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Comments on Yoram Shachar, Jefferson Goes East: The American Origins of the Israeli Declaration of Independence

A Comment on: "Jefferson Goes East: The American Origins of the Israeli Declaration of Independence" by Yoram Shachar.

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Yoram Shachar's *Jefferson Goes East*¹ is one chapter in a corpus of extensive writings that he is compiling about Israel's Declaration of Independence. Chance, destiny and human endeavor all play a part in the narrative that he has so eloquently told. The first part of the article is dedicated to describing the "what ifs" — namely, the roads not taken: the available texts that might have evolved to become Israel's Declaration of Independence, but did not. Shachar views the alternative paths as side roads and, halfway through the article, he makes it quite clear that the draft compiled by little-known lawyer Mordechai Beham was the only reasonable track in the days preceding independence. Nevertheless, Shachar describes at great length the roads not taken.

The alternatives serve several purposes in Shachar's article. First, they vividly depict the fluid situation preceding Israel's Declaration of Independence. Although Shachar does not include a timeline — describing last minute doubts, international developments, internal debates and the day-to-day events of the ongoing war — one can sense the confluence of uncertainties in what he has written, as well as in what he communicates between the lines. The decision to explore rival texts also enables Shachar to portray the myriad of options which might then have formulated a different Zionist narrative, which in his interpretation are manifested in the life stories of the rival texts' composers as well as in their respective worldviews. Even

* Department of Jewish History, Tel Aviv University. Thanks to Avital Margalit, Assaf Likhovski, Ron Harris, and Pnina Lahav.

1 Yoram Shachar, *Jefferson Goes East: The American Origins of the Israeli Declaration of Independence*, 10 THEORETICAL INQUIRIES L. 589 (2009).

if one knows nothing about Zionism, one can sense that it is but a family name for a cornucopia of ideologies and narratives, and that many choices which today seem inevitable were no more than a combination of fate and human choices. The roads not taken also serve as a literary device with which to portray meek Beham in sharp contrast to his opinionated rivals. One cannot escape the impression that Shachar conveys in his article that the way of the meek — if not the meek themselves — has in fact inherited the earth. Underneath this rich and analytical article lies, so it seems, a strong message regarding the most democratic value of them all — the humanistic belief in the agency and power of the ordinary man.

Shachar is an enthusiastic storyteller, yet at the same time it is with irony and detachment that he discusses the facts, particularly when he breaks out of the mythical imagery of his narrative and talks about the "quasi-sacred font" and the "fake parchment-like paper."² He is also a modest and honest writer who does not attempt to conceal the places where inevitable gaps in documentation have compelled him to venture educated guesses. Inviting the reader to follow the path of the historian's legwork teaches an important lesson to overconfident colleagues as well as to beginning students.

And so there arises a wonderful tale about a meek, unknown lawyer whom Shachar has reinstated as the true architect of the Israeli Declaration of Independence, after his very existence was concealed from history and fellow historians, juxtaposed with actual events as recorded and reconstructed. Some of these details are less than compelling — such as the fact that the first draft was written by the lawyer, Beham, on the Sabbath, when writing is forbidden, in a Rabbi's library of all places. If one were looking for yet another transgression to add to the long list of sins related to the creation of the State of Israel, here it is.

Shachar's article raises numerous issues: the mechanism for choosing and adapting a legal text; the way history works and the way individuals shape it; the various drafts, their respective authors, and the relationships within different institutions, as well as between institutions; questions relating to the right to establish the state; the name and identity of God; myth, history, reality, property rights, and the identity of the parents of the nation; and one subject which, although never overtly raised, pervades the entire article, especially since the question of parenthood seems so paramount: the identity of the child — the identity of the newborn nation-state. This is a subject upon which Shachar touches, while still leaving much to the reader's imagination. Writing a declaration of independence was only one part of constructing a

² *Id.* at 593.

national identity. Borrowing existing models, stripping them of their foreign colors, and transplanting them into the sun-parched soil of the land of Israel were among the ways in which Hebrew culture was constructed in the pre-state era. Other notable ways included new inventions or the continuation of older models (such as Rubashov's Hassidic speech).³ The borrowing of models was manifested in various fields: in literature, medicine, sport, music and education, to mention but a few. So although Beham's rivals chose not to rely on foreign or readymade sources, their choice is as unexceptional as was Beham's choice to use, among other things, the American Declaration of Independence.

