

Weekly Teaching

August 10, 2018

This week's teaching is provided by Temple Shalom member Marty Flashner.

Shabbat Shalom,

Rabbi Mitch

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One Saturday morning at services, I asked, "What is the basis for the Jews' claim for the land in Israel?" Three people responded that it is the promise of God to the Jewish people. In Genesis 12:7, God says to Abram, "I will assign this land to your offspring." Moses repeats God's promise just before the Israelites enter Canaan (Deut. 1:8).

With the 70th anniversary of Israel's establishment and the American embassy now in Jerusalem, it is useful to look back at Israel's declaration of statehood on May 14, 1948. The British Mandate over Palestine was coming to an end and the Israelis wanted to move ahead with the declaration of statehood.

The initial draft of the declaration was written by a young British-trained attorney, Mordechai Beham, who worked in the ministry of justice. He was given three weeks to draft the declaration of statehood. Given the brief time allotted, he started with the U.S. Declaration of Independence, adding, modifying and subtracting text.

What is remarkable is that the final text does not include God's promise to Abraham. It does set out the Jewish people's history in the land. It references the Balfour Declaration and the UN partition plan of 29 November 1947, calling for the establishment of a Jewish state. This provided the international legitimacy for the creation of Israel. And it stated that it "...is the natural right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign State."

Not only was God's promise to Abraham not included in the declaration, but reference to God is not explicit. The U.S. Declaration of Independence includes the following references to God: "Nature's God;" "appealing to the Supreme Judge of the world;" and "a firm reliance on the protection of divine Providence." Israel's declaration mentions the following somewhat religious references: "gave the world the eternal Book of Books;" "ingathering of the exiles;" and "placing our trust in the "Rock of Israel צור ישראל." In the declaration of the state of the Jewish people, there are no direct references to God similar to that of the US declaration.

Theodore Herzl's name appears as the spiritual father of the Jewish State. However, using the name of God as it appears in the Hebrew Bible is problematic since—by Jewish tradition—the four letter name of God cannot be used in a secular document. But can a state which professes to be the state of the Jewish people have no recognition of God? The night before the signing ceremony, a dispute which had been ongoing had to be resolved: The rabbi who will sign the Declaration needs to have gratitude to God explicitly expressed, and another member of the Council who is secular won't sign the document because he is an atheist and does not want religious coercion.

We can see that the issue of the place of religion in Israel existed from its birth. Indeed, two days after the signing of the Declaration, a committee was to meet to draft a constitution. The meeting never took place and Israel to this day does not have a constitution. This is not totally surprising since a drafting committee would have been immediately paralyzed over the question of the place of *halacha*, Jewish law, in the constitution. David Ben Gurion, who would become the first Prime Minister of Israel, forged a compromise by inserting the phrase "*tzur Yisrael*" (Rock of Israel). The rabbi understood this as referring to God and the atheist understood it as referring to the Jewish people.

Immediately after the signing in the afternoon of May 14, 1948, the rabbi recited *shechyanu*, the prayer of gratitude, and the atheist, who had objected to a reference to God in the document, covered his head. David Ben Gurion started a new diary that day which began, "At four o'clock in the afternoon, Jewish independence was announced and the state officially came into being. Our fate is in the hands of the defense forces."