurie (Mapam): The representatives of Mapam who participated in the signing of the Declaration of Independence feel compelled to note that the fruits of the victory of the Jewish national liberation movement, of the pioneering achievements of the Hebrew labor movement, of the struggle of the Yishuv against its oppressors and attackers, of the constant and undaunted illegal immigration of masses of our people from every corner of the world, of the strengthening of the Jewish people despite the oppressive imperialist regime of the Mandatory Power and the abortive plots of the imperialists in America, and of the loyal support of the forces of peace and progress throughout the world, led by the Soviets and the Democratic People's Republics, represent a great act of historical justice.

Mapam adds...that it will strive for meticulousness in the just division of public obligations, including the draft, social services and taxes, and will demand that all state institutions aim at eradicating any trace of privilege, so that the brunt of the burden will not fall on the workers and the poor.

Together with the other progressive, democratic elements in the country, Mapam will fight for the true independence of the State of Israel. We will protect it vigilantly from any kind of political, military or economic dependence on imperialist powers and from any attempt to exploit it as a target for intervention. The State of Israel will be the cornerstone of peace in the Middle East and the entire world. Our country will be the loyal ally of those who support peace and democracy in the U.N.

Mapam will spearhead the struggle for attaining an alliance with the Arab masses both inside and outside Israel, for achieving full

equality for all the citizens of the country, be they Jews or Arabs, for nurturing cooperative and fraternal relations between the Jewish and Arab peoples in Israel and the Middle East, for promoting the forces of socialist liberation in the Arab world, for establishing a cooperative Socialist front comprising the proletariat, the peasants and the progressive intelligentsia, and for upholding the integrity of the Land of Israel on the basis of consensus, tolerance and equality.

Mapam's first priority will be to mold the democratic, popular character of the State of Israel, developing towns and villages in order to raise the standard of living, absorbing mass immigration, introducing social legislation and agrarian reform as a basis for the social progress, independence and freedom to organize of the working class, and combating aggressive, clericalist, reactionary forces as well as any indication of fascism. Mapam will strive for the implementation of socialism in the State of Israel.

...

The Prime Minister, D. Ben-Gurion: ...Jewish unity was manifested clearly when the independence of the Jewish state was proclaimed, and these statements do not undermine it. On the contrary, the fact that there are differences of opinion on such minor matters merely underlines the unity of the Jewish people, as reflected in the establishment of the state and our determination to protect it. This unity exists, and that spirit will animate us all....

Prime Minister's Report; Declaration of a State of Emergency; Merchant Navy Flag; Stamp Ordinance; Questions and Answers

Sitting 2 of the Provisional Council of State

19 May 1948 (18 Iyar 5708)
JNF Building, Tel Aviv

The Prime Minister's Report

The Prime Minister, D. Ben-Gurion: I have been asked to give a report on our situation, although this was not on today's agenda. I am doing this on the assumption that I can rely on all those present, journalists and guests as well as Council Members. Although I am not about to reveal any secrets, these things are not for publication.

At present, our enemies have control of the skies. What this means with regard to Tel Aviv is common knowledge to everyone here. We have reason to believe that this situation will not remain static, but I cannot say when the change will occur. Superiority in the air gives the enemy a great advantage, but our public is not afraid. The Yishuv needs no compliments, but it is impossible not to note its fortitude. I was in London during the Blitz and was astonished by the heroism of the residents of the city at that fearful time. The people of the Yishuv are no less heroic. Even with my deep faith in the Yishuv, I was surprised at the self-control our public exhibited...Yesterday's tragedy has not changed anything, although it must be noted that the public does not take sufficient precautionary measures.

We are now deployed along several fronts. In the north, all Western Galilee is in our hands, including Acre; in Eastern Galilee, where we had grounds for suspecting an attack and the massing of enemy forces, our army took the initiative, crossing the border in order to attack. Further south, in the Jordan Valley, the situation is tense; there are a great many armored columns of the Arab Legion there, supported by Iraqi and Syrian troops with planes, artillery, machine guns and tanks. Reinforcements were sent there yesterday, though more are needed. The Central front appears to be quiet, but this could mean that the enemy is planning an attack. According to our information, Kaukji has been told to cross into Transjordan with his troops, to make way for the Legion, which is approaching Jerusalem and is reported to have

reached Sheikh Jarrah. Almost all of Jerusalem is in our hands, and the way to the Old City has been breached. The latest reports I have are from midday, and I cannot tell you what the situation is within the city. In the Ramle area we have captured Sarafand which, as you know, had been sold to the Jewish Agency, but was handed over to the Arabs by the British Government, which cancelled the sale. Our attack on Ramle itself is not making headway. In the south there is no change, and the situation in the Negev is tense, with substantial enemy forces facing our troops. We are mobilizing additional forces, and hope that within two weeks there will be an appreciable change in the situation of our troops and the means at our disposal...

...We have been asked, especially by America, to inform the world about our naval flag, because ships coming here want to fly Israel's flag as they approach our shores. In addition, we are about to send out our own ships, which must fly our flag. The same applies to our stamps. We must also make certain decisions about emergency matters and budget affairs, both of which are related to the Ordinance brought before you earlier. At the last sitting there was a general debate on this Ordinance and a committee was appointed to formulate a proposal. The Government has accepted that proposal, though we suggest a few minor changes....

Firstly, with regard to the subject of democracy, neither the Council of State nor the National Administration are democratic institutions established on the basis of general elections, but were set up following a national political revolution. They are not dependent on one another, both of them having received their powers from other institutions. The Council of State is the legislative institution, while the Government is the executive institution. The situation is such that the Government has not been elected by the Council of State and is therefore not dependent on it. Both bodies were established by the National Committee and the Jewish Agency...from which their powers are derived.

Secondly, we are in a state of emergency. Not only is a war being fought on the outskirts of Tel Aviv, but there is fighting everywhere. All our efforts, dispositions and measures are geared towards establishing security and independent rule in place of the chaos which the Mandate Government bequeathed us...We cannot adhere meticulously to our most important precepts if they clash in any way with those primary needs...Ensuring our security and independence must take precedence over everything else, sometimes even over the need for public clarifications. Our enemies are seeking to destroy us, and we must act.

The document brought before us today provides a legal framework for our two ruling institutions which, due to their revolutionary character, are not one hundred percent democratic. It also enables us to act immediately and without unnecessary delay in the defense of the state and the establishment of its essential services...The fact that this is not

a constitution for ordinary times did not escape the formulators of this Ordinance. This is an emergency constitution. Every locality is a battlefield. The residents of Tel Aviv know that they are also at the front, and at the front one acts differently than in a safe place. During an emergency everything must be geared towards enhancing our security and reinforcing our independence.

...

Declaration of State of Emergency

The Prime Minister, D. Ben-Gurion: I propose issuing the following declaration: By virtue of clause 9A of the Law and Administration Ordinance 5708 (1948), the Provisional Council of State hereby declares that the country is in a state of emergency.

Merchant Navy Flag

The Prime Minister, D. Ben-Gurion: Experts have informed us that our Merchant Navy must have three flags: a Merchant Navy flag, a Naval Services flag and a Navigational (Pilot) flag. Mr. Zisling has proposed that we decide on those three flags and that the Government should agree to their design tomorrow....

D. Pinkas (Mizrahi): I agree with Mr. Zisling's proposal, provided that the Star of David is part of the design.

The Minister of Agriculture, A. Zisling: With regard to the permanent emblems of the state, the Constituent Assembly will have to consider many factors in making its decision...Nothing has been clarified as yet, because the committee which was to deal with it has not met, and no decision can be made without a discussion. There is no disagreement about the Jewish emblems. I therefore propose that the Government be empowered to decide on this issue. Afterwards, once the emblems are decided and the Council of State or the Constituent Assembly discusses the subject, changes can be made.

The Minister of Justice, P. Rosenblueth: I must point out that...according to the law we need decide only on a Merchant Navy flag...It is difficult to pass the law without the actual design of the flag, which must appear in the *Official Gazette*....

The Prime Minister, D. Ben-Gurion: We have before us three proposals: Minister Rosenblueth's proposal that we decide on everything today; Minister Zisling's proposal that a decision be made on the subject and that the Government be empowered to determine the design of the

flag, and Council Member Pinkas' proposal that the Government be authorized to determine the design of the flag provided it includes the Star of David....

The Minister of Agriculture, A. Zisling: In my opinion, we should leave the emblems of the Zionist Organization to that body and the Jewish people. We do not want the flags and emblems of the state to be the same as those of the Zionist Organization....Jews the world over may well use the emblems of the state, and these must...express the national basis which binds us to the historic and presentday emblems of our people. The colors may also be those of the Zionist Organization. But in the flag of the Merchant Navy, for example, I suggest not using the Star of David, even if we decide to use that emblem for other purposes....I propose that we use the emblem of the tribe of Zebulun....

M. Grabowsky (Mapai): The arguments in favor of leaving the Zionist Organization its own emblems are mutually contradictory. Throughout its existence the Zionist Organization has worked towards the fulfillment of the dream of a state, and its emblem was not a temporary thing which the state would subsequently replace. It simply does not make sense that, with the fulfillment of the vision, the state should decide to change its emblems. The Star of David has been generally accepted for generations....Other emblems, including that of Zebulun, are nothing but pictures. It is an addition which may or may not be included, according to taste, but it is not a substitute for something basic. Therefore, Mr. Pinkas' proposal seems most appropriate to me....

D. Pinkas (Hamizrahi): Like many of you, I have travelled on ships, and each ship had its flag. I would like a Jewish ship to be recognized by every Gentile, and this will be achieved only by the emblem of the Star of David.

The Prime Minister, D. Ben-Gurion: Mr. Rosenblueth, do you agree to leave it to the Government to decide?

The Minister of Justice, P. Rosenblueth: Yes.

The Vote

Those in favor	12
Those against	5

(The proposal to include the Star of David in the flag is adopted.)

...

The Prime Minister, D. Ben-Gurion: Once again, I have a few things to say which are not for public consumption. We are witnessing the beginning of the establishment of our Navy for our coastal defense. Our

naval expert (we have a Jewish expert who served in the British Navy) maintains that there is a need for a legal flag and for authorizing the ship's use for defensive purposes. The Supreme Command has decided that the flag of the Navy should be of a certain length, predominantly blue, with a white triangle at the center containing a small blue Star of David. This has already been done on the basis of a Government decision because the ship had to be equipped, but for further validation I propose that the Council grant its approval to both commissioning the ship in Israel's territorial waters and the flag chosen by the Supreme Command....

(The vote is taken and the proposal adopted.)

The Stamp Ordinance

The Minister of Communications, D. Remez: Life has anticipated the law. Stamps are circulating, but the law giving them validity has not yet been passed.... (He reads out the Stamp Ordinance.)

M. Grabowsky (Mapai): I would like to ask the Minister of Communications what is to be done about earlier stamps which are in the possession of individuals or companies? Will the state replace them?

D. Pinkas (Mizrahi): I propose setting a date by which people may exchange Mandatory Government stamps for Israeli stamps. We will have to trade some stamps for money. That is something which is clearly justified.

The Minister of Communications, D. Remez: Till now we have not dealt with the practical aspect of the matter. It seems to me that the joy of seeing a Hebrew stamp has entirely overshadowed the question of what to do with the remaining Mandatory Government stamps. There may have been considerable wastage in the chaotic period of the Mandatory Government, and certain quantities of stamps may have fallen into the hands of various people....

The Minister of Police and Minorities, B. Shitrit: Some banks have distributed checkbooks which are still franked with Mandatory Government stamps.

T. Lurie (Mapam): In order to put my mind at rest, would the Chairman confirm that stamps issued before the country was given the name of Israel will be recognized until new stamps are printed?

The Prime Minister, D. Ben-Gurion: Logic obliges us to accept Lurie's proposal.

The Minister of Finance, E. Kaplan: The text of the Ordinance indicates that we are merely endorsing these stamps. We must find a formula making the Ordinance valid with regard to stamps issued in the future too.

The Minister of Communications, D. Remez: I accept this suggestion, and propose that the text read: "postage stamps issued by the Provisional Government," and not: "on which the words "Doar Ivri" are over-printed."

S. Mikunis (Maki): I propose also having the name of the country on the stamp in Latin letters.

The Minister of Communications, D. Remez: That will be done anyway in the next series.

(The vote is taken and the Ordinance is adopted with the above amendment.)

Questions and Answers

N. Nir-Rafalkes (Mapam): I received a letter...regarding the Council's schedule of sittings from which it transpires that it is forbidden to divulge any information concerning the sittings other than what appears in official communiques. I would like to know when we decided on this, and if we have not decided, is it possible to publish certain items, after they have passed the censorship?

The Prime Minister, D. Ben-Gurion: We have not discussed that yet. There is a censor and we all know that censorship is necessary. We regret the fact that things have been published which have aided the enemy. On the other hand, the censor must restrict only information liable to harm us, not material regarding differences of opinion in internal conflicts. Therefore, there is no restriction on the publication of subjects discussed in the Council, apart from those which are defined beforehand as restricted.

B. Repetur (Mapam): Has the Government taken the appropriate steps to disband the private, splinter military organizations which are outside the Defense Army (Haganah)? This was decided upon by the Zionist Executive, which agreed that military organizations would be dissolved immediately after the establishment of the state.

The Prime Minister, D. Ben-Gurion: One organization has informed us that it is disbanding, though I am not responsible for the veracity of that statement. I am referring to Lehi, which has informed us that it is

putting its men and arms at the disposal of the state. Their numbers are not as great as is generally believed....

There is no doubt that the disbanding of the military organizations is one of the most urgent matters the Government has to deal with. We cannot have a situation within the state in which the Government does not have control over weaponry, broadcasts, armed forces, etc. But we have not yet been able to deal adequately with this.

B. Repetur (Mapam): I would like to receive information about this at the next sitting.

D. Pinkas (Mizrahi): When will the Government be able to establish armed forces on land, sea and air?

The Prime Minister, D. Ben-Gurion: These forces exist, though unfortunately they are not yet firmly established. They were set up initially a few years ago by volunteers, without any national authorization, and were later legitimized by the National Committee and another institution. They acted effectively and successfully. With the establishment of the state, they will naturally come under the aegis of the state, and will soon take the oath of allegiance to it. They are already under orders from the state. It is true that as a result of the change which has taken place in the lives of all of us—the establishment of an independent state and a national defense force—there must be some change in the forces which have existed until now. The Government will discuss this....

Prime Minister's Report—Debate

Sitting 3 of the Provisional Council of State

3 June 1948 (25 Iyar 5708)
JNF Building, Tel Aviv

M. Hartman (General Zionists): On behalf of the General Zionist Party, I would like to make the following statement: After May 15, when the connection with Jerusalem became more difficult, though the city was not completely cut off, we were assured that efforts would be made to bring members of the Council of State from Jerusalem to Tel Aviv. That has not yet been done, however, despite the fact that during that time people went to and from Jerusalem. We hereby express our disappointment at the failure of the efforts of which we were assured. We are particularly embittered by the fact that not even the promise to bring the Minister of the Interior, Yitzhak Gruenbaum, has been kept. His absence from the Government and the Ministry must pose considerable difficulties as well as discrediting our reputation. While we are prepared to serve as temporary substitutes, we feel it necessary to raise these issues so that the Council may be informed and the matter be set right in the near future.

The Prime Minister, D. Ben-Gurion: I will try to give a brief review of three fronts—military, political and domestic. It will be brief due to lack of time and the fact that what I can tell you most of you know, and what is not known is best left unsaid. I will start with the most burning issue—the military front.

The invasion of the country began before the termination of the Mandate, and was given covert aid and overt patronage by the Mandatory Government. The invading forces—this is no secret—received many of their weapons from the British Government. We have reason to believe that their military stratagems and operations were undertaken in collaboration with the Mandatory Government. Before the termination of the Mandate this was camouflaged, and even the neighboring Arab governments did not openly accept responsibility for the gangs, while the Mandatory Government tried to display neutrality. But upon the termination of the Mandate there was an open invasion by the regular armies of the five neighboring countries—Lebanon, Syria, Transjordan, Iraq and Egypt—whose populations are almost forty times that of the Jewish population of this country. This alone indicates the gravity of the situation. Furthermore, these armies were equipped, with British

help, with large quantities of modern heavy weaponry: planes, artillery and tanks....

Initially, this was intended to be a lightning operation, with the object of strangling the infant State of Israel. According to the plans which have fallen into our hands, Haifa was to have been captured on May 20, with Tel Aviv and Jerusalem to follow on May 25. That same day King Abdullah of Transjordan was to have entered Jerusalem, to be crowned king of his extended kingdom.

If we review what we have been through during the past three weeks, we cannot say that the danger is past. On the contrary, it may increase in the days to come. In addition to the overt aid given the invading armies by the former Mandatory Government, there is British participation in the embargo which the neighboring countries are attempting to impose on the State of Israel. We have also been informed, indirectly (because of the incompetence of the British officials in Israel, who are not aware of the establishment of the state, only of the existence of Jewish mayors—the British Consul in Haifa asked the Jewish mayor of the town to inform the Consulate of urgent matters), that if Amman is bombed again, the RAF will destroy any Jewish plane in Palestine's skies, because Amman is the nerve center of British aviation in the entire region.

There is still room for concern regarding the future, although our recent past can be viewed as a significant achievement. If we focus on the short period since the termination of the Mandate and the political and military goals which the invading countries set themselves, we can say that on the political level they suffered a setback and on the military one a substantial defeat. Their evil plans to effect a quick invasion from the north, south and east and destroy the State of Israel in a few days were overturned. The State of Israel exists, and its destruction is further away today than it was three weeks ago. Israel's army now controls more territory than it did three weeks ago. We hold the entire area of the State of Israel as delineated by the U.N., as well as several important districts outside it, the two most important being Western Galilee and almost the entire road connecting Tel Aviv with Jerusalem—apart from two small but crucial sections, where traffic to Jerusalem is still being disrupted including all the surrounding areas from Sha'ar Ha-gai to Jerusalem on both sides of the road, in addition to important parts of the road in the foothills.

The new parts of Jerusalem, with a few exceptions, are in our hands, although we cannot ignore our losses in that sector. After a heroic stand, which will remain forever in the annals of Jewish military history, the Etzion Bloc fell. And after a possibly even more heroic stand, the handful of Jews in the Old City surrendered, after having been under siege for many months. The Old City of Jerusalem is now in the hands of the enemy.

After a careful assessment of the balance of strength and the situation on the fronts, we can say that in military matters, perhaps even more than in political ones, we cannot speak with certainty of the future, even when it is only a few weeks ahead. The fall of the Old City of Jerusalem might not be permanent. We have a basis for hoping, since the New City of Jerusalem is almost totally Jewish, that in the not too distant future the Old City will also be in Jewish hands.

I will not go into detail with regard to the battles which have been fought. They are continuing, and are more or less known to everyone in the country, as well as anyone in the world who reads newspapers. Special mention should be made of the harsh battles which have taken place in the Jordan Valley. Tribute is due not only to the valor of the Army, but particularly, perhaps, to the determined settlers who, few in number and almost unarmed, fought off an enemy equipped with planes, artillery, tanks and armored vehicles. The danger has not yet passed in that area, just as it has not passed anywhere else in the country. Yet there, as elsewhere, we now have the upper hand.

We must also note one of the most courageous battles in our history, and perhaps in the history of the world, one marked by heroism and suffering—the battle for Jewish Jerusalem. The inhabitants were cut off from the rest of the country, and threatened with thirst and starvation. They were bombarded mercilessly and inhumanely by day and by night, with a complete and cynical disregard for the sanctity of a city regarded as holy by Christians and Moslems as well as by Jews. The bombardment and shelling by Arab hirelings of the British Government, using British artillery and planes, continues. The Anglican Church, which is responsible to no small extent for this barbaric attack on Jerusalem, maintains a significant silence, while the Jewish city stands heroically firm. The people of Jerusalem know that the State of Israel is behind them, and that our finest sons, from every corner of the country, will give their lives to free the city. Our ancient psalm, "By the rivers of Babylon," is no mere empty phrase but a fire which burns in the heart of the nation and its fighting youth. I cannot yet give you the details of the present situation, for obvious reasons, but there is a chance that the siege of Jerusalem will come to an end. A durable tie with Jerusalem, extending to the road as well as the surrounding area, is being opened by a battery of Jewish soldiers.

During the past three weeks we managed not only to survive the lightning strike and prevent the destruction of the state, something which was certain according to the governments of the Arabs and Bevin, but also to take the offensive most of the time. At the outset of hostilities I said that although this war was one of defense for us—we did not want it, it was forced upon us and we were merely defending ourselves—we did not undertake to conduct it by defensive means and

would take the offensive as far as possible, refusing to restrict our attacks to the borders of Palestine.

Our army has done its work well. We are attacking the Arab Triangle. We are at the gates of Jenin. We are attacking Tulkarm and Nablus is trembling. We have attacked and captured Western Galilee. We attacked enemy concentrations across the border in Syria and Lebanon. We issued our first warning to the invaders to cease their boasts that the war would take place within the borders of Palestine and in the skies above it when our Air Force bombed Amman, Abdullah's capital. I read in today's papers that Nukrashi Pasha has complained that we did not display the same respect for the U.N. mediator as the Egyptians did. They told their Air Force not to attack Tel Aviv while Count Bernadotte was here. We, on the other hand, bombed Amman while he was there.

The distinguished Pasha's statements were not very precise. We bombed Amman just before Count Bernadotte's arrival. Moreover, attempts were made to prevent him observing the performance of the Jewish Air Force in the country where the Arabs regard themselves as being safe. That was only the beginning. In the past weeks not only has the initiative been in our hands in most cases, enabling us to attack beyond the borders of the state as determined by the U.N. and occasionally even outside the borders of Palestine, but in addition our forces have grown from day to day. Again, I cannot give you more details on this point.

During this period the Jewish Air Force was created, as was the skeleton of a Jewish Navy, and we have grown stronger. I do not wish to give you the impression that the war is nearing its end. We are only at the beginning of the road. The greatest and gravest tests lie ahead. We must not underestimate the power of the enemy...who has not yet thrown all his resources into the struggle and whose courage should not be underrated....We are facing a very trying test....We have not yet mobilized all our resources (this applies to the Yishuv as well as...to the Jewish people as a whole). With this we will endure to the end, and the end must be complete victory.

In the political sphere there is less news. Both the Powers have recognized the State of Israel. This is extremely important, because they rarely have anything in common....In the U.N. resolution of November 29 it was to our advantage that on the question of the Jewish people and Palestine those two governments saw eye to eye.

We cannot boast that we have reached a safe haven. Our enemies neither slumber nor sleep, and overt and covert attempts are being made in the capitals of the world to prevent the recognition of the State of Israel. The political and military obstacles that confront us have positive as well as negative implications. They make us realize that we are not regaining our independence as a result of international charity, that our existence is not dependent on the good will of others. We built the

Yishuv with our sweat and blood, we established the state through our own efforts, and we must maintain it with our own strength. Although we have never lost faith in the conscience of mankind, and we have not and will not cease to demand our just rights from the community of nations, we should constantly remind ourselves that our existence, freedom and future depend primarily on our own efforts, abilities and resolve.

...During the Mandatory rule we were offered a ceasefire by the U.N. Committee and the High Commissioner. We did not hesitate to accept it, provided it was upheld by the other side and we were assured freedom of movement within the country. The other side did not accept the proposal. Not long ago we received a similar request from the Security Council, as a disinterested party....We accepted that request, but the other side refused, either of its own accord or because of incitement by others....Meanwhile, during the session of the U.N. General Assembly summoned especially to discuss the Palestine problem, the Jewish people proclaimed the existence of the State of Israel, which was recognized immediately by the U.S.A. and the U.S.S.R., leaving the Assembly with almost nothing to discuss. It rose and decided to appoint a Mediator to try and find a peaceful solution between the two opposing parties, the Jews and the Arabs, and Count Bernadotte was given that task.

When the Security Council later decided to demand a four-week truce, the subject was assigned to the General Assembly's Mediator, although he was not necessarily bound to maintain the truce. At our meeting with him, he stated clearly that even if there were no truce, he would try to find points on which the Jews and the Arabs could agree, and would look for acceptable remedies to the problem. It is obvious, however, that a truce or armistice would aid him greatly in his peace mission.

The Government discussed the Security Council proposal and decided to accept it. A message to this effect has been sent to the Security Council, stating that the Government assumes that the decision refers to five topics which are vital to us: A) During the cessation of hostilities the naval blockade imposed on Israel by the Egyptian government will be annulled. B) The ban on the entrance of military forces under no circumstances implies a ban on Jewish immigration of any age; we agree that if immigrants of military age arrive during those four weeks they will not receive military training or be drafted during that period. C) The cessation of hostilities includes the absence of restrictions on bringing supplies to Jerusalem and guarantees freedom of movement on the roads. D) The truce involves maintenance of the military status quo in all captured territory. For instance, if the Arab Legion occupies the road between Ramallah and Sheikh Jarrah it has no right to advance any further and we have no right to drive it from its position. Similarly, our forces in Western Galilee retain control of the area they

hold, but may not continue to the north. E) The prohibition during the four weeks on the shipment of arms into Israel, Transjordan, Lebanon, Syria, Iraq, Saudi Arabia and Yemen also implies that weapons inside these countries belonging to a foreign power cannot be turned over to the local authorities.

The right to determine the terms of the truce and when it has been violated has been given to the U.N. Mediator, Count Bernadotte. If the truce is imposed, and this will not necessarily be soon, I can assure you that our army is prepared for battle, and that no attack has been or will be cancelled in expectation of the truce....We have heard that the Arab countries have attached two conditions to their acceptance of Bernadotte's mission: a ban on Jewish immigration and the abolition of the Jewish state. I assume that the Mediator has enough common sense not to take it upon himself (if the rumors are correct) to present us with the Arab leaders' foolish proposal. We have always sought peace, and we have no conflict with the Arab peoples. But if peace is achieved, this will be only by the efforts of the State of Israel while safeguarding its sovereignty. Whoever desires otherwise will find himself confronting the might of this young nation, which will not rest until it has emerged victorious.

As for the domestic front—the State of Israel was not established to serve a military purpose. It is the realization of the Jewish people's Zionist aspiration and vision, and its principal mission is to gather in the exiled Jewish people and rebuild this desolate country. Foreign forces over which we had no control brought about a situation in which the State of Israel arose by war, and its major efforts are concentrated on the military front. It is impossible to know how much longer this young state will have to devote the best part of its efforts, strength, constructive energies and blood to this war. We have been obliged to undertake a huge constructive operation. The Mandatory Government left us a legacy of chaos in every sphere of administration. In the midst of the fighting we have had to reestablish public services and set up communications between this country and the rest of the world, because that was the first thing the Mandatory Government tried to destroy, informing the Postal Association that after May 15 Palestine would no longer exist. We cannot boast that the few services we have established are functioning on a proper level, owing to our lack of resources and the state of emergency. Nonetheless, Bevin's malicious plan has not succeeded. Since the departure of the Mandatory Government we have had more order and better services than before. There is still a great deal to be done, however, and the conditions are not favorable, with air raids and constant fighting almost everywhere....Yet the state is being built. Not only have we set up regular public services, we have also devoted ourselves to the two central tasks which represent our right to existence in this country—immigration and settlement. Again, for security reasons

I cannot give you precise numbers. I will only say that in this span of time more immigrants have entered the country than in any equivalent period in the previous generation. We believe that these numbers will increase and, whether there is a truce or not, many new settlements will arise throughout the country.

In closing, I would like to inform the Council of State that the two dissident military organizations have agreed to disband and that their members will be drafted into the Israel Defense Forces, like everyone else. I can only hope that their promises will be kept this time.

B. Repetur (Mapam): At its last sitting, the Council of State delegated its powers to the Government so that the latter would do its utmost to put the entire Yishuv on its feet in this war. Yet, in order to strengthen the Government and its influence in the Yishuv...the Council of State should participate in decisions on basic settlement and political issues. The Government made a grave mistake by not summoning the Council of State this week. The Security Council's proposal on the truce should have been brought before the Council, which would undoubtedly have confirmed the Government's actions, thereby...according legitimacy to the state's demands and positions.

Another important facet of our life in the Yishuv and our transition to an independent state has lately reached a new level of maturity, with the announcement by the Provisional Government that the Haganah, which has defended our achievements for several decades, courageously ensuring the security of our farms and property, and which defends us heroically on all fronts today, has become the Israel Defense Forces. The Council of State will doubtless support me in noting this important step in the defense of the state, providing added weight for the Government and the Council of State as well as encouragement for all those currently at the front. I hope that as part of its future activities, while in no way detracting from its powers or importance, the Provisional Government will ensure that these vital questions are brought before the Council of State for clarification and decision.

I should also point out that the basic constitution of the Council of State notes that basic policy will be decided by it....The war requires the participation of the Council of State in determining our fundamental policy. We cannot discuss all the vital questions concerning the military situation on all the fronts. Now that the enemy is at our gates and we are under siege, each Council Member must consider the proposals brought before us, but our primary task is to mobilize all our forces for the war. Nevertheless, I would like to make a few remarks about the Prime Minister's report. We must ensure that the demands and explanations sent to the Security Council by the Provisional Government regarding our rights to sovereignty and independence, as well as the continuation of free immigration and the building up of our forces, will be upheld in the future if ceasefire negotiations are renewed with the Secu-

rity Council or its Mediator. We must be aware of the fact that the British Government has an open alliance with the invading Arab forces, and that there is an Anglo-American conspiracy against us. Even after the U.S. Government's formal recognition of the State of Israel we received no real help from it. On the contrary, there are signs that an attempt will be made to reduce the area of our state and limit our independence. Once again we have to contend with the prohibition of departures from Cyprus, even though tens of thousands of refugees have been there for months. This was done openly and evoked no reaction from the Security Council....Who knows if, in the last few weeks before the departure of the British, there will not be other acts tantamount to a declaration of war on the State of Israel and the Jewish people? These British activities are supported by the U.S. in various ways. We know that although the U.S. voted with the U.S.S.R. and its allies in the Security Council, it makes decisions and adopts positions which weaken the State of Israel while strengthening our assailants....

There is a danger that if a truce is decided upon and political talks are held we will be asked to withdraw to the borders of the November 29 resolution. We have not yet come to terms with the partition of the Land of Israel, and surely any additional reductions are both inconceivable and contrary to that resolution. The Government must reject any proposal which is contrary to the resolution or which limits our territory or encroaches upon our sovereignty. We must not forget that King Abdullah, who intended to destroy the State of Israel and proclaim himself king over Palestine from Jerusalem, is an ally of Great Britain....

The total mobilization of all the resources of the Yishuv must be our primary task at this hour....Within the next few weeks we will be faced with the immense task of absorbing tens of thousands of Jews from the camps of Cyprus and Europe, and they will join us in fighting the war. The first task of the Government, its Ministries and the general population must be focused on war efforts associated with the continued immigration of tens of thousands of Jews, their absorption in dozens of new settlements and their taking root in the land while building the state. We must correct all those flaws which were part of the mobilization of our human resources and the division of labor between the various sectors until now. We have drafted tens of thousands into the army and military industrial production. We need additional manpower and a healthy division of resources in order to supply our needs on the battlefields. In wartime we must organize our life differently than in the past...increasing responsibility and cooperation in the urban and rural sectors of the Yishuv.

We have declared a national war loan, and hope that the entire amount will be raised, although the sum required for the war, immigration, settlement and economic functioning is much more than the five million pounds which will be given by the people of Israel during the

emergency...There is no doubt that world Jewry will help, as is our right and obligation to demand, but the Yishuv must make additional efforts to mobilize funds. The Government must proceed quickly with making decisions, preparing a new taxation method and ensuring the equitable division of the burdens of war at both the front and the rear. Tens of thousands of people have already been drafted, two-thirds of them heads of families who are entitled to demand a basic wage from the state. Soldiers have been killed or wounded, and the state must do everything it can to ensure that their families are cared for....The Government must take immediate steps to introduce a new tax system, issue laws and establish institutions to correct injustices and protect the rights of the families of soldiers who have been wounded or killed....

It is our own strength which will determine our victory, but in the current political reality, international conflict and the general situation in the Security Council we have not done everything possible to mobilize those of our friends who have been fighting for us at Lake Success since November 29. We want to hear what steps will be taken to request more help from our loyal allies. The aid we demand is probably dependent on ties with the Soviets and the People's Republics and the appointment of delegates to those countries, subsequent to their recognition of the State of Israel. Following the Soviet decision to appoint an ambassador to Israel, have we followed suit by appointing an ambassador to Russia and the other countries which have recognized us? If not, why not? The Government must act quickly and appoint representatives in order to strengthen our friendship and enable us to request help in our military and political struggles.

M. Wilner (Maki): Distinguished Council...the discussions of this institution must cover fundamental issues, in order to provide guidance for the policies of the Provisional Government of the State of Israel.

We are in the midst of a bloody war...our situation is difficult—although it is better than both our friends and our enemies imagined it would be—not so much because the Supreme Arab Council in Palestine is fighting us, and not because King Abdullah and King Farouk are fighting us, but because Great Britain is fighting us overtly, and America is fighting us covertly....

The State of Israel was proclaimed and came into being after Truman's America had made every effort to thwart this, advocating an abortive trusteeship scheme. Our military position and the political support of the U.S.S.R. and other members of the U.N. are determining factors in our statehood. It is this cooperation which has established the Jewish state, contrary to the wishes of both America and our enemies.

At this stage it is impossible to say that both the U.S. and the U.S.S.R. have recognized us....U.S. recognition is only *de facto*, meaning—if you have succeeded in establishing a state anyway, despite my wishes, I have no alternative but to acknowledge the existing

situation. There is, therefore, a great difference between the recognition by the U.S. and that by the U.S.S.R. It is not by chance that the Prime Minister has decided that the positions taken towards us by the two Powers are identical.

Our policies must be conducted in accordance with the national interests of the Jewish people, our sovereignty and our complete independence...which is what our soldiers are fighting for. They will not agree to American instead of British influence. They want to be free in their homeland, in their state. The purpose of the war is, consequently, to attain total independence and ensure our ability to exist as a sovereign state....

I was surprised, therefore, that we were not informed...about the negotiations in London. These are apparently being conducted at the behest of the Provisional Government of Israel, because the participants are apparently doing nothing of their own volition....One of our newspapers reports that Dr. Nahum Goldmann has not yet managed to meet with the British Foreign Secretary, whereas King Faisal of Saudi Arabia is received with full honors by Bevin. There is no point in attempting to meet with Bevin or in conducting negotiations behind the back of the U.N. with the government which is primarily responsible for the blood which has been spilled and the danger threatening not only our borders but the very existence of the Jewish state. I propose that the Council decide on the immediate cessation of the negotiations being conducted by Dr. Goldmann with British officials of any rank....

The Council must demand that the Provisional Government ask the U.N. to recognize Great Britain as a belligerent party. Probably, from a legal standpoint, it is impossible to claim that Britain is attacking us, because it cannot be proved that the British regular army has crossed the borders of the State of Israel....The initiative must be ours, because we have suffered more from this than anyone else, but we will not be alone in our demand. How can we be neutral when our destiny is being determined, and how can we fail to support the Soviet demand that a definition of who is an aggressor be framed? We are not prepared...to accept everything the Americans and the British propose at the U.N., in opposition to those Powers and countries which truly support us and our independence.

...During various Council sittings I have heard definitions of neutrality connected with the conscience of mankind. It is clear that some countries do not have a conscience, while others do....Whoever covered Greece with a forest of gallows has no conscience. Those are people and governments who are prepared to base their strategic interests on our blood and our children's blood. Therefore, if we are really neutral, can this be manifested in the fact that Chaim Weizmann is negotiating for a very dubious loan in America? Experience has shown that loans of this kind merely cause further political dependence on the Power con-

cerned....Is it neutral to direct our policy and efforts towards linking our destiny with those who rule in London and Washington?

The Soviet Foreign Minister, Molotov, wrote that not only does the U.S.S.R. officially recognize the Jewish state, but it also hopes for friendly relations with it. We are being bombed and we face a shortage of planes and heavy artillery....Why do we not propose a Pact of Cooperation against Aggression to democratic countries like Poland and Czechoslovakia, and every country which has recognized the Jewish state? There are Powers which recognize the fact that we are a sovereign state, that we have been attacked and that there are aggressor states. Why must we prolong this war through wavering policies? I know that much has been done and there have been many acts of heroism in our important enterprise, but not everything which can be done is being done, because the British can still fight us. The planes which flew over just now...are not Egyptian. They are British. They can sustain a war here for another hundred years....Their aims will be achieved if we do nothing to stop them.

In my view, the first step to be taken to strike a blow at American intrigues and hypocrisy while helping us militarily by obtaining arms for the Jewish state in this just war for independence is to appeal to the U.S.S.R., which is offering us its hand. It is absurd that our representatives at the U.N. are embarrassed to speak out and that it is Gromyko who comes to our defense....

We must be prepared for a long drawn-out war. The Arab League made the provocative proposal that a ban be imposed on immigration. I think that it was rash of us to agree to the truce. It is generally agreed that this harmed us militarily. It also hurt us politically. The impression is being created that when England and the U.S. engineer a proposal which is detrimental to us, we hesitate. We do not have to accept anything....Count Bernadotte knows what he has to do, though it is not certain that this will be in our favor. We must abandon the prevalent idea that we can revive better days.

The Government's policies should be tied to practical considerations, to airplanes and tanks, to saving lives, to curtailing the war, rather than to ideologies. We must appeal immediately to the U.S.S.R., Poland, Czechoslovakia and all the countries which have recognized us with a proposal for a Pact of Cooperation against Aggression.

The second step which could shorten the war, bring victory nearer and prevent the reduction of our borders and the loss of our sovereignty concerns the Arab minority in the State of Israel....Through our contact with progressive Arab circles in Haifa we know that the organization known as the National Liberation League recognizes the right of the Jewish people to a state of its own and supports the U.N. decision of 29 November 1947. Before the Arabs left Haifa, and as we informed the appropriate authority, these people were prepared to help us mobilize posi-

tive public opinion among the Arab population, and even to participate in their and our war of independence. They were not the determining force among the Arabs at that time, but now that control is in our hands, in the hands of the Jewish Government and army, one of our first duties must be not only to prevent banditry and assure humane living conditions for a peaceful population, but also to encourage these Arab forces in Haifa, whose influence is spreading. Then we must confront America, England and all those who wish to destroy our young state with the fact that there are Arabs who support the U.N. decision....

The third step is to mobilize all our own forces. How can we speak of relying on ourselves when Dr. Weizmann is asking for a loan of one hundred million dollars from the U.S.?...We must first mobilize all our forces and raise the moral and material support of the Jewish people....The plague of the black market has not yet been eradicated, prices continue to rise and no adequate solution has been found for the families of those drafted into the army. The total mobilization of persons and property will strengthen both the rear and our soldiers at the front.

The last step is to ensure equality of sacrifice. We know that it is possible to raise far greater funds within the country than has been done to date. It is unthinkable that the national loan will not be repaid quickly....We must enforce the total mobilization of men and resources, as well as prevent sabotage and draft dodging.

Y. Burla (Mapai): I propose limiting each speech to ten minutes.

M. Wilner (Maki): I object. That is not in the regulations.

The Prime Minister, D. Ben-Gurion: This concerns the proper running of the sitting, not the regulations. I will put the proposal to the vote.

The Vote

Those in favor	15
Those against	3

(The proposal to limit speeches to ten minutes is adopted.)

A. Altman (Hatzohar): This is the first time since our basic decision to participate in the Council of State that we are attending this forum. We decided to participate in the Council because the state and the Government have been established and we are in the midst of a crucial war. In view of these fundamental changes we are exercising restraint with regard to previous disagreements and claims. We hope that there will be a concomitant change in many deeply-rooted conceptions, and in the relations between us, ending the state of affairs which has existed in the country's institutions and public life.

We pray that the parties in the Government will learn to see opposition parties as they are viewed in other countries, and not as an enemy. The hostile attitude towards us did nothing to solve our problems or improve our situation. We hope that discrimination will end and that objectivity will reign.

In our opinion, it is sufficient for our army to be called "the Israeli Army," without any additions. We did not participate in the meeting where the decision to establish our army was made. With all due respect to the merits of a certain body which preceded the army, and which was praised when the announcement regarding the establishment of the army was issued, one must not ignore the fact that there are other fighting bodies in the country.

...I think that the time has come for this Council to openly condemn the slander which has been published internationally throughout the past decade, namely, that the conflict in this country is one between Arabs and Jews. The nature of the fighting has made it perfectly clear that this is a war with Great Britain, without whose encouragement and participation the opposition would not have arisen or would have collapsed within a very short time. The Council must proclaim to the whole world that England is a belligerent party, with all that this implies. We do not need to request England's recognition of the State of Israel, nor to conduct negotiations as if it were still a Mandatory Power.

Our Government lacks a Ministry of Information, one of the most important instruments in a war....The budget allocation for propaganda is no less important than that for weaponry, because information is simply another weapon in the hands of a fighting nation. We must show world public opinion Britain's true face in this war....We must prove to the U.S. that its ally is leading it astray....England's actions may well lead to the development of a major war, which the American masses do not want....It is inconceivable that the U.N. is currently accepting British proposals regarding the truce, and that statements are being issued from London about British efforts to mediate between the two sides....

We must explain the situation as it really is to the countries which recognize the State of Israel, showing that this is not simply a war between Arabs and Jews, and requesting their assistance....This step does not threaten our fundamental position of neutrality and non-alignment in any way.

A truce has been proposed for almost a week and each time the other side rejects it while the Jewish side reacts positively. Perhaps it is time the world found out that we can also say no, and that it is by no means certain that we will automatically agree to everything, while the other side rejects it.

...We have read in the papers of Dr. Weizmann's statement at the time of his meeting with President Truman, and we would like to ask

the Government and the Prime Minister: A) Is it true that Dr. Weizmann has retroactively conceded some of the captured territory? B) Is it true that he was authorized to do so? The Council of State must also issue a statement about the twelve men imprisoned in Haifa by the British authorities. There are various rumors as to what will befall them....Britain's past actions have made it clear that we cannot rely on its good intentions. We want the Government to continue its vigilance and the Council of State to demand their release, following the termination of British rule in the country.

Apart from these prisoners, there are several hundred Jews who were expelled from the country by the British and who, it has been rumored, are on their way back. Measures must be taken to assure the safe passage of these people, who are citizens of the State and have suffered for many years to ensure its establishment. They must not fall prey to the enemy while we are at war.

M. Shattner (Mapai): I think that the Prime Minister's report can serve as a source of encouragement....Whenever headway has been made over the past weeks, the Government has been in control. The Council, which is assembled too infrequently and after periods of turmoil, must be aware of the fact that whenever there is progress the Government's hand is evidently on the tiller.

The Prime Minister appropriately noted our success in avoiding economic chaos by the amazingly swift establishment of services. This is not true in all sectors, however. In public works, which are vital for our economic life and defense needs, we have not yet made headway. I understand that it is impossible within such a short time to do everything perfectly, yet I regard it as the task of the Council of State to exert pressure in areas which the Government might not regard as top priority.

We have just been informed of the establishment of the Army. This is not just a bond between a specific organization and a certain institution, but rather constitutes an act of historic importance for the Jews of the new state. The continuation of the Haganah in the Defense Forces has given rise to a wave of happiness throughout the Yishuv. The public is also relieved to know that the Government has disbanded the dissident military organizations. This constitutes a substantial internal victory and has prevented civil war. Now that the dissident organizations have joined the Defense Forces there is one Israeli Army which fights the state's war. If I feel secure in anticipation of the important test we face, it is due to the discovery of a uniting force amongst us. This strength is manifested in our consolidated Defense Force and, I might add, in the composition of the group assembled here.

B. Idelson (Mapai): ...Each and every one of us extends warm wishes to those who are defending us throughout the state....We are proud to see

our sons and daughters at this time, when the prayers to see the renaissance of our national independence have been answered....

It is true that the entire country is a front, and we know that we have not yet achieved the total mobilization of our productive potential and economic activity. At the next sitting I would like the Government to submit a program for the economic and financial mobilization of the Yishuv. The hopes which we pinned on the National Loan have not yet been realized....We are involved in a terrible war and are unable as yet to mobilize all our economic resources. We can all see the urgency of the situation, but none of us knows what short-term goals we should set ourselves. The Government has probably already formulated a program for dealing with this, but this has not yet been made public. A broad plan, encompassing all branches of our economy, should be presented at our next meeting. During our discussions we will probably add to it and improve upon it.

I support Dr. Altman's stand on the need to heighten our propaganda efforts, although I do not agree that our expenditure on this should be the same as on weapons. We have not yet managed to establish a tool for refuting the many lies published throughout the world about Israel. Nor have we managed to create an instrument for disseminating information within the Israeli public....

We wish to preserve the integrity of our soldiers and prevent phenomena likely to injure human dignity or our national honor. I am referring to the regrettable abuse of enemy property. We have been the victims of abuses throughout the world and must ensure that this does not recur in our state. I ask the Government to do everything in its power to prevent this, which is alien to us and our youth....

Our soldiers went to battle and were promised nothing....It is by no means sure that sufficient efforts have been made to guarantee the soldiers everything which people who are prepared to lay down their lives deserve....We must not forget the soldier's dependents....We must keep our promises to the families of the killed and wounded, and everything must be given graciously, not begrudgingly. Each family deserves a monetary payment which guarantees its existence, not a grant or an allowance. We must establish a new, different order....These are our soldiers, they bear the burden of the war, how can that be compared with the burden of those who are simply asked to give more money?...This young country cannot compensate the orphans of the fallen for their suffering, but it can accept total responsibility for their welfare....

Our people did not want this war. We wanted peace, and this is what we told our neighbors. Our defense needs have always differed from those of any other country. Our aspiration is not to establish an army which is eager for the fray, which fosters a tradition of war with neighboring countries, but one which first and foremost safeguards and de-

fends Jewish life and honor as well as the existence of our young state....

In conclusion, I would like to remind the Government that there is a difference between prisoners of war here and elsewhere. Let us not forget that in this war ethical conduct which was upheld even in the cruellest of wars was not honored. It was not adhered to in hospitals nor with regard to the honor of men or women. We must not defer the exchange of prisoners until the end of the war. We must do everything in our power to exchange prisoners in return for our own, particularly women. Knowing the cruelty of our neighbors, we must not rest as long as there are Jewish women in Arab hands.

I. Cohen (Ha'Oved Hatzioni): I would like to offer up a prayer of thanks for the establishment of the Israel Defense Forces today and for the probable termination of the dangers caused by the existence of splinter armies. I would like to point out that both the realities of the war and the spirit of cooperation led to the disbanding of those splinter groups....

As for the Prime Minister's report, we should have been given more detailed and confidential information....Nevertheless, important issues have been raised, and we must deal with at least some of them.

I believe that what was said around this table reflects the efforts of the Council Members to be a mouthpiece for the people vis-à-vis the Government. This is the first time in the history of the Yishuv that the nation can engage in a dialogue with the Government....This is both a privilege and an obligation. Thus, the Council is entitled to hear what the plans are for future immigration, regardless of the possible truce. We are concerned about the multitudes in Cyprus and in the camps in Europe....We have heard from the Prime Minister that our settlement activities will not cease...neither within the borders of the territory apportioned to us by the U.N. nor beyond them. In order to implement this, however, we must have manpower reserves, and it is no secret that the mobilization scheme for young pioneer immigrants has depleted our human resources for settlement purposes. I would like to hear that those in authority have endeavored to find a viable balance between immediate settlement and war needs.

Although...there has been great progress in the organization of Israel's services...I would like to know why an autonomous Ministry of Police has been established, separate from the Ministry of the Interior....I know of no precedent for this in any constitution or democratic government....I would also like to register my dismay at the fact that a Ministry of Information has not yet been established. The importance of disseminating information has been stressed here. We were afraid that we would not have generals to conduct the war, but not that there would be a dearth of Jewish experts in the field of propaganda....Why should our

radio have to get information from Radio Columbia in order to tell us what is happening at Latrun?

An Ordinance has been proposed regarding retroactive income tax payments, as an amendment to the fundamental English law, which remains valid....The Minister of Finance was to have brought up another urgent amendment, attesting to the Government's progressiveness, namely, a clause exempting from income tax anyone earning less than two hundred pounds....

I think that most of those present are convinced that it is vital for us to remain neutral and that it would be dangerous to ally ourselves with one or another of the Blocs....We must have total spiritual independence in policy-making, and our public opinion must be free from bias with regard to any camp, so that our Government may be free from one-sided pressure. Neutrality...also involves avoiding any ideological bias in the education of the younger generation and the general public.

...Dr. Goldmann's journey to London does not harm our neutrality. We are interested not only in gaining allies but also in distancing ourselves from any possible sabotage. Dr. Goldmann did not go to London on his own initiative, but as the emissary of the Government of Israel, and with all our justified doubts as to the outcome of his mission, the attempt cannot be condemned.

The Jewish population of Israel, as well as the entire Jewish nation, is still experiencing a honeymoon of independent rule and political freedom....On behalf of my party, I undertake to support the authorities loyally, but our rulers must beware of bombastic pretensions and an inflated civil service....

B. Weinstein (Hatzohar): I assume that the members of this Council share our aspirations to lay the foundations of our new political life. Consequently, we must end the chapter of out-dated concepts from a different era. It is not by chance that we spoke today of the Mandatory Government in the context of settlement matters, calling to mind Yishuv conferences held not long ago. It is not by chance that we are conducting these proceedings in proper parliamentary fashion....We must also draw constitutional dividing lines between the Government and the Council, on the one hand, and the remnants of the institutions which once represented the Zionist movement and the Yishuv, on the other....With regard to Dr. Goldmann's trip to London, I would like to say that he is not a citizen of the state....When the Zionist Executive was established the Jewish Agency's Directorate was stripped of all its political functions. I regard Dr. Goldmann's trip to England as intervention in the internal and external affairs of the State of Israel. Neither the Jewish Agency nor its Executive are authorized to conduct political or diplomatic negotiations concerning the state. For this purpose we have a Government, with a Foreign Minister and ambassadors and represen-

tatives in foreign countries....If we wish to conduct negotiations in London, this must be done by the institutions of the state.

...Furthermore, the President of the Council of State must return his British passport and not appear before the American President as a British citizen....The President must be a citizen of the state which he represents.

Some of the National Committee's functions have already been transferred to the Government, and I hope that this will also apply to the Department of Education soon. However, the continued existence of the National Committee has been justified because of "expected future developments in the country." We rejected the diaspora foundations of this institution even before the establishment of the state, and we are uneasy at this association between it and the ruling authorities....That institution must be abolished. Its time has passed....

In his report, the Prime Minister told us about state services and institutions. I would advise the Government to implement its administrative plans with a great deal of caution. We read in the newspapers that the official letters sent to some employees of the Mandatory Government were written in a formal, British way. Our independence should be spiritual as well as political. To write a terse letter to someone who has served the government apparatus and inform him that he can continue in his position if he is on his best behavior...is insulting....If there is a basis for suspicion, it should be brought out into the open. The state and the public want to know who the people are who have failed to carry out their duties, but one cannot make veiled accusations, thereby casting aspersions on the individual concerned and his family.

...In the economic sphere, the Government can and should make demands on all circles, but they in turn may demand to be included in various relevant activities....The Mandatory Government did not realize that there must be close ties between the Government's economic institutions and all the other organizations, whether they are in Israel's Labor Federation or free enterprise in nature....

D. Pinkas (Mizrahi): In his report, the Prime Minister mentioned the heroism of the defenders of the Old City of Jerusalem and of those who fought at the Etzion Bloc....This Council should register its horror at the lack of respect for human life and the sanctity of our faith, as reflected in the fact that in the Old City many synagogues have been destroyed by Arab soldiers, supported by the government of Great Britain....

In the Etzion Bloc, the bodies of those who fell in battle have been left to wild animals and birds of prey, and have not been given a decent burial. The representatives of the Red Cross have made no effort to undertake that last act of charity which everyone, and certainly a soldier, deserves. This indicates the character of the enemy we face, among whose supporters are the British and other governments. This point

should be brought to the attention of all the countries with which we have ties. Perhaps it will influence their assessment of the situation.

In a sense, this war is a continuation of the previous one fought against us....There are those among us who rejoiced when the new government headed by Attlee and Bevin took over in Britain. It would appear, however, that there is a new set of war criminals, led by Bevin, who intend to bring disaster on the whole world....We will not allow ourselves to fall victim to this new wave of war crimes.

I would like to add my congratulations to the state, the Government and ourselves on the establishment of the Israel Defense Forces. Those who fought for the country before the establishment of the state should be accorded due recognition. We must honor the sacrifices of those soldiers who, from the time of Hashomer to the day the army was established, were prepared to defend the Yishuv, although the formal law of the land was against them....

I agree that the principal aim of our forces should be defensive. Sometimes the best defense is attack, but this force is not intended for aggression, as is reflected in its name....The establishment of the army and the disbanding of the splinter groups was achieved by the efforts of those who worked for unity in Israel. They cannot be accused of betraying the Haganah or of harboring harmful intentions....I am glad that we were able to achieve this and I hope that the army will bring us a speedy and complete victory.

We have recommended the establishment of a Department of War Victims, knowing that thousands have been taken from their homes and families....I hope the Government will extend the necessary aid forthwith....I would like the members of the Government to inform the Council of the basic functions of the departments they head, their general program and their plans.

I agree that the Council should participate in debates and decision-making on such crucial issues as the ordinance on the establishment of the army and the response to the Security Council's decision on the truce. It is not difficult to assemble the Council of State, particularly with the new arrangement of substitutes. The majority of the representatives are in Tel Aviv and can be reached easily, enabling them to share the great responsibility of these times. Accountability in fundamental decisions should encompass both the Government and the Council of State.

As a member of the National Committee, I would like to say that before the Government was formed the National Committee announced that it would transfer all the services under its auspices to it. This transfer depends only on the Government's readiness to accept them....

M. Grabowsky (Mapai): I would like to suggest that the members of the Council cease their checks of Dr. Weizmann's passport, which was given to him by the Jewish people by virtue of a life devoted to the Jewish

cause and Zionism, and its formal origin is irrelevant. He was elected President of the Council of State, and its members should treat him with respect....We all have British passports because we have not yet exchanged them for Israeli ones. Be that as it may, this is no cause for suspicion, and it would be appropriate to end the discussion regarding the National Committee. I know that the Revisionist members of the Council of State were never great supporters of the National Committee or the organized Jewish community of Mandatory Palestine. When the People's Administration was founded, the National Committee announced that with the establishment of the state and the Government all services would be transferred to it....The members of the National Committee did not demand its continued existence, and it was the Government which asked for it not to be dissolved.

It seems to me that we are missing the point by permitting free argument about everything, without ensuring that there is a focal point to the discussion. If a political statement is issued and the Council is not included in the clarification of the internal situation, even in a closed sitting, we are not fulfilling our function, and are turning the Council into a podium for party declarations, like those we have heard here tonight regarding a Pact of Cooperation against Aggression, or requests for aid from everyone....The Pact referred to would turn Israel into another Greece overnight. Externally, those declarations can only cause harm. The same applies when members of the Council base their statements on newspaper articles, asking why Dr. Goldmann went here and why Dr. Weizmann flew there. If the Prime Minister could find the time, if not in a public sitting then in a closed one, to tell us what was said at the talks between the President of the Council of State and the President of the U.S., we could avoid many misunderstandings. We know that Soviet politicians are not ashamed to negotiate with imperialists, even about loans. I know that the Soviets asked the Americans for loans, and even met the Pope. Therefore, the childish claims of Bundists, who in their time accused Herzl of meeting with a reactionary, are of no interest to us. We must speak to everyone, as the circumstances dictate. The Prime Minister should give us more detailed information about the talks in London. We cannot be satisfied with reading what appears in the newspapers. If we are given more information about both external and internal matters we will be able to address issues more responsibly.

I do not accept the assumption that what we have here are plaintiffs and defendants, that we are the mouthpiece of the nation and those sitting on the podium are in the dock. We must all regard ourselves as defendants. The Government, together with its Ministers and the members of the Council, serves as the spokesman of the nation. The Council's function is not a purely formal one of confirming laws, since it also bears responsibility....

The Prime Minister, D. Ben-Gurion: It is quite late and we should not treat this as a general debate. We have heard several things which came as a surprise from those particular speakers, indicating that there is a new spirit in the air.

Council Members Wilner and Altman attacked neutrality. We would like to have our own representatives in every country, even England, as does the U.S.S.R., for example. In our attitude to the U.N. and world unity and in our belief in the conscience of mankind we will again follow the lead of the U.S.S.R. rather than yours. The U.S.S.R. is one of the founders of the U.N., helping to determine policies of peace and world unity. There is no need to remind us who opposed the state in the past. We are prepared to forgive and forget, so why should Wilner remind us of those things?

I do not wish to discuss the passport issue, but it is not clear to me whether the attacks on Weizmann's British passport derive from a hatred of British passports or of passports in general. Council Member Weinstein should be aware of the fact that this is a state, the State of Israel, but it is a Zionist state, and no Jew is disqualified from being its representative or emissary. If a person is Jewish, that is his passport as far as we are concerned....For us, every Jew is a potential citizen of the State of Israel. That is this country's only *raison d'être*....I will not add anything to the philological debate on the Israel Defense Forces. What was said here is enough. Yet we were asked why we had not mentioned others who were not in the Haganah. All I will say is that we are prepared to forget, and the less said the better.

...Council Member Idelson mentioned the distressing incidents which occurred recently. The Government is determined to fight this phenomenon with all the means at its disposal. Whether the act of pillage is committed by an Arab or a Jew, we will not flinch from employing severe measures to eradicate this scourge.

We have no information about the talks in London. We would like to have talks in every country. We cannot read people's thoughts. We seek to maintain friendly relations with all the nations of the world, even with governments which are hostile towards us. We are not planning to declare war on anyone. I agree with Dr. Altman that propaganda is of great value, although at present I am relying more on air-planes and artillery. There is no disagreement here about the nature of the Bevin government's Jewish policy, but it has not declared war on us, although it is trying to wage war via hirelings. We are not prepared to declare war on it, however. It is simply not worthwhile. I cannot make long-term predictions about nationalism, unlike Council Member Wilner, whose sole concern is the national interest of the State of Israel....The interests of the state demand an improvement in relations with all the countries of the world, because we do not want war, and we should not delude ourselves regarding our strength. We do not wish to

engage in war with the Mufti's bands, or even with Abdullah's forces, which pose a greater military threat. We would like to have normal relations with every country, even those which sought to harm us. Here, too, we are willing to forget. We want to begin with a clean slate, but this does not depend solely on us.

The Palestine Telegraph Agency has reported on our colleagues' talks abroad....To the extent that we have friends, are still members of the Zionist Executive and have no representatives abroad, we would like them to work for Israel. We do not need to check the passport of a Jew, what we need to know is whether he is trustworthy and can serve as an emissary. We will ask all the Jews of the world to help us by using their influence, propaganda skills and connections to establish normal trade and aid relations between our country and theirs. That is not neutrality, but rather belief in peace and mutual cooperation. That is the basis of our policy. There is no need to deny the differences between governments on various issues....We wish to live in peace with everyone. There are Jews in every country, and we want them to immigrate to Israel, although we believe that this will take time. The Zionist part of our vision will be realized in our lifetime, while the other, humanitarian, part will come later, although this does not appear to interest Council Member Wilner, who is interested only in nationalism. We have our own orientation, of which I am not ashamed. Even if this is called neutrality, I will still not be ashamed of it, for it calls for the unity of mankind and peace among all nations....

Prime Minister's Statement; Report of the Foreign Minister

Introduction

After several delays, the truce decreed by the Security Council on 29 May 1948 came into effect on all fronts on June 11, and was limited to four weeks. Count Folke Bernadotte, who had been appointed U.N. Mediator for Palestine on May 20, was charged with establishing and directing the Truce Supervision Organization, while at the same time searching for a mutually-acceptable solution to the Palestine problem.

Sitting 4 of the Provisional Council of State

17 June 1948 (20 Sivan 5709)
JNF Building, Tel Aviv

Prime Minister's Statement

The Prime Minister, D. Ben-Gurion: This sitting is taking place in the first week of the truce. In a broadcast to the nation on the eve of its inception I announced the terms which the Provisional Government had presented, and there is no need to repeat them here. Four weeks passed between the establishment of the Jewish state and the inception of the truce, representing a wonderful and noble achievement which is virtually unparalleled in the history of Israel, and perhaps the world. A small, young country, the youngest in the world, was attacked on the day of its establishment by five neighboring countries forty times its size, for no reason. A nation with a population of 700,000 was attacked by countries numbering over 27 million, assisted by weapons, funds, commanders and political aid from a Great Power. Rarely in world history has a country so heavily outnumbered endured so heroically and successfully.

I will not dwell on the events of the first four weeks, but we cannot pass in silence over the battle for Jerusalem. For centuries the entire Christian and Moslem world claimed that that city, which was sacred to the Jews, was holy for them too. By virtue of the claim that the city was holy to the three great religions of the world it was decided that, upon the establishment of the Jewish state here, the city would come under international rule. Yet the Holy City was bombarded for four weeks by Moslem forces, with the help of British artillery and commanders, in a

savage, barbaric and cynical way, desecrating the sanctity of the city and destroying synagogues, while the Christian world looked on in silence. The Anglican Church, the artillery of whose mother country inflicted humiliation and murder on the Holy City, looked on mutely. The other churches saw, heard and remained silent. The sanctity of Jerusalem was forgotten, as were the memories binding this city to the great religions. Only one small and isolated nation, which had been left defenseless by the Mandatory Government, persevered, enduring immeasurable suffering and exhibiting immense heroism. Thus it was proved to whom this city is truly precious and holy, and to whom the sanctity of Jerusalem is just an empty phrase.

With regard to that battle, I will note only one of our military operations...that of the Seventh Brigade at Latrun. At the end of May the Seventh Brigade was sent to a crossroads linking Jerusalem with the west. Not only was Jerusalem bombarded for weeks, but an attempt was also made to cut it off from the rest of the country and besiege it in order to starve its inhabitants. This base plot almost succeeded, with the aid of the Mandatory Government and, later on, the British mercenary commanding the Arab Legion. The Seventh Brigade did not succeed in its attack, and we did not capture Latrun. Our forces entered Latrun and set fire to the police station, but were not strong enough to hold the position. Two villages, Beit Jiz and Beit Sussin, were captured...before the height of the battles at Latrun, whereupon the Supreme Command was requested to send not only military reinforcements but also a steam-roller, in order to secure an alternative road to Jerusalem. While the battles at Latrun continued, engineers and laborers, guarded by our soldiers, built a new road, bypassing the old route to Jerusalem. Thus, we have a road to Jerusalem even though Latrun remains in foreign hands.

We have assembled on the sixth day of the truce which obliges us to be prepared for both peace and war. Our preparations for peace do not require great efforts, since we have always been a peaceful nation. Since our third return to our homeland from exile we have sought peace with the inhabitants of this and the neighboring countries. We will extend every possible assistance to the U.N. emissary of peace, though we are not prepared for peace at any price. Perhaps it was unwise to present conditions for peace before any talks were held, and before we even knew if there would be talks, but in order to save precious time for the U.N. Mediator, the Arab rulers...and ourselves, it was advisable to make our conditions clear. If the Arab leaders' demands for the abolition of the State of Israel and the restriction of the Jewish people's right to immigrate to our land are a precondition for talks, then the U.N. emissary had better not waste his time....

We are prepared for peace as an independent and sovereign nation, the basis of whose existence is immigration unhindered by anyone else.

If there is true peace among equals, based on the principles of reciprocity and cooperation, we are ready for it. We do not know if that is what the Arab rulers and their foreign advisers want. It is not even clear if the truce will last 28 days. We have heard that the British Army plans to evacuate Haifa even before the end of the month...and that will probably serve as the green light for a renewed attack on the State of Israel, and Haifa in particular, from land, sea and air. We must be prepared for the renewal of hostilities, perhaps with even greater vigor. We must be ready, mustering all our strength, resolve, preparedness and mutual responsibility, to persevere with the war and be victorious.

This war determines the destiny not only of the country, but of the Jewish people. The truce obliges us to be ready for both peace and war. We must rely only on ourselves, not on any external aid. I find no expression more appropriate for our situation than the one spoken thousands of years ago by Isaiah the son of Amoz: "Wherefore art thou in thine red apparel and thy garments like him that treadeth in the wine-fat? I have trodden the winepress alone; and of the people there was none with me....For the day of vengeance is in mine heart, and the year of my redeemed is come. And I looked, and there was none to help; and I wondered that there was none to uphold; therefore mine own arm brought salvation unto me; and my fury, it upheld me" (Isaiah 63: 2-5).

Foreign Minister's Report

The Foreign Minister, M. Shertok: The external affairs which are of primary importance came within the framework of the truce, which we accepted for two main reasons: first, our position has been and is such that we do not rejoice at the thought of war, nor do we aspire to shed blood. The moment the enemy is willing to lay down his arms, we will do the same. Secondly, we are interested in basing our external policies on understanding and cooperation with the U.N....

You all know that this was not the first attempt to arrange a truce here. That the previous attempts failed is not any fault of ours....This time the truce is established, although during the first...48 hours it was breached by some of the forces on the opposing side, which attempted to blame these incidents on us. In some cases we were able to prove the fraudulence of the enemy's claims to the U.N. observers, while in others we could not because the U.N. supervisory machinery was not set up until after the truce was initiated. Accordingly, the U.N. observers declared that no one had witnessed the incident.

All the fronts are quiet for the moment. This does not mean that all the problems of the truce are solved. At present officials of the Defense and Foreign Ministries are meeting with the head of the Truce Supervi-

sion teams in order to clarify several questions regarding the implementation of the truce.

As you know, the truce involves certain restrictions, or perhaps the possibility of certain restrictions, on Jewish immigration. Till now immigration has not been restricted, but only one ship has reached our shores during the truce, and we are waiting to see how this will affect the arrival of immigrants in the future. I stress that there is a possibility of certain restrictions, because there is no question as to the continuation of immigration in general. The entry of men of military age has not been restricted either, although the Mediator retains the right to do so if he regards this as granting us a decided military advantage. Men of military age who enter the country have to remain under supervision during the truce to ensure that they are not drafted or given military training.

Neither we nor the other side may bring weapons into our respective countries, and this restriction may have grave consequences for us. The Mediator claims that restrictions on the entry of men of military age and weapons have already been imposed in the Arab countries, and this also applies to the transfer of British weapons to local Arabs....

The Mediator's mission is twofold: supervising the implementation of the truce and determining violations of it on the basis of the Security Council resolution. Prior to that, however, the U.N. General Assembly, which appointed him, charged him with finding peaceful solutions for the problems of this country...through an agreement.

There are basic differences between the approach to this problem of the recent Assembly and the previous one. When the Assembly held its regular session last autumn and the Palestine problem was brought before it, its point of departure was finding a practical and just solution. It did not determine preconditions or force others to accept conditions....What the Mediator was not charged with doing has now been added by the last Assembly meeting.

I do not wish to add anything to what the Chairman, the provisional Prime Minister, has said about our approach to the negotiations. He determined fundamental points of departure which are accepted by the entire Council....

The Mediator will leave for Rhodes, after holding preliminary talks in Egypt with representatives of the Arab League and with us today or tomorrow, to determine his position and begin consultations with colleagues and advisors in order to prepare a proposal acceptable to both sides. He is not inviting us to Rhodes, and it is doubtful whether we will be invited at all. He will probably return here after reaching some kind of conclusion. However, he has proposed that both we and the Arabs send representatives to Rhodes to whom questions can be addressed....

We cannot ignore the fact that the truce negotiations decided upon by the U.N. General Assembly and given added validity by the Security

Council have paralyzed the development of our international relations to a great extent, though as you all know, several countries have recognized us....This applies to one English-speaking country as well as a number of Latin American and Eastern European ones. Recognition by the countries of Western Europe has been delayed, pending the negotiations. Diplomatic ties have been delayed for the same reason. The first country to recognize us, the U.S.A., has limited this to *de facto* recognition, which it has not yet made *de jure*....