Finally, two crucial issues raised by Shachar merit mention. The first relates to "Tsur Israel" — the name and identity of the God chosen by Beham.⁴ It would appear that Tsur Israel was chosen because it best accommodated the imagined child — the newly-formed Hebrew and Jewish state. One of the goals of the state was to provide a place for a new-old nation. Zionism was trying to avoid universalism, and aimed at transforming the cosmopolitan Jew into a locally-shaped individual. The images of God and man, as well as the form of the new nation, are all interrelated. Man creates the image of God no less than God creates the image of man. And so the local God was summoned. It was a solid God, compressed and present in the shape of a Rock — a firm resting place for the tired feet of the wandering Jew. After Auschwitz, only a territorial God could be trusted and, even then, only as a witness. Rationalism, skepticism and a sober nation emerged from the ruins of Europe. The only possible God still left standing in the arena was an ancient one — untouched by time, yet limited to a certain territory. Thus, Tsur Israel seemed a wise choice, far removed from the lofty and unparticular Divine Providence. Tsur Israel was concrete and real, like the land and the war, encapsulating the whole shift from exile to homeland.

The second key issue raised by Shachar relates to the question regarding the dual parenthood that was carefully chosen and sequenced.⁵ In the final version of the document, the Yishuv and the Zionist movement are mentioned

3 Itamar Even-Zohar, *The Emergence and Crystallization of a Local and Native Hebrew Culture in the Land of Israel*, 16 CATHEDRA 165 (1980); Zohar Shavit, *From Tribal Culture to National Pluralistic Culture — A Short History of Am Oved Publishing House*, in AM OVED BOOKS: A GENERAL CATALOGUE FOR ITS 50TH ANNIVERSARY (1991); YAACOV SHAVIT & SHOSHANA SITTON, STAGING AND STAGES IN MODERN JEWISH PALESTINE: THE CREATION OF FESTIVE LORE IN A NEW CULTURE 29-33 (2004).

4 Shachar, *supra* note 1, at 591-93, 609-10.

5 *Id.* at 615-16.

together, while any allusion to the Diaspora is omitted. This may be attributed to the fact that the creation of a state — and a nation-state in particular — calls for distinguishing between those who belong to it and those who do not. Under the circumstances, the reference to the Yishuv was critical because, as Ben-Gurion was reading the declaration, Ultra-Orthodox Jews were taking part in the war, although they did not usually share his Zionist ideology. Thus, mentioning the first parent, the Yishuv, was all-inclusive, whereas referring to the second parent — the Zionist movement — excluded Diaspora Jews who were not Zionists. The parenthood issue served as an act of demarcation in another sense as well — distinguishing between the limited mythical rights of all Jews who had dreamed of the Land of Israel over the generations, and the concrete rights of parenthood of members of the Yishuv and the Zionist movement who were actually investing their efforts, fighting for the nascent state. This very concrete choice was intended to reflect the image of the desired child: one who is committed to the goal either through action and ideology or through locus. The Yishuv comes first, since the state was initially bought with its blood, sweat and tears. The role of the Zionist movement was eclipsed when, not long after reading the declaration, David Ben-Gurion, among others, chose to further diminish its role, elevating those of the state and its people instead. It is also important to note that the Yishuv was further cut off physically, metaphorically and culturally from the Jews of the Diaspora.⁶

In conclusion, Shachar's work opens a door into the deepest dimensions of the Jewish revival in the land of Israel. He combines detailed research with a unique overview of historical events. We, as Israeli scholars who may know more than we wish about Jefferson, realize that we know practically nothing about Beham. We also learn the extent to which the structure and spirit of a text can cross oceans and centuries while still retaining some of its essence. But most importantly, we learn that in the modest Tel Aviv of his times, the forgotten Beham probably played no less a role than the brilliant Ben-Gurion and the glorious Jefferson in shaping secular Israel's most sacred text.

6 On separation and distinction, see Itamar Even-Zohar, *Dated Solutions and the Industry of Ideas* (Sept. 5, 2003) (paper presented at the Xoán Gonzalez-Millán Memorial Symposium, Graduate Center, City University of New York (CUNY)), available at <http://www.tau.ac.il/~itamarez/works/books/EZ-CR-2005.pdf>.