

THE NEW CONSTITUTION  
OF THE WORLD ZIONIST  
ORGANIZATION

AND

ADDRESSES by

DR. NACHUM GOLDMANN

ZVI LURIE and ARYEH PINKUS

JERUSALEM, 1960

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This booklet comprising addresses on the new Zionist Constitution (adopted by the Zionist General Council at its Session of December 1959-January 1960) by Dr. Nachum Goldmann, President of the World Zionist Organization, Mr. Zvi Lurie, Head of the Organization Department of the Zionist Executive, and Mr. Arie Pinkus, Chairman of the Constitution Committee, is published on the day the new Constitution comes into force.

The full text of the Constitution is also included in this booklet.

**ORGANIZATION DEPARTMENT  
OF THE  
ZIONIST EXECUTIVE**

June 6, 1960

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DR. NACHUM GOLDMANN

## Zionist Problems and the New Constitution

The crux of the present session will be the Constitution of the Zionist Organization.

The constitution of a movement or even a state is far more than a collection of one or two hundred articles or paragraphs. It constitutes, in legal terminology, the outward expression of the movement, what it is aiming at and how it proposes to realize its objectives. For that reason I wish to make certain remarks on matters of principle on a number of aspects of the new constitution. These aspects will introduce basic changes in regard to the existing constitution which is now forty years old.

I trust that we shall not once again conduct that same old debate about what is the ultimate goal of Zionism. Peoples, states, movements never have a single, immutable, ultimate goal. There are no everlasting goals just as there are no eternal frontiers, and just as there is no eternal and classic Zionism. A movement which is alive, vital, has a goal. The goal of the Zionist Movement is the solution of the Jewish problem. It must, however, adjust itself to the conditions of the era in which it operates.

The point I wish to make here is that the criterion of Zionism has never been personal realization of its ideals. That was never the Zionist criterion even when the main centre of Zionism was in Eastern Europe, where the atmosphere was more conducive towards personal realization. Russian and Polish Zionism had some very great leaders, who never thought of settling personally in Eretz Israel. When they did so it was because of objective reasons, because of the outbreak of revolution or some other external cause, which made it impossible for them to continue to live in those countries. What did exist was a core of pioneers who realized Zionist ideals personally. The Movement was proud of them and assisted them. I declare unequivocally that without a powerful

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From the address of Dr. Nachum Goldmann, President of the World Zionist Organization, at the Opening Session of the Zionist General Council, on 28 December, 1959.

*chalutz* movement Zionism is meaningless. A *chalutz* movement can not be made out of the present leadership of the Movement but out of pioneers. God grant that *chalutz* leaders offer a personal example—pioneering is not a function of any specific age—and create a stronger pioneering movement than we have today. Objectively that is possible in all countries. The Zionist Movement must not merely confine itself to supporting it, for the *chalutz* movement is the brightest jewel in the Zionist crown.

### *The Function of the Zionist Movement Today*

But as I see the function of the Zionist Movement today, it comprises three main points, which, more or less, are set forth in the Jerusalem Programme: the mobilization of the Jewish people and organization of cooperation with Israel in the reconstruction and consolidation of the State, including immigration, the ingathering of exiles, the development of a Jewish life in the Golah oriented towards Israel, in the realization that Israel constitutes the centre of Jewish life; and concern for all forms of Jewish life everywhere outside Israel as long as Jews continue to live outside Israel.

For such a concept of Zionism we can secure the support of the greater part of the Jewish people, including those sections which today are not within the Zionist Movement.

### *Zionists and Non-Zionists Today*

I have now come to the first great change incorporated in the new constitution. What was the nature of the Zionist Organization when the old constitution was drafted? It comprised a group of Jews who believed,—contrary to the great majority of the Jewish people—in the Zionist solution to the Jewish problem. They did not accept the thesis that emancipation, minority rights and religious life could solve the problem. They supported the territorial concentration of the Jews in Eretz Israel as the means whereby the Jewish problem could be solved, and they fought for the acceptance of that solution. It was in effect a revolutionary movement, because the majority of the Jewish people did not subscribe to its principles. Whoever bought the Shekel expressed thereby a willingness to carry on the fight within the Jewish people. That situation no longer exists today, as the majority of the Jewish people have accepted Zionism in that respect. Deprive the Jews of the Diaspora of the drives and campaigns for Israel and I do not know what will remain. It is not merely a matter of collecting funds. It gives a Jewish content to their lives, it constitutes a hub round which the Jewish social leadership revolves.

Today we are no longer a revolutionary minority within the Jewish people. Today, too, the Zionist Movement is not supported by *all* Jews,



but the greater majority are potentially ready to subscribe to these points: to help build up Israel in all forms through the campaigns, bonds, investments, by sending young people, by concentrating Jewish life about Israel, which must be the centre of the Jewish people, insofar as the latter live their own lives, and by supporting Jewishness everywhere, in the religious, cultural, educational, Hebrew, and other spheres.

The difference between Zionists and non-Zionists—insofar as there is any difference at all—is one of nuance. I do not possess any instrument whereby to gauge to what extent a Zionist has a greater attachment and affection for Israel than a non-Zionist. Probably a good many Zionists are more deeply attached to Israel. But that cannot be incorporated in any programme. When we have the non-Zionists in our midst we shall educate them to be Zionists. Many Zionist groups were less Zionistically-inclined at one time than they are today.

It has become more and more difficult to win over individuals to the Zionist Organization. It is becoming more difficult to explain why they should join the Zionist Organization. Thirty years ago Jews were aware that when they joined the Zionist Organization they introduced a radical change in their whole outlook on life. Today we have nothing to offer him. Does the Jew have to be a member of the Zionist Organization in order to collect money for the Campaign? Must he be a Zionist to build a factory in Israel? And insofar as Hebrew is concerned he declares that he is in favour of Hebrew, and insofar as Jewish schooling he is in favour of that too. The same applies to religion.

Some years ago an organization was founded headed by fifty of the finest names in American Zionism. They have played important roles in their own communities and in the world organizations. They launched their work about two years ago and in the course of this period secured only some thousands of members. I do not know how much, organizationally speaking, every new member costs them. If such a group cannot achieve more than this what can the other hope to do?

There is nothing to offer the individual Jew today. That is why Zionist organizations particularly the men's organizations, in all countries are weak in individual membership.

I am convinced, if we believe that we are at all capable of advancing the Zionist Organization—and there is no reason why it should not be advanced, for there are large numbers of Jews who support our programme—then we can achieve our object only by the adhesion of entire organizations. Then we can tell the Jews: If your organization wishes to help Israel it will be easier for you to do so together with us. Not because we have a Charter from the government, but because we are engaged in this task for fifty or sixty years. You wish to develop Jewish education. We have been doing so for many years. Let us combine our forces. When I stated that interest in Jewish education has

become keener, the immense role we played must not be forgotten. Our friends in England have performed wonderful work in this field. In America we could not do likewise because we did not have the same means.

*The Zionist Organization upon the Basis of Collective Membership*

That is why the new constitution, as drafted by the Commission, has introduced two major changes. In the first place it puts the Zionist Organization upon the basis of collective membership. There will no longer be individual members. When the Zionist Organization had one hundred or two hundred thousand members it could be an organization of individuals who bought the Shekel and accepted the Basle Programme. But even the weakened Movement had, at the last Congress, more than two million Shekel payers. Will the Executive operate with these two million Shekel payers—or with the four million which theoretically at least, can be achieved? Is it not more important, more meaningful, more logical, that the Movement, as it has developed to-day should be constructed of affiliated organizations, and that the Shekel shall no longer be the individual token of Zionist membership, but once in three or four years, a document proving the right to participate in the Congress Elections?

*Jewish National and International Organizations which Subscribe to Zionist Programme Could Become Affiliated Collectively*

The second change which I am very happy that the Commission has endorsed is that Jewish national or international organizations which are ready to subscribe to the Zionist programme should be able to become affiliated collectively to the Zionist World Organization, without joining the local Zionist organization. They do not wish to join local organizations for reasons which I touched upon at the previous session. They shall be able to reach direct agreement with the Executive, with the approval of the General Council in regard to fixed representation in Zionist bodies, in the General Council. They will be able to be full members or associated members.

