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37

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13

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Jewish Agency, reorganization, enlarged Jewish Agency, 1947.

THE EXECUTIVE OF THE ZIONIST ORGANIZATION

J E R U S A L E M
P. O. B. : 92

30th April, 1947.

Mr. Arthur Lourie,
The Jewish Agency for Palestine,
16 East 66th Street,
New York 21, N.Y., U.S.A.

Dear Mr. Lourie,

Re:- Reorganisation of the Enlarged
Jewish Agency

This is an official letter which I am writing with the request that you bring it to the notice of the members of the Executive in America for their information and action.

2. It will be remembered that at the plenary session of the Executive, held in Jerusalem in March last, the decision was taken to consider steps for setting in motion again those parts of the constitutional machinery of the Enlarged Jewish Agency which for various reasons, chiefly on account of the war, have remained dormant for the last eight or nine years.
3. The practical implications of that decision are briefly summarised in a memorandum dated the 27th April, of which the Hebrew original was
-- despatched to you the other day, and some copies in English are enclosed
-- herewith, together with two copies of the Constitution.
4. As will be seen from the memorandum, the first step on which all the others depend is the convening of the Council which, as you know, consists of a Zionist half which can without much difficulty be appointed from among members of the Actions Committee, and a non-Zionist half, whose composition presents some difficulties.
5. In order to devise means for a solution of these difficulties, a sub-committee under the chairmanship of Mr. Ben-Gurion was set up by the Executive, and I have been requested to communicate to you its preliminary observations and suggestions.
6. It appears reasonable to suggest that some changes be made in the numerical distribution among 26 countries of the 111 non-Zionist seats on the Council, as laid down in the schedule under Article 5(2) of the Constitution and added to its text (page 16). The intention is to adapt the figures fixed in 1929 to the present distribution of the Jewish people and especially with regard to those Jewries whose absolute or relative strength differs materially from that they possessed before the war. The idea is to reduce the number of seats allotted to such

countries as Austria, Czechoslovakia, Germany, Latvia, Lithuania and Poland, and on the other hand to increase the representation of Palestine, Hungary, Latin-America, North Africa and perhaps of some of the British dominions. Once substantial agreement is reached in this respect, it is conceivable that a way will be found to effect such changes without fear of constitutional difficulties. This is, it is believed, a minor point on which agreement will probably be reached, as soon as some progress is made with the negotiations.

7. I am entering now on the main point in the discussion, namely the representation of American non-Zionists on the Council. It is obvious that, once this matter is amicably settled, all the rest will follow automatically. The difficulties, which are not under-rated, are two-fold, as they result firstly from a difference of opinion as to the meaning of the term "Non-Zionist", and secondly from the particular structure of American Jewry.

- (a) On the first point it may be said, with all due respect to the views of those who originally represented American non-Zionists on the Jewish Agency, that it is a fallacy to attach to the term "Non-Zionist" any other meaning than that which is defined (in Article 1) in the Constitution. In other words, within the Jewish Agency the term "Non-Zionist" does not denote an ideological conception but is simply meant to embrace all Jews, whatever their convictions - Zionist or otherwise - who are willing to cooperate in the work of the Jewish Agency. To give an example: the fact of being an English Zionist who, through the medium of the Zionist Organisation, is represented on the Zionist half of the Jewish Agency, does not preclude him from being a part of pro-Palestinian Jewry organised under the Board of Deputies, who are represented on the non-Zionist half of the Agency. The clarification of this point which is, obviously, not offered for polemical purposes may help to dispel misunderstandings should they arise.
- (b) Much more important and indeed decisive is of course the question, who is entitled to represent American Jewry on the non-Zionist half of the Council. It is realised that it was one group among American Jewry with whom the agreement as to the establishment of the extended Jewish Agency was originally concluded, but also that new forces in Jewish life have come to the fore since, and it is hoped that in the way of friendly negotiations it may be possible to arrive at a scheme which would take due account of the changed structure of American Jewry. It would be presumptuous from this distance to enter into more details as far as the American scene is concerned. It may suffice to refer here to what is set out in paragraph 11 of the accompanying memorandum. This is obviously a matter for our American friends to handle and to bring to a conclusion. To suggest this is the principal object of this letter.

- (c) I have been instructed by the sub-committee of the Executive to transmit to the Executive in America the urgent request that they enter into negotiations with the respective groups of American Jewry, in order to arrive at an agreed settlement as to its representation on the non-Zionist side of the Council. It is suggested that, unless otherwise decided, Dr. Silver and Mr. Shertok undertake this mission on behalf of the Executive. It is intended to submit a report of the whole problem to the forthcoming session of the Actions Committee, and for this reason it would be appreciated if by then some tangible results of the negotiations in America could be recorded.

8. There are of course, as alluded to in the memorandum, many more points, some of rather delicate nature, which will in the course of time require our attention. We shall endeavour to clarify such points as far as possible during our discussions in Jerusalem, in an attempt not to impose upon you any additional burden at a time, when such momentous responsibilities have devolved upon all of you.

I shall be glad if you will confirm by cable the receipt of this letter and indicate briefly the action contemplated.

With kindest regards,

Yours very sincerely,

Dr. L. Lauterbach
Executive Secretary

LL/JS

P.S. A copy of this letter is being sent to the London Executive with the request to take corresponding action over there.

TRANSLATION from Hebrew

Dr. L. Lauterbach.

SOME COMMENTS ON ORGANIZATIONAL PROBLEMS
OF THE ENLARGED JEWISH AGENCY

A.