Although the negotiations will be conducted by the U.N. Mediator, important factors in the world and the Middle East are interested in their results, having their own ideas of what the outcome should be. First and foremost in this respect is Great Britain, which played a major role in instigating the war against us and extending its scope. The principal forces fighting us are under British supervision....British officers led battles, acting on a central British-initiated plan....Our enemies are using weapons supplied by the British over the past years or months. British political and diplomatic machinery was activated to full capacity in order to justify the war against us and condemn us as aggressors.

Nevertheless, we can assume that the actual existence of the State of Israel has had some impact on the British Government. Those circles in Britain which were dissatisfied with official policies were bolstered in their internal claims and criticism, while the official policies were upset by the establishment of the State of Israel....We must assume, therefore, that British policymakers are prepared to modify their initial position and abandon the attempt to destroy the Jewish state, preferring to try to weaken and restrict it, enabling them to persuade the Arab world to compromise and accept its existence.

...During the truce we must muster our country's capabilities and remain on our guard, ready for the dangers and plots awaiting us. We must reinforce the immense achievements of the last few months: the proclamation and establishment of the State of Israel. In addition, we must benefit from...our success in repelling the Arab attack, establishing a land bridge between the state and Jerusalem, and capturing segments of territory outside Israel's borders, including important cities. This also applies to the fact that large numbers of Arabs who were situated within the State of Israel and the captured territories and cities abandoned their homes and emigrated....

As before, we must base our policies on U.N. guidelines, though this need not in any way prevent us from receiving help from those who are prepared to extend it. We must also strive for understanding and cooperation...with all the nations of the world...while safeguarding our independence and our national policies.

Debate

B. Mintz (Poalei Aguda): We have listened attentively to the report which, though interesting, has a fundamental deficiency, being *post factum* and depriving the Council of its basic function, i.e., providing the Government with counsel....This is not the first time we are asked to discuss what has already been implemented. Moreover, even now, I find it quite difficult to express my opinion in public. Our state is taking its first steps. Dangers and obstacles lurk everywhere, and enemies threaten its existence....Veteran states faced with delicate external decisions assemble their parliament or foreign affairs committee in closed sittings, so that the debate is not threatened by enemy surveillance and is also free from the internal or external pressure of public opinion. In concrete terms, I propose that the Council meet before the talks which are to take place in Rhodes, not afterwards, that the Council's discussion on this be held behind closed doors, and that we elect a Foreign Affairs Committee, even before that sitting, to serve as a permanent advisory body to the Government between Council sittings.

It is clear that on fundamental issues there is no disagreement between us. We will not give up our independent state or concede on immigration. However, the way the negotiations are to be handled must be discussed by the Council.

...The party which I have the honor of representing...has a special interest in seeing this Council a living body which fulfills its true function in our state....Until the elections this is the only forum in which we can make our voice heard and influence the development of the state....We were deprived of our part in the first independent Government of Israel, although we had shared in the construction and defense efforts which preceded the establishment of the state....

I represent second-class soldiers in the Israel Defense Forces who are equal when it comes to bearing the burden of self-sacrifice and bloodshed, but not in their rights....I bring this to the attention of the Minister of Defense, as well as the Council and the general public. Within the short period in which the army has existed, terrible bitterness has accumulated in the hearts of thousands of soldiers, who are forced, whether intentionally or out of negligence, to deny their faith, defile themselves by eating food which is not kosher (or to go hungry for weeks), or to desecrate the Sabbath without rhyme or reason. We had hoped that our army would be different from those of the Gentiles, but...there have been too many instances which are comparable with even the worst among them.

...I propose that this Council reach a decision, which the Government will issue as an order to the Army, to the effect that all Army kitchens should adhere to the dietary restrictions of *kashrut* and that the

Israeli Army should keep the Sabbath in accordance with the fundamental laws of our state, and not desecrate it unnecessarily....

A. Stop (General Zionists): We understand that, as it takes its first steps, our young Government cannot regulate everything in full accordance with the laws....Not all the mechanisms are running adequately. In many areas experience is lacking. This means that our criticism of the Government should be moderate and we should not turn all our guns on it at once, as it were.

We are proud of what has been done till now, in spite of the shortcomings. We are proud of the fact that for the first time in many generations the Jewish people appears before the world in an heroic light....We are all deeply impressed by the epoch-making events which we have been privileged to witness.

Nevertheless...we feel that the fact that the Council was not involved in determining the truce was a mistake on the part of the Government....The general public thinks that the Government conceded in more areas than it should have....I am referring to the road to Jerusalem and the control of the ports of immigration. There are many among us who think that if we had taken a firmer stand there would have been no need for these concessions....If we had been enabled to participate in this decision and been apprised of all the details—even in a closed sitting—there would be no room for such doubts....

In my view, we should not go to Rhodes (if we are invited) as long as the other side refuses to sit down at the negotiating table with us. If we send representatives this involves considerable dangers, since what is said there cannot be retracted. Everything will be recorded...and never in our favor. If anyone wants to talk to us they can do so here....

The Foreign Minister told us that because of the truce and the Mediator's activity the recognition of the state by the nations of the world is paralyzed. This creates the impression that those countries are waiting to see what will happen. There is another paralysis, however. Since our country established official representations in several countries, I have the feeling...that almost all political Zionist activities abroad have been paralyzed. We do not hear of any strong or serious response even from those countries where this was customary in the past....I do not know what the Zionists are doing in those countries to prevent political measures which are not in our favor....

The Foreign Minister's report of his activities was not sufficiently extensive. He did not tell us what our chances are in various countries and what we can expect from them....I also gained the impression that our information services have failed to stress the fact that we are currently fighting a major Power....I agree with the previous speaker that before the crucial talks which may take place in the near future it is imperative to convene the Council of State, perhaps in a closed sitting....There is certainly a call for a Foreign Affairs Committee,

which will be given more details, so that we may be full partners in the important actions of this decisive period.

...We have also heard complaints to the effect...that the welfare of families of soldiers has not yet been properly attended to....In this area there is still much to be done to prevent those families feeling that once one of their sons goes to battle they will be neglected....

B. Repetor (Mapam): I hope that at this sitting the Council will decide on the question of its internal constitution, delineating a set of regulations and mode of activities whereby it can define its powers and procedures....

The truce, which began six days ago, was accompanied by a feeling of panic in the Yishuv, since it was tied to the start of political talks at Rhodes. We were apprehensive...on the basis of our experience during the four or five weeks since the State of Israel was proclaimed and recognized by a few countries. The struggle which continued for weeks in the Security Council and the appointment of the Mediator proved the extent to which the principal forces in the U.N. avoided taking measures against the invaders. The only countries which remained loyal to us in the Security Council were the representatives of the U.S.S.R. and the Ukraine....

The truce is part of the war. Our political strength will increase only to the extent that our military forces receive the necessary equipment and confidence and that our economy is adapted to meet the needs of the continuing war. We appreciate the ability of our military forces on every front during these weeks, as well as the devotion and suffering of the Jews of Jerusalem and the courage of the agricultural settlers, whose homes have become military outposts. However, the political struggle which we face demands that we do not let one day pass without preparing for the continuation of the war, drafting manpower, imposing an additional financial burden on those with means and mobilizing all our forces. I hope that the six days of the truce have been utilized for the war effort and that the Government has acted to prepare our forces for the resumption of hostilities. The only hope for a quick and genuine peace without restrictions of our political independence or sovereignty lies in strengthening our fighting forces...and making it clear to the world that this young state will not be intimidated by any invading forces or political pressure....

Some of the activities of the Security Council have aroused grave concern. The cooperation...between England, which is supplying military aid to those who have attacked us, and America, which ignores the continued bloodshed, and the disregard for the U.N. of the Arab countries and England prove that they are ready to abandon us and will not give us any real aid. It is no coincidence that when the composition of the U.N. Truce Supervision Organization was determined, participation was denied to those forces which are friendly towards the State of Is-

rael and were the first to give Jewish representatives active support. We know that the attempt to remove Soviet representatives is politically motivated and this gives rise to serious apprehensions about Bernadotte's objectivity. His actions during the weeks before the truce, his position on the supervision of Jewish immigration, the establishment of a worldwide supervisory system (the functioning of which is biased), making Israel dependent on others for continued immigration, his proposals regarding what may and may not be done and the prevention of the importation of weapons and soldiers only on the borders of Israel (without any real supervision in the Arab countries) only heighten our misgivings....

We know that the Arab forces, and the alliance between the former Mandatory Government and the Arab countries, are based on money, weapons, guidance and loyalty. We cannot ignore these facts. What has occurred during the truce does not give us peace of mind or enable us to believe that there is objectivity in denying our right to a new road to Jerusalem, a route captured and secured by our forces. We cannot be calm when we see how they try to establish facts in the Negev, closing the road by means of Egyptian forces after the inception of the truce, even though all our settlements had stood firm and we had maintained constant contact with them for seven months. We cannot ignore what happened yesterday at the Haifa army bases, which they dismantled with the intention of delivering them to the Iraqi Army, either to violate the truce or to impose Arab rule in Haifa and its environs. I believe that what went on in the Security Council for weeks granted dispensation for England's actions and the Mediator's supervisory systems. They are a result of the Security Council discussions.

I want to tell the Council of State and the Yishuv that fear is accompanying us on our way to the negotiations in Rhodes. The Council will doubtless discuss this...and reach its conclusions, but we must say already now that there can be no negotiations based on territorial compromise. We know about America's behavior over the past few weeks, despite its *de facto* recognition of our state.

Sovereignty and independence, free immigration in accordance with the resolution of November 29, and absolute autonomy from the invading countries which Britain supports—these are the principles from which we must not budge and on which the Government must insist from the outset.

If we must prolong this war and draft many more thousands of soldiers, we must decide on concrete measures. We have studied the Ministry of Labor's program for mobilizing manpower, and we believe that steps to implement it will soon be taken. However, I am afraid that despite the remarks made today and at the previous Council sitting regarding the welfare of our soldiers' families, the mobilization and concentration of all the forces in the Yishuv and the equal division of the

burden, these issues have not received due attention, no change has been initiated and no solutions have been found. If we must prolong the war on all fronts, in immigration and in settlement, we must work towards amassing substantial financial means by new methods of taxation, imposing the burden on those capable of bearing it and increasing the state's income.

We thought that the Jerusalem members of the Council of State and the Government would be with us here today. However, the rumors which have reached us concerning the fate of Jerusalem...indicate that immediate steps must be taken. In view of Jerusalem's future position and fortification, as well as the drafting of soldiers and workers, the Government must discuss ways of providing urgent and constructive aid through supplies and transport, and should examine some of the proposals on the future of Jerusalem. At present there is no decision on Jerusalem's legal status.

I propose that the Council of State denigrate the biased composition of the Truce Commission headed by Count Bernadotte. The absence from it of the U.S.S.R. and the Democratic People's Republics, which support Israel's claims, indicates the intention to remove the Palestine problem from the jurisdiction of the U.N. and turn it into an internal question for the imperialist countries. The State of Israel must oppose this trend. The Council of State must protest Count Bernadotte's arbitrary interpretation of the Security Council resolution on Jewish immigration. Throughout the negotiations with the Mediator, the State of Israel must insist on the indisputable foundations of the U.N. resolution of 29 November 1947 and refuse to enter into any discussion intended to change their basis or restrict our territory, independence or sovereignty. The Council of State must oppose the annexation of territories designated part of the Arab state by the U.N. by foreign invaders or lackeys of British imperialism. The Council of State must denounce the devious designs of the British imperialists, who continue to act overtly and covertly to arm and advise the forces invading Israel. The Government of Israel must insist that at every stage of negotiations on the truce and the future of the area the Government of Great Britain be viewed as an interested party. While ensuring that the Mediator does not stray from the...framework determined by the Security Council, the State of Israel should undertake to uphold the full authority of the U.N. and its institutions.

M. Wilner (Communists): During the past few weeks there have been changes in our political situation: the truce came into force but the Council was not convened to discuss the military and political problems facing the state. It is not a question of regulations. We protest the injustice of the undemocratic character of the State of Israel from the outset. Democracy and independence are inseparable. Countries which do not run their internal affairs according to democratic principles lose their

independence—it is merely a matter of time. I hope that in view of the demands of all those present, the Council will be informed prior to Government decisions and not after them. This demand will be met after the regulations are adopted...The existence of this Council proves that we are all united in our struggle for national independence and against dependence on a foreign government, whether British, American or any other. We are united in our admiration of the heroism of our nation and our young men. Our military situation appears to be sound, considering the situation in which we found ourselves earlier. It could have been even better, however, had our policies in certain areas been unflinching and correct. The majority of the nation feels that the Provisional Government has made several mistakes since the last Council sitting. Our military situation was such that we need not have accepted everything we did. We were not politically isolated (as was indicated by the quote from the book of Isaiah), we were not forced to rely solely on our own strength and we could have turned to our allies. Even today we are not alone in our political and military struggle...We are fighting an obstinate enemy, and if we seriously maintain that we will not give up our independence, there is no doubt that we must have allies. In the Security Council our allies proposed a truce in order to implement the resolution of 29 November 1947—the establishment of two independent states in Palestine, the withdrawal of invaders and the imposition of sanctions if they refused to do so.

We agreed in the end to the amended truce put forward by Britain. I maintain that there was no need for this. We did not have to accept conditions which will undoubtedly worsen our situation during this month. By accepting Britain's truce proposal we conceded our sovereignty. Because of hostile pressure in the Security Council we agreed to supervision by English-speaking observers and not by the U.N. The supervision of the truce is not under the auspices of the U.N., since no such organization exists without the U.S.S.R. The U.N. cannot consist of one bloc, since it is cooperation between nations which makes the organization. The moment there was a serious breach of this cooperation, when England and the U.S. abruptly and brutally removed the U.S.S.R. from the Truce Commission, the subject was no longer within the jurisdiction of the U.N. Now there is a joint Anglo-American plot against us in this country. The French-Belgian dressing adds nothing, because Belgium and France are dependent on American foreign policy, and to some degree on Britain.

We accepted both the Security Council's conditions which our friends in the Council opposed and Bernadotte's interpretations. This week we learned that Bernadotte has decided...or, more accurately, has received instructions from Washington and London to that effect, that the road to Jerusalem is illegal. Bernadotte is not neutral, everything he does is against us and is intended to weaken us militarily. The mo-

ment Bernadotte saw fit to object to the Soviet observers he proved his bias.

We did not have to accept the Security Council's conditions, which were adopted by an English-speaking majority. If we were to accept Bernadotte's interpretation that would have been enough. However...we also agreed to transfer supervision of the road to Jerusalem to the enemy. The Truce Commission represents the enemy, not the entire U.N. Are we really prepared for war as well as peace? Are we not prepared for political concessions concerning our borders, our sovereignty and the supervision of immigration, trade or anything else? The U.S. Secretary of State, Mr. Marshall, announced today that there is no political cooperation on Palestine between Britain and the U.S. Even if there is no cooperation on details, Mr. Marshall's statement should open our eyes. There is no difference between American and British policies concerning the State of Israel. Both of them are interested in reducing our sovereignty because they are both preparing a third world war in the Middle East—as they are doing in other parts of the world. That is their common ground—reducing the sovereignty of various nations in order to implement their nefarious plans...They are competing for control. America wants to inherit Britain's position, although in their opposition to national independence on the military, political and economic levels there is no difference between the two countries. The sole means by which our sovereignty will be fulfilled, according to the two opening speakers...is freedom of immigration. But...we must support Council Member Repetor's proposal that sovereignty should be fulfilled through borders. The reduction of borders, not the mere reduction of territory, restricts sovereignty because the danger then arises that our state will not be able to exist.

Another way of fulfilling independence is by banning military bases belonging to any Power from our national territory....Only on that basis can negotiations be conducted.

...After stressing its political position, the Arab League told Count Bernadotte yesterday that it opposes any discussions based on the existence of the Jewish state or the U.N. Partition Plan....After that statement, we do not think that there is any basis or need for negotiations in Rhodes, unless we agree to limit our...sovereignty, reduce our borders and accept the presence of foreign military bases.

This Council is meeting after the opposing side—Great Britain—has announced via its representative that it refuses to accept the basic grounds for negotiations. Under these conditions Rhodes represents a serious danger for the political future of the State of Israel. Our enemies will not give in so quickly. They have strategies, and their point of departure is not the national interest of their people. After Rhodes we are liable to find ourselves in a political situation in which the U.N. resolution of November 29 remains in existence but a second one—the product

of Bernadotte and his American observers—supercedes it....There is already talk of cantons, and we know that Bevin proposed this under a British protectorate. We know what the Morrison Plan entails. It will mean disaster for our political struggle if after Rhodes we confront the U.N. plans. They will say that the U.S.S.R. supports the first while the others support the second. We must prevent this from happening because it is in our interests to adhere to the plan of November 29....Anyone with any political acumen can see that the decisions made at Rhodes will be less favorable than the U.N. resolution. Therefore, instead of fighting about plans which are not realistic we must consolidate the cooperative, unifying strength of the nation....

It is our view that we should accept the proposals put forward by Council Member Repetor....It would be a wise political move on the part of the Council to express an uncompromising position, refusing to cede any facet of our independence.

For the unity of Israel I am willing to compromise and participate in creating a common policy at this fateful moment. I agree that there should at least be neutrality in foreign policy, although I believe that this constitutes anarchy with regard to both our friends and our enemies. We cannot be neutral if someone wants to kill us and someone else wants to help us. I believe that this policy is incorrect. But if the majority decides to accept that policy, why is there no neutrality? Why is our policy geared towards one Bloc in the U.N.? Why do we always oppose Gromyko's proposals in matters which are vital for us? Why is there no neutrality on the matter of the Truce Commission?...Because in spite of Mr. Shertok's great gift of persuasion, Bernadotte will do as he pleases, we will be considered to be violating the truce and we will be isolated politically! The Foreign Minister said...that the Government of Israel does not oppose the participation of Soviet observers or of any neutral member of the U.N. I think that that is an insult to our great ally. It is not neutral. It does not pretend to be neutral. It has a clear and steady policy—supporting the independence and sovereignty of the State of Israel.

...I agree with our orientation towards the U.N., but that means that we must define the present situation, since the issue is beginning to slip out of U.N. control and is being picked up by the Anglo-American bloc which is fighting us directly and indirectly.

The Council and the Government must appeal to the Security Council, expressing dissatisfaction with current developments and demanding...that the power to make decisions on the situation in this country (not on the country's destiny—that has already been decided) should be transferred to the entire U.N. There is no question here of anyone's subjective viewpoint. I support the Soviet regime, but anyone who supports the national interests of the Jewish people, without going into the issue of

socialism, must see the Soviet Union as the defender of interests which others try to attack.

The period of the truce...must be utilized in the sense mentioned by Council Member Repetor and from yet another standpoint....We cannot be passive bystanders on questions of life and death. Ties with the U.S.S.R. and the possibility of receiving aid are matters of life and death for the Jewish state. There is governmental machinery which is capable of clarifying these things. I think that the same ardor which is applied in other matters is vital here. When we were resolute we were successful: Dr. Goldmann met with the British Deputy Foreign Secretary. That is already a success. In a little while he will meet the author of the Morrison Plan....Part of this great effort should be invested in attaining neutrality, objectivity and an orientation towards the U.N. and peace. The feeling of the man in the street about the Provisional Government's statement on its orientation to the U.N. is that it is insincere and mere rhetoric....If the Government proposes a friendly alliance to the U.S.S.R. and those East European countries which have officially recognized us...they will extend their hand to us—we have already seen this in Molotov's telegram, whose arrival was delayed for some reason—and we will benefit practically. Friendship with the U.S.S.R. and Eastern Europe will strengthen our military campaign no less than will the mobilization of our military forces. These two things should be done simultaneously.

In the name of efficiency and democracy, I propose that decisions be made by the Council of State, otherwise it merely becomes a debating society....Our discussions are of consequence only if they can influence the activities and policies of the Government, through a democratic majority....Opinions voiced here should receive an appropriate and...detailed response. The Yishuv's preparedness for war is so great that I see no possibility of our ever conceding the basis of our independence. Therefore, in order to avoid internal dissension and prevent undemocratic forces from arising within the Yishuv, the Council of State must be taken seriously and its right to direct the Government's policies recognized. There is a legislature and an executive, and, with all due respect to the latter, a democracy without a deciding majority is not genuine.

T. Segal (Hatzohar): During the past few days a shocking injustice has been perpetrated by the British against our brethren who were exiled from this country four years ago and are now in Kenya. I will not relate the entire painful episode of their wanderings to Eritrea, Sudan and Kenya, nor will I describe how they were shackled until they bled, on trains, boats and airplanes. I merely wish to emphasize the fact that the British Government decided to repatriate them here and that appropriate preparations for their return were made. After the truce, however, the British Government found a new excuse...claiming that the exiles have

the status of new immigrants. I ask the Council...to raise its voice in protest at this cruel step. I suggest that we adopt the following proposal unanimously: The Council of State requires the Foreign Minister of Israel to demand Count Bernadotte's immediate intervention to return the prisoners in Kenya to this country....

A. Altman (Hatzohar): Once again various members of the Council have asked what the function of this body is. Is it merely to be confronted with facts after decisions have been implemented...?

We hear reports which could have appeared in the papers. It is impossible to address the questions before us seriously on the basis of those reports, because one cannot hold a debate without information. The reports cannot be regarded as information because they conceal the essence of the issues. The Council and the Government must draw conclusions from this situation in order to facilitate the Council's functioning, responsibilities and participation in matters concerning our destiny. In the present situation we do not know what will happen tomorrow or what is to be discussed today. The Foreign Minister told us about talks which have begun, but we do not know what they are about.

In his report, the Prime Minister stressed two basic and indisputable issues: the existence of the state and freedom of immigration. But that is not enough. We have not heard anything about territory, an issue which can determine our sovereignty and immigration. If our territory is very limited, freedom of immigration will be only theoretical....

Although we have both a state and a Government today, immigration has been restricted. I therefore propose that the Council of State hold a serious discussion of our situation behind closed doors. We expect to be fully informed about the factors which impelled the Government to accept a truce which everyone agrees is not in our favor.

Today we must determine our position on fundamental issues so that the Mediator does not have any illusions. This discussion forces us to review the points which the Jewish Agency representatives accepted and which were included in the November 29 resolution, because they are not accepted by everyone and were introduced...under different circumstances. If there was ever any doubt as to whether territorial limitations concerned only historical sentiments or limited the possibilities of mass immigration, this war and the actions of our neighbors and all those who aid and abet them have forced us to face the fact that from a security standpoint...we cannot agree to things we agreed to in the past. Revisions are required concerning our borders and the non-Jewish population...a large part of which has left the country. We must determine our future attitude to this issue—are we to bring back what may be a fifth column which will constantly endanger our security...?

At the last sitting I spoke about propaganda. A decision must be made and action taken on that point. I propose that the Council of State send a delegation...abroad, taking advantage of the period of the truce to

conduct a comprehensive propaganda operation throughout the world. There is a great difference between loyal people abroad...and those from here, who can recount their own experiences. I am sure delegations such as these would make a big impression. The fact that this would be the first parliamentary delegation from the young state would have considerable influence on both the Jewish and the non-Jewish public.

A great many things have been said and written about Jerusalem. We want to know whether Jerusalem's suffering was necessary....It has been said that Jerusalem could have been captured but was not, due to political calculations. We demand a special sitting on the subject of Jerusalem so that we may receive detailed information and make decisions on its future. It has been said that Jerusalem was abandoned due to the illusion that it would be internationalized because it was holy to the entire world. This war has proved that Jerusalem is holy to no one other than us. The Christian world and the country which represented it here have proved this....Today it is absolutely clear that the question of an international Jerusalem is no longer on the agenda. Today there is talk of making Jerusalem an Arab city under Abdullah. Over the past few months they have tried to impose this on us by force. If the issue today is not whether Jerusalem should be international but whether it should be Arab, even those who had formerly agreed to internationalize it and accept other borders must realize that a Jewish Jerusalem is an inseparable part of the State of Israel. After their sacrifice and suffering, we must not abandon one hundred thousand Jews to their fate....

B. Weinstein (Hatzohar): ...Since the Government representatives give us only general reports, we get caught up in general debates. No reports end with specific proposals which the Council Members can discuss and decide on. I propose that in future we hear not only historical and factual reports, but specific proposals, if there are any, submitted by the Ministers. For example, should we go to Rhodes or not?

...I would like to ask the Foreign and Justice Ministers why, during the past few days, citizens in our provisional capital, as well as local and visiting businessmen, have received letters from an institution called "The Haganah Expropriation Center, National Expropriation Officers," announcing the expropriation of buildings, businesses and offices, "by virtue of the authority vested in me by the National Institutions." If I am not mistaken, the Israeli Army is under the jurisdiction of the state, upon the establishment of which the IZL, the Haganah and all the other organizations were disbanded. Therefore, an illegal organization in the State of Israel may not establish offices, its officers have no authority and its expropriations are not valid. There is only one sovereign authority within the State of Israel, and that is the Government, not the National Institutions....

These unauthorized and illegal appeals undermine public confidence in governmental institutions, generate chaos and give rise to disorder in the relations between the public and the Government. I would like to ask the Foreign and Justice Ministers to investigate that institution's approaching citizens with expropriation orders. If it is not authorized to do this, its registration should be annulled and the authority to expropriate property transferred to the proper Government institutions.

...The Foreign Minister reported to us on the talks which may or may not be held in Rhodes. I will not repeat the contention that the Government has confronted us with a *fait accompli* on two fundamental issues. I am not asking the Council to investigate the past, but we must take care not to make the same mistakes again, which I am afraid the Government is about to do by agreeing to preliminary talks....

It is patently clear...that the truce...is not based on a humanitarian desire to stop the bloodshed....The truce...is a political instrument geared towards attaining certain political ends....Rhodes is a political trap which has been entrusted to an hypocritical Count rather than to a brutal guard.

...What we must decide today is whether we are to accept all the conditions for these talks or not. First of all we must set our preconditions and then, if the initiators of the talks accept them, we will go to them....We must not be satisfied with the conditions which the majority of this Council has accepted as the basis of our foreign policy....There is certainly no need to announce that we are ready to return territory captured by the Israeli Army forthwith. Territory captured and retained by Jewish weapons is our political ace, not a U.N. resolution....

We greatly appreciate the U.S.S.R.'s stance towards Israel. We have always claimed that a nation's foreign policy need not be grounded in ideology or social judgments. We have heard about *de jure* recognition and the correspondence between our Foreign Minister and the Minister for Foreign Affairs in Moscow. However, we have yet to hear of the establishment of diplomatic representations in Moscow and Tel Aviv. We would like to know the reason for this. Are we to blame? Perhaps during the truce and the talks in Rhodes we should be even more interested in the presence of a Russian Minister in Tel Aviv....Perhaps a candidate for the ambassadorship to Moscow has not been chosen. We hear that this will be done by inter-party negotiations. We would like to have clear answers to our questions from the Government and the Foreign Minister.

Recently there have been reports in the papers of the establishment of a Civil Service based on party affiliation. We have no factual material on this, nor do we know how many employees from one party were accepted and how many from another rejected....We would like the Min-

istries to report to the Council on the "movement of workers," noting their political affiliation, if possible.

If these accusations and criticisms are not justified, the Government should respond through the media. We...must have the confidence of the public....Criticisms of the kind I have just mentioned create an uncomfortable atmosphere for our Government, and we are all interested in dispelling those fears....

M. Grabowsky (Mapai): ...This period is one of revolutionary changes, and in every revolution...institutions collapse and appalling injustices may occur. We must all do our utmost to prevent injustice and lend a more attentive ear to complaints voiced by the public....Rumors are circulating, and these determine moods. This is very dangerous. One way of guarding against this phenomenon is for Council Members to know what the Government is doing, and not content themselves with routine press notices. This should be the purpose of the Council sittings, and on this topic the blame can be placed on all the members of the Government. This Government does not confront the opposition in the Council but is comprised of all the parties. Therefore, the entire Government, not only the Prime Minister, is to blame for not convening the Council before the declaration of the truce. This demand was voiced two weeks ago, and there was no need for us to be presented with a *fait accompli*....

I cannot...object to the decision to accept the truce. I do not know whether it is a trap or not. I am not aware of the specific details of our military and domestic situations, the enemy's strength, etc., and these were certainly clear to the Government when it made its decision....There were surely other weighty considerations than our readiness for peace and cooperation with the U.N. which led us to take this step. It would have been preferable if we could have been made privy to this information in a closed sitting....At the previous sitting the Prime Minister said, in response to criticisms concerning the democratic nature of this institution, that this is not an elected body....This institution was elected by the Zionist Executive and the National Committee, the public authorities which existed at the time....

Today we heard a report on Jerusalem....The very stones cry out for Jerusalem, for the hundreds killed and the thousands wounded....There is talk of the dreadful mistakes which were made. We must be informed of these things. We should have heard them from the Jerusalem members of the Council...because Jerusalem is ours. A cry should have gone forth from here for Jerusalem....Our assessment of the need to internationalize Jerusalem appears to have been mistaken. We must ensure that there is a geographical link between us and Jerusalem, since we cannot trust anyone else. We must not find ourselves again in a situation where a foreign power can entrap 100,000 Jews in Jerusalem and allot them meager portions of bread in the name of the U.N....This must be made plain to the U.N. and the Mediator....I

was one of those who rejected the partition of Jerusalem, because for me it is indivisible. But it seems to me that the bitter experience...of the Jews of Jerusalem over the past month requires us to make the issue of the road to Jerusalem a crucial one regarding the existence of Jewish Jerusalem....

When Council Member Mintz proposed that we discuss issues prior to their implementation and not afterwards the Foreign Minister nodded his head, signifying approval. I am not in favor of boycotting the talks in Rhodes....Some people were apprehensive about bringing the Palestine problem before the U.N., and in the end that fear proved groundless....Refusing the invitation to hold talks indicates cowardice and a lack of confidence....We must be aware of the intrigues and ambushes awaiting us at Rhodes, because the Count is no angel from on high....But avoiding a political confrontation is a luxury we cannot afford. We must come to it fully prepared on every subject....We must know our strength and our potential, not flee from the fray. I am not apprehensive. It is no less difficult than what preceded November 29 and our struggle to defeat the American trusteeship plan. We did not run away from that, and neither did Russia run away from battles....The formula presented to us in the name of the prophet Isaiah is an excellent and appropriate one. With Divine inspiration, the prophet anticipated the events of our time. There is no need for the frequent attacks on us advocating the necessity of being friendly with Russia. We are friendly with Russia...and there is no need to stain our friendship with suspicions. The question is, what is the political reality in which we find ourselves? The Russians are well aware of our special situation here, particularly because many Council Members speak on the topic from public platforms in Israel.

I accept the Prime Minister's formula that we must be prepared for both peace and war....We must be fully prepared for war as regards our mood, mobilization and national awareness....If we had done that before we would not be talking about whether food is prepared in accordance with the dietary laws or not, as we did today....I say this as a soldier and as someone who observes those laws....

The diaspora is our hinterland, but the Zionist Organization is silent, and we have the feeling that it is not cooperating fully in the battle being fought here. The blame is not the diaspora's. It appears to me that we have not imbued it with sufficient awareness and have not established the necessary ties, as we did at the time of the illegal immigration, when the feeling was that the diaspora and the Yishuv were one....Today there is no such feeling....The fault may be that of the Zionist Organization, which has been reorganized....The Government must be an unofficial partner and mobilize this force in order to make us feel once again that the entire Jewish world is by our side in our struggle.

D. Pinkas (Mizrahi): ...I hope that the Government will utilize the truce, which has been assessed differently by various speakers, to increase our internal strength. The internal concern which must be uppermost in our minds at this time is Jerusalem. It is the sixth day of the truce, yet the Council Members from Jerusalem still cannot get here. This is not only Count Bernadotte's failure, it is ours too, and we must correct the bad impression we have made on our brethren in Jerusalem. The few who managed to get here voiced serious grievances against the rest of the country. We hear that...veteran politicians in Jerusalem are in a state of despair and have lost faith in the state, feeling that we have forgotten Jerusalem....I know what our military leaders have done in order to break through to Jerusalem and how many sacrifices have been made. But something must be wrong if veteran Zionists can despair and feel that the sense of brotherhood between the Jews of Jerusalem and those of the rest of the country has been lost. I hope this will be rectified during the truce, whether it is followed by peace in this country or not.

...It is clear to us all that there are countries, led by Britain, which are plotting against us....There is only one way to succeed against these schemes: our diplomacy must be open and accessible to the eyes and ears of the world, not conducted behind closed doors. It must be made clear to Count Bernadotte that proposals he wishes to make to Israel must be made to the entire nation, not to the Cabinet. Then he will think carefully before suggesting something which he knows that a nation which has yearned for national independence will not be prepared to accept.

The Prime Minister did well to try and define the points on which he will negotiate with Count Bernadotte, but it should have been made clear that these do not constitute restrictions. There shall be no restrictions on our political rights! If immigration and the existence of the state are stressed as the crucial items, there is room for apprehension. Accordingly, I propose that the Government define our political position to Count Bernadotte more clearly. I would like...the Mediator to know in advance that if any proposals are made which injure Israel's political sovereignty, he will get short shrift from us....

Neutrality and friendship have been mentioned here. In my view, the definition of these terms is quite simple; we are friendly with anyone who is friendly towards us, and we will accept aid from anyone. We will continue to be neutral to avoid becoming involved in the conflict between the Great Powers...not only because we loathe war and love peace, but because there are millions of Jews in Russia, America, England and other countries, and we cannot take sides. If that war ever breaks out, heaven forbid, I hope that all the Jews of the world will be living in Israel....That is what I understand by neutrality. We must ask all the other nations not to be unjust, not to let aggressors attack us, but we must take care not to be trapped into linking ourselves with either side in the game between the Powers which is leading to the next

war...I would also like to ask the Government why it has not refuted Bevin's lies regarding the start of the war in Palestine, when he claimed that the Jews attacked Arab holy sites....

Regarding our Civil Service, the Government must clarify the process whereby civil servants are hired according to political affiliation. I know that it is unrealistic to expect this not to happen...but I propose that the moment someone becomes a civil servant he should cease to be a representative of a party (although he obviously retains the right to vote for the party of his choice in elections). We should set up what is generally called a Civil Service, in which employees are prohibited from being active politically, except for in a Civil Service organization designed to protect the rights of government employees....

N. Nir-Rafalkes (Mapam): ...We have had three truces. Two weeks ago we asked the Government why it had not brought the truce before the Council of State....It is true that there are matters with which we are not familiar, and it is difficult to determine policy without taking them into consideration....I would like a closed sitting of the Council of State to be convened so that the Defense Minister could give us a few more details than we read in the newspapers, and on the basis of which the Council would be able to determine policy lines....If I were in the Government I would not like to be the sole bearer of responsibility, and would prefer to share it with the Council....

Several municipalities in the Tel Aviv region levy what is called a Defense Tax...on water, bread, frozen meat and gasoline—products used by both rich and poor. A rich man drinks no more water than a poor one, though he may drink a little more wine. These indirect taxes are unjust. Some order must be introduced....

To date, four editions of the *Official Gazette* have been published, all of them in Hebrew. I know that the number of Arabs in Israel is small, but they are citizens of the state and we require every citizen to know the law. How can we expect an Arab to know the law if it is published only in Hebrew...?

Rabbi M. Hager (Mizrahi): ...I have no intention of adding to the complaints made by Council Member Mintz, but I would like to mention something which concerns one of the principles of our religion, although everyone will agree with me that this is not a purely religious matter....There is a great deal of negligence on the part of the people responsible for delivering the bodies of the fallen for burial. In many cases the bodies are without names, the names of the parents are not noted and there are no details of marital status. Why cannot this be dealt with?...In Austria and Poland it was customary for every soldier leaving for the front to have a tag sewn in his clothes with all his personal details. I do not know whether this was also the custom in the British Army, but I do know that in this country this is not done. This is not

merely a religious question, it concerns the family of the deceased too. Why should not the wife, parents and children of the fallen...know where their dear ones are buried?

...There is another matter which should be attended to....Every day thousands of soldiers come to ask us for prayer shawls and phylacteries....I do not know what impels them to ask now, nor why they had not received prayer shawls or phylacteries beforehand. It could be that a more intense religious feeling is aroused when a man goes to the front....The fact is that they come to the Burial Society to ask for the prayer shawls of the fallen, since these are not allocated by the Army....This is a very serious issue, touching on what I regard as the humiliation of religious soldiers in our Army....

Prime Minister's Reply

The Prime Minister, D. Ben-Gurion: I thank Rabbi Hager for his remarks. This is the first time I have heard of the problem of prayer shawls and phylacteries. I assure him that every soldier in need of these objects will receive them, and a budgetary allocation will be found to take care of this....

I will begin with Council Member Mintz's claims, which, if justified, are shocking....I regret the fact that these complaints were not brought up previously by the Religious Committee set up to deal with such matters....I am also disappointed with the tone in which Council Member Mintz's comments were made....After all, only six days of the truce have passed, after six months of war....

One question asked by all the speakers was why we had not summoned the Council to discuss the truce. The legitimacy of the truce was also questioned, though not by all the critics. The issue of a truce...is not new. It came up quite some time ago, long before the last Council sitting, and no dissent was voiced in the Council....Neither was there any disagreement in principle in the Government. Many Members realized the difficulties a public discussion of these matters entailed, and proposed a closed sitting. This means that no information leaks out, and is not so democratic. Instead of thirteen people being privy to information, thirty-seven are....If there had been serious disagreements within the Government we would have had grounds for fearing deep divisions within the Council. This does not mean that each Minister had the same opinion on every detail, but there were no disagreements about the essence. This evening a set of regulations will be brought before the Council. On this topic the Council is sovereign and will decide when it will be convened and how it will conduct its sittings....We do not accept the view that the truce harms us....I am not claiming that there will be no damage whatsoever, but in the present circumstances we did not

think that our military position would be harmed as a result of the truce, and from that standpoint there is no reason to regret it....

Various fears were expressed concerning talks which have been and will be held....Mention was made of the talks in London. That belongs to the era of the Jewish Agency, not to the Government of Israel, though there may be a link between the two bodies....I personally bear considerable responsibility for the talks in London after the Congress, and I can say with a clear conscience that the Zionist movement was not harmed by them. Nothing was "sold" and none of us grovelled before Bevin....My colleagues and I knew that we faced a very serious rift with England, and we felt obliged to examine carefully whether it could be avoided. I had very few illusions about Bevin and his policies....Nothing was "sold" at those talks and no mistakes were made; it became clear to us that there was nothing to be gained in London, and that the doors were closed. No damage was done by those talks and there is no need to fear talks with the Mediator....We must not fear ourselves, and we must not exaggerate our fear of the talks.

We told the Truce Commission that the British cannot be observers because they are not disinterested....Our claim was accepted. We all regret the fact that the observers do not include representatives of countries with which we enjoy friendly relations, but...we are not responsible for U.N. arrangements. We are not yet members of the United Nations Organization, yet we refused to accept British observers....

Clearly, the truce entails restrictions, both for us and for the other side. Naturally, our sovereignty is impaired when someone checks whether we are bringing weapons into the country. But the same applies to the sovereignty of the Arab countries. The interpretations placed on the issue of immigration are insulting. We have not accepted them, although we have accepted the truce.

(Two Council Members from Jerusalem, Dr. Katznelson and Dr. Grabowsky, enter.)

I welcome the Members from Jerusalem, and regret the fact that not all our colleagues from Jerusalem could get here. We sent a special plane to bring the Council Members from Jerusalem, but there was an electrical fault and the plane was delayed.

One of the Council Members has passed a very harsh judgment on us, and if it is correct the Government, or those Ministers responsible, should have been brought to trial. He said that we could have taken Jerusalem and that we did not do so for political reasons. I assume that the person who said this heard it from someone else, and I would like to assure him that this rumor is nonsense....A great deal of Jewish blood was shed for Jerusalem; most of Jerusalem is in our hands today....It is very distressing, after everything that has happened, to hear false statements which only harm the morale of our soldiers....

Council Member Weinstein claims that the Haganah is still an illegal organization. I would like to remind him that we passed an Ordinance authorizing all the measures taken by the national institutions in the area of defense, and that the Haganah was never an illegal organization....

There are some heartwarming events in this Council. One of them is that Council Members Wilner of the Communist party and Weinstein of the Revisionists share a similar attitude towards Russia. Due to the fact that the exchange of representatives with the U.S.S.R. has given rise to so much slander, the Foreign Minister will probably have to speak on it more extensively. As soon as the U.S.S.R. recognized us we asked Moscow to make its Ministry here permanent, so that we could send our representatives there....For no apparent reason we have not yet received a response, though perhaps it is not really surprising because the telegrams go through English channels....I can assure the Council that there is no need to encourage this Government to establish and maintain friendly relations with the U.S.S.R.

On the other hand, it is not good statesmanship to reject other countries because of our great friendship with the U.S.S.R. We are in a serious clash with the present English Government, and we condemn what has been called "The Bevin Government's dirty war on the Jews." It is not very clever to condemn all the countries of the world except the U.S.S.R., and to arraign America constantly. We do not have to be in precise agreement with every official of the U.S. Administration. We have the right to criticize, but there is no wisdom, justice or prudence in rejection. On this point I am happy to note the progress of the Communist representative, Council Member Wilner, who declared that he supports the unity of Israel and an orientation towards the U.N....We must protect our interests. We do not wish to appear to be antagonistic towards one country or another, nor do we wish to encourage others to hate us.

It is not absolutely clear whether there will be talks between us and the Arabs, though the Foreign Minister may have more up-to-date information on this. I pray that Count Bernadotte will succeed in his task of mediator and peace-maker between Jews and Arabs, but I have grounds for doubting that he will, and that we will sit and talk with the Arabs....The tone of some of the speeches seemed to indicate that we do not care what the world thinks of us, as if we could defeat not only the Arabs but almost three-quarters of the whole world.

I am not one of those who doubt our strength. Over a year ago I commented on the danger of an attack by Arab armies, and a few people close to me said that I was an alarmist. Long before this war I said that I was sure that we were strong enough to face such an attack; I was told that I was a dreamer. I was not deterred by being called an alarmist or a dreamer. I saw the impending danger and I believed in our latent capabilities. I considered all the factors and I knew what we could do if we

tried, and my belief has not been weakened to this day. The last six months have proved something. But despite all my faith...I know that there is a limit to our strength. I also know that the source of our strength is not in weapons, although I attach great importance to them....Our strength lies in our people....Yet there is a limit to our strength, and consequently we took care throughout these six months...not to get involved in a military conflict with England, despite our political clash with it....

We have had enough military battles with the Arab rulers, and we would be happy to end them....We are not eager to become involved in new political battles...with the Powers....Let us restrict the war which was forced upon us, and improve our military capability, which has not yet reached its peak....That is why, Council Member Wilner, our orientation is towards the U.N., and not only towards a few nations within it.

We are not "neutral." The Jewish nation cannot be neutral. Someone who does not care is neutral. We care very much whether the world is a place of freedom, equality and justice, or one of evil, hatred and wars....With all my heart I want a world of peace....The U.S.S.R. does not say that war is inevitable either. Why should we hasten to join one of the belligerent factions?...We want the nations of the world to understand us, and that is why we are going to the talks....We are convinced that our cause is just, and that is why we are not afraid to appear anywhere....

We must not place all our trust in information alone. We must strengthen our military forces. There is no guarantee that this truce will end the war. We have yet to mobilize all our forces. Only some of our youth is ready for battle. In this country there is no front and rear, everything is the front. Only a few days before the truce, children were killed in the center of Tel Aviv, in their own home....We must endeavor to gain the sympathy of all countries, not to make them our enemies. Therefore, be careful in what you say.

...Council Member Pinkas said that the brotherly relations between the Jews of Jerusalem and those of the rest of the country have been spoiled. I can imagine the bitterness of our colleagues from Jerusalem who were unable to appear here for two weeks. I can imagine...what every Jew in Jerusalem feels when he faces two weeks of endless shelling as well as the possibility of being cut off and enduring starvation. Yet those accusations are groundless. Jerusalem was not forgotten. Hundreds and thousands of our best young men were prepared to give their lives for Jerusalem, whether within the city, in the surrounding hills, near Sha'ar Hagai or at Latrun, and they came from every corner of the country. One of the greatest deeds of this war was not only that our soldiers were prepared to give their lives, but that an hour after we had captured Beit Jiz and Beit Sussin—although we did not succeed in taking Latrun—we began to construct the new road to Jerusalem, over

rocky ground and steep slopes, in order to transfer food, fuel and weapons to Jerusalem. Even the maximum we could send is not a fifth of what Jerusalem really needs. We mobilized mules and camels, but because we feared that they would scatter at the sound of artillery fire, we drafted porters to carry the food on their backs. 1,400 workers from Tel Aviv volunteered to carry food to Jerusalem under a hail of bullets. The Army declared the civilian porters unable to do the work, and drafted military porters....They carried a little food to the residents of Jerusalem on foot, under fire and over rocky ground....Is this called a breach of the brotherly relations between the population of the State of Israel and that of Jerusalem? In my view it is one of the most wonderful events of our time, and we are privileged to have witnessed it....To date, only part of the Yishuv has carried the burden. Our soldiers, drivers and workers...have always been loyal to Jerusalem....There is no truth in the accusations we have heard here. The oath we swore by the waters of Babylon was never more real, truthful or binding than today....

...One of the Council Members asked why we say that we will cede captured territory. This is absolutely untrue!...It is not wise to announce that we will not cede captured territory, nor is it wise to announce that we will. The time has not yet come for this kind of statement....We may have to fight for every inch of land which is and is not in our hands. We are capable of liberating much more of our homeland, but the time has not come to state what we will do with the liberated territories.

We have been told that the two principles of sovereignty and immigration are not enough—there must be a principle of territory....The Council Members who made claims concerning our territory did not tell us how they see the ultimate constitution of our territory....If the Arabs recognize us and agree to speak with us as the independent and sovereign State of Israel, we will not demand any preconditions. Have no fear, if the Provisional Government is not sufficiently loyal to our homeland the situation is not hopeless, there are other people. I personally believe that every representative of Israel will be loyal. But one does not determine territorial preconditions for talks....We must not avoid talks with the Arabs. We did not refuse to talk to Bevin, who has no historical tie to Palestine. The Arabs are our neighbors and we must sit with them and try to find a common language, even if this takes time....The world wants peace, and we must heed that desire. Our enemies are stirring up strife, saying that the State of Israel is the cause of the war, but there are many sincere people in the nations of the world who long for peace, and we must listen to them attentively....Peace is imperative in this region of the world....

Our first needs are defense and independence....These must be accompanied by serious and constant efforts to form a pact between the Jews and the Arabs. The Arabs are not merely passing through this re-

gion, as Bevin was. They will remain here and we must find a way to reach them. I do not know if we will attain our objective, but we must not aggravate the matter by presenting unnecessary preconditions. Obviously, the question of territory is a fundamental one. There can be no sovereignty and immigration without land. Every child knows that. But we are not setting any preconditions about remaining in the area designated by the resolution of November 29...With faith in the vision of Israel, and in a sincere desire to find a common language with the Arab world, we must prepare ourselves. No one can assure us of success, but we must be prepared for it. We must not create the misleading impression that we are hindering the search for a peaceful solution.

I do not know the thoughts or plans of Count Bernadotte. We respect the U.N., which sent him, and we consequently respect its emissary. However, one must be wary of one's adversary while respecting him. We will make no move which can be interpreted by the world as leading to war. Members of the Government no less than anyone else must do everything they can to strengthen our military capabilities, and we must utilize the truce for this purpose. At the same time, we must engage in sincere, resolute and unwavering efforts towards bringing peace nearer.

The Altalena Incident

Introduction

On 26 May 1948 an agreement had been reached between representatives of the Haganah and the Irgun Zvai Leumi (IZL), according to which the latter organization would voluntarily disband "within the frontiers of Israel" and its members join the Israel Defense Forces (IDF), which were officially constituted on 31 May 1948. Since Jerusalem had not been formally incorporated into the state, IZL insisted on its right to maintain its independent existence there, and during the first truce brought a ship—Altalena—to Israel, loaded with volunteers and arms. The IZL leadership refused to transfer the ship and its contents unconditionally to the Provisional Government of Israel. This provoked a clash, which brought the young state to the brink of civil war.

Sitting 5 of the Provisional Council of State

23 June 1948 (16 Sivan 5708)
JNF Building, Tel Aviv

The Prime Minister, D. Ben-Gurion: The Council has been summoned today as a result of the disaster which has befallen us—an attempted assault by the organization known as IZL on the unity, sovereignty, military capabilities and international status of the State of Israel.

The...continuing acts of violence by those groups known as "dissidents" is well known, and there is no reason to dwell on them. With the establishment of the Jewish state we sought to forget the past and enable the whole Yishuv...to open a new chapter of equal participation in the privileges and obligations of building and defending the state.

On May 26 we issued an Ordinance for the establishment of the Israel Defense Forces. This was not a routine Ordinance entailing the establishment of a governmental service, but one of life or death for the Yishuv and the state....Even before the establishment of the state we were maliciously attacked by cruel oppressors; upon the establishment of the state we were subjected to an all-out invasion by the Arab armies....The fourth section of the Ordinance prohibits the establishment and maintenance of any armed force other than the Israel Defense Forces. This...was vital for our self-defense. Only through a unified army...answering to one government and one supreme command can we withstand the external enemy.

The Ordinance and the situation entitled us...to dismantle the armed dissident organizations. We did less than we should have, how-

ever, in order to facilitate their disbanding and create a comfortable atmosphere for their integration into the Army. One organization—Lehi—had already decided to disband, and its members joined the Army without any special negotiations. However, the Zionist Executive, which existed before the establishment of the state and with which IZL had reached an agreement, determined that IZL would not follow Lehi's example. IZL posed conditions for keeping the laws of the state, and violated its assurance to the Zionist Executive that it would disband upon the establishment of the state. The Government did not pursue this formally because it seemed that the major objective—the dissolution of an armed organization and its integration into the IDF—had, for all practical forces, been achieved. The Government made various concessions and, on June 1 this year, the IZL leader signed several guarantees, including the following clauses:

1. The members of Irgun Zvai Leumi (IZL) will be conscripted into the Israel Defense Forces (IDF) in accordance with the Draft Ordinance of the Government of Israel and will take the standard oath of loyalty.
2. The arms and military equipment currently in the possession of IZL will be handed over to the Supreme Command of the IDF.
3. Of their own volition, IZL and its leadership cease to function and exist as an independent military organization within the State of Israel....
4. Any separate acquisition of arms and military equipment by IZL will stop, and their sources will be given to the IDF, for the benefit of the war effort.

These guarantees were only partially fulfilled. Over 1,000 of IZL's members were conscripted into the Army in special battalions. The undertaking to surrender all arms and military equipment was fulfilled only to a very limited extent. The three major guarantees were not fulfilled at all: IZL did not cease to function, the independent acquisition of arms and military equipment did not stop, and IZL's contacts and sources were not transferred to the IDF.

While the country is still in a state of emergency, during the past three days distressing events have taken place in Kfar Vitkin and Tel Aviv. In violation of the laws of the state and its own guarantees, IZL brought a ship carrying arms to the country. Even if there were no U.N.-imposed truce, this would be a very serious matter, for no country can tolerate the importation of even a small number of weapons by private citizens or organizations without the Government's permission. Large amounts of rifles and machine guns—which IZL admits it has brought into the country—certainly cannot be tolerated.

The importation of weapons by IZL, in violation of the law, the U.N. agreement and its guarantees to the state, is an even greater danger because it places the state in jeopardy and creates a climate of civil war....

When the Ministry of Defense was informed of this, IZL was ordered to surrender the ship to the Government. It refused to do this and posed conditions of its own. Again, the Government did less than it was entitled to...failing to take formal steps to bring about the unconditional surrender of the ship and prevent IZL from unloading the weapons. When IZL refused to do this, my duty to ensure the security of the state and enforce the law was clear, and I knew that this could be done only by force. Nevertheless, I brought the matter before the entire cabinet...and after an exhaustive discussion it was decided that the necessary military forces would be despatched to prevent IZL from unloading the weapons, and to place the ship at the Government's disposal.

I regret to say that some IZL soldiers left their battalions and went to Kfar Vitkin to join the revolt against the Government. This was swiftly quashed, however, and the IZL forces surrendered, handing over their weapons and military equipment and guaranteeing to accept the Government's demands. Alexandroni, our commander on the Central Front, acted wisely and well, performing the task with which he had been charged by the Government with maximum efficiency and minimum casualties....The IZL rebellion by soldiers and civilians in Kfar Vitkin is now over....The ship, which was diverted from Kfar Vitkin after the immigrants had disembarked with the help of local residents, reached Tel Aviv, where it disobeyed the orders of Israeli warships to leave the area and place itself at the disposal of the state....

The cabinet held a special meeting...and decided that if the ship did not place itself and its weapons at the disposal of the Government of Israel, military force would be used against it. IZL refused to do this, and you know the rest. Fire from our cannon hit the ship, which was set alight, and IZL asked the Army to help evacuate the casualties. Our soldiers responded to the request immediately...and the ship is still smoking off the coast of Tel Aviv....

The present incident may have ended, but the danger has not, despite the fact that the Army is strong enough to put down any armed uprising....It is not by military might alone that the evil will be uprooted....The dissidents derive support from various sources, for many reasons. In the past this could be understood, though not justified. At this juncture it is difficult to understand. We are in the midst of a war....Although there is a truce, the war is not over. The Arab armies are within the borders of our country. Jerusalem is surrounded by the Arab Legion and its artillery. The Negev road is held by a large Egyptian force. Mishmar Hayarden has been captured by the Syrian army. The armies of the invaders have entrenched themselves in the country in full force, and powerful forces wait beyond the borders.

The audacity of armed gangs within the country in acting at this moment jeopardizes what may be even more important than the existence of the state itself—the ability of the Jews of this country to defend

themselves for the sake of their own future and that of the nation. This danger will not pass until the inhabitants of the state, and Jews throughout the world, realize the tragic consequences of giving moral and military support to them, as a number of Zionist organizations do....As soon as members of the dissident organizations join the Army they are given the same military equipment as any other soldier....Do not rely solely on the Army, however. The entire nation must eradicate the evil which exists among us....

Rabbi M. Berlin (Mizrahi): ...I have come from the siege of Jerusalem, and was hoping to be able to say something to ease the distress we have been feeling there. I thought that I would be able to speak about what the 100,000 Jews of the capital (for us it is the capital) are feeling and what our thoughts are about the near future....It turns out, however, that I must speak about...what has happened during the past few days...and what we fear may happen....And I speak on behalf of my colleagues, the Ministers of State....

The Chairman said here that...the incident has ended but the danger has not. If the incident were over the danger would no longer exist. I fear that the incident has not ended and the danger still threatens us. We cannot deny...that a rebellion has taken place...and if we approach the issue from this angle alone there is no doubt that the Government has both the right and the obligation to suppress it by force.

Our concern, however, is not with those who rebelled or those who supported them...it is with the consequences the event has for the entire country. Every Jew in the State of Israel (and I include those in Jerusalem) is in turmoil, not only as regards who was right and who was wrong, but as to what position we will be in as a result of this terrible event. In the final analysis, the facts are not only that a ship loaded with arms was brought over, but also that Jews were killed by other Jews...and who knows what will happen in the future....

The newspapers published the Foreign Minister's speech, in which he said—quite rightly—that it was not the truce which led the Government to take the drastic steps it did, but rather the revolt against the "Kingdom of Israel," the Government of the state....These events will influence our political future, and since we are currently in a period of truce, the situation is more serious and the consequences of the revolt more grave. Therefore, our attitude to the revolt must be quite different.

...Without going into what happened at Kfar Vitkin...Jewish blood has been shed by Jews, and a ship carrying immigrants and a cargo which is so essential to us at this stage was burnt. Furthermore, the ship was sunk and people were killed by cannon of the Government of Israel. It has been claimed that the shooting continued after a white flag had been raised....All this cannot help influencing the course of the war....People will say that a government which does not protect itself is weak, and consequently the use of force to suppress...a rebellion is jus-

tified....But this is not all that will be said. People will say that the state is weak and cannot exist. And if this is said about the state, it will also be said about the Government....

Doubt as to whether we can rule ourselves or not...is gnawing at the hearts of all of us....When the first reports reached Jerusalem yesterday...everyone trembled, hoping that the Government would be able to restrain itself—for it is better for the Government to appear weak and the state strong than the reverse....What we must discuss here is not the bloodshed but the danger to the existence of the state....The point is not who is right but that everyone knows that there are two sides within the state....Not even the Prime Minister, in his capacity as Defense Minister, can guarantee what will happen in the coming hours and days. Will we...open tomorrow's papers to find a list of casualties, the victims not of enemies and invaders but of Jews like us? Who knows how long this could continue? The danger to the existence of the state is very grave indeed.

Permit me to say that this is the result of excessive aggressiveness...on the part of the Defense Minister, who has taken upon himself everything concerning the defense of the state....No one...is always in the right when he alone weighs the facts, is responsible, makes demands, decides and implements—afterwards presenting everything as inevitable. No one can set straight what has been distorted, for no one wants to diminish the importance of the Government and its Ministers, especially when the Prime Minister is concerned. Even God Almighty, who gave of His glory to human beings, is said to consult the angels on his actions....But here there are no angels, no other people, there is just one man, and everything goes according to his opinion.

The matter has reached such dimensions that I do not know whether even from the standpoint of the truce things are so simple. We all know that the truce is not quite what we wanted...but the sword was at our throat. People from Jerusalem who are sitting here will tell you that for Jerusalem the truce came at the eleventh hour, when everyone was longing for a respite and needed to store up food and energy. Who knows whether these events will lead to a breach of the truce? Who knows whether countries...will not say that in a situation like this there is no use discussing recognition of the State of Israel? We condemned our enemies, who claimed that Israel was not worthy of recognition because its borders had not yet been determined. Now they can say that ours is a state of internecine strife....Although the Government is aggressive, the state does not deserve that reputation....

...The responsibility which now falls on all those here is...for bloodshed, not for the sake of war, building the land or establishing the state, but bloodshed which calls the viability of the state and the country into question....Can you bear this responsibility?

Certainly, the situation is difficult....A government must say that it is in the right....But do we want to increase the turmoil and the danger, for tomorrow we may once again have to fight the enemy rather than our brethren who are, after all, citizens of our state. The Government must undertake, if only as a compromise, to appoint a Commission. This is no submission or disgrace....On the contrary, this represents the triumph of statesmanship over impulse. The Council should appoint a Commission to study this matter, and we will discuss its findings....Until the Commission is appointed and its findings published...we should announce an internal truce....The prisoners should be freed. They will not be able to run away, and the Government would be displaying its strength. At present it would be better if in New York, London and Lake Success it is said that the Council of State has set up a Commission to review the matter and that we are once again united in our war against the invaders, than that confusion be seen to reign in the State of Israel...thereby broadcasting our vulnerability to our aggressors....

The Mizrahi Ministers, Rabbi Fishman and Mr. Shapira, have asked me to announce their resignation from their responsibilities and to express their desire to have a Commission appointed....Meanwhile, let us declare a truce and the release of prisoners...in order to pour oil on troubled waters, gain some peace of mind and evince a sense of responsibility towards the entire community....

The Prime Minister, D. Ben-Gurion: I omitted to mention two items. First, the Government will appoint a special investigator to review the list of detainees; any new immigrants among them will be released. The guilt of the rest of the detainees will be investigated. Secondly, the Government will appoint a Ministerial Committee consisting of the Ministers of Defense, Justice and the Interior, which, after undertaking an investigation, will propose an agreement to prevent secession by any dissenting force, non-compliance with the laws of the state and the separate acquisition of arms, and will grant amnesty for crimes committed in these areas.

Z. Lurie (Mapam): I am not convinced that the events of the past two days can be dealt with by means of a Commission of Inquiry, nor do I think that the provocation can be ended by granting amnesty and checking lists of detainees....

Gentlemen...this rebellion has attracted worldwide attention, erupting while we are at war with seven countries, not to mention the intrigues of the British....This was an attempted coup! This is not the beginning, nor is it just another incident. It is the result of an accord between forces which were nurtured by various groups in the Yishuv and the community for a long time....It brings to mind another night in Siwan, fifteen years ago, when Chaim Arlosoroff was murdered. That

was an assault on the sovereignty of the Zionist movement, and today's event was an assault on the sovereignty of the State of Israel!

This is not the time to settle accounts, but what has not been done to justify those who have been nurtured and have risen to the status of equal political partners...Rabbi Berlin? During the past few years all the appeals to Jewish feelings of brotherhood and compassion...have served to pave the way for the incident as a result of which the shores of Tel Aviv are smoking...."Neutral" journalism supposedly preached against civil war but actually paved the way for domination by this group. It was for this that separate weapons and battalions were needed! Rabbi Berlin accused us of having become accustomed to bloodshed...but I ask him—who has been conducting secret trials against members of the Yishuv and ambushing and murdering people for years? Who was it who declared a truce? Who practised self-restraint? Who continually granted amnesty?

Some of those present objected to the agreement....Many within the Yishuv regarded this as simply prolonging the existence of this group in another form, legitimizing it. Very few of its weapons have been handed over, according to the Minister of Defense. Why do they need the rest of their weapons? For the Jerusalem front...? I would like to ask those who justify the agreement even though our very lives are in danger—why were the weapons not handed over immediately...? Why do we need another agreement and why do we need more negotiations...? Why was it necessary to abandon battle positions facing the Iraqi Army and leave the front vulnerable? From whom were they trying to keep the weapons? From our forces! The Government and the Minister of Defense are to be praised for their attack on them and for their firm and just stand...which is supported by the entire nation....

I propose that we adopt the following resolution: The Council of State approves the Government's action against IZL, which has attacked the sovereignty of the State of Israel and the authority of the IDF, violated the agreement and attempted to obtain weapons not for use in the war against the enemy but for encouraging terrorist secession. The reluctance to hand the weapons over to the IDF, which is engaged in a war with a foreign enemy, attests to the fact that they were intended for use in civil war....

The Council of State determines that by its provocation, IZL has destroyed any faith in its readiness to accept the authority and discipline of the IDF. Under the present circumstances it is necessary to confiscate weapons from the IZL, disband its special battalions in the Army and punish all those guilty of undermining the authority of the IDF.

M. Kolodny (Ha'Oved Hatzioni): The Council has to find a way of gaining full Government support for its resolution. If it can be achieved, this unity will have special significance for IZL, showing that the entire Council, Yishuv and nation support the Government, and that

there is no room for independent organizations in the IDF or the State of Israel.

The situation today is not as it was yesterday, when the British ruled the country and when we wanted an agreement to avoid provocations and achieve statehood. I supported the Zionist Executive in its agreement with IZL and I do not regret that. Today we have a state, which implies total, uncompromising sovereignty. On some issues there can be no compromise....There cannot be several armies or any division of authority. This must be clear....It is clear to me that the Yishuv wants an end to the matter and gives the Government its full support.

Rabbi Berlin's announcement of the resignation of the representatives of Mizrahi in the Government worries me because it reveals a split in our unity....We must get used to new concepts in our own state, which we must protect on all sides. I appeal to Mizrahi and its Ministers, and also to Rabbi Berlin, to rethink their position and withdraw their resignation. To Council Member Lurie I would like to say that if one supports the Government one should support all its decisions, not only some of them.

After the address by the Minister of Defense, which made it clear that, despite everything that has happened, we are not interested in fanning the flames, we can declare only that we are interested in strengthening the state. If the Government is prepared to grant amnesty and wants to release certain detainees, it is irresponsible to make aggressive and extremist proposals in the opposite direction. Anyone who is loyal to the Government must support its decisions, and all the members of the Government are bound by them. I truly admire the Government for its patience and readiness to grant amnesty to the rebels, assuming of course that they understand that they must abandon the path they have taken to date.

I do not know what agreements were reached on Jerusalem, but we regard the IDF in Jerusalem as an inseparable part of the army of the state. It is inconceivable that Jewish Jerusalem would tolerate a situation in which the army, for which the state is responsible, consists of various organizations which do not recognize its authority. The international status of Jerusalem has been undermined by others, but the IDF and the state have lived up to their responsibility to the city, and will continue to do so....We will not permit further provocations in Jerusalem. The authority of the state and the army must be upheld in Jerusalem as anywhere else in the state.

Y. Kosoi (Mapam): ...I am not exaggerating when I say that the entire State of Israel, the Jews of the diaspora and our friends and foes all over the world are observing us closely. The future of the young State of Israel, which is fighting for its future, depends to a great extent on the position taken by the Council of State....All those in the Yishuv...who are concerned for the welfare of the state and the Government's ability

to carry out the difficult task with which it has been charged, bless the Government for acting as it did towards those known as IZL....Like myself, many people regard this body as a group of irredentists which only undermines the existence of the Jewish state.

Yesterday I heard the speech given by the commander of IZL in which he boasted...that if he wished he could kill the Prime Minister at any moment. However, he had told his people not to do it. How very kind. How fortunate we are to have such a "hero" in our midst....

I am sure that the entire nation identifies with the Government's position....On behalf of many in the Yishuv, I would like to say that we seek peace, both externally and internally, and that we regard this internal dispute as a tragedy. If this rebellion, which seems bent on undermining our state, continues, however, the workers of Israel will oppose it as firmly as we oppose the external enemy....This should be made perfectly clear....

There can be only one reason for IZL's desire to store arms—to prepare for rebellion, the overthrow of the Government and a coup, following the example of similar movements in other countries....Now they claim that the ship was burnt, and that the weapons could have been in the hands of the Government for use against the external enemy. By what right do they condemn the Government? Should it have given in and accepted IZL's ultimatum? Would this have added to the strength of the Government and our state? It would have made us the laughing stock of the whole world!

...I do not know whether amnesty will be granted or not, nor whether it is necessary at this bitter, terrible period in our lives....But we will not be fooled by tricks and promises. This internal enemy has only one objective: to wait for the right moment and achieve its aim by force, Rabbi Berlin, by shedding Jewish blood, by murder! We all feel that for at least one generation we must preserve our internal unity, in order to fulfill the important tasks of defeating the enemy and building our state. How can we tolerate this hostile internal force, which always carries a sword and brandishes it at us, in our midst? We are at its mercy, for its commander may at any moment give the order to kill or tell his soldiers: "Do not murder, the time has not yet come."...Rabbi Berlin, you would have done well to weigh your words more carefully before saying what you did about this terrible issue....We oppose the murder of Jews and are against courts of execution, but we also oppose a love of the Jewish people which is so extreme that it is willing to jeopardize Israel's fate.

We all regret the fact that blood has been shed, but an order was given by the Government of Israel, and as loyal citizens we must obey it and not rely on the fact that the Government will relent....Rabbi Berlin said that not only was Jewish blood shed but also the blood of the Government. That is correct. The Government certainly did not want this

incident. Yet, had the Government not acted as it did, its blood would certainly have been shed....If a government's blood is shed it cannot fulfill its appointed task. This is the crux of the matter. One may talk of flexibility, but not during a war. I am sure that this action by the Government will strengthen us, proving to the Jews here and in the diaspora that the Government has decided to steer the ship of state through these troubled waters with strength and authority....

...How will the resignations of Rabbi Fishman and Mr. Shapira be interpreted? IZL will say that those Ministers could not countenance the steps taken by the Government. It makes no difference how you explain things afterwards, this is the impression which has been gained. Is this an act of patriotism? Is this how we are to act at this difficult time...? It is quite clear that only if all the groups within the Yishuv stand united that we will be able to subdue IZL. Any rift in the Government clearly increases IZL's strength and impertinence....We must make it clear to the Jewish people that an internal enemy has arisen and that there can be no compromise with it. This enemy is capable of sabotaging the Jewish state by its existence, its war and its attitude....The Council of State must approve the Government's action and make it clear to the nation that this is how the Government will act again if the attempts at rebellion and sabotage recur. Only by action on the part of the Council of State, giving the Government authority and moral validity, will we be able to eliminate this danger....Anyone wishing to condone the action of IZL would do well to imitate the step taken by Mizrahi...at this sitting.