In my opinion this constitutes a great step forward and opens up possibilities for all sorts of affiliations. The first attempt I made in this direction did not prove successful. For myself this does not constitute any proof that other attempts should not be made. Potentially, at least, the great majority of the Jews throughout the world are Zionists. I do not see why the Zionist Organization should not try to be what it can potentially be, namely the representative body of the Golah in cooperation with Israel and in the upbuilding of Jewish life about Israel; speaking on behalf of all those millions, who in my view, should be in our midst.

### *The State of Israel Has to Put into the Scales Her Own Prestige*

I have faith in this. I believe that we are capable of changing the entire structure, the very physiognomy of the Movement within a few years—with two conditions. First Israel must desire this. Mr. Rosen has declared that the Government will stand behind us. I am not speaking of formal relationships. I am not speaking of the Charter. The matter goes far deeper. It has nothing to do, or rather it is less dependent than is usually thought upon the ideas that the Prime Minister has on the question. It pertains to the real relationship of Israel, to public opinion here, to those outward signs with which a democratic people expresses its view and feelings. A large movement centring upon Israel cannot be built up today without Israel. And if Israel does not consider the matter important enough for its interests, nothing can be done about it. If Israel is not conscious that this is a vital question for itself, as vital, indeed, as immigration, or the relations with the strongest of the powers, then the movement cannot endure. The Jewish people cannot offer a lot of things which only powerful states are capable of delivering, and which are essential for Israel. But the Jewish people is capable of giving things which the powers are incapable of giving. The effort can only prove successful if Israel puts into the scales her own prestige, which, naturally enough is far greater, a hundred times greater, than our own. More than the Government the parties must make it clear whether they are really interested. In this respect there is little real difference between the parties. Zionist patriotism has little effect in this area if it is not expressed in daily work and life.

### *The Need for an Effort to Implement the Changes*

The second matter is our own attitude. I do not ask you to accede if you do not wish to accede. I would not like you to repeat what was said at the last Congress, namely: We accepted it because Dr. Goldmann insisted upon it! This is not my private organization. The parties must decide one way or another, whether they are in favour or not, and if they are in favour they must make the effort to implement it and not confine themselves to refraining from sabotage. Implementation will not be ensured by the President going here and there and speaking to various representatives. Some things have been achieved in this fashion, as for example in the Presidents' Club, but what I want is a new movement. The Movement must help in this effort. Just as I insist that the State must devote some thought to the question what exactly it aims at in organizing the Jewish people for the State and also for the people, I insist that the Zionists must decide what they want.

I have often criticized the Movement. But notwithstanding all our

faults we are still the strongest Jewish movement, though unfortunately least of all in the United States. On the other hand, however, there are countries in which we constitute the most important body, distinguished by our dynamism—albeit it is not adequate—and the influence we exercise. If only in America we had one quarter of the influence which South Africa Zionism has then the picture presented by American Jewry would be entirely different. But even in America I have never considered ourselves a negligible factor.

Of course the Organization can declare: We do not want too many innovations. We do not know what these really mean. They might mean watering down Zionism. We have the Charter, and we want to retain the *status quo*. We shall endeavour to attract by means of propaganda, which is not impossible. Let the Organization remain as it is, and with its leaders it will continue to occupy the position it occupies today!

In my opinion in that case it will be incapable of “delivering the goods,” of serving the State and thereby the Jewish people as it should. The State and the Jewish people constitute a single unity. The State cannot endure without the Jewish people and *vice versa*, the Jewish people cannot continue to exist without the State. The Zionist Movement cannot fulfill its task partially. For that reason my own counsel is: Let the Zionist rid themselves of this conservative approach, let them rid themselves of their complacency, their satisfaction with being what we are.

Among all of you I am probably, organizationally speaking, the most ambitious Zionist. For me the Movement, however weighty and important it is, is not enough. I am conscious of a possibility of its becoming stronger. Perhaps in the course of time I shall be disappointed, but after all I have a close knowledge of the Jewish people. According to my assessment, and taking into account the programme Zionism must realize in this era, millions of Jews can be organized and mobilized, if we take the initiative with the support of the State. If we wish it we can execute our major task in this era,—that of organizing the Jewish people around the State of Israel and building up Jewish life around Israel, thereby ensuring the unity of the Jewish people in the future.

ZVI LURIE

## Constitution for a People on the Way

The constitution of a state is something of great historical responsibility. Even more so and more significant is the constitution of a national movement like that of the Jewish people 85 per cent of whose numbers are scattered in all parts of the world. The constitution of a state derives its strength from the geo-political, social, economic and cultural conditions of the population, centred within its physical confines. The defined physical conditions of a movement like the Zionist Movement are dependant on its creation in the State of Israel, but the fulfilment of its dream is still in its initial stages. The overwhelming majority of the potential at its disposal are the masses of the people bereft of a soil under their feet and scattered among various political regimes and surrounded by foreign cultures.

The constitution of a state is based on the sovereign unity of the state; the constitution of the Zionist Movement must necessarily be based on the unified aspirations of such a movement.

The State has at its disposal all the political instruments such as Government, legislature, judicature and the mobilization of monetary sources, an army, and guardians of law and order. The Zionist constitution cannot fall back on any compulsory means for implementation. In place of the legislative houses there are the Zionist Congresses and Councils which are based on voluntary organization. The place of the army and the police in a state is taken by the voluntary guardians of the Movement who must use persuasion rather than compulsion.

The Zionist constitution must therefore be necessarily based on voluntary sanction and not on compulsion. Agreement and compromise must be preferable to that of decision by majority. The approach of goodwill and cooperation, the finding of a common denominator must be the principles of Zionist cooperation. Without the cooperation of all sections of the people and its ideological trends there can be no integrity of the

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Address of Mr. Zvi Lurie, Head of the Organization Department and Member of the Executive, at the Fifth Session of the Zionist General Council, on 30 December 1959.



Zionist Movement, nor binding value for its constitution. If, for example, a system of majority elections were possible for the State, (I am not going into the problem of the extent to which it would help or damage democracy) in the Zionist Movement, it might lead to disintegration. Hence the elasticity of the Zionist constitution and its tendency to find the middle path. Whoever wishes to compare the Zionist Constitution with that of the State and so diminish the value of the former, has little understanding of the foundations of the Zionist Movement.

Naturally therefore such a constitution must be democratic and defend the rights of the minorities. It must accord many rights but impose also many duties and find the true balance between the permissible and the forbidden. At the same time, in order that it should not turn into a fiction, once a decision has been made by the institutions of the Movement democratically, and according to the constitution, its executive bodies must have the moral power to carry through its decision.

There have been no schools in which the Zionist Movement could learn how to oppose the constitution. Even the American people, which is partially scattered throughout the world and even the Irish people, the majority of whom are settled outside their fatherland, have not been faced by such historical necessities. A constitution for such a people and for its movement is a great work of creation. For this is the only instrument of the movement of the Jewish people, a people for the most part lacking a territorial basis and a people yearning for its consolidation.

One will recall the saying of Ferdinand Lassale that a constitution can be a banner and can be also a heap of laws and by-laws. In one of the Congresses during the romantic era which was also full of struggle for the Zionist Movement, Dr. Margolis said of the constitution, which he brought up for consideration of the Zionist Congress, the following words which may be recalled here: "A constitution can be a simple legal matter based on fixed assumptions and built up logically; but a constitution can also be a form which gives expression to sociological groups and processes. It is a garment as it were in which we clothe it. The second outlook guided the deliberations of the Organization Committee and so it is less important for us to develop an axiom logically and more important for us to find a form through which to adapt ourselves to existing factors but which allows freedom for the developing tendencies in our Movement."

Today too, we are faced by the same dilemma. I am not here to argue against a code of regulations. They deal with matters of primary importance. But a constitution is something different. A constitution can become a banner which draws the masses after it and it can be a collection of rules imposing order. A constitution can be solely a garment and it can be a reflection of reality alone and it can be a picture of a people's vision rising from its present surroundings.