Preliminary Remarks

1. As long as the Palestine Mandate remains in force and no better regime has been established, it is obviously in our interest to safeguard the integrity of the Jewish Agency, its status, jurisdiction, and its rights which are based on the Mandate (Art. 4).
2. As long as the Jewish Agency exists, it is our duty to see that in its structure, its composition and its working it conforms to the constitution under which it was given legal recognition.

B.

General Deductions

3. Now is not the time, in my submission, to renew on our part the internal discussion on the liquidation of the Jewish Agency, for two reasons:
 - (a) It is true that according to the Constitution (Art.12) the legal possibility exists of dissolving the enlarged Agency and of transferring its rights to the Zionist Organisation; but this step is complicated from the formal viewpoint and its recognition would require confirmation by the British Government. It is obvious that now is not the appropriate moment to take this step.
 - (b) On the other hand, it is precisely now that the sympathy, support and cooperation of all Jews are of vital importance to us.
4. If the above assumptions are correct, we should not discuss now the dissolution of the enlarged Jewish Agency, but take steps to set up in a constitutional manner the responsible bodies of the Agency, above all the Council (Art.5 of the Constitution) and the Executive (Art.7).
5. Fundamental changes in the structure of the enlarged Agency, if there is need for them, can be effected in a legal manner only when the Council meets and by following the procedure laid down in the Constitution (Art.13).
6. As regards the 50:50 principle (as a basis for the representation of Zionists and non-Zionists), the legal position is as follows:

(a) As for the Council, it is possible to change this proportion only through a change in the Constitution, that is, by the Council itself and not before it meets. X

(b) As for the Executive, it is possible to change the 50:50 proportion in its composition without any legal amendment, for the Constitution itself (Art.7, 2a) leaves the way open for an agreed arrangement in favour of a Zionist majority in the Executive.

7. The first step towards the legal revival of the organs of the enlarged Jewish Agency is therefore the convening of a session of the Council for the election of the Administrative Committee and the Executive and for any amending of the Constitution that may be required.

C.

Conclusions

8. The following are briefly the details which require explanation in connection with convening the Council of the Agency:

(a) As regards the Zionist half of the Council, the Zionist General Council has full power to constitute this body (according to the decisions of the 16th and 22nd Congresses);

(b) As regards the non-Zionist half, a number of practical questions is raised as a result of developments within the Jewish people during the war. It may be assumed that it will be possible to adapt the composition of the Council and the manner in which its members are appointed to the changed circumstances.

9. As regards the composition of the Council: A legal way must be sought to change the numbers allotted to some of the 26 countries represented in the non-Zionist part of the Council, in order to adapt the numerical strength of their delegations to the present strength of the respective Jewries. The suggestion is to reduce the number of representatives from the countries where the strength of the Jewish population has declined, and to divide this number among the countries which today occupy a more important place in the life of world Jewry.

10. As regards the manner of appointing representatives on the Council: It will probably be expedient to distinguish in this respect between three categories of countries -

(a) those in which representatives will be appointed by the organised community (Palestine, Britain, Czechoslovakia, France, Greece, Hungary, Italy, Holland, Switzerland, Canada, South Africa, Australia, New Zealand, India, Yugoslavia),

(b) those in which representatives will be appointed by contributors to the Keren Hayesod, a Jewish Pro-Palestine Committee or a similar body (Belgium, Roumania, North Africa, Argentina),

(c) those in which representatives will be appointed by a body specially set up for this purpose (Poland, Germany, Austria, Egypt, United States of America).

11. The achievement of the above aims is conditional upon the solution of two problems:

(a) Representation of non-Zionists in the U.S.A. This is the decisive point. The suggestion is to widen the previous framework and to extend this representation not only to the American Jewish Committee but also to other bodies which at present occupy an important place in the life of American Jewry, such as the American Jewish Conference (including the Order of Bnei Brith, the American Jewish Congress, associations of synagogues, Rabbinical organisations), Trade Unions, the Jewish Labour Committee, Landsmannschaften and so on. This list is not meant, of course, to be either authoritative or exhaustive.

(b) Representatives of the Agudat Israel. Under the present Constitution of the Agency there is no legal way, in my opinion, to grant representation to the Agudat Israel as an international body (as in the case of the World Zionist Organisation), and as long as this position lasts the Aguda must be satisfied with securing delegates among the representatives of the countries in which it exists (Britain, U.S.A., Poland, Roumania, Palestine, etc.) and in accordance with its strength in those countries.

D.
Proposals

12. The following are, I submit, the practical steps on which an early decision by the Executive is required:

(a) to announce immediately the decision to convene the Council of the Jewish Agency as soon as possible after the conclusion of the necessary preparations. X

(b) to examine through its sub-committee in Jerusalem and in consultation with legal advisers the constitutional questions involved and especially the question of changing the numbers allotted to the non-Zionist representation in some countries.

(c) to request the sub-committee of the Executive in the U.S.A. to examine the situation there, to conduct negotiations with all the groups concerned, and to put forward suggestions for the composition of the American representation on the Council and the method of their appointment.

(d) to address a similar request to the Executive in London, with regard to England, etc.

(e) to get in touch with Zionist centres in other countries and to suggest similar negotiations and proposals as far as the Jewish communities in their countries are concerned.

(f) to open negotiations at the appropriate moment in the U.S.A. and other countries (Palestine, Britain, etc.) on the composition of the Executive to be elected by the Council.

(g) to work out, on the basis of all the above enquiries, a considered plan of re-organisation with a view to convening a session of the Council not later than the end of 1947.

L.L.

Jerusalem, 27th April, 1947.