...

B. Weinstein (Revisionists): ...It is typical that this sitting was convened not on the initiative of the Government, whose responsibility it was...but on that of Council Members who felt that this body should make its opinion known....

On June 7 a discussion regarding the ship was held with the representative of the State of Israel in Paris, who invited several Zionist activists and, in the presence of the Haganah representative, asked about the immigrants who would be aboard the Altalena....We may assume that the Government was informed in advance about this "incident." The Government, which is provisional and is answerable to the legislature, should have consulted the Council....Since it has finally summoned the Council and related the events which occurred, let it not use the British euphemism "incident," which was employed in the "statements" issued by the Mandatory Government. Can this frightful phenomenon, the ramifications of which are both physical, psychological and emotional, be called an "incident"?

...I do not accept the claim that the Jews of the state and the diaspora support the Government's action. Do you possess some magnetic instrument which immediately registers public opinion...? This "incid-

ent" caused a crisis in the coalition. The resignation of two Ministers constitutes a cabinet crisis....

Why were we not told of the negotiations between the Government and IZL on the subject of weapons? Is it true that during the first phase of the negotiations a plan to allocate 20 percent of the weapons to Jerusalem was discussed? Is it also true that an agreement was not reached because there were differences of opinion as to what was to be done with the remaining 80 percent? Why were we not told that on Monday a liaison officer sent by the Minister of Defense or the Supreme Command told IZL that the Army would not help unload the arms or provide vehicles for that purpose...? Why were we not told that the order which came from a certain house on Hayarkon Street in Tel Aviv was: "Fire at the people, including those in the water"? We are talking about people who were fleeing a burning ship! Why were we not told, as an indication of public opinion, that even at the Palmah command post at the Ritz Hotel there was considerable unrest because of this...? These are very important facts, which demand investigation. They indicate the mood of the public, the ranks and the Army. Without going into the question of the Government's sovereignty, rights and authority, we must evaluate the Government. The Government's plans and approaches may have been correct, founded upon an authority which we all acknowledge, but its basic assumptions...were flawed, and it is these which we must review.

The Revisionist delegation in this Council has...acknowledged the sovereignty and rights of this Provisional Government, for we sincerely wished to help in nurturing our governmental independence. A Provisional Government, which is appointed on the basis of a resolution passed by a Zionist institution and has not been elected, must be careful in exercising its authority....This is especially true during this period of transition, under these complicated circumstances, when matters are not easily dealt with, and this problem cannot be dealt with in a purely bureaucratic, sovereign and formal way, relying solely on predetermined governmental procedure....

...The Government, or rather the Prime Minister and Minister of Defense, has been somewhat over-zealous. His approach is too impulsive. While under pressure one requires lucidity and cool calculation....

The "incident" is not over yet. In the first Jewish city, our temporary capital, shooting has not ceased....Last night our headquarters...were attacked. That building, which is a shelter for refugees and new immigrants, was attacked with grenades and artillery, the phone line was cut and immigrants were taken out of their beds "British-style" and taken away half-dressed. Soldiers armed with Sten guns attacked the printing house where *The Observer* is published, treating the printing workers roughly, in a manner unbecoming a Jewish soldier.

These are ominous signs. If the Government believes that a "reign of Sten guns" will help us solve internal problems and public disputes, and strengthen its sovereignty, it is mistaken. We do not belittle the value of Sten guns when they are aimed at the external enemy. The Government should have ensured that all the people and arms were taken off the ship and should then have taken control of the arms. The Government could have done that. Large quantities of arms cannot easily be hidden....That ship belongs to the Jewish people, not to IZL. If people are still burdened by the legacy of the past, and seek to hinder good relations...by bringing up Arlosoroff's murder, I will have to go back to de Hahn's murder....A responsible government could have dealt with the "incident" easily by taking the step I have just outlined....I do not know if the Minister of Defense made his decision alone. Perhaps he has a group of advisors who advocate a certain doctrine. In the Army there are those who advocate brutality, and they probably proffered this advice.

We demand that a Commission of Inquiry comprising members of this Council be appointed....Everything must be revealed. Witnesses must be called....If the Commission finds that the Government is guilty and the Prime Minister and Minister of Defense made a rash and erroneous decision, then, we regret to say, such a Government, such a Prime Minister, such a Minister of Defense, cannot continue in their positions. Sovereignty does not mean terror. Authority is not arbitrariness. An honest, justified desire to maintain discipline does not mean irresponsibility. IZL, which is accused of having acted illegally, has acknowledged the Government, its authority and its sovereignty....In all its statements IZL refers to our Government and our Prime Minister. IZL is a private organization, not a provisional government, and the level of responsibility we expect from the former is quite different from what we may demand of the latter.

The Foreign Minister should not rely on hints that the weapons were intended for a revolt. It is a tried and trusted method, used by certain governments, to see a conspiracy in every corner....Some people claim that this whole affair concerns the Government's preparations for another act of political submission to the outside....I therefore propose, on behalf of the Revisionist party, that the following resolution be adopted: "The Council of State resolves to appoint a Commission of Inquiry to investigate the circumstances of the bombardment of the weapons ship and the related events."

D. Pinkas (Mizrahi): ...The issue before us is the evaluation of the events of the past few days and the steps taken by the Government. In this respect, the report which we heard from the Prime Minister was incomplete. If the Prime Minister thought...that a putsch was taking place and that swift action was necessary in order to save the State of Israel from the rebels, it may have been possible to understand the nature of the

orders which were given. But I do not think that the Prime Minister believed that anyone who wanted to stage a coup would acquire such a large ship, notify the Government and propose that certain arrangements be made. I am not saying that these proposals should have been accepted or not, but any attempt to justify the Government's actions as a necessary reaction to a putsch is childish....Public reaction to this action is also immaterial, and can be interpreted in various ways....

The agreement reached with IZL by the Zionist Executive has been mentioned here. I know that it was approved by the Jewish Agency, but that was not sufficient. It should have been brought before the highest Zionist institution....I want to know under what circumstances this agreement was reached and on which authority it was made....

There are many other questions to be answered. When did the Government or the IDF learn that the ship was due to arrive? Was this discussed by the Army or the Government...? Were there any negotiations as to where the ship was to anchor...? Was an agreement made by the IDF or the Government to the effect that some of the arms would be designated for IZL troops in Jerusalem? What was the role played by the liaison officer between the people who brought the ship here and the IDF or the Government? What had the Government decided to do with the ship? Why did it demand control of it rather than the ship's withdrawal to avoid violating the truce? Did the Government know...of the preparations which had been made and that the ship had set sail...? Was the Government notified in advance of the fact that the ship was approaching...?

I know that the use of arms within a state is a last resort....Was there no other way for the Government to achieve its goal at Kfar Vitkin? Was it a responsible act to surround the hundreds of people...who wished to unload the ship...? Is it true that IZL was the first to open fire...? If the fact that IZL opened fire justifies returning fire, why was it necessary to employ heavy artillery on the Tel Aviv coast...? According to the reports which I have heard, there were fifty or sixty people on the ship. Was it impossible to subdue this vessel, which was forced to run aground on the shores of Tel Aviv, without employing cannon...?

I am no expert in strategy...but I think that the fact that our Army could come up with no better solution than to use cannon against sixty young men, leading to the destruction of the ship, indicates just how pathetic our Army is....It seems to me to be extremely impetuous and unjustified. If the Prime Minister, as Minister of Defense, is responsible for this, I am very sorry that he must bear the burden of this great error.

The Prime Minister has told us that during yesterday's cabinet meeting it was resolved to demand the ship's surrender....I would like to know how this resolution was conveyed to those concerned....We heard today that several arrests have been made. As a member of this Council, I would like to hear something about the laws of our coun-

try...I asked the Minister of Justice for which crime these people were imprisoned, but received no answer....There must be specific provisions in the law regarding the action to be taken against miscreants of this kind....The Minister of Police told me that neither he nor any of his people were involved in these arrests....

The action of the Mizrahi Ministers in resigning their posts is very responsible, particularly in view of their fervent desire to contribute to the building of the state....Their action indicates the danger and gravity of this situation....I second Rabbi Berlin's request that if the Government cannot give satisfactory answers to the questions posed here, the Council should appoint a Commission of Inquiry....We must investigate every aspect of this serious matter. If we fail to do so, we will not be discharging our public duty satisfactorily....

B. Mintz (Aguda): ...I do not understand the questions raised here, especially by Council Member Pinkas....If he demands a Commission of Inquiry, it should ask those questions, since they are very dangerous, particularly the one about whether the Government violated the truce....I therefore propose that this sitting be declared closed and that nothing said here today be made available for publication....

The Prime Minister, D. Ben-Gurion: Council Member Mintz has been misled by the question marks Mr. Pinkas appended to his statements. He did not ask questions but rather lectured, with wonderful legality, on matters which are not known even to members of the Government....Some people believe that statements of this kind, whether correct or not, may make matters worse, and that is why Council Member Mintz proposes that the sitting be closed. The Government did not wish to ask for a closed sitting, and at this point I am unable to consult with the Ministers on this. I still do not wish this to be a closed sitting, so as not to give a pretext to whoever is interested in telling all sorts of "sacred" lies, and therefore prefer to have these things said openly. Obviously, one would hope that everyone here was sufficiently responsible, and that Council Members would refrain from making statements which might damage the state.

B. Mintz (Aguda): I am satisfied with what the Chairman has said. I withdraw my proposal and appeal to all the members of the Council and representatives of the press to treat the matter responsibly.

B. Repetor (Mapam): The truce has been in effect for thirteen days, and fifteen days remain....The Council of State should devote the period which remains to preparing our defense, increasing immigration, training the Army, fortifying our economy, augmenting our financial resources and mobilizing all our strength, so that not one hour is wasted.

In addition, the Council of State should deal with the issue of Jerusalem, since for the first time the Council Members from Jerusalem are present and can participate. At the previous sitting the Prime Minister...said that the question of Jerusalem's future and present situation, as well as the preparations for its defense and the continuation of the war must not be postponed. Destiny has decreed, however, that during the remaining days of the truce we must focus on our internal policy....

This being so, let us refrain from dealing with the differences between various parties and the Ministers of Defense and Foreign Affairs. Even I am not pleased with the statements made by the Foreign Minister....At the last Council sitting I raised the issues of the negotiations with the Mediator and the organization of our relations with other countries....There are undoubtedly differences between us...but I would not want these to be tied to the present discussion....Under no circumstances must we blur the weight and significance of the inquiry in which we are now engaged and which demands serious conclusions.

At another time we will examine the Government's policy on the negotiations with Bernadotte, which will determine our political future and sovereignty, the continuation of immigration and the buttressing of our forces....Yet that is not the issue the Council of State has to tackle now. Under discussion is a crucial internal problem which demands that conclusions be drawn and action taken....Any individual and party may criticize the Ministers of Defense and Foreign Affairs, but at the proper time and with responsible awareness of what this entails. What we are dealing with here is an issue which is not new to us....Terrorism and dissent have existed for years....

For me, the unity of the Haganah, Zionist authority and national discipline were essential before the establishment of the state, not only now that there is a Government....Therefore, this debate constitutes the continuation of the one held by the Zionist Executive concerning the agreement with the dissidents. Mr. Pinkas asked the Prime Minister several questions, and I hope that we will receive answers to them, so that we can get to the facts....The agreement reached with the Zionist Executive was based on the disbanding of the dissident organizations as soon as the State of Israel and the Provisional Government were established. The agreement states specifically that arms are the property of the people and that the dissident organizations must not attempt to take control of public life or engage in looting or intimidation....It was agreed that the possession of private arms was prohibited. I would like to know whether an agreement concerning the disbanding of IZL and the halting of all arms acquisitions in this country and abroad was signed by representatives of the Ministry of Defense and IZL. Does not this agreement obligate the dissident organization, or does it have the right to violate it and act contrary to the laws of the state by continuing to dis-

regard Zionist and Yishuv discipline and authority, as it did before the establishment of the state?

The Revisionist representative, Mr. Weinstein, condemned the use of Sten guns by the IDF. If it used them, it was fulfilling its duty to the state and the Yishuv and expressing its loyalty to the Haganah. But what right do those who have used Sten guns against Jews for many years, who have killed members of the Haganah, who have employed intimidation, robbery and murder to act against Jewish independence and the National Institutions, who have disregarded all Zionist and Yishuv discipline, both internally and externally, to ask such questions...? They cannot compare the Palmah with the IZL dissidents. The Palmah is an integral part of the IDF. It is its core and foundation....The Palmah battalions, which lost many men in the battles for and defense of Jerusalem and its foothills, as well as in Galilee and elsewhere, are an integral part of the IDF.

Irrespective of the value of the Palmah and its impact on the IDF, there is a central point which cannot be challenged—arms must be turned over to the people. The Palmah was loyal to the institutions of the Yishuv prior to the establishment of the state as well as during the debate on ways of fighting the White Paper policy. There was a serious debate in the Zionist movement regarding anti-British policies, some sections rejecting physical force, others condoning it. Within the Palmah, too, there were differences of opinion...but everyone submitted to authority and discipline....The Palmah...cannot be compared with groups which violated the law of the state even before it was founded, and who continue with their irresponsible disobedience after the establishment of the state and the Provisional Government. If IZL promised to disarm, why does it need rifles and cannon? What are the bombs for? What was the purpose of the Zionist Executive's resolutions? A military organization whose actions consist entirely of intrigue cannot be trusted. No agreement or negotiation will be useful. There is only one alternative—to disband the organization and hand over the arms.

Council Member Pinkas spoke of giving the ship an ultimatum. I regret the lost arms too. They should have been available for national defense....But why did you not notice the way in which IZL members disarmed Haganah members, Mr. Pinkas? Why did they do that? Why, if not to gain control of one part of Tel Aviv first, with the help of the ship, and then of all of Tel Aviv?

...Do not speak in the name of democracy....Democracy requires the enforcement of the decisions and laws of the democratic institutions. It requires the concentration of the people's weapons in the hands of the people, not in those of gangs who seek to gain control....Mr. Begin's speech implied civil war and a putsch. We have not forgotten the days of terror and murder which existed not long ago, and therefore we cannot accept the approach suggested here. A proposal to distribute arms

on a percentage basis to Jerusalem is unacceptable. Concern for the defense of Jerusalem is not the monopoly of the dissidents. Our concern for Jerusalem may have weakened us on other fronts. The fate of Mishmar Hayarden might have been different had we not transferred two Palmah battalions from Galilee to Jerusalem and Latrun....We do not need an agreement in order to defend Jerusalem. We regard ourselves as brothers of the Jews of Jerusalem under any political circumstances. It is not by irresponsible lawlessness and threats of a civil war that Jerusalem will be defended, and it is not by agreements and the distribution of arms to the dissidents that our independence will be secured. The Ministers and the Chief Rabbis who saw the actions of the Palmah and the Haganah in Jerusalem have no right to acquiesce in lawlessness and sanction banditry....The majority of the population—the 180,000 workers who built the Yishuv, the Haganah and the Jewish state—will submit neither to IZL's takeover nor to the breach of our political independence. It must be clear that there will be no solution through compromise with or acceptance of IZL. We support the Government's action wholeheartedly, as does the majority of the Yishuv and those loyal to the State of Israel....This debate is not related to our political course of action, which we have yet to discuss and decide upon. Compromising with and surrendering to IZL will achieve nothing positive....The Government must take a firm stand in order to fulfill our mission in defense and war, in standing up to political danger, territorial encroachments and external attempts to control us. We must remember the ship and IZL's action and regard it as a grave warning.

A. Katznelson (Mapai): The issue now before the Council is not how to eradicate yesterday's events but how to quash dissent....I am more concerned by what Rabbi Berlin said and what the representatives of Mizrahi did than by the events of yesterday....I realize the importance of what Rabbi Berlin said, although I recall other statements made by that representative of Orthodox Jewry. I well remember his speech concerning the dangers of terrorism at the Yishuv Conference....Rabbi Berlin said something now which has...extremely dangerous implications, namely: "Jewish blood has been shed." Does this mean that Jewish blood must not be shed but that other blood may...? We are living in a state which has both Jewish and non-Jewish citizens. If we were to accept this formula we could accept plunder, robbery and murder....That is a diaspora approach. In our present circumstances no dissent, not even political dissent, should be tolerated. I trust that, following further consideration, the Mizrahi representatives will retract their resignation.

Since the beginning of the truce there has been unending incitement against the Government's policy. The dissidents seem to assume that political programs can be forced upon the Government by terror, as they did with the Jewish Agency and the National Committee....I, too, fear for Jerusalem's destiny and am troubled by rumors of plans for insur-

rection there....If what happened off the Tel Aviv coast had occurred in Jerusalem...in some other form, who knows where it would have led us? As you said, the truce in Jerusalem came at the eleventh hour, and we know what the consequences of a provocation of that kind could mean for the 100,000 Jews of Jerusalem. The Council should discuss this issue rather than the questions posed by Council Member Pinkas....A government representing all the sectors of the Yishuv can investigate whether there is a basis for the claims made here by Mr. Pinkas....

Amnesty has been proposed by the Government....Can more than the proposal of disarmament without penalties (even for the sergeants' hangmen, whose action cost us dear) be expected? Does not opening the doors of the Army to them represent the greatest privilege of all? It seems to me that this is the point which should concern the Council; the Government's proposals are the basis for the elimination...of dissent in the state and...Jerusalem.

E. Wilkomitz (Mapai): This is the second time I have the honor of participating in a Council of State sitting. After the first one I told my friends what a wonderful experience it was when representatives of various parties and currents in the nation and the Yishuv came together...all sharing a common concern for the fate of the Council and the country....

I am sorry that the picture is so different at the second sitting. I have listened attentively to the members who have denounced the Government's actions....I wanted to hear their opinion about the actual issue....What do the members think of the action IZL took in the midst of the turmoil of war? Rabbi Berlin told us that we did not want a truce but the sword was at our throat. It is still there....How should one view a revolt at a time like this...? There is no guarantee that that ship might not have caused...a resurgence of the shooting. How is such an incident dealt with...when a nation is fighting for its life, taking its first independent steps?

Bloodshed, drastic measures and undemocratic behavior have been discussed here. I doubt whether democratic arrangements can and should be demanded at a time like this, on an issue of this kind....The Prime Minister said that before action was taken there was a meeting of the Government in which most of the parties participated. What more was needed? Is it possible in the midst of war to hold full-scale conferences on every step...? Should we wait until the legislature passes the required laws, and meanwhile do nothing to stop people who, according to those responsible for security, are endangering us...?

I do not understand the emphasis some speakers have placed on the provisional nature of the Government. Has someone usurped it and seized the reins of government...? Was there any alternative, under the circumstances in which the state was founded? Can a state establish a permanent government without first establishing a provisional one?

During the negotiations...prior to the meeting of the Zionist Executive, I did not believe that the other side would accept an agreement. Yet I hoped that if the mediators, the party representatives who defended the agreement...were to find that an agreement could not be reached or kept...they would withdraw from mediation.

I find it difficult to understand...the action of a respected party, rooted in tradition, which defended this agreement, claiming that it would save us, now that it has been violated at every step...What is the point of advocating self-restraint at this stage...? As if we have displayed no self-restraint till now! The point is that at any moment the battle may resume, either internally or externally, and the internal battle cannot be prevented by strengthening an organization which acquires and hoards arms for its own use....

Our independent political life did not begin only with the foundation of the State of Israel. It began much before that. We hoped that once we had formal sovereignty as well, dissent and threats of secession would cease. We hoped that our state would be democratic and that a democratic government would discuss issues and make decisions....

If it were not for the support you give it, if that organization were to feel isolated from the public, the ground would be cut away from under its feet. Instead, we hear "there is a cabinet crisis."...Is that all we can tell the nation when the enemy is at the gate? How can we treat the State of Israel and that organization as equals...demanding the appointment of a Commission to determine which of them is in the right?

...Why is it that the moment the cannon fall silent we delude ourselves that the danger has passed...thereby endangering the issue to which we are all committed? We must give our wholehearted support...to all the Government's actions, granting it complete freedom to examine the issue. If the time has come to examine the agreement...or do away with it, we should give it the authority to do so....

Z. Warhaftig (Mizrahi): A few weeks ago we held a meeting in Jerusalem and discussed whether or not to agree to the truce. Understandably...we feared that our opinion would not reach Tel Aviv in time. Nevertheless, we thought that as members of the Council of State, it was our duty to discuss this subject. One of the arguments in favor of the truce was that our enemies...would begin fighting amongst themselves. But we see that the Arabs are taking advantage of the truce to improve relations: Abdullah is going to Farouk, and Ibn Saud is meeting with Abdullah....Thus, when the truce ends they will be able to attack us in concert. In our camp, however, the old dispute and rift which is so dangerous for us has been revived....We in Jerusalem feel the danger of that rift, perhaps more than others....

The essential question is how to eradicate the underground....From the postwar experience of many countries in which underground movements existed we know that they were not dissolved within a brief

span. It sometimes takes a year or two before an underground movement is eradicated and absorbed into the regular army. Yet, in our impatience we are trying to dissolve an underground movement within a few weeks.

We have had, and will still have, much trouble from the elements which were in the underground, but more patience is needed.... Anyone who assesses the situation since the Zionist Executive meeting must admit that the agreement reached there was a great achievement.... It is a fact that throughout the fighting matters were smoothed over and the dissidents fought alongside us. The Jerusalem District Commander even noted their valor in certain battles. But Jerusalem suffered greatly from the failure of those organizations to become an integral part of the Army. If we are encountering such behavior during the truce, I believe that more patience and less impetuosity is needed....

I do not share the fear of this armed force. History has taught us that an armed minority need not be feared when the majority is also armed, and more adequately.... IZL suffered a defeat this week, and that may teach it a lesson. The question is, how to prevent this rift becoming wider and the bloodshed continuing? We do not always have to act with all the severity of the law.... I do not think there is such a large gap between the various proposals, provided we do not act impulsively and try to exercise self-restraint....

We propose that the Council appoint a Commission of Inquiry and that the arrests be reviewed. The Government says it will grant amnesty, and I see no great difference between an appeal for release and amnesty. As long as there is no legal basis for arrests I see no reason not to release the prisoners.... If we accept both proposals we can bring peace to our camp, something which is extremely necessary in order to prepare for the major battle ahead. I suggest appointing a smaller committee of two or three members, which will be responsible for formulating a proposal. In my view, what is most important is that the Council of State reach a unanimous decision. That would be the greatest contribution of all to bringing us tranquillity and enhancing our young country's prestige, both internally and externally.

E. Berligne (General Zionists): Ever since the Jewish Agency brought the question of an agreement with IZL before us, and until the resolution was adopted, I was in favor of the agreement, and remain so now. ... Those who objected to the agreement maintained that when the time was right the other side would violate its commitment. I think it was a mistake on our part to postpone the agreements for months after the Jewish Agency had made the decision in principle. It enabled the dissident organizations to commit abominable crimes (murdering soldiers in their beds, bombing houses, hanging the sergeants, etc.), and... over time these organizations have become used to doing as they please....

IZL did not begin its operations yesterday.... Everyone knew that these were being carried out in opposition to the future Government... the Jewish Agency and the National Committee. The question was, since these institutions could not force the dissident groups to stop these actions and accept their authority, what hope did a handful of Jews in Israel have of enforcing law and order in the state they were demanding? The enemy hoped that the dissidents would cause the downfall of the future state.... The tragic step which the Government was obliged to take will prove to friends and foes alike that the Government is by no means weak....

Questions have been asked regarding the details of the agreement, which took a long time to work out in the Jewish Agency and the National Committee.... But without the postponement the agreement would not have been reached....

The Government has two options. One is revenge, as was the case in Russia, where, when members of the opposition were caught, there was no recourse to the due process of law.... The other option is to use the law of the land to punish the dissidents.... The Government has not proposed complete amnesty... but people have been imprisoned and we must ask the Government to grant them clemency.

I would like to ask my friends from Mizrahi... whether they are fully aware of their responsibilities and whether they think that it is necessary to take a step which could bring about the collapse of the Government, and consequently the state? For there is no difference here between the Government and the state.... For various reasons Members of the Government have seen fit to resign in the past, thinking that by doing so they would correct the situation. We all know that that is not the way, and a resolution was adopted to the effect that resignations would not be accepted. I suggest that we appeal to the Council Members not to accept these resignations....

M. Wilner (Communists): ... Our duty today is not to evaluate the Provisional Government's actions but rather to ascertain whether... there is one Defense Force in Israel or different armies in various forms.... I am not prepared to go into the details of the questions Mr. Pinkas asked. They do not alter the essence of the decision the Council must make, namely, whether IZL is to be permitted or banned.... If it is banned, the logical conclusion... is that the acquisition of arms for it... is also banned. This is not merely a formal question, since there is... special validity to the agreement of all the members here that there should be one Israeli Army.... There is an additional problem here, however. IZL did not disband itself but declared that it would continue to exist in different parts of the country as an independent military organization.... The question—what are these arms for—may well be the crucial one.

It seems to me that at the moment the problem is not a military revolt, though there is no doubt that this was a step in that direction.... We know that before non-democratic movements gain control...they are very democratic, opposing capitalism, imperialism, etc., and advocating a new type of democracy, a "new order." Now we know the true character of that new order. If there is no intent to carry out an armed revolt, against the will of the majority, there is no reason to accumulate arms....I am not prepared to justify every detail of every step taken by every commander. I do not know exactly what happened. But that does not alter the central issue confronting the Council of State.

The problem is that a certain group in the Yishuv did not achieve a putsch simply because it did not have enough arms and support for it. ...The Yishuv must solve its political, sociological and class problems in a democratic, political struggle for public opinion, winning public support in the manner each party finds appropriate.

I do not agree with those Council Members who claim that in an emergency there is no room for democracy....I justify objecting to the acquisition of arms by IZL, not because democracy is impossible now but precisely in the name of democracy....The road to hell is paved with good intentions. I do not know these people personally, let us assume that at times their intentions are good, but if this matter is permitted to follow its present course much more blood will be shed in order to defend democracy. I do not think that this issue concerns solely the workers and the Histadrut, as many speakers have implied. Every democratic Jew of every class should defend democracy and independence, and not permit people to march on Tel Aviv, Jerusalem or anywhere else in the State of Israel. It is true that the Government...should be criticized for asserting its authority only internally and not externally. I hope that there will be a political debate and that this will be discussed.

A foreign power—America—is penetrating the country under our very noses, and our sovereignty is being undermined. But this does mean that the Government is relinquishing internal sovereignty....It is not at all certain that that Power...will consider the IZL's putsch as something counter to its objectives....Yesterday's event, its reception...its tone and its leader aroused unpleasant memories for the Jewish people. We must determine our basic policy and act accordingly. As soon as the Government asserts its authority externally as well as internally one of the most important propaganda measures employed by the underground organization upon the youth and various sectors of the Yishuv will vanish, and the underground organization will no longer be able to present itself in contrast to the Government as the defender of the sovereignty of the state and the nation. The Government must make no concessions where the State of Israel's external or internal sovereignty is concerned.

The Foreign Minister, M. Shertok: ...The phrase "a Jewish state" has been a magical one for us for many years. But the emphasis has always been on the second word, state. It is not enough that the entity we have founded is Jewish. If it does not become a state it will neither exist nor be Jewish. This state is still fighting for the right to be Jewish....Yet, if it does not reach statehood in the process of this struggle...we will be defeated and fail to achieve our goals. When I listened to my dear and honored friend, Rabbi Berlin, I realized that he is not concerned with the issue of the state. He is still hovering above us in the abstract world of Jewish unity and fraternity. Of course, all that is very desirable, but we are fighting for the existence of the state, and if we are defeated everything is lost....For me, the distinction between state and Government, and the assertion that a government may be weak as long as the state itself is strong, is academic....How can a strong state exist on the foundation of a weak government? What value does this Council have if the laws we pass are not enforced, and a minority which disagrees with something can resort to the use of force while we may not? What value does this Council and this Government have?

The Provisional Government decided to accept the truce, and the Council of State approved this. The arms shipment...would have constituted a breach of the truce. Let us assume that there is political justification for violating the truce. Who is to determine that? Is it to be the Government...or will it submit to the dissident force in order to prevent an increase in the number of casualties? Let us assume that the Arabs would have treated that violation with benevolence and would not immediately have opened fire on all fronts....We would not have been indifferent....Although the violation of the truce was important, it was not the most significant element of this issue. What was more significant was the violation of the state's sovereignty and authority....The truce cannot be violated by anarchic behavior or by a partisan action....Decisions of that kind must be made by authorized persons in appropriate places. Therefore, the conclusion is not as Rabbi Berlin suggested. These phenomena must not be met with selfrestraint. We are not at the beginning of the road. An agreement was reached, and the minority which objected to it must accept the verdict of the majority. It was implemented to the extent that matters depended on us, but it was still violated. The agreement stated that the acquisition of arms would stop, but it did not. It also said that IZL's weapons would be handed over to the Government, but they were not....Now unspecified sources inform us that the person who calls himself the leader of IZL has abrogated the agreement. IZL does not recognize the Government and is removing its men from the IDF....This announcement was unnecessary since the agreement was revoked when it was violated publicly....

As a member of the Government, I would like to say that the general assumption that these issues were determined by a single Minister was

insulting....A special cabinet meeting was called by the Minister of Defense, and before that no action was taken....At the meeting the Government decided what steps were to be taken. There was a discussion, and a consensus was reached on policy lines and their implementation. The public was informed and action began. The order which was issued derived from the Provisional Government's decision....

The next day the Government decided on a line of action regarding the ship, and appropriate measures were taken. Mr. Weinstein can make only a futile attempt to conceal irrefutable facts by resorting to false propaganda. IZL's forces tried to capture a section of the coast...then made a frenzied and irrational attempt to disarm members of the Haganah in Tel Aviv. Firing began when there was no choice. Mr. Weinstein forgot to tell us about that. Why did IZL refuse to turn over the ship and the weapons to the Government? Was this justified? How can a member of the Council of State justify this...?

I would like to tell my friends in Mizrahi, who seem to be living in the past, that resigning from the Government is not like resigning from the Zionist Executive. The Jewish Agency's Executive could be upset by resignations and the consequent disruption of the coalition much more easily than the Government's. There must be a Government. The existence of the Zionist Executive is not imperative. There will be no anarchy in this state. The Government will continue to exist. I was very upset at this step and did my best to prevent it. I will be very upset if they insist on carrying out their decision....They will be harming themselves more than the Government.

Mr. Weinstein has claimed that this is "only" a provisional government. In relation to whom is it provisional? In relation to the public which established it...? Does this not weaken the Government's authority? Should it make concessions in its sovereignty because it is provisional? They told us that when the state was established they would submit to its authority. Now they say that there have been no elections, therefore they are not obliged to obey the Government. I will not tax my mind with trying to guess the excuses Mr. Weinstein will find for IZL's breaches of discipline after a government is established by elections....I condemn this false patriotism. I would like to tell the members of Mr. Weinstein's faction that there can be no compromise between observing the law and violating it within the legal context of the State of Israel. If there is any justification for our sitting here, it is that we make laws through a process of deliberation and decision-making, which is followed by obedience to those laws. Anyone who demands the right to participate in the deliberations and decision-making and subsequently assumes the freedom to tell others to violate these laws severs himself from the legal context of the state. The choice is between renouncing or fulfilling our duty to ourselves. Our state will be based on the fulfillment, not the denial, of duties.

Y. Rubin (Hatzohar): The Foreign Minister has said that the establishment of the State of Israel requires us all to preserve it as a state in general, and as a Jewish entity in particular. That has serious implications as far as the changes in our life are concerned. We have begun adapting ourselves to the framework of public life, following the example of other nations....

We all agree that the Government must have authority. A state has no validity if its citizens do not obey its Government's authority. The question is how to impose authority....Considering the brief term of our Government's existence, I doubt whether the measures employed to impose authority on a group of people who supposedly attempted to disobey it were justified....I would really like to hear answers to the questions which have been asked. Do any of the Council Members honestly believe that it is possible, in the few weeks since the proclamation of our independence, to acquire such a large amount of weapons? Did the Government really not know that the ship had set sail...?

It has been said here that the clauses of the additional agreement signed on June 1 obligated IZL to hand over its weapons and transfer its men to the IDF. I would like to ask whether a transfer so recently initiated can be completed in a day or two. Was there an attempt to delay its implementation until the ship's arrival? Is there no significance in the fact that on the eve of the ship's arrival the process of IZL's integration into the IDF was delayed? Questions have been asked, but we have not received any answers....

Is it not strange that a cache of weapons, whose future use was apparently so clear, was sent to Kfar Vitkin? Does this not arouse the Members' suspicions? Was this perhaps prearranged...? I repeat, was it not possible to enforce the Government's authority by alternative measures, before resorting to force...? Each of us here—and that is why we are here—recognizes the Government's authority and its fundamental right to any arms reaching the country, but we believe that in the present situation it is impossible to act solely according to the letter of the law....

If the Government managed to impose the surrender and disarming of those who reached Kfar Vitkin, it could have done the same in Tel Aviv....It is a basic error to think that a show of force indicates strength. A true state, a strong Government, displays patience. It knows how to forgive, with certain limitations, of course, but it can also take control when there is no alternative....This state cannot be treated like any other. We are building it. Its citizens have yet to reach it. We are tied to world public opinion....What impression will be made if, in our first steps, one Jew treats another in this fashion?

Y. Kosoï (Mapam): Why don't you ask IZL that?

Y. Rubin (Hatzohar): I will....To what extent were all the options to prevent this disaster fully exhausted...? We are here not only to review one

another's actions, but to discuss how to prevent ourselves from falling into the abyss where our enemies would like to see us....

I would like to use this platform to appeal to the Government and the Council Members to prevent matters from taking the ominous trend we are currently witnessing....I propose that the Council resolve to stop all actions whose intentions are similar to those of the operation on the Tel Aviv coast.

B. Idelson (Mapai): It seems to me that during the past three days...we have realized how ignorant we are as citizens of the burdens we carry. We have experienced months...of war with several neighboring countries supported by foreign aid, while we had no weapons, no authority, nor the necessary means with which to protect ourselves. Many of us are still in mourning. Some families still do not know where their sons are.

This event occurred at a time when we were to have a breathing space, a few days in which to consider defense and our political situation. I was surprised to hear demands made here...for self-restraint and loyalty....Where was your self-restraint? What did you do to influence that group and prevent the disaster in Tel Aviv and Kfar Vitkin...?

Some people have tried to blame the Provisional Government....If those members realized the direction in which matters were developing and feared disaster, why did they not react...? How can you present this issue with the Government on one side and IZL on the other? Can you not see that a comparison of this kind is invalid? We are attempting to adopt a state format, to form a Government which will act within the confines of a constitution. We all hope that this constitution will be progressive, and there will be no need for detentions and the use of arms. However, you who demand loyalty, democracy and compassion from one side...why did you not tell that group...that there is a ruling body which must be obeyed, and that we all participate in the Council of State and therefore share in the running of the country...?

Resigning from the Government is too great a luxury. I am surprised at parties which have been in the Zionist Organization for decades and are part of this young Government, not because they identify with the perpetrators of the deed or approve of that group's refusal to surrender, but because of their compassion and good intentions....We are at war. Our sons are serving in an army controlled by this Government. Our sons in the Army need weapons. No one else...has any right to possess weapons in this country. The Government is conducting this war, and is responsible for our sons' lives....We must realize that the Government was compelled to act as it did as a result of... the irresponsible actions of others....

N. Nir-Rafalkes (Mapam): ...I understood from the Chairman that the Government was notified about the ship on Saturday....Why, then, was the Council of State not convened on Sunday morning so that it could authorize this action...?

Rabbi Berlin was right in saying that the state could not exist in this manner. Mr. Warhaftig was also right in saying that whereas we thought that during the truce there would be civil war among the Arabs, in the meantime it is we who are experiencing internal conflicts....But these complaints should be addressed to IZL....No party has spoken of the cause of the matter....All we hear is Council Member Pinkas, who has asked questions, as a good lawyer should. But there has been no trial. First, what happened must be defined, not defended....The question still remains, why were the weapons not turned over to the Government...? Council Member Weinstein told us: "The ship and the weapons belong to the people." When the people's representatives came to claim the weapons and the ship, they were denied them....The ship brought five hundred tons of arms. I would like to know who they were for. If they were for IZL then they were to be used against us, against the same people Mr. Weinstein claims own them. I will not quote that speech at length, but, like me, you have all read it: "I call on my brethren in IZL not to open fire. I order you to bear arms....To each his weapon, in Jerusalem, Tel Aviv, and anywhere else. But we will not open fire. There will be no civil war while the enemy is at the gate. However, if they raise a finger against anyone of us, their fate is sealed." Why are you not discussing this? Why are you directing your complaints against the Government?

I do not always agree with the Government, especially on defense issues...but at this point I will not draw any conclusions....At a time when we are confronting the enemy we are told that it is impossible to act solely according to the letter of the law....What does this mean? The existence of the IDF is a law. Does this mean that the IDF is the letter of the law and IZL is the spirit of the law...? We are told that we must adapt to the law. For decades we have been living under the rule of law. We are a civilized nation, familiar with the essence of law. You have approved these laws as well....I do not understand why you participate in this Council of State, which is supposed to exist in conjunction with the Government, while defending those who violate the law....The violation of the truce and the retention of arms by IZL benefits the Arabs and the British. If there is civil war, the Arabs and the British will gain. That is why I consider those interested in a civil war among us as being Arab and British agents....

A Commission of Inquiry is proposed and we are told: "Jews are killing one another." That is true. Murder is a very evil thing...but if women and children are killed at Dir Yassin—that is murder too. Why did we not hear your voices then...? We must not revive the three years

of the IZL episode, when all its operations, starting with the bombing of the Refinery, benefited imperialism and the British....What will the proposed Commission of Inquiry investigate? The Government's actions in suppressing the revolt...? No civilized nation would accept a demand of this kind....

I am a man of compromise. I am prepared to accept the amnesty and disregard the rest provided someone guarantees that the matter has ended....Council Member Warhaftig assures us that they will turn the weapons over to the IDF. If Begin had said that I would be certain the promise would be kept. Although I believe Mr. Warhaftig, he does not have the authority to keep that promise....We must not grant amnesty irresponsibly. A special investigation is necessary to release the innocent, but those who are guilty must be treated with all the severity of the law.

A. Stop (General Zionists): ...The mere fact that a few weeks after the establishment of the Government and the Council we are attending a sitting with this incident on the agenda is very upsetting....When this Government was founded we hoped that it would be supported by the entire nation....Although still young, this Government is ours....The one domain over which the Government has exclusive control is the Army and its weapons....We do not think there can be any doubt that it is essential that the Government retain that exclusive right....

We consider the event of yesterday a great disaster....We are not convinced that the Government exhausted every possibility of preventing bloodshed....We demand that measures be avoided which can be interpreted as indicating the Government's weakness....We are in the midst of a war and need a strong Government, and will therefore refrain from making proposals which may imply Governmental weakness. We must avoid measures liable to cause sections of the Yishuv...to go underground again....Therefore, we will support the Government's proposal to appoint a committee and put an end to this for once and for all....We cannot fight both an external enemy and an internal underground movement....We must endeavor to mobilize all our resources in order to create a climate conducive to nationwide support for the Government. We must be prepared for the difficult situations ahead....

The Minister of Immigration and Health, M. Shapira: I do not suffer from the resignation syndrome. For thirteen years I have been, and still am, a member of the Zionist Executive, and my fellow-members will testify that I have never resigned. If I have reached this point...it means that something quite unusual has happened. What we feared and tried to prevent all along has come to pass. We are on the brink of civil war. I admit that I am one of the initiators of the agreement with IZL. I do not sympathize with that movement. I despise any form of dictator-

ship....I invested efforts in bringing about this agreement for one reason only: to rid us of this dangerous disease. I consider dissent to be a very dangerous disease in the body of the Yishuv. I have felt all along, and still do, that the only cure for this disease is leniency rather than heavy-handedness. I fully believe that by personal contact we can overcome hatred among brothers. I knew that IZL was not an easy partner for negotiation, being characterized by stubbornness. Although I knew this in advance, I chose that approach because I saw no viable alternative. The question is, were the events of the past few days inevitable? I believe that the disaster could have been prevented. When the state was established IZL announced that it would disband, with certain agreed concessions....It is true that it failed the first test....But was the approach we adopted the only feasible one? I was unable to participate in the first Government meeting to deliberate this issue. When I returned from Jerusalem and discovered what had happened I gathered a few colleagues together and Rabbi Fishman discussed the situation with Ben-Gurion....The result of this was an urgent Government meeting the following day....In order to prevent the disaster, we suggested a twenty-four hour truce...but this was rejected.

...The simplest solution would have been to let the ship sail from our shores....

The Foreign Minister, M. Shertok: How do you know that it would have sailed?

M. Bentov (Mapam): It ran aground on a sand bar and could not sail.

The Minister of Immigration and Health, J. Shapira: They claim that they were prevented from sailing. That is a serious claim and should be examined. The agreement did not entitle us to unload the ship by force....Only someone who thinks that this was not the case can justify what happened....I agree that IZL acted inappropriately, but it did not intend to use those weapons against the Jewish Government and the State of Israel. It is not insane. Consequently, it is a disaster that these arms were lost. In the meantime there have also been arrests...which have become a political issue. We did not imagine that there would be detentions without a Government decision, especially since this matter was discussed in a Government forum. We think that if detentions were necessary, the issue should have been brought before the Government for debate....At the Government meeting which was held at approximately the same time as the Council sitting we proposed releasing the prisoners in order to calm matters. Only part of that proposal—that immigrants and anyone caught unarmed be released—was accepted....I am sure that the recent events caused many members to fear for the existence of the state, but order cannot always be achieved by force....Illegal immigration was a violation of British law and order...and we were very distressed when Jewish immigrants were

shot and killed. I know that some people will say that there can be no comparison between the two situations, but I think there can....I am not convinced that those arms were intended for use against the state....The acquisition of arms is not enough. If we do not know how and when to use weapons, they could destroy the state that we are in the process of building....

Our resignation is not intended to weaken the Government. We realize that the enemy is at our gate, and internal matters are not getting any easier either....Our resignation is intended to stress the gravity of the situation....Now, after IZL's last statement, if it fails to acknowledge the law, we will have to organize camps in which to keep its members instead of mobilizing all our resources to fight our external enemies....I think that it is the duty of the Council and the Government to make every effort to prevent bloodshed and internecine war which may annihilate the state in its infancy....I hope that a way will be found to bring peace to the Yishuv, so that we may strengthen ourselves against those outside who hate us.

M. Grabowsky (Mapai): ...There is no guarantee that had the Government given in yesterday IZL would not have taken the next step; it was counting on our not being bold enough to use force, while they dared to open fire. It was certain that the Government would relent this time too. What would Mr. Shapira and other Council Members have said had a different group...acquired arms, brought them here and demanded to be negotiated with...? We heard on the radio yesterday (and I heard the whole speech) that this Government is regarded as a group of traitors who went to Rhodes to sell the people out. This constitutes incitement to an assault on the Government....Rathenau was assassinated for similar reasons. If our Government had not acted as it did, it would have lost its basis. I agree that that was one of the most critical moments in our existence as a Jewish state. An image of the destruction of the Second Temple has haunted me the past few years. I read those ghastly episodes and try to discover why they destroyed themselves from within. Then, too, there were warring groups and sects....We also have a sect which regards itself as having a monopoly on courage and patriotism. As far as it is concerned everyone else is a traitor.

...How can you believe that this issue will resolve itself...? Who can be sure that if the ship had withdrawn the weapons would have been returned to the Jews? Who can promise that the weapons would have been given to us in a week or two? Why should they have been given to the IZL battalions? Can we be sure that they would not have been used to dictate certain conditions to us...? Loyalty...is determined in testing times, not by legal or political means....Yesterday was a terrible testing time; the Government passed the test and deserves our full support.

I. Ben-Zvi (Mapai): ...We all regret what happened. Besieged Jerusalem cannot have been encouraged by the incident. It occurred in Tel Aviv but it could have happened in Jerusalem, in which case...the situation would have been much worse. The operation was carried out decisively and competently. I doubt whether this would have been the case in Jerusalem....The issue of the weapons is mentioned constantly, but there is one simple fact which cannot be ignored. If those weapons were intended for the benefit of the state and the war, they should have been turned over to the Government immediately, but they were not....There were negotiations. There were promises. But the crucial fact remains that the weapons were not surrendered....If this body is to be a genuine Council of State, it should reach a decision instead of arguing....

The Government has proposed, most magnanimously...that we release the immigrants and those caught without arms and appoint a Ministerial Committee....I endorse this proposal because at the moment we have defeated IZL and taught it a lesson. We have triumphed. At a different time and place matters could have turned out differently....Due to the Government's forceful action it is now in a position to grant amnesty....

I would like to tell Mizrahi...that I realize that a great effort was made to resolve the IZL issue by means of an agreement with the Zionist Executive and the institutions of the Yishuv. I favored the agreement, though was not pleased with some of its clauses....I saw all the risks the agreement entailed, but considered it a starting point. I do not think it was a mistake. Now, however, the issue is no longer theoretical....A debate was held and Mizrahi submitted its proposals, as is its right. There was a decision, however, which must be upheld....You have many friends in the Haganah. What will you say to them? You support this State. You were among its founders. You have no right to resign....Those responsible for the foundation of the state—and you share that privilege—were aware of the underground and its dangers, including the probability of a civil war. They realized, however, that the responsibility of the state and the Government are one....Consequently, I propose that we refuse...to accept the resignations and demand that Mizrahi occupy the positions it was assigned by the founders of the state....This Council proclaimed the independence of the state and is directly responsible for the existence of both the state and the Government.

The Minister of Welfare, Rabbi Y. Levin: ...This is a terrible war between brothers for which there is no easy solution. It has been going on for several years and has caused much anguish. Those who caused it may have good intentions, but nonetheless their actions are unacceptable. I would like to support the proposal made by Mr. Warhaftig and

others, namely...that the Council of State reach a unanimous decision....I second the proposal to appoint a subcommittee to formulate a decision which will be accepted by the entire Council at tomorrow's sitting.

The Prime Minister, D. Ben-Gurion: I began my speech with the great disaster which has befallen us. I continue with an even greater disaster, the one which was averted yesterday. The disaster which occurred can be remedied. The Government's forceful actions limited the damage...by preventing five thousand rifles and two hundred and fifty machine guns from reaching a terrorist gang. Had this not been done, the terrorists would have been capable of destroying the Jewish state and the Yishuv's freedom....

The Mizrahi representatives resigned from the Government today, when their proposal to release all the people imprisoned was rejected, although it was decided that we would release the innocent and those caught without weapons....Despite their good intentions, the action of Rabbi Fishman and Mr. Shapira has objective political significance, implying identification with IZL....IZL itself was never very dangerous. A terrorist gang cannot endanger a healthy Yishuv and nation. Nevertheless, there was always the danger that it would acquire tacit support, not because of its attitude to the Mandatory Government but rather for internal reasons which have nothing to do with the overt objectives of terror. If IZL had not known that such support existed, it would not have dared to act as it did. What Mizrahi did today, although well-intentioned, reinforced IZL....

We all mean well, therefore we will not judge each other. History will be our judge....Those who are so concerned with IZL should reassess their positions, considering the Yishuv, the state and their friends in the Government, and not dismissing them so lightly....Rabbi Berlin claimed that war and defense affairs are determined by a single person. He did not follow my opening speech closely. What I said regarding the action against IZL was exactly the opposite. I said that compromises and concessions...are my responsibility. I approved them because the Zionist Executive had reached an agreement with IZL. I considered this to be a dangerous mistake, but the Zionist Executive's decisions are binding upon us all, and must be implemented....The Zionist Executive felt that the agreement would avert the disaster known as secession, and that we should help IZL members repent if they so desired. I disagreed with this. But it was the decision of the majority, and I respected it....

When the time came to take action against IZL I did not act on my own, although I had the legal authority to do so. Realizing the gravity of the step, I did not want the question of authority to divert us from the actual issue. I submitted the subject to the Government, which deliberated and reached a decision. I acted in accordance with that decision, and

although I do not shrink from responsibility, I wanted to share the responsibility for ordering the Army to act. Representatives of the Army participated in the Cabinet meeting....Questions were asked and a unanimous decision was reached, upon which the Army acted....It could have annihilated the gang, but it did not. Realizing that the goal was to prevent the crime, not execute the people, the Army attacked in a manner which forced IZL to surrender....I deny the allegation that people were fired upon in the sea....On the contrary, people asked Palmah members who were on the shore to help them. They did this, despite being fired upon by IZL, resulting in the deaths of two of them, and although the ship could have exploded at any moment.

I refuse to subject myself to cross-examination by Begin or anyone else....Mr. Weinstein wanted to know when the Government heard about the ship. I was informed by a special messenger...on Saturday. He told me that IZL had announced that a ship loaded with arms would be arriving and that they needed assistance in unloading it. IZL was told to turn the ship over to the Government, but refused to do so. That was the subject discussed, Mr. Pinkas. There was no agreement that IZL would be given part of the weapons for Jerusalem or anywhere else. The Government insisted that the ship and the weapons be turned over to it. IZL refused to do this....It was the Government's responsibility to use any means to get hold of those arms. The Government is responsible for the security of the country, and therefore cannot permit individuals to possess arms....

Mr. Pinkas asked many questions in Begin's name. IZL's "leader" may be a very important person, an ardent patriot, a great fighter and a brilliant commander, and it may be a great honor to speak in his name, but I do not owe him any answers, even if the questions are asked by surrogates. I must relate to matters which concern the Council. I neither heard nor read the IZL leader's speech. I am not interested in what he has to say. As a Council Member, Mr. Pinkas was entitled to ask certain questions. I will briefly answer those which concern the subject under review.

There was an agreement, which was violated by IZL from the outset...stating that IZL's arms and military equipment would be turned over unconditionally to the IDF....Even without a signed guarantee, IZL would still have been obliged to turn its weapons over. It was the Government's duty to seize them....

I agree that the Government need not always act according to the letter of the law....We must sometimes overlook certain things in order to combat danger to the security of the state. They sent unarmed men to the IDF and we supplied them with arms....We did not ask them why they had not turned over the arms in their possession. They were absorbed into the Army without undue difficulty. Nothing has happened

during the last three weeks to justify the violation of their...obligation. Why did they refuse to turn the armed ship over to the Government...?

Council Member Warhaftig asked why we fear an armed minority. We are terrified, Mr. Warhaftig. I do not think that I am more susceptible to fear than anyone else in Israel, but I am terrified of an armed minority. Why is it armed? For ornament? Everything has a purpose. Arms are used to kill people....It is distressing that mankind manufactures tools of destruction. What do other nations do? They impose restrictions on the possession of arms. People who carry lethal weapons are subject to strict discipline. They wear special uniforms. They are placed in enclosed camps or barracks....They are compelled to salute officers. Their freedom is restricted. Why is this done? So that armed men will not do as they please with their weapons, and will be subject to discipline. Mr. Warhaftig asked why we fear an armed minority....What is the armed minority for, whom does it represent and why does it need arms?

Rabbi Berlin condemned bloodshed....We do not want bloodshed. When there is an armed minority bloodshed is likely to occur. It has, in fact, shed Jewish blood in the past. Now it might shed non-Jewish blood, which should not happen either. We must ask why they need five thousand rifles. The rifles are not for the people, the Army or the state. What are they for? To fight the Arabs? They received weapons from us for that purpose. This Government and the Army have proved over the past six months that we can withstand the Arabs....I will not say that we have not had our failures. There have been failures. Failures occur even in armies which have existed for generations, in ancient and powerful countries. Our young Army defended us successfully. Be fair. Mistakes may be made. There may be elements in need of correction in the Army, but do not adopt that tone. Do not speak of the "reign of Sten guns."...People who have never held a gun to defend the Yishuv should show more respect for those who, by using Sten guns, saved the Yishuv. Show some respect, Mr. Weinstein! They have defended you, and will continue to do so, even if that entails sacrifices. They are prepared to make those sacrifices. Why, then, did those people refuse to turn their arms over to the Army or the Government?

This Government is engaged in a bitter war, and therefore needs arms. Jews acquired arms. Not ordinary Jews. Patriots and brave warriors. How can we avoid the question of why they did not hand over their arms? Whether there is an agreement or not, we are fighting for our existence and they refused to turn their arms over to the Army, to which their comrades belong and to which they swore allegiance. There were three IZL battalions in the Army. IZL members from these three battalions deserted in order to prevent the Government and the Army from having those arms. Why? Mr. Shapira cleverly suggested that we should have let the loaded ship sail. Unfortunately Mr. Shapira is not

the IZL leader and cannot make that decision. At Kfar Vitkin the ship received the order to sail west...but instead sailed to Tel Aviv and intentionally ran aground....Fortunately, this happened during a truce. Imagine what would have happened during hostilities. In another week the truce will end and our forces will be occupied all over the country....Imagine that while we were engaged in fighting the Arabs these heroes would have brought in five thousand rifles for themselves.

Despite the small amount of arms they have at present, they are attempting to dictate conditions, with the help of those who support them, knowingly or unknowingly. One rifle is enough to kill people. We do not want to have to go everywhere with bodyguards. I am ashamed of bodyguards. I know that if someone wants to kill someone he will, despite bodyguards....Five thousand rifles can kill the whole Yishuv. Five thousand rifles were not needed unless they were to be used to destroy the Yishuv. For fighting our enemies they received arms from us.

By denying IZL the armed ship we averted a terrible disaster. Never was the burning of a ship so important in the defense of the Yishuv as was the burning of the IZL ship....In my opinion, in this case even the sovereignty of the state is not important, although it is more significant than the truce. It is enough that Bevin, Nukrashi Pasha and other enemies deny the sovereignty of the state. Why should IZL join them? Still, I do not consider this the greatest danger. The greatest danger is the serious damage done to our capability to defend ourselves against Arab invasion. Imagine if...the ship had not been burnt and, instead of being destroyed, the arms had been unloaded and transferred to IZL's warehouses. Imagine that I am just an ordinary person, not a member of the Government. As an ordinary person I am sensible and I wonder what is happening. There is a war on. IZL members are in the Army and simultaneously possess separate arms. What for? For fighting the Arabs? For that they received weapons from the Government. The purpose is obviously to continue internal terrorism and conduct pogroms against those Jews who refuse to fund them. I am one of those who will not give in to terrorism. My Government is incapable of protecting me and of denying weapons to the terrorists. It is afraid to confiscate their arms. It is actually surrendering to them. My conclusion is that I must prevent terrorism myself. There are many like-minded people...of a brand that does not give in to terrorism. What will they do? They will acquire weapons. Why should IZL possess its own weapons while I, my sons and my friends do not? We have been familiar with weapons for forty years, and we know how to bring in ships. Even Bevin knows that. The Yishuv is heterogeneous, therefore each individual will acquire arms and form a private army.

I am a coward. I fear anyone who possesses illegal arms. Assuming that I am not unique, we will have as many private armies and agencies for acquiring arms as we do parties. Chaos! It will not be civil

war. It will be the "brotherhood" IZL desires. I realize that this is not what Mr. Shapira wants, but that is what his proposals imply. There are people who had private weapons. There was a time when local Jewish forces were private. There was no National Committee, Jewish Agency or any other organization responsible for protecting the Yishuv. There were "private initiatives," comprising young boys, pioneer workers, who took it upon themselves to defend the Yishuv. They did not protect worker's farms, for there were no such things at the time. They protected the "bourgeoisie," as they were called then. Rochevsky at Sejera was a "bourgeois." I protected his property. Ezekiel Nisanov, who was a Zionist worker, like myself, was prepared to die, and did so, in defense of his employer's two mules. His comrades did the same. It was an individual initiative. No public institution was responsible for this. When the general defense organization, Hashomer, was founded, guards turned their weapons over to the community and accepted its authority. Now there is a state, which protects the people.

Do you assume that if IZL organizes a private army with private arms, it will be the only organization to do so? The regime you recommend means civil war and the establishment of two separate armies. The primary result will be to wreck the war effort. Soldiers can fight alongside one another only if they feel equal and know that each one would give his life for the other. Soldiers must protect one another's lives. They cannot fight side by side if one of them has a private, hidden weapon in addition to the weapons they receive from the army. Private arms possessed by IZL or any other terrorist organization will inevitably split our Army....

The war is not yet over. There is a truce, but we do not decide how long it will last. It can end tomorrow....How can we conduct a war when there is no central authority, the army is not united, its soldiers do not share the same arms, and any terrorist gang can act as the IZL did? It invited journalists prior to the ship's arrival in Tel Aviv to publicize its act of heroism and condemn and disgrace this Government, which wanted those arms for the state. Can we fight in this manner? Tomorrow the war may be renewed. We will all need those Palmah members whom you scorn, Mr. Pinkas and Mr. Weinstein. We must all pray for a unified Army. It alone will be able to protect us. The war effort has been endangered. The IZL ship could have undermined our war effort. That had to be prevented. I believe that the fate of the armed ship was our salvation. IZL is responsible for the disaster. The Government, which was not led astray by misplaced compassion, is responsible for our salvation. Rabbi Berlin's compassion...could cause more bloodshed....Those who can foresee the future must prevent disasters....

We are not seeking revenge. If the matter were over, we would forget it. I am prepared to forgive and forget if IZL abandons its current policies...turning over its arms and military equipment to the Army

and registering for the draft like everyone else. Signing a scrap of paper is not enough. This Government will not sign agreements with anyone. The law of the state is binding on all citizens.

A great deal depends on those of you who have good intentions. You must stop helping those people, and demand...that everybody work together for the defense of the Jewish people....Only if they refrain from actions of this kind can we forget the past. Revenge is unnecessary. We have enough external enemies....That is what the Government has insisted upon.

If the Government...had exercised self-restraint and had not acted as it did, it would have destroyed the war effort and the state. It was preferable that the ship be burnt than that private arms be supplied to the dissidents. I am aware of the value of both the ship and the five thousand rifles, but it is better that the ship was burnt and the arms destroyed than that they reached their destination. The arms could have benefited the Government. IZL refused to turn them over, therefore it is better that they were either sunk or burnt. Blessed be the cannon that blasted that ship. Obviously, it would have been preferable to avoid the use of arms entirely and have the ship delivered intact. However, in view of the fact that this was not done, the best thing was to sink it.

Some people have claimed that the Provisional Government did not have the authority to do what it did. True, this Government is provisional. I hope that we are victorious soon, so that we may organize elections and you will be able to replace it. I am not impressed by Mr. Weinstein's piety on the subject of elections....Nonetheless, it is this Government's brief existence which will determine the future of the Jewish nation for decades, possibly centuries. These few months will determine our fate. If we can cooperate under a single authority and a unified Army, at least for the duration of the war, we will bring salvation to Israel for many generations to come. It is necessary, therefore, that the entire Council unite in support of the Government's struggle against the dissidents, and give its full approval to the action which prevented disaster. The Council must reinforce the Government's aspiration to ensure one Army, one discipline and one authority. If that is achieved we will forgive the dissidents and forget their past sins.

These are the Government's proposals to the Council of State, in contrast to those of Mr. Weinstein and Mr. Warhaftig.

(Mr. Weinstein's and Mr. Warhaftig's proposal to appoint a Commission of Inquiry was rejected. The resolution to consider the Government's proposal to approve the Government's action and appoint a Ministerial Committee at the next sitting was adopted.)

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Altalena Incident—Conclusion and Vote The Situation in Jerusalem

Introduction

Intensive consultations between the partners in the coalition during the night between June 23 and 24 resulted in the tacit withdrawal of the resignations of the Ministers representing the National Religious parties as well as in an agreement to establish a committee which would ensure the unity of the armed forces and their command, and would be entitled to "forgive past sins" once the implementation of these principles had been attained. The vote on the relevant resolution was largely formal, and the debate apparently procedural, but is reproduced here because of its political implications.

Subsequently, a debate was held on the situation in Jerusalem, and this was the first one in which all the Council Members who had been in the city during the siege were able to participate.

Sitting 6 of the Provisional Council of State

24 June 1948 (17 Sivan 5708)
JNF Building, Tel Aviv

The Prime Minister, D. Ben-Gurion: We now proceed to the conclusion of the vote on the subject we discussed in the special sitting held yesterday evening. After that we will continue with the agenda, to which the topic of Jerusalem has been added.

Two proposals were presented to the Council yesterday evening. One of them was rejected, the other was deferred till today. It reads as follows: 1. The Council approves of the Government's actions designed to prevent IZL from bringing illegal arms into the state. This attempt to smuggle in arms constituted a base assault on the sovereignty of the state and a violation of the written undertaking made by that organization on 1 June 1948. The Council agrees to establish a Ministerial Committee to ensure a unified army and command as well as equality in the rights and duties of every recruit. Once these goals are attained, the practice, past crimes in this area will be forgiven.

Another proposal was made by Mr. Lurie. But if the Government's proposal is accepted, Mr. Lurie agrees to submit his as material for the Ministerial Committee.

Z. Lurie (Mapam): I have an amendment for this proposal. I would like to add: "The State of Israel will act in accordance with its laws and

finances regarding deserters, dissidents and persons undermining the authority of the state."

The Prime Minister, D. Ben-Gurion: I would like to consult the Minister of Justice. The issue is clear concerning deserters, but is there any legal significance to the term "dissidents"? Is a court of law able to define a dissident?

The Minister of Justice, P. Rosenblueth: I believe so. The term has become recognized in this country.

Warhaftig (Mizrachi): We heard about the composition of the Ministerial Committee yesterday. I propose expanding the Committee by adding three Council Members. The Committee will then consist of six members, three appointed by the Provisional Government and three by the Council of State. I propose appointing Rabbi M. Berlin, Rabbi I. Meir-Levin and Mr. B. Repetor.... Had the Council of State not been convened now, I would have understood the Provisional Government being satisfied with a Committee of its own. However, since the Council of State was in session when the Committee was appointed, it seems illogical to continue with the subjects on the agenda without enabling the Council to be represented on the Committee. I request that the vote on my proposal precede the other votes.

M. Weinstein (Hatzohar): I would like to know what the Committee's authority will be. I would like a clear and explicit answer.

The Prime Minister, D. Ben-Gurion: The functions of the Committee are two-fold. Its first goal is to guarantee the existence of an authority in this state which controls a unified army, i.e., to ensure that the fourth clause of the Military Ordinance is upheld and that there is equality in the rights and duties of every recruit. Once the first function is implemented the Committee will see to it that all crimes committed in this area pertaining to the Army or the insurrection are pardoned. The Committee will do everything necessary to achieve these two goals.

Rabbi M. Berlin (Mizrachi): Will the Committee deal with matters which occurred in the past? Will it have the authority to demand the material required for its investigation from Ministers, officials and clerks?

Cohen (Wizo): If the Committee is to be expanded, I propose that we include a seventh member, Bebbba Idelson.

The Prime Minister, D. Ben-Gurion: Some additions to the Government's proposal have been suggested. The first is an additional clause and the second is an amendment to the clause regarding the composition of the Committee. One amendment proposes adding three more

members to the Committee, the other proposes adding four, in which case the Committee would include a woman.

B. Weinstein (Hatzohar): I suggest that we split the proposal into two parts, the first being a vote of confidence and the second a roll-call vote.

The Prime Minister, D. Ben-Gurion: This subject does not call for a vote of confidence in the Government! I do not think that the Government will object to a roll-call vote.

Z. Warhaftig (Mizrachi): I suggest that we vote on the proposal clause by clause rather than holding one general vote.

The Prime Minister, D. Ben-Gurion: That is obvious. First I will put the amendments to the vote. Then we will vote on the additions to the second clause. Then we will vote on the proposal. If the proposal to appoint additional members to the Committee is adopted the number and names of the additional members will have to be decided....

The Minister of Agriculture, A. Zisling: I do not believe that the Government's proposal can be divided up. Either it can be voted on as an integral proposal or we can vote on the various proposals. That way additions can be made and the vote taken afterwards.

The Prime Minister, D. Ben-Gurion: If we follow the procedure I have proposed the vote will not be divided up but will pertain to an amendment regarding the composition rather than the function of the Committee. The Government appointed a Committee and the Council submitted a proposal to add its own members to it. This amendment does not contradict the Government's proposal. Whether it is adopted or not, it in no way alters the character of the Government's proposal.

A. Katznelson (Mapai): I understood Mr. Zisling's suggestion differently. I believe he wanted us to vote on the amendment as a separate item.

The Prime Minister, D. Ben-Gurion: When we get to that we will have to check the Council regulations and decide accordingly.

The Minister of Agriculture, A. Zisling: If we are voting on an amendment, I would like to vote first on an amendment regarding content. Accordingly, there should be a preliminary vote on Mr. Lurie's proposal. The Committee will have to act in accordance with the content of that proposal.

The Foreign Minister, M. Shertok: It seems to me that the Chairman has two options open to him. One is to break the proposal down, so that Mr. Lurie's proposal appears as an amendment rather than an addition. Thus, we will vote on the first part, then on the second part, and after that on Mr. Lurie's proposal, each item being adopted or rejected.

Only if the proposal is voted on in full can Mr. Lurie's suggestion be voted on as an amendment prior to the proposal.

The Prime Minister, D. Ben-Gurion: The Minister of Justice has just shown me the clause in the Council regulations which states: "The Chairman shall determine the voting order."

M. Shattner (Mapai): Does the Government agree to Mr. Warhaftig's proposal?

The Prime Minister, D. Ben-Gurion: The Government has not discussed the matter, and I cannot speak for it.

The Vote

Those in favor of appointing Council Members to the Committee	17
Those against	5
(The amendment is adopted.)	
Those in favor of adding three Members	9
Those in favor of adding four Members	12
(It is decided that four Council Members shall be appointed.)	

Rabbi M. Berlin (Mizrachi): If we are permitted to propose additions to the Committee, I would like to suggest one more, bringing the total to five.

The Prime Minister, D. Ben-Gurion: It cannot be changed after the vote has been held. The number we decided on was four.

Rabbi M. Berlin (Mizrachi): In that case I would like to ask whether someone may yield his seat to someone else later on?

The Prime Minister, D. Ben-Gurion: We have not yet reached the stage of discussing names. I will now put the second amendment—Mr. Lurie's—to a vote.

I. Ben-Zvi (Mapai): Would the state be acting in accordance with its laws without this amendment?

The Prime Minister, D. Ben-Gurion: One could say that since the issue is self-evident, there is no need to vote on it.

The Minister of Health and Immigration, M. Shapira: I suggest that we do not vote on subjects which are self-evident.

The Minister of Agriculture, A. Zisling: If there was no need to deal with self-evident subjects we would have nothing to discuss in this

Council. It is obvious that there is a central authority in the State of Israel which is responsible for every military action and defense issue in the country. Therefore, the first two clauses, as well as the Committee and the investigation, are unnecessary. If people want to elect another committee to investigate matters, it must be understood that this will be restricted to an investigation governed by the laws which apply to all the citizens of the State of Israel. All laws are self-evident, yet they are passed nonetheless. There is a passage elucidating the limitations of the Committee within the constitutional framework. The citizens of the State of Israel must be made to understand that breaking the law of the land will not be tolerated.

The Minister of Health and Immigration, M. Shapira: Minister Zisling's suggestion appears to be superfluous. The Committee was appointed to perform certain defined functions. I assume that we will have a basic military code which will include clauses on desertion. Otherwise, desertion may become widespread in the Army. But why must we rehash this issue just now? Surely it will be in our basic constitution. How will this proposal benefit us? In my opinion, it is superfluous. It is better to leave basic constitutional matters to legislators. Our laws should not be passed in this fashion. The subject has been brought before the Council, which will have an opportunity to discuss it, but not in the way Minister Zisling has proposed.