This constitution was drawn up 15 years after the end of World War II which, judged even by losses incurred, was waged mainly against our people. No other people, even those whose countries were rendered desolate and who suffered casualties, had lost one third of its members. The Jewish reality in the Diaspora has been changed diametrically. Apart from nearly 20 per cent of our people who are cut off from us in Eastern Europe, and apart from over half a million Jews in several countries in North Africa, the Jewish masses in the West and throughout their Dispersion find themselves in a state of transition. The economic regimes under which they live enjoy relative stability and the Jews play their historical and special role therein just as they did at all periods.

New civilisations are in a state of development and even of prosperity, and the Jewish communities play important roles therein. The existing democracies accord the Jews formal rights of equality. And so there is a vast scope for illusion. There is a rising sense of security as it were, a new centre of the Diaspora like ancient Babylon, English or French or Spanish speaking springs up and it nurtures the belief that it will serve as a reserve and not an inseparable part of the classical vision of the Zionist Movement, that is to say, the consolidation of the existence of the State of Israel through the ingathering of the exiles within her boundaries. The teachings of Pinsker and Herzl, Borochof and Syrkin are neglected and Klatskin's works on the negation of the Golah are no longer read.

The rise of the State of Israel—that great historical enterprise, spread a feeling of pride among the Jewish masses in the Western Hemisphere, but it does not serve as a magnet for an increased personal identification of the Jew with the personal realization in Israel. Now the reasons for that are numerous. Among them is the support given to the “dispersion outlook” as opposed to the “Galut outlook” among the Jewish masses in the Diaspora by making allowances for “the Jews in the Western countries and in America not to be candidates for *aliya*, with the exception of some youth pioneers among them and a few professionals and experts.”

Strange as it may seem we have recently heard “approvals” for the non-*aliya* of Jews from the “tranquil” dispersions from two contradictory sources as it were, but in the end they amount to one and the same thing. The definition of the Prime Minister that only he who immigrates to Israel is entitled to be known as a Zionist is but the other side of the coin as defined by those who adopt the two principles of the Jerusalem Programme—consolidating the State of Israel and the unity of Israel—and ignore the third principle, which is the ingathering of exiles. For how else can one define the saying that “Territorial concentration is no longer at the focus of the Movement?” I do not know which formula is preferable and closer to the ends of the Zionist

Movement; that which places immigration on the knife edge as it were and so excludes from Zionism whoever is not a candidate for *aliya*, or the second formula which denies one of the basic principles of the Zionist Movement.

These formulae are pleasant to the palate of the large peripheries in Jewry. It is difficult to find an intrinsic difference between friends of the State of Israel and admirers of Zionism who have not been able to arrive at the gates of organized Zionism. It is simply a matter of nuance. The one is a large, generally unorganized camp but of great importance for the State and for the Zionist Movement; but it finds itself within obvious limitations. It gives large donations but no matter how much his contribution may come up against legal difficulties in the state in which he lives he nonetheless tends to fall back and to withdraw into his shell. He is prepared to come out openly in defence of the State of Israel and the efforts of the Zionist Movement and for the consolidation of the State, but the majority will begin to hesitate if they learn that their political support of the State of Israel does not tally with the actual policy of the Government under whose protection he lives and he will even at times withdraw if he realises that it stands in conflict with the political policy of the country of his adoption. He will support Jewish education and Jewish schools, but up to certain limits.

On the outside there are all the signs of a dispersion, but underneath the shell it is but a Golah. Jewish geographical maps have been obliterated and others have sprung up. Languages have changed. A Jewish world of over a thousand years' duration has been destroyed and new forms have been created, but intrinsically the Jewish Golah is at work as well as the national Jewish unity just as they were at work years ago.

In vain are the efforts of those who deny a Jewish anomaly and who belittle the teachings of classical Zionism. There is social isolation, at times even professional isolation but it is not prescribed in the constitution. There are specific Jewish professions and trades and with these a host of problems resulting from these processes. There is an age-long Jewish insecurity which is at work also today under the outer shell of tranquility as it were. But within this state of affairs the Zionist Movement is throbbing. One may divest it of its titles and reduce its value but to this day it is the central guiding force in the Jewish people. This Zionist Movement is regrettably not always identical with the World Zionist Organization. Just go out and see who it is that does the work in the Zionist and Israel fund-raising campaigns, for the campaigns in Canada, South Africa, Chile, Britain and even North America, if not the Zionists. Most likely you will not find many professing Zionists among the large donors, but just try to imagine that the Zionists will forsake the campaigns and you will very soon learn that they will lose the whole of their wide and popular basis.

The same is true of Jewish education. Every Jewish school in the Argentine whether good or bad has a Zionist as its moving spirit, who looks after its material welfare, who gathers parents together and who guides the children with a fatherly hand. But that is so not only in South America. It is true of England and South Africa and to a large measure also of North America, although there the schools are generally connected with organizations, synagogues and communities.

The Zionist is always prepared to come to the aid of the State of Israel in time of need. He is the only unconditional ally whom there is no need to make efforts to win over or to convince. He does his work faithfully, even when he is not in full agreement with the policy of the State of Israel.

We must not be ashamed to admit that this great popular Zionist movement has been organized by the Zionist Organization. In comparison with it, for the most part, Zionist federations are limited and the Zionist organizations and parties are small.

In order to strengthen the Zionist Organization so that it becomes not only a great force but also embraces the majority of the Jewish people, there are two ways open to the Movement and to its legislators:

(a) The shorter and easier way is that of adapting itself to formal reality but this is a one-dimension way. There is certainly great importance attaching to an increase in strength and I would welcome the participation of large non-political organizations. But in order to reap success the supporters of this method are prepared to reduce the price; they are prepared to cut down Zionist programmes and at least to throw off some of the burden that causes uneasiness to these organizations—namely the principle of ingathering of exiles. This does not concern only distant countries of distress. A doubtful intellectual effort is being made to prove that the ingathering of exiles does not embrace the “tranquil” dispersions. There are people who even doubt that there was at any time such teaching in classical Zionism.

In order to make the entrance of such organizations easier—and by the way these are not queuing up for admission to the Zionist Organization—they would make sufficient a recognition of the Zionist Programme under certain arrangements with the Executive, the nature of which is not defined.

Territorial Zionist Organizations must fulfil certain Zionist precepts but here restrictions are loosened. Furthermore they are permitted to seek direct membership of the World Zionist Organization so that they will have an honoured place at Congresses and in the Zionist General Council and perhaps also on the Zionist Executive without having to pass through the corridor of the Zionist Federations, as though the Zionist Federations are replete with party squabbles and the like. To

the latter will belong the "classical" Zionist organizations, the Zionist parties, other organizations such as Hadassah, WIZO, etc. From this it follows that in organizations of the second type everything will be conducted without personal or party differences. It is then that we shall attain a wide framework in which there will be two types of membership organizations: one type labouring for the Zionist ends and organized for the purpose of fulfilling these tasks, in Zionist Organizations, and a second class who will recognize the Zionist Programme.

But how far will the strength of the Zionist Organization grow through this apart from the important demonstrations of conferences? Will such organizations be able to withstand the stress of the times? Surely we shall be facing in the immediate future increasingly serious situations and strong enemies: here in Israel we shall be facing renewed security dangers and political difficulties that are accumulating on all sides, at a time when the disrupted world is making strides forward towards a possibility of co-existence, and in the Diaspora it will be facing the enemy of assimilation and national degeneration.

Not always is the easy way the shortest. A historical movement which despite its 60 years struggle is still in the initial stages of its path must cleave to vision and recede from passing phases. Being planted with both legs on the soil of Jewish reality it must proceed to project its vision with all its struggles and difficulties and I believe also its victories in front of it.

(b) The difficult and bleak road is this time the short one. This is not an abstract philosophical debate on the extent of outlook and on short-term perspectives. I must warn against assuming titles of reformers or so-called conservatives.

