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## A RESPONSE TO JAY HARRIS

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In Jay Harris' opinion, the Proclamation of Statehood combines an entirely persuasive political- philosophical justification for the establishment of a Jewish state in the Land of Israel with historical and moral arguments that are both shaky and, in some cases, rather discreditable. If I understand him correctly, he wishes that the National Council had cut right to the heart of the matter in 1948 and justified its actions solely on the basis of the Jewish nation's entitlement by nature to something shared by all other nations, i.e. the right to self-determination in its own land. This argument is, at any rate, the only one contained in the document that he regards as both free of exaggerations and internal inconsistencies and untainted by lamentable signs of a galut mentality.

It seems to me, however, that the political-philosophical argument Jay finds most compelling is in itself no less questionable than the historical and moral ones to which he objects. And while I share, to some extent, the qualms that he expresses about the latter sorts of arguments, I am not in the least bit irritated by their presence in Israel's Proclamation of Statehood. There were, it seems to me, good political reasons for that document's authors to have recourse to them in May of 1948. And I don't really see why one ought to be disturbed in the summer of 1998 about their having done so.

Jay himself acknowledges that “there is much that can be challenged in ... the notion that self-determination is a ‘right’ that ‘all other nations’ in fact have.” I think that this is something of an understatement. Not only is this right much less self-evident, philosophically speaking, than the Israeli Founding Fathers apparently considered it to be, but it is one that the United Nations itself could not afford to acknowledge. Doing so in 1945 would have opened a Pandora’s box of tricky national questions, many of which are still unresolved and essentially off-limits for the UN (e.g., the Kurdish question). When the General Assembly voted for the establishment of a Jewish state, it was not, after all, in order to grant the Jews a commonly recognized right but in order to end the untenable situation then prevailing in undivided Palestine.

As Jay points out, the partition decision by no means constituted an immediate remedy to that situation, and was by the spring of 1948 in some danger of being revoked. By May 14, it is true, that danger had been overcome. But who knew for how long? Whatever one can say, with hindsight, about the true balance of forces between Jews and Arabs at the outset of Israel’s War of Independence, the Jewish leadership at that time perceived its military and political situation to be precarious. It consequently felt itself to be in great need of external support. One way to obtain and solidify such support was by showing what the authors of the American Declaration of Independence described, when they were justifying their own revolutionary actions, as “a decent respect to the opinions of mankind.” All of the arguments with which Jay finds fault seem to me to manifest such respect, with the aim of maintaining the indispensable goodwill of the citizens and leaders of certain critically important Western nations at a very crucial moment.

“We gave you the Bible; we’ve suffered horribly in recent years; we helped defeat Hitler. Therefore, we deserve a state in our ancient homeland.” These seem to me to be more powerful — if not necessarily more philosophically valid or more honorable— ways of addressing the target audience of postwar, Western public opinion than an insistence on abstract as well as disputable natural rights. And this in itself constitutes, to my mind, sufficient justification for deploying them.

I do, as I have already said, share some of Jay's qualms about some of these arguments. But not all of them. With respect to one argument, in particular, I find his indignation difficult to comprehend. I simply do not understand why he considers it to have been so insidious and ugly for the Jews of Palestine to base their claim for postwar rewards partly on their contribution to the anti-Nazi war effort. Isn't that just politics as usual? Even Jabotinsky would have thought so, if he had been alive at the time. After all, he strove to set up the Jewish Legion during World War I in order to make precisely this sort of argument when that war ended, and he was thinking along similar lines in 1940, just prior to his death. And it would be hard to characterize him as a self-degrading Jew.

From the gusto with which Jay goes after the Proclamation of Statehood, one might almost think that this document has played a harmful part in the shaping of Jewish self-consciousness in the half century since its composition. If it has done so, however, I don't know where that might be. Among American Jews, it scarcely exists at all outside of Reinharz and Mendes-Flohr's anthology. I'm sure that I've never heard it recited in any ceremony in this country or even come across it in the appendix to a prayer book. And in Israel itself, as Shimon Shetreet has observed, "it cannot be said that the Declaration of Independence has served as an educational tool or as a source of guidance in the political, social and day-to-day life in Israel" ("Developments in Constitutional Law: Selected Topics," *Israel Law Review* 24, 1990: 413).

What really bothers Jay, I suspect, is not so much the document itself as the mentality of which he perceives it to be a reflection. He appears to regard the Proclamation as a typical manifestation of one of the weaknesses of secular Zionism, a manifestation all the more disturbing because it was produced by the "most committed of Zionists." Even these people were so lacking in self-respect that they had to justify their project "in terms of benefits that accrue to others from their existence."

However valid a criticism this may be of secular Zionism in general, it seems to me to be a rather strange case to make against the generation led by the man who so famously declared that what really mattered was "not what the Gentiles say, but what the Jews do." I would therefore be

curious to know what contemporary trends and developments, besides the Proclamation itself, have prompted Jay Harris to criticize Ben Gurion and his generation with such asperity.