The Prime Minister, D. Ben-Gurion: Since clause 3 (Mr. Lurie's proposed amendment) is self-evident, it is proposed that we remove it from the agenda.

The Vote

Those in favor of removing Mr. Lurie's amendment from the agenda	19
Those against	8
(The proposal is adopted.)	
Those in favor of the first section of the Government's proposal	24
Those against	4
(The proposal is adopted.)	
Those in favor of the second section of the Government's proposal	22
Those against	8
(The proposal is adopted.)	

The Prime Minister, D. Ben-Gurion: The following Council Members have been nominated for the Committee: Rabbi M. Berlin, Rabbi M. Levin, B. Repetor and B. Idelson.

Rabbi M. Berlin (Mizrachi): I would like my name removed from the list. I believe that the idea of the Committee was considered in advance with the intention of including some members rather than others. I have no animosity towards Mrs. Idelson and the circles she represents, heaven forbid, and am willing to sit with her on this Committee. However, I believe that there is no need for the number of members on the Committee to exceed six. It was on that premise that I abstained from the previous vote. If the number of Council Members had not been part of the last vote I would not have abstained, as I am in favor of the first part of the proposal. However, as the number seven was accepted, I opposed it.

The Prime Minister, D. Ben-Gurion: We will respect your wishes. I would like to say, however, that the Committee as a body will not be involved in decision-making. It will only investigate, summarize and submit proposals. I am surprised that Rabbi Berlin has declined to participate in the Committee solely because the Council rejected his views on the number of members. There are now three nominees. We can nominate either one more or a fifth.

The Foreign Minister, M. Shertok: I nominate Minister Moshe Shapira.

A. Stop (General Zionists): I regret the fact that Rabbi Berlin has declined the nomination. I would like to nominate Rabbi Fishman.

The Prime Minister, D. Ben-Gurion: Rabbi Fishman is absent. I therefore propose that the nomination be withdrawn.

A. Stop (General Zionists): I withdraw my nomination.

(The proposal to add four Council Members—B. Idelson, Rabbi I. Levin, B. Repetor and M. Shapira—to the Ministerial Committee is adopted.)

D. Pinkas (Mizrachi): I would like to make a statement. When, with other members, I participated on behalf of the National Committee in negotiations with the leaders of IZL regarding the well-known agreement, the position of the other members was that there should be no Jewish underground under Jewish rule. In my view, this constituted the basis of the agreement. It is quite clear to me that the Government's sovereignty over weapons must be absolute and complete, and that no individual may use weapons which are not authorized by it. However, I was unable to approve of the Government's actions regarding the ship. When the Prime Minister and Minister of Defense failed to answer my

questions on certain important points, leaving doubts in my mind as to the justice of the Government's actions, I voted against approving those actions.

The Minister of Agriculture, A. Zisling: I would like to make a statement. As a Minister and representative of my party on the Council, I abstained from voting on the proposal submitted here. We were prepared to support the Government's proposal *in toto*, whether we were satisfied with its formulation or not. But that proposal was dismembered today when it was submitted clause by clause rather than as a general Government proposal. We opposed the text of the second section from the outset, and this has been reinforced by the sequence of events at this sitting.

Neither my party nor I have any reservations about the appointment of Council Members to committees. We demanded this not only on questions of policy, but also on other topics on the agenda. This time, however, there was a special significance to the request for additional Committee members. The same people who abstained from the vote on the first clause voted on the second one, which determined the Government's freedom to act and appointed additional members to the Committee. Questions concerning the composition of the Committee were raised, as if the intention was to check its orientation. When the proposal was broken up into separate clauses, although my party had withdrawn its proposal at the start of the debate, agreeing to have it investigated at a later date, we tried to amend it with a brief phrase intended to elucidate the subject. But we were told that this was evident from the actual proposal. The same members who were satisfied with the term "self-evident" regarding the first clause (and who abstained from the vote), demand a clear interpretation of the second one (regarding concessions) and are dissatisfied with the term "self-evident." We feel that this gives rise to doubts as to awareness of the danger posed by forces which break their word and threaten the integrity, security and basis of our state.

Although we did not vote against the proposal, we have no intention of supporting the adoption of this part of it, and will continue to fight in the Government and the Council of State to impose the authority of the state on any group intending to destroy or violate it by attempting to organize as an independent force....

Z. Warhaftig (Mizrachi): Let us return to the agenda. As we are about to conclude one section of the agenda, I would like to request a short recess so that I may prepare a statement on behalf of my party....

(The sitting is recessed for ten minutes.)

The Prime Minister, D. Ben-Gurion: We will devote one hour to the subject of Jerusalem, and the remaining time to the other topics.

I. Ben-Zvi (Mapai): I did not request that Jerusalem be discussed in order to furnish you with information, since this has already been supplied. What I would like to do is present some conclusions and offer concrete suggestions.

First of all, I would like to note the heroism of the struggle for Jerusalem, the Yishuv and the whole country; this was displayed not only in and around Jerusalem, but on every front. I will not comment on the heroism which saved Jerusalem from great danger. As you know, Jerusalem was the most forward position and, though badly hit, suffered in silence and held on heroically. The heroism elsewhere may be less well known. Suffice it to say that of those who fell, 20 percent were in Jerusalem, while 80 percent were elsewhere.

There is, however, not only the danger of an attack like the one Jerusalem experienced, without sufficient military support and supplies. There is also the danger of economic ruin. We are already facing economic collapse. Commerce, industry and labor are breaking down. It is enough to walk through the streets of Jerusalem during the truce...to see how ravaged they are. It is enough to visit some of the neighborhoods to feel the desolation of the city. Though one sees people in the streets, everything is silent.

I am sorry to point out that there has been very little communication, coordination or consultation between the defense forces and the public. If we examine the general enlistment for full or partial service, for example, the story of the numerous evasions of military service in Jerusalem is proved to be exaggerated. There were some cases, it is true, but they were few and did not constitute a serious problem. Mobilization in Jerusalem did not correspond with training facilities, nor with the weapons and supplies available. There was an immense waste of time and manpower even at the recruitment stage.

These facts bear witness to the lack of coordination, consultation and communication between the military leadership and the representatives of the public. I protest against this vehemently. Moreover, orders were given by the military command without any consultation with or authorization by the Civil Government, especially with regard to the recruitment of teachers and students....As a result, the upper grades of schools were closed for no good reason. There are fourteen thousand schoolchildren in Jerusalem, and because teachers were drafted the lower grades were also closed needlessly. The tenth and eleventh grades still remain closed. The National Committee, which is responsible for education, ordered the resumption of studies, but since the orders releasing teachers, as well as students over sixteen, from active duty has not yet been put into effect, there are no regular studies in the schools.

The interruption of studies should have been undertaken in consultation with the public, but this was not done. There are no bounds to mili-

tary authority. I do not oppose this in times of war, when wider powers are imperative. But certain things should remain under civil authority, especially in the economic sphere. Such issues should be decided through consultation, but this did not exist.

Some mention has been made of the painful spectacle of plunder in the Jerusalem neighborhoods which our soldiers miraculously captured. This scourge has not ceased, and has caused demoralization. For a long time no one spoke of it, but it is a well-known fact. Demoralization has gripped both the community and the Army. It began as a result of the actions of IZL but also spread to more "respectable" people. This must be stopped. I know that the appropriate orders have been given, but they have not been implemented because the necessary executive powers do not exist. I draw this to the attention of the Council and the Minister of Defense.

There has been a demand for a public committee of inquiry to examine the dreadful events which occurred in Jerusalem. There may have been internal committees of inquiry, but it must be realized that the public is also deeply concerned about the matter. The population of Jerusalem is still upset about the 110 victims of the Sheikh Jarrah incident, when the convoy to the University and Hadassah Hospital was ambushed. This requires serious investigation. Moreover, the population is in daily contact with the refugees from the Old City. This whole affair and the circumstances leading up to it, namely, whether flight was necessary or not, is not only a military issue. Maybe there should first have been consultations, followed by an inquiry. No such committee was appointed, however, despite the fact that the members of the National Committee—who are members of this Council—asked the Government and the Prime Minister to do so. It is our duty to determine whether the failure in the Old City was objectively justified or not, and if not, we must examine the circumstances in order to learn from them. The subject of Jerusalem is not yet closed. We must anticipate a fiercer struggle and greater dangers once the truce is over.

I will not speak here of military matters. Suffice it to say that the limits of the authority of the Military Government must be determined. I do not know whether there is a state of emergency in Jerusalem or not. Nobody knows that. If there is, the local military command must also include a civil division, as is general practice in other countries. If there is no state of emergency, however, that organ must have a constitutional basis. We should not have to face the internal fragmentation resulting from a lack of defined limits to military authority. It has given rise to feelings that we are not adequately prepared for the dangers ahead, and this has a bad influence on both the public and the Army. This must come to an end. There are only ten or twelve days of the truce left.

The Prime Minister, D. Ben-Gurion: If that.

I. Ben-Zvi (Mapai): This cannot be delayed. I ask the Council and the Government to adopt a regulation determining the limits of military and civil government, thereby putting an end to phenomena of the sort we have recently witnessed. A new type of order must be established in Jerusalem without delay.

Rabbi M. Berlin (Jerusalem): I am afraid that the fate of Jerusalem in this Council will be like that of the Hebrew language at the Zionist Congress, that is to say, it is allocated a brief hour, after which it does not regain the position it deserves....I cannot make do with five minutes. I will try to be brief, but I will say whatever I find necessary.

I accuse the entire Government that during the five weeks since we proclaimed our statehood not one Minister has come to Jerusalem to see what is happening there. No one believes all those stories about there being no airplanes and no other way of reaching the city, because, thank God, there were airplanes with supplies which reached us....But not one Minister made his way to Jerusalem throughout those five weeks. It was not even considered necessary to make an airplane available to a resident of Jerusalem so that the city's message could be conveyed directly. And so, for five weeks there was no contact by either letter or telegram. After a radio connection was finally established and many questions asked, the only answer we received was: "The enemy is probably listening." There was no connection, and no one can be blamed for that, but why did nobody come? I make this accusation not on behalf of myself but on behalf of the thousands of people in Jerusalem.

No one knew, or knows to this day, which institution is entitled to express an opinion on the subject of Jerusalem in the political sphere. Six institutions are contending with one another: 1. the Municipality—a legal body; 2. the Community Council—a legal body; 3. the Jerusalem Council—which thinks that it deals with political issues, whether by order or not I do not know; 4. the Executive Committee of the Jewish Agency, which regards itself as the legal body, since two or three of its members have lived in Jerusalem...; 5. a remnant of the National Committee, i.e., 10 of its members who were caught in Jerusalem; 6. a Government representative, i.e., one of the Ministers who happened to be in Jerusalem....These are the institutions, not one of which knows what to do in Jerusalem.

The status of Jerusalem is still not clear. On this issue I would like to say that I feel that a great mistake is being made. We have established a Jewish state—and I believe that this is one of the happiest and most successful events in our lives. Although we know that the resolution of November 29 has already lost much of its vitality (not officially, perhaps, but certainly compared with the spirit of Lake Success), we put our trust in that fateful resolution and proclaimed a Jewish state. How-

ever, we have not yet established a political executive for international Jerusalem.

Let no one suspect that I belittle Jerusalem's sanctity and its right to be our capital, but I am convinced that at present we cannot rule Jerusalem. People are already speaking of one section being under our authority and another under a different one. This no longer sounds like the division between Arabs and Jews that was once spoken of, and seems to indicate allotting one section to Abdullah and the other to the Jews.

The Prime Minister, D. Ben-Gurion: I am bound by the regulations, and your time is up. I can only ask the Council whether it will allow you to continue your speech.

M. Shattner (Mapai): I move that we do not limit Rabbi Berlin to the official time allotted for speeches.

B. Repetor (Mapam): I move that we add to the time allotted for speeches by members from Jerusalem, though not by other Council Members.

(Members from Jerusalem were granted an extra five minutes of speaking time.)

Rabbi M. Berlin (Jerusalem): I thank all the Council Members for their help. What I must say here grieves me, and I am already forced by the time limit to speak too quickly.

Another misfortune afflicting Jerusalem is the panic to leave the city. People are already drawing parallels with Safed. Some even say that if it were permissible to leave the city today scarcely ten individuals would remain. I am not such a pessimist, but it is no exaggeration to say that 50 percent of Jerusalem's inhabitants would leave. The Government can do something to relieve this problem. Many officials of the National Institutions are being moved from Jerusalem. I believe that the number of these transfers should be reduced. Moreover, if officials are to be moved, efforts should be made to ensure that their families remain....They are no better than other people. If they remain in Jerusalem it will not be emptied out with every day and every bus. There will be plenty of time for them to move to Tel Aviv when the situation in Jerusalem is quiet and less fraught than it is now. It is estimated that between 15,000 and 20,000 people have left Jerusalem. This may be an exaggeration, but it is bad enough to know that such rumors exist.

...When an official leaves, the entire neighborhood says: he is an official, he must know why he is leaving; it is a sign that there must be some danger. Officials are regarded as being close to the Government. Not only officials have erred in this respect, the highest echelons of government have done so too.

Spirits in Jerusalem are low. Someone asked me: "Why are the people of Tel Aviv so brave? After a bombing raid they sit in cafes." The man who asked me that is not so simple-minded that he cannot distin-

guish between Tel Aviv and Jerusalem. Apart from the unique mentality of many people in Jerusalem, there is another difference: these people are without food, fuel, water, electricity, candles, radio and newspapers. They lack contact with the world. There is still no regular postal service in Jerusalem. I do not understand why this cannot be arranged. We still have not succeeded in ensuring that telegrams arrive on time instead of after a delay of two weeks. I do not understand why this cannot be corrected. In addition, people are hungry. Gentlemen, I am neither poor nor greedy, yet even I was hungry. Obviously, it is at least as bad for the poorer classes. Bread and water were available in only limited amounts, and the water had to be fetched by the women, whether sick or pregnant. One had to wait in queues for commodities while shells whistled overhead.

The Prime Minister, D. Ben-Gurion: The Council has already heard all this many times. There has been a decision according to which I must now interrupt the speaker, unless the Council revokes this.

(It is decided that speeches made by Members from Jerusalem should not be limited in time.)

Rabbi M. Berlin (Jerusalem): I have not had the opportunity of speaking about Jerusalem for six weeks. Whether you have heard what I have to say or not, may you have the strength to listen once more, and not forget Jerusalem.

The situation in Jerusalem differs from that in other places in the country in yet another sphere. Food is scarce there. History has taught us what this means. Some people have experienced this in the past. As a result, there is fear and anxiety....Jerusalem is blessed by being surrounded by high mountains, but in some ways that is a curse. There is shooting from the mountains, from all sides, at any hour. No one knows where and when he is safe....

I would like to tell the Minister of Defense that I appreciate what was done on the road to Jerusalem—the battles and the opening of the Burma Road....We bless you and your colleagues for your achievements. But this is no justification for what was not done. First of all, the city's official status must be guaranteed. Had there been a properly-worded declaration regarding the status of Jerusalem and its link with the State of Israel, the situation might have been saved. Consequently, I ask you, and the Foreign Minister in particular, to see to it that whenever this subject is discussed, whether by political leaders or experts, someone from Jerusalem is invited to participate. If two representatives are sent, the third should be from Jerusalem. Many people feel that it would be beneficial if someone were to speak on behalf of Jerusalem at Lake Success too, even though Dr. Eliash, a leading Jerusalem resident, is there.

Gentlemen...most of the Jews of Jerusalem are religious. I do not like using this term at all, but there are many people for whom a state-

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ment issued by a religious authority is considerably more meaningful than any political declaration. When we are facing a bitter war in Jerusalem, we must have faith and be confident, so as to not even entertain the idea of a template surrender....An acknowledged religious authority must be involved, though this need not necessarily comprise party leaders. I am glad to say that when we conferred with the Chief Rabbi, Rabbi Dushinsky of Agudat Israel also participated. We recognize him as someone who understands the problems, is devoted to the revival of Israel, and protects the unity of the nation and helps the war effort....If we forbid, we are forced to fight in Jerusalem, let the Chief Rabbi, Rabbi Dushinsky be involved in the political aspect, so that they will be able to tell all those who listen to them: "We have discussed the problems and have concluded that we must fight; we must be ready for battle and sacrifices," rather than having to tell their followers: "Other political matters. Let these rabbis play a part in political matters.

I appeal to you...the leaders of the Jewish state, to come to Jerusalem. You will not make it easier for the city by creating yet another committee, nor by granting political accreditation to one official or another. Instead, help create a suitable political leadership which will include the Chief Rabbi...and Rabbi Dushinsky...who are regarded by the Jews as an authority. Save Jerusalem and do not transfer any moral responsibilities away from it; let their wives remain in Jerusalem together with all the other wives.

...I hope that my colleague in the JNF, Dr. Granowsky, will tell you about the Jerusalem Company. Now, of all times, when there is depression and depression, we must begin to build Jerusalem. Now, at these times, we must prove that we are not surrendering. There have been rumors that the University is leaving and that Hadassah Hospital should be moved. We must tell the people of Jerusalem that we will strengthen the city. Jerusalem is ours. We must begin working with all the strength and conviction to build up the city. Anyone who rebuilds Jerusalem's destroyed areas should be paid twice or three times as much as anyone else. Save Jerusalem! Come to Jerusalem and help give the city a stable political and economic basis. We cannot ignore Jerusalem's plight.

A. Granowsky (Jerusalem): Please try to understand the great sensitivity of the people of Jerusalem when they enter our world, after several weeks of siege, and speak to us about their city. Anyone who did not experience that dreadful period in the besieged city cannot understand the sensitivity of the people of Jerusalem.

During my six days of leisure in Tel Aviv I have learned that I am incapable of explaining everything we have undergone. I would like to raise several issues which, in my opinion, are of great significance for the immediate as well as the more distant future. First priority must be given to supporting Jerusalem, and by this I do not mean flimsy declarations

people of Jerusalem are depressed. Now that the most difficult period is over, the shelling has stopped and the tensions faced by the people of Jerusalem have subsided, depression has set in, and it is growing. The Yishuv is anxious about its future. It does not know what is to come.

This depression has set in because the people felt isolated. It is irrelevant whether this feeling is objectively justified or not. What is significant is that it is shared by a population of 100,000. This feeling can be a great consequence and we must fight it. We must provide the people of Jerusalem with the support they feel they have lacked till now. We must act to make Jerusalem feel that it is an inseparable part of the State of Israel. I am aware of the problems inherent in a political declaration of this sort, but clearly it is essential to proclaim that Jerusalem is part of our state, whether linked to us territorially by means of a corridor or not. This declaration must be made here, and I am certain that all encourage the inhabitants of Jerusalem.

Rabbi Berlin spoke of the danger of people leaving the city. One should not exaggerate the extent of the phenomenon, but nonetheless its extent should not be disregarded. In economic terms, the devastation of the city is terrible. The blow to the city's economy has affected all Jews as an authority. Save Jerusalem and do not transfer any moral responsibilities away from it; let their wives remain in Jerusalem together with all the other wives. The city is doomed to become one of the neglected corners of the State of Israel.

While we were under siege we attempted to do something with our scarce resources. As a result of institutional initiative, an economic company for Jerusalem has been established, and has already established two subsidiary companies. The decision to establish one of those subsidiaries was taken the day before the truce, while the shelling was in full swing. Thus, the Civil Aviation Company, to maintain communications between Jerusalem and the world, was founded. The first company is to erect industrial complexes for developing and strengthening the city's industry.

There is still a great deal to be done. The programs must still be worked out in greater detail. However, this should not be the work of the inhabitants of Jerusalem alone, but of the entire state. I recommend that the Government form a department to deal specifically with the problems of Jerusalem....The people of Jerusalem must participate in this planning and implementation. We want to share in the rehabilitation of the city. We are in dire need of many projects, and, taking the work that has already been done into consideration, I see numerous possibilities. Jerusalem is capable of developing sources of income for a great many people.

There are certain groups of Jews who want to live only in Jerusalem. Therefore, we must strengthen the religious and cultural life of the city.

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There are certain groups of Jews who want to live only in Jerusalem. Therefore, we must strengthen the religious and cultural

institutions of the city, and the University first and foremost. Together with other cultural institutions, both religious and secular, the University can serve not only as an important institution of learning and a great cultural center for the state and Judaism as a whole, but also as an employer and source of income for hundreds of families in Jerusalem. We must strengthen the University immediately, as it is currently in a very bad financial position.

Through three of its committees, the Jerusalem Company has prepared programs, but on our own we are incapable of implementing our vision of a large city of Jerusalem with a strong Jewish population. We need the active participation of the Government of the state. Through the joint efforts of the Government and the Jews of the city, we will be able to put an end to the threat to Jerusalem's future of wholesale departures. What I am demanding of the Government is the creation of a special administrative and economic instrument which will deal with Jerusalem's problems and direct its rehabilitation programs.

S. Kobashi (Jerusalem): I would like to speak about the poverty and the prevailing mood in Jerusalem. I have noticed a spirit of surrender amongst the poorer Jews of the city, caused by the fear of military incompetence as well as economic privation. I know that many poor families in Jerusalem were deprived of bread and water to a greater extent than other groups in the city. I know of families of ten and more members which fled from the suburbs during the shelling and went to live in neighborhoods which seemed safer to them, sleeping on the ground with no one to take care of them. I know of poor families which asked the authorities for help and received no response.

More than the emotional suffering, the prevailing economic hardship robs people of their dignity. We must encourage the inhabitants, especially the poorer sections, so that their spirits do not fall. Their economic situation must be attended to, so that they do not have to endure hunger. If they no longer feel that they are abandoned, we will be able to secure Jerusalem and will not have to fear that people will leave the city.

I know of people who thought not only in terms of defeat but even of surrender. We prevented them from acting foolishly only after a great deal of persuasion. On the other hand, I also know of many people who manned positions, aiding the defense forces and returning home after 24 hours without bread or water. They did not abandon the city, nor did their spirits fall. I ask the Council Members to ensure that Jerusalem's economic conditions will continue to improve, and that the poor be dealt with in particular.

I would like the support to be not only of a political nature, but also to encourage the feeling of security and alleviate the economic anxieties of the poor. We must protect these classes because they are the basis of the Yishuv in Jerusalem. Do not let these people feel besieged within a siege, but allow them to feel that they are an integral part of the

Yishuv....Not enough attention has been paid to the hoarding of food. We must not delude ourselves that this problem will resolve itself.

A. Katznelson (Jerusalem): The day will come when a book will be written about "Jerusalem's thirty days." In Tel Aviv I do not speak to gatherings about Jerusalem during that period because I know that the time is not yet ripe to tell that story....We are only in a period of truce, perhaps a very short one, and residents of Jerusalem know all too well what the end of the truce means. At present we must still hold our peace.

Jerusalem also knew how to hold its peace. Its heroism was reflected in the fact that it suffered in silence. I spent entire days in the stations of blood and tears, and I was surprised to see Sephardi women next to the crushed and mangled bodies of their loved ones without crying. After all, it is known how Sephardi women react to the death of a relative. Tears flowed for the blood that had been shed, but no cries were heard.

...The heroism of women was extremely important at the Jerusalem front. It was supreme heroism. They were forced to move from a normal life style to one known to us only from descriptions of the siege of Leningrad in Russian literature. Our women had to adjust to using wood instead of fuel; they had to build their own wood-burning stoves for cooking inside their homes; they had to use candle stumps instead of electricity; they had to stand in line for water rations during heavy shelling. All this concerned primarily the women, and if we were to award Jerusalem medals, they would have to go first and foremost to the housewives and mothers. Women were the major victims injured by shells because they were out in the streets....In Jerusalem one did not walk. One had to run, because there were no warning sirens when the shelling started....

I will not bring up grudging arguments about isolation, since we knew quite well that the Yishuv was with us. We knew what was being done on the road to Jerusalem, we saw the Palmach battalions and knew what had been done in the Old City and at the Etzion Bloc. There was no isolation with regard to all that. Isolation existed in only one area, the lack of communication with the leadership. Why were military or political district officers responsible for Jerusalem during that period? I ask this with all due respect for their work. Why was there no authoritative military or political leadership which could work in coordination with the local populace (for it too has the right to participate in decisions which concern it)? We could not understand that. Even now this can be corrected only by a Government delegation, which should be sent to Jerusalem for a few days to consult with the residents about concerted action, local organization and the settlement of the relations between the various bodies. Soon it will be too late to correct all this.

We would not have forgiven a foreign government for having deserted us during the siege of Jerusalem, and we will certainly not forgive our own for doing so. Only now, after thirty days of shelling, is the

reaction to the shock to Jerusalem beginning to be felt. The city will not recover quickly, particularly if new upheavals are experienced. Consequently, a tremendous effort must be made to encourage the public, prevent people leaving and recruit all the local forces.

I would say that Rabbi Berlin was privileged to be in Jerusalem during that period. I personally would be unhappy had I not been there then, and I am very glad that I can return there tomorrow, taking with me provisions for the city's hospitals for at least one month. We must begin fortifying Jerusalem immediately. That necessitates unifying forces there, as well as mobilizing an entire team of people, even at the expense of the state, the Government or the bureaucracy. The Jewish Agency building is completely empty, not one room is occupied, except for those used by the Military Government. How can this be? Is this the way to treat the edifice which once housed the representatives of the Jewish people?

Declarations about the future of the city are not important at this moment. We want Jerusalem to be Jewish, just as the state is Jewish. After the resolution of November 29, Jerusalem must be Jewish. We want a Jewish Jerusalem, a Jewish Municipality and internal cohesion, even if this is only unofficially so. But this requires cooperation between Jerusalem and the state, and the path to this has not yet been found. No effort has been made to secure minimal links.

I think that the principal conclusion of this Council should be that Members of the Government should go to Jerusalem for two or three days soon, perhaps tomorrow, while it is still possible and the city's streets are not under constant bombardment (it is not easy to live under a barrage of shells), to give advice on how to fortify the city internally...in preparation for the days to come.

Z. Warhaftig (Jerusalem): The mood in Jerusalem was just as it has been described by the previous speakers, and resulted from a feeling of having been forgotten. This feeling was unpleasant and distressing. It seemed to us that we had also been forgotten in the political sense. The Provisional Government was so busy with the war effort and establishing and maintaining the state, that Jerusalem was forgotten. It seemed to us that our voice was not heard by the world, despite the constant bombing of the city (10,500 shells fell on Jerusalem, 250-300 people were killed and at least 1,500 injured). Perhaps our impression was unjustified, but we were cut off from the rest of the world. We had no access to newspapers. Consequently, we were under the impression that the Government of Israel had not voiced its protest against the monthlong bombardment of the Holy City, and the downpour of shells on men, women and children.

Perhaps it was impossible to mobilize a military force powerful enough to silence the guns of Transjordan and Egypt, supplied by England. Each and every shell, with its British label, caused us to feel that

there was not sufficient reaction by the supposedly civilized nations which claim to revere the city's sanctity. Only two or three days ago I read in the newspapers that Israel's Government had agreed to the demilitarization of the Old City of Jerusalem. I would like to know if this indicates acceptance of a situation in which one part of the Holy City is recognized by all parties as a demilitarized zone while the other is exposed, day and night, to a hail of bombs. It seems to us that we are attempting to protect only that section of the Old City which interests Europe and America...

I want to know whether the Government of Israel is prepared to fix a demarcation line in Jerusalem? The entire city is holy to us. We cannot accept that all of a sudden, after most of our synagogues and houses of learning have been destroyed, the sanctity of the Old City is remembered and its bombardment forbidden, while at the same time the rest of Jewish Jerusalem is open to fire from the sixty cannon surrounding the city.

Not only did we feel forgotten, we also felt discriminated against by the Government of Israel. We feel that this war is our collective war. Every young man who came to us and helped defend Jerusalem raised the spirits of us all. We felt that this was not the war of the residents of Jerusalem alone, but of all of us. Therefore, I would like to know where this discrimination in the field of mobilization originated. We are already recruiting men of 45, whereas in Tel Aviv men of 41 are being drafted only now. If the mobilization of older people is necessary, it must be general policy throughout the country.

We suffered from something else, and this may perhaps have weighed most heavily on us. We were kept in the dark....This must be corrected in future. No matter who the military commander is, he must be in close contact with the civilian leadership. I want to see a change in this sphere and the appropriate orders given.

One of the chief objectives must be to raise the spirits of the inhabitants of Jerusalem. They need support. The courage with which they bore great suffering has already been mentioned. I, too, praise the fortitude of the residents of Jerusalem. But they are, nonetheless, in need of political and spiritual support. I will not make concrete suggestions at this point. But if it were possible to hold the forthcoming meeting of the Zionist Executive in Jerusalem this would be a great encouragement, serving as proof of the fact that we have not given up the idea of Jerusalem as our capital. There is a need for a ceremonial act to show the people of Jerusalem that they do not live in some remote corner, but rather at the center of the nation. Our Sages of blessed memory say that the inhabitants of Jerusalem are the guards of the palace of the King of Kings. I wish the view that the inhabitants of Jerusalem guard the palace of the entire nation would penetrate every corner of the state and the diaspora. Our brethren in the diaspora know that those who live in

Jerusalem guarded it for the sake of the nation. Therefore, everyone must aid and support the city.

E. Dobkin (Jerusalem): May I suggest that the Council of State appoint a small committee of four or five members which, together with the committee appointed by the Government, will discuss all Jewish Jerusalem's weighty problems on a more practical level. It will have to meet frequently and make concrete decisions.

The Prime Minister, D. Ben-Gurion; Where?

E. Dobkin (Jerusalem): In Tel Aviv, at the center of action. The issues which have been raised...concerning Jerusalem's fate should not be discussed in so large a forum. They pertain to both the military and economic aspects of Jerusalem. Therefore, I do not believe that this debate can be fruitful. A discussion must be held, however, as none of the basic arrangements regarding Jerusalem have yet been made.

I returned from Jerusalem today and feel obliged to tell you that only yesterday, after two weeks of truce, the first tomato reached the city. There is no transportation system, fuel or electricity yet, and it is hoped that these will be available by Monday. As to the mood of the inhabitants, when I mentioned this in a different forum someone suggested psychoanalysis to examine what happened to the Jews of Jerusalem, since their feelings seem identical to those experienced in the Warsaw Ghetto. There is no point in assuming this identity of emotions, but nonetheless, Jerusalem's problems must be tackled.

M. Wilner (Communists): There is little point in speaking of the other side of the coin at present, but I do want to emphasize the fact that another side exists. In reporting on Jerusalem, my colleagues have described the heroism of the Jewish population, as well as the somewhat different mood of a significant portion of the city's residents. Despite the suffering, Jerusalem appears to have been the scene of heroic deeds. We must view Jerusalem as part a *de facto* part of the State of Israel. On military and other questions, our policy on Jerusalem must be the same as it would be with regard to any part of the State of Israel, though a part subject to much harsher conditions.

I would like to emphasize the fact that none of the places holy to Christianity in Jerusalem were damaged. Churches are not holy to them. Oil wells and strategic bases are their holy sites. Therefore, there is no sense in appealing to Truman, Marshall or any of the other war criminals. Had Truman wanted to, he could have prevented what happened in Jerusalem, and at least implemented the U.N. resolutions. What happened in Jerusalem must teach us that the current leadership of America and England is no friend of the Jewish world, unless the Jews are willing to accept any criminal act not only against the Jews but against all humanity....

Jerusalem was not only the battlefield of the State of Israel, it was also the front that saved Tel Aviv. This must be brought home to the residents of Tel Aviv. The enemy forces were massed around Jerusalem. It is incomprehensible, therefore, that we conceded the alternative road to Jerusalem....We have heard from Council Member Dobkin that supplies to Jerusalem have not improved during the two weeks of the truce. I believe that this is due to the fact that the road to Jerusalem is under the supervision of observers ostensibly sent by the U.N. but in fact American. The way we tend to accept everything the Americans say is one of the reasons for Jerusalem's suffering and the fact that the situation has not improved during the truce.

The current problem is Jerusalem, but in effect it is a general one. A basic change in Jerusalem's status depends on a change in Government policy as regards requesting aid, establishing friendly relations with those who extend their hand to us and putting a stop to proclamations of our special connection with the West, and the U.S. in particular...which harm our war effort. Our orientation must be towards those who help us in concrete terms and are prepared to extend us political and military aid.

B. Repetor (Mapam): In all probability, had the Government reported to us on its activities regarding Jerusalem, we would have saved ourselves this discussion. I understand, however, that the Government had good reasons for not doing so, and I will not argue with this. The Council did well to hear what its representatives from Jerusalem had to say, which was important for both Jerusalem and the Council. Following the remarks made here, I think we should make several decisions concerning the Government's activities in the field of supplies, transportation, a centralized settlement authority, etc. This should not be postponed, and action should be taken promptly. I propose the following:

A. The Government should apprise the Council of all the issues relating to past military and civilian action in Jerusalem, so that it can discuss them. The Government should also prepare a resolution for the forthcoming Council sitting.

B. The Government should set up a special mechanism for increasing the efficiency of transportation, supplies, equipment and any other essential matter during the truce.

C. The Government should appoint a special committee in Tel Aviv to deal with Jerusalem's...financial and economic problems, construction and defense....

D. The Government should discuss the political future and character of the city immediately, presenting its conclusions to the Council of State.

E. A special financial source should be found to alleviate Jerusalem's most pressing needs and build it up in the future. The Govern-

ment should work towards this objective and inform the Council of its progress.

It is evident that Jerusalem's affairs cannot be left to its 90,000 Jewish inhabitants alone. Taking this political reality into consideration, the Government of Israel must deal with the problems, regardless of the city's political status. Only if the Provisional Government actually deals with Jerusalem will we be able to demand that its Jewish population refrain from leaving, continue to resist hostilities and work to rebuild the city.

The Minister of Agriculture, A. Zisling: Jerusalem was not abandoned as far as emotional support was concerned, although this partnership of emotion may have been imperfect. Though we were aware of what was happening in Jerusalem, feelings are deeper when one is actively involved....Our help was extended with great feeling, though perhaps not with complete success. Clearly, there were both successes and failures. The subject of Jerusalem has been raised not in order to discuss betrayal by the Jews but rather by those who fired shells and, particularly, those who trained and armed them—Britain and its allies. The blood of those who fell for Jerusalem cries out against them....

I agree with Rabbi Berlin's political remarks. Jerusalem is a Jewish city. We protect its Jewishness by recognizing and caring about its character and preventing an approach which is contrary to ours from gaining the upper hand. Jewish Jerusalem will be secure only if a series of settlements are created around it. The corridor to Jerusalem must be settled. The city must also remain Jewish within a framework of international rule. This, in my view, is a better solution than the illusion of a sovereign Jerusalem, which could not be secured under Abdullah, Britain's faithful servant.

I accept what Mr. Ben-Zvi and others have said, but I do not think that Mr. Dobkin's suggestions should be implemented. There is no need for another general committee for Jerusalem. Perhaps one person should be appointed to devote himself to the subject. Jerusalem needs an exceptional civilian political authority, in addition to the military authority. The two need not necessarily be at odds, and could strengthen and complement one another. This should not be restricted to Jerusalem only. The management of military affairs should be interwoven with managing the political affairs of the Yishuv as a whole. If this is not done, both sides are weakened. Jerusalem must be strengthened to the maximum of our abilities. A great deal of effort has already been invested, and this must be augmented by the authorities. People should not be moved from Jerusalem, thereby emptying the city. On the contrary, its population should be increased and the Yishuv within the city and its environs strengthened. We must not institute a system of "hostages," however. Jerusalem must grow, not wither, but if someone is vitally needed elsewhere his specific case should be considered by the local in-

stitutions. Furthermore, if it is decided that he is needed and should leave Jerusalem, his family should not be held hostage there.

We must help Jerusalem. We must strengthen mutual aid all over the country. Poverty has been mentioned, but the degree of suffering of day laborers and others in comparison with those who have means has not yet been fully appreciated. People who had means may not have set aside anything to ease the suffering of others. Even today Jerusalem can still help itself. There is great wealth in the city which was not made available to the Army. This probably also applies to people outside Jerusalem, throughout the entire country, and must be remembered as we implement our future plans. The Municipalities of Tel Aviv, Haifa and other towns...should regard themselves as being privileged to aid Jerusalem....

Jerusalem needs water, and Tel Aviv could guarantee a loan and arrangements to secure a better water supply than is presently available. Haifa, as well as other places which suffered less than Jerusalem, could offer specific aid, in addition to the help given by the Government. The Government must make detailed recommendations for a course of action, and submit them...to the center of Jewish life and the Yishuv in Israel. Whatever the legal form our position may take, Jerusalem belongs to the State of Israel.

The Prime Minister, D. Ben-Gurion: The need of our colleagues from Jerusalem to say what is on their minds is understandable. Whether they expressed it in the proper manner is a different question. I agree with Council Member Katznelson's remark that it was a privilege to have lived in Jerusalem at that time. Most of us did not have that privilege. But the claim that Jerusalem was discriminated against is not true and deprives the hundreds and thousands who were killed or wounded fighting for Jerusalem of their due. Judging by their speeches, our colleagues from Jerusalem do not seem to realize that. The basic problem of Jerusalem is not one of arrangements and provisions, nor is it a political issue. It is rather a question of military capability, of whether we will have the strength, first, to conquer the Old City, secondly, to conquer a sufficiently wide corridor from here to Jerusalem...and, thirdly, to defeat the Arab Legion in the Triangle. Without these three things we cannot honestly say that Jerusalem has been liberated or that the danger threatening it has been averted.

Although securing the integrity of Jerusalem is a primary objective of these actions, the actual battlefronts are largely outside the city. Anyone who had the privilege of living in Jerusalem then should not ignore or belittle the importance of these actions. Military strength alone will not solve all Jerusalem's problems. Once our forces liberate the heart of Jerusalem, the Old City, conquer the areas between Tel Aviv and Jerusalem which are not yet in our hands, and defeat the Legion, a major economic question will arise, namely, how are we to secure a

healthy and expanding economic basis for the inhabitants of Jerusalem as well as for the influx of people into the city? The third problem...is how to supply large quantities of water, fuel, food and materials to Jerusalem while the truce lasts.

These are the three major problems concerning Jerusalem. As for the problem which agitated the Members so much, the internal arrangements, I can only say that whatever arrangement was made was not accepted by Jerusalem. When a single person was appointed an appeal was made. When a committee was appointed an appeal was made. If we set up a Civil Government there will be another appeal. I am not accusing the representatives of Jerusalem. The inhabitants of Jerusalem are extraordinary and I fear that no organizational arrangement will satisfy them, especially as long as we do not control the Old City and the road to Jerusalem, and as long as the enemy can shell the city.

The Government is faced with the dilemma of whether to appoint a Governor of Jerusalem. There is clearly a need for this, but, as usual, it is difficult to implement. If only there were a wise man among us who could come up with a suggestion acceptable to all the people of Jerusalem.

Some things have been accomplished. If, despite shortages and shelling, there was a minimum...of food, this is thanks not only to those outside the city who organized food consignments, but also to the people of Jerusalem. I will not name all those who organized the distribution of food with such ability, devotion and loyalty, but they should be praised. We should not resent the fact that our colleagues from Jerusalem did not make any constructive recommendations. Suggesting that a committee be formed cannot be regarded as constructive advice. At present, our chief objective must be to undertake serious military action to conquer the open area along the road to Jerusalem and liberate the city completely. I hope that this will be done.

The economic development of Jerusalem must be dealt with. Dr. Granowsky is head of the Jerusalem Company, among whose primary functions is the economic revival of the city. This includes bolstering the University and, as far as possible, moving all educational institutions to Jerusalem, regardless of what the city's status may be. Education and culture are "industries" which belong in Jerusalem. Jewish science, culture and art must all meet in Jerusalem, but the organizational problems are difficult to solve. To appoint a Governor of Jerusalem or set up a communal institution there which will be acceptable to all the various circles is no mean feat....In general, Jews accept authority only reluctantly, and in Jerusalem they are even less inclined to do so.

At present, our greatest concern is to maximalize the stocks of supplies for Jerusalem. Whenever they come here, the Members from Jerusalem should remind us, make demands, urge us on and help us.

No stocks can be too large. If fighting breaks out again we cannot let Jerusalem find itself once again in the same situation as at the time of the proclamation of our independence and the subsequent invasion.

Colleagues visiting Jerusalem must tell its Jewish population that it has not been forgotten....There are thousands of young people willing to give their lives for Jerusalem's liberation and redemption. The Holy City is unlucky. King David chose one of the most problematic spots in the country as his capital. The people who returned to Zion in our generation did not concern themselves with creating countrywide links between settled areas and the capital. By a miracle, a Jewish majority was preserved in Jerusalem, and even grew in our time. But a Jewish majority within the city is not enough. Jewish agriculture surrounding the city is necessary, as is a passage to Jerusalem, bolstered on both sides by Jewish settlements. We are now paying for our mistakes. Thus, by means of war we must correct the damage caused by negligence in times of peace. The capacity to correct this lies solely in the hands of our Army, and I hope it will succeed. The process has already begun. We control a passage, but at present it is too narrow. It must be broadened to the north and the south, and agricultural-military settlements must be positioned along it. This can be done for the sake of more peaceful days, and if our efforts are increased they will surely bear fruit.

Our military strength is vital for our existence and our future. Because of its geographical position, Jerusalem's destiny rests more on our military strength than any other place. Jerusalem's salvation depends on recapturing the road to the city, an operation which entails building it as well. Both conquest and construction require a strong fighting and settling force. At present we cannot discuss everything here, even if subjects are not made public. In times of war many issues must be kept under wraps. We must not further aggravate our situation; what we must do is increase the numbers of our fighting men.

I do not understand why the inhabitants of Jerusalem resent the mobilization of men up to the age of 45. The country was also in need of a workforce. Jerusalem required supplies, all of which came from outside the city. Supplies have to be produced, stored, assembled, loaded and transported. Many settlements in the country, as well as numerous craftsmen, laborers, farmers, drivers, mechanics, transporters, etc., participated in this effort for Jerusalem. All Israel was concerned for Jerusalem's economic situation. But we do not want Israel's economy to function only because of diaspora Jewry. There is a need for production and labor, for agriculture, industry and transportation, for construction and seaports. It is our task to sustain the economy. If we want to do this we cannot possibly mobilize all our manpower for the war effort alone. Jerusalem was capable of mobilizing more people in its defense and fortification, and this does not constitute discrimination. We must not present the subject of Jerusalem in contradistinction to the rest of the

country, nor vice versa. We all share a common struggle. Jerusalem suffered more than most of Israel's other settlements, but I would not want to deprive settlements in the Jordan Valley, Upper Galilee, the Negev, the Plain or anywhere else of the credit due to them. They, too, faced suffering, death and destruction, and shared a heroism which will always be remembered with the utmost respect.

The test is not over, and the time has not yet come for the distribution of prizes. There is still a need for an allout spiritual, physical, economic and military effort. Our work is far from perfect. Let us correct our mistakes by means of a shared effort rather than through mutual provocation.

A. Katznelson (Jerusalem): The last time I left Tel Aviv for Jerusalem the Prime Minister told me that the proclamation of Jerusalem as a demilitarized city was being contemplated. He informed me that we had two objectives: to open the road as soon as possible and to defend the agricultural settlements around Jerusalem, but that these contradicted another plan—the demilitarization of Jerusalem. The situation has changed since then. We have paid the price for opening the road, though, of course, Jerusalem would have been worth even more. We have also paid the price for defending our agricultural villages around Jerusalem.

Some days ago I heard from the Prime Minister about the sixty cannon of the Arab armies surrounding Jerusalem. I will not make a military prognosis. I prefer to be optimistic. But in a situation of this kind it is absolutely impossible to run the affairs of Jerusalem, not just strategic questions, from Tel Aviv; just as it is impossible to run the affairs of the entire Jewish state from Jerusalem. This is the reality, and my suggestion is a simple one: there should be no Jerusalem Committee in Tel Aviv. Instead, all the members of the Ministerial Committee should come to Jerusalem for two or three days and discuss things on the spot. The people of Jerusalem must be made to feel that their affairs are being directed by their own representatives, not that they have to wait for a telegram from Tel Aviv which may or may not arrive.

The Prime Minister, D. Ben-Gurion: There is no need to discuss whether members of the Jerusalem Committee will go to Jerusalem. The Foreign Minister will reply on the demilitarization of Jerusalem.

The Foreign Minister, M. Shertok: I suggest that Mr. Warhaftig refrain from accepting everything he reads in the papers as the truth, thereby sparing himself doubts and agitation. A note of inquiry can be sent to the appropriate Minister. There is no need to save questions for the sittings of the Council of State.

I cannot imagine that any member of the Government would deal with proposals on the demilitarization of Jerusalem without consulting the Foreign Ministry. My Ministry knows nothing about the demilita-

rization of the Old City of Jerusalem. Not that there have not been any such suggestions, but the Foreign Ministry has not received them. I do not know who proposed this. It is completely false. This is the answer to the factual question.

What I do know is that in the circles of the U.N. Mediator the idea has been mooted that if his mission on the major issues fails, he may try merely...to achieve the demilitarization of Jerusalem. The idea is not to demilitarize only the Old City in relation to all Jerusalem, but to demilitarize all Jerusalem in relation to the entire country. That is quite different. To date, there have been no concrete proposals, discussions or negotiations on this subject. I am not even certain to what extent this suggestion is realistic. First, the withdrawal of the Arab Legion from Jerusalem must be demanded. Only then could one discuss the internal demilitarization of the city. If a proposal of this kind were to be made seriously, the Provisional Government, in consultation with the people of Jerusalem, could discuss it and reach a decision. But no such proposal has been made.

The Prime Minister, D. Ben-Gurion: As whether Jerusalem is part of the state or not, I would like to say that at the moment there are areas borders acceptable to all sides are fix with international approval, we are talking about the boundaries of Jewish government. Jerusalem within them (though, to my great sorrow, without the Old City at present), just as Tel Aviv is. There is no different between Jerusalem and Tel Aviv or between Haifa and Hanita. They are all within the boundaries of Jewish government.

Government's Reply to the U.N. Mediator's Proposals

Introduction

On June 28, after several weeks of intensive work at his headquarters on the island of Rhodes, the U.N. Mediator, Count Folke Bernadotte, conveyed to both sides his proposals for the settlement of the Palestine question and his request that only authorized representatives meet with him in Rhodes for further negotiations. On July 3, the Arab League refused to send such representatives and, by way of a counterproposal, returned to the original Arab demand for a military state in Palestine with adequate protection for the Jewish minority. The Government of Israel also decided to reject the proposals as a basis for discussion. Before presenting its official reply to the Mediator, the Government presented the draft to the Council of State for discussion in a closed sitting.

Sitting 8 of the Provisional Council of State

5 July 1948 (28 Sivan 5708)
JNF Building, Tel Aviv

The Foreign Minister, M. Shertok: This sitting has been called to discuss the Government's reply to the proposals of the U.N. Mediator, Count Bernadotte. Although the details of his proposals have appeared in the press, I do not think I am exempt from giving a brief account of them....I must preface my remarks by saying that the Count took care to stress that these were "tentative proposals." They are only ideas, thoughts and guidelines, which he proposes that we discuss in order to solve the problem....Either side may submit counterproposals, not necessarily linked to the original ones....The Mediator is seeking to fulfill the mission with which he has been charged by the U.N., i.e., to help us reach a peaceful solution and extricate ourselves from the Palestine quagmire.

His proposals consist of nine sections. In the first he suggests that the territorial unity of Palestine and Transjordan should be clarified. He calls this "the original territory of the British Mandate in Palestine." This territory, comprising Palestine in the west and Transjordan in the east, will consist of two units. In this text the words "members" and "units" are used, and "state" does not appear, although what is meant, as was explained to us verbally, is two states. In order to

make things easier for the Arabs, however, the Count saw fit to omit the word "state."

In the second section he suggests that the borders of the two units be determined through negotiations between the two sides, with the Mediator's aid and in accordance with his proposals. This section is important both for what it contains and for what it does not. It does not mention the borders determined in the resolution of 29 November 1947, and in general there is no mention of that resolution in any of the proposals or the accompanying documents. In spite of this, the contents of this section are important, stating that negotiations are to be conducted by the Mediator and in accordance with the guidelines he proposes. These appear in the appendix to the text.

The third section determines the functions and aims of the alliance between the two countries, the two units together representing a "union," with certain goals and functions. The goals are to develop common economic interests, to administer joint economic services (customs, for example), to implement joint development projects and to coordinate the foreign policy and means of defense of the two countries.

The fourth section determines the administrative organs of this alliance, referring to the Joint Council or other organs which the two sides agree to establish.

In the fifth section the powers of the two countries are discussed, taking into account the possibility of a treaty between them which will regulate their relations and determine joint responsibility and mutual links. Subject to the provisions of the treaty, there will be total freedom for each side in matters which specifically concern it, including foreign affairs.

The sixth section discusses the question of immigration. Initially it was decided that immigration was one of the subjects which would be dealt with separately by each side, but this was gradually restricted. It is proposed that two years after the finalization of this arrangement (prior to this immigration will be open, as each side determines) each side will be permitted to bring a proposal before the Joint Council, enabling the latter to discuss the immigration of the other side. If the Council is unable to reach a decision on this issue it will be transferred to the Economic and Social Council of the U.N. The document does not mention the composition of the Council, although it was explained to us verbally that it would be based on parity. If the two sides are unable to reach an agreement, the Economic and Social Council will mediate the question of the extent of immigration, taking into account primarily the absorption potential, and the resulting decision will be binding. It was noted in the verbal explanation that no arrangement has yet been fixed for implementing this decision, in other words, the obligations of the document are purely moral. The written document contains the phrase "would be binding," however.

The seventh and eighth sections deal with freedom of worship and conscience and the protection of the holy sites. The ninth and last section is of vital importance. It determines that the people who left their homes and villages as a result of the disturbances in the country will be able to return to them and reclaim their property. That is a summary of the nine written proposals.

As I have said, attached to the document is a shorter document discussing the question of the borders. It is actually an appendix to the second section, in which guidelines are determined for negotiations on the borders. It can be inferred that the point of departure for these suggestions is the program of the November 29 resolution, although it is not specifically mentioned, and what appears here actually amends it.

Section One mentions: "the inclusion of the entire Negev or any portion of it in the Arab territory."

Section Two mentions: "the inclusion of all or part of Western Galilee (the borders of which are undefined) in the Jewish territory."

Section Three discusses Jerusalem and contains an assumption unlike any which has ever appeared in a non-Arab international or British document regarding the future of Palestine to date. It states that "the city of Jerusalem," i.e., Jerusalem and its environs, will be included in the Arab territory, with municipal autonomy for the Jewish community and special arrangements to protect the holy places.

Section Four, which pertains to Jaffa, mentions "consideration of the status of Jaffa."

Section Five states that a free port is to be established at Haifa which will encompass the refineries and the oil pipeline terminals.

Section Six refers to the establishment of a free airport at Lod.

These are the six sections dealing with territorial issues. They appeared in the newspaper in a somewhat garbled fashion, but for the sake of accuracy I repeat that there are nine sections in the document determining principles of policy and administration. The appendix attached to Section Two determines guidelines concerning the negotiation of territorial issues.

These two documents are accompanied by another two papers. The first is an introduction, in which the Mediator explains his approach to the subject and his efforts to take the interests, aspirations and fears of both sides into account. He also mentions his attempt to review things from a balanced perspective in view of the realities of the existing situation. He reached the conclusion that neither side can be expected to cede the principal interests it is protecting, but also that they share certain common denominators. Both agree that peace is preferable and that they share certain economic interests. He explains that these proposals are not binding and are rather an opening for negotiations, each side being free to offer suggestions of its own. He is prepared to devote time to negotiations if there is a point to them. If there is not, he will immediately

convey that fact to the Security Council, to which he reserves the right to submit his own conclusions. Attached to that document is a personal letter to the Foreign Minister in which he suggests how to conduct matters while discussing the issue. He suggests that after the Government has discussed it, I or another Minister visit him in Rhodes, where we will conduct talks for two or three days. He urges us not to reject his proposals hastily and asks us not to publish them or our reactions to them until we meet him and speak with him.

The Government discussed all this and decided that since the Arabs have refused to go to Rhodes, insisting that the Count go to Cairo (especially after the proposals were published unofficially), no Government representative will go to Rhodes. The Count is coming here today and was prepared to meet us this evening, but because of the Council sitting our meeting will take place tomorrow morning. The Government has discussed the subject at length and has formulated its decisions. There were virtually no differences of opinion regarding the conclusions to be transmitted to the Count. The written material submitted to him will serve as a basis for oral talks.

In our reply...we first express our surprise at the fact that nowhere in the entire document and the accompanying papers is the historic resolution of the U.N. General Assembly mentioned. That resolution endures to this day, constituting the sole international judgment valid today regarding Palestine....We continue by expressing our regret that the proposals do not take into account two inescapable facts which have been established in the country and remain firm, namely, the existence of a sovereign Jewish state, as determined by the U.N., and additional territorial changes arising from our success in repelling the attacks of the Arabs....

The U.N. resolution of 29 November 1947 was reluctantly accepted by the Jewish world as a compromise involving sacrifice and major concessions on our part, since the territory allocated the Jewish state was regarded as minimal. It cannot be reduced any further. On the other hand, we acknowledge that the territorial plans of the November 29 resolution regarding the Jewish state are now subject to change, in view of the threat to the peace and integrity of the Jewish state from the Arab attack, and our subsequent achievements in repelling it.

We also note that the territorial arrangement determined in the U.N. resolution rested on the partition of Western Palestine between the Jewish people and the Arab population. By proposing the incorporation of the Arab part of Western Palestine in the territory of a neighboring country, the Mediator alters the entire basis of the U.N. resolution and the whole issue of borders. We do not intend to hold discussions on this issue, we state this as a fact.

With regard to the sovereignty and independence of the State of Israel, we maintain that the Provisional Government of Israel cannot ac-

cept any restriction of the independent rights and complete sovereignty of the state. It continues to aspire to good relations, peace and cooperation...with its neighbors. The international arrangements required to give validity and expression to these policies cannot be forcibly imposed on the State of Israel, but can come only through free negotiations between sovereign countries....

...The Mediator's suggestions regarding an economic union...also mention the coordination of foreign policies. We maintain that the representatives of the Jewish people agreed to a specific economic union when they accepted the November 29 resolution, and we are prepared to honor that agreement provided all the foundations on which that plan is based are maintained. The Mediator's proposals contain no such assumption, and he proposes an entirely different mode of cooperation. It should be added that the partner for the proposed economic union is not the same as in the original plan. The changes concern geography and political identity, and we cannot maintain that agreement with the new partner. The State of Israel reserves the right to form an economic alliance with any nation or country of its choosing, without reservations. It will make use of these sovereign rights to determine its relations with its neighbors.

We place particular emphasis on the question of immigration. We adamantly oppose any restriction of Israel's independence and sovereignty regarding immigration. The absolute freedom to determine the dimensions and composition of immigration was seminal to the Jewish nation's claim to independent status and the place the international forum has accorded us. The world has recognized the right of the Jewish nation to a state, and there is no question of the Government of Israel agreeing to a reduction of its rights in immigration issues or to partnership with any country or international body on this question.

On the subject of Jerusalem, we assert that we were distressed by the suggestion that we should abandon Jerusalem to Arab rule, and we regard this as potentially disastrous. To propose surrendering Jerusalem to Arab rule as a contribution to a peaceful solution attests to a complete ignorance of historical facts and basic realities. It ignores Judaism's historical bond with Jerusalem, as well as Jerusalem's special place in the life of the Jewish people today. It also ignores the fact that at the time the disturbances broke out, the Jews comprised two-thirds of Jerusalem's population, and this proportion increased after the Arab exodus. Furthermore, it ignores the fact that all New Jerusalem (apart from a few pockets) is now in our hands. It disregards the fact that after discussing the subject at great length, and as a result of complete unanimity among the Christian nations, the U.N. decided that Jerusalem should be placed under international rule. The Provisional Government informs the Mediator that the Jewish people, the State of Israel and the Jews of Jerusalem will never be reconciled to the attempt to impose

Arab rule on Jerusalem, regardless of what the municipal autonomy or accessibility to holy sites will be, to the extent that these can be formally assured. It will oppose the imposition of Arab rule with all the means at its disposal. We regret to say that this astonishing proposal, which is in conformity with all Arab aspirations and grieves every Jew, will inevitably have an effect contrary to what was desired—bringing peace to Jerusalem.

We will confine ourselves to major points in our reply, there being no need to go into details. We can only hope that our rejection of the Mediator's basic assumptions will lead him to change his approach. Our reply is based on the assumptions and decisions of yesterday's Cabinet meeting. In this area everything was adopted unanimously, and our reply will be submitted in writing at the beginning of the talks, if the Mediator holds them. We have nothing to add to this letter, though if the Mediator requests this, we will explain our position in greater detail. Questions may arise on subjects which are not covered in this document. The Government has clarified these points and indicates what its reply will be on, for example, the return of the Arabs, the question of Jaffa, the exchange of territory, etc.

Something has changed since the last Cabinet meeting, and although it has not reached this Council, it has already appeared in the newspapers. Today we received two documents from the Count asking us if we were prepared to extend the truce. In one document he asserts that failure to extend the truce will create an adverse impression on the world, and will probably provoke a resolution by the Security Council to take steps regarding the situation in the country. The other contains a proposal to begin talks on the demilitarization of Jerusalem. It is preventing the entry of armed forces or weapons, not their removal, which is discussed. We must consider what is not mentioned in the document. We were told verbally that the Mediator publicized this. There is also a proposal to demilitarize Haifa port and the refineries.

I see no point in going into these proposals. We know that the Arabs rejected them and made counterproposals, the nature of which we do not know, although we can assume that they repeat the demand for Palestine as an Arab state, with no recognition of the Jewish state, and for "an autonomous Jewish state" within the Arab state. The Mediator will undoubtedly rely on the Arabs' rejection of his proposals as proof of his objectivity and neutrality....We will have to stress that this means nothing, as he is now aiming for a compromise between a compromise, on one hand, and absolute opposition to any compromise, on the other.

We see clear traces of the influence of the British Foreign office. This conclusion can be reached by independent analysis and need not be based on rumors from across the sea. However, we recognize the source of these suggestions, which appear to be based on recognition of the Jewish state, but include restrictions of its sovereignty in the areas of

economy and immigration, as well as territorial exchanges in the Negev and Western Galilee, involving a substantial reduction of the territory of the state. Although we have heard that the U.S. State Department does not support these proposals, we know that certain circles there are giving serious consideration to the idea of exchanging the Negev for Western Galilee.

We will now hear the Council Members' views on our reply to Bernadotte. I would like to suggest that the Chairman and the Council Members not confuse the issue of the proposals with that of the truce. I say this because the last Cabinet meeting was held yesterday evening, while the suggestions on the demilitarization of Jerusalem were received only today, and the Government has not yet discussed them.

The Minister of the Interior, I. Greenbaum: ...I would not have taken the floor had it not been for the issue of Jerusalem. I was the last Minister to leave the city to participate in the work of the Government. The period between the departure of the British and the truce were historic days for Jewish Jerusalem, which determined its attitude to the problems of its existence and future which are on the agenda today, and which must be dealt with differently than in the past. If I say that the covenant of blood between Israel and Jerusalem has been renewed, that is no exaggeration....It is inconceivable that the blood shed in Jerusalem has been shed in vain. At the start of the war which was forced upon us I told my friends in the Zionist Executive that Jerusalem cannot be Jewish because Christendom will not allow it and our forces are unable to defeat those of the Christian world in this area; it is also inconceivable that Jerusalem will become an Arab capital; thus, the result can only be the internationalization of Jerusalem.

Meanwhile, Great Britain presented Jerusalem to Abdullah, bringing his forces, followed by the Egyptian Army, to the gates of the city and leading the siege of Arab armies thirsting to conquer it. A Christian country with great influence among the churches not only did not want to fight for an international Jerusalem, but proved by all its actions that it wanted Jerusalem to be a Moslem city. The rest of the Christian world, most of whose representatives at Lake Success spoke loftily of the importance of Jerusalem to the Christian world, did nothing to prevent Britain surrendering Jerusalem to the Moslems. Even the Pope did nothing.

The conclusion is simple: Jerusalem is not important to the Christian world, which does not want to fight for it, whether in military or political terms. Thus, all the arguments to internationalize Jerusalem are overturned. The choice is not between international Jerusalem or Arab Jerusalem, it is between Jewish Jerusalem or Arab Jerusalem. That is the reality, if we ignore empty phrases intended to mislead us and bring about the surrender of Jerusalem to the Arabs.

It has also been made clear that without a land approach, Jerusalem cannot exist. Jerusalem cannot remain an island in an Arab sea, with-

out real contact...with the rest of the State of Israel. Our need for a bridge is vital...It is inconceivable that we will once again have to fight for a road to Jerusalem, while anyone who wishes to can cut it off. I maintain, therefore, that one thing is missing from our reply...—the assertion that the U.N. resolution has been violated and the proposal to internationalize Jerusalem is null and void. We must demand a land bridge between the State of Israel and Jerusalem, and that Jerusalem be included within the borders of the Jewish state.

M. Wilner (Communists): ...This is the first time that we are assembled to discuss an important decision before it is implemented. The issue we are facing is not one of Christians, Moslems or Jews. It concerns a war of national independence against foreign imperialism whose concern with religion is a sham. It is concerned with oil, military bases, a new world war and the subordination of nations—that is its religion.

The Foreign Minister is surprised that Bernadotte's proposals do not mention the resolution of November 29. Was this not clear? Were the Council Members not warned not to go to Rhodes? Was it not obvious that this was a trap? Initially we were on the offensive in the political arena....Now that we have begun to talk, we have cooperated in bringing about our political defeat and are now on the defensive. Whatever Bernadotte makes public becomes a fact, and all the press agencies report that there are important officials in the American and British governments who support those plans. Bernadotte is not a representative of the U.N., he is an agent of England and America working against us. There is no cause for surprise. Several Council Members realized beforehand that this would happen. We are subject to Bernadotte and his masters, and how different our international position is today from what it was immediately after November 29!

Bernadotte is not proposing that Jerusalem, Haifa and the airport at Lod be given to the English. He is suggesting that they be given to Transjordan. Behind this, however, is Bevin and Britain. Let's call a spade a spade. He is actually proposing that we bring back the hated British, at whose hands we suffered so greatly....They want the new subordination of the peoples of Palestine as well as control of the country. Hence the alliance with Abdullah, who is tied to Great Britain. The same applies to immigration and almost all Bernadotte's proposals. The entire plan is unacceptable.

The Government claims that Bernadotte's proposals are bad, but sinks deeper into the mud anyway. How much longer will this go on? The time has come to announce that the Bernadotte episode and the Anglo-American comedy must come to an end. We must not forget that it is an election year in America. After the elections the U.S. will show us a clenched fist, just as Bevin is doing now. Bernadotte was sent not to

bring peace but to drag the problem out until after the American elections and further complicate the political situation in our disfavor.

I agree with the Government's opposition to Bernadotte's proposals, but I cannot relate to it seriously if at the same time we continue on the path which led us to disaster, namely, conducting negotiations with Bernadotte, the agent of our enemies rather than the U.N. His actions are contrary to the U.N. principles, the U.N. resolution and our national interests. I propose that the Council resolve to oblige the Government to end negotiations and ask the U.N. to declare that after the attempt at a truce, the Mediator's behavior and his provocative proposals against the Jewish people, there is no point in continuing negotiations—unless something is being prepared behind the scenes which has not been mentioned here.

We cannot wait for others to extricate us from the political quagmire into which we have sunk....Ideas which were proclaimed for years are now waiting to be fulfilled. Where is our national sovereignty? Where is our national independence, now that we are confronting Bernadotte, or rather America and England? Obviously, if the Foreign Minister has stated elsewhere that we have a "Western orientation" he may well agree to give the port of Haifa and perhaps the airport at Lod to the Americans tomorrow. I do not know what a "Western orientation" means, but if we want true independence for the State of Israel, we must decide tonight that only the Security Council can discuss the situation in the country. It does not have to discuss the solution to the Palestine problem, which was solved on November 29, and we must return to that base, despite American and British pressure and all the mediators who are attempting to threaten and persuade us.

We will continue to support the war effort of the State of Israel with all our might. But despite our participation in this Council, we are not responsible in any way for the current foreign policy of the Government of Israel. We propose ending the negotiations and gearing all our activities towards mobilizing our forces and obtaining the friendship of those Arabs whom the governments of Egypt, Syria, Lebanon and Iraq outlaw unjustly because of their opposition to the war against us and their demand to recognize the State of Israel. We must make a friendly alliance in order to obtain weapons....I propose a nonaggression pact with every country, on the basis of cooperation and equality, with no interference in the internal affairs of the State of Israel on immigration or any other subject. I believe that they will respond to this appeal. That will constitute a neutral orientation, just as you all wanted. Our friends who are interested in the success of our war will make a pact with us. It is not by chance that England and America promised this oil plan to Bernadotte. He did not invent it himself. He has advisors and mentors. It is not by chance that they suggested these plans. They are preparing a

new war, which they will base on negating the independence of countries and nations.

We, the Jewish people, being better-acquainted with the agony of war than any other nation, need not repeat the mistakes of the past by being neutral in the struggle for peace tied to our struggle for independence, as well as those of other nations. We must prepare for war by mobilizing our forces, if we honestly intend not to surrender, and we must make alliances with the countries which are genuinely prepared to help us.

A. Altman (Hatzohar): Gentlemen, there can be only one reply to the suggestions which have been published and which we have heard: there is nothing to discuss....After proposals of this kind there is no point in talking. The idea of talks has already been discredited....

However, we cannot be satisfied solely with giving a negative answer. We must determine our position today, for the benefit of all those involved in discussing the future of the country (the U.N. or anyone else) so that they know what there is to talk about. The nation and the world must know that. First of all, they must know that the November 29 resolution no longer exists and we are not bound by it —

M. Wilner (Communists): That is what all our enemies say.

A. Altman (Hatzohar): —because our agreement, as the Foreign Minister has remarked, was a difficult compromise, to which only some of us agreed. Bernadotte does not base his proposals on that resolution, although he speaks on behalf of the institution which adopted it. The Arabs, for whom the compromise was made, do not agree to it. Therefore, there is no cause to adhere to it.

Regarding the proposals and the reply to them, the Foreign Minister said that something new has surfaced. In the past Partition referred to the division of Western Palestine between us and the Arabs. Today Bernadotte speaks of Palestine as a single unit encompassing both banks of the Jordan. Some conclusions must be drawn from this, namely (and I am speaking for the supporters of Partition), to make the minimal demand for Western Palestine. If our partner today is Abdullah rather than the Mufti, that must be the minimum. That also leaves two-thirds of Palestine in Abdullah's hands. The amended territory and borders must encompass Western Palestine at the least, from the standpoint of those who support the Partition Plan.

Secondly, we must determine fundamental guidelines for our own actions. We must realize that we have a state in the Land of Israel, we have a Government and we have territory—all this as a result of the war which was waged and is still being fought here. Therefore, we must understand that what we have now is a result of our victories, not of the Partition Plan. We will capture the rest gradually. But we must be wary of one obstacle: in all the truce proposals, Bernadotte's included, it must be made clear to Bernadotte and the Arabs that we understand what the

real situation is in the country. If the Arabs feel that we are weak, they will prolong the war in order to conquer the entire country. If they feel that we are strong, they will be unable to do that. We must be bold, therefore, especially in view of Bernadotte's provocative proposals...and take a firm stand, so that when a truce is discussed they will not be able to rely on a positive response from us....The developments indicate that the problem will be resolved by war. It is a difficult thing to say, but it is true. Either the Arabs are stronger and will defeat us, or we are stronger and will defeat them.

One thing we must emphasize and clarify for the whole world is the subject of Jerusalem. After Bernadotte revealed his true character by having the gall to ask us to hand Jerusalem over to Abdullah, we must proclaim that Jerusalem is ours. All the areas we have conquered till now are ours, and Jerusalem is an inseparable part of the state, the capital of the country.