The whole problem boils down to whether the Jewish non-political organizations will be transformed into followers or will continue to exist in a new framework for them which will be impoverished until it becomes a periphery. I do not know of any element in the Zionist Movement who will cleave to a closed door policy. We all regret the reduction of the Movement. It has long since been realized that the Zionist Movement has matured and must in face of the vast tasks in front of it be transformed into a dominant force in the Jewish people in numbers as well as in framework. The conception that only he who settles in Israel at once is a Zionist is strange to me. Obviously I should be glad to witness the *aliya* of leaders who would set themselves at the head of a wave of immigration, but I deprecate all expressions of abuse against a Zionist leadership that is resident in the Golah and the demands that either they immigrate at once or give up the crown of Zionism.

On the other hand, there is the tangible danger in this period of transition in which the Jewish masses find themselves in the Golah, of the creation of a Golah-Zionism. That is a new type of Zionist theory which



no one has so far dared establish. Now this theory is creating schools of its own. It sees a revision of the truth of the principles of emancipation, reaching a state of denial of their historical necessity of one territorial concentration—in other words of ingathering of exiles.

These two conceptions are strange to me and I believe strange to the majority of the Zionist Movement.

The problem is how to bring in, to educate, and to organize additional bodies within the Zionist Movement. This will not be done by preaching alone. This is not a question of formal and non-binding affiliation. The matter is one of reducing them to a common Zionist denominator, of converting them into followers, and not of reducing the stature of the Movement. This must be done in two ways.

(a) It must be achieved through a deep ploughing, ideological contact, partnership within the territorial frameworks of the federations, through a recognition of and subscription to the Zionist Programme, and through an assumption of duties and by means of deep educational activity. This Zionist General Council will be called upon to decide on an open door policy for these organizations, by giving them equal opportunities to share both rights and duties, by joining the World Zionist Organization through territorial organizations and federations, through membership and a share of the burden.

(b) The second thing we shall have to decide upon, at a later date, requires thought and preparation. The time has come when we must make it clear to ourselves what is the difference between a Zionist and a non-Zionist. Not for the purpose of setting up barriers, but for the purpose of consolidating our position for the purpose of expansion. What are the criteria that entitle a Zionist to be called "Zionist"; to what limits and beyond which limit must he give political support to the State of Israel; to what extent must he contribute as compared with a non-Zionist contributor; how must he encourage *aliya* from the country of his sojourn and particularly encourage the existence of *chalutz* youth movements; to what extent must he join in the daily struggle against manifestations of assimilation and assist Jewish education; what must be his personal contribution towards capturing the communal organization for Zionism? This is by no means a simple matter but in the end it will transform the Zionist Movement into something more attractive, particularly for the young generation, into something of wider scope and deeper content.

There are people who believe that a wagon from which the load has been removed will the more easily mount the hill. But no one will put his shoulder to such a wagon. It will mount empty, with no support and without interest. But sometimes an overladen wagon will wind its way slowly with many lending their shoulders to help it reach its destination. Together they will reach the summit. This is how the dialectics

of Jewish history worked throughout the generations and in accordance with our special historical laws it will continue to work in this difficult way which in the end will prove to be shorter.

In the romantic period of Zionism, in the "pre-historical" and early periods there were societies of friends and dreamers. But the Zionist Movement being a great popular revival movement, it was only natural that Zionist parties expressive of various social strata or special outlooks, shall join it or even leave their mark upon it. The greatness of the Zionist Movement lies in the fact that it is a movement of all the parties of the Jewish people.

Times have changed and we are living in a period in which the declared mood is non-political. Those who underrate the importance of parties and who wish to change them for an all-embracing non-political organization are also "lagging behind" reality because the accepted so-called elegant form tallying with certain present-day regimes is not only one of non-political organization but one that actually underrates any form of organization whatever. The usual expression is: "I am not a joiner."

Even today the Zionist parties play a vital role in the Zionist Movement. We should not have been able to touch religious Jewry were it not for our religious colleagues. We should not have been able to reach segments of the working class of yesterday who have become disappointed with their stubborn negative attitude towards Zionism, were it not for labour Zionism with all its sections. We should not have been able to give expression to the leftist and progressive section in the Jewish people were it not for the *chalutzic* leftist and progressive parties. And even for other parties their actual role among the Jewish people is ready for them. It was only thanks to these ideological organizations, and among them I include an important section of the Zionist women's organizations, that we have reached the stage where the Zionist Movement is an all-embracing national revival movement.

Some underrate the existence of Zionist parties in the Diaspora. Some pick anachronisms in them and there are even those who would deny them right of existence. These would not have reached such hasty conclusions if the Zionist parties had great membership. On the contrary, these parties would gain their respect. It is only an approach that is not supported by an analysis of processes in the world in which we live at present, 15 years after the end of World War II that can cleave to a non-political nostalgia.

In a world where perplexity exceeds clarity an ideological organization does not find its path at all easy. The Jews who are prone to exaggeration exaggerate also in this respect. But if we are desirous of a movement full of vitality there is a wide field of activity for organizations who play ideological roles within the Zionist Movement.

At the same time however, I do not wish for one moment to deny some negative aspects that accompany the existence of Zionist parties within the Zionist Organization. At times the party approach overshadows the necessity for cooperation and understanding. Who, more than I, who have been Head of the Organization Department for the last three and a half years knows to what extent our inter-party life has reached complications. This is the daily bread of the Organization Department. Nonetheless, we are in need of a balanced approach. We must exploit every ounce of sympathy, every grain of idealism, because we are not so rich as to be able to do without them. We must make endeavours to transform them into levers of activity, and this in a world which endeavours to transform large organizations into blind followers without independent ideas. If the parties were to disappear, or to remain in their isolated corners, we should be transformed into the dregs of humanity and not into a movement for the self-liberation of the Jewish people.

At the same time one must counteract all the negative manifestations that accompany party life and which regrettably have attached themselves also to the non-party organizations in the Zionist Movement. We must preach for a more human and friendly approach without however removing ideological barriers, for only that will open the door to non-political organizations.

One must take into account the double structure of the Zionist Movement which is in existence and of which one cannot remain oblivious: the one based on the membership of territorial organizations which include all the organizations and parties in any country, and the other that includes the ideological groups, the parties known as "Sonderverband", which enjoy the rights under all the Zionist constitutions.

The present constitution that is placed before you is not the first constitution of the World Zionist Organization. The first complete constitution dates back to the Third Zionist Congress in Basle of the year 1899. Already then differences of opinion had arisen and whoever yearns for those romantic times will be disappointed to hear that already then three proposals had been submitted (of Dr. Kahn, of the German Landsmannschaft and of the Organization Committee of the Congress). Then the proposals submitted by the Organization Committee were accepted.

But the Movement did not remain stagnant even from the constitutional point of view. A second constitution was accepted two years later at the Fifth Congress in 1901. The draft was prepared by Dr. Herzl, Dr. Bodenheimer, who was head of the Organization Department, and M. Ussishkin.

The third constitution, which in fact included amendments to the constitution, was drawn up by the Eighth Zionist Congress at the

Hague, and it dealt, *mutatis mutandis* with the relationship between the territorial Zionist organizations and the Movement's central institutions.

The fourth time, the constitution was drawn up in 1910 at the Annual Conference in Berlin. The fifth time, the constitution was amended by the Zionist Conference in London in 1920.

The sixth constitution, which has been in force until today, was passed by the Twelfth Zionist Congress in Carlsbad in 1921; it was submitted to Congress by Richard Lichtheim. Then, the World Zionist Organization had already three-quarters of a million Shekel holders.

Since then all succeeding Congresses have dealt with changes in the constitution but from the historical point of view the present draft of the constitution submitted here is the seventh.

The work of writing the history of the Zionist constitution which has given expression to the life of the Movement, still awaits its historian. We shall however be surprised to hear to what extent the problems that engaged former legislators were similar to the problems that are engaging us today. Here are a few of them.

(a) Can there be a variety of memberships with more rights and with less rights in the same Zionist Organization?

This question is answered by Dr. L. Kahn at the Congress of 1899:

"A group of people like ourselves who are desirous of attaining the one end by equal means and in which all the members must necessarily enjoy equal rights and who have an equal representation and who stand under one leadership must necessarily have also one uniform organization."

To support his contention he quotes the Midrash which says: "The people of Israel will not be redeemed until they all form one united group." Here, if you wish, is a direct hint to Zionist cooperation and to the manner of admission of the inter-territorial organizations on an equal organizational basis in our own day.

(b) Does not the unity of the Jewish people necessitate a unity of the Zionist Movement, or must the latter be broken up into local Zionism, territorial Zionism, autonomic Zionism, etc.?

A reply to this is made by Dr. Marmorek at Congress:

"From various countries have come to us various desiderata. We shall be unable to meet the special request of every country if we are desirous of providing you with a one-world Zionism ("Weltzionismus") and not a provincial Zionism ("Kein Provinzzionismus")." It is hard not to agree with Dr. Marmorek even today.

(c) And have the leaders of the Zionist Movement not the sense of assuring a regular and legal activity for the Zionist Movement, by imposing limitations in order that the Zionist Movement does not splinter according to the laws of the various countries in which the Jewish masses are to be found?

This is what Dr. Herzl had to say on this question at the Fifth Zionist Congress:

"Insofar as the laws of the State allow it, the Zionist Associations shall organize themselves into a territorial Zionist Organization. It will be remembered that there are countries in which the degree of freedom of organization varies. We can promulgate only one type of model constitution, and that for America. This constitution is suitable for America because there are no hindrances whatever."

One is left surprised at the uniformity and yet difference of problems with all these years intervening.

I have digressed somewhat from the realm of the jurists. I hope I will be forgiven because a constitution is not only a matter for lawyers, no less is it the realm of interest for active workers in the Zionist Movement and for fighters for the ideal.

This constitution, the seventh in number, is the outcome of a certain Jewish reality. A reality of the present transitional period, and I hope you will consider it in this light. I am convinced that the Zionist Movement has many many years of activity in front of it and the drawbacks of this constitution will doubtlessly be amended in the eighth constitution which will surely come.

And, finally, I feel it my duty to make a personal statement:

I have been entrusted with delivering an address which is not at all an easy task in the present conditions. I am a member of the Zionist Executive and the Head of the Organization Department, but at the same time I am a member of a specific party in the Zionist Movement. Were I to speak only as a member of my movement, my deviations would be many and far-reaching. But as a Member of the Zionist Executive and the Head of the Organization Department, I have tried to present the problem before us in its entirety, both its positive and negative sides, although I was not able to delve into various aspects of the discussion. The Zionist Movement is dearer to me than differences of opinion regarding constitutional laws. And if we desire to exist—we must look forward to the time when that which requires revision will be remedied, and gather strength today for an enlarged Zionist activity.





ARIEH PINKUS

## Principles and Aims of the New Constitution

This constitution is based upon one which a Legal Committee has sat for something like three years. You will remember that from the last Congress there was a decision that the President of the Congress Court would set up an Expert Committee. That Committee sat for nearly three years. I have had the privilege of reading the reports of their meetings. They covered an enormous field. They heard probably the best legal and Zionist brains in the world. They took their evidence and they came to their conclusions. Among them was the late Mr. Justice Cheshin. And after they had sat, and in principle their constitution was placed before the last Zionist Council meeting, it fell upon my committee to try to frame a constitution, not as a body of legal experts, but rather as persons accepting the legal aspect of the matter, who had to adapt it to the realities, almost one might say the immediate realities of the present Zionist situation. But I think that I would be only doing my duty, and it is a pleasure to do it, to go on record in paying a tribute to that committee, headed by Mr. Ussishkin, which really produced a monumental bit of work. The fact that the present committee was able to conclude its discussions in something like ten days was due only to the fact of the sound foundation which had been laid by the Legal Committee.

I would also like to express my gratitude to Mr. Ussishkin and to Mr. Krongold, who was a member of that Committee, for participating with us throughout and giving us the benefit of their advice.

And while I am on this aspect of the work that we had to do, I would like to also pay tribute to Dr. Freudenheim who accompanied that committee and our committee, and even although sometimes we were a little impatient because we liked to get on with the work, it was his meticulous care that kept us from straying from the path of legal accuracies many, many times. And last, but certainly no means

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Address of Mr. ArieH Pinkus, Chairman of the Constitution Committee and Member of the Zionist General Council, at the Fifth Meeting of the Zionist General Council, on 30 December, 1959.

least, we had the privilege, as did Mr. Ussishkin's committee, throughout our discussions of maintaining contact with the Legal Adviser to the Jewish Agency in New York, Mr. Boukstein, who not only was able to keep us informed as to the legal aspects of the question as it affects America, but by virtue of the decades of his Zionist background and devotion was able to translate from legal language into realities and gave us really admirable assistance throughout our discussions.

Now this draft which has been placed before you—and I am treating this discussion formally as the first reading—represents substantial agreement on the Committee. I say substantial agreement because the Committee will have to meet again. There are differences of opinion, but even where the differences of opinion do exist, the draft before you still represents substantially an overwhelming majority practically on every issue. I am hoping that in the Committee we will be able to iron out the final differences so that while there is no merit in unanimity *qua* unanimity, it would be a good thing from all points of view if the constitution were accepted by this Council meeting as representing the coordinated will of the only legislative body that can pass this constitution at this stage.

Before dealing with the practical aspects of the constitution, allow me to make one remark; that is in regard to Article II, the aims. Your Committee did not see itself competent to try to change those aims or try to re-word those aims. It is true they are an integral part of the constitution. Nevertheless, we discussed this matter too with the Executive and we came to the conclusion that it would not be wise to find ourselves launched into what might be a very important but would be a long ideological debate. I would recommend and I think this is the will of the Committee that between now and the next Zionist Congress, and not just at the next Zionist Congress, a special committee be set up which would really ponder those questions and see if we cannot find an Article II which will not only express the new paths that the Zionist Organization is choosing for itself, but will re-describe and re-define the aims of Zionism in the light of the changed situation. Such a committee, of course, would have to be a committee of philosophers and not only of lawyers, and it seems to me that it is a thing that we should do, because I must confess that as it stands, Article II lacks certain aesthetic qualities which could, I am sure, be solved by re-drafting and by the thinking of a body of men competent to do so.

I think that it would be well, seeing that this Council or the large portion of it has only received our draft constitution this morning, that I give some kind of broad analysis of the way it is divided. The first portion of the constitution, substantially Article III to Article X define the nature and the status of the member bodies in relation to each other and in relation to the World Zionist Organization. It gives the descrip-

tion of the kind of people, or the kind of organization, or the kind of members that go to make up this body politic in respect to which this constitution relates. Articles XII to XL give a description of the composition of the legislative bodies. We have two legislative bodies, a Congress and a Zionist Council. It is true that the Zionist Council derives its authority from the Congress. The Congress is the supreme body. But once having derived those powers, it has an independent legislative ability of its own. Paragraphs XLI to XLII deal with the executive arms of these legislative bodies—the President, who is the Executive Head in that sense, and its representative, and the Executive itself.

After that we have the paragraph dealing with what could be termed the judiciary, the judicial organs, which ensure that the organizations observe the constitution and is now able to impose such sanctions as may be required by the circumstances of the case.

Then there are two final sections. One is the comptroller's section, the watchdog of Congress and the Council vis-à-vis the activities of the Executive and its organs, and the final provisions are the usual provisions of date of effectiveness and the right to change the constitution on the basis of an enlarged majority.

Now, may I say, that on that classification we followed the classical divisions of constitutions as I know them. I think you will find wherever a country or an organization has a constitution that is the way it is divided. And we have decided to follow that classical pattern because in a very real way we are, if no longer a state-on-the-way, we still have a political structure which is essential if we are to achieve the aims which have been set out in Article II.

Now, what are the fundamental changes in this constitution as different from the 1921 constitution? But before dealing with that, let me just make one remark on the motivation of these changes, and I only want to talk of them in generalized terms.