We do not know what tomorrow will bring. We must mass our military forces, in case the truce is violated, and we must be prepared to be the deciding factor on the Jerusalem front. In my opinion, victory in Jerusalem will determine the outcome of the war in the rest of the country. With that we will solve the whole problem and end the war. Jerusalem is the key to everything. The Jews of Jerusalem must be made aware of this....By taking a firm stand and making our demands clear we will gain victory, either through war or through political developments, because the international situation is in our favor. Major world forces support us. If we insist on our rights, they will be accepted, just as the idea of a Jewish state has been accepted. The price must be raised today, even from the standpoint of the minimalists.

Z. Warhaftig (Mizrachi): I concur with most of the Government's reply, but I would like to add some comments regarding the talks which will be held. I believe that in any negotiations the political value of the November 29 resolution must not be forgotten. I think that this is important for all the negotiations. Although Bernadotte's proposals do not mention the resolution of November 29, they are indelibly marked by it from beginning to end. It was not mentioned because of Bernadotte's relations with the Arabs, who do not want to hear about it, but his proposals were simply an adaptation of it. In our negotiations, therefore, we must rely on the resolution, appearing as the defenders of the U.N. against the U.N. Mediator who seeks to distort the binding resolution....

Mr. Greenbaum mentioned the approach road to Jerusalem. We captured an access to the city, and since we stressed in our reply to Bernadotte that he has failed to take into account facts which were established after the November 29 resolution, it must be emphasized that we captured the access to Jerusalem by force of arms, and although it is limited we will not give it up. I believe that we should raise the subject of the Arab refugees rather than skipping over that section....I see no pos-

sibility of our agreeing to return them to their former homes. If border changes were to be proposed, we could introduce the subject then, insisting on border changes or territorial expansion in return for our release from the obligation to take the Arab refugees back. On the other hand, we must immediately devise a plan to resolve a problem which has been on the agenda for many years—the transfer of population. We often deferred it, thinking that it...was impossible from a democratic point of view to force them to uproot themselves. But now that the Arabs have moved of their own volition, we should adopt a plan to resettle them with the aid of international capital and the U.N., and in return we will receive the Jewish population of the Arab countries, which is persecuted more than ever now because of the Palestine problem. This is what happened in the Greek-Turkish transfer....We must present the problem of the oppressed Jewish population of the neighboring Arab countries as offsetting the problem of the hundreds of thousands of Arab refugees who left our state and whom we see no possibility of reabsorbing. We must demand that the Mediator consider a population transfer, supervised and funded by the U.N.

B. Repetor (Mapam): The Foreign Minister said quite rightly that the U.N. resolution was a painful compromise....Whatever decision was made then, we did not accept the fact of partition as appropriate for Jewish consciousness or fitting the needs of the Jewish people. We regarded it as inevitable, however, and as a basis for continuing our struggle. We hoped that establishing our political existence, as well as an economic alliance, cooperation and relations with the Arabs, would enable us to return to an undivided Palestine in the future. But anyone who believes that on the basis of Count Bernadotte's proposals we can take our struggle beyond the U.N. resolution is mistaken....We cannot wage our war while at the same time contending with proposals which threaten our territory and independence, the sovereignty of the State of Israel and the unrestricted right to Jewish immigration to this country.

These proposals undermine the basis of the U.N.'s recognition, encourage the British and seek to move us back into the cycle of imperialist spheres of influence. The Foreign Minister has told us something of the proposals, but we cannot accept anything which involves reducing the Negev, changing the status of Lod and Haifa, Arabizing Jerusalem, limiting freedom of immigration to two years and establishing an economic union which is actually servitude....I hope that the Foreign Minister will bring the details of the proposals before the Council of State, so that it can discuss them and decide on the continuation of the negotiations.

The source of the proposals (as the newspapers and the Foreign Minister have indicated) is England and America, and we have to keep that in mind in assessing them. Although I accept the Foreign Minister's conclusions, I wonder why the expression of opposition to the Mediator's

proposals omits to mention other topics. For instance, why was nothing clear said on such a fundamental issue as the reduction of the Negev, which is the future of our settlement activity and the foundation of our independent existence and future immigration...? The intent behind Bernadotte's proposals, which originate from Britain and America, is to establish military bases and reinstate British forces in order to rule our state and negate our independence. It seems strange that our reply contains no clear, unequivocal answer regarding our complete opposition to any territorial reduction in the Negev.

Another thing which was missing from the Foreign Minister's proposals was a firm answer on economic alliance with Abdullah. I will not go into details. It is perfectly clear to us that this alliance means the reinstatement of British rule and the reintroduction of the British Army into our country via Transjordan. Despite our fervent desire to live in peace with the Arabs in an economic alliance based on the U.N. resolution, there is no chance of an economic alliance with a vassal state supported by the British, who continue to seek control in the Middle East and ways of negating our independence and national sovereignty....

On the subject of Jerusalem, we reconciled ourselves to the U.N. plan to internationalize the city, but now we are presented with a proposal whose objective is clearly to Arabize it. It is common knowledge that our link with Jerusalem, and the fact that we have captured positions and shed precious blood there, will not allow us to accept this objective. The Foreign Minister said correctly that the Mediator's proposal that there should be no bombing of the refineries or the port at Haifa shows concern for British interests there rather than for the welfare of the residents of Hadar Hacarmel... We know what we went through from the day the British flag was lowered and the Hebrew flag raised at the port of Haifa. It had a real, not just a symbolic, meaning for us. Haifa is the city of the future, a city which can absorb thousands of Jews, a seaport with the potential of providing thousands with employment. Bernadotte's hints imply that Haifa will not be independent. The same applies to Lod. In addition, Bernadotte proposes that the right to immigrate freely to the State of Israel should last only two years. It is clear, therefore, that these proposals are unacceptable.

I am satisfied with the Foreign Minister's announcement of the Government's decision. In addition, I propose that we stress our absolute opposition to any reduction or expropriation of the Negev (which is included in the State of Israel by the U.N. resolution), due to its importance for future development, immigration and settlement, and the fact that any reduction of our sovereignty over it is intended to help establish British military bases. We must also express our adamant opposition to Abdullah's rule over any part of Palestine... If that British vassal were to rule part of Palestine this would be completely opposed to the U.N. resolution regarding the establishment of an independent Arab state in

part of Palestine, that being the only state with which the State of Israel is prepared to establish an economic union.

The Council must accept the Government's proposals as a basis. I regard Bernadotte's proposals as being anti-Zionist and intended to weaken us. We must prepare for a political struggle with the Security Council, following a political struggle with the Mediator, the basis of which is the U.N. resolution of November 29. We must rely on our own strength, on the continuation of our struggle and on the mobilization of our resources. We must devote all our efforts to surviving, as well as sustaining our achievements in this political and military struggle.

Y. Kosoï (Mapam): ...I agree that we must repeat the basic assumption that we are fighting for our independence and our sovereignty, and will do so to the end. However, at any moment we are prepared for peace which will guarantee full independence for our state and everything which that implies. Because of the gravity of our situation, we should refrain from delivering our routine, seemingly extremist speeches, which do not reflect the content of our war or our efforts to reach a secure and honorable peace.

Bernadotte's suggestions regarding Jerusalem reflect the objective of establishing a solution which accords with the desires of the British. I would like to tell Council Member Wilner—who was overhasty in including America in his calculations—that we still wish to gain American support for our opposition to these proposals. We should not attribute acceptance of Bernadotte's proposals to the U.S. That is not politically wise.

We should not accept the Minister of the Interior's view on the subject of Jerusalem. By proposing the sole alternative of Jewish Jerusalem to Arab Jerusalem we assist Bernadotte and those who support him. Jerusalem will not be Jewish by our shouting "Jewish Jerusalem" rather than Arab Jerusalem. By doing this we renounce an important advantage in our struggle against an Arab Jerusalem, namely, the possibility of combating the hypocrisy contained in this proposal. If the situation arises in which we are able to guarantee Jerusalem to the Jewish state, in accordance with the circumstances which will be created, we will all agree to it. As the situation stands today, there cannot be a Jewish Jerusalem, particularly when the possibility of bringing the issue to the Security Council is being raised again.

I would like to tell Council Member Wilner that he has nothing to teach us about national sovereignty. We have a long tradition in the area of national selfrespect and the struggle for political independence. We cannot accept your suggestion to announce that the negotiations are at an end. We rely on the U.N. and must not forget that Bernadotte is the emissary of that organization. We must fight his proposals, and if the issue is brought before the Security Council we must fight them there too. But it is unwise to say that we are ending the negotiations. We have a

long tradition of struggles in international arenas. I do not think that we have lost any battle. Whenever we embarked on negotiations we fought and emerged victorious. In my opinion, there is no need for us to burden the Government with proposals on this issue. The reply presented to us is sufficient at this stage of the negotiations. At this point there is no need to get involved in extremist demands.

I do not believe that we should discuss Dr. Altman's proposals to repeat our demand for all Western Palestine. We have many demands regarding borders, based on our experience of attack by the Arab countries and our own success in capturing territories. We must trust our political leadership to protect our essential interests. These negotiations will be complicated. I do not know if they will be conducted by Bernadotte alone. I propose that at this sitting the Council make no proposals which depart from the text of the reply.

S. Lemberger (Aguda): ...I agree with the Government's proposals, but I would like to make a few points. Bernadotte's proposals illustrate the Talmudic saying: "The Land of Israel will be attained only through suffering," and we have already experienced a great deal of that. We are facing one of the greatest tests in the history of the Jewish people and must stand firm in order to attain our goal of building our independent life in our own land, free from any foreign yoke.

If we examine Bernadotte's proposals in a critical light we must first reject the idea of handing Jerusalem over to the Arabs. According to tradition, the entire Land of Israel is holy, and Jerusalem is particularly holy. We cannot look on with equanimity as foreigners, Gentiles, rule the Lord's estate. According to tradition, Jerusalem is the center of the world, the center of the Land of Israel, and we will never give it up. The Jewish nation in the Land of Israel without Jerusalem is like a body without a soul. Nor will we yield on the issue of free immigration, which is the basis of our independence. On this point there can be no compromise or restriction.

On the other hand, we were forced to endure the tribulations of a war which has lasted for more than half a year. We have had great successes, thanks to the remarkable dedication of all the residents of the country, especially our dear sons, who have sacrificed themselves on the altar of the homeland. We must thank the Lord, who has brought us to this stage by His miracles, whether revealed or hidden, in our time as in the time of our forefathers, the Hasmoneans. But we cannot ignore the fact that the material and spiritual burden of this war weighs heavily upon us. Our overt and covert enemies are devising fell schemes to end our independence. We must ask our Government to continue the negotiations with Bernadotte, concluding them with an acceptable solution which will bring the remnant of the Jewish people to the free Land of Israel. The first step towards attaining this goal must be to extend the truce for an additional period of time. This must be the primary concern

of the Government, and I pray that the blessing of the Lord will be upon it.

B. Mintz (Aguda): We support the Government's opposition to Bernadotte's proposals to reduce our control of the Negev, restrict our freedom in Haifa and, most of all, on the issue of Jerusalem. However, the principal question facing the Council is the extension of the truce, which we support.

I concur with Dr. Altman's view that we must do everything so that if the truce comes to an end...our forces are massed to defend Jerusalem. It is on the road to Jerusalem, and within the city itself, that our war will be decided, and therefore the utmost must be done to defend the city, taking both the defensive and the offensive. That is the main principle. All these considerations notwithstanding, we must agree to the extension of the truce.

B. Weinstein (Hatzohar): ...I regret the fact that most of this debate has been routine. We seem to be encountering a standard Zionist policy whereby, after discussions and proposals of various kinds, the proposals are rejected...but the negotiations continue. There has been a major change: we now have a sovereign Government and an Army of our own. All this must influence the thinking of our statesmen in their negotiations and their reactions to the world. To our great dismay, our Government's response is inappropriate for a sovereign state.

When we said in a past sitting that Rhodes constituted a political trap and that the essence of the Count's mission was political, we were told...that our definition was inappropriate for this forum. It would seem that after the Count's gracious suggestions our definition appears to have been correct. Today it is irrelevant to discuss individual sections and whether they are proposals or merely ideas and thoughts of the Count. The Count is no philosopher...he is a political emissary, and his ideas today may be actual proposals tomorrow. Therefore, in view of the developments and inclinations which the Count's ideas and thoughts indicated, we must discuss not whether we will accept his tentative proposals (on that we are all of one mind), but rather whether we will enter into negotiations with him at all. It is this question that we must answer. The sections are not important, the conclusions and direction are, and the Count's direction is very clear: to eradicate the existence of a sovereign State of Israel. Since it was impossible to do this by military force, an attempt is being made to do so through negotiations. A truce is proposed, the aim of which is to entrap us and further complicate the situation in the country.

One of the Count's ideas is for an exchange of territories. A sovereign state can decide to exchange territory in a negotiation process with another sovereign state. Here the problem is totally different, and the Count's identity should be clarified. If he is an emissary of the U.N.,

and if the U.N. continues to uphold the November 29 resolution, he is obligated to implement it. If the Count presents revolutionary proposals which are diametrically opposed to the U.N. resolution, we must assume that either the Count does not represent the U.N. or that the U.N. has rescinded its resolution of November 29. If the Count is not a U.N. representative (and he is not a private person, as his speech indicates), we must ask which force or forces he represents and determine their political identity. The Count represents those forces which opposed the November 29 resolution. The attempt to annul the resolution by a vote failed. As these forces failed in the U.N., they sent the Count to Rhodes, hoping that he would succeed in implementing this British plot there. There is no need to keep saying "peace, peace," what we will get is a Pax Britannica and a Pax Arabica, that is all.

We maintain that since the Count made these proposals (to which we are essentially and fundamentally opposed, not only because of isolated passages, but because of their political nature, which represents a violation of our political sovereignty), there is no room for talks or negotiations on this basis. After the Count has received our negative reply, he can prepare fundamentally different proposals. Perhaps then the continuation of talks and negotiations will be possible. The question to be addressed is a practical, not a rhetorical, one, namely, are we to conduct negotiations or not?

Under these circumstances, we cannot be satisfied with simply conveying a negative response and asserting our refusal to conduct negotiations. We must confront the Count forthwith with a *fait accompli*, and the Council of State must proclaim the annexation of Jerusalem to the State of Israel. Soldiers have taken the oath of allegiance in Jerusalem. We are told that our Army, the representative of our sovereignty, is in Jerusalem. This action must be formulated in political terms and presented to the Count. Our country must decide to include Jerusalem within its borders and bring it under its jurisdiction. We must confront the Count, his associates and all those plotting against us with this crucial political fact.

Rabbi M. Berlin (Mizrachi): The Council Member who spoke after the Foreign Minister asked us to refrain from using set phrases. But in no sitting are set phrases more appropriate than in this one, because we all share the same opinion....We can evince great enthusiasm and make all kinds of lofty proclamations which are nothing but phrases. To say: "The question is not whether Jerusalem will be Arab or international, but whether it will be Jewish or Arab" is nothing but a phrase. We are still in need of God's help as well as that of the nations of the world, but we must not despair of our friends and their influence on public opinion. If we tell the world that Jerusalem must be Jewish, they will say that that is true, but that the Arabs also have rights to Jerusalem. The fact that we captured part of Jerusalem does not give us the right to claim all of it.

Part of it was not captured, and in a part of it we were defeated, and I do not know whether our military position is so strong. Demands have been made here that we mass all our military strength at the Jerusalem front, but military matters of this kind are not decided by parliaments....We will have to fight to prevent Jerusalem from becoming Arab. The only question is whether Jerusalem will be Arab or international, not whether it will be Jewish or Arab....In the eyes of the world, as well as of the Jewish people, Jerusalem is the Old City and everything around it. Partitioning it means that Jerusalem will be the Arab capital and that the Arab king will reside there. If they give us what is known as New Jerusalem it will be regarded as the suburbs of Jerusalem, and we will have to submit because the Arabs will be ruling the city. We have no choice but to accept the division of Jerusalem, just as we had to accept the partition of our country.

I would like to have part of Transjordan as well as the Arab part of Palestine. It may be the sword that decides. If that is so, this sitting determines very little. We cannot talk of abandoning the resolution of November 29. We must keep to what we have agreed on, whether we did so willingly or not. There are things which, though done under pressure, are legally binding. Therefore, I appeal to the Minister of the Interior not to speak of Jewish Jerusalem today, since that could mean the end of our Jerusalem. We must ensure that Jerusalem does not fall into the hands of an Arab king. We can do no more than this. We must not demand a Jewish Jerusalem, since this will lead, at best, to partition....Anyone who claims to the contrary is simply talking in phrases. We have every right to demand a link between the State of Israel and international Jerusalem, just as there will certainly be a link between the Arabs and an international Jerusalem. To say that what was decided upon by the General Assembly of the U.N. is not binding on us is also a phrase. If whoever conducts negotiations finds it appropriate to use that phrase he can do so. The resolution has been violated, nevertheless, and for us only an international Jerusalem is feasible.

With regard to the demilitarization of the city, I do not think that the blood of the residents of Jerusalem is redder than anyone else's, but the facts must be taken into consideration. From this podium I have spoken in the past of the special mentality of the people of Jerusalem....If one reads Josephus Flavius, the Gemara and books on the history of Jerusalem one finds that a siege of the city has always been a disaster, as it is now, too....The mountainous terrain surrounding the city...is a curse during a siege.

Therefore, I would like to tell the Government to follow the path delineated by the Foreign Minister....Let us not stretch matters too finely....We must not take things too far. We must shorten our front line for the sake of the State of Israel. It is true that Jerusalem protects the Negev and the Negev protects Jerusalem, but it is imperative for us to

reduce the front as much as possible....That also means the demilitarization of Jerusalem....Let us boast no more of our victories....Let us not believe that we have conquered everything—I wish it were true—and let us not give counsel here as to military policy. We must demand the internationalization and the demilitarization of Jerusalem. A never-ending truce is a catastrophe, but a truce which lasts a little while longer is in our favor, I believe. To the Government I say: be steadfast, follow this path, and you will succeed.

A. Katznelson (Mapai): The proposed reply absolves us from giving a detailed analysis and making a multiplicity of observations and amendments. This comes as no surprise, since the reply is the fruit of Government discussions. I do not believe that there is any need to make new or more sophisticated proposals. One thing must be clear. If we all reject Bernadotte's proposals as a basis for negotiations, there is no point embarking on a debate on one section or another at this moment. A debate would contradict our position regarding the proposals, since we maintain that there is no basis for negotiations. The reply must be formulated accordingly, and it seems to me that this is evident in the reply before us.

We have heard a suggestion that we abandon the resolution of November 29. Are we not in the midst of a war? And as in every war, does not our war have an objective? The objective of the last world war was to obtain the unconditional surrender of the Nazis. That is not a positive formula, yet it was natural and right to seek the unconditional surrender of the Nazis. This is not the case here. When we embarked on this war, which was forced upon us by others, we defined our purpose as defending our independence as this had been affirmed by the U.N. and as we proved by force of arms (facts are no less important than the resolution of November 29). Consequently, we have a purpose. Is anyone about to propose that we change it? We have no other political basis, and we are not going to undermine it. Someone else is trying to undermine it, however, and that person is the U.N. emissary, who is not alone. We have been given the opportunity to wage a political war on his proposals in the U.N., refusing to accept what is being done here. There is a certain similarity between Bernadotte's mission and that of Lord Runciman in Czechoslovakia in 1938–39. We must be very wary of getting involved in negotiations. The political war must be taken to its source, namely, the political struggle in the U.N.

...I have little to add to Rabbi Berlin's comments on Jerusalem....I was in Jerusalem during the siege and I think that he is speaking for the Jews of the city when he says that Jerusalem is not an object of confrontation. We did not want to make Mount Scopus an object of confrontation, although it is very important strategically. The demilitarization of Jerusalem is more advantageous for us than it is for the Arabs. I think we could have saved Jerusalem a great deal of suffering

and added greatly to our war effort on all the other fronts had the situation in Jerusalem been different. If Council Members Weinstein and Altman speak of establishing a *fait accompli*, they mean something like "Altalena" in Jerusalem, and that means the destruction of the city. We must look the facts in the face...otherwise we will pay the price in blood. The Government must take care to prevent the establishment of dissident military organizations in Jerusalem...and stop the dissidents imposing war on us....I trust the Government will do everything it can to prevent that catastrophe.

The Prime Minister, D. Ben-Gurion: It has been proposed that we conclude the debate.

(The proposal to conclude the debate is adopted.)

The Foreign Minister, M. Shertok: This is the second time the Foreign Minister has been attacked for proclaiming a "Western orientation." No such proclamation was made, and the members of a certain party could have spared themselves the effort of discussing it. What I said on a certain occasion was that we cannot accept slogans proclaiming ties with any particular side. We need the East as well as the West. We will not renounce our ties with the West, but our foundations lie in the U.N.

Mr. Repetor is laboring under the misapprehension that today we heard the principles of the proposals and on another occasion we will hear the details. I conveyed Bernadotte's proposals in greater detail than I received them, because I added the oral law to the written law. Mr. Repetor also championed the Negev. We asserted that the territory determined in the November 29 resolution is the minimum, and that we will not agree to reduce it. This was said in response to a specific proposal, and now things are clear.

The Prime Minister, D. Ben-Gurion: I will now read out the five proposals: Mr. Wilner's proposal reads: The Council of State categorically rejects Count Bernadotte's proposals on the future of Palestine. The Council does not regard them as a basis for talks, and demands that the Government cease all negotiations with Count Bernadotte, who, on behalf of foreign imperial interests, has proposed negating the independence of the State of Israel. The Council decides to appeal to the Security Council of the U.N. to take forceful measures against foreign invaders of Palestine, in accordance with the clauses in the U.N. Charter concerning wars of aggression.

Dr. Altman's and Mr. Weinstein's proposal reads: After hearing the proposals submitted to the Provisional Government of Israel by Count Bernadotte, the Council of State decides to reject them completely, since they violate the very foundation of Israel's sovereignty. The Council sees no possibility of conducting negotiations with the Mediator on the basis of these proposals. The Council proclaims the annexation of Jerusalem to the State of Israel.

Mr. Repetor's proposal reads: The Council of State expresses its total opposition to the reduction or expropriation of the Negev, which is an integral part of the State of Israel, in accordance with the U.N. resolution, because of its potential for development, immigration and settlement, and because this implies the establishment of British Army bases. The Council adamantly opposes Abdullah's rule in any part of Palestine, as indicated by Bernadotte's proposals. Being a British vassal, were Abdullah to rule any part of Palestine this would contradict the U.N. resolution regarding the establishment of an independent Arab state in part of Palestine, that state being the only one with which the State of Israel is prepared to create an economic union.

The proposal of the General Zionists reads: Our reply to Count Bernadotte must include our viewpoint on the future of Jerusalem, namely that after the bloody struggle to defend the city from Arab-Moslem conquest, and in view of the fact that we are in control of the city now, the State of Israel does not believe that Jerusalem can be internationalized. Jerusalem must be an organic part of the State of Israel, connected by an appropriate territorial link to the rest of the state.

The Government's basic proposal reads: The Council has heard with approval the reply the Government intends to give Count Bernadotte, and endorses it in its entirety.

The Vote

Those in favor of the Government's proposal	27
Those against	4
(The Government's proposal is adopted.)	

Flag and Emblem of the State

Introduction

The first truce came to an end on 9 July 1948, and fighting was resumed on all fronts. When the Council held its first meeting, however, it did not deal with the sometimes dramatic progress of the war. The first item on the agenda was the election of a Speaker, to replace the Prime Minister, David Ben-Gurion, who had chaired all Council sittings till then, and the appointment of several Deputy Speakers. Joseph Sprinzak, a veteran Labor Zionist leader, was elected Speaker, a post he subsequently held during the first three terms of the Knesset, until his death ten years later. The next item on the agenda was determining the design of the flag and the emblem of the state. The Cabinet expected its proposals to be adopted without modification in the course of the sitting; in fact, the subject was deferred, to be decided only much later and in a way quite differently from that originally proposed.

Sitting 10 of the Provisional Council of State

15 July 1948 (18 Tammuz 5708)
Tel Aviv

The Foreign Minister, M. Shertok: My report will be very brief, as one picture is worth a thousand words, and the pictures of the emblems are now in the possession of every Council Member.

This issue has been discussed at length by the special Ministerial Committee, which determined several principles regarding the content of the emblem, and general guidelines for the flag. The Committee's recommendations were accepted by the Government, with a few changes. On the basis of the guidelines which were determined, an open competition was announced for artists, who were asked to submit their proposals by a specified date. A total of 164 artists participated. A great deal of work was invested in ranking and classifying the proposals, until the number was narrowed down to those from which the final selection was made. Two designs for a flag and two proposals for an emblem were submitted to the Government, which chose one of each kind, by a majority vote. These are the proposals submitted to the Council for approval today. I would like to explain a few considerations concerning the flag which impelled the Government to choose the design submitted to you today. There was no question as to the colors of the flag—light blue and white. However, there was a question as to the design and the way they were to be combined. We found it preferable to make as clear a distinction as possible between the state flag and the traditional Zionist

flag, believing it better to leave the world Zionist movement its own flag. The state flag must be designed in such a way as to prevent any confusion between the two flags, thereby obviating complications for Jewish communities abroad when they raise the flag of the entire Jewish nation. If they raise the Zionist flag there will be no possibility of the mistaken impression being gained that they are raising the flag of a country of which they are not citizens. The flag of the state can, under certain circumstances, appear in other countries as such, and not as the flag of the Jewish people living there.

The question of the addition of the Star of David was raised, and opinions differed on this. Some people insisted on placing the Star of David at the center of the flag, while others disagreed, claiming that it could blur the distinction between the two flags and create too great a resemblance between them. The idea was raised of returning to the design created by the visionary of the Jewish state, Theodor Herzl, namely, a white background with seven gold stars. We suggested that the stars should be in the form of the Star of David, along one line on the flag's white center stripe. There was a proposal to have just two colors, a light blue upper stripe and a white lower one, but it was pointed out that a white stripe at the bottom might make the flag indistinguishable from the surrounding space, when raised outside....Accordingly, we came to the conclusion that a white stripe set between two light blue stripes would be best, with the seven gold stars on the white stripe.

After a great deal of thought, and after reviewing many proposals for the emblem, we chose the traditional symbol of the seven-branched candelabrum (menorah). Several artists worked on this together with the Ministers on the Committee....The design which was finally agreed upon is the one before you. If color is used, the background will be light blue, and the candelabrum will be white, with seven gold stars above it....

The 164 artists who participated in the competition submitted 450 proposals in all, some of them handing in several proposals. The designs submitted by Mr. A. Elias for the flag, and by Mr. A. Elias and Mr. V. Strotzky for the emblem, were selected. I should add that when the winners were chosen, neither the Committee nor the Government had any idea as to who the artists were, since all the proposals were anonymous (the names were given in sealed envelopes marked with the corresponding number). We dealt with the flag and the emblem separately, and the fact that both are designed by the same artist is fortuitous.

Z. Warhaftig (Mizrachi): I propose that we appoint a committee of Council Members to examine the proposals and advise the Council. I question the wisdom of introducing a new element into the design of the flag while removing a traditional one—the Star of David, for three reasons: A. The Star of David became particularly sacred during the last war, when the yellow badge symbolized the oppression of the Jews; B. The

Star of David is our traditional symbol and it is difficult to abandon it; C. The Merchant Marine Flag Ordinance, in which the Star of David has been approved as a symbol, has already been issued. I believe that the primary symbols must remain consistent in both the Zionist and the state flag. Changes may be introduced, but not such bold ones. The stars are a totally new element which has never appeared on our flag. Why replace the Star of David with seven stars? The committee we appoint can submit a proposal after examining all the designs.

The Minister of Agriculture, A. Zisling: Every Council Member may make a proposal, but I would like the flag and emblem to be adopted unanimously. There is no justification for appointing a committee. It would not be able to do anything which the Ministerial Committee and the Government have not done. They narrowed down the hundreds of proposals to a few, from which two were selected. The question is whether the elements introduced into the flag and the emblem express what we want them to, namely, an enduring tradition. They are not supposed to express an orientation. A committee appointed by the Council of State would only duplicate the work done by the Ministerial Committee. The decision could have been delegated to a Council committee initially, I would not have regarded that as an affront, but now that the envelopes have been opened and the artists' identities revealed, the decision could not be objective.

Several wishes were expressed. In cases like this it is impossible simply to make a collage of ideas. There must be a modicum of artistic expression. If additional proposals are requested, this one may be removed from the agenda and another committee appointed to deal with them. However, I reiterate my request that we remove the other proposals from the agenda and approve these designs for the flag and the emblem unanimously.

M. Grabowsky (Mapai): I would like to tell Council Member Warhaftig that there is an important national authority for the seven stars, namely, the founder of the Zionist movement, Theodor Herzl. The Star of David is not threatened if it is retained by the world Zionist movement, not to mention the fact that it is included in many other emblems. We are not abandoning the Star of David.

D. Pinkas (Mizrachi): First of all, I would like to express my approval of the Government's choice of the candelabrum as the state emblem. I regard this as a fortunate decision, since the candelabrum always served as a symbol of true Judaism....It links us with our great past in this country, and will, I hope, serve the purpose of illuminating our path, like the pure light of the candelabrum.

Concerning the flag, I believe the principle of distinguishing between the state flag and that of the Zionist movement is justified, but we cannot abandon the blue and white colors or the Star of David. In order

to make this decision acceptable, I would like to point out to Mr. Warhaftig that the seven stars are in the form of the Star of David and are meant to indicate our bond with it.

Although it is preferable to adopt this decision unanimously, we have two alternatives at present: seven stars in the form of the Star of David or one Star of David. That being the case, I recommend that the Council—and Mr. Warhaftig—approve the proposal with the seven stars in the form of the Star of David. By doing so we will be expressing our respect for the founder of the Zionist movement, who proposed the seven stars to symbolize seven-hour work days, since our state is based on and built by work.

J. Serlin (General Zionists): I support all the principles presented by the Foreign Minister on behalf of the Government regarding the emblem and the flag. I think that they are aesthetically imperfect, however, and there is some room for improvement. I understand the urgency of choosing a flag. Nevertheless, I suggest that the Council hold a brief exhibition of all the proposals...inviting the press to view them too. In addition, more artists should submit proposals....

B. Idelson (Mapai): As we come to approve the state flag our hearts are stirred and we wish to express our gratitude to those who enabled us to mark this happy hour. We should not forget that the seven stars on the flag symbolize seven hours of work for those who work and build our country. Let us hope that the seven hours of work will symbolize social justice, which will be the cornerstone of our state, and that our state and our Government will guarantee the conditions of the working man.

The Speaker, J. Sprinzak: We have been asked to give our unanimous approval to the designs. There are two proposals: A. To organize a general exhibition of the designs, i.e., to postpone a decision; B. To elect a subcommittee to reexamine the designs with the Ministerial Committee and bring either new designs or the old ones before the Council.

The Minister of Immigration and Health, M. Shapira: There are differences of opinion in the Government, just as there are in the Council of State....Flags have two basic components: colors, which reflect content and aspirations, and a national symbol. There are no differences of opinion as regards the national symbol, there can be only the Star of David, but seven Stars of David are actually less than one. The idea of a seven-hour work day is very nice, but someone could also think of a six-hour work day, and then we would have to explain to everyone that we have seven stars rather than six because our principles involve a seven-hour work day.

There is another drawback: a small Star of David is a star; stars can have five or six points, or more. One could easily become confused and say that they are simply stars, in which case our national symbol

would be indistinct. Someone may believe that the shape of the Star of David can be blurred enough to appear like a simple star, so that everyone can find their own significance in it. However, I believe that that is a drawback. We want everyone, Jews and Gentiles, to see the Star of David as the Star of David, not as just any star. Therefore, I say that we should have one Star of David, not seven.

The Minister of Agriculture, A. Zisling: I would like to tell Mr. Warhaftig that the fact that the Merchant Marine flag bears the Star of David is not open to discussion. Each state has different symbols in the national flag and the Naval or any other flag. There are differences in both design and color.

Secondly, the national or state symbol does not always appear on the flag. Most flags are simple color combinations. If we accept Mr. Shapira's assumption that the symbol is the Star of David, we might have to change the state emblem and create an entirely new one. The fundamental difference is as the Foreign Minister said. I believe that the Jewish people in Israel and the diaspora will raise the flag of the state and that of the world Zionist movement (which is the national liberation movement of the state) side by side. I move that we vote on whether the decision will be made this evening. If we decide to vote this evening, I trust the vote will be unanimous.

A. Altman (Hatzohar): ...The Council has seen the designs for the first time today. I propose postponing the vote till the next sitting, so that everything said here can sink in and we can reach a unanimous decision. It might be a good idea to link the vote to the appointment of a subcommittee which would bring an approved proposal to the next sitting.

M. Lowenstein (Aguda): I second Mr. Serlin's motion.

The Speaker, J. Sprinzak: There is a motion to hold the vote this evening, and we will vote on that first.

A. Altman (Hatzohar): Although we have already voted, we would like this decision to be unanimous, and therefore it would be better to postpone it.

The Minister of Agriculture, A. Zisling: There is no question here of forcing one person's opinions on another. When I say we should decide this evening, that is a matter of expediency, nothing more. If there are differences of opinion, they will prevail in the future too. In fact, they will only be more noticeable. An exhibition or a committee will not change the essence of the subject. In my view, we should vote now.

The Prime Minister, D. Ben-Gurion: In my opinion, the vote should be postponed if several Council Members have reservations about determining the state symbol which do not involve personal interests or partisan ideologies. This is not something we do every day, and the re-

quests of those Members should be honored, especially since they claim, quite rightly, that they are seeing the designs for the first time today.

(It was decided to postpone the decision on the flag and the emblem to the next sitting.)

The Vote

Those in favor of holding an exhibition of flag and emblem designs 8

Those against 9

(The proposal was defeated.)

Those in favor of appointing a subcommittee of Council Members 10

Those against 6

(The proposal was adopted and the Steering Committee was asked to appoint the new committee.)

M. Grabowsky (Mapai): Since the motion to appoint a committee has been adopted, there is obviously no point preparing an exhibition....However, I propose holding an exhibition for the general public once the flag and emblem have been chosen, but not beforehand. This will prevent our being involved in fresh discussions.

(The motion to hold an exhibition after the flag and emblem were chosen was adopted.)

A. The Flag

Size: 120 cm. (length)

80 cm. (width)

Width of each stripe: one third of flag's height.

Diameter of each star: 13 cm.

Space between stars: the middle star is at the center of the flag, and the space between each star from one edge to the other is 2.5 cm.

Colors: light blue—white—gold (yellow).

B. The Emblem

Size: 110 cm. (length)

85 cm. (width)

Width of frame: 3 cm.

Height of white field is 20 cm.

Diameter of stars is 10 cm. each.

Space between stars: the middle star is at the center of the white field, and the space between each star from one edge to the other is 2 cm.

Height of candelabrum: 65 cm.

Width at widest part of candelabrum: 55 cm.

Colors: light blue—white—gold (yellow).

Foreign Minister's Report

Introduction

The second truce, which was not limited in time, came into effect on 19 July 1948. A few days later, on July 22, the Prime Minister gave the Council a brief review of the fighting during the ten days between the two truces. As was his wont, Ben-Gurion gave few details and there was no debate. On July 27 the first military parade was held in Tel Aviv. Two days later the Foreign Minister reported extensively on Israel's foreign policy.

Sitting 12 of the Provisional Council of State

29 July 1948 (3 Av 5708)
Tel Aviv

The Foreign Minister, M. Shertok: Today is the eleventh day of the second truce in Israel's war against the Arab aggressors, and was preceded by ten days of fighting. This was the outcome of the Arab refusal to renew the truce. At the last Council sitting we heard a brief report on the progress and results of those ten days of fighting from the Prime Minister and Minister of Defense.

The present truce was determined by the Security Council resolution of July 15, which confirmed the fact that the Government of Israel had agreed to renew the truce, while the Arab states had not. The Security Council defined the situation in Palestine as a threat to peace, and called on all the countries concerned to refrain from military action and accept the ceasefire designated by the U.N. Mediator. It stated that failure to adhere to this would be considered an infraction of the peace, as determined in the U.N. Charter, and that...the Council would discuss taking steps against the aggressor....Both sides were asked to cooperate with the Mediator. In accordance with the previous Security Council resolution of May 29, an immediate ceasefire was ordered in Jerusalem, and the Mediator was instructed to continue with his efforts to demilitarize the city. The Mediator was asked to supervise the fulfillment of truce conditions and to ensure that until a new resolution was adopted and the Palestine problem settled peacefully the truce based on the previous one remained valid....

The Provisional Government of Israel immediately announced its acceptance of the truce, in accordance with the provisions of 29 May 1948....In accordance with this decision, the Provisional Government

informed the Mediator at the appointed time, neither too early nor too late, that the ceasefire order had been given. The Arab states, as far as we can gather from the material which was published or conveyed through official sources, tried to take advantage of the situation, most of them informing the Mediator that they accepted the truce and had given a ceasefire order, while as the Assembly of Arab states they told the Security Council that the truce was subject to three conditions: the cessation of Jewish immigration to the country during the truce, the repatriation of those Arabs who had left their homes and a time limit on the truce itself.

We do not know of any negotiations currently being conducted by the Arab countries with any international body on implementing these conditions. We can only assume that they were submitted in order to impress world public opinion and make sense to those who listen to their announcements on the radio. We infer that by presenting conditions in this way the Arab countries are attempting to ensure that they can raise these issues in the future.

Before I discuss the conditions, I would like to dwell on a major one, that of respecting the truce. So far, this condition has not been fulfilled by the Arab side. During the past eleven days there have been many violations of the truce by the Arabs, and complaints on their part of violations by us. We will not tolerate one-sided violations of the truce, we will repulse every attack upon us...quash every disturbance in areas under our control and respond to every bombardment. We will retaliate with doubled intensity for every injury to our forces. We will repel every attack on our positions and transport routes. Responding to a violation of the truce does not exclude capturing new territory.

The U.N. Supervision Organization is being created, but embodies a major flaw. The Arabs have attempted to exploit this moment and create a new military situation. We are prepared to cooperate with the Supervision Organization in order to preserve the truce in accordance with the lines, positions and transport routes which existed at the beginning of the truce. However, we will allow neither the absence of supervision nor the impotence of the Supervision Organization to deprive us of justice....

Of the three conditions presented to the Security Council by the Arabs, the first, regarding immigration, concerns us most vitally. We also submitted a condition on this subject when we agreed to the truce, stating that we planned to act in accordance with our declared position on the conditions of 29 May 1948. We were referring primarily to the issue of immigration. The Council Members will remember that the decision of May 29 stated explicitly that persons of military age could enter the country during the truce but could not be drafted or given military training. This subject became a bone of contention between us and the Mediator. In order to comply with another restriction limiting the entry

of fighters, i.e., soldiers, which was imposed on us and the Arabs as part of the terms of the truce, the Mediator sought to ban the entrance of men of military age altogether, contrary to what was stated explicitly in that decision. After an argument, the Mediator agreed to the entrance of men of military age at an undetermined rate, provided they were interned in camps and he could ensure that they were not drafted or trained. This condition was upheld during the 28 days of the first truce. Towards the end of that period, however, negotiations were renewed on that point. The Mediator agreed to lift that restriction, and people entering the country today, including men of military age, are not put in internment camps. Although these men are free, we are still bound by our obligation not to draft them or give them military training.

Near the start of the second truce, we told the Mediator that we would not agree to any numerical restriction on the immigration of men of military age during the truce, primarily because we believed that that restriction was unjustified from the outset but also because it could not be upheld during the present truce, which is not limited in time....We did not reach a compromise with the Mediator on this point, and he stated that unless he received explicit instructions from the Security Council to the contrary, he would insist on his own interpretation. It is still not clear to us whether we will actually have a confrontation with him on this point, but we should be aware of the fact that this may happen....The Provisional Government will neither compromise on the entrance of Jewish immigrants of military age nor halt the flow of those with rights to immigrate simply because they are above or below military age.

On this point our main dispute with the former Mandatory Government persists. As you know, the British Government assumed an authority on this issue which it had no right to take, interpreting the explicit instructions of the Security Council in a biased and arbitrary way. In Cyprus, where it controls the departure of Jewish immigrants, it has decreed a complete ban on the departure of men of military age, contrary even to the Mediator's restrictive interpretation. It has also prevented the immigration of their families. Today, over 12,000 people are interned in Cyprus for an indefinite period of time....For the moment the decree stands, even though the Mediator told the Security Council that he interpreted the instruction concerning the immigration of men of military age differently.

The third condition posed by the Arabs was for a time limit to the truce period. We are very interested in this. The continuation of the truce for an indefinite period is liable to create serious problems, which can worsen with time, for us too. It puts a heavy burden on us. The presence of a large body of supervisors in this country also greatly complicates our administration. This whole situation of no war and no peace can become unbearable for us if it is prolonged. I am not suggesting that the Council discuss the subject today, with all that this implies. It should

be noted, however, that this is the basis of a serious issue which will probably have to be dealt with at a later date.

In accordance with our request, the Mediator has agreed to give us, within the next few days, a detailed list of his Supervision Organization and its positions throughout the Arab countries, in ports and airports and on borders....Of all the countries concerned, a war is being waged in ours alone. Therefore, the part of the Organization which deals with supervising frontlines, positions, the transport routes of military convoys or convoys which cross military fronts, pertains only to our country....There is, however, another part of the supervisory teams which attends to seaports, airports and borders, and the Mediator will ensure...that the supervision is not too biased against us....When we receive the material about this, we can verify whether this is in fact the case.

The second condition which the Arabs presented was the repatriation of the refugees....This has become a very serious issue, since it now appears as a demand presented to us by the Mediator himself. In the most recent stages of our negotiations with him, this demand was submitted to us orally and in writing. It was said that there are 300,000 Arabs (though our estimates give a higher figure) who were uprooted from their homes in the heat of the battle and are now scattered in parts of the country under Arab control and in neighboring countries. Most of them have nothing, many do not have a roof over their heads and almost all of them abandoned their property and belongings. This is a question of humanitarianism, of mass suffering. It is a humanitarian duty to alleviate their suffering as much as possible, and the most effective way of doing this is to allow at least some of them to return to their homes.

We were asked whether we would agree to take some of the refugees back, especially those from Jaffa and Haifa, and if not all of them, then at least the women and children and the men who are not of military age....The question is—why just those from Jaffa and Haifa? Are they more deserving than the refugees from Saris, Salame, Ziv or anywhere else...? There is no doubt that the humanitarian problem facing us is a very grave one...and that neither on humanitarian nor on political grounds can we ignore suffering. However, the experience of mankind and history, especially during recent years, proves conclusively that there can be no separation between humanitarian and other problems. Any attempt to remove a problem from its context, to treat it as a solely human problem, without considering its serious political, economic and military aspects, not only seriously harms those crucial considerations but becomes self-defeating. It does not relieve human suffering. Separation and simplification do not work in matters like these....If one seeks a truly constructive solution, one must see the problem as a whole...and not ignore any of its crucial aspects.

In our opinion, the truce is a stage in the war, not a stage of peace. The war against us is being conducted with the utmost vehemence. The military battle against us has not ended, not necessarily because of violations of the truce, but because the very presence of the invading forces, foreigners who came from outside, on the soil of this land, is an act of aggression, an act of war. In addition to the military campaign against us, political warfare is being waged with all its virulence, diplomatic pressures and propaganda...The demand to repatriate the refugees, which is growing from day to day, comes from the entire Arab camp and is exploited in articles and broadcasts, the decisions of assemblies, and discussions by overt and covert conferences, can be seen as simply another of their war tactics.

The repatriation of the refugees is certainly desirable for the Arab aggressor states, who have not yet despaired of their attempt at aggressive war...and want to be relieved of the burden of supporting large numbers of refugees in their countries. They want to overcome the growing bitterness against them and point to success in this at least. The return of the refugees means introducing an organized fifth column into the country...and transferring a burden from the Arab states to the Provisional Government.

Who brought this disaster on the Arabs? When the war began we heard the claim that those gangs of bandits, and afterwards the regular armies which came in their wake, had been summoned by the Palestinian Arabs to save them from the Jewish oppressor. The question here is one of responsibility, justice and economics. What will the masses of refugees return to? Who will support, employ and house them? Where are the means? Where is the machinery which is ready and able to take this burden upon itself? We must see these things clearly, and must not be led astray by empty and irrelevant slogans about humanitarianism.

There will be no one-sided peace because there is no one-sided war and no partial peace. There will be either complete, mutual peace or the state of war will continue. As long as the war continues the refugee problem will continue, and its solution will be postponed until there is peace. A solution to the problem must be part of the organic, comprehensive settlement which will accompany peace, taking into account all the relevant factors...Its goal will be to ensure internal and external stability in the countries which are parties to the settlement; it will be not to relieve temporary suffering but to eradicate the sources of generations of suffering. The interest of one individual or another will not be decisive for those who reach this settlement, but rather the long-term interests of the masses. The future of the Arabs in Israel and of the Jewish communities in the Arab countries will be brought up for discussion together, and the responsibility of each of the sides concerned...will be one of the factors involved....

Our response to the Mediator on this question was given orally and will now be written, accompanied by the reasons I have outlined here, namely, that while the repatriation of the refugees is out of the question as long as the war continues, the question of their future remains open and requires a positive solution. This will come when we and the Arab states involved sit down together to discuss peace and the normalization of our relations....

Another subject which the Mediator raised was Jerusalem. The Council will recall that at earlier stages of negotiations, the Mediator brought up the subject on two levels. The first was that of a definitive, long-term solution...and the Mediator proposed ultimately handing Jerusalem over to Arab rule, while guaranteeing municipal autonomy and access to the holy places for the Jews. He also raised the question of a short-term solution for Jerusalem, without prejudicing the long-term arrangement, and his immediate solution was the demilitarization of the city. We are completely opposed to his initial solution, and our position on this subject has been published....However, in order to prevent further bloodshed and the additional destruction of the Holy City, we are prepared to investigate the possibility of demilitarizing Jerusalem during the transitional period. As soon as the background to all this became clear, and because we feared that there would be no truce in the whole country, we proposed discussing Jerusalem separately....Although theoretically the issue was not raised by the Mediator for this purpose, but rather for a future solution, whether there was a truce or not, we felt that there might not be a truce in the whole country. We did not agree to demilitarization, but we agreed to study the matter.

Since then, the Mediator has presented a more detailed proposal....He has stressed that this is tentative and not binding on him, merely constituting a basis for possible negotiations. This proposal was rejected totally by us, and we understand that it has been removed from the agenda by the Mediator himself. I do not believe it is in our interests to go into it; it has become an item for the archives. It is true that the mere fact that a proposal of that kind could be made has increased...our reservations about the demilitarization plan, since the Mediator has not abandoned his long-term proposal to hand Jerusalem over to the Arabs....

It was clear even before this that, as events developed, the question of Jerusalem's future had been reopened....Since the resolution of 29 November 1947, involving the imposition of international rule on the city, and to which we agreed, three things have happened. First of all, the Arabs launched a bloody attack on Jerusalem. This was done under British command, with British weapons and British funds, but was carried out by Arab soldiers, whose blood was also shed there. The purpose of that attack was to place Jerusalem under Arab rule once again. Secondly, Jerusalem was abandoned by the Christian world, which did not

lift a finger to save it from the fate an Arab victory would have involved. Thirdly, and most decisively, Jewish weapons triumphed in Jerusalem and on the road to the city. This was the triumph of the suffering, endurance and determination of both the Jewish residents of the city and the soldiers who fought for it and the road leading to it.

Our forces captured almost all the New City and the outskirts of Jerusalem and placed it under Jewish rule....The main achievement is that the road to Jerusalem was opened, so that an entire strip of land which links Jerusalem to the State of Israel, as defined in the resolution of November 29, is under Israeli control today. This strip of land was widened considerably to the north and south as a result of the crucial battles fought during the period between the two truces....These developments reopened the subject of Jerusalem. We do not regard ourselves as being morally bound by our agreement to the resolution of November 29 with regard to Jerusalem. We believe, however, that the time has come to establish hard and fast rules with regard to our new position. It must be made clear that we must be able to present new demands regarding Jerusalem and to demand different solutions from those we accepted at Lake Success at the end of last November.

Today we face an urgent practical question—what is the Government's position on Jerusalem? What is the position of Jewish Jerusalem, i.e., all the territory conquered by the IDF and effectively under the control of the Israeli Government? As you know, the Provisional Government decided to formulate an arrangement on this subject (the text of which will be published soon), giving clear legal and political expression to existing facts. This is essential in order to determine that the authority of the State of Israel includes this area, namely, that the legislation...jurisdiction and executive authority of the State of Israel apply to this area. It is necessary to do this in order to give a legal basis to a number of vital issues. There are different authorities in Jerusalem which act in concert, but they must all be integrated into the clear framework of a hierarchy of power.

There are also the questions of internal discipline and external responsibility. The imprisonment of five British citizens and the investigation being conducted against them gave rise to all kinds of claims about the manner and legality of the imprisonment, the responsibility of the Government of Israel and the obedience to it of various groups....We would like to take responsibility for what occurs in Jerusalem and assume the legislative, juridical and executive instruments without which we cannot be fully responsible. The intention of the arrangement will be to include Jewish Jerusalem and the road to it within the jurisdiction of the State of Israel. Concerning the future, however, the subject is open, and we cannot agree to having obstacles put in the way of the renewal of our original claim, namely, the inclusion of Jewish Jerusalem within the legal territory of the State of Israel.

The Mediator's arguments in his proposal to hand Jerusalem over to Arab rule only help us validate our claim....He asserted that the whole issue of international rule is dubious in terms of its stability, effectiveness and workability....It is not clear who will assure Jerusalem's budget under an international regime....His "clinching" argument was that Jerusalem is surrounded by Arab territory and population, and that predetermines its fate....

The first question is the effectiveness of international rule....That is a two-edged sword, which can lead either to an Arab Jerusalem or to a Jewish Jerusalem....The most desirable solution to the economic problem is the inclusion of all or most of Jerusalem in the State of Israel. If the argument rests on the contention that Jerusalem is surrounded by Arab territory, this is crucial, in our opinion, because if that danger exists there can be no relying on an international regime to protect the material and spiritual assets of the Jewish people in the Holy City.

We stress the fact that we regard the subject as being open and will consider any plan or proposal from that standpoint...reserving the right to review the issue at the proper time. If we decide to demand Jerusalem as a Jewish city, we will do so without being...restricted by an agreement into which we entered prematurely and without knowing its outcome....

On the subject of demilitarization, the following three-part reply was given to the Mediator after considerable discussion and deliberation: A. The Provisional Government reiterates its complete rejection of the demilitarization proposal, and assumes that the proposal no longer exists; B. The Government's attitude to the proposal to demilitarize Jerusalem, as presented by the Mediator, cannot help be influenced by the fact that the Mediator also proposed ultimately handing Jerusalem over to the Arabs and has not withdrawn that proposal; C. The Government is prepared to discuss any acceptable plan which does not prejudice the future regime of the city or injure the vital interests of the Jews there, guaranteeing to protect Jerusalem from the threat of additional destruction should war break out in Palestine again.

We do not know the outcome of the Mediator's efforts on the major issue of territory....What concerns us is peace, not the mediation....While the Mediator as a person is not unacceptable to us, we reject a certain mode of mediation, which regards it as its mission to find a compromise between a compromise, on the one hand, and intransigence, on the other....

If it is feasible to bring the other side to direct peace negotiations with us, sitting together as equals, each recognizing the independence of the other...this mediation may be fruitful....But there is nothing to be gained from the attempt to squeeze a compromise from a compromise. As far as we are concerned, the compromise of 29 November 1947 is the absolute minimum, from which no detraction is possible. The develop-

ments since then have proved the need for the amendment and fortification of that plan from our point of view. Changing circumstances make it necessary to adapt the plan to the new reality. War was waged on us, the plan and the authority of the U.N., with the political encouragement, financial aid, military counsel and diplomatic cover of one of the Powers. A base attack was launched upon us by five Arab countries, while others waited in the wings.

We feared many dangers when we set out to implement the November 29 resolution. We warned the U.N. of them, thinking that it would cooperate with us to make the plan reality. We also hoped that the U.N. would help us repel the dangers we feared....The worst of all our fears materialized....Not one of our hopes was realized....Palestinian Arabs and foreign Arabs, irregular forces organized in gangs, and the regular armies of six countries, with the aid of a world Power, all conspired together to launch an offensive war against us with the intention of conquering and destroying us. By contrast, not only did the U.N. fail to extend us any international military aid, it did not even help us acquire weapons in accordance with a U.N. resolution. Not only were no weapons supplied, but no real political or diplomatic action was taken against the aggressors, let alone any economic or military action....

We faced all this alone. We are not boasting of our victory. The world witnessed it....We fought on the fronts with what few arms we possessed, which were later increased, after considerable delay and in fragmentary fashion. With the blood of our sons, the best of our youth, we fought off the attack and conquered what we could. We will not...draw conclusions from this experience. The resolution of November 29 established borders which, according to the Assembly's deliberations—which lasted a full eight months—were necessary for the existence of the State of Israel, on the assumption that the plan would be implemented peacefully and without serious opposition. The events which occurred dashed all those illusions, however. The brute logic of a bloody war, initiated by those who rejected the plan...proved which borders are necessary for the existence of the State of Israel, the protection of the Jewish population of Jerusalem and the secure existence of those parts of the country where there is Jewish settlement....

Who is responsible for proving the need to reassess the borders of November 29, legitimizing additions rather than reductions? The responsibility lies on the shoulders of the Arab states, the aggressors, and those who aided and abetted them in their attack. Those parties are responsible for the destruction and wreckage in the country....They are responsible for the huge fortune which has been lost here and they must be accountable for their deeds. They must pay reparations. It is inconceivable that this collective crime should go unpunished. So much destruction, bloodshed, financial loss, devastation of property and destruction of an economic infrastructure and the fruits of physical labor

is incomprehensible. It is inconceivable that anyone should be permitted to destroy, lay waste, demolish and inflict losses without being made accountable. Those who destroyed, wrecked and incited others to do these things must pay the penalty!

Our obligation and interest, however, is not only to charge others with responsibility and to demand accountability, but to call for peace. The responsibility and accountability are all part of the peace settlement. We prefer direct negotiations, without a mediator, but mediation aimed at direct negotiations which do not *ab initio* deny the interests of one side or determine any position in advance...will not be rejected. First of all, by its readiness for direct negotiations the opposing side's wish for peace or war will be put to the test. There will be peace with us only if we are recognized as an independent state, with basic rights, and if the reality of our rule is accepted as an irrefutable fact. We must extend our hand, not as lovers of victory, though we have no reason whatsoever to be ashamed of our achievements...but as a nation whose right to exist is recognized, and whose state exists, whether others recognize it or not....We have never lost by reaching out in search of peace....We must take the initiative and make that effort today, even if the chances of success are unclear.

Today our state is not dependent on peace. It rests on the fact of its existence. But it is interested in peace, and envisages no future for itself other than within the context of true and stable peace with the world around it. Come what may, it will do everything in its power to secure peace and a basis of equality and independence, self-determination and sovereignty. That is the basis of our demand to be recognized by the nations of the world. Fifteen countries have recognized us to date, and we cherish them. We are sure that their number will grow. Even today there are members of the U.N. which are recognized by fewer countries. Our Government is called provisional because when we proclaimed our independence we employed the terms of certain international decisions. It is not provisional from the standpoint of its stability...or its right or ability to rule. It is stable and enjoys the support of the public no less than many veteran governments in the world. It has proved not only its desire to rule, but on several crucial occasions has provided irrefutable proof of its ability to rule internally and externally. It demands entrance to the U.N. by virtue of the fact of its existence.

We will soon extend a warm welcome here, at our Government center in this city, to the representatives of the U.S. and the U.S.S.R. Their simultaneous arrival is as symbolically significant as was the agreement of those two countries in several stages of the debate on the issue concerning us in the General Assembly and the Security Council. This is another indication of the many miracles which...we have witnessed. On the question of Palestine and the Jewish people, the two major world Powers have taken a common stand. This is the point of departure for

Israel's foreign policy....We will rely on the U.N. and seek to make our modest contribution to a new world peace, not war, to the unification, not the division, of the world.

A. Altman (Hatzohar): I propose that the debate be conducted without time limits on speeches. We have had few opportunities to hold debates because in most of the recent sittings there were no reports, only other matters. If for once we have heard a report, and one which is extremely vital for us, we must not prevent the Council Members from holding an exhaustive debate on these subjects. Thus, we must hold a general political debate without time limits, even if other subjects have to be postponed to the next sitting.

The Speaker, J. Sprinzak: We have heard Dr. Altman's proposal. The Praesidium has determined that there will be eleven speeches of ten minutes each.

A. Altman (Hatzohar): The report we heard today was interesting and important in many respects. We are also glad to note that on several vital issues there have been significant advances in a direction which we have often advocated in the past...including at the first sittings of this Council.

It seems to me that despite the many reservations which have been voiced, we have reiterated that the resolution of November 29 is the minimum on which we insist and from which nothing can be detracted. Although comments have been made on all kinds of decisions linked with that date, I had thought that we would hear a fuller report from a Government representative...because the current truce, as proclaimed in the Security Council, was given no time limit, so that a peaceful solution to the Palestine problem could be found. If this is indeed the intention, the central questions concerning the war raised by the Mediator...should not really interest us. The time has come for us to decide clearly what we want and what we insist on, without hints and innuendos. If we talk about altering borders, we must talk clearly. If we discuss Jerusalem, we need not consider ourselves tied to the earlier resolution on internationalization....There is no need to decide on halfway houses or interim stages....

First of all, therefore, our Government must understand that November 29 must be abandoned. It cannot remain the point of departure it was in the past. That resolution was not implemented by the U.N. or accepted by the Arabs. Instead...there was a war, which invalidates your agreement to a compromise at the time. It is this war alone, not the November 29 resolution, which brought us our state, our Government and our Army, provided us with territory and routed the Arabs....On November 29 a partition plan to divide Western Palestine into two states was discussed. Meanwhile, a few weeks ago, the Mediator made proposals concerning a single unit, to comprise all Palestine on both sides of

the Jordan, not only Western Palestine. That changes the whole picture. I have said in the past that even those who supported the November 29 resolution and the borders it delineated must insist on the minimum of the borders of Western Palestine. This war and the behavior of the Arabs proved that there is no possibility of establishing and maintaining a state within the framework of the Partition Plan. The Foreign Minister has finally realized this, on behalf of the Government. This war also proved...that if an Arab minority remains in this country we will face endless provocations and problems. We acquiesced in that at the time because it constituted a fundamental part of the entire agreement to the state's borders. We do not want another Sudetenland here; we do not want to have a large minority while we have Arab countries on our borders. In the light of our experience of the past, and our new experience of this war, it will cause endless trouble.

Consequently, we must demand that the Government adopt a clear position now. This means that not only must we refuse to repatriate the refugees, but we must also take a stand regarding the Arabs of Palestine. The proposal must be to engage in a population transfer rather than to revive the problem of the minorities....

The November 29 resolution advocated the internationalization of Jerusalem, and you have already rejected that, since Jerusalem is ours. Thus, there is no need to say that there is an opening for discussions in the future. Demilitarization does not interest us today. However, we maintain that Jerusalem is indivisible, for the reasons given by the Foreign Minister today. There need be no transitional stage, as Jerusalem is under our control. On the contrary, we must decide that Jerusalem is an inseparable part of the country, and is the capital of the state. We can proclaim this. All the territory leading to Jerusalem is ours. We are prepared to go further in order to complete our rule over Jerusalem and the road to it, as far as negotiations or conquest enable us to. This must be decided, because the suffering of the Jews of Jerusalem is due to a great extent to politics. The difficult situation is undermining the morale of the population there. Depression and flight are also results of their unclear political status. If the Jews of Jerusalem knew clearly what their situation was, that they were an inseparable part of the state, this would encourage them and change the whole face of things.

I would like to conclude by saying that our military success in Palestine came after we abandoned our defensive policy and progressed to an offensive one. Our political struggle in the past—and this was a disaster—was constant defense in the face of decrees and decisions forced upon us by others. If we begin a political offensive, insisting on all our demands, we will succeed in our difficult political struggle too. No country will come here to change the situation by force. The facts we created remain, and every new fact we create will remain. Today we

have good chances of receiving aid from those on both sides who began helping us on November 29, if we insist on our maximal demands....

Z. Warhaftig (Mizrachi): The Foreign Minister...mentioned the question of repatriating the refugees vis-à-vis the problem of the Jewish communities in Arab countries. A few weeks ago I raised that point here, and it has meanwhile been discussed by almost the entire Hebrew press....The newspapers have expressed the view that there is no room for discussing the repatriation of the Arab refugees and that a way must be found of settling the problem, either with international assistance or in another way. Even after peace is attained there can be no question of repatriating the refugees within the State of Israel. It seems to me, however, that the Foreign Minister has not yet followed up that idea, since we have yet to bring the problem of Jews in Arab countries before world public opinion. I do not belittle the humanitarian sensibilities of the world, on the contrary, I have every respect for them, and so I think that we should reveal this whole distressing episode to the world. We must not refrain from doing so because of reservations of a formal nature, namely, non-interference in the affairs of other countries, leaving the problem to be dealt with by the World Jewish Congress or other Jewish philanthropic organizations. Because the Jewish communities in Arab countries are the immediate victims of the war against the State of Israel, it is our duty to deal with that problem....Our Foreign Minister should investigate the situation of those Jewish communities and bring his conclusions before the Council of State. The reasons for the oppression of the Jews in the Arab countries, and the connection between it and the problem of Arab refugees, must be made clear to the world.

The second problem I would like to mention is that of Jerusalem. I would like to officially attach to our record yesterday's decision of the Mizrachi party demanding that the Provisional Government decide to include Jerusalem within the State of Israel and recognize it as the capital of the state....On November 29 we thought that three world religions were vitally interested in Jerusalem....We believed, perhaps naively, that the Christians may have been justified in claiming that Jerusalem was sacred for them and that they were interested in the internationalization of the city. During the war it became evident that this claim was unfounded. The Christian world has no particular interest in the sanctity of Jerusalem. It did not react when Jerusalem was shelled and ravaged. Christendom was not shocked to its foundations when Jerusalem's holy places were destroyed. Thus, it transpired that it was not interested in an international Jerusalem.

Two elements remained on the scene—the Jews and the Arabs. But there is no justification for making Jerusalem international. If a decision must be made regarding whom Jerusalem will belong to, from every standpoint, even a democratic one, the only possibility is for the city to be part of the State of Israel. If the Government is still not interested in

taking a clear stand regarding Jerusalem, it should at least create facts. We cannot publicly state our desire to change our position regarding Jerusalem if we do not create facts now, and that means telling the world that we want Jerusalem to be ours, to be our capital....The Government of Israel should decide, within the limits of its authority, to establish one central institution in Jerusalem, and I propose that that be the Supreme Court. According to the Courts Ordinance of the Transition Ordinance of 1948, Section 1B, the Provisional Government will determine the location of the Supreme Court. I propose that the Provisional Government decide on Jerusalem as the location of the Supreme Court...demonstrating our determination to make Jerusalem not only ours but our capital. It will also serve as a springboard for the transfer of other central institutions to Jerusalem. As long as we do not create facts and prove to the U.N. that we will not give up Jerusalem, no one will listen to us. If we decide to create facts concerning Jerusalem (and in military terms we have already done so), we can avoid a fragmented peace and a fragmented country—a State of Israel without our eternal capital.

I. Cohen (General Zionists): The Foreign Minister's carefully considered speech clarified a few important aspects of our foreign policy, but was couched in inordinately cautious terms....The public was glad to hear—albeit somewhat belatedly—that henceforth Jerusalem will be under civilian rule. This was overshadowed by governmental indecision, however. It must be proclaimed unequivocally that from its southern and western approaches Jerusalem is an inseparable part of the State of Israel....It grated on our ears to hear that Jerusalem is conquered territory. I believe it will impede the work of this Council if, while proclaiming Jerusalem as conquered territory, we fail to give appropriate expression to our spiritual dissatisfaction with the use of that phrase....

We all expected to hear about Jerusalem as territory liberated, not conquered, by the Israeli Army. However, this Government proclamation undoubtedly has political significance. It could be only a tactical move, but on a subject as special as Jerusalem this could become the essence, the content of policy. At any rate, I should like to put on record our reservations about the Foreign Minister's policies on Jerusalem as reflected in the reference to "conquered territory."

The Foreign Minister, M. Shertok: The statement has not yet been released, it appeared only in the newspaper.

I. Cohen (General Zionists): If so, please deny it, because it should be adamantly denied by the Government forthwith. I demand that Jerusalem be proclaimed an area under complete and continuous Israeli rule, which extends from the coast to the capital city. This would be a clear expression of what we all—including the Government, I believe—

feel about the future and fate of Jerusalem. That proclamation has not been issued, however, and the situation of Jerusalem remains an unclear subject of unclear policies, a reflection of hesitation and tactical considerations in anticipation of future negotiations policies and tactics which are inappropriate for the honor and glory of our eternal capital.

Because of these governmental hesitations, few practical measures are being taken to strengthen Jerusalem, which is faltering in economic and social terms. Some time ago my party proposed that we proclaim Jerusalem part of Israeli territory. Although this proposal was removed from the agenda, it is inconceivable that no one on this Council will call for a radical and swift change in our present policies on Jerusalem.

S. Mikunis (Communists): We have finally had the privilege of hearing a political report, and we commend that, because people less important than ourselves, such as a journalist from the *New York Times*, have heard more or less exhaustive reports before this Council did.

We criticize the Government's hasty acceptance of the truce unconditionally and for an indefinite period of time, although it knew that the British and the Americans wanted this not in order to implement the November 29 resolution but rather to find a solution consistent with their interests, i.e., the reduction of our borders, the restriction of our sovereignty and the establishment of Jerusalem under their rule or that of their representative, Abdullah.

Our situation today, the power we have gained and the victories we have won, were paid for with the blood, with the heroic war, of our sons and daughters, helped by the entire Jewish people as well as the U.S.S.R. and the Democratic People's Republics. We think that it was wrong to accept the truce hastily, without saying what we wanted in return. We should have said that we wanted the immediate implementation of the U.N. resolution without bloodshed or the prolongation of this war. This truce merely prolongs matters, giving England and America a chance to gain time, and Bernadotte the opportunity to instigate more conflicts in the Middle East and set obstacles in our way. It also gives the enemy a chance to reinforce, regroup and seek every opportunity of frustrating our independence and national sovereignty.

We think the Government knows all this, which was said in the Security Council by official representatives of the American government....These statements have dangerous implications for us and our political future in this country. The Government must proclaim openly and clearly that we oppose any partial solution for this country....Either it is realized in its entirety or, with the help of our friends, the world democratic camp, as well as the Jewish youth of the world, we will realize our sovereignty and independence.

On the subject of Jerusalem, as well as other issues which arise daily...we must not allow ourselves to be led towards the possibility of a partial solution on any point. The issue is the realization of our national independence and sovereignty, not a solution in which the imperialist Anglo-American camp is interested....The question of the demilitarization of Jerusalem is a very concrete one. Jerusalem is in the hands of Jewish forces and the Old City is in the hands of the invader Abdullah, Bevin's and Marshall's representative. The solution they envisage under the present circumstances is internationalization, which means the surrender of the city to England and America. We will oppose that move adamantly. We have freed Jerusalem of Bevin-grad and will not turn it anew into a Marshall-Bevin-grad.

There is another solution in their opinion—handing the city over to Abdullah. We will oppose the seizure of Jerusalem by representatives of Marshall and Bevin. It is very clear and simple: the entire world and the Jewish nation must be told that Jerusalem is ours! We will not let the Anglo-American camp create bridgeheads by means of which they pretend...to protect Jerusalem's holy places. We know that that bridgehead will be followed by the refineries, the exchange of territory in the Negev, and the rest. We must make it clear from the outset that we will not discuss establishing imperialist bridgeheads in the territory of the State of Israel and the areas conquered by it.

...In Mr. Shertok's interview with the representative of the *New York Times*, he said—although this was subsequently denied—that if the U.N. decides that we should, we will provide bases in the Negev. We know what the U.N. is. We know that true cooperation between nations does not exist today. There is an Anglo-American Bloc which, by raising its hands, can decide that there is a need for bases in the Negev. We must not make statements of this kind, which I regard as very dangerous. On this basis the British, the Americans and Bernadotte can assume that by means of a U.N. resolution they can obtain bases in our country for England, America, Abdullah or anyone else....

Only yesterday the Minister of Trade, Mr. Bernstein, announced that the Government has no intention of violating the concessions of the oil companies. Only a few days ago the Government allowed the British company to raise the price of electricity. I think that Mr. Bernstein's assessment of the situation was erroneous. For several months we have been conducting a war against the oil companies, which are the cause of this bloodbath. It is politically unwise to state that the Government has no intention of violating the concessions of the oil companies. The fact that our activities in the refineries have already alarmed the oil companies shows that policies which are unflinching, reflecting national independence and sovereignty, hit the target....

It is not simply a question of formulating a law. The State of Israel cannot exist from an economic standpoint if all its natural resources

are not under its control. This is not necessarily a socialist method. Nationalization is known in capitalist countries too. We must understand the essence of this war, which the oil companies imposed upon us. They should be the first to pay the price of the blood shed here. This is the question confronting the Government and the public at large. The Yishuv will demand the nationalization of the oil companies and the electric company, which is trying—with the consent of the Government—to rob the masses by raising the price of electricity by between 40 percent and 70 percent.

We think the Government has made a grave mistake in failing to demand the participation of Soviet observers in the Supervision Organization, representing the country which has constantly and adamantly upheld the preservation of our rights....Thus, the supervision of this truce will be similar to that of the last one—heavy on us and light on the Arab countries....This spirit seems to dominate our foreign policy too. Our recent political statements mention neither the enemy nor our friends....That is what happened a few days ago at our military parade in Tel Aviv. It also happened in the Foreign Minister's speech today....

Our response is that any demilitarization of Jerusalem or anywhere else is out of the question. We are keeping the peace throughout the country and we can continue to do so. We demand the implementation of the U.N. resolution, with certain changes emanating from the new situation we have created as a result of the events imposed upon us by England and America, namely, the maintenance of the borders we determined, because those of the November 29 resolution were a compromise. We were prepared to implement that resolution to the full, without war or bloodshed. After the war was forced upon us, however, we demand the price of it in return, and also—something we did not hear from Mr. Shertok—that the invaders return to their own countries. During the eleven days of this truce violations have continued, and we have not heard any demands for the immediate imposition of sanctions on the invading Arab countries.

The conditions submitted by the Arab League, including the restriction of immigration, must not be answered solely by statements....Bernadotte must not be allowed to feel that he can bring up that point for discussion again at any moment. The response must be clearly expressed in the surge of thousands of Jewish youngsters to this country. There must be a clear response on the subject of supervisors and observers, and the Government must declare its objection to any pretext for the entry of a foreign army—whether American, French or Belgian—into any part of the State of Israel.

Mr. Altman's assertions that we must abandon the November 29 resolution smack of adventurism. We are not prepared to abandon that resolution. On that day we were granted international authority for a state and national sovereignty, with the support of the U.S.S.R. and the

Democratic People's Republics. That is a historic date in the annals of our nation. We do not want to deprive ourselves of that basis. I disagree with the Foreign Minister's remarks on Jewish-Arab relations. He failed to distinguish between the invading Arab countries, the ruling cliques and Arab reaction in this country, on the one hand, and the masses of people who fell victim to this war, on the other. The question of Jewish-Arab relations is not simply one of humanitarianism, it is a political question of the first order, concerning our present and our future. Many solutions have been proposed for the problem of the two nations in this country. Over the past few years it has been proved, and on this Stalin and others have made statements more than once, that not only by the might of the sword but also through the fraternity between peoples has fascism been defeated. We must learn from the experience of others and realize that Jewish-Arab relations cannot be based on an approach like that advocated by Dr. Altman—conquest. They must be grounded in cooperative, peaceful and mutually beneficial relations.

We have had many military victories, though some were accompanied by political defeats, as at Ramle, Lod and elsewhere....There was a different approach in Nazareth, and what was done there...could have been done in other places too, and must be done again. By bringing the masses of the Arab nation closer to us, we undermine the basis of anti-Jewish incitement in the Arab countries. Governments greater than ours in countries larger than ours are preoccupied with the delicate question of the relations between peoples....

We cannot be indifferent to the other part of Palestine, and on this we must hear a response from the Foreign Minister. It is not the same for us if the other parts are captured by Abdullah or by Egypt or by other countries. Our national interests require that there will be an independent, friendly Arab state in the other parts of the country, a democratic country which will be interested in cooperation, peace and cooperative development towards the democratic unification of the country. Therefore, I do not know in whose name Mr. Lurie, the Government's representative in America, said what he did about a population exchange.

The Speaker, J. Sprinzak: Your time is up. Please be brief.

S. Mikunis (Communists): There is no connection between Jewish immigration from Arab countries and the issue of Arab refugees. I will not go into details now about the possibility of repatriating refugees and how many can come back to which places....To benefit our national interests and our war, and in order to destroy the reactionary camp of the enemy from within, we should have encouraged the democratic forces headed by the Communist parties in the Arab countries....This is not a year in which we can be content with Mr. Ben-Gurion's declaration on cooperation or Mr. Shertok's statements. The solution is in action, not talk....We must obtain the support of the Arab masses in this country in

order to strengthen the democratic forces in the Arab countries and find a way to make peace....

Z. Lurie (Mapam): Since the last political debate in the Council of State there have been many military and political achievements. The Foreign Minister reviewed the political achievements, which are manifold, being represented by the victory of the IDF between the end of the previous truce and the beginning of this one, and the active assistance of our friends in the world, despite the Foreign Minister's remarks that our hopes in the international arena were not realized.

The victories of the IDF were the result not only of the heroism of our soldiers but also of the clear goals before them—the existence of an independent, sovereign state, with unrestricted immigration. Our fighting men, as well as the agricultural settlers on the frontlines, were equipped with this will to fight. This nourished the heroism of Negba and the victories of Lod and Ramle. The conclusion, which was not part of the Foreign Minister's report, is that the spirit must be reinforced and given validity by an appropriate foreign policy, while at the same time maintaining military readiness during the time to come....

The active assistance of our allies is a fact which cannot be denied....Our allies are those who rejected the American trusteeship plot only two months ago, who reestablished the moral value of the November 29 resolution in an international forum, who placed the Israeli representative—even without official confirmation—at the Security Council table, who fought to abolish the humiliating conditions attached to this truce, who helped reject the Syrian proposal to transfer the issue of Israel to the International Court in the Hague, who are currently dealing with the problem and have rejected Cadogan's proposal concerning the five British citizens accused of espionage, even before the end of their trial, while Cadogan holds 12,000 Jewish refugees behind barbed wire in Cyprus.

The conclusion must be clear, although it was not stated by the Foreign Minister....If the truce supervision teams of the U.N. were established and our allies were treated as they were...we must declare that the supervision system should not be biased and should include different elements of the U.N. First and foremost, we are interested in the inclusion of our allies, since this gives us a greater guarantee that the supervision of the invading countries will be more effective...and also because the involvement of all the parties is in the spirit which the Foreign Minister mentioned in his last political report concerning the all-encompassing nature of our orientation towards the U.N. It may also serve to stem...infiltration by American forces, in the guise of a supervision apparatus, into the State of Israel. This has not been done, however, and I propose that the Council of State condemn the biased composition of the U.N. truce supervision teams.

During a truce the center of gravity usually passes from a military struggle to a political one. We must realize that this truce is not the result of Bernadotte's talents but of the immense pressure of the facts we created and the efforts of greater forces in the world which worked in our favor....After declaring our opposition to arbitrary interpretations on matters of immigration, an Israeli representative should have made an additional declaration in the Security Council demanding...the free admittance of Jews into Israel, a land link with Jerusalem and water for the city, not as an arrangement between us and Bernadotte but as a declaration. We should also have demanded free communications with all our settlements in the Negev. The Government's recent decision to proclaim Jerusalem as territory conquered by Israel is a very important step. On one hand, it constitutes a response to Bernadotte's devious interpretations, which are nothing but a stage in his scheme to hand Jerusalem over to the Arabs, while on the other it creates facts in addition to those created by the force of Jewish arms.

In addition, however, I would like to say that we must exhaust the significance of this here, too. If that is conquered territory of the State of Israel, there must be one army there. I do not understand the basis of the frequent statements emanating from Jerusalem about the coordination of activities between the IDF and the dissident groups there. If the laws of Israel apply to Jerusalem, the rule of the IDF applies there too....Furthermore, in addition to the military representation in Jerusalem, there must be a public, democratic civil representation, integrating all the various strata and sections of the Jews of Jerusalem.

The only basis on which the Mediator is authorized to conduct negotiations is the resolution of November 29. If he strays from that the validity of Rhodes is terminated. We must make a clear statement of our opposition to any possible territorial concessions or exchanges. It is not superfluous to reiterate the importance of repudiating exchanges of territory which directly or indirectly camouflage the intention to grant bases to imperialists. We must refuse to recognize the conquest of the Arab part of the country by Abdullah and the other invaders. The Government's position on this point is not clear. The Prime Minister spoke last week of an alliance with the Arab nations. I would like to know to which Arab nation he is referring. Is the invader to be our partner? Are we willing to speak to him? Or is he taking the November 29 resolution literally?

In conclusion, I would like to say that it is not enough to act, even to act daringly, outside, repelling the enemy's machinations in an international arena. It is no less important to undermine aggression from within. Together with the position taken by Mr. Shertok, repudiating any possibility of repatriating the refugees, we must reach our allies among those Arabs who remained in the country and those in conquered Arab Palestine. It is important to stress the fact of Arab-Jewish coopera-

tion in Nazareth...and the seeds of Arab loyalty to the State of Israel...as a point of departure for our foreign policies....

M. Lowenstein (Aguda): ...I would like to touch upon the economic situation of the Holy City, whose significance goes beyond the realm of economics, having important political implications as well. I would like to draw the attention of the Council of State to the unbearable economic conditions prevailing in Jerusalem....Jewish Jerusalem faces total economic collapse. Most stores are closed as they have nothing to offer their customers, and as a result many clerks and employees have been dismissed...constituting a sizeable group of unemployed people and weighing heavily on Jerusalem's shattered economy. This situation is primarily the result of the irrational economic policies of the Jerusalem Committee, which discriminates against the merchant class....The Jerusalem Committee, together with subcommittees on transportation and supplies, has ignored the economic interests of the commercial sector, which are also the interests of the residents of Jerusalem in general. What is even more worrying is that all the complaints made by different economic elements against the actions of these committees were received in silence, often not even meriting a formal response. A delegation from Jerusalem visiting my home informed me of all this....

There have been innumerable transportation difficulties. I know that these are due to the current situation, but a just and wise division of the available transport could have facilitated the delivery of goods to Jerusalem rather than paralyzing the economic life of the city. The Jerusalem Chamber of Commerce has proposed that 90 percent of the cars entering Jerusalem transport food of various kinds, and 10 percent other commodities....This must obviously be done under the strict supervision of the Committee....Merchants are complaining of the difficulties in obtaining travel permits to Tel Aviv. Sometimes it takes weeks until a permit is obtained. This seriously disturbs Jerusalem's regular commercial life....Whereas merchandise sent to Tnuva or Hamashbir goes straight to their cooperative warehouses, the merchandise designated for private merchants goes straight to central warehouses in Jerusalem which, due to the haste with which they were constructed, do not meet the minimal requirements of storage. Merchandise has been seriously damaged, its owners have suffered substantial losses and precious goods have been lost as a result....Moreover, the freezing of merchandise was unjustified. There must be an effective and just supervision of goods, but there is no need to strangle free trade....

Many of these deficiencies were brought about mainly because veteran economic factors in Jerusalem were not brought in to participate. The transportation and supply committees are comprised of people connected with Tnuva and Hamashbir, while the Chamber of Commerce

and the Association of Industrialists, which have a great deal of experience in various commercial branches and are familiar with Jerusalem's conditions and needs, remained outside....This injustice must be amended. A new committee must be established with an adequate and democratic representation of economic and commercial elements in Jerusalem. Otherwise, we will be leading Jerusalem to the brink of disaster. We must not be satisfied with encouraging statements. We must act promptly and in a concrete way.

I hereby propose establishing a Complaints Committee, comprising all the economic elements, so that complaints may be lodged against officials of every rank. I have an entire file of complaints made against clerks who behaved in an impolite way, deferring urgent matters from one day to the next, saying, "come back tomorrow." I therefore ask the Council to appoint a committee to investigate all these subjects and decide along the lines I have indicated....

The Government's proposal to establish a ruling body according to the party key on which the Government is based has encountered fierce opposition from the Jewish population of Jerusalem. The political composition of the Government in no way reflects that of the residents of Jerusalem, most of whom are traditional and adhere to the Jewish laws and precepts. It is inconceivable that the Government intends to appoint only one representative of Aguda out of thirteen members. In order to uphold the principles of justice and equality, we must take into account the composition of the Jewish representatives in the previous Municipal Council of Jerusalem, and establish a ruling body accordingly. There is no point in further complicating the already delicate issue of Jerusalem by increasing the bitterness among the Jewish population. The religious Jews of Jerusalem will not accept such conspicuous discrimination, and I warn you of the serious consequences likely to ensue from the Government's reckless steps.

M. Grabowsky (Mapai): We must praise the clarity of the Government's position, as expressed by the Foreign Minister in the most diplomatic terms regarding the various issues....The Council would be well-advised not to alter this formula, as every addition detracts from it.

Mr. Altman, for instance, asked why we do not speak out more clearly after the decision proclaiming Jerusalem as conquered territory was accepted, and advocated annexation....Mr. Altman should be told something of the behavior of countries stronger and larger than the State of Israel....A considered political step in accordance with reality is more than an unrealistic formula....An annexation of that kind cannot be implemented today because we are between the November 29 resolution and a new reality. Consequently, we must be wary of making proclamations of that kind, and not add to what is already a very important position and a crucial political step. The Government of Is-

rael informed us in its statement of the imposition of legislative, executive and military rule in Jerusalem. What more do you want?

Since the establishment of the state Mr. Mikunis has also excelled in unrestrained nationalism....I have come to the conclusion that it is difficult to compete with the Zionism of the Jewish communists, who have surpassed all of us in their zeal....However, Mr. Mikunis proposes...that the State of Israel not be satisfied with its great victory concerning the oil issue in Haifa. When there was a very severe embargo...he proposed that we take over the concessions of the other Powers and enter into conflict with them. I would like to ask him why, in its early years, the U.S.S.R. was a little more cautious in these matters? There were oil concessions in Baku...there were war debts, yet Russia paid and conducted negotiations and was wary of taking extreme steps. Moreover, it granted concessions because that was a necessity....Have we already attained peace? Have we no enemies? Are no Powers pitted against us? Have we nothing better to do than get involved in a war? To proclaim the expropriation of oil rights is to declare war....Why should we resort to political rhetoric, even concluding with a referendum in Palestine on who is for or against nationalization...? I see in that neither statesmanship nor socialism in these circumstances.

...I am a little apprehensive about the progressive Arab forces in view of the experience of the past few weeks and the information appearing in the newspapers....It must be acknowledged that attempts to identify them have usually failed. Mr. Lurie has adopted that style too. The question is whether there will be a peace conference tomorrow, and if we sit with the Arabs, will we sit with the representatives of those countries or not? If we sit with them, we do not need to enter into what Mr. Mikunis defined as adventurism and say that these Arab countries contain large progressive elements by means of which we can overcome their governments, and then conduct negotiations with them. There is no common ground between that assumption and social politics, or socialist politics, among those masses. These are two different areas and processes. The Jewish Labor movement in Palestine can conduct socialist politics with relation to our Arab neighbors, and seek for friends, but that has nothing to do with recognizing today's political reality. Today's political reality is that in Egypt there is a certain government, in Iraq there is a certain government, and Abdullah represents Transjordan. I do not know what progressive forces there are in Transjordan among the 300,000 Beduin....Will you say tomorrow that we are sitting with reactionary forces? That is an outdated slogan. In the world of today one conducts negotiations with reactionary forces when necessary, and the fact is that we do sit and negotiate with reactionary forces. That still does not mean that we admire them or respect their methods or wish them to remain forever. In general, I doubt whether any external element, Jewish or not, could succeed in founding a progressive element in

another nation. I never believed in the revolution we preach to the rest of the world. On the basis of the experience of the last eighty years we should renounce this approach.

We must determine an absolutely clear position with regard to the return of the Arab refugees. I am afraid that this issue is open to dangerous exploitation if we do not establish a uniform position on it....I am no less of a socialist than those who say that the refugees should return....Like other Members, Mr. Mikunis asked, though perhaps more cautiously, why we do not link the return of the Arab refugees with the Jews in Arab countries...? The answer is that the Arab governments rule half a million Jews...who have been put in detention, imprisoned and constantly threatened with death. The Arab governments have not concealed this. At Lake Success their representatives threatened: "We will settle accounts, we have Jews in our countries!" Therefore, in such a world, in this situation, can we ignore this fact? I find it improbable that any country would intervene tomorrow for the Egyptian Jews. Neither Russia nor Czechoslovakia would act on behalf of the Jews of Iraq. On this issue I would not rely on the Security Council, the League of Nations or the U.N. Consequently, the return of the Arab refugees must be our trump card, so that they do not murder our brethren there. I do not know if that card is sufficient. It is clear to me, however, that it is a way of exerting political, economic and moral pressure on them, and may well bring about a revolt against them....It is our international and moral duty not to separate those two questions. It is not a question of individual suffering, not even of compassion....The Foreign Minister spoke clearly and took a stand, and it is better that things not be finalized at this moment. There must be a certain amount of flexibility, in view of developments. I agree that the deciding factors will be Jewish arms, determination and desire for redemption. Political formulae must be made in accordance with our victories.

B. Weinstein (Hatzohar): The distressing question of the past weeks has been—where is our foreign policy going? The Foreign Minister tried to answer it this evening....His political report provides a basis for a serious political debate. When we were informed about our security situation we heard quotations from the Prophets, with which it is difficult to argue. It is easier to argue with the Foreign Minister, at any rate.

...His political report contained a number of assumptions attesting to a certain political orientation, which I would say was revisionist in comparison with the Government's usual positions....We would like that orientation to become more marked, and for our Government—if it has already begun to slough off illusions—to take this process to its logical and successful conclusion. The assumption underlying this report, which the Foreign Minister delivered, probably with the best intentions, but which could create the wrong impression and weaken one aspect of the Government's position, is our demand to become a member of the

U.N. The Foreign Minister justified this demand with an argument which can be described as "eternal temporariness." I propose that we refrain from using this reasoning. We are all united in our demand that the U.N. immediately accept our young country as a member with equal rights, but that does not mean that it should speak of "its ability to rule internally and externally." "Internally" smacks of Altalena. The impression will be created that the Provisional Government, which is provisional until elections are held, intends to postpone the elections to the Constituent Assembly...gradually creating a provisional rule whose temporary nature will be a permanent fixture....

I propose that we refrain from making use of internal governmental arguments in political statements. They are superfluous and add nothing to political premises. A few weeks ago, when we held the debate on the Bernadotte episode, we said that Rhodes is a political trap set by a hypocritical Count rather than a brutal Bevinite guard. We were told that that was an unparliamentary expression to use about someone with pacifist tendencies....

Recent experience has indicated the Count's true nature as the political agent of a certain element which is interested in enfeebling us in both our military and political struggles...in strangling our infant sovereignty at its first steps, afterwards giving us "autonomy" as a present. We said that even if the angel of peace goes to Rhodes, the Government must demand an explanation of the aims of this peace. If they are in accordance with the Partition Plan, which you have accepted, negotiations may be conducted. But if the aims are unclear, and not by chance but out of certain political calculations, there is no basis for negotiations with the Count. We were told that we should always try to negotiate, under any conditions, emphasizing the character of our Government as one always prepared to enter into negotiations....

We now have enough material proving who this Count is, and that both his path and the essence of his mission are rotten to the core, from the standpoint of our national and political interests. Although the Count did not define the aims of the peace, we must define the aims of our war, and only on that basis can we conduct negotiations....In that debate we said that our foreign policy must be based on existing facts rather than on an illusion of negotiations....In this respect, there have been changes at certain stages. We once said that the center of gravity of our work is our foreign policy....Now we say that the center of gravity has shifted to the creation of facts by the force of our arms, as these facts have a recognized and critical influence. We added that if one proclaims Jerusalem to be conquered territory...that represents a revolutionary change in the position of the Government, which has always preached the "sanctity" of the international forum which forbids us to proclaim Jerusalem as conquered territory. If you have already made this revolutionary decision, you must go all the way and proclaim the

annexation of Jerusalem, the capital of our state and Government. Have we not learned that in these days even a small people can use the language of facts?

As for the Arabs, we must dispel the illusion that there are good Arabs, just as we had to dispel the illusion that there were good Germans. I do not know where they are. Without the Arab villagers the Arab gangs could not have developed. The Arab villages provided the base of support for the Arab revolt. If we are relying on Stalin, I am also willing to learn about some of his policies and cite a political fact from his policy towards the German minority on the Volga. Within twenty-four hours the problem of the German minority, which had resided there during the war, was eliminated. We should not only refuse to return the Arabs to our conquered territory but initiate Jewish urban settlement immediately. Under no circumstances can we leave Jaffa, an area occupied by both military forces, empty. We must settle our conquered areas in order to confront the world with facts. If you began with revisionism you must continue in that direction and go on to expanding the borders as well. We must draw the logical conclusions and create a firm and courageous foreign policy.

M. Kolodny (HaOved Hatzioni): ...I would like to commend the positions adopted by the Government and expressed in the Foreign Minister's speech. Today we heard clearly what we have been hoping to hear for a long time. Considered, clear and valid statements were made on the repatriation of the Arabs. Each one of us understands that even if there is peace between the State of Israel and the Arab countries, it is highly unlikely that the 700,000 Jews in the Arab countries will be able to live there as before. The political climate and the possibility of developing, educating children and earning a livelihood will not be the same as in the past. We must not forget that even before our war with the Arabs, it was very difficult for Jews to live in those countries.

As a nation which lost six million of its number in the recent war, we must think very seriously about how to rescue the 700,000 Jews in the Arab countries in a short period of time. This problem is linked to that of the Arab refugees from Palestine. This was proved by the war and its results, despite our desire to the contrary. That fact cannot be ignored, and I doubt whether any international element will be able to ignore that problem, a solution for which must be found.

I would ask Council Member Lurie to try not to involve us in formulating a proposal against the Security Council resolution. The affairs of the world are complicated enough as it is, and a state like ours, taking its first steps, must think carefully before submitting proposals of that kind to our young parliament. The political conclusions which could be drawn, and the political effect of that vote, must be considered. I thought Council Member Mikunis would praise the Government for its position on the oil affair and the opening of the refineries....He could have said

that the Government had acted courageously on this issue, but need not have continued with the other half of his speech.

I have serious reservations about the Government's decisions and positions on Jerusalem. I am glad that other Council Members feel the same way. I am surprised that Council Member Grabowsky spoke on behalf of his party advocating a doctrine of concessions....We are all sufficiently moderate and balanced. However, there are facts which were established in the course of developments in the country, and what happened in Jerusalem is a fact. The Holy City was abandoned by the Christian world from a political standpoint, and by the British from a military standpoint. What happened during the war proved that the only force which saved Jerusalem was Jewish military strength and the Jewish population....On this issue we may act courageously....We were prepared to compromise, and on the subject of Jerusalem we accepted an extremely painful compromise....However, after so many sacrifices were made for Jerusalem and the road to it, we are entitled to adopt clearcut decisions and not leave the matter completely open, as the Foreign Minister did in his speech. Moreover, you spoke of establishing facts, but the tragic facts are that the 100,000 Jews of Jerusalem are liable to be reduced to 50,000. They have no sources of livelihood in the city and nothing has been done to amend this. The Ministerial Committee visited the city and saw some things, but has not yet drawn any conclusions. In matters of this kind, things should be done more quickly and decisions made, because the city's commerce is undermined, there is no work, and many people have no money to pay for the basic commodities distributed by the Jerusalem Committee.

The problem remains in all its gravity....We must take immediate action. There is a close connection between vacillating political statements and the action which has not yet been taken. I would like to ask the Minister of Religion, Rabbi Fishman, why, since Jerusalem is respected by all the religions of the world, Israel's Ministry of Religious Affairs cannot be situated there? I think that that would be logical and acceptable to all the religions. Why do we not think about reinforcing the institutions in Jerusalem? The ordinance concerning travel permits must be abolished and the road to Jerusalem improved. If there is a livelihood to be made in the city, there are many Jews who would like to move there, and the city would experience a renaissance.

I demand that the Government speed up its decision-making process, and repeat the request I made at the first Council sitting, namely, that one member of the Government be appointed to deal solely with the subject of Jerusalem. I do not believe in committees. There should also be an authorized representative of the Government in Jerusalem itself. I demand decisions and actions. A dangerous mood is evolving in Jerusalem, nurtured partly by the Aguda Party...which speaks of internationalization and a special regime for Jerusalem, etc. On the other

hand, there are those who preach "Judea," along the lines of the dissidents, fostering a dangerous ideology among the young people of Jerusalem. I warn the Government that if it delays action there may be results which we will all regret.

A. Stop (General Zionists): In my opinion, the Foreign Minister's report can serve as much more than the basis of a debate. It was not exhaustive, since it focused on only one area—the Mediator and the negotiations. The Foreign Minister should tell us, either in the Council or in a committee, about the remaining areas, which are certainly no less important.

In one area, however, things were said which, I believe, we all wanted to hear. The Foreign Minister's approach of refusing to detract from our sovereignty in any way is indisputable, as we are not willing to accept any restrictions on the subject of immigration. I approve of this approach too....We heard that we cannot accept any mode of negotiation. If someone initiates negotiations and then pretends to have forgotten what has happened meanwhile, as if the State of Israel had not arisen or there was no November 29 resolution, we will not accept that mode of negotiations. It is good that everything was said, and I assume the whole world understands this....

Almost all the speakers mentioned Jerusalem, showing how important this subject is to the Council Members and the nation....I find the Foreign Minister's caution on this unnecessary....I do not want to discuss whether the word "conquered" in the statement is correct or not. In my opinion, what we need is clarity. The Jewish nation, on whose behalf the Council speaks, demands Jerusalem....

I do not slight the resolution of November 29. I know what it gave us and I recognize the value of that moral basis, but to say now, after all that has happened over the past months, that we will not budge from that basis is wrong. The tone of our statements on Jerusalem, whether oral or written, as well as on other issues, indicates that the November 29 resolution is sacrosanct for us, and we may not tamper with it. Although November 29 is a very important date, we agreed then to what we thought would pass smoothly, without our having to fight for it. However, after we have fought a difficult war and made so many sacrifices, it is inappropriate to write and speak in a tone which implies that we may not change the resolution in any way....We must leave the door open and say that meanwhile something has happened, and the past cannot be revived.

I would like to touch on another issue pertaining more to the realm of internal affairs, but also tied to the subject of Jerusalem....I think it is unwise to remind the Gentiles that as Christians they abandoned Jerusalem, and that as a result we demand it for ourselves. Let us not remind them of their moral failings. We demand Jerusalem because it is ours....We have heard complaints about the relations between the

Provisional Government and the local government there....Members of the Municipality complain that an attempt is being made to strip it of content and authority...This situation demands clarification. We must attend to the development of a strong municipal government with stable authority.

The Foreign Minister, M. Shertok: I am saying nothing new by claiming that had it not been for the political fact created by the proclamation of the state and the military facts established by our success in defending that political fact by force of arms, the resolution of November 29 would have given us nothing more than another instance of betrayal by the civilized world, crushed hopes and impotent claims on the world's conscience. Again, I am saying nothing new by disclosing that had it not been for the resolution of 29 November 1947 of that same international arena I, for one, have grave doubts whether we would have dared to proclaim our independence as and when we did....I do not know whether we would have had the same feeling of confidence when mobilizing our military forces, formulating objectives for them and implanting our goals in the hearts of every soldier, without which we could not have expected the endurance, willingness to sacrifice themselves and victory we have witnessed to date.

...Dr. Altman says that he is not satisfied with the Provisional Government's proposed policy, which states: The resolution of November 29 remains a basis, but this is not sufficient in view of subsequent events. We were victorious. We learned a lesson. Horizons were broadened and new facts created. We must add to this basis, expanding, fortifying and revising it to fit reality. Dr. Altman proposes destroying this basis....I do not think he seriously believes we can accept his suggestion....Mr. Weinstein noted that the school from which we supposedly learned and is the source of our achievements is the revisionist one, in that we have moved on to bolder demands. Dr. Altman also declared that on the military front our successes began only when we passed from the defensive to the offensive. According to him, there was only one school of thought—defense. The revisionists were the only ones who advocated attack...but we finally learned our lesson from them and moved to the offensive. Is it any wonder that we are winning now? I would like to point out that if one is on the defensive, someone else must be attacking. During peace one does not begin fighting unless one is attacked. That means that one starts by defending oneself, until one is in a position to take the offensive. First of all, the situation of being on the defensive must be eradicated, meaning that one must overcome the enemy's attack. That is the beginning.

Secondly, strategy alone is not enough. I am revealing nothing new by saying that being on the offensive is better than being on the defensive. But being on the offensive requires certain means—manpower as well as something else, and that something else must be obtained. For

that one needs money, and once one has money one has to find places where the something else can be obtained....

If I understood Mr. Weinstein correctly, the policy to adopt towards the Mediator is to boycott him. I would like to remind Mr. Weinstein that we did not appoint or invite the Mediator. He was appointed by the General Assembly of the U.N. and given a specific mission, which the Security Council later supplemented by tying it directly to the truce.

We are on the eve of a new Assembly. We are knocking at its gates. If we are accepted into the U.N. before the next session, that will be a good thing. If we are not, we will not cede our right to appear at the Assembly. The proposal to start our career by boycotting the Assembly (boycotting the Mediator is tantamount to boycotting the Assembly), while we are still demanding our right to enter the Assembly, is odd, to say the least....Mr. Weinstein did not specify which of our positions towards the Mediator were wrong. Running away from an institution, turning one's back on it, is the logic displayed by those who ignore reality by turning their backs on our existence. We do not want them to do that, and we have nothing to learn from them by ignoring the existence of the U.N.

A great deal was said here about Jerusalem. Those speakers who criticized the Foreign Minister overlooked the fact that what he said here was not his personal position but that of the Government. I do not have the same freedom of speech as the Members of the Council to explain the Government's self-restraint on this subject. The only thing I can say on this topic...is that I am sure that the Government will take heed of the...feelings and attitudes of the Council Members towards Jerusalem. But it seems to me that the members who were dissatisfied with what appears to them to be the Government's minimalist position on Jerusalem did not give due consideration to the implications of the various positions, the repercussions of our position and the way it can influence other subjects. If a Foreign Affairs Committee is established...it will be possible to clarify the problem in a more limited forum....

Mr. Lurie made several important remarks about the Army. It is not tied directly to our foreign policy or my report, but since he mentioned it, I would like to say that we are all still under the very deep impression of the mighty display of two days ago. Obviously, each one of us sees it in the light of his innermost thoughts. I believe that our media omitted to mention the most striking fact, namely, that it was not just a parade of soldiers but one of fighting men united in spirit....

It is evident that had our Army not been what it was, namely, a force imbued with a sense of purpose, we would never have won the victory we did or achieved the unity expressed in that tremendous demonstration. One of the greatest impressions that celebration of our victory gave was the idea of a people's army, all the branches and brigades being united

in spirit....They are all equal, all enjoy the same rights, bear the same burden and share the difficulties, suffering, heroism and victory of battle. That, it seems to me, was one of the greatest rewards which this parade could grant its participants, the masses of soldiers—only some of whom participated in the parade and the entire nation which watched the spectacle....

Mr. Lurie made several claims which seem logical but are not based on sufficient information. He asked why our representatives in the Security Council have not protested against the biased composition of the Supervision Organization. Those representatives do not enjoy total freedom of speech there. It is a special delegation, there by invitation, not by right. We are not members of the U.N. and certainly not of the Security Council....We can speak only on substance, on subjects concerning us, not on the agenda, the procedure or the composition of any committee or system, i.e., subjects organizationally dependent on the U.N. Consequently, we must act with discretion and consideration. Obviously, we would welcome the presence of a more extensive representation, and the only two parties participating in the debates which we exclude are Britain and the Arab countries. This was stated in the proceedings....

As for the claim that we did not make the issue of water for Jerusalem and the route to the Negev conditions, I would like to say that we did not make the issue of immigration a clear condition either. There were certain considerations attached to these decisions. We stated: "according to our declared position." When I spoke about it today I was referring first and foremost to immigration, but it also included the subjects of water for Jerusalem and opening the road to the Negev. How it would have helped us if we had presented them as outright conditions, I do not know. Incidentally, after the Legion had agreed, through its British representative, to allow our convoys to pass undisturbed and give us access to the water pump at Latrun in order to allow the free flow of water to Jerusalem, it went back on its word, denying passage to our convoys and access to the water pump, justifying this by saying that we had declared Jerusalem a Jewish city, which the Legion could not accept. That means that the decision to keep Jerusalem thirsty is unchanged.

The convoy used our roads without U.N. supervision, as a result of our announcement that we would not permit U.N. supervision of our convoys on the roads which we control. But we have no intention of giving up the road to Latrun either. If the Legion tries to keep Jerusalem thirsty, we will keep it hungry. We intend to starve it, and have opened fire on the road from Latrun to Ramallah. The Legion can either let our convoys pass through Latrun, which means that its convoys will go through too, or stop our convoys, in which case its will be stopped too. If it appeals to the U.N. about that we will know what to say....

Council Member Lurie also went into the serious question of the concept of "Arabs." When we speak of negotiations with the Arabs, to whom are we referring, and do we accept the Arab world as it is? It must be clear that when one talks of "peace negotiations" in a war one is referring to peace negotiations with a belligerent party. No other type of peace negotiations are known to me. One can say that one will not embark on peace negotiations until there is a revolution or until some kind of change or a miracle occurs. However, if we make it our policy to end this war in peace, that means making peace with the belligerent party. If there are changes meanwhile, so be it. A government can fall or be established, there may be a reshuffle, or not, but it is not in our power to bring it about or cause a change of the guard. We must keep social ideals and practical statesmanship separate. We should not renounce our social ideals, but our practical policies must not be dependent on them....

Regarding the search for support in Nazareth, theoretically, the idea is a good one, but we must be a little more clear about what there really is in Nazareth....In this situation it is very easy to cause a group which has no support to proclaim something, but afterwards, when you want to discuss something real, it turns out that the group was just an empty balloon....Mr. Mikunis advised us *post factum*...that in accepting the truce we should have made the implementation of the November 29 resolution a condition. Assuming that this was a good idea, who would have implemented it...? How would this have been received? The meaning of the implementation of the November 29 resolution...is, first of all, renouncing all the territory we conquered outside the borders of the State of Israel, including the road to Jerusalem. It means assuming that Jerusalem will be international, though there is no guarantee regarding the nature of the international regime to be founded there...and I am a little surprised that Mr. Mikunis appears to be relying on miracles....Abdullah will remain Abdullah, and if Mr. Mikunis says that the resolution of November 29 involves a separate state, a puppet government can be set up there. I am surprised that after the bitter experience of the past he still insists that that should be a condition. I would like to say that we did not accept that counsel at the time, and not necessarily from Council Member Mikunis, and he knows what I am referring to. We are in contact with many delegations, and we did not accept that advice. We were told that we had to agree to a truce, and that we could not oppose the Security Council, where decisions are accepted by a majority....The principle of the truce was accepted unanimously....

With regard to the Negev and the criticism that the Foreign Minister...saw fit to speak to the representative of the *New York Times* before speaking to the Council of State, I am not familiar with the behavior of other foreign ministers, but when a journalist from the *New York Times* comes specially to the country, for only twenty-four hours, and

requests an interview, and the *New York Times*, which is the biggest newspaper in the world, is prepared to open its pages to the Provisional Government, one cannot ask them to wait another week because one has not yet delivered a political report....Secondly, when a journalist comes the initiative is his. There is a certain skill, if not an art, of putting questions in your interviewer's mouth, but usually you must let him ask the questions....If he asks you: Are you prepared to grant permission for military bases to be established in the Negev?—you can say: I'd rather not answer that question, or you can simply say: No. I do not think that Council Member Mikunis would say "No," even if the U.S.S.R. made the request, simply because we have a position, and that is based on the U.N., and the question clearly refers to granting permission to a certain element. Therefore, the answer we gave...was that we can discuss it only if it is U.N. policy, and is part of an international settlement determining safe areas....I have no complaint against Mr. Mikunis, who cannot have read the *New York Times*, but I have a cable with the exact text of what appeared—and it was surprisingly accurate....We know that when security matters are discussed in the Security Council the subject of safe areas in the world are raised and someone will ensure that the resolution is not adopted.

I would like to use this opportunity to say that during this period—a very important one in the life of our nation and of each and every one of us—we had an historic meeting, a direct, face-to-face meeting with the representatives of the U.S.S.R. and its closest allies....During that meeting I felt no need to adjust or change my way of thought or expression...in order to feel that we understood one another and shared a common language. But this was not a sense of identity, I do not identify with any other elements in the world, only with the Jewish nation. On behalf of the Jewish nation...we strive for the maximum of mutual understanding and friendship in the world, as well as the maximum of appreciation and recognition of the issues facing the Jewish nation. We are prepared to appreciate and acknowledge everything which seems to us to be good and which assures our future place in the world. I did not feel at a disadvantage. I do not think that those with whom I held discussions found fault with my presentation of our case as I understood it and had learned it in the Zionist movement. They may have felt that the special nature of the meeting gave it special significance. They learned about the subject as it is, without embellishments or any attempt to present it in a rosy light....It seems to me that they would have been offended if they had detected any attempt, by myself or my associates, to simplify the issue, because that would have indicated that their thinking was not clear enough and that they were unable to grasp the problem....

I regret the fact that one of the Council Members had to resign from the Council and, because of another important task she has undertaken, is not with us now. At the beginning of the evening Golda Myerson was

sitting here with us. She returned to the country yesterday, and in another few days will...leave on a difficult but historic mission for the Jewish people and the State of Israel....Those who have chosen her for this task...did so in the knowledge that she will represent our affairs as they are, giving them their due importance but without attempting to amend or embellish them, and that her ability to speak persuasively will heighten the mutual understanding between us and the U.S.S.R. which began to develop at Lake Success and the ensuing struggles, in which we stood together....

The Minister of Trade's colleagues say that we have not violated British concessions. The November 29 resolution certainly did not violate those concessions, since it requires us to honor existing concessions....But this does not mean that we cede our freedom to object, in certain situations and at the appropriate time, to the validity of certain clauses and perhaps of concessions in general. The world changes, as do concessions and situations. Some are renewed and some are not, and the state and its institutions have a role to play in this. The point of departure for this infant state—if we are not totally to turn our backs on international law, which has many positive aspects for us—is the recognition of existing concessions. At Lake Success it was not only the British who voted in favor of these clauses.

In my interview with the *New York Times* journalist I said that we prefer an independent Arab state in Palestine to one which is part of a neighboring country. But when I was asked if we would fight to prevent annexation I said that although I do not believe we would embark on a war because of it, we would prefer an independent Arab state. The question remains—what will the nature of the neighboring state be? Will we have a say in the matter? Are not all kinds of configurations possible? Would it not be much worse from our point of view to have an independent Arab state in Palestine than one annexed to a neighboring country? There are arguments in favor of either side, and we do not have to renounce all initiatives, all defense of our vital interests, but we do not have to be too dogmatic either, as a certain amount of flexibility and keeping all kinds of options open seems to be much wiser politically.

Mr. Stop debated the subject of the November 29 resolution with an article he may have read, but not with the report I gave this evening. Regarding Jerusalem, he said, that we demand Jerusalem because we demand it, and not because the Christian world turned its back on it. He said that as an expression of Jewish thought, simply and healthily. I totally agree with him. When we first demanded Jerusalem at Lake Success, we demanded Jerusalem because we demanded it. But Mr. Stop did not say that at the beginning of the struggle at Lake Success in September and October 1947, but at the end of July 1948. Now he asks why we do not demand Jerusalem because we demand it. I envy him his very convenient memory. I am not equally blessed. I cannot forget that at a cer-

tain stage I announced on behalf of the Jewish Agency, which was then the determining institution, that we agreed to an international Jerusalem. I said that not because we were giving Jerusalem up, but because we were facing pressure from the Christian world...to the effect that our position on an international Jerusalem would determine theirs on the Jewish state in Palestine....After considerable reflection, I can say that we do not believe that that moral obligation obtains any longer. From a political viewpoint, we are interested in retaining the possibility of renewing that demand. We must not forget that the renewal of that demand will constitute a change of policy, being justified by the fact that the initial change was a concession to the Christians, and that the opinion of the Jewish nation yielded to that of the world. Our justification for the change this time is that the Christian world did not justify our surrender, but wasted and abandoned it, appearing to be less afraid of Jerusalem being conquered anew by Islam than of the claims of the Jewish nation to a part of Jerusalem for itself.

The Government's decision on Jerusalem has yet to be officially released. We have published our view that the municipal organization of Jerusalem should remain. There will be a provisional ruling body in Jerusalem which will be authorized and will act under the Government of Israel. Obviously, the mayoralty will be subordinate to the central ruling body, and by settling these matters the mayoralty will be able to settle its own affairs more rationally and effectively. I hope our position will soon be published and that the practical arrangements it entails will not be delayed.

Prime Minister's Statement Following the Assassination of the U.N. Mediator

Introduction

On 14 May 1948, just a few hours before the termination of the British Mandate in Palestine and the launching of the Arab states' invasion, the General Assembly of the United Nations had adopted a resolution "establishing a U.N. Mediator with the mandate of seeking agreement of the parties to a peaceful adjustment of the situation in Palestine." Some weeks earlier, a Truce Supervision Commission had been appointed by the Security Council. Count Folke Bernadotte from Sweden, President of the Swedish Red Cross, had been given the task of mediation, while at the same time seeking to establish a truce and supervise its implementation. In his first plan, presented during the First Truce, he proposed the amalgamation of the Arab parts of Palestine in one political unit with Transjordan; the incorporation of the Negev in the Arab state, in return for Western Galilee which would become part of the Jewish state; and the inclusion of Jerusalem in the Arab state. The plan was rejected by both sides. On 16 September 1948 Count Bernadotte submitted a second version of his plan to the Secretary General of the United Nations, differing from the first one primarily in the provision that Jerusalem should be internationalized, as had been envisaged in the Partition Resolution.

On 17 September 1948, while driving to his headquarters in the Jewish part of Jerusalem, Bernadotte was assassinated, together with a senior U.N. officer. The perpetrators of the crime were never apprehended, although it was obvious from the outset that they were connected with a dissident group.

Sitting 19 of the Provisional Council of State

23 September 1948 (19 Elul 5708)

The Prime Minister, D. Ben-Gurion: I deeply regret the fact that I am obliged to begin with the tragic, shocking and shameful deed perpetrated by cowardly blackguards among us—the murder of the U.N. emissary, Count Bernadotte....The heinous crime committed last Friday...by murderous terrorists against unarmed people sent to us by the U.N. has shocked us all....Any murder is a horrifying thing...but this is particularly so because it is directed against the highest human organization of our time, the U.N., because it is done in the name of a so-called patrio-

tism which is nothing but a disgusting distortion of that concept, because it in effect undermines the honor and independence of the young State of Israel, and because it sullies Israel's name abroad and stains our holy city, Jerusalem, with innocent blood.

Together with the entire civilized world, we grieve at the tragic deaths of the emissaries of peace who fell in our midst before fulfilling the great and difficult mission with which the U.N. had charged them.

The differences of opinion between us and Count Bernadotte...do not detract from our deep respect for his character and his mission, or from our sorrow at his tragic and heroic death....Count Bernadotte was a true representative of...his nation, which is small in numbers yet great in culture and nobility....

Like the other Scandinavian peoples, the Swedish nation...has reached a peak of civilization in our time by virtue of its mental strength, physical endeavors and willpower. It is a nation which pursues freedom and equality, peace and justice, serving as an example for the entire world....

The Jewish people will never forget the...help the Swedish people and its government gave it in the darkest days of our history, when we were hounded throughout Europe...and Sweden opened its gates to the Jews of Denmark....Both during the war and after it, Sweden extended its aid to those Jews who survived, offering them medical aid and a haven of rest....A few years ago I visited Stockholm and met with Jewish refugees there. I will never forget their gratitude and admiration in speaking of the help they had received and the kindness they had experienced, both from the Swedish government and from its citizens, from every walk of life....

Count Bernadotte came from that noble nation, and he embodied all the best aspects of its character....He did not simply live as the wealthy nobility do, but devoted a great deal of his time to humanitarian undertakings, becoming the President of the Red Cross Organization. During the last World War he travelled from one P.O.W. camp to another, among both the Allies and the Axis nations, in an attempt to ease the lot of invalids. He was given the task of bringing the message of Nazi Germany's surrender, though he was unable to conduct the negotiations leading to the end of the fighting....We Jews will pay particular reverence to Bernadotte's memory for his share in providing shelter in Sweden for the thousands who survived the camps.

When the U.N. deliberated the Palestine problem for the third time, it chose Count Bernadotte to mediate between Israel and the attacking Arab countries. Since then he travelled through the Middle East...in civilian dress, generally unguarded, even after some of his aides were killed by Arabs, until, to our shame and disgrace, a murderer's bullet found him—in Jerusalem.

The Government of Israel has already sent its condolences to Count Bernadotte's widow and to the Government of Sweden. I am sure that the entire Provisional Council of State, in the name of the whole nation, joins me in expressing our deepest regrets and sympathies...on the deaths of Count Bernadotte and his aide....

Let us stand now in memory of those two men. (The Council stands to attention.)

As soon as we were informed of the tragedy last Friday...we ordered the land, sea and air borders to be closed and a search to be conducted for the suspects. Our investigations...indicated that it was Lehi, not IZL, which had committed the murder, immediately after its leaders had informed its members that the organization was being dissolved.

I summoned army commanders, including those who had belonged to Lehi in the past...and my clarifications revealed that they had not been privy to this crime, and once informed of it they condemned it sincerely. They can be expected to continue serving the country loyally, in accordance with their oath as soldiers of the IDF....

After consulting with the heads of the army and the police...orders were issued for all the members of Lehi to be arrested, their bases surrounded, and the roads to Jerusalem blocked....Members of IZL are not to be arrested if they do not identify with the murder or help Lehi actively....Jerusalem was put under curfew, and the police and army surrounded and captured all Lehi's bases, without any opposition. A considerable quantity of arms of various kinds has been captured...and 184 Lehi members have been arrested in Jerusalem.

Searches were also conducted in Tel Aviv and the other Lehi centers in the country, and 62 Lehi members were arrested in the Tel Aviv area. No resistance was encountered at the time of the arrests.

After consulting with those Government members whom I could contact on Friday night and Saturday morning, I asked the Ministry of Justice to prepare emergency regulations against terrorist organizations, making it possible to punish not only the perpetrators of the crime—for that the present laws are adequate—but also the members of the terrorist organization, even if they did not participate in acts of terrorism themselves, as well as those who aided and abetted them in any way.

On Saturday night the Government met...and I reported on the measures taken to date. The Government endorsed these, and agreed to continue the efforts to apprehend the criminals wherever they might be, so that they may be punished and the terrorist organizations suppressed. The Government also endorsed the emergency regulations....

The Government is sure that its firm measures against the murderers and their associates, and the war against the terrorist organizations, will have the full support not only of the Provisional Council of State but also of every citizen of Israel....If anyone anywhere has any

information which may lead to the arrest of the criminals, he is asked to give it as exactly and speedily as possible to the appropriate authorities. This is the duty of every honest, law-abiding citizen. The Government has also decided to offer a reward of IL 5,000 to anyone whose evidence helps in catching the criminals and bringing them to justice.

It is not advisable for me to give details of the investigation at the moment...but I would just like to add a few words about the end of IZL's military separatism. When the Provisional Council of State discussed the first attack on Israel's authority, which was launched by IZL soon after the establishment of the state, it was decided to establish a committee of seven people in order to end the military fragmentation and ensure a united army, authority and law in Israel. Once these were attained, the past crimes of the terrorist organizations would be struck off the record, and those of their members who joined the army would receive all the rights and duties of the other citizens of the state.

During the Mandate too, fragmentation and terrorism were...a cancer in...our society, and from time to time the various official bodies passed strongly-worded resolutions against them...but the fact that we were under foreign rule prevented us from fighting terrorism effectively, although we suffered most from it....

In order to gain public support at the time of the Mandate, the terrorist groups declared that if an independent Jewish state were established they would dissolve themselves and join the overall defensive force. Regrettably, those promises were not honored, even after the Jewish state was established, and the Government had to use force in order to foil IZL's attempt to undermine the authority of the state by bringing an arms ship....After the IDF repressed the attempt at an armed revolt in Kfar Vitkin and Tel Aviv, and the members of IZL had to put down their arms and join the IDF, military fragmentation found a haven in Jerusalem....

Some of the members of the seven-man committee set up by the Provisional Council of State believed that they would be able to bring about the end of military fragmentation by friendly persuasion...but all their patience and endeavors came to naught.

The two dissenting organizations seemed to be prepared to accept the authority of the Military Governor of Jerusalem, but on three conditions: 1. that they would serve only in Jerusalem....2. that they would remain separate, IZL units, and 3. that they would have freedom of action in Jerusalem if there should be any change in the city's official status.

Naturally, the Government could not accept those conditions, which meant giving an official imprimatur to military fragmentation in certain circumstances and countenancing a covert political arrangement with a dissident military entity, i.e., undermining the state's international and sovereign status.

I should stress that the Government's decision of last Sunday regarding IZL has nothing to do with Bernadotte's murder...and the proximity of the two is purely coincidental.

As the press has already reported, the Government decided to ask IZL to disarm unconditionally, hand all its weapons to the IDF, and for all its members who are of military age to join the IDF.

On Monday IZL was handed the following ultimatum:

1. IZL in Jerusalem must accept the law of the land regarding the army, mobilization and weapons.
2. All IZL members who are of military age must join the IDF.
3. All weapons must be handed to the IDF.
4. Anyone who joins the army must swear the oath of allegiance.
5. IZL members will be treated just like everyone else.
6. If you accept these conditions within the next twenty-four hours, i.e., from 12 noon, 20 September 1948...none of you will be held culpable for your infringements of Israeli law to date....
7. If you do not fulfill these conditions, the army will act with all the resources at its disposal.

As you know, IZL accepted those conditions...We hope that this marks the end of the fragmentation which has plagued us....I can assure the Council and the nation that the Government is resolved not to tolerate any military splinter-group or illegal organization henceforth, and to suppress terrorism and uproot the remains of the terrorist groups with all the means at its disposal. I hope that all the citizens of Israel will aid us in our efforts.

...

The Speaker, J. Sprinzak: The Praesidium has been asked by the Foreign Affairs Committee to hold a special sitting devoted to political matters connected with topics currently on the agenda of the U.N. We have to fix a date for this.

B. Weinstein (Hatzohar): When will we hold this debate? Presumably, before the Foreign Minister's departure?

The Speaker, J. Sprinzak: The Praesidium will coordinate the date of the debate with the Foreign Minister, Mr. Shertok....

The Foreign Minister, M. Shertok: I would simply like to clarify the practical side of the matter. The date of my departure has not yet been decided. But in order to ensure the possibility of my participation in the debate, the sitting should be held before Monday afternoon.

The Speaker, J. Sprinzak: That is also the Praesidium's intention.

U.N. Mediator's Report

Introduction

The assassination of Count Bernadotte had added weight to his recommendations, which, from another working document, had overnight become the last will and testament of an international official who had sacrificed his life for the sake of peace. All the same, on 26 September 1948 the Government of Israel decided to reject the report. On the following day the Council of State debated the Government's policy at the forthcoming U.N. Assembly.

Sitting 20 of the Provisional Council of State

(Closed to the Public)
27 September 1948 (23 Elul 5708)
Tel Aviv

The Speaker, J. Sprinzak: I hereby open the twentieth sitting....The subject is...the intermediary's report. This sitting is closed, which means that its contents cannot be published either orally or in writing. There are also guests here whom we have invited to this sitting, having complete trust in their discretion....

The Foreign Minister, M. Shertok: Members of the Council, for several days our subject has been on the agenda of the U.N. Assembly....It is a year since it first appeared before that august gathering...when the fateful decision of November 29 was made....According to that decision, our independent state was to have been proclaimed only in another three days, on October 1, together with the Arab state which was to have come into being...while in fact we have existed as an independent entity for four and a half months....This alone indicates with what unimagined rapidity the events of our lives have unfolded this past year.

Although we do not yet appear before the Assembly as members of it, neither do we appear as members of a national organization, whether recognized or not. We will appear before the Assembly only as...the representatives of a state.

As we come before the Assembly, we rule...an area far larger than the settled part of Palestine originally allocated to us, and our strength rests on an army which has grown within just one year—or even less than a year—to become perhaps the most prominent factor in the region....Nevertheless, we do not go to the Assembly with a sense of confi-

dence....The stage of the state's creation has not yet ended, we are still in the process of formation....

The Assembly has been presented with a report intended to alter and ratify the decision of November 29, as prepared by the late Count Bernadotte...and because Bernadotte is dead, his words may carry greater weight than they would if he were alive....

There is no doubt that this report reflects a certain unity of views between its author and important elements in the international arena. The full endorsement of the report by the American and British governments, and the speed with which this was done...indicate this....

This agreement to the report by the two Powers should be regarded as the outcome of discussions held over a certain period, during which pressures of various kinds were exerted...and this agreement will give the report...a better chance of gaining the majority required....

Our matter appears to be quite high on the Assembly's agenda, and has in fact been given priority....It can be assumed that it will be discussed in the second week of the Committee's activities, and the supporters of the report will try and push for an early decision, without going into the details of each point...so that the matter may be passed on to the Committee for further clarifications. The Committee does not require a two-thirds majority, a simple majority is sufficient, though experts assure me that a simple majority in the Committee indicates a two-thirds majority in the plenum....

That is the general framework...in which we must appear...and for which purpose a sizeable delegation is going to that Assembly. We would appear before the Assembly even without that report, and if the initiative were ours, we would focus on two points: first, to request our acceptance by the U.N. as a member-state; and second, to get the Assembly to pass a resolution demanding that our attackers enter into peace negotiations with us, after we have declared that we are prepared to do so. We might also add a third point, namely, putting an end to the institution of the intermediary as we know it...ending the unbearable situation we are in of no peace and no war, and a truce which drains and exhausts us, preventing us from bringing matters to any kind of conclusion. But the publication of the report, and the conclusions it contains, with the agreement of the two Western Powers, has changed the background completely. The murder of Count Bernadotte has made it worse, and we are confronted with an initiative which comes from outside us and to which we are obliged to respond.

The question of our acceptance into the U.N. is still unresolved....The Government has decided to submit the application...but the process involves obtaining a majority of seven in the Security Council, without the opposition of any of the five major Powers. If the debate on our acceptance is separated from the discussion of the report there is little chance of our obtaining a majority of seven....The point of apply-

ing was, however, to ascertain what the general feeling towards us is. Besides, without applying we cannot be members, and if we apply we may be accepted....

Bernadotte's report has several positive and some negative points....One positive point is its acceptance of Israel's existence as an established fact...and another is that the ceasefire must end in peace. There are two positive points as regards territory: a. the proposal that all of Galilee be included within Israel...and b. the restoration of Jaffa to the State of Israel....

The report mentions paying compensation to those Arab refugees who prefer to remain in other countries rather than returning to Israel. The report stresses paying the compensation in return for the abandoned property in Israel, but the fact that this is mentioned indicates that there is a solution to the problem of the refugees, or at least some of them, and elsewhere there is specific reference to the exchange of population. There is a catch to this, as this also involves an exchange of territory and severing the entire Negev from Israel....

The report also contains some very negative points....There is an attempt in it to establish the right of Arab individuals to return to their homes in Israel...and we disagree with that. As far as we are concerned this is a matter concerning nations, not individuals....The report is also based on the assumption that the ceasefire, or truce, should lead to peace, but that this will not happen soon, and that meanwhile an armistice, involving a demilitarized zone under U.N. supervision, should be arranged.

The report proposes our withdrawal from certain areas...while the invading Arab armies are not required to give up anything....The report also advocates international control over areas inside Israel, which may open the way for the expansion of the area and also smacks of trusteeship.

Another basis of the report is the period of armistice, involving the withdrawal and disbanding of the armed forces. Whereas for the Arab armies this merely means that they withdraw to their own countries, for us it means disarming ourselves completely....This, of course, would make us extremely vulnerable in the case of a renewed attack upon us, and it is not clear by which means the U.N. intends to ensure that the peace is kept....It would seem that this recommendation will not and cannot be implemented....

The severing of the Negev is, however, the gravest point of this report....The institution of a certain regime in Haifa port, also affecting the refineries, as well as at Lod Airport, the possibility that neighboring countries will use those ports...and the internationalization of Jerusalem, appear to constitute a return to the original plan of November 29 without taking the events of the last year into consideration....

Finally, the report mentions a Conciliation Committee...which would supervise various aspects of daily life in the country and would attempt to bring the two sides closer to one another....This would inevitably impair our sovereignty.

It is our intention to fight this report and bring about its rejection by the U.N....This would leave the original plan of November 29 in effect, and...our experience has taught us that the implementation of U.N. plans depends solely on our own strength....Bernadotte's proposals vary from the resolution of November 29 in several respects. They deprive the Jewish state of a large area of land, adding on a small area instead, they rule out the idea of an economic association between the Jewish and Arab states...and they recommend the annexation of the Arab area by Transjordan....We have to take the middle path between the two extremes, basing our decisions on our own best interests....Criticism has been levelled against the Ministry of Foreign Affairs in the press for trying to get the best of both worlds, namely, failing to abandon the resolution of November 29, but attempting at the same time to attain more than that resolution gave....

I agree with those who say that there is no discrepancy between the Biltmore Program and the resolution of November 29. Demanding the entire western part of Palestine as part of the Jewish state does not preclude agreeing to establish a state in part of western Palestine. Both the original claim and the later interpretation were justified....The two views are not contradictory, but stages of implementation. We demanded what we deserved, and we accepted what we could get, but that does not mean that we regard the resolution of November 29 as sacrosanct....If that resolution had come into effect as originally planned we would undoubtedly have honored it, but events turned out otherwise, and the State of Israel was established in the course of the war imposed upon us, with its borders decided by battles....What, then, is the moral, political and practical point of not making demands which we consider justified now?

It may be that there is no need to put all our claims on the agenda. I think that our position in Galilee today is such, with regard to our control of it, that we do not have to demand it. The mere fact that we are there and refuse to leave those areas which are in our hands strengthens our claim to it....

This is neither the time or place to enter into a discussion of how and when to make demands, whether for reasons of tactics or principle....There are three bases to our demands that the resolution of November 29 be adjusted: first, Jerusalem, and the land bridge to it; second, Jaffa...; and third, all of Galilee.

The Government decided...not to raise the issue of the borders, and if the subject comes up, our attitude is that we insist on all the territory given us within the framework of the resolution of November 29, with

some adjustments....A certain decision was made regarding Jerusalem, requiring us to explain our attitude....

There is no doubt that this attitude brings us into conflict with the Western countries, who are prepared to give us Galilee if we give up the Negev....We also clash with them on the subject of Jerusalem and the road to it....

There is also the possibility of clashing with the U.S.S.R., although we will do our best to avoid this....There is no doubt that the principle of recognizing Israel's existence which is embodied within Bernadotte's report was accepted partly because of U.S. pressure on England. The Americans convinced Bevin and his associates in the Foreign Office as well as the Heads of the Armed Services that their war against the State of Israel was in vain, that their battle to reduce it to something microscopic was pointless, and that they had to accept the fact that the state existed. In addition, it had to be a viable entity, had to be recognized "de jure" as well as "de facto," and had to be accepted by the U.N....

The pressure to accept the borders determined by military conquests also helped, enabling Galilee to be regarded as part of the Jewish state. Thus, the pocket there currently controlled by Kaukji's forces will inevitably come under our control, whether through negotiations or through armed conflict....

In theory that area could be annexed to Lebanon, to which it is adjacent, though not to Syria....But the question is whether Lebanon will be glad to have it, because it is inhabited by Moslems and the annexation would involve changing the extremely tenuous balance of forces there, creating a Moslem majority in that country....

As for the proposal to annex the Negev to Transjordan...this is obviously not because that country is short of desert area, but part of the overall plan. By paying the price of acknowledging the State of Israel and its historic aspiration to rule Galilee...the Western countries see an opportunity...to arrange matters in the region by establishing a long-term connection with a country which will need outside aid for many years to come, being very backward and undeveloped....The Negev triangle can be used for military bases, its territory being ideal for camps, air-bases and training areas, as well as providing access to the Red Sea, and can then take its place in the security network of the Middle East. This gives one of the Allies a basis of control, with military bases and official contracts, and will be followed by the internationalization of Jerusalem—in any international settlement, given the present composition of the U.N., it is obvious what the decision on that score would be today—and certain rights in the free port of Haifa. There is no knowing what is behind that formula, but there is something, namely, keeping a hold on the State of Israel.

We will oppose this, not because we identify with one side or another in the world conflict, but because it affects our future as regards territory and perhaps sovereignty....

Concerning the Negev...considerable pressure has been exerted on Israel by the U.S. to relinquish it....This would reduce Israel's overall territory from 14 million to 5 million dunams, and even though one dunam in Galilee yields far more than ten in the Negev, for us the Negev is still of crucial importance....First and foremost, it is the area of large-scale settlement in the future, but it also has mineral potential, and it gives access to the Dead Sea, where we have Sedom. The Partition Plan separated us from the northern part of the Dead Sea, maintaining our link with its southern part. Giving up the Negev would mean allowing the Dead Sea to become wholly Arab and would cut us off from...Eilat, with all the future possibilities which that holds for us....

We are confronting a bitter struggle against this proposal to exchange Galilee, which is anyway in our hands, for the Negev, which is ours according to the Partition Plan....We will not agree to this and will do our utmost to scuttle it. But it will not be easy in view of the forces ranged against us....

We will also have to conduct a vigorous campaign as regards Jerusalem....The Government has decided to demand New Jerusalem as an integral part of the Jewish state, as well as the corridor leading to it and which is in our hands...The Government has decided to agree to international rule over the Old City of Jerusalem, within the walls. This decision has not been made lightly, and was based on considerations of what was the lesser evil for New Jerusalem....

If our demand for New Jerusalem is not accepted...and the world refuses to act in order to save Christian Jerusalem from Islamic rule, just as it did when we fought for it...and we are confronted with the choice between the internationalization of all Jerusalem and our handing over part of New Jerusalem to Arab rule, the question is, what is the lesser of the evils?...

Everybody agrees that it would be better were all of Jerusalem in our hands and not under international rule...with no Arab rule there. But if that is not possible, what should we do...? I believe that in presenting the matter of Jerusalem it should not be separated from that of its corridor....Furthermore, in arguing our case for Jerusalem I think we should be wary of making excessive use of the fact that the demand for its internationalization cannot be implemented because there is no military force to do it....That might be the way to lead to its creation....

This campaign will also be a difficult one...although we are in a strong position because from the outset we were prepared to be flexible and did not oppose the idea adamantly....But now we are sadder and wiser, and we have heard the reports of the Jews living in Jerusalem, whose lives and future seem uncertain to them. They are prepared to

shed their blood to defend themselves, as we have seen, but will any international force be prepared to do so?...The experience of the past has taught us that we cannot rely on anyone but ourselves....

There is also the question of Haifa, for which the status of a free port has been mooted....The Government's position is generally against a free port and against anything which restricts Israel's sovereignty in some way, however small. The neighboring countries need an outlet to the sea, however, and we are prepared to sit down with them and discuss coming to some kind of arrangement...on the basis of mutuality....

Another question which will undoubtedly be discussed is that of the Arab refugees...who number approximately 400,000....As I have already noted, the report gives individuals the right to return. It is not so nice or humanitarian to oppose something which is so basic, so simple: a person's right to return to the home from which he has been driven out by force....I remember that at the Socialist International which I attended after the war a Czech delegate justified uprooting the Sudeten population, defining it as a matter of his nation's survival, since their continued presence would always be regarded as a threat....This was said in a closed committee, not a public forum...and reflected the dilemma of the Socialist movement in Europe....

I would not use the terms that Czech did...but this is a question not of individuals, but of the existence of this community....If the situation were one of peace between us and our neighbors, and they were willing to accept us as part of the Middle East, the background would be different. But as long as this is not the case...the background is what it is, and that is crucial in determining the situation, rather than decisions made at the U.N....

I believe that we must continue a vigorous information campaign regarding the basic, far-reaching solution...of settling the vast majority of these people in the neighboring countries...which would benefit all concerned....For the first time we are appearing at the U.N. as the delegation of a state, and not as representatives of an organization, namely, the Jewish Agency, with branches in Jerusalem and New York, and whose members attempt to influence and change decisions....The U.N. is accustomed to waiting for the responses of delegations which have not yet received instructions from their government on certain matters, and that is how we will have to act too...issuing instructions to our delegation on a pragmatic basis....

What is the chance of the report obtaining a majority? If it does not, the matter will be returned to the Security Council, I presume. I hope we will not return to the situation of a ceasefire....If there is a majority, the matter will be very serious, because it is not so simple to defy the U.N. It depends how seriously the decision harms us...but there is also the question of how the Arabs will react. I cannot imagine that they will agree to any solution which is accepted. If the Arabs defy the U.N., that

is a different matter. They may do so at a later stage, or the League may split. It began with the establishment of the government in Gaza.

We cannot be indifferent to the fate of the Arab part of Palestine, nor is it a matter on which we can make a decision. It depends on a great many factors, and at the moment is extremely complicated as far as we are concerned. At present that area is a geographical concept rather than a political factor....There is no process of political crystallization within it leading to the establishment of any organization or body which could serve as a basis for a government.

On one side there is Transjordan, which is an existing government, backed by the British but with its own intentions, such as the desire to reach an agreement with us....On the other there is the center of the Mufti, who is endeavoring to establish himself through the provisional government set up in Gaza and about which there has been considerable dispute. It has no territorial status or control, nor has it an army. It depends entirely on the attitude of the Arab countries to it. Transjordan opposed it vehemently, Egypt supports it, but has not granted it official recognition, Iraq appears to be undecided. Syria appears to support it, but covertly, because overt support might lead to the dissolution of the League, and the Secretary of the League runs from one country to another in an attempt to save it from collapsing.

If we could permit ourselves to adopt a theoretical stand I would propose that we declare our preference for a separate Arab government in Palestine rather than the annexation of the Arab part of Palestine by Transjordan. A separate Arab government would be weaker and more dependent upon us, it would maintain the unity of western Palestine, and would serve as a barrier between us and Iraq, with which Transjordan may merge tomorrow....Transjordan's association with Britain is also a reason for us to keep it out of Palestine. We know what our relations with Britain are today but we do not know what they will be tomorrow....

But to say that now is tantamount to saying that we prefer the Mufti to rule in Palestine. It is sufficient that we do not publicly announce our opposition to that government in Gaza, because that would imply that we favor annexation by Transjordan....From time to time we read in the press that there are various groups and parties among the Arabs upon whom we should depend. This is a mirage. The Arab public does not support those groups at present....

If we do not accept the conclusion that we must conquer and rule all of Palestine, and if Arab Palestine is under Arab rule, we do not have much choice. At this stage we should not commit ourselves...waiting to see how matters develop and acting at the appropriate moment in order to achieve what we want and prevent the situation deteriorating....

If the Arabs split over the decision of the majority, it can be assumed that fighting will break out again, and the decisions will once again be made on the battlefield rather than at the bargaining table.

I have merely attempted to peep behind the screen in order to assess various possible developments. It is impossible to reach any decision on this score. The focal point is the campaign in front of us, and it is that which we must discuss.

The Speaker, J. Sprinzak: Does anyone want to take part in the discussion? (From the floor: The matter should be debated!) Who wants to speak? (The hands of many members of the Council are raised. After a recess the debate is held.)

...

M. Kol (Progressives): We can see once again to what extent the murder committed in Jerusalem can harm us and disturb the work of our delegation to the U.N. It will undoubtedly aid all those who oppose our acceptance into the U.N., but after deliberating on the matter I think that we should support the Government's decision to apply for membership in the U.N., despite the chance that we might be rejected....Better to have tried and failed than not to have tried at all. Our application will anyway be connected with the mission of the intermediary and the cease-fire....

We will, however, be deluding ourselves if we think that the Palestine problem will end with this session of the U.N....The Arabs have already announced that they reject the intermediary's proposals, and it seems likely that some Arabs at least will continue the armed struggle...possibly followed by fresh demands for compromises at our expense....That is why we must mobilize all our strength at the U.N. to withstand whatever pressure may be put upon us to agree to territorial concessions....

I am glad that the Government decided to reject the intermediary's report and oppose its acceptance by the U.N....I regard the government's decision on Jerusalem as a victory for political common sense and realism....

We must tell the world clearly that as far as we are concerned the proposal to internationalize Jerusalem no longer exists. I don't know why we cannot use the argument that the U.N. failed to raise any force to defend the international regime....Maybe there is no chance for us to obtain all of Jerusalem even if we demand it, and we may eventually have to propose that the Old City be placed under international rule. There is some logic in not fighting for the Old City, which might be ruled by the representatives of the three religions, and so there is no alternative to the division of Jerusalem. We will demand all of it, but the Arabs will undoubtedly receive part of it.

That is the only solution—most of Jerusalem linked to us by a strong, wide territorial bridge, by our settlements and a waterline defended by us. I am glad the Government reached this decision. It was not easy. There were various considerations, and these changed too. I welcome the change of which the Foreign Minister has informed us regarding Jerusalem, and our delegation will be able to mobilize support for that solution more readily than for internationalization, which is an abstract solution....

The most painful subject in Bernadotte's report is the proposal regarding the Negev, reflecting the desire to take our area of potential settlement, development and the ingathering of the exiles away from us, as well as to establish military bases for the West in this region....

In conclusion, the Council should congratulate the Government on its decision as well as its firmness in adhering to it. A difficult time at the U.N. lies ahead of us now; we can see that Bevin is mobilizing his strength and influence to bring about a rapid decision. We regard this campaign as an important stage, though by no means the final one, in the conflict over Palestine.

At the same time we will have to strengthen our state from within....These coming months must be a time not only when we gather military strength, but when we also strengthen ourselves internally by revealing our democracy through elections for the Constituent Assembly....

We will have to introduce a wide settlement program...while maintaining our military alertness and expanding our agricultural and industrial production....Let us wish the Foreign Minister God speed, and may he return to us with good tidings....

The Prime Minister, D. Ben-Gurion: Gentlemen, there is nothing to add to what the Foreign Minister has said....I would just like to clarify a few basic assumptions of our foreign policy.

First and foremost is the fact that we are obliged to act on both the diplomatic and the military fronts, and it is the combination of these two which will decide our fate. Within this dual campaign there are two circles of interested parties. One is that of the Jews and the Arabs, and the other, wider, one is that of world forces....Both of them influence what happens here in the region....

I believe that at present our military position is far stronger than our diplomatic one....It is a mistake to think that the large circle of world forces divides simply into East and West, for whereas the East is fairly united, the West is not....As far as their attitude to us is concerned, America is not like England and England is not like France, and we must make our way carefully between the various eddies and currents....

We must ask ourselves whether we can expect any kind of final decision from the forthcoming meeting of the Security Council, which has

taken it upon itself to play a leading role in the matter of Palestine. I doubt it. A two-thirds majority may be obtained for something, and it may include both America and Russia...but this need not necessarily determine anything about events here in Israel....There is no doubt that those Powers have the military strength to impose their will on the region if they so desire, but it is doubtful whether they will actually use it....The events of the last year, following the decision of November 29, have proved that the forces on the ground have a more significant role to play than the decisions of the Assembly, however large and impressive the majority there may be....

Another example is the fact that at the beginning of May several world leaders, including Marshall, told us not to proclaim the state; our friends advised us to do his bidding, and they were probably right....We are certainly no match for America. But we decided to go ahead anyway, calculating that America would not send troops here to prevent us doing so, and our assumption has been vindicated....

If we were not able to distinguish between what a country says and what it is prepared and able to do, the State of Israel would not have come into existence...and that is the mistake our advisors made....At present there are three possibilities for resolving the Palestine problem: by a Jewish-Arab agreement, by a U.N. decision, and by a military clash between Arabs and Jews. I doubt very much that a Jewish-Arab agreement is attainable at present, and if it were it would give us the very minimum, and I doubt that there would be many Jews who would agree to that.

We could undoubtedly obtain far more through a U.N. decision, but this in turn raises two questions: first, if the Arabs oppose it—as they probably will—in what way will the situation be any different from November 1947? Second, is there any chance that by vigorous and successful attempts at persuasion in the U.N. the Negev will remain ours, will at least New Jerusalem with its corridor be ours, will Jaffa and Ramle remain within the Jewish state, as well as Western and Central Galilee, will we have a port at Eilat, access to the Dead Sea and no outside control of Haifa? And if a miracle happens and a two-thirds majority is obtained for a resolution containing all that, won't we have to fight for it, just as we did the last time?

...The third question is whether the U.N. will...use all the necessary power in order to implement whatever decision it makes about Palestine. If it does not, we will reach the third alternative, namely, a military clash between Arabs and Jews. If that arises, I believe we will be able to conquer the route to the Negev, Eilat and the Dead Sea as well as to gain control over the Negev, widen the Jerusalem corridor and liberate the rest of New Jerusalem (Sheikh Jarrah and the University and Hadassah area), conquer the Old City and all of Central Galilee, and expand our borders in various directions.

...When it comes to it, the situation may be even more complex than the three possibilities we have analyzed. The Arabs may be divided and one Arab country may be prepared to come to an agreement with us and may even gain the backing of the U.N., impelling that body to use force to impose its will on the region....

At any rate, it is obvious that we will oppose the Bernadotte plan to the end, as the Foreign Minister explained, and the Arabs will oppose it for the opposite reasons. Thus, there are two practical possibilities: returning to the U.N. decision of November 1947 without the international backing for its implementation, or engaging in a military confrontation, whether Jewish-Arab or international.

Meanwhile we have gained experience of the phenomenon known as a truce, in which the U.N. refrains from imposing any decision by force, and both Arabs and Jews refrain from combat. It is doubtful whether the truce constitutes a solution for either Jews or Arabs, however. It merely...proves that in the greater circle there are forces which ensure that our superior strength over the Arabs will not be allowed to prevail. Just as we are not free to use our military power, larger and stronger countries are not; there is mutual dependence in this throughout the world, though this does not mean that we should abandon our right to use force if necessary....

The greater circle has not changed much during the last year, but the changes which have occurred in Palestine—the establishment of the state and our military victories—have influenced certain elements in that circle...though it hardly seems likely that any one country would resort to military intervention on its own. If England, which in fact organized the war against us and sought our downfall, did not intervene directly during this past year, it seems doubtful that it would do so now....America would not send troops either....

Thus, we are in a truce-dominated vicious circle, but cannot remain in it for long. Neither can the Arabs, in my view, but that is not our concern. We did not ask them to wage war on us, but we cannot tolerate a continuation of the status quo...because it distorts our very *raison d'etre*...preventing us from bringing in large-scale immigration and establishing settlements....Nor do we wish to focus all our energies on maintaining our military strength; we have no desire to establish a second Sparta here.

...It is incorrect to say that in its attitude to us the world is divided into two, West and East, one side being wholly friendly and the other wholly unfriendly. Nothing could be further from the truth....We have friends in both camps, and they helped us in the war we fought. Only someone who does not regard the Jewish people as an end in itself but solely as a means of uniting the two major rivals of the world, or someone who is unaware of the situation of the Jews in the diaspora and that of Israel, could propose that we identify with one side and completely ig-

nore the other...We are a small nation, and we must avoid becoming enslaved by a larger one...

If we do not set the borders straight ourselves, no one else will do it for us....And there is no guarantee that we will obtain the road to Jerusalem, the Negev and Galilee by diplomatic means alone. The U.N. Observers determined that Jerusalem's water supply should not be cut off, it being one of the conditions of the truce that the situation of neither side should be worsened....The Arabs blew up the pump at Latrun and water is not reaching Jerusalem that way anymore. We did not rely on the U.N., and together with the new road we built we also laid a water pipeline, thereby saving Jerusalem. But the U.N. undertook to pump water to Jerusalem from Latrun, the pipe we laid is within the range of the Legion's guns, and Jerusalem can be made waterless any day. The U.N. did not have the strength—or the will—to implement its decision....

The U.N. gave us the right to send convoys to the Negev at certain times, but the Egyptians prevent this and were it not for the fact that we have found another—unsafe—way, our settlements would starve. The U.N. cannot or will not enforce its decision there either, so are we bound to submit to its ineffectiveness? It is obvious to me that we cannot put our trust in the U.N. or in any diplomatic decision, however welcome. We must be ready to make use of the military factor at the right time and place....

Z. Lurie (Mapam): ...Bernadotte's report combines the Peel Report with the Morrison-Grady Plan, taking the geographic element from one and the political from the other....It is hardly surprising, therefore, that both Marshall and Bevin hastened to give it their support....

I do not accept the comparison that has been made here between a dunam in the Negev and a dunam in Galilee. What is the point of that?...What was the point of stressing the positive elements in Bernadotte's report, which contains nothing positive, or if it does it is immediately offset by something negative?...Bernadotte gives us, first of all, the prospect of a permanent belt of hostility around us, as well as demobilization and British cannon in Tulkarm, Jenin and maybe Lod, and it is that which will dictate the political situation....

Our delegation should be given instructions to reject Bernadotte's report, and we did not hear that from the Foreign Minister. This is a test of our orientation...whether it is one-sided or not....We have faced grimmer tests before now, and all America's dire warnings about their not recognizing us, not giving us a loan, and imposing an embargo on us if we went ahead and proclaimed the state were never implemented....

I agree with the Minister of Defense that it is unlikely that the resolution will be passed...meaning that the resolution of November 29 is still in effect. It will not be easy to obtain a two-thirds majority at the

U.N. in its present constellation, and it depends on us. But we are not something to be trifled with, nor were we on November 29....

We must insist on the plan of November 29, with the adjustments which our experience of the last few months has taught us are necessary, i.e. insisting on Jaffa, Western Galilee and the Jerusalem corridor....

I find it strange that on the one hand you decry the idea of internationalizing Jerusalem but on the other suggest that this should be applied to the Old City...contending that no part of the city should be under Arab control, and that international control is preferable....The Foreign Minister evaded the question of the fate of the Arab part of Palestine. My impression was that our attitude is one of indifference, and I want to say that it is a grave error to think that we can manage better with the political situation Bernadotte aspires to with Abdullah than with the full implementation of the Partition Plan....Nor will it be possible to dissuade Abdullah from his connection with imperialism; on the contrary, British intervention will be on our doorstep.

That is why I maintain that activism among the Arabs cannot be measured in a time-span of months. The solution of Bernadotte and of Abdullah is one of eternal hatred....If we adopt an attitude of aloofness towards those elements among the Arabs who are serious, we will inevitably be drawn into adopting the policy we condemn in others....

D. Auster (General Zionists): ...As a resident of Jerusalem...I would like the members of the Council to ask the Foreign Minister unani- mously to instruct the delegation to the U.N...to reject the idea of inter- nationalizing Jerusalem. For us it is a matter of daily life. We don't want to be dependent on any Gentile for anything....The inhabitants of Jerusalem regard themselves as an inseparable and integral part of Is- rael, and refuse to allow themselves to be under foreign rule just when the entire country is being redeemed from the alien yoke....I do not need to remind those present that it was not the U.N. which saved Jerusalem when it was besieged; our sons defended it with their blood, and with their sweat they built the road and laid the pipeline in order to save the one hundred thousand Jewish inhabitants of Jerusalem. The U.N. did not lift a finger, it did not even protest when Jerusalem was bombarded night and day, as it still is. We still have not heard a word from a Christian church condemning what is happening in Jerusalem, even though for four hundred years no nation dared treat Jérusalem as it is being treated now with the aid of British arms, British support and British officers.

The sanctity of Jerusalem and its holy places is a hollow phrase ...which is why we cannot depend on Christian or international rule. The inhabitants of Jerusalem demand that it be made an integral part of the State of Israel, with a hinterland of settlements, roads and supply lines...for it cannot return to the situation in which it was during the siege.

...In order to strengthen our delegation would it not be advisable to organize a movement in Jerusalem to support it...? Meetings and demonstrations could be held, cables sent and articles published in the press, illustrating the delegation's widespread support among the citizens of the city....I think that could help....Perhaps a small delegation of inhabitants of Jerusalem should also attend the meeting, so that it could also make its voice heard wherever and whenever this was appropriate....The point must be got across that all of us—regardless of our political affiliations—are united in our claim that Jerusalem is part of Israel. (From the floor: What does Agudat Yisrael say?) I don't think that Agudat Yisrael disagrees with this, and I don't think—after what we have seen with our own eyes—that any Jew would dare demand the internationalization of Jerusalem today!...

We do not advocate proclaiming our support for the internationalization of the Old City; we only say that if the other side demands it because of the holy places which are situated there we can say that we do not oppose internationalizing the holy places, but the new city, which we built, and where we have been the majority for almost a century, is a Jewish city and wants to be part of the State of Israel....

D.Z. Pinkas (Mizrahi): ...I think that our basic approach in the negotiations in Paris should be that there is no point or basis for discussing the Palestine problem again after the resolutions passed so ceremoniously and with such a large majority were not observed by several members of the U.N., who continue to sit there. In my view, we should not enter into any negotiations until it is declared that not only do those who infringed the resolution of November 29 have no moral right to sit there and discuss our affairs, but neither do those who decided but did not act....Because what is the point of fresh discussions and resolutions after we have seen that members of the U.N. can violate them without encountering any opposition?...What right do they have to sit and discuss our affairs?...

We must demand that the original resolution be observed, with the qualification that we be allowed to keep what we have conquered with our blood—as the result of a war which we did not initiate....I believe that that has long been international practice. That is why it is a waste of time to discuss the good or bad points of Bernadotte's report. There is nothing good in it because the underlying assumption is wrong....Besides, the Arabs will infringe any resolution the U.N. passes, however large its majority, and why should we take part in humiliating the U.N.?

I believe that we can also rely on the resolution of November 29 as regards Jerusalem. Not that we desire the internationalization of Jerusalem...but that is what they decided. Events showed that we held on to it and prevailed in battle...and even though the Old City is not in our hands, it is not for us to come and propose its internationalization, in

support of Bernadotte's views. Our stand should be that Jerusalem is in our hands today, and that if an arrangement in accordance with the resolution of November 29 is proposed, we should examine it carefully....No international force is entitled to take the city of Jerusalem away from us, that is why I present this hypothetical answer....I believe that we will still conquer the Old City. There is a point to the internationalization of Jerusalem if an independent Arab state arises in the Arab part of Palestine, or if that part is annexed by an Arab country....There is a danger that Abdullah will make it his capital, with all that that implies. That is why I think we should oppose the partition of Jerusalem....The Jews, who constitute the majority of the citizens of Jerusalem, will succeed in making it the capital of Israel....

As regards the Negev, I think that in this case, too, our best approach is to rely on the resolution of November 29. There is nothing to negotiate here....It is the decision of the U.N., and we will implement it as long as we have the strength to do so....This stand may be too simple, and therefore unsuited for the convoluted minds of the diplomats at the U.N., but I think that it is just by simplicity that we can get our message across....I think that, while applying for membership of the U.N., we should demand the expulsion of those members who infringed its resolution of November 29...or at least the application of sanctions against them....

A. Altman (Hatzohar): ...To use the Foreign Minister's line of argument, I think we should make it clear in Paris what is our maximum and our minimum....Our maximum is all of Palestine, and those who did not dare demand it before should not be ashamed to do so now. If barefoot Abdullah can dare to demand all of Palestine, we can demand Iraq, Syria and some other places too. Because he has no rights and we do, he has no nation and we have one numbering twelve million....

As for our minimum, that should be all of western Palestine...and if an explanation is required, it is that without it we have nowhere to settle the millions. Because we are not establishing a static state for a few Arabs living here and there. And because after the experience of the last year we cannot tolerate that any part of western Palestine—whether as the Mufti's state or annexed by Abdullah—should serve as a jumping-off point for attacks upon us. For whatever form the Arab rule of that part takes, its purpose is one: to attack us....

The Foreign Minister mentioned a speech someone made about the Sudeten. Any Arab rule in western Palestine is tantamount to creating a Sudetenland here, whether by allowing the refugees back among us or by establishing some form of self-rule in the Triangle, etc. That is why our answer must be a firm "no." There is nothing to discuss or negotiate....Moreover, we should move to the attack, as is our right, and not merely defend ourselves against Bernadotte's report. There is no point referring to the resolution of November 29 today, with amendments or

without. Everything has to be changed. That resolution had a good point—the state, and a bad one—partition. We have the state, even Bernadotte admits that it exists. So why should we adhere to partition, which is only negative...?

Bernadotte and the U.N. have abandoned the idea that the Arabs should have their own state in western Palestine....So why should we not discard the idea of the annexation of that part of Palestine by Abdullah? He doesn't need it, we do, and there is every reason to believe that if he has it it will be used as a launching pad for an attack on us....

The same applies to Jerusalem. No one can make any demands about Jerusalem....The idea of internationalizing Jerusalem is nonsensical. There is no such thing anywhere in the world....It is a trick, a way of disguising their intentions....Mr. Auster was right—and I said this to the Foreign Minister myself not long ago—that a delegation from Jerusalem should accompany our representatives to the U.N. and give a first-hand report of what happened and is happening in Jerusalem now....

...I think that it is time to speak out clearly...and cease giving so much respect to the U.N....If that institution were a shining light of integrity and honesty, rather than a center of plots and intrigue...we should treat it with the respect it deserved....It watched impassively as our existence was threatened, intervening only when the Arabs were receiving a beating...That institution is incapable of implementing anything. That is why the Prime Minister was right in saying that whatever they decide has no practical value. The only thing in the world that has practical value are the facts we have created.

We must rid ourselves of the resolution of November 29 because it limits us....I agree with the Prime Minister that with the present constellation of forces we have no hope of achieving anything in Paris through negotiations....The only way open to us is war...and the only thing we have to fear is compromise....

S. Mikunis (Communists): The multitude of facts the Foreign Minister included in his speech obscured the basic idea—whether intentionally or not I do not know. Right from the start we said that we should not cooperate with Bernadotte....There was no need to cooperate with anybody interested in altering the resolution of November 29.

Non-cooperation has tremendous political effect. Those powers which were constantly plotting against the State of Israel would have realized that we were firm in our decision not to agree to any amendments or changes in our sovereign territory....

Our discussion here should focus on the basic points, not the details...namely, the fact that we are not prepared to enter into any negotiations on the basis of Bernadotte's plan....From what the Foreign Minister said we gather that he is prepared to talk about it.

We Jews have both good and bad qualities, as well as qualities we have acquired from our surroundings...and saying that something has both good and bad points is a British way of looking at things. It does not fit the Jew from Berdychiv who knows what is good for him and what is bad. This plan is a way of strangling us, but we need not fear it because it cannot be implemented. This way of speaking in opposites is more appropriate for Mr. Aubrey Eban, or Abba Eban....I would tie his tongue, so that he wouldn't speak in the style of the British parliament and make statements of that kind in our name....Let us speak out clearly: we reject that plan; there is nothing good in it....We need the dunams of the Negev, we need its mineral resources; we need the Dead Sea and the Red Sea....

We do not want British cannon in the Negev...directed against us and the U.S.S.R....Ben-Gurion was correct in saying that there are circles, and we are lucky that we are in the great circle of the world....The choice before us is whether to stand beside Bevin or against him....Don't try and weave theories about our having friends in both camps....What the Foreign Minister said about Haifa, Lod and the refineries was unclear. Free ports at Haifa and Lod mean that they will be British ports...and the same applies to the refineries. I propose that we nationalize the refineries, and the Dead Sea, when we reach it....

Bernadotte's plan deprives us of a great deal of territory, which we do not have anywhere else; we have mountains elsewhere, but one cannot settle there. If we have a state, we wish to settle it and strengthen it, to bring hundreds of thousands of Jews and settle them in the Negev, then it will be ours. I hope we will be a peace-loving nation, and there will be no bases for war there, and if it identifies with the interests of the U.S.S.R. it will automatically identify with the interests of all peace-loving nations.

...I also think that the resolution of the U.N. is not something immutable and fixed...it involved compromises and had it not been for certain influences the borders would undoubtedly have been different....But in the political arena one has to accept something....We must say that we accept the original U.N. resolution....The East remains firm in its adherence to the resolution of November 29, while the West is flexible and wants to deprive us of our territory and our sovereignty....

What is on the agenda today is whether to give up several million dunams of our territory or not....I do not agree with the Government's decision regarding Jerusalem. We have Jerusalem, Nazareth and the corridor. Those questions do not have to be raised now. If we raise the question of Jerusalem, as the Government proposes, we risk losing the Negev and Haifa. What I felt Mr. Shertok's proposal lacked was an underlying principle....Only by sticking to principles—as the U.S.S.R. adheres to the resolution of November 29—can one be victori-

ous today, not by getting bogged down in details....(Stopped by the Speaker for exceeding his time-limit.)

M. Lowenstein (Agudat Yisrael): The international situation has deteriorated of late. There is a danger that Russia and the countries associated with it will leave the U.N. It is difficult to know if this will harm us. The danger of war may impel the countries of the West to change their hostile attitude to us...although Russia's absence from the U.N. may lead them to abandon us altogether...We must be careful in navigating our way between the pressure exerted on us by Russia to reject Bernadotte's plan and by the West to accept it...We must preserve our neutrality...not only for the sake of our state but also for the sake of our brethren who are living in the countries of both the East and the West.

...We must delineate a maximal plan, which our representatives must present at the Assembly, and a minimal plan, which they can present at a later stage....The maximal plan should be: all of Jerusalem under Jewish rule except for the Old City, which will be under international rule; Jaffa and a corridor between Jerusalem and Tel Aviv to be ours, and we should be enabled to adjust the borders of the Partition Plan, in accordance with current reality, through direct negotiations with the neighboring countries.

The minimal plan should be: Jerusalem internationalized, provided the lives of its Jewish inhabitants and free access to the city are guaranteed. We relinquish all the territory we have conquered beyond the borders of the Partition Plan...provided all the neighboring countries sign a non-aggression pact with Israel effective for twenty-five years. The question of the refugees and compensation for war damage will be a subject for negotiations with the Arab countries....

...Even Bernadotte thought that the truce should not continue indefinitely. We must ask the U.N. to set a limit to it...at which time the embargo and all the restrictions imposed upon us should also end...I do not ignore the fact that both the plans I have outlined leave our representatives considerable leeway...I hope and pray that our delegation will act wisely, without being either overconfident or too submissive to the pressures of hostile forces, leading to the loss of achievements for which we shed our blood. We welcome every political gain which spares our soldiers' lives in war....

E. Berlin (Progressives): ...To this day I stand amazed, as I did the first time I saw the Partition Plan, with its zig-zag borders, the like of which you cannot find anywhere else in the world. Look at America, which is divided into several states; all the states have straight borders. Even the borders between Canada and America, about which there were serious disputes, as you remember, or between America and Mexico, are all straight. Because people realized that both sides lose if there is a straight line, and it is for the benefit of both sides as regards territorial

defense....I think that our delegation should take this into account....We must also ensure the safety of the corridor between Jerusalem and Tel Aviv...by holding on to the Arab villages we have conquered, and making sure that we are not attacked from those which we have not....

...Galilee is of importance for us, even though its land cannot be immediately and easily settled...and I think that it is worthwhile for us to give far more dunams in return for Western Galilee than that area contains....

As for Jerusalem...we have seen that the countries which were the most concerned about it (mainly the Scandinavian countries) did not lift a finger when the city was on the verge of being captured....And Bernadotte's demand that 3,500 soldiers be sent to defend the city was ignored....If we are confronted with the demand to internationalize Jerusalem at the U.N., I think that as our minimum we can discuss internationalizing the Old City, but we must oppose it categorically as far as the new city is concerned....The development of the city suffered from the fact that the interests of the vast majority of its inhabitants could not influence the governing of the city by the Mandatory authorities....We must not forget that to this day there are parts, such as Hadasah, the University and the cemeteries...which are inaccessible. There must be a link between the various parts of the city, and dividing it into an Arab and a Jewish part will prevent the Jews from getting to those areas in the future too.

We should allow the Arab part to be fully autonomous, within the borders outlined by Fitzgerald, but Jerusalem—apart from the Old City—can and must be Jewish....

...
Y. Ben-Zvi (Mapai): ...I do not think we should adhere to the resolution of November 29 or to Bernadotte's plan. We were all glad about the Partition Plan simply because it involved establishing the State of Israel, but the plan itself leaves much to be desired...During the last ten months a great deal has changed...but we cannot say that in some things we will insist on the plan and in another—Jerusalem—we reject it. What we must say is that, relying on that basis, we retain the right to fight for Jerusalem as well as for some other things. I also think that although Bernadotte's plan contains some important points, if we have to choose a basis it should be that of the Partition Plan....

I accept the general approach that Jerusalem should be Jewish, and that the events of recent months have strengthened this contention. But I would emphasize the importance of establishing Jerusalem's territorial link with the rest of Israel. Jerusalem's great misfortune is that it is surrounded on all four sides by Arab territory. It may be our mistake of the last thirty years that Jerusalem was and remains an isolated bridgehead. This was not the case with Tiberias and Safed...Thirty

years ago, when the British conquered Palestine, Jerusalem contained 43 percent of the Jewish population of the country, 34,000 Jews out of 70,000 or 80,000. Today it has barely 15 percent....The Jewish population of Jerusalem has not grown in proportion to the rest of the country....It is obvious now that we cannot save Jerusalem if it is surrounded on all sides and we do not have access to it from at least one side....Now it seems that we cannot avoid dividing Jerusalem up into a Jewish and an Arab part, with the holy places under international supervision....

...I propose that it is not in our interest to link the question of our development, the Negev and Galilee, with that of a settlement with the Arabs....We cannot ignore the fact that Abdullah, or the Husseinis, may rule in Jerusalem tomorrow if the Arab part of the city is left in Arab hands. I see an even greater danger in the Mufti's presence there....It is a mistake to think that we are interested in local rule in the Arab part of Palestine. That is a pragmatic issue, not one of principle. We know that we cannot continue fighting the Arabs for a hundred years if we do not have an ally among them, and we will have to decide not from political motives but because of the pressure exerted by another country, with which we can negotiate, to which we can be useful so that it will also be useful to us. If we can be useful and obtain help or recognition, it is obvious that we have more chances of reaching an understanding with Transjordan than with a government of the kind which announced its intention of destroying us....That is why I reject the idea of an independent Arab Palestine, with its own government, and why I would prefer any kind of combination enabling us to cooperate with Transjordan. What are the formal objections to that? The resolution of November 29? That cannot be binding upon us in all its details. Bernadotte has done us an important service by enabling us to advance in our Arab policy.

The Foreign Minister, M. Shertok: I said that we would have to make every possible and impossible effort to prevent the acceptance of this report....Some people think that this is not sufficient and want the Provisional Council of State to reject the plan. The Council can make any decision it likes...but that doesn't solve the problem. There will be a discussion, both of the plan and of other matters...such as Jerusalem, the borders, the Negev and the Arab refugees. And if Mr. Mikunis thinks that we are going there to negotiate, he is mistaken....The Assembly will deliberate without us, it does not need us, it consists of 57 or 58 countries, and they will discuss this....

...One cannot say that it does not matter what decision they reach, because if that were the case it would be better to save the money and not go at all. But if it is important, we must explain why we reject the report, and then we have to go into details. The people there will want to know why the Arab refugees should not be allowed back into Israel and why

we are so insistent on retaining the Negev. They will be interested in the number of dunams....

...Zvi Lurie made a commendable effort to attack my argument, but unfortunately he failed....What he said was, on the whole, confused and confusing....He proposes international rule for Jerusalem, but only if all five Powers are there....Does he really think that that will stop the Arabs attacking Jerusalem?...Can we depend on foreign soldiers fighting harder to defend Jewish Jerusalem than we did ourselves?...

You attacked my statement, which I made on behalf of the Government, that we are prepared to agree to the internationalization of the Old City....This means that you are in favor of having the Old City under Jewish rule but that all of Jerusalem should be under international rule....Would you not say that this is somewhat self-contradictory...?

We were also told that we do not have a clearcut policy as regards the rest of Palestine....But what do you propose instead? That we should oppose its annexation by Abdullah. We agree with that....But you made no concrete suggestion beyond that....Concerning handing the Arab part over to Abdullah I said that there are two sides to the coin, that it is a complicated matter and we should wait and see. We may not have to take a stand. You claim that your position is clear, but it is not....

I share the disappointment of Mr. Pinkas and others that Bernadotte did not write in his report that he doubts whether the State of Israel exists...and that he does not propose recognizing Israel, etc. Had he said that he would have caused us a great deal of satisfaction and we would have more negative material and that would be good....But the fact that he said that Israel exists must not be mentioned, that is harmful. If we assume that Bernadotte was Bevin's mouthpiece, and it transpires, therefore, that that is Bevin's opinion, have we heard that statement from Bevin himself all these months?...Did Bernadotte say what he did because of his kindness and intelligence or because he simply accepted the fact of our victories? But it was our achievement and our victory, and that is why it cannot be mentioned. (S. Mikunis: That's no achievement. They are embracing us in order to strangle us.) That's better than strangling us in order to embrace us!

Both Mr. Ben-Gurion and I said that we may have to defy the decision of the U.N. if it threatens something very essential....The subject on the agenda of this meeting is not the political problems confronting the State of Israel but determining the line our delegation will have to take at the U.N. Assembly. The delegation will not have to conquer Latrun or solve the problem of the Negev. It will engage in a verbal battle.

Meanwhile there are serious problems confronting the Government and the Council: should we or should we not fight, and in what framework? Mr. Pinkas accepted that, but concluded by doubting whether we should enter the U.N., some of whose members have infringed its deci-

sions. Is this a moral issue?...One has to be more realistic in discussing issues of this kind.

What is the danger in Bernadotte's report? It has been said here that it is the Morrison-Grady plan, and constitutes an attack on our sovereignty. This is far from being the case....What can they do in Haifa? I don't agree that making Haifa a free port is potentially dangerous....They cannot force us to do anything we don't want to, after all, Haifa is in our hands. What would they do? Send their navies? It is obvious that our navy is no match for either of theirs, let alone their combined navies....This is where Ben-Gurion's theory comes in, namely, that one has to distinguish between a country's opposition to something and its readiness to use force....It is only by force that Haifa can be made a free port....

The same applies as regards the danger of the refugees. Opinions may be divided on this, and some people may think that we should allow all the refugees back, but as long as this is not our view we have the strength not to return the refugees. Because we control all the places the Arabs abandoned, and it is only by force that they can be given back to them against our will.

The danger is in the Negev...because our military grip there is shaky....I regret the fact that I am unable to accept the suggestion that we refrain from making calculations about dunams....We cannot ignore the fact that the area south of Revivim is eight or nine million dunams, and extends to Aqaba, and we have no control there. It is true that no one else has any control there either, it is a desolate area, but the difference between them and us is that they have Transjordan to the east, and east of that they have Saudi Arabia, and Egypt to the west, and not that we are in the middle of an empty space. That is the situation in the northern part of the Negev too, where the area is very wide, and 25 settlement points are scattered over four million dunams....In public we deny that the Egyptians control it, but between us I can say that our military hold is very shaky. That is our weak point....This is where we need to make a tremendous diplomatic effort to bring about the rejection of Bernadotte's proposals....

...In the past there were arguments against the partition of Palestine, and people said that international rule here would be better than partition....But that view was not accepted, and as a result the resolution of November 29 was passed and the State of Israel was established. That is the situation regarding Jerusalem today....My view is that our agreement to Arab control in part of Jerusalem should be made contingent on their not making it their capital, and we will have to make a parallel commitment, at least as regards making it *the* center of government....Our Supreme Court is already there, our parliament can be moved there, but it will not be the center of government. That way we will prevent it becoming an Arab capital.

I do not think there is any need to pass resolutions. If the Council wishes to make any substantive change in any of the directives the Government has given our delegation, that is a very different matter....

Z. Lurie (Mapam): May I oppose your proposal?...The debate here did not focus on matters which have been through the committees....Members of the Council have not had the opportunity of studying them and proposing changes....Mine were woven into my speech, but I can phrase them as proposals....

The Speaker, J. Sprinzak: We will not depart from our accustomed procedure. We cannot have last-minute improvisations. A proposal concerning our political work cannot be discussed at the conclusion of the sitting....

The Minister of the Interior, I. Greenbaum: I think the Speaker is in error. The Government decided on certain instructions for our delegation, and asked that the Council be summoned to hear them. It heard them and there was a debate. The sitting can be ended without any decision, but a decision could be made, reflecting the Council's views and ratifying—or not—the Government's directives....

M. Grabowski (Mapai): I would first of all like to make it clear that before this sitting there was a meeting of the Foreign Affairs Committee, in which the Government's decisions were outlined in full...except for the issue of Jerusalem, and none of those present...made any proposal concerning them....The question of applying for membership in the U.N. was discussed and voted on by the Committee....If we do not pass any resolution here, that means that we do not oppose the Government's directives. If we pass resolutions opposing them, we will have to see what to do.

The Prime Minister, D. Ben-Gurion: The Government does not propose approving its instructions...because it regards no resolution as assent....

...

The Speaker, J. Sprinzak: No proposals have been made, except for those of the last minute, which are procedurally unacceptable....

As we conclude this sitting I would like to say a few words to our delegates. What was said here came from our hearts, and deep in our hearts none of us here ignores the fact that we are facing a serious stage, a difficult situation and a crucial and dangerous mission. The hearts of all the Jews throughout the world and all the inhabitants of Israel, feel and know this. And if no resolutions were passed, one resolution exists, a collective one on which no vote was taken, and which undoubtedly rests on the feeling of us all: that their mission should succeed and gain the same admiration which the nation accorded to the delegation at Lake Success on November 29. With these wishes I conclude the sitting.

Prime Minister's Report on Renewed Fighting in the Negev; State Emblem and Flag

Introduction

Count Bernadotte's recommendation on the exclusion of the Negev from the Jewish state was based largely on his assessment of the situation on the ground and the precarious physical presence of Jews in that part of Palestine, although British insistence on territorial continuity between Egypt and Transjordan was doubtless one of the factors he had taken into consideration. His recommendation provided the incentive for the Israel Government to try and change the situation. Egypt's refusal to permit regular convoys to Jewish settlements in the Negev, contrary to the provisions of the truce, provided a pretext for the initiation of operation "Ten Plagues" on 15 October 1948. Some days after its termination Ben-Gurion reported to the Provisional Council of State on the operation. As was customary in 1948, no debate followed a report on the military situation.

Sitting 24 of the Provisional Council of State

28 October 48 (25 Tishrei 5709)

The Prime Minister, D. Ben-Gurion: Members of the Provisional Council of State, I have to report to you on the campaign in the south, which lasted almost exactly one week, from 12 Tishrei (October 15) to 18 Tishrei (October 22).

This campaign is important for a variety of reasons: the authority of the U.N., the balance of power in the Middle East, and the future of Israel. This campaign put the viability of the truce, the effectiveness of U.N. supervision, the unity and efficiency of the Arab League, the reality of the Gaza government, the ability of the Egyptian army and the power of the Jewish army to the test. Apart from the last-named, the Jewish army, they all failed.

The truce: we opposed and oppose the truce, but we accepted it because we were told to do so by the U.N. We opposed and oppose the truce because to some extent it legalizes the invasion...granting the invading armies a certain international status and putting the invaders and the invaded on an equal footing. In our view the truce prolongs the war unnecessarily, harms both Jews and Arabs, and does not further peace, as we have seen during three truces. But we accepted the truce because our policy is

based on the U.N. We are not unaware of the U.N.'s weakness, but we regard attempts to utilize that weakness as being shortsighted. We believe that it is in our interests, as Jews and human beings, to enhance the U.N.'s authority and ability. The day the U.N. collapses will be the blackest day in the history of mankind, and perhaps one of the most tragic days in the history of our people. We are interested in world peace at least as much as any other nation. We are interested in cooperation between nations, in the rule of law in the world, in the peaceful settlement of international disputes and in cooperation between East and West.

By now there is no one left in the world who claims that we agreed to the truce out of weakness. We accepted the truce because of our loyalty to the U.N., despite its weakness, but we did not, nor will we, accept a one-sided truce. It was obvious to us from the outset that the truce we and the Arabs were ordered to keep was one-sided—always and on all fronts. Hardly a day passed without the truce being broken by the enemy forces: in the south, in the center, in the north and in Jerusalem. One only has to spend one night in Jerusalem to hear, see and feel that the truce is not kept. The enemy's attacks, snipings and bombardments are almost incessant. The truce is broken not only by the failure to cease fire. The main idea of the truce is that neither side should suffer...or benefit while it is in force. Neither side should increase its military strength or gain in any way. But during the truce the Egyptians...constantly brought in reinforcements from Egypt, Sudan and other countries in Africa. They brought in weapons continuously. They forced the local inhabitants to join the army and dig trenches. They also openly and constantly infringed one of the basic decisions of the U.N. supervisors, without which the truce could not hold.

When the second truce began, on July 18, I believe, the situation in the south was rather strange. The Egyptians had conquered the line from west to east, from Majdal to Beit Guvrin. Our army had conquered the line from north to south, and both lines crossed near a point called Kartiya. Each force could cut the other one's line, and the U.N. supervisors decided that both had the right to bring convoys through: the Egyptians, from west to east, on the line that crossed our line, in the afternoon; and our army, from north to south, on the line crossing the Egyptians' line, in the morning.

The Egyptians did not keep to that decision and did not let our convoys pass freely. Their refusal to keep to the decision was based on two assumptions:

A. They thought that the U.N. supervisors neither wanted nor were able to implement their decision. They had good reason to think this after what happened at Latrun when, contravening the explicit decision and the idea of the truce, the Arabs refused to pump water to Jerusalem, even blowing up the pumping station at Latrun, and the U.N. neither

wanted to nor was able to do anything. All our demands that water be pumped to Jerusalem the new way went unanswered. The Egyptians thought that even if they opposed the U.N. and prevented the convoy from leaving, nothing would happen to them for the simple reason that the U.N. can make decisions but cannot implement them.

B. The Egyptians thought that Israel and its army neither wanted nor was able to implement the decision on its own. They may have had a reason to assume this, because of all the Arab armies which fought us after May 15, the Egyptian army was the only one which could boast—albeit not quite justifiedly—that it had not been defeated by the IDF. All our conquests and victories before the first truce, and especially before the second one, in those ten historic days, occurred primarily on the fronts with the Legion, the Iraqis, the Syrians and the Lebanese. The Egyptians were not hurt after May 15, even though they hardly managed to conquer anything from us apart from two points, and their so-called conquests in Ashdod, Beersheba and Gaza involved conquering the Arab areas. At any rate, they thought that what had happened to the other Arab armies had not happened to them, and that Israel's army would not venture to stand up to them. On the basis of these two assumptions the Egyptians refused for three months to adhere to the decision to give passage to our convoys to the settlements and our forces in the south and in the Negev.

Their first assumption about the U.N. was verified. The U.N. neither wanted nor was able to—whether from weakness or from lack of will—to maintain its own resolutions and enforce the truce....The Egyptians had not demanded the truce, the U.N. had decided on it, and it has no validity if it does not enable us to maintain contact freely with our settlements and forces in the south. The U.N. supervisors did not fulfill their duty.

Every week we asked the U.N. observers to enable us to send convoys to the Negev and each time we received the reply: "You are in the right, but the Arabs refuse. We'll try."

We waited for weeks, we waited for months, not in complete idleness, because we found a different way of bringing supplies to our settlements in the Negev. But we had the right to arrange our supply lines not in the way we found but simply, by convoys. Until our patience gave out.

On Friday, 12 Tishrei, a convoy set out for the Negev, although the U.N. had not yet obtained the Egyptians' consent. But three months had passed since the decision about the convoys had been made, and more than three months since the second truce had begun. The Egyptians attacked the convoy and our people had to retreat. Some of our vehicles were burned by the Egyptians. Then our army was given the order to open the way itself, and it obeyed that order.

The campaign of that week...is already history and there is no need to describe it in detail here. I will note only the main points. In that campaign a small part of our forces faced the army of the largest Arab army in our country. Let it suffice if I point out that the ratio of Jews in Palestine to Egyptians in Egypt is one to twenty-four. Although that was not quite the ratio between the armies—for obvious reasons I cannot cite precise numbers or even proportions—only a small part of our army participated in that campaign. Most of it is still on other fronts, where we have no security either, nor do we have any guarantee that there will not be a surprise attack, in contradiction to the U.N. decision, because there are constant infringements of the truce by the enemy forces on the other fronts too. On the other hand, in this campaign the Egyptians deployed all their forces here in the country, which constitute most of the entire Egyptian army.

Since the truce of July 18, Egypt's forces had increased in men and equipment. Despite the so-called supervision of the U.N., the flow of equipment, particularly heavy equipment, had not stopped. There had been continuous work of entrenchment, not only by the Egyptians but also by the masses of Arabs who were forced to join the army. There had also been a nonstop flow of reinforcements from Egypt, and the Egyptian army had been supplemented by troops from Sudan and Saudi Arabia, apart from irregular forces which the Mufti tried to organize.

During this period the Egyptians attempted to establish a so-called All-Palestinian government within the area under their control. Not long before the campaign began, a founding assembly, as it were, of Palestinian Arabs met in Gaza, in one of the centers of the Egyptian army, and a government was set up not only for the Egyptian area and not only for the Arab area but for all Palestine. The Egyptians were sure that by this they were increasing their power within the Arab population, which would support the Egyptian army should fighting break out between it and the Jews once again.

Despite these basic facts, our army succeeded in thrashing the Egyptian army on the first day. The airforce struck first, and in one attack on the first evening virtually destroyed the Egyptian airforce in the country, wiping out their air base at El-Arish and damaging most of the fighter planes and bombers there. From then on our airforce controlled the skies in the south and continued to batter all the enemy centers by night and by day: in Beersheba, Gaza, Majdal, Faluja, Beit Guvrin, Iraq-Suedan, Iraq-Manshiye and elsewhere....Our airforce, which did not exist a year ago and on May 15, when the Arab countries invaded the country, was virtually powerless, did wonders. Egypt's airpower was destroyed, all its armies were thrashed mercilessly...wherever they were the heavy hand of the young Israeli airforce found them.

Together with the airforce and in its wake went the infantry and the artillery, and in the first battles all the Egyptian supply and communi-

cations lines were cut. That is one of the secrets, perhaps the main secret, of this victory, which astounded the whole world.

In this campaign all three arms of our forces worked in concert: the army, the navy and the airforce. And if the airforce began the action, the navy concluded it. Only two days ago the Egyptians revealed the secret that on Friday, 19 Tishrei, after the truce and after their ships had fired at Israeli ships patrolling near Gaza, the Egyptian flagship King Farouk was sunk, and, according to information from America, another Egyptian ship, a minesweeper, was sunk at the same time.

The army completely fulfilled its mission of liberating the way to the Negev and assuring freedom of movement for our army and our settlements in the south and the Negev. Almost all the crossroads in the south and the Negev are in our hands. This does not mean that the Egyptian army has been completely crushed, it still constitutes a considerable force, but it is paralyzed and at any rate cannot do anything in its present state. Much of it is enclosed in small islands surrounded by Israeli forces, as in Faluja, Iraq-Suedan and Iraq-Manshiye. The army at Majdal is also cut off from the base in Gaza, which has become the main base. Our army has conquered Beth Hanoun, which controls both sides of the road from Majdal to Gaza; before the truce we conquered Beersheba which, apart from its importance as the place where Jewish history began, and in a way which is very relevant for today—the Hebrews' constructive efforts to dig wells and make the desert blossom, and the efforts of the Philistines to block up the wells and keep the desert desolate—dominates one of the principal routes between the entire south and Egypt. Our army is also at Beit Guvrin, the site of biblical Mareshah. If nothing unforeseen happens, if other armies do not come to help or unknown sources are not developed in Egypt, changing the situation in the south, all the Negev is in the hands of our army, and there is nothing to stop us reaching every corner of it, whether for military or for settlement purposes.

To our great regret, this cannot be regarded as a campaign which is ended. No peace treaty has been signed, only a truce has been declared, and it is as unsteady and unstable as the previous ones.

Together with the demand for a ceasefire, which we accepted after our army had accomplished its mission, proposals were made by the Security Council that the armies should return to their positions of 12 Tishrei, and that there should be proper supervision as well as negotiations with Egypt, whether directly or through an intermediary, about removing all the obstacles between us. Our representative at the U.N. informed the Security Council that we would not entertain the idea of withdrawing our forces. That announcement was both official and necessary. The present state of affairs does not allow us to return to the previous situation: in order to do that the Egyptians would have to bring in fresh forces and we would have to bring the dead back to life. What hap-

pened on 12 Tishrei is history, and the wheel cannot be turned back. The U.N., which should have guaranteed us free passage, could not or did not want to do so. Our army forced a way through and, as far as this is within our power, this way will remain open, not only for our army and the current settlers but also for the hundreds of thousands of settlers who will make the many deserts in this part of the country blossom.

That campaign between the Israeli and Egyptian armies is historically unique. Our contact with Egypt preceded our contact with any other nation, and Jewish history in fact began in Egypt with an event of which we need not be ashamed—the first Jew taken to Egypt saved that country from famine. Of all the ancient nations in the region which scorned us and fought us—the Amalekites, the Amorites, the Philistines, the Moabites, the Ammonites, the Syrians, the Assyrians, the Babylonians—the Egyptians were the least aggressive, and there were virtually no wars between us and our great neighbor to the south.

Only after the House of David split, in the time of Rehoboam, did it happen that Shishak the King of Egypt pillaged the Temple and King Rehoboam's palace in Jerusalem.

We clashed at the time of King Asa, the fifth generation of David's house, with the Sudanese, known as the Cushites in the Bible, who reached Mareshah, near Beit Guvrin, to fight Judah, and were defeated: "And Asa and the people that were with him pursued them unto Gerar...and they carried away much spoil. And they smote the cities round about Gerar...and returned to Jerusalem." The only military clash with Egypt was at the time of one of the last kings of David's dynasty, at the time of Pharaoh-Necho and Josiah. Truth to tell, this time the king of Judah was the aggressor, because Pharaoh-Necho informed Josiah that he had no quarrel with Judah and was going out to fight the Assyrians at Carchemish by Euphrates. But Josiah, remaining loyal to the treaty he had made with Assyria, fought Pharaoh-Necho at Megiddo and was killed in that war.

Apart from those isolated incidents in our long history of more than three thousand years, this campaign in the south in the last week of Tishrei this year was the first clash between the armies of Israel and Egypt, and we hope also the last. We have no dispute with the Egyptian people nor do we desire its possessions, and if the Egyptians were once ungrateful for the fact that Joseph saved them, and made our forefathers labor for four hundred years, we have long since forgiven them, and our ancestors even settled that score when they made use of the Egyptians when they left Goshen and in what happened to the Egyptian chariots in the Red Sea. We see no cause for any rift between us and our neighbors to the south. Those who incited Egypt to fight us sought not the benefit of the Egyptians or the Arabs but to weaken Egypt and involve it in a dispute which did not concern it, in order to divert attention from its vital interests elsewhere. It is no coincidence that this is the first time in the

history of the war waged by the Arab countries on Israel that the British press was full of praise for Israel's army and condemnation for Egypt. It is doubtful whether the important Pasha who heads Egypt's government served his country's vital interests...when he involved its army in this unfortunate adventure in the Negev, instead of focusing on his country's independence and liberating it from the foreign yoke on its borders and at the sources of the Nile.

We want good neighborly relations with Egypt, not only because of the memories of the past but because of the needs of the future. We believe that Egypt is also interested in peace and mutual aid. Egypt still needs to make huge economic, cultural, social and political efforts to fulfill the formal independence it has recently achieved, and so that its great nation, the largest in the Middle East, numbering almost 18 million, will be healthy, free, advanced and truly independent, and so that Egypt may settle its relations with its neighbors, Libya and Sudan, without external pressure or interference.

Peaceful and friendly relations between Israel and Egypt will benefit both countries and both nations. We hope that after the unsuccessful attempts at warfare engineered by the enemies of both Egypt and Israel, the rulers of Egypt will open their eyes and realize that that is not the way to glory, and will accept the hand which Israel extends in peace and neighborly relations. That, at least, is what the nation and government of Israel sincerely wants.

Naturally, we cannot close our eyes to what is happening on other fronts, and what may be going on in various offices, not only in Cairo, but also in Amman, Baghdad and elsewhere. We hear the thunder of cannon near Petah Tikva and in the Jezreel Valley. Jerusalem has hardly had a single quiet night. And with all our fierce desire for peace, we must be ready for any attack.

A few weeks ago, when we discussed our attitude to the U.N. General Assembly, which is currently meeting in Paris, I stated that our campaign combines military and political aspects, since neither one on its own can force a decision. Therefore, with all our military victories in the south and our readiness on other fronts, we must remember that we must also fight a political campaign, because not only local forces but also those at a distance will be decisive. The chances and difficulties confronting us on the political front require a special debate. Today I have merely tried to sum up the military campaign, as Minister of Defense: we have opened the routes to virtually the entire Negev, assuring freedom of passage for our settlements and our forces, we have control of the sky, we have conquered Beersheba, Beit Guvrin and a series of points which are important in both strategic and settlement terms, we have put the "Gaza government" to flight, we have cut off the enemy's communications and supply lines, we have defeated the Egyptian navy, we have surrounded a large part of the invading army and we have

brought about a fundamental change in the balance of power between us and the Arabs.

The campaign is not over and the danger has not passed. Foreign armies are still on our soil and we have not yet attained security, but we hope that our victories in the south have prepared the ground for a juster and more realistic discussion of the fate of the Negev as well as bringing the possibility of peace between us and our neighbors nearer. And until we have peace, our armies must be ready for anything, and I hope they will not let us down in the future, as they have not let us down till now.

State Emblem and Flag

Introduction

One of the first laws to be adopted by the Provisional Council of State concerned the maritime flag, urgently required for purposes of identification. The question of the state's flag and emblem required further discussion. Agreement on the design of the flag was achieved with relative ease. The state adopted the flag of the Zionist movement, which had brought the state into being. The problem of the emblem, however, became the subject of considerable debate.

The Speaker, J. Sprinzak: ...After the special committee for the emblem and the flag had given its report it transpired that some members of the Council wanted a debate....

The Minister of Religion, I.L. Fishman: The members of the Council have put two proposals before us, one concerning the flag and one concerning the emblem. It has already been said that this flag has been sanctified by Zionist tradition, but for me it has been sanctified by an older tradition—blue and white. I know the history of this flag from the time it was chosen as the flag of the Zionist movement at the First Zionist Congress....I told David Wolfson, who proposed this flag then...that tradition has it that the flag of the tribe of Judah was blue and white, though he had based his proposal on the idea of the *tallith* (prayer-shawl). I think we should accept this idea together with the Magen David (Star of David), which has also been sanctified by Jewish tradition, although it is not clear when and why....

But I adamantly oppose the emblem that has been proposed, and I hope the members of the committee and the scientists and archaeologists who supported it will forgive me. You brought us pictures, very nice pictures, but no emblem. An emblem is one thing, not a combination of things. One of the proposals is for Herzl with seven stars, another is a

seven-branched candelabrum (*menorah*), another is a *shofar* (ram's horn), another is a *lulav* (palm branch) and an *etrog* (citron) and another is a verse whose connection with all this is a mystery to me. (Laughter).

If we are choosing an emblem for the nation after two thousand years, we must think wisely and well....It is a mistake to think that the candelabrum is a Jewish symbol. We had a table, a candelabrum and the holy ark. If any one of those is a symbol, it is the ark....

As regards the picture of Herzl with the seven stars, I think that I am the only member of the Council who knew Herzl of blessed memory. I worked with him. Mizrahi believed in him. The late Ussishkin was always telling us that we had too much faith in Herzl...but we never asked Herzl about the symbol of Judaism, particularly since he barely knew what Judaism was when he wrote that book. Suddenly we have begun dropping hints, and the seven stars are supposed to indicate seven hours of work. I would have thought they symbolize the army's order to have a seven-day working week, which I oppose. (Laughter).

...A book by the Gaon of Vilna lists more than a hundred hints at the number seven....Jewish tradition does not hold the number seven in high regard, and if one insists on seven, then the seven-branched candelabrum is enough.

As to the *shofar* and the *lulav*, I believe in those things, and I have heard an archaeologist claim that he has found fragments with pictures of a *shofar* and a candelabrum. I might add that Maimonides wrote about the *shofar* and the *lulav* in his book, but did not regard them as the symbol of Judaism. Maybe the four kinds of plants used at the festival of Tabernacles—the *lulav*, *etrog*, willow and myrtle—could be used, signifying the multiplicity of political parties.

Finally, I do not understand the connection between the phrase, "Peace on Israel" and the *shofar* and the *lulav*. The *shofar* signifies war, the *lulav*—unity....We have just founded the State of Israel and wish to fulfill the prophetic vision that nation shall not lift up sword against nation, and that there should be peace in the world.

I think the proposal for the emblem should be sent back to the committee, that it may reconsider the matter, asking simple Jews rather than archaeologists. My colleague, the Minister of Transport, said last time that we must decide quickly. He is used to trains and planes, but an emblem is a matter for generations and has to be thought about....

I propose that we draw a Sefer Torah (Scroll of the Law) with a tree of life. I know that this emblem intimidates many of you. I believe in the Torah and am not afraid of it. Those who do not believe are afraid....Alternatively, I would propose a book, since we are the people of the book....I propose that the matter go back to the committee, and that the diffuse collection of symbols be rejected....

M. Shattner (Mapai): I think the first discussion we had about the flag and the emblem was constructive, because it prevented us from accepting all the proposals at that time. The proposal for the flag which has been brought before us is acceptable.

The emblem is deficient in my view, however, because of the multiplicity of symbols in it. It does not have a strong visual impact. In my opinion, the candelabrum on its own should be the emblem of the state....In this issue everyone is influenced by his own taste and aesthetic education. Each one of us has his own spiritual sources. Because of the light the candelabrum sheds and its link with the past, the candelabrum seems to me to be the best. The form in which it has been drawn does not impress me greatly. I don't know why it has to have such sharp angles. Nor do I think that the phrase "Peace on Israel," nor that the seven stars, signifying the seven hours of work, are appropriate for the emblem....

Finally, I don't think that any words need to be added to the emblem. I heard from a member of the committee that each Ministry and embassy is supposed to add its own phrase to the emblem. I don't think that any words are necessary...and the emblem should be just the candelabrum on its own, in a different form, and the committee should discuss this.

D. Auster (General Zionists): I think that the Minister of Religion has given the best analysis....All I would like to add is that I oppose the emblem too. With all due respect for the people who prepared this proposal, it seems to me to be more suited to be a trade mark than a national emblem....I propose that the subject be sent back to the committee, with instructions to come up with something simpler and less cluttered. I would propose a Magen David instead of a candelabrum, so that the flag would match the emblem...reminding us of Herzl, and with the word "Israel" underneath it.

The Minister of Transport, D. Remez: I disagree with both the rabbi's opinion and the way he presented it. Since when is the candelabrum not our emblem?...It is an ancient vessel used to light our Temple....And what is wrong if it can unite the rabbi with our youngsters?...We have to decide this because it is a matter of taste, and each one of us will have to bow to the other....

...I sat on the committee which prepared the proposals and heard the experts, whose opinions must be respected. The committee did not invent the *lulav*, the *shofar*, the *etrog* or the phrase. One can accept them or not...but they all come from our ancient sources....Professor Sukenik, who is sitting here and was recently granted the immense privilege of discovering the hidden scrolls, was among the experts who gave evidence to the committee, along with experts in aesthetics, artists and painters....

...In most excavations the candelabrum was found together with the other, supplementary symbols, with the phrase "Peace on Israel." The committee added nothing to them. Professor Sukenik maintained that if we take the candelabrum we have to do so in the way it was depicted in most of our ancient findings....I don't think that the addition of seven stars is necessary...since the seven branches of the candelabrum are sufficient....

In fact, what has been proposed here is the candelabrum with those symbols, as it appeared in most ancient findings; and the candelabrum without the symbols but with the stars and the phrase. I myself proposed a different phrase: "Peace to near and far," which I thought more suitable. Naturally, this is subject to changes, but I do not think that it calls for humor....

Following Mr. Shattner's proposal, I suggest that whoever has something to say should do so, and I would ask the Speaker to allow Professor Sukenik to speak, but if not, we should first of all vote on the candelabrum. If we do not accept that, then all the other symbols automatically fall. There is a difference between writing and criticizing, and Rabbi Fishman, who does both, knows that criticizing is easier. Of all the various proposals which have been put forward in the press, what we have now is returning to the Scroll of the Law and the Magen David. It is obvious that if we abandon the candelabrum we leave ourselves open to a wide variety of proposals. After we vote on the candelabrum we should vote on each symbol individually, but we must end the matter.

The Speaker, J. Sprinzak: We have heard the Minister of Transport's proposal to give the floor to Professor Sukenik. I would like to say that we asked Professor Sukenik to be here in case the committee wanted to consult him during a recess. But only the representatives and the members of the Government may address the House of Representatives, and we cannot create a precedent by allowing Professor Sukenik to speak. Although we have high regard for Professor Sukenik's views, I think that the Minister of Transport spoke out adequately on their behalf....

The Minister of the Interior, I. Greenbaum: I apologize for the fact that the idea I am expressing now has only just entered my mind. I think that we have an ancient symbol which is shared by all of us—whether we are religious or not—and which is mentioned in connection with Moses and the first steps of the Jewish nation, namely, the burning bush. I propose that we adopt that as our emblem provided, of course, it can be depicted graphically....

The Speaker, J. Sprinzak: That is a new proposal, and the committee will have to deal with it.

A. Altman (Hatzohar): ...The flag which has been proposed is the one to which the nation has become accustomed...and I propose that we accept

it. As for the emblem...anyone who has had contact with the public since the previous sitting has heard all kinds of suggestions. The proposal submitted here is far from simple, and an emblem should be simple....Apart from that, the phrases proposed are inappropriate. Here, too, there should be simplicity. "Israel" is enough. We are talking about our national emblem, not that of an association.

Since the matter is not yet ripe, and since one does not change one's emblem every day...I propose that we should be more cautious and send the matter back to the committee...so that a more fitting proposal may be found.

I. Ben-Zvi (Mapai): ...Despite doubts expressed in the press as to whether the Magen David on our flag is really from David's time...one thing is certain, it has been the symbol of Zionism for the last fifty years. That alone is enough to make it the flag of our state. Its colors are a little unclear, however, and are sometimes difficult to distinguish from the sky...but that cannot be changed....

The Minister of Religion's pointed and witty critique of the emblem was unjustified. I agree with him that if there are seven branches to the candelabrum there is no need for seven stars...but the candelabrum is an ancient symbol of our people, appearing on Titus' Arch in Rome and in all the cemeteries here and abroad...Its form may vary, and I am not saying that the one proposed here is necessarily the one we must adopt, but it is indubitably an ancient Jewish symbol....

As for the other symbols, the question of whether one item or several should be included in our emblem should be considered. Greenbaum's proposal may be very important, but no one will be able to distinguish a burning bush from any other...and I think that as a symbol it is less appropriate than the candelabrum. I propose, therefore, that the flag and the principle of the candelabrum for the emblem be accepted, that the stars be discounted as being superfluous and that "Israel" alone...appear on it....

M. Grabowski (Mapai): ...I was tremendously impressed by the procession of captive Jews on Titus' Arch in Rome. I was in the Jewish Brigade when we appeared for the first time by that arch as Jewish soldiers. We saw the candelabrum on the arch, borne aloft by Roman soldiers as the symbol of the downfall of the Jews, "Judea Capta." After the destruction of the commonwealth by the Romans, it is appropriate that we take the candelabrum as our emblem. It will also appear in Rome. The candelabrum also symbolizes light—a light unto the Jews, and a light unto the nations. Light itself is meaningful....

Z. Warhaftig (Hapoel Hamizrahi): ...Had we been fortunate enough, we would have taken the two tablets of the Law as our emblem...symbolizing the spirit of Judaism and its contribution to world culture....But it has been claimed that this would involve religious op-

pression for part of the population...and since we cannot impose our will on the nation I tend to accept the emblem proposed by the committee....We are not establishing a new state, merely reviving an ancient one, and we should accept the emblem which was ours for hundreds of years—the candelabrum, the *lulav*, the *etrog* and the *shofar*, plus the ancient verse from Psalms, "Peace on Israel."...I suggest we remove the seven stars...but retain the prayer for peace, which all nations desire....

S. Mikunis (Communists): I believe that Rabbi Fishman sinned against the commandment "Thou shalt not murder" here tonight, because he murdered the emblem. The efforts made by those who spoke after him to revive it were not convincing. Rabbi Fishman's arguments were persuasive, but one can find verses for anything—for the bush or for the candelabrum, but an emblem in which one has to put a verse is not an emblem.

I agree that the candelabrum is not good and consists of a variety of elements. Some people regard the seven stars as symbolizing the seven-hour workday, but I'm sure the members of the Council realize that we will work a seven-hour day even without the stars....If our artists had not been confined to four thousand year-old traditions they would undoubtedly have been able to come up with a more "human" emblem. Our nation, our history and our country all have distinguishing features, and it is these which should have been reflected in our emblem....As a stiffnecked nation the symbol of the burning bush would have been highly appropriate for us....The background of the emblem should show something of the scenery of our country...symbolizing our lust for life....A third element should be sheaves, which are mentioned throughout the Bible and would symbolize our planting and sowing, or possibly olive branches, and something to symbolize labor, such as a brick....

We are the people of the book, but also a working nation....Our emblem should symbolize the rebirth of an old nation which is always young, so don't drag things four thousand years back....I don't think this emblem is good in aesthetic terms either. It is too crowded and does not express anything. Give the artists the freedom to design what they please on the basis of our history, our land and our work here and our future....

D.Z. Pinkas (Mizrahi): ...Herzl said that the flag is more than a strip of material, because it is for and under the flag that one goes to fight and die, and I think that the same applies to the emblem....I feel that the level of the discussion here was not fitting for the gravity of the subject, which will affect many generations to come....I was deeply impressed by the emblem proposed here...the candelabrum symbolizes Judaism as much as any of the other items which have been suggested....If the Jews

took the candelabrum as their emblem when they ruled the country, then it is fitting that we should link our new history with that ancient one, because it is only by virtue of that history that we have the right to live in this country. Anyone who denies that link and the continuation of our history has no moral right to claim ownership of this country by the Jewish people. I regard this emblem as symbolizing that right, because of the link with the past. I can understand someone preferring a more modern version, like the one originally submitted to us, but we should accustom ourselves to the form of candelabrum which our forefathers fashioned with their primitive vision. We have no need to seek sophisticated works of art, that is the form our ancestors gave the candelabrum....

...When I saw the *lulav* and the *shofar* my heart swelled. In the diaspora we were sometimes ashamed to walk through the streets to the synagogue carrying the *lulav*. And we were afraid that the blowing of the *shofar* would disturb the neighbor living near the synagogue....Why should we reject those symbols now that we can display them with pride?...In addition, the *shofar* symbolizes the call for freedom, not only for the Jews but for all nations...and the *etrog* and *lulav* symbolize agriculture just as much as sheaves....

...Just the name on its own, Mr. Auster, is more appropriate for a commercial firm, and I cannot see why we should not have "Peace on Israel" on our emblem....I can envisage thousands of Jewish pupils throughout the world studying our emblem and the passage in Psalms from which the text is drawn, which speaks of hard work, family harmony, honesty and the blessing of living in Zion....My emotions lead me to support the emblem proposed....

B. Idelson (Chairman, Flag and Emblem Committee): I share Mr. Pinkas' regret that an element of levity was introduced into this debate...but maybe this is the fault of the emblem proposed, which has not succeeded in arousing the respect of most of the members of the Council....Naturally, in choosing an emblem for the state we should not adopt Mr. Mikunis' suggestion of choosing a nice picture. That could be a grave mistake...the main thing is that the content of the emblem should be significant; the aesthetic side is secondary.

...The debate indicates that the flag is accepted...but what has been said here, as well as what has appeared in the press, reveals that the emblem is not....We must choose a new committee and charge it with finding a solution...with the cooperation of the scientists and artists who worked with the previous committee...and to whom we are grateful for their time and effort....The new committee should be completely independent of any decision or member of the Council....And finally, if the Council approves the flag today, it will have to charge one of the ministries with determining rules for the use of the flag...and manufacture special cloth and dye in Israel for its production....

The Speaker, J. Sprinzak: ...I believe that today's debate has shown that we all approach the matter of Israel's emblem with appropriate gravity....I gather that there is virtual agreement on the matter of the flag, which we will now put to the vote....

(The traditional form of the flag, as proposed by the committee, is approved.)

We also accept the committee's recommendations that the Government should study the ways in which the flag should be used....It has been proposed here by several members that the matter of the emblem should be sent back to the committee...and there are obviously a great many conflicting views as to its form....We will now vote on whether to decide on the emblem now or send the matter back to the committee....

(It is decided that the matter should be returned to the committee so that a new proposal may be prepared.)

We now have to decide whether to return it to the existing committee or another committee....

B. Idelson: I propose a new committee.

M. Grabowski (Mapai): There is no point appointing a new committee. The existing one did an excellent job, and its past work and the debate here will help it in choosing a new emblem.

R. Cohen (Wizo): As a member of the previous committee, I can say that most of the views we heard here have been expressed before....I don't think that anyone is going to change their minds, so it would be better to choose a new committee....

The Speaker, J. Sprinzak: We will now vote on whether to refer the matter back to the existing committee or appoint a new one.

(It is decided that the matter be referred back to the existing committee.)

By a large majority we wish the existing committee success in its deliberations.

R. Cohen (Wizo): I was on the committee as a representative of Wizo, and ask to be replaced.

Political Debate Prior to Armistice Negotiations at Rhodes

Introduction

Egypt's refusal to enter into negotiations concerning an armistice agreement with Israel persuaded the Israel Government to initiate another major military operation in the Negev—Operation "Horeb"—designed to expel Egyptian troops from Palestine. It was launched on December 22. In the course of the following two weeks it was marked by major Israeli gains which brought Israeli troops to the outskirts of El-Arish in the Sinai Peninsula, from where they withdrew under Anglo-American pressure. Resuming the attempt to cut off Egyptian troops from their bases by an attack close to the Egypt-Palestine international frontier, Israeli troops were close to total success when Egypt finally gave in, agreeing to a ceasefire, which came into effect on 7 January 1949, and armistice negotiations, which were to begin on the island of Rhodes under the chairmanship of the Acting Mediator, Dr. Ralph Bunche, on 12 January 1949. On the day prior to the opening of the talks the Provisional Council of State discussed the political situation, behind closed doors.

Sitting 35 of the Provisional Council of State

(Closed to the Public)

11 January 1949 (10 Teveth 5709)

Tel Aviv

The Foreign Minister, M. Shertok: Members of the Council, since the beginning of the war we have operated on two fronts: first, we have used all our forces to repel the invasion and attain a military victory, but at the same time we have always been ready to make peace....We have always aspired to peace and cooperation with the Arab world around us, but this desire has been strengthened by our overwhelming military victories, which far exceeded our—and the world's—expectations....It has also been made more acute by the heavy price of war and by our need to divert all our economic and organizational strength to the absorption of immigrants....But of course our pursuit of peace is contingent on the maintenance of our security....

Readiness for peace means being ready to negotiate with any of the forces fighting us from among the neighboring countries. On that basis there have been contacts between us and Transjordan...not through the

U.N. as an intermediary but directly. It was not made public and I do not know if a report about it was submitted to the Council of State. The members here...will recall what a crisis we went through regarding Mount Scopus...when convoys could not get through and the people there were cut off....The U.N. was unable to influence the government of Transjordan to honor the agreement it had signed, and the commander of the Legion in Jerusalem denied it....

Meanwhile, we were victorious in our clash with the Egyptians, who refused to let our convoys through, and we decided to approach Transjordan directly. A telegram was sent from Paris to the Prime Minister of Transjordan in Amman by the Head of the Middle East Department of the Foreign Ministry, asking him to bring it to his government's attention that if it did not honor the agreement we would consider ourselves free to act.

I will not go into the military side of things now; suffice it to say that we could not have done much there...but our previous victory stood us in good stead....A reply was sent immediately from Amman to Paris stating that they rejected the contention that they had not honored the agreement, and that their representatives in Jerusalem had been instructed to act accordingly. The next morning there was a sensational change in the attitude of the commander of the Legion, which was a mystery to the U.N....Since then our convoys have been able to pass through as agreed....

That was the first link in the chain of contacts between us, which continued until a few days ago. I do not know if the present delay is due to England's intervention...but we are a few steps nearer to negotiations regarding an armistice.

A while ago we had our first contact with Lebanon, but this has not been continued....They demand that we first leave the villages we conquered in the north and we demand that they first start negotiating an armistice....The change in Egypt may have led to a change in Lebanon too, and the two demands may be met simultaneously....

The most serious change on the peace front, which is only now beginning to take shape, comes from Egypt. Last Wednesday we were informed by U.N. headquarters in Haifa, which had been informed by the intermediary's office in New York, which had been informed by its representative in Cairo, which had been informed by the Egyptian government, that if we ceased fire it would be prepared to enter negotiations with us on the basis of the Security Council resolutions of 4 and 16 November.

...Our reply to the resolution of November 4...which was condemned by part of the Israeli press as defeatist, etc., was regarded by the U.N. as virtually a flat refusal to accept the resolution, but one which was very cleverly worded. I can say that without boasting, as I did not

participate in that, though I had a share in the preliminary consultations....

Since then we have been in a state of tension regarding our position at the Security Council, with increased opposition from England...which, being unable to obliterate us completely, has devoted its efforts to reducing us in size...with the hope of attaining certain geopolitical and strategic benefits....At first it tried to achieve this through the Arab invasion of the country, and then...when this failed, by political means, first through Bernadotte's report and then by obtaining a majority at the U.N....

But the course of events enabled it to achieve its objective in a different way...by direct military intervention. This is the threat hanging over us today....We do not know how serious its intentions are but...knowing the composition of the present government and the feelings towards us of the Foreign Secretary, we cannot allow ourselves to be lulled into a sense of false security....England is also advocating a policy which will encourage countries to disregard the decisions of the U.N...claiming that its treaties with the Arab countries preceded the resolutions of the U.N., and are therefore not bound by it....It is also trying to convince the U.S. and other countries that the arms we receive from East Europe justify the renewal of the supply of arms by it to the Arabs.

Matters reached a political crisis, which threatened to become a military one, during our recent campaign in the Negev....We initiated the fighting after the Egyptians had refused to negotiate an armistice with us; nevertheless, world opinion regards us as the aggressor....The U.N. resolution of December 29 called on both sides to cease fire, but we did not, of course, as we had not yet attained our objective....At one stage of the fighting our troops entered Egyptian territory....Altogether, we adopted a double policy: we did a great deal on our own initiative, and in contravention of U.N. rules and regulations, while at the same time...refraining from completely and openly disregarding its precepts....We also had to take care to avoid goading England into engaging in direct action against us....From the outset...our policy has always been not to arouse Britain to fight against us, knowing that its forces would always defeat ours...regardless of who was in the right....We had to fight the Arabs, we had no choice in that...even though we were outnumbered, but we knew that if the British were to enter the fray, we would be lost....

...In our successful campaign in the Negev...our forces pursued the Egyptians to their border point...and beyond, to Abu Ageila, some 35 kilometers inside Egypt....Our General Staff took care, even at this point, to avoid clashing with British forces....The British reacted, however, by exerting pressure on the U.S. to oblige us to withdraw from Egypt....

...In our reply we reminded the U.S. and, through it, Britain, of the stand its government had taken when we had been attacked by several invading armies simultaneously, but we nevertheless decided to pull our army out. We had never intended to stay there long anyway, and decided not to put Britain's self-restraint to the test as well as to prefer good diplomatic relations with the U.S....We had, meanwhile, cleared the entire central Negev of Egyptian forces, which were now confined along a narrow coastal strip...from Rafah to a point north of Gaza, and one of its brigades was surrounded by our forces at Faluja.

After we had withdrawn our forces...the U.S. apologized to us for the tone of its previous note to us...adding that the British threat to attack had been serious and that it intended to renew its supply of arms to the Arabs....After that the fighting continued, and we focused our efforts on clearing the Negev of Egyptian forces as far as Rafah, once again having to cross the border into Egypt, though not as deeply as before....The date of the session of the Security Council on January 7 was approaching, and we were about to find ourselves in a very embarrassing position...but were saved by Egypt's revolutionary offer to enter into negotiations with us in return for a ceasefire....

I would say that the reasons for Egypt's about-face were...: first, its defeat in the war; second, its heavy losses in territory, men and weapons; third, our evident ability to penetrate deep into Egypt...; fourth, its fear that England would enter the campaign...thereby reviving Egypt's dependence on England; and fifth, U.S. pressure on Egypt to cease attacks like the one on Tel Aviv, to fulfill the Security Council resolutions, and to...make peace with us....

...The U.S. recoiled from the idea of an Israeli invasion of Egypt far more than it had from that of an Arab invasion of Israel, but it was also...seriously concerned at the idea of British military involvement...out of self-interest as much as out of concern for our welfare....Meanwhile, there was the matter of the British planes...which took place slightly before and slightly after the ceasefire...and once again we decided to withdraw our forces from places we had conquered across the Egyptian border....

But because the wheels of the British Foreign Ministry machine had begun to move, they did not stop, and continued towards a crescendo. Fighter planes were sent to the area...military exercises simulating the landing of forces on our beaches took place in North Africa...the British fleet deployed in the eastern Mediterranean...and the British army landed at Aqaba in Transjordan, supposedly at that government's request....We hear that there is tension in the British cabinet concerning that action and Mr. Bevin's character, but this need not mean that he will be overthrown or that his policy will change....

We are facing a political campaign in which we wish to take the initiative against England in the Security Council. Certain U.N. cir-

cles believe that England is not eager for the Security Council to meet just now...after we turned the tables on it at the meeting at Lake Success....England has contravened the conditions of the truce...and we want the Security Council to restrain England's aggression. We submitted to its demands and withdrew from positions we had conquered during the fighting, so we are now entitled to ask England to exercise self-restraint....

...We know that the British have attempted to dissuade Egypt from entering into negotiations with us....Bevin would like peace in the Middle East to be on England's terms or not at all....There is no guarantee that the negotiations with Egypt will in fact take place....We are now waiting to hear whether Egypt's representatives have gone to Rhodes to begin talks with us or not....

Our point of departure in these negotiations will be to demand the cessation of the state of war and the withdrawal of Egyptian forces from Palestine. This will almost certainly not be achieved at this stage of the negotiations, though one would assume that they really do not wish to maintain their army on foreign territory. But if they agree, I don't think we can avoid entering into negotiations with them, at least to determine a stable armistice, which will enable peace negotiations to be conducted.

They might start the negotiations by demanding that we comply with the resolution of November 4. Our position regarding it is perfectly clear, and we have no intention of changing it one whit. We will not withdraw from the areas north of the central Negev which we conquered during the previous fighting, and that includes Beersheba. We will not give up one iota of our freedom of movement in the Negev....We will agree to release the brigade which is surrounded at Faluja, but gradually, as the armistice negotiations proceed....Our delegates will be in close and constant contact with us, and no step will be taken without the Government's approval.

The Speaker, J. Sprinzak: Does anyone want to participate in the debate?

M. Kol, Chairman, Foreign Affairs Committee: At a previous meeting of the Foreign Affairs Committee, the Director of the Foreign Ministry announced that a representative of Transjordan would enter into peace and armistice negotiations with us. The Committee decided to ask the government what our basis for these negotiations would be. Today's meeting of the Committee, at which the subject was to be discussed, was cancelled, against my will. Has the Government anything to say about this now?

The Foreign Minister, M. Shertok: ...The meeting of the Foreign Affairs Committee was cancelled by the chairman and secretary of the Committee, not by the Foreign Ministry...though we had requested it be-

cause there was to be a sitting of the Council of State this evening....As to the content of the question—I have said what I could. We have not yet begun contacts to formulate the items on the agenda of the armistice talks....There may be some delay now, possibly in connection with the British campaign against us and the landing at Aqaba. If there is any change, I will inform the Foreign Affairs Committee at the earliest opportunity....

M. Kol, Chairman, Foreign Affairs Committee: ...We were told that the Foreign Minister would not be able to participate in the meeting of the Foreign Affairs Committee...and I asked that his deputy should come instead....Since this could not be arranged...I decided that there was no point in holding the meeting.

E. Berlin (Progressives): Is it true that England has asked to be compensated for the planes and men it lost, and what is the government's stand on this?

The Foreign Minister, M. Shertok: There has been no such request....England has protested at what took place, and has informed us that it regards it as an act of aggression and reserves the right to demand compensation and act as it sees fit....We did not receive that statement officially...and we have stated that we cannot accept it...because it was not sent to us or to our address (it was sent to "The Jewish Authorities," and may have been meant for the Va'ad Leumi or Tel Aviv Municipality).

J. Riffin (Mapam): We asked for an urgent sitting of the Council of State in connection with several worrying developments in our government's foreign policy....We do not oppose peace or negotiations with any of our neighbors, quite the contrary...though it is obvious to us that peace will come about not through formal treaties but through social changes in those countries, their development toward democracy and their liberation from the influence of imperialist powers, as well as through Israel's increased strength and the greater progressiveness of its policy....We fear that the real basis on which the negotiations with Transjordan will be held is that of its annexation of part of Western Palestine.

...It is my impression that the Foreign Minister is not prepared to speak out clearly against this, and his failure to attend the Foreign Affairs Committee indicates a desire to leave the situation vague....The Committee was told that it could not decide without hearing the Minister, and the Minister said that he had to wait until the cabinet had discussed the issue...and meanwhile nothing happened....I cannot help feeling that this procedure is somehow connected with a political design to maintain freedom of action in a direction which I consider undesir-

able, and which is also the international trend....I also think that the present composition of the Conciliation Committee tends toward the view of the minority of the Assembly, namely that Transjordan should annex part of Western Palestine, even though the majority in the Assembly rejected that resolution. Furthermore, despite Mr. Shertok's statement that he prefers the establishment of an independent Arab state in that part of Palestine to its annexation by another Arab country...the Government has done nothing to achieve this.

I endorse that statement, but I think that by political activity, the encouragement of Arab forces prepared to cooperate with us, and military action, it would have been possible not only to obtain a fine statement by the Foreign Minister at the U.N. Assembly...but also to change reality. It is not clear whether the government really wanted this, however....The future of Jerusalem is still not clear, and every now and again proposals to divide spheres of influence there are made....

We should also remember that the fact that the Transjordanian army and authority remains west of the River Jordan also means...that the British army is in Western Palestine...and we have recently been made acutely aware of the danger the proximity of British bases involves for our independence and security....That is why I think that tactical delays, diplomatic vagueness and evasiveness...are pointless. We will propose that the Council of State pass a clear resolution on this issue.

...The question of Eilat...the southern part of the State of Israel, the security of the Dead Sea, and giving bases or passage to imperialist powers in southern Palestine, should also be discussed. Here, too, the situation is unclear....We are afraid that the government has no clear-cut policy. Obviously, both England and America support a revision of Israel's southern border....The danger to this corner of the state should have been foreseen...as well as the fact that negotiations with factors influenced by England and America would not solve the problem.

...To this day it is not clear why nothing was done to ensure our rule over this corner of Israel....The government owes us an explanation for that....

The Speaker, J. Sprinzak: We did not fix a time-limit before, but you must leave time for others too.

J. Riffin (Mapam): I am prepared to stop, but I am dealing with the heart of the matter. We have requested a debate on this subject, and I still have a few criticisms to make of our foreign policy....The withdrawal from Abu-Ageila constituted a retreat from one of the routes to Aqaba or Eilat. (Minister Shertok: To Egyptian Eilat). It was one of the routes not only to Egyptian Eilat but also to Jewish Eilat. (Minister Shertok: One can also get there via New York!) I don't know all the Foreign Minister's routes. I'm talking about the ones in the Near East....I fear that the re-

treachery from Abu-Geila has made the military situation in the coastal region more difficult....The Egyptians knew where our forces were and where we would stop, they no longer feared being cut off. I maintain that that retreat has damaged our military position in the Negev.

Naturally, I do not dispute the fact that an army may withdraw...nor that one has to consider certain political circumstances which could have grave consequences...but this withdrawal caused us harm. Another retreat—from Rafah—not only cancelled the achievement of cutting off the Egyptian armies...but also deeply shocked our army, which had invested great efforts and incurred heavy losses in attaining that position.

...This was not solely a question of a military loss...this decision was implemented hurriedly and frenziedly. It is not clear how seriously the British meant their threat...and we know now that Egypt was not eager to implement its military treaty with Britain. I maintain that it was unjustified to refrain from discussing this openly....

...I agree with the Foreign Minister that Britain is not to be trusted...and might well have involved itself militarily. That being so, I would like to ask the Foreign Minister if we were—and are—prepared for that eventuality....Were countries which are friendly towards us alerted to the situation?...I fear that they were not....When it came to it, American pressure supported England, and it seems odd that our government was so quick to exonerate America of all blame....

...Several steps taken of late...could give the impression that our foreign policy is developing a certain orientation, which it would be difficult to define as fully independent...and which takes American and British demands into consideration....This is evinced by the withdrawal and the way it was implemented; by the way the friendly countries of Latin America voted at the U.N.—not together with the countries which voted against the resolution passed by the Assembly;...by the Foreign Minister's statement as soon as the session ended, but which was amended a few days later by another statement (Minister Sharett: An hour and a half later!), but nonetheless, a statement which received worldwide publicity—despite the committee of three and despite the decision in Jerusalem and despite the vote of the friendly delegations—emphasizing the results of the Assembly from an optimistic point of view; and by the Prime Minister's statement concerning the regional treaty. At a previous meeting the Prime Minister gave a fairly cheerful reply to a question...but I maintain that in the existing political situation one cannot say that we will not join one of the rival blocs in the world while also claiming that we will join the bloc of Middle Eastern countries, knowing full well that this region is the focus of inter-bloc rivalry....

We propose that this Council pass three resolutions: A. That it regards the removal of Transjordan's army from Western Palestine as a precondition for peace with Transjordan; the annexation of any part of

Western Palestine by Transjordan cannot serve as a basis for negotiations. B. That it regards the removal of Egypt's army from Palestine as a precondition for peace with Egypt; the annexation of any part of Palestine by Egypt cannot serve as a basis for negotiations. C. That it regrets the fact that the withdrawal in the Negev, which was the outcome of imperialist pressure and intervention and bears the dangerous seeds of the loss of our military and political positions in the Negev, was implemented without a discussion in the Council.

The Speaker, J. Sprinzak: Each speaker will have 15 minutes.

B. Weinstein (Hatzohar): ...After the Foreign Minister's informative review, the Council would have liked to have heard the views of the Prime Minister or, more precisely, the Minister of Defense....Then we would have been aware of the military and security considerations....

...I would also like to complain about the fact that the Foreign Affairs Committee does not have the rights and privileges that the Defense Committee has....The Foreign Minister or his representative can be summoned to appear before it, discussions can be held in depth, and proposals can be raised and voted on...and if this were the case in the Foreign Affairs Committee too proposals such as the ones just made by Council Member Rittin would be avoided.

...I have gained the impression in recent months that there are differences of opinion or approach between the Prime Minister and Minister of Defense and our Foreign Ministry....The general public was astounded to hear from our representative at the U.N. that we could have annexed Jerusalem, and that there was no need to request membership of the U.N. Neither of these questions had been discussed by the Foreign Affairs Committee or the Council of State. (M. Grabowski: That's not true!)

...The Foreign Minister told us that we must end the war, for several reasons....We all agree on that point. The question is, how can we end it in the way that is best for us?...Even if we sign an armistice with Egypt, this does not mean that we have ended the war, because there is still the Triangle, and there is still a very serious and vital military front. In this closed sitting it can be said that when we asked the Minister of Defense about that front in the Defense Committee...we were told that it was not by negotiations but perhaps by military action that that problem could be solved. In other words, even if there are negotiations with Egypt, and they are concluded successfully, that does not mean that the military campaign is over. The question then arises whether, during negotiations with Egypt...we can demand its nonintervention if and when we are forced to drive out the other invader....

The Foreign Minister has told us...that the Egyptians have agreed to negotiate...on the basis of the Security Council resolutions of 4 and 16 November....I would be very glad if the Prime Minister and Minister of

Defense would state clearly and unequivocally, not diplomatically, that the resolution of November 4 will not serve as a basis for negotiations with Egypt....I would like the Foreign Minister to tell us what are the views of his Ministry on the question of Jerusalem: does it and the government intend to annex Jerusalem to the State of Israel?...What parliamentary and diplomatic steps have been or will be taken in order to implement that just and important demand?

M. Grabowski (Mapai): ...I think that the Foreign Minister should have given a brief review of events at the recent session of the U.N., to set right mistaken assumptions which have appeared in the press, and which are still adhered to by certain members of the Council, to my regret....I was the only member of the Foreign Affairs Committee who spoke against our requesting membership in the U.N., though I did not vote against it. But one cannot claim *post factum*, after we have been rejected, that this was the Foreign Minister's mistake....We would like to know, however, if we undertook to "pay" something in return for acceptance to the U.N., and if so, what? Were we partly responsible for bringing the Conciliation Commission into the world? Was our delegation split? Could we have prevented the vote at the U.N.?

...Events of the last two days lead me to think that we are confronting a serious political change...and unfortunately Council Member Riftin...has other matters at heart and has no national responsibility regarding the gravity of our situation....The Prime Minister has stated quite explicitly in an interview...that Israel will not join any bloc....

...I would like to ask the Foreign Minister whether, in view of our grave political situation, we have stopped trying to gain the support of the Dominions, after Bevin's recent announcement that he will ask them for military support. I also...wonder if it would not be advisable to make use of the Conciliation Commission, which is an organ of the U.N. and has been sent to further peace negotiations, against the new British course....I would like to ask the Minister of Defense if, in the light of the present situation, we should not mobilize more extensively...and perhaps even demonstratively....

Council Member Riftin's preoccupation with "annexation" raises the question whether he proposes launching a military campaign to prevent it, should the other side refuse to leave the area. Does he want us to...shed our blood and...liberate all of Palestine in order to create another Arab country? Or is it perhaps to annex that area to our state?...Mapam should speak out clearly on this issue. Council Member Riftin should also say whether we really need that "economic federation"—as stated in the U.N. resolution of November 29—for the integrity of the country....That arrangement involved sharing postal and telegraphic services, ports, customs, and...being subject to a tripartite commission. (J. Riftin: The Foreign Minister has said that he supports

an independent Arab state.)...The situation today is not what it was on 29 November, when we would have accepted that...nor is there any power in the region which can liberate itself or establish that state....I maintain that today we have no interest in economic federation, or in...shedding Jewish blood to establish an Arab state....

...Regarding the "frenzied" withdrawal from the Sinai Peninsula....I have the honor of sitting on the Defense Committee together with Mr. Riftin—and I fail to understand why, after hearing all the explanations, he insists on saying the opposite in this forum....The Minister of Defense told us that military, not political, reasons prevented our entering Jewish Eilat....The Foreign Minister told us in the Foreign Affairs Committee that there were weighty political reasons for entering Eilat....Why, then, does Mr. Riftin continue to repeat the same accusations?...Why is he so sure that the conflict with the British would not have been aggravated?...He implies in the most irresponsible way that by our "frenzied" withdrawal we showed utter disregard for the blood we shed in this campaign....

In conclusion, I suggest that these proposals (which are not as yet legal) be brought before the Foreign Affairs Committee on Thursday morning, and be brought to the vote in the Council of State that evening, so that we will have an official decision on the political issues.

Z. Warhaftig (Hapoel Hamizrahi): ...Foreign policy is a potentially dangerous subject...and I fear that the discussion here tonight is not focusing on the matter at hand. It is being conducted in an atmosphere of elections and is affected by them.

There is no doubt that our political situation is very grave. I fear that we are making it worse ourselves. When I read in our press (principally *Al Hamishmar* and *Davar*) that we mention England and America in the same breath, defining them both as imperialists...I don't know what we are coming to. Do we really need verbal aggression of that kind in a country so small, and surrounded by so many enemies? I have spent some time in America...and I know how much that sort of thing harms us as regards public opinion....

...I would also like to register my objection to the fact that...in its foreign policy the government relies on certain parties...namely, Mapam....Why was a member of that party invited especially to Paris to participate in our delegation to the U.N. when we have a representative government and a delegation?...We have heard about the disagreements which arose there; this does not serve the interests of our foreign policy.

...As a young country, we should pay more attention to content and less to prestige....I do not understand why our government saw fit to reject the matter of the British consulate in Tel Aviv. We must do our utmost to establish good relations, and then our negotiating position will be better....

...Regarding the withdrawal, I would like to know why the Council of State was not consulted on the question of whether to cross the border or not....That was where the mistake was, if anywhere. The public would have understood our crossing the border if it had been done when the Egyptians attacked us, but we did it when we began the attack in the Negev. (B. Weinstein: What public are you talking about?) The U.N. and America.

I oppose the proposals made here regarding Transjordan....We are not yet in a strong enough military position to dictate conditions to all the sides in the war. If we were, we could have demanded unconditional surrender....But if that is the sole precondition for negotiations I see no point in our going to Rhodes....Since our position is not as strong as we would like...if we are going to have to make concessions, let us make them at the expense of the Arab part of Palestine, where the Arab state was supposed to be established. I would also have preferred an Arab state to be established in Palestine, so that that area would not be annexed by another state. I would prefer our neighbor to be weak, and thereby we would be able to continue hoping for territorial integrity, which we have never abandoned, nor will we ever. And more than hoping for this on political grounds, we hope for it on spiritual, religious and messianic ones, which we will not abandon either....

Finally, I must state that I fail to understand why Riftin spoke about Eilat and not about Jerusalem. As Weinstein said, it is easier for us to make declarations about Jerusalem than to enter and hold on to Eilat. I fear, however, that Riftin referred to Eilat not in terms of our interests but in those of world politics. I would like to stress that our own interests should come first....We must build up our own home, and only after that can we share in building the world. It is not worth our while getting tangled up with England so that we can call for and receive help....

I believe that what we should do now is not to mobilize more soldiers but to mobilize world public opinion. Now we see how much we need the U.N....By gaining the sympathy of the U.N. and the U.S. we will be able to prevent England from doing what it wants to do to us.

...
The Minister of Welfare, I.M. Levin: ...I was one of the few who opposed having elections, maintaining that as long as we were fighting against Gentiles we had to avoid war among the Jews....

Bevin is our greatest enemy....He claims that not only are we not neutral, but we are Russia's agents in the Middle East. On the other hand, yesterday I heard a broadcast by my friend Mr. Sneh in which he said things which seemed to prove Mr. Bevin's point. So we are in danger of being at war with Britain. Miracles have happened to us in the past, but one cannot rely on miracles....There are several possibilities...one of them being that we will fight and Russia will come to our aid...but we will be endangering our precious independence....The

Government's decision to withdraw was wise. We must take care to let sleeping dogs lie and not endanger ourselves....It is not by election speeches that we will be victorious....

...

The Foreign Minister, M. Shertok: Council Member Riftin has criticized the "vague" way I have worded certain things, particularly with regard to the fate of the Arab part of Palestine....I regret to say that I cannot regard Riftin's question as a model of clarity....He claims that we should have taken the initiative regarding the Arab part of Palestine by diplomatic and military action...so that an Arab group which he did not name, and whose very existence is dubious, could rule that area....If he is referring to the handful of Arab communists, why does he not say so? Why does he speak so vaguely?...If he thinks that Arabs could gain control of that area and establish a stable government there...and that the various Arab governments would accept this...why does he not say so clearly?...Or if he thinks the opposite is true, why does he not say so? Military action means prolonging the war, i.e., we cannot speak of peace and negotiations...and this requires additional financial resources! Mapam must be aware of this...it is no newcomer to politics...it is also aware of our economic situation. If it knows how to solve the situation...it must say so....

If, for example, there is a treaty from which we all recoil in horror, this means nothing in diplomacy. There is a treaty between England and Transjordan, although the sides are not evenly matched, and if Transjordan asks for Britain's help nothing will stop Britain coming to its aid....If the assumption is that the Arab Legion will be indifferent to the communist group in Nablus, one should say so. And if there is a 10 percent chance that Britain will not be neutral and will send troops, one has to say so. Or if one thinks that Russia will then enter the war, one has to say so. In brief, one has to think things through, and present something complete. This also has to be said at election meetings and in *Al Hamishmar*, which is noted for its distortions and mudslinging. One has to say: on one side there is vagueness and on the other clarity—and then the public will be able to choose between the two.

I see that for Council Member Riftin and his associates...it makes little difference if one speaks vaguely or clearly....I learn this from what has been said here about Eilat....Only a few days ago Council Member Riftin raised the same issue in the Foreign Affairs Committee, accusing me and the government to which I have the honor of belonging that we were afraid to go to Eilat, which could be reached by military means...and implying that we were ready to relinquish it....Council Member Riftin and his colleagues speak as if no explanation had been given to the Defense Committee as to why we had not attempted to reach Eilat earlier, and why this could not be done in the near future....

Recent contacts between the Foreign Ministry and the Ministry of Defense, together with the General Staff, gave rise to mobile guard units! All this proves that not only do we not recoil from going to Eilat but that, on the contrary, all our efforts are focused on getting as far south as possible, and reaching Eilat.

The problem is that we face extremely grave geopolitical and strategic circumstances, because one is simply banging one's head against a brick wall. The narrow end of that long wedge is pressed between Egypt, Transjordan and Saudi Arabia, with no control of the sea, no water, unbelievably long supply lines and who knows what forces will be required. In addition, there may always be pressure from both sides, which will cut one off. There are very serious considerations here, which it did not occur to Riftin to think about, and which supposedly were not reported to the Defense and Foreign Affairs Committees....All that purportedly was not explained, in detail and in a friendly way...so that election speeches could be given here. I think that even election speeches require a minimum of honesty and fairness....How can you still expect the Foreign Minister or anyone else to take your questions, your criticism, seriously?

J. Riftin (Mapam): Is this binding on me?

The Foreign Minister, M. Shertok: I'm not bound to answer questions and criticisms either. I cannot be bound by your concepts of honesty and fairness.

J. Riftin (Mapam): I think that this kind of argument is not right. I'm allowed to disagree with the Foreign Minister's views.

The Foreign Minister, M. Shertok: I'm allowed to disagree with your honesty.

J. Riftin (Mapam): I protest! Is this the kind of debate we should have in the Council of State? The Foreign Minister is casting aspersions on the personal judgment of one of the members. I said that I disagree with the Foreign Minister's policy in Aqaba and Eilat, and he is bringing the argument down to a low personal level! I protest and I ask for the Speaker's intervention!

The Speaker, J. Sprinzak: There is no need to intervene. You have had your say and defended yourself.

A. Katznelson (Mapai): You had your say after you were told that it was wrong!

M. Grabowski (Mapai): It has been proved to you by facts that that was not the case.

J. Riftin (Mapam): Did you prove it to me?

M. Grabowski (Mapai): Better men than I have proved it to you.

J. Riftin (Mapam): There is no dictatorship of views. I think differently.

The Speaker, J. Sprinzak: Grabowski, it was not for you to respond!

The Foreign Minister, M. Shertok: The behavior which I consider proper for a public debate—to which I do not expect you to conform—would have obliged Council Member Riftin, after having expressed this criticism in the Foreign Affairs Committee and having heard the detailed explanations, to state that although he had heard the explanations he still disagreed, for whatever reason, but not to ignore the explanations completely....

J. Riftin (Mapam): Excuse me, but I said: there may be difficulties, but—

The Speaker, J. Sprinzak: If you have something to add, do so later.

J. Riftin (Mapam): This is not a fair way to conduct a debate!

The Speaker, J. Sprinzak: You have made your remarks. We heard you.

The Foreign Minister, M. Shertok: Council Member Riftin and others criticized the retreat from Abu-Ageila. The matter is very simple....There was a threat—which may or may not have been real—by Britain to act militarily in the area, in circumstances which would have prevented America from coming to our aid....It is specious to claim that the withdrawal was hurried or frenzied. In the Foreign Affairs Committee I told Council Member Riftin that we withdrew more than forty hours after America's demand. We have heard about what happened in the succeeding days—the landing, the preparations and everything else. We were also confronted by a certain American position. Could we afford to ignore all these factors responsibly?

Council Member Riftin wondered if we asked the U.S.S.R. for help....The answer is negative. We did not because the Foreign Minister thought that this would be to the detriment of the State of Israel, as well as bringing no results....I do not have the time to go into other questions raised by Council Member Riftin, which were answered in the Foreign Affairs Committee, such as the way the friendly nations voted at the U.N. As if the friendly nations vote on the instructions of Israel's Foreign Minister.

Council Member Weinstein, I regret to inform you that you have attributed to Mr. Eban—doubtless inadvertently—things he has never said....Mr. Eban did not say that we should not have applied for membership in the U.N...you must have misread or misheard or misunderstood something....

As regards the annexation of Jerusalem, Mr. Eban said on one occasion here—in a mood of speculation about the past—that he now thinks that if we had annexed Jerusalem some months beforehand, it might have been accepted then. At the time there was no such suggestion, because the subject was not discussed...We cannot make decisions...on the basis of hindsight. It is all very well and good to be wise after the event...This also applies to our attempt to gain membership in the U.N....That matter has been discussed thoroughly in various forums...and nothing was said against it by Mr. Weinstein and his colleagues....

With regard to the conditions for negotiations with the Egyptians at Rhodes, I have already made my position clear about the resolution of 4 November, and the government has approved this, and I have nothing more to add...The resolution is definitely a subject for negotiations...together with that of 16 November....The resolution of November 4 is not unclear. It demands the withdrawal of Israeli troops from Beer-sheba. We have said "no" and will continue to say "no." It says that our army should not have the same freedom of movement in the Negev as it has elsewhere. We have said "no" and will continue to say "no." It demands the release of the Egyptian brigade at Faluja. We have said "yes" and will continue to say "yes," although the release will take place gradually, and in accordance with the progress of the armistice talks....

The functioning of the Foreign Affairs Committee was compared adversely with that of the Defense Committee. It is not known to me that the conclusions of the Defense Committee are always brought before the Council of State, and therefore I do not know whether all the conclusions of the Foreign Affairs Committee should be brought before it....In both cases conclusions may or may not be brought before the Council....

As for the condition mentioned here by certain members...to agree to make peace with Egypt only after it withdraws its army from the Gaza Strip—incidentally, that area is not part of the State of Israel though it is part of Palestine, and they are invaders there—it must be clear what this means....If they do not accept this precondition there is no peace, and the state of war—with all that this implies...on the national and international levels—continues....

I agree with Council Member Grabowski that we should try to raise the support of the Dominions against Bevin's mobilization. The matter of the Conciliation Commission requires careful consideration, and I doubt whether it is worth our while implementing it. Till now I have maintained that we should not boycott the Commission. Naturally, if it approaches us we are ready to respond, but we do not set too much store by it or approach it ourselves. Anyway, it does not meet until January 17, and before then there is no point approaching it.

The Speaker, J. Sprinzak: Various proposals have been made during the sitting. Obviously, we cannot accept proposals made in this way. We have to keep to our rules of procedure.

A. Altman (Hatzohar): We used to accept proposals and they were not put to the vote.

The Speaker, J. Sprinzak: I don't know what used to be, I know what is now....Proposals have to go through the committees....

J. Riftin (Mapam): I thought that I would be able to bring my proposals before the meeting of the Foreign Affairs Committee, which should have taken place before the meeting of the Council. It is not my fault that the Committee did not meet. I am prepared to honor procedure and transfer the proposals to the Foreign Affairs Committee provided both it and the Council of State meet within a few days....

The Speaker, J. Sprinzak: We do not disagree with you. If there are proposals, the Foreign Affairs Committee should meet with the government's representative and discuss them, and if the Foreign Affairs Committee suggests it, we will summon the Council of State to discuss the Committee's conclusions.

Conclusions of the Foreign Affairs Committee

Introduction

The Foreign Affairs Committee, after one day's deliberations, presented its conclusions to the Plenary, in another closed sitting, to which, however, editors and regular reporters were invited, on the assumption "that they print only what may be published," a noteworthy arrangement in the annals of the relationship between legislature and press.

Sitting 36 of the Provisional Council of State

(Closed to the Public)
13 January 1949 (12 Teveth 5709)
Tel Aviv

The Speaker, J. Sprinzak: I hereby open the thirty-sixth sitting of the Provisional Council of State. We have agreed to allow the regular reporters and the editors to be present at this sitting because we believe in journalists in general and assume that they will print only what may be published.

The Foreign Affairs Committee is bringing a majority and a minority opinion before us. I assume you will all agree that the debate has already been held and there is no need to do so again....Would the Chairman of the Foreign Affairs Committee kindly give us a brief review of the Committee's discussion and conclusions.

M. Kol (Chairman, Foreign Affairs Committee): I bring before you the proposals of the majority of the Foreign Affairs Committee, as well as the minority proposal of Council Member Riftin. I should note that the proposals of Dr. Altman and other Council Members...were raised in the Committee, but the Committee did not manage to cover all this material and decided to discuss it at a later date and bring its conclusions before the Council....Certain members of the Committee have asked me to request that the Speaker of the Council enable them to speak for and against the proposals which will be put to the vote....

The Foreign Affairs Committee suggests that we vote on clauses A and B of Mr. Riftin's proposal together with clauses A and B of the majority proposal. Clause C of Mr. Riftin's proposal was overwhelmingly defeated in the Committee, and we suggest rejecting it. On that clause there is a minority proposal of Mr. Warhaftig's that we should not reject Mr. Riftin's proposal but merely remove it from the agenda....

A. Altman (Hatzohar): ...As the Chairman of the Committee has said, there was no time to discuss my proposal....I said in the Committee that the decisions on the proposals should not be delayed because they are of immediate relevance, and since the Council of State is discussing the Foreign Affairs Committee's proposals, it should also discuss and vote on those which I raised. I have been told that as regards procedure this is impossible...but since the proposals have been read in the Committee...I think they could be debated here, as a minority view....

M. Kol (Chairman, Foreign Affairs Committee): Properly-formulated proposals have to be submitted to the Foreign Affairs Committee, so that the members of the Committee may study them. Dr. Altman submitted his proposals at the last minute, when we had to go to the sitting of the Council of State, and because Dr. Altman's proposal dealt with a complex of issues not connected with those on which the Committee is submitting its proposals, and since the Committee has not yet discussed that proposal, it cannot be brought before the Council of State....

A. Altman (Hatzohar): To be precise, I read my proposals out to the Council of State on Monday. I brought them before the Foreign Affairs Committee belatedly, but I had submitted them before those which were accepted by the majority were submitted. Therefore, that argument does not hold water.

The Speaker, J. Sprinzak: As we have heard from the Chairman of the Committee, Dr. Altman's proposals are a separate matter and will be discussed by the Committee next week. Thus, everything is quite alright. There are two proposals before us, one of the majority and one of the minority. We will vote on them...after Mr. Kol has read them out.

M. Kol (Chairman, Foreign Affairs Committee): The proposals are as follows:

A. The Provisional Council of State takes note of the comment made by the Foreign Minister at its meeting of 11 January 1949, that the point of departure for negotiations with Egypt will be the demand for the withdrawal of its invading armies from the borders of Palestine, and asks the government to bring its conditions for peace with Egypt before the Council for approval when the peace negotiations enter a practical stage.

B. As regards the possibility of peace negotiations with the other Arab countries fighting Israel, the Council of State demands that the government bring the conditions which will constitute the basis for such negotiations before it when the situation arises.

These two majority proposals are paralleled by Mr. Riftin's proposals, which I will now read.

A. The Council of State regards the removal of Transjordan's army from Western Palestine as a precondition for peace with Transjordan;

the annexation of any part of Western Palestine by Transjordan cannot serve as a basis for negotiations.

B. The Council of State regards the removal of Egypt's army from Palestine as a precondition for peace with Egypt; the annexation of any part of Palestine by Egypt cannot serve as a basis for negotiations.

C. The Council of State regards the alleviation of the siege of Rafah as a grave military and political error. The Council expresses its regret at the fact that the withdrawal from the Egyptian border, which was the outcome of Anglo-American intervention and endangers our military and political positions in the Negev, was implemented without any prior discussion in the Council of State.

D. The Council of State determines that the Prime Minister's statement regarding the regional alliance was not made with the Council's approval and does not accord with its political line.

Part B of Mr. Riftin's proposal parallels clause A of the majority in the Committee; the majority's clause B parallels Mr. Riftin's part A.

The Foreign Minister, M. Shertok: To my great regret, because of unexpected family reasons, I was unable to be present at today's meeting of the Foreign Affairs Committee, apart from its first part, before these proposals were discussed. Had I been present at the meeting I would have brought one reservation to its attention...namely, the link between the government and the Council of State. I have nothing against the majority proposals...since the Committee simply notes what has been reported to it, in other words, it approves it. And what it approves is the point of departure for negotiations. It does not set any definite and final limits regarding the outcome of the negotiations. This applies to the first clause. This is not the case with the second clause, where it demands that the government bring a matter before it before a decision is made. Naturally, I do not question the Council's authority to restrict the government in this way, but the question arises here as to whether the Council of State can debate this issue before the government discusses it. This issue, under what conditions there can be peace with Transjordan, has not yet been discussed by the government, and I think that it should be brought before the government before being brought before the Council of State, so that the government may formulate its opinion on it.

My second remark applies to both the majority and the minority proposals, regarding the use of the word "peace" and its precise meaning, as well as that of peace negotiations. Officially, and perhaps substantively too, the negotiations which should have begun this afternoon at Rhodes are not peace but armistice negotiations. There is a certain difference between the two, if any distinction should be made. I do not know whether the use of the word "peace" here is imprecise and peace is also included in armistice, or whether it is an exact term and applies only to that section when peace is discussed, and not to the armistice stage. I would like a distinction to be made in this matter, to avoid un-

necessary future accusations and misunderstandings regarding the interpretation of the decisions made, if there be such.

J. Riftin (Mapam): A. Without repeating the explanations I gave in the previous sitting of the Council, I would like to say that we regard our proposal as supplementing that of the majority rather than contradicting it. We do not oppose the idea that the point of departure for negotiations should be the expulsion of the invaders. We favor that point, but wish to add that it is also a condition for peace. We do not oppose the fact that when the negotiations enter a practical stage the basis of the negotiations (and the negotiations will undoubtedly include several serious issues as well as the question of annexation or non-annexation) should be brought before the Council of State. We merely wanted to add to the general basis of the negotiations the opposition to the annexation of part of Palestine to other countries.

This matter was clear in the Committee, and we can vote according to various procedures. But we would prefer it if our proposal was put to the vote as a supplement to the majority proposal.

B. I must answer the Foreign Minister's question: we were also exact in phrasing our proposal, and did not use any term fortuitously.

C. With regard to the question of procedure, as raised by the Foreign Minister, to my regret, I disagree with his thinking, insofar as one may disagree with someone's thinking. The Foreign Minister had sufficient time to consult the government on this issue. It was raised by me in the Foreign Affairs Committee several weeks ago, I believe. (The Foreign Minister: That still does not determine when the government discusses it.) I would simply not want to be tied to a procedure which presents me and the entire state with a fait accompli.

The Speaker, J. Sprinzak: The procedure is very simple: what is accepted is accepted; and what is not accepted is not accepted.

The Minister of Agriculture, A. Zisling: One can accept both.

The Speaker, J. Sprinzak: I think that this is a fairly limited forum and the procedure is extremely simple.

Z. Warhaftig (Hapoel Hamizrahi): I would like it to be perfectly clear that in the Committee we decided to request that this proposal not be put to the vote. We regard our proposals, and this was the Committee's decision, as contradicting those of Riftin, and serving as a substitute for them. If this is the case, there is no possibility of their being a supplement. The substitution is very logical, because we say that the Government must first of all define its policies and bring before us the conditions it proposes, and we will approve them or not. We do not wish to discuss parts of the conditions. That is why this is not a supplement, but two parallel proposals. And if you accept the majority proposal, there is no room for the minority one.

The Speaker, J. Sprinzak: Would it not be correct to vote on each proposal?

Z. Warhaftig (Hapoel Hamizrahi): I would not like to vote against a detail which is included within the general body. Mr. Riftin proposes accepting a precondition for peace negotiations. I do not wish to vote on that precondition now at all. (The Prime Minister, D. Ben-Gurion: Obviously!)

The Speaker, J. Sprinzak: I gather that the Foreign Affairs Committee proposes that the Committee's clauses A and B and the first two clauses of Riftin's proposal should be put to the vote against one another. We will now vote on the two clauses of the proposal of the majority of the Foreign Affairs Committee and the first two clauses of Riftin's proposal....

The Vote

Those in favor of Riftin's proposal	4
Those in favor of the majority proposal	17

(The proposal submitted by the majority of the committee is accepted.)

B. Weinstein (Hatzohar): We could not participate in the vote because we were prevented from submitting our proposal.

The Speaker, J. Sprinzak: I would merely like to set the record straight: it is not that you were prevented, but that a different arrangement was made possible.

B. Weinstein (Hatzohar): But in this vote....

The Speaker, J. Sprinzak: We are now moving on to clause C of Riftin's proposal.

M. Kol (Chairman, Foreign Affairs Committee): The majority of the Committee proposes rejecting this clause. There is also a minority proposal by Mr. Warhaftig which suggests refraining from voting on this and removing it from the agenda.

Z. Warhaftig (Hapoel Hamizrahi): Gentlemen, I proposed removing it from the agenda for the following reasons: Mr. Riftin is proposing here that we should decide that the withdrawal beyond the Egyptian border was a grave military and political error. If we vote against his proposal that means that we decide that it was not an error. I agree that it was an error. But as I explained at the previous sitting, the error began beforehand, when we crossed the border, because I thought that the government

should have known in advance what that would entail. It should have seen ahead. And if one goes in in order to go out, that is already an error.

I am not submitting any proposal because I know that the government can make a mistake and it is not for me to chastise it because of it....But neither do I want to reject that proposal, so that it will not be thought that everything was alright.

The Prime Minister, D. Ben-Gurion: This clause does not belong to the discussion of the Foreign Affairs Committee and foreign policy. I am not against the Council discussing it. On the contrary, I would like it to. But that belongs to the conduct of the war, which has nothing to do with the Foreign Ministry. The Minister of Defense is responsible for that, both for sending our army across the border and for sending it to other places. I am not against this being discussed in the Council, but not in connection with this clause....

M. Grabowski (Mapai): I oppose Mr. Warhaftig's proposal. Mr. Riftin's clause is not negligible. It is a question of confidence or no-confidence in the government, not a technical-military one. The reasons Mr. Riftin gave for this clause constituted accusing the government, first, of military ineptness and, second, of withdrawing for political reasons connected with foreign policy. This cannot be ignored. We must put it to the vote, and I propose that we do so without any further debate. If Mr. Riftin's proposal is not accepted, this will constitute a vote of confidence in the government's actions on both the political and the military levels.

B. Weinstein (Hatzohar): I ask that we first vote on the Minister of Defense's proposal.

The Minister of the Interior, I. Greenbaum: Only the Government can decide on the matter of confidence or no-confidence. Only it can regard a certain vote as being one of confidence or no-confidence in it. The Prime Minister made no statement on this. He only said, rightly, that this proposal has nothing to do with the matter we are debating and voting on. In my opinion, we should agree with what the Prime Minister has said and remove this proposal from the agenda. If Mr. Riftin wishes to revive the matter, he is at liberty to do so.

N. Nir-Rafalkes (Mapam): I would simply like to bring it to the attention of the members of the Council of State that even if one considers the Minister of Defense's remark to be correct, this applies only to the first line of clause C, while from the second line to the end it is a subject about which the Council of State may express its regret at the fact that the deed was done without any prior debate in the Council of State. It is undoubtedly relevant for the Council.

The Prime Minister, D. Ben-Gurion: The Council of State does not conduct the war.

J. Riftin (Mapam): I would like to endorse Council Member Grabowski's statement that the main point of the proposal under review is that of foreign policy. We maintain that because of external political pressure, which should not have been submitted to, a certain step was taken which we regard as militarily harmful. On this point I support Council Member Grabowski's opposition to Council Member Warhaftig's proposal to remove the clause from the agenda.

As regards the vote of no-confidence, there are two sides here which can decide on that. The Government can say that it regards it as no-confidence, or the proposing party group can say that it does so. We are all able to phrase things the way we want, and there is no need to bring in extraneous matters.

M. Kol (Chairman, Foreign Affairs Committee): On behalf of the Foreign Affairs Committee, I ask the Prime Minister and the members of the Council to put the matter to the vote and not to remove it from the agenda, because this proposal is of vital importance. Since the proposal has been brought here, I request that we vote on it.

The Minister of the Interior, I. Greenbaum: If we put it to the vote, I propose that we at any rate vote on the first sentence separately, as Council Member Nir has suggested.

The Prime Minister, D. Ben-Gurion: I don't know why the Chairman of the Foreign Affairs Committee addressed me. This is a matter for the Council.

B. Weinstein (Hatzohar): This subject does not belong in a discussion on foreign policy, and I propose that we transfer this sentence to the Defense Committee.

The Speaker, J. Sprinzak: The Prime Minister's statement should have sufficed to remove this clause from our debate, and I do not know why the Chairman of the Foreign Affairs Committee is demanding that we put it to the vote.

I propose that, in accordance with the Prime Minister's statement, the Council of State remove this clause from the agenda, because the Foreign Affairs Committee was not authorized to deal with it.

M. Grabowski (Mapai): In my opinion, the Prime Minister interpreted Council Member Riftin's proposal incorrectly. Council Member Riftin did not raise a military issue. According to this interpretation of the Prime Minister's, this clause should go to the Defense Committee, and thence back here. We do not want that. Before us is a political proposal which says that because of external political intervention we took a

military step which was harmful to the state. We want to reject that proposal and not remove it from the agenda, in opposition to the Prime Minister's interpretation. We propose that we put Riftin's proposal to the vote, and insist on more than just a formal statement.

The Speaker, J. Sprinzak: There are two proposals before us: one, to remove this clause from the agenda; two, to put it to the vote.

The Minister of the Interior, I. Greenbaum: I repeat my proposal that if we put it to the vote we vote on the first sentence separately.

The Speaker, I. Sprinzak: We will now vote on Council Member Grabowski's proposal.

(Grabowski's proposal to put clause C of Riftin's proposal to the vote was accepted.)

We will now vote on the first sentence of clause C of Council Member Riftin's proposal.

(The first sentence of clause C of Riftin's proposal was rejected by 17 votes to 3.)

B. Weinstein (Hatzohar): We did not participate in the vote for the reason mentioned before.

The Speaker, J. Sprinzak: We will now vote on the rest of the proposal.

(The rest of clause C of Riftin's proposal was rejected by 17 votes to 4. Clause C was rejected in its entirety.)

The Speaker, J. Sprinzak: We will now proceed to clause D.

The Prime Minister, D. Ben-Gurion: I would merely like to say that this clause contains a factual error. The Prime Minister made no statement regarding a regional alliance, but spoke of a Jewish-Arab alliance. Even before we had a Prime Minister, at an election meeting on 2 October 1942, I said that there were three main tasks before us: a. security, b. establishing a Jewish state, c. a Jewish-Arab alliance. I claim that those three points are still valid today, and on more than one occasion I have spoken of the need for a Jewish-Arab alliance, and those who oppose it should have the courage to say so openly and simply...without hiding behind the false and vague formula of a regional alliance....

J. Riftin (Mapam): Those who make this proposal have at least as much courage to fight for a Jewish-Arab alliance as the Prime Minister. But they believe that hints given in an interview to the foreign press about the possibility of joining a political bloc of Arab countries which are under reactionary rule, or a Middle Eastern bloc, which can and must serve as a tool of aggressive imperialism in this part of the world, are deceptive as regards their content and damaging as regards the state's foreign policy. This issue has nothing to do with the alliance between Jews and Arabs.

A. Katznelson (Mapai): I would like to ask the Speaker how he can put a resolution to the vote on the basis of something which appeared in a newspaper and which the Prime Minister has denied. Can we decide on that here?

The Prime Minister, D. Ben-Gurion: It did not appear in any newspaper, not even *Al Hamishmar*.

The Speaker, J. Sprinzak: I think that it is on that basis that the Committee proposes removing it from the agenda. We will now vote on the proposal to remove this from the agenda.

(Clause D was removed from the agenda by 18 votes to 3.)

General Amnesty Order, 1949

Introduction

On 25 January 1949 the first elections took place throughout Israel, including in army units, for the Constituent Assembly, which would subsequently change its name to the First Knesset. This resulted in a remarkable achievement for the Labor Party, led by Ben-Gurion, which obtained 46 seats out of 120 but fell far short of an absolute majority. Altogether, twelve lists had gained at least one seat each, the runner-up after Labor being the United Workers' Party with 19 seats, followed by the Religious Front with 16 seats and the Herut movement, founded by M. Begin, with 14.

The Constituent Assembly was to convene on 14 February 1949. A few days earlier the Provisional Council of State met for the last time with one main item of business on its agenda: a general amnesty.

Sitting 40 of the Provisional Council of State

10 February 1949 (11 Shevat 5709)
Tel Aviv

The Prime Minister, D. Ben-Gurion: Gentlemen, we are gathered here today for the concluding sitting of the Provisional Council of State. I am sure that the Council will gladly hand over its authority and rights to the Constituent Assembly. Just as one does not envy one's son or one's student, this Council, which was appointed on a provisional basis, does not envy the Constituent Assembly, which is elected and will last a long time. But despite the fact that it was provisional, this Council was privileged in a way which the Constituent Assembly will not be, and in a way which was historically unique. It proclaimed the establishment of the State of Israel.

As we recall that great occasion with satisfaction, we will stand to attention (the members of the Provisional Council of State and all those present rise) in remembrance of those who gave their lives for our freedom and independence. (The Prime Minister stands to attention for one minute, then everyone sits down.) There is no consolation for the bereaved mothers and fathers, but I think that we can say that they bear their grief with pride, than which there is no greater.

You know that on the day the state was proclaimed, enemy armies invaded the country from Egypt, Transjordan, Iraq, Syria and Lebanon. The Haganah, at the time, and later the IDF, fought numerically superior forces, but managed to defeat them.

I will say just a few words about the suffering and heroism of the campaign for Jerusalem, one which is almost unparalleled in history, and which in ten days reversed the political and military situation in the Near East and made the young State of Israel the greatest military force among the lands of the Bible; the campaign of seven days in October, which freed the approaches to the Negev; the campaign of sixty hours in Galilee, which liberated the whole Galilee completely; and, finally, the most recent campaign, which drove the invader out of the entire Negev and opened the way to peace between us and Egypt.

This Council of State, together with the Provisional Government, succeeded in overcoming the attempts of the Mandatory Government to bequeath chaos and bloodshed to this country. Despite the fact that we were engaged in a life-or-death war, we established a sovereign regime, with its own administrative, economic and cultural services. I will mention only one service, which bore the heaviest burden of the great historic revolution of this year—the IDF.

During this period we defeated the armed endeavor to infringe the state's authority, and we put an end to armed, military separatism.

During this period—and let us not forget that it is only nine months less four days—we brought more than 145,000 Jews to this country, and finally freed the immigrants imprisoned in Cyprus; the last convoy sails tomorrow, and I hope it will reach Haifa port safely.

During this short period we established 52 new agricultural settlements, and turned several abandoned, deserted towns into Jewish towns.

Finally, during this period of emergency we held democratic elections for the Constituent Assembly, maintaining order, self-respect and moral and political maturity which are the equal of those in any well-run country. I am not referring to the results of the elections—there may be differences of opinion in this regard—but to the fact that there was a large turn-out, that the electors behaved honorably, and that Jews, Moslems and Christians participated.

There is no doubt that during this period Israel's reputation has been enhanced, not only that of the State of Israel but also that of Jews throughout the world, whether Zionists or not, nationalist or assimilationist. Every Jew everywhere can now bear his name with pride, which was not always the case in the past.

We are now on the threshold of a sovereign, orderly and democratic life, and matters will be disposed not by appointed and provisional institutions, which were a temporary necessity, but by institutions which have been elected by the nation in general elections, regardless of the individual's sex, religion or race. They will impose their laws upon us and show us their way. To mark this transition to an orderly way of life, the government proposes to the Council that at its concluding sitting it pardons all its citizens and inhabitants who have committed crimes,

whether they have been sentenced already or not, apart from those convicted of murder, treason, etc., for which the penalty is death or life imprisonment.

We propose this not because we disregard law and order but, on the contrary, in the hope that with the establishment of a permanent democracy, the institutions of law in the state will be strengthened and honesty will prevail. As we enter the ordered life of the Jewish republic, we want to give a chance to all those who have slipped and broken the law, that they may mend their ways and henceforth be honest, loyal and law-abiding citizens.

I would like to take this opportunity of conveying the government's thanks to the law courts and judges of the State of Israel for the fine and honorable example they have given in their conduct of trials in independent Israel.

The Amnesty Order is as follows:

1. Release from Jail. Any person who, on the day this order goes into effect, is in prison or under detention, shall be released, unless he has been condemned or accused of murder or any other crime the penalty for which is death or life imprisonment. Prisoners of war may not be released from prison camps or lunatics from asylums according to this clause.

2. Cessation of Activities. A person who committed a crime before 10 February 1949 (11 Shevat 5709) shall not be arrested for it, shall not be brought to trial, and if brought to trial, that shall be annulled, and will not be punished, unless he has committed murder or any other crime which is punishable by death or life imprisonment.

3. Maintenance of Civil Responsibility. This order does not release any person from civil responsibility for action or the failure to act.

4. Implementation. The Minister of Defense, the Minister of Justice and the Minister of Police are responsible for the implementation of this Order.

5. Effectiveness. This Order comes into effect on the day it is approved by the Provisional Council of State.

6. Name. This Order shall be known as the "General Amnesty Order, 1949."

Finally, I would like to give you the number of people affected by the order, should the Council of State approve it. The number of persons currently on trial by the civil courts and citizens who are in prison after having been sentenced is 54, 4 of whom will not benefit from the amnesty because they committed crimes for which the maximum penalty is death or life imprisonment, and, in effect, life imprisonment. The government has decided, once this law is passed, to reduce the punishments of those persons proportionately.

Several persons are under arrest and have not yet been brought to trial. There are about 40 in this group. 20 of these will not benefit from the amnesty either, for the same reason.

There are other persons, who have been arrested by the army. 32 of them have already been sentenced by military courts. If this Order is approved, only three of them will not benefit from the amnesty.

Eighty-three detainees have not yet been brought to trial. On the basis of this Order, 15 of them will not benefit from the amnesty, for the above reason....

N. Nir-Rafalkes (Mapam): We think that the occasion is not the day when the Council of State disperses but when the Constituent Assembly meets. That is why we propose that the Amnesty Order not be passed now, but that the government be asked to submit it as the first item at the first sitting of the Constituent Assembly. (From the floor: Who do you mean by "we?") Mapam.

Z. Warhaftig (Hapoel Hamizrahi): ...I oppose Mr. Nir's reservation. When it was presented to the Legislation Committee we thought that we should not delay granting amnesty until the Constituent Assembly meets for the following reasons:

In effect, the Provisional Council of State should have done this when it first met, because an event such as the founding of the state should be accompanied by a general amnesty. We were unable to do this because the Mandatory Government had opened the prisons before leaving the country, and there was no one to pardon. Let us therefore use this opportunity, at least now, before this body is dissolved. Pardoning prisoners is a religious duty for us—"Blessed is He who releaseth prisoners"—and why should we deprive ourselves of this...?

I would like to quote two verses connected with the founding of the state. Our exile is associated with sin—"Because of our sins we have been exiled from our land"—and the return to Zion is associated with the pardoning of crimes—"I, even I, am he that blotteth out thy transgressions for mine own sake, and will not remember thy sins" says the prophet Isaiah. When the Lord forgives crimes and sins and allows us to return to Zion and build our state, let us not forget another verse from Isaiah: "Say to the prisoners, go forth, to them that are in darkness, show yourselves."

S. Mikunis (Maki): I think that the Council of State is entitled to pass the law of amnesty, and not to transfer it to the Constituent Assembly.

As regards the law itself, I would like to note one point in it, which whether inadvertently or not constitutes racial discrimination. Clause 1 ends with the words: "Prisoners of war may not be released from prison camps or lunatics from asylums according to this clause." In practical terms it is obvious that the amnesty should not apply to prisoners of war. That is evident to everyone here. But we are confronted with

a certain situation in the State of Israel, with many hundreds of Arabs who live in the state having been branded as prisoners of war despite the fact that they did not participate in the war against the IDF. Moreover, amongst them there are almost one hundred Arabs who are members of the Israel Communist Party, 23 of whom have been released by the IDF after having been imprisoned by the Egyptians because they fought against the invader with weapons and with words. Those people endangered their lives, and I have the impression that our security service knows this and even treated them particularly well in the first few days. But those people were transferred from there to a detention camp for prisoners of war. The Communists who fought the invaders at the risk of their lives were branded prisoners of war, and consequently, cannot benefit from this amnesty, which they deserve by right of law.

Consequently, I think that this clause, whether it refers to anyone convicted of anything or accused of murder, etc., regardless of nationality, constitutes racial discrimination against those Arabs who have been branded prisoners of war even though they are not, and who should, in our view, be honorary citizens of the State of Israel, because of their dedicated war—and which is still now being conducted by their associates in other parts of Palestine which are still under alien rule....

D. Pinkas (Hamizrahi): I would like to ask whether this Amnesty Order also applies to people arrested administratively according to the old Emergency Regulations which are still in force, and if they are to be released too?

Z. Warhaftig (Hapoel Hamizrahi): I would like to express my reservations to clauses 1 and 2. I propose that the sentence "or any other crime the maximum penalty for which is death or life imprisonment" be removed from the clause, so that anyone who is under arrest or in detention, unless convicted of murder, will benefit from this amnesty.

I also propose deleting the last sentence: "or any other crime which is punishable by death or life imprisonment" from clause 2.

...The death sentence is on our law books, but it is left over from the Mandate, and also applies to treason and incitement to violence. On the other hand, there are several crimes which are punishable by life imprisonment, some of them not so grave: concealment of treason, aiding civil war, incitement to insurrection, aiding prisoners of war to escape...destroying buildings, homicide, attempted murder, etc.

...For example, the maximal punishment for counterfeiting government documents is 10 years, while for counterfeiting notes and checks it is life imprisonment....Thus, for the second crime there is no amnesty, while for the first there is....English emergency laws are still in effect in Israel, and thus such crimes as being in possession of explosives or military uniforms are still punishable by death....I believe that it is the will of this House that the amnesty be as wide as possible. A total

of one hundred persons are involved, after all, so why should we...keep a few dozen men in jail if they should be freed? Consequently, I propose that those two sentences be deleted, so that those sinners may repent and be loyal citizens of the state.

J. Rittin (Mapam): The decisive criterion in this debate is, nevertheless, the protection of the state and the interests of the state. I think that this debate proves that several problems have not been examined here, although I welcome the general trend of the Government's proposal. For example, will the amnesty diminish the protection of the state's democracy in the face of those who deny it, or not? This is not merely a sentimental wish. There is also the issue which has been raised by Council Member Mikunis....The general impression is that the proposal has not been examined carefully enough by the government....I therefore propose that it be studied with great care by the Constituent Assembly.

The Prime Minister, D. Ben-Gurion: I am glad to note that Council Member Mikunis does not totally reject the Government's Order or one of its clauses. The issue he raises is not really connected with the Order because, as he admits, prisoners of war should not be released, but he claims that people who are being held as prisoners of war are not such. That is a factual, not a legal, question....The Amnesty Order applies solely to residents of the state who have broken the law and towards whom the government wishes to display generosity, on the assumption that many of them will repent; and if they do not, they know that the long arm of the law will find them.

As regards the actual fact, I doubt whether the claims made by the Council Member are correct. Be that as it may, the situation he describes is not racial but party-political discrimination. He claims that members of a certain party, who he thinks did not fight against us, are in a prisoner of war camp. I don't know if that is true or not. I want to tell him on behalf of the Ministry of Defense that a careful examination will soon be made of all local persons in prisoner of war camps, and anyone found to be innocent of having fought against us will be released. There may soon be a change of government, and I will not be able to commit the new government, in which case the present Minister of Defense will recommend this to his successor. (Laughter in the chamber.) But the entire matter raised by Mr. Mikunis is not really connected with this Order.

As regards the proposal to defer the amnesty, if one does not oppose it completely—and as far as I can gather from what Council Member Rittin said, he does not oppose it in principle, and in fact welcomes it—it were better were it done by the Provisional Council of State. The Constituent Assembly will have to tackle fundamental and pressing problems, and it will be justifiably angry with us if we burden it with extra work which we can easily do ourselves. I think that we should do

this now. Although any division of time into periods is artificial, this is the period of the Provisional Council of State and the Provisional Government, and the members sitting here—who have borne a heavy burden, which will doubtless be remembered throughout our history—deserve the right to end this term with...the act of amnesty....

The Minister of Justice, P. Rosenblueth: I would like to add...some more information. The Prime Minister mentioned 54 prisoners who have been tried by the civil courts, 34 of whom have been sentenced to jail terms of less than one year, 9 to one year, and 11 to more than a year, including the 4 to whom the amnesty does not apply.

As regards Council Member Warhaftig's reservation, I did not think that this Order would be attacked so much for not being broad enough. I could have imagined a different approach. Council Member Warhaftig suggests expanding the scope of the amnesty to encompass those who have been sentenced to life imprisonment. I advise against this....

Among the crimes for which the maximal penalty is life imprisonment are manslaughter and armed robbery. The Prime Minister has mentioned the figures of those persons in jail who will soon be brought before the regional courts; these include 8 cases of armed robbery. I do not know if the Council of State really wants to pardon them.

There are also cases of incendiarism, for example, or attempted murder, which are very serious crimes. Or the falsification of wills. It can be assumed that in Israel today there are between 5 and 10 false wills....But if they are discovered only in another ten or fifteen years, it can be claimed then that the offender has already been pardoned....

I think the amnesty is very broad. We could propose it only in honor of a unique event in Jewish history, as the Prime Minister has pointed out, as well as by relying completely on our courts and police force, which have already instituted such law and order in Israel that we are confident that this amnesty will not give rise to any misunderstanding.

This amnesty is one of the ways of dealing with criminals. In special circumstances a state can hope that an act of charity will impel criminals to mend their ways. That is our hope, and we consequently propose this law.

The Minister of the Minorities and the Police, B. Shitrit: I think that in honor of the event that the Provisional Council of State is concluding its task and handing the reins over to the Constituent Assembly, something should be done, namely, the general amnesty. Council Member Warhaftig says that we should have done it to begin with, when the state was proclaimed, but when the state was proclaimed we did not have any prisoners because the previous regime had set them free, and all we had was a few lunatics, who are still in our care.

The figure cited by the Minister of Justice—54 convicts and fewer suspects—indicates the activity of the police and the law courts. It is better if we hand over empty prisons to the Constituent Assembly, so that it can start off with a clean sheet. (Laughter in the chamber.) If this Order is accepted I have a statement to make to the Council on behalf of the Advisory Committee on Prisons of the Ministry of Police. In January the Prisons Service was separated from the Police Service, and the Advisory Committee was set up immediately afterwards. It represents the Prisons Service, the Ministry of Police, the Courts, the Treasury, the Probation Service, the Ministry of Welfare, the Ministry of Health, the Health Department, the Education Department, the Lawyers Association, the League for Equal Rights for Women, the Medical Association, the Prisoners Reform Society and the Pedagogical Center.

At its meeting today, the Committee charged me with bringing the following request before the Council:

A. The Advisory Committee on Prisons of the Ministry of Police, which met on the day the Council of State set the prisoners free, welcomes this step and hopes that it will be deeply etched in the hearts of the prisoners and will cause them to mend their ways.

B. The Committee asks the Council of State, via the Minister of Police, to allocate an appropriate and adequate sum for the urgent rehabilitation of those released prisoners who need it.

The Speaker, J. Sprinzak: We will talk about rehabilitation on another occasion. It has been proposed by Council Members Nir and Riftin that we transfer the Amnesty Order to the authority of the Constituent Assembly, and do not decide to grant amnesty here.

(The proposal is defeated by 28 votes to 5.)

We will now vote on Council Member Warhaftig's amendment that the words "or any other crime for which the maximum penalty is death or life imprisonment" be deleted.

(The amendment is defeated by 15 votes to 3. The Order is approved unanimously.)

The Provisional Council of State has unanimously approved the General Amnesty Order, and I hope it leads to an improvement in relations in the country.

The Speaker's Concluding Words

The Speaker, J. Sprinzak: With this Order the work of the Provisional Council of State comes to an end. This evening marks the conclusion of the first chapter in organizing the daily life of the State of Israel. It was in this building that the state was proclaimed. And it is in this building that we bring this first chapter to a close. In this building, which is the...home of the arts, for the first time after many generations we stud-

ied and learned, through 31 sittings, the supreme art, that of ordering the daily life of the society and citizens of the State of Israel.

We all leave this house with a sense of satisfaction caused by our work here. This house, which belongs to the recent chapters of Jewish history, saw the beginning, the first steps, of the nation's elected representatives. We have spent an important period here, preparing ourselves and the nation, and preparing the state for the Constituent Assembly. You have heard the reviews of the committees. We have done the work imposed upon us by Zionism, the nation and its elected institutions. We did it as best we could, with the best of intentions.

We have lived together through these sittings of the Council of State in friendship, with gravity and with a sense of collective responsibility. Above all, we have planted the important seed of mutual respect, of caution and attentiveness, and esteem for one another. We have made a serious effort to go into matters deeply, to fulfill our task, to arrange our work and our life in the Council of State, and we transmit the moral and political values of our joint endeavor to the Constituent Assembly, to the legitimate representatives, who have been elected with honor and purity, to the elected representatives of the Jewish nation.

We have started the work, and it will surely be continued. The Jewish nation will establish and maintain itself and will acquire honor in the way it arranges its life and in the productive ability to gather its scattered members into this state, the state of the Jewish nation. Long live the Jewish nation! Long live the State of Israel! Long live our hope to gather all our exiles into the State of Israel!

(All those present rise and sing the national anthem—*Hatikva*.)