I think that there is no doubt that there was a general feeling for a number of years, and that goes back to the time when the Experts Committee was set up, that conditions had changed—not only the establishment of the Jewish State, but also the enormous increase in age of the organization. You heard the figure of three quarters of a million in this morning's session in relation to the two million that Dr. Goldmann referred to last night of actual Shekel holders. The whole of life has changed. The whole inter-relation of Jewish communities and nations has changed so that I think that quite apart from anything, the Zionist Organization would have been shirking its task if it would delude itself that a constitution created fundamentally 20 and 30 years ago could actually be made applicable with one or two changes. It is true the essential problems may still remain, but the fact of the matter is that there was a feeling abroad in the minds and in the hearts of every Zionist

that there was something not working, that there must be changes in the constitution, if you like in the working of the Zionist Organization reflecting the changes that are taking place in the world as a whole.

There were countries in which it was clear that the present constitution could no longer work in the same easy way that it had worked in the past. You heard from Mr. Lurie some of the countries which—I think he was quoting from Dr. Herzl—it was said that in this country this or that constitution would be suitable. It is clear to me and certainly to the Committee that maybe in those very countries conditions had so changed that required a change in the constitutions.

Finally, let me say, and this is really an amplification of the previous point that I had made, not only was a change in the constitution required, (and we have had these debates times out of number at the Zionist Council meetings) but there was an accompanying feeling that the centralization that had existed on paper for many, many years was no longer adequate in dealing with the present situation.

If you will look at the 1921 constitution, you will see that it is on paper, at any rate, a highly centralized constitution. I don't want to generalize about other countries and other organizations, but there is a great tendency in the world in most matters of administration to move away from centralization toward decentralization, and that is reflected in the opening paragraphs of three and four of the constitution.

The Zionist Organization is now a creation of and has become an instrument in terms of this constitution of its member bodies. It may well be that we mustn't jump from one extreme to another. It seems clear that an organization, a centralized organization which isn't functioning as a centralized organization can only create chaos. It can only lead to decisions for which there is no sanction. It can lead to a kind of a feeling that there is some supra-national body sitting at some centre, let us say Jerusalem, which hasn't the power to carry out its decisions. Now, I say I am stating this brutally. It may even be exaggerated, but it was from that situation that the members of the Legal Committee and the present committee tried to get away. So that there is not only a change in the form of wording. It changes and should change the approach of members of this Council, when you go back to your own countries, towards the Zionist Organization. It should change the approach in this sense, that instead of saying, what is happening to this body that is supposed to rule us? you have to ask yourselves: To what extent have we not allowed our instrument and our representative to carry out its job?

Now, this is not a constitutional, legal question only. It is a fundamental question of fact and a fundamental question of how we are going to live together, because coupled with that is the tremendous

degree of the freedom that this constitution is going to give to territorial organizations. It is going to give it, and on this point there are still differences of opinion: whether there should be a total freedom given to all territorial organizations or whether there should be some limitation giving the ability still for the Executive with its prestige and its ability to be able to help countries that require help, but fundamentally this constitution is bred in the spirit of freedom of affairs for the territorial organizations.

But in order not just to leave that as it is, there are limitations. These territorial organizations will have to observe criteria and these criteria may sound like words which we all use and sometimes forget their meaning. The criteria are mainly that they shall run their affairs on a broad democratic basis, that there shall be no question in any one country, big or small of bodies, either self-elected or even elected, having the capacity to perpetuate themselves without having to go back to some kind of electorate.

I may add, and I think it is convenient to add here, that it was that motive that has given the Committee the desire to strengthen the hand of the tribunals, maybe local tribunals or central tribunals whether they be tribunals of the first instance or tribunals on appeal; to give some feeling that this machinery of democracy can be carried into effect, and if there is a violation of these fundamental principles there is a place to which you can turn in order to obtain a remedy.

I would like to add only one other aspect of this matter. Some people think and they have told me in private that I tend to exaggerate the importance of these fundamental principles, because we know how things go. Friends, if there is one single factor which has tended to diminish the prestige of the Zionist Organization in the world as a whole, I don't think it is this or that Executive or this or that representative. It has been the feeling that the whole machinery of democracy is breaking down, that it is an organization in which groups get in and remain, that the rigidity and the lack of flexibility make it impossible to change the nature of those things, so that if in interpreting this constitution, you can take back with you the feeling that greater flexibility, that the abolishment of rigidity is now part and parcel of the law of the Zionist Organization, it seems to me that we will have taken at least one step in order to enhance the prestige of the Organization.

Now, one of the fundamental principles in the creation of territorial federations. These federations by their very name are supposed to be the coming together of organizations. But here again the constitution tried not to be exclusive. That is, if you like, the *summum bonum* of what we would like to have in our Zionist Organization, but we know that that doesn't exist in many countries so that there is provision for individual Zionists as individuals coming together to create a territorial

organization on an individual basis. But life and the nature of things will probably mean that those organizations will be in the minority.

But having said in the constitution that we want territorial federations and coupled with what I said earlier in relation to the greater freedom of action that countries are being given in the constitution, this places a burden and a responsibility upon these countries, and while I have no right on behalf of the Committee to say what I am going to say, I would like to say it as a personal observation. For years now we have passed resolutions about federations. We know that one country and the most important Diaspora country for Zionism, the United States of America, has not yet found its way to bring into being the kind of federation that we talk about. This constitution, and I would like to say it from this platform, just because of its provisions of autonomy, places the burden fairly and squarely upon the present American Zionist leadership to find a way out of the *cul de sac* in which they have been living for so many years and this is not something which we can carry into effect by a police force. It may be that while I am talking about this, members of the American Zionist Movement at this moment are saying to themselves, There will be no federation in the United States of America, at least the kind of Federation which we all know that we are talking about. If that position continues in the U.S. then let me say that this will be one of the failures of this constitution. Because if there is going to be complete decentralization and as a result of this fragmentation, then I say the main purpose for which the Committee was unanimous will have been defeated. So that this territorial federation is not again a form of words. It is intended to give expression to a strong desire to put things right, and of course I only mentioned the United States of America as an example. But there are many countries which will have to put their house in order from that point of view.

Let me just add one remark about the non-Zionist organizations, the national and international bodies to which so much reference was made last night. The present constitution does not create hard and fast rules. There was a suggestion that we should fix the representation in the Executive, in the Zionist Council, in the Congress. The Committee, and I must say on this the Executive was consulted and there is complete unanimity on this aspect. There is provision made for the entry of such bodies into the Zionist Organization. The terms and conditions upon which they will become part and parcel of this organization is being left by the constitution to the Zionist Council so that there will be no decisions that can be taken rapidly and without consultation with the only legislative body that exists between Congresses.

Now, I turn to the legislative part of the constitution, and here let me say I will try to be as brief as I possibly can. No great changes have

been made. The Congress is the supreme body as I have pointed out. It has powers of delegation. We have decided to recommend (in the Constitution Committee it was agreed to unanimously) that it meet every three years. What has been stiffened are the provisions in relation to postponing these conferences. If the Executive will require to postpone a Zionist Congress, it will have extremely difficult conditions to comply with. In addition to that and over and above this, there is the right for a very small number of persons to appeal to the Congress Court in order to have the matter ventilated there if there is a feeling that the postponement has been made capriciously without adequate reason.

The basis of elections to Congress is still the Shekel. It is true that the Shekel becomes now an area Shekel, but it is still the basis and the right to vote. I know some comment was made that that was a diminishing of the importance of the Shekel. I speak with great reserve. I understand that the greatest merit of the Shekel was that it gives the right to vote in the supreme legislative body of the Zionist Organization, and that we have preserved it *b'late braira*, because as you know for years there was a debate on whether to change the Shekel. Committees were set up and they have come back with the conclusion that there is no alternative and it is up to us to see that *b'late braira* we certainly make the best of it and take away those characteristics which have made the Shekel a matter of indignity rather than a matter of dignity.

I want to add one further aspect. The creation of the Shekel and election boards which really are the instrument which are brought into being in a Congress year for the conducting of elections are stipulated in general terms in the constitution, but we have attached to the constitution certain regulations which preserve the democratic basis of the Congress elections and of the Committees which are in charge of these elections. These regulations are being placed before you together with the constitution for your adoption. The constitution provided that these specific regulations relating to the composition of the election board and the Shekel board cannot be changed except by a three-quarters majority of the Zionist Council so that again we have tried where it was essential to preserve the democratic basis of the organization as a whole to do so.

Now, the second legislative body is the Council, the Zionist Council. First, I must refer to one other matter. The question of the WIZO. Now, in Article XXVIII, you will find no mention of the word WIZO. You will find a description of the type of organization which according to everybody's view adds up to WIZO. There they were given certain rights in regard to appearance at Congress in an advisory capacity and in other institutions. The Committee felt that it couldn't, on its own, decide to change that situation although WIZO made that request. It is, however, recommending unanimously that the Executive on approval



by this Council can change that kind of representation if it will come to an agreement with WIZO. In other words we have created machinery whereby this matter can be ironed out between the Executive on the one hand and WIZO on the other hand and the agreement is to be approved by this body. Thus WIZO does not have to wait until the next Congress, not the one immediately to take place but the one after that, before it can get any change. In other words we have given the same kind of discretion to the Executive and Council in relation to WIZO, a Zionist body, as we have created in relation to those bodies, national bodies, to which I have made previous reference.

Now, turning to the Council, you have already by now gathered that we have wherever possible preserved the rights of this body, that the Executive will be really an Executive arm with no rights of legislation except where this Council gives it those rights. The size of the Council is fixed at 96 members. The recommendation is, but I understand there are some groups or a group which is not wedded to that suggestion, that the number of deputies to be appointed instead of one to one should be two to one. The reason for that is that we have found, and some Zionists have informed us that this rigidity of one to one means that in many countries, particularly in smaller countries, who really end with only one member or one deputy member, and if that member commits the transgression, let us say, of migrating to Israel, then that country becomes in a very real sense disenfranchised. And if you are limited to appointing your deputies only one to one, even if that person were to resign, the particular country from which he came would not benefit by such resignation. So the suggestion has been made to give greater flexibility and to give to the organizations that go to make up the Zionist Movement an opportunity of safeguarding that situation.

Another provision upon which we had heard Dr. Goldmann is to give rights to invitees up to ten, with no right of voting but with right of participation in the Zionist Council meeting. During the period between Congresses, it very often happens that the man elected to the Council meeting, being, say, chairman or president of the Zionist Federation, no longer is such president or chairman and the existing president or chairman has no real right to be present at the Council meeting, and we think that the discretion of up to 10 will take care of that situation.

We have maintained the institution of the virilists and, of course, the institution of the Presidium.

Now, let me turn to the Executive arm. The President is the spokesman and the representative of the Zionist Movement as a whole. The Executive is to carry out the decisions and the policy of Congress and the Zionist Council. The Executive has its Chairman elected by Congress. Where the Zionist Council approves the recommendation of the Executive to set up a branch Executive in another part of the world,

the Chairman of that branch Executive is nominated by the Executive. In other words, there is a complete picture in which the unity of command is maintained, essential to any real, healthy organization.

But let me say one word as to these powers of the Executive. We have heard criticism of the Executive during the earlier debates. I just don't want to criticize. I want to tell you what I think lies behind the decisions of the Committee in relation to the Executive and the changes that have taken place. One thing is clear. When this constitution comes into force the Executive will be obliged to find new powers and new methods of work. It will not be able inevitably to carry on on the basis of tradition. This is how we did it five years or ten years ago or fifteen years ago. It will not work in the new framework. So this aspect of it casts an increasingly heavy burden on the Executive to show initiative and adaptability and I think that is what the Committee wanted and I hope this is what the Council wants, because that is how we interpret the desire of Zionist public opinion.

I have already mentioned the question of the judiciary, the Zionist tribunals and I don't propose going into any detail. They are essential for any civilized democratic way of life. The mere existence of this machinery of courts or tribunals may prevent abuse. It is when you have a feeling that it is *hefker*, that there is no central body that objectively and judicially can give the final answer on any given situation of conflict, it is that feeling of *hefker* that must be done away with. We have given the alternative to the countries: they can either use the existing machinery or can set up tribunals of arbitration, but the appeal tribunal of arbitration will have as its umpire the judge appointed by the President of the Zionist Congress Court.

And now, I don't propose dealing in detail with what is left. There is a clause which sets out what provisions come into being immediately, what provisions are postponed until the beginning of the next Congress, what provisions are to come into force after the next Congress. I want finally to deal with what even lawyers know as the spirit of the constitution. You see, lawyers are not nearly as dull and dry as the words that have been placed before you may appear to be. One of the greatest jurists, I think, one of the greatest the world has seen, certainly in the modern world, has devoted many, many articles, many, many speeches, many, many addresses to highly qualified people and to masses of people. He happened also to have been a Jew. I am referring to the great American jurist, Judge Cardozo. He spent a lot of his time trying to explain that it is the spirit of the constitution—dealing mainly with the constitution of his own country—which will ultimately determine whether or not the words really carry into effect the will of the people.

Mr. Lurie made this point, and it is really a trite point to make, but you will excuse me if I do spend one or two minutes remaining to me

to deal with it. These changes are in themselves worthwhile because changes had to be made. The motives, the particular conditions that brought these changes into being are really irrelevant when once this constitution is passed. It doesn't matter why X voted this way or why he suggested a certain amendment. What really matters is that this constitution expresses a real will for change. It casts a challenge to the Council and on the Executive and casts a challenge to all you people, the leader of World Zionism. The constitution can become—because it doesn't solve the problem; we know that—the jumping off ground for that new direction for which we are all looking. Failure to accept this constitution with this spirit will mean a complete failure and breakdown of what might have been a decisive step in a changed direction, and that is the echo that I think we should try to create in the Zionist world outside.

That, at any rate, is the spirit in which your Committee places this constitution before you and if I may be pardoned for being just a little emotional on this aspect: we all are Zionists of many, many years. We have a stubbornness which refuses to accept that the present crisis is inevitable and permanent. I think we will have when we have accepted this constitution, at least laid down the foundation for a change, a change which has manifested itself time and again by an ability to strive, to seek, to find and not to yield.

# THE CONSTITUTION OF THE WORLD ZIONIST ORGANISATION

*as adopted by the Zionist General Council at its Session in Jerusalem in December 1959—January 1960, in pursuance of the Resolution of the 24th Zionist Congress*

## CHAPTER ONE

### NAME — PROGRAMME — FORM OF ORGANISATION

#### *Article 1*

The name of the Organisation shall be "The World Zionist Name Organisation."

#### *Article 2*

##### *Section 1*

The Zionist Programme was defined by the First Zionist Congress in Basle as follows: The Zionist Programme

"The aim of Zionism is to create for the Jewish people a home in Eretz Israel secured by public law."

##### *Section 2*

The task of Zionism was defined by the 23rd Zionist Congress in Jerusalem as follows:

"The task of Zionism is the consolidation of the State of Israel, the ingathering of the exiles in Eretz Israel and the fostering of the unity of the Jewish people."

#### *Article 3*

The terms specified hereinafter shall have the meaning set forth beside them, if no other meaning is indicated by the provision itself or the context. Definitions

"Congress"—means the Zionist Congress;

"Council"—means the Zionist General Council or the Actions Committee;

"Executive"—means the Executive of the World Zionist Organisation;

"Member"—means Territorial Zionist Organisation; Territorial and Inter-Territorial Zionist Association; National and International Body, insofar as all those are members of the World Zionist Organisation;

"Zionist Territorial and Inter-Territorial Associations"—means Zionist associations, corporations and societies as operate in a country where a Zionist Territorial Organisation does not exist or such as are not affiliated to the Zionist Territorial Organisation in the country in question;

"National and International Bodies"—means such Jewish bodies existing within the territory of one State or of several States as will accept the Zionist Programme, as fixed in Article 2;

"Zionist Federation"—means a Zionist Territorial Organisation based on the membership of a number of Zionist bodies in a certain country and recognised as Zionist Federation by the General Council, upon the proposal of the Executive;

"Zionist Union"—means a Zionist Territorial Organisation based on the individual membership of Zionists of a certain country and recognised as Zionist Union by the General Council, upon the proposal of the Executive;

"Zionist Mixed Federation"—means a Zionist Territorial Organisation based on the membership of a Zionist body or Zionist bodies and on the individual membership of Zionists in a certain country, and recognised as Zionist Mixed Federation by the General Council, upon the proposal of the Executive.

#### *Article 4*

The Status  
of the World  
Zionist Orga-  
nisation and  
its Members

##### *Section 1*

The World Zionist Organisation is the central body authorised by its Members to act for and in behalf of the whole of the Movement and of all the Members in the implementation of the Zionist Programme.

##### *Section 2*

Every Member shall determine the conduct of his affairs, the form of his organisation and his procedures.

##### *Section 3*

Any Member may enter into an agreement with the Executive establishing special conditions and arrangements in matters relating to the Zionist activities of such Member. Such an agreement shall be binding upon both parties.

#### *Article 5*

Membership

##### *Section 1*

Every Zionist Territorial Organisation which accepts the Zionist Programme and this Constitution may be a Member of the World

Zionist Organisation. The admission of a Zionist Territorial Organisation as a Member shall be decided, upon the proposal of the Executive, by the Council.

### *Section 2*

The Council may, upon the proposal of the Executive, decide to admit as Members Territorial and Inter-Territorial Associations, upon such conditions as it deems fit.

### *Section 3*

Subject to the provision of Article 10, all Zionist Territorial Organisations and Zionist Territorial and Inter-Territorial Associations which at the time of coming into effect of this Constitution are affiliated to the World Zionist Organisations shall be deemed to be Members thereof.

### *Section 4*

The Congress or, during the Inter-Congress period, the Council may, upon the proposal of the Executive, decide to admit as Members or Associate Members of the World Zionist Organisation National and International Bodies and fix special conditions for their participation in the Congress, the Council and other bodies of the World Zionist Organisation.

### *Section 5*

The Council shall upon the proposal of the Executive, fix the membership dues which every Member shall pay.

## *Article 6*

A Zionist Territorial Organisation shall be:

- (a) either a Zionist Federation;
- (b) or a Zionist Union;
- (c) or a Zionist Mixed Federation.

Zionist Territorial Organisations

## *Article 7*

In order to be a Member of the World Zionist Organisation, a Zionist Federation shall comply with the following requirements:

Zionist Federation

- (a) admit as Member every Zionist body which accepts the Constitution of the Federation;
- (b) hold at fixed intervals a National Convention at which the governing bodies of the Federation shall be elected;
- (c) establish local branches of the Federation wherever practicable;

- (d) ensure the right to any Zionist body which has been refused admission as a Member to appeal from such refusal to a Territorial Zionist Tribunal and from such Tribunal to an Appellate Zionist Tribunal (Articles 57, 58);
- (e) conduct its affairs having regard to the protection of the requirements of all Members and on the basis of the fundamental principles of justice.

#### *Article 8*

Admission of Individuals as Members      Every Zionist Federation shall fix the form and manner of the admission as members of individual Zionists not being members of any Zionist body.

#### *Article 9*

Zionist Union and Zionist Mixed Federation      In order to be a Member of the World Zionist Organisation a Zionist Union and a Zionist Mixed Federation shall comply, *mutatis mutandis*, with the requirements as set out in Article 7 hereof.

#### *Article 10*

Information on Fulfilment of the above Requirements      The Executive may at any time require any Member to furnish information that he has fulfilled the conditions of membership in accordance with Articles 5, 7, 8, 9. If a Member does not furnish such information within the time fixed by the Executive, the Executive may propose to the Congress Tribunal the suspension of the rights of such Member in the World Zionist Organisation, its expulsion from the World Zionist Organisation or such other sanctions as it deems fit.

#### *Article 11*

Deviations      *Section 1*

The Council may, upon the proposal of the Executive, decide by a two-thirds majority of its members entitled to vote, to admit as Member of the World Zionist Organisation a Zionist Territorial Organisation which has recognised the Zionist Programme as set out in Article 2, but has not fulfilled all the requirements indicated in the foregoing Article.

##### *Section 2*

In countries in which the Jewish population does not exceed 400,000 the Executive may initiate and pursue such Zionist activities as it deems necessary.

## CHAPTER TWO

# THE CONSTITUTIONAL BODIES OF THE WORLD ZIONIST ORGANISATION

## I

### THE ZIONIST CONGRESS

#### *Article 12*

The Congress is the supreme organ of the World Zionist Organisation. It may either be an ordinary or an extraordinary Congress.

#### *Article 13*

An Ordinary Congress shall meet at least once in three years, at a place and time determined by the Council. It shall be convened by the Executive.

Intervals  
between Con-  
gress and Con-  
gress

#### *Article 14*

For the purpose of this Article the term "Institutions of the World Zionist Organisation"—means the Keren Kayemet Le-Israel, Keren Hayesod—United Israel Appeal and such other institutions and enterprises as will be recognised by the Executive as carrying out central tasks within the Zionist Movement.

Powers of the  
Congress

The Ordinary Congress shall inter-alia—

- (a) receive and consider the report of the Executive, including a report on the activities of institutions of the World Zionist Organisation;
- (b) receive and decide upon the report of the Comptroller;
- (c) receive and decide upon proposals brought before it;
- (d) determine the financial and budgetary policy and fix the budget for the year following the year in which the Congress is held;
- (e) elect the President of the World Zionist Organisation, Chairman of the Executive, members of the Executive, members of the Council and their deputies, Chairman of the Congress Tribunal and his deputies, Judges of the Congress Tribunal, Attorney of the World Zionist Organisation and his deputies, the Comptroller, and if necessary, his deputy.



## Article 15

### Delegation of Powers

Subject to the provisions of Article 64, the Congress may delegate any of its powers to the Council or to such other body as it may deem fit.

## Article 16

### Section 1

### Postponement of Congress

The Council may, after hearing the Executive, decide by a 75% majority of its members qualified to vote, to postpone the Congress by reason of special or extraordinary circumstances. In the event of such postponement being decided upon, the new date of the Congress shall be determined by the Council at the time of the adoption of the postponement decision or, failing it, by the Presidium of the Council, after consultation with the Executive.

### Section 2

- (a) 8 Council members, qualified to vote, may object to the decision for postponement of the Congress and shall be entitled to bring such objection before the Congress Tribunal. The Congress Tribunal shall hear the objection in summary proceedings by a bench of at least 5 Judges, including the Chairman of the Tribunal or one of his deputies.
- (b) A representative of the Presidium of the Council shall appear in these proceedings before the Tribunal and indicate the circumstances relating to the postponement.
- (c) The Congress Tribunal shall make such finding and give such directions as it, in its discretion, deems fit.

### Section 3

A postponement of the Congress shall not be decided upon by way of an Emergency Regulation under Article 63 of the Constitution.

## Article 17

### Section 1

### Number of Congress Delegates

The number of Congress delegates shall not exceed 500.

### Section 2

The number of delegates to Congress shall be allocated in the following proportion: Israel 38%, United States of America 29%, other countries of the Diaspora 33%.

## Article 18

Subject to the limitations as provided for in Article 17, the Council at its first session after the Congress, shall establish a committee which shall fix the number of delegates in respect of each electoral area. Such special committee shall, in fixing the number of delegates as aforesaid, have regard to the size of the Jewish population and the totality of conditions of the Zionist Movement and its activities in the district in question.

Fixing number  
of delegates of  
each electoral  
area

## Article 19

### Section 1

The Shekel shall, inter alia, contain a statement of the Zionist Programme, as defined in Article 2.

The Shekel

### Section 2

The Shekel shall be uniform in respect of any area in which it is distributed and the Shekel in respect of any area shall be sold only to persons in such area, and no person shall be entitled to acquire more than one Shekel.

### Section 3

Only one Shekel shall be distributed in respect of the period between any two Ordinary Congresses.

## Article 20

For the proper implementation of the provisions relating to the Shekel and Congress elections, there shall be constituted an Area Shekel Board and an Area Election Committee. The composition of these bodies and other matters relating to the Shekel and elections shall be determined by Regulations, which shall be confirmed by Council. The said Regulations shall ensure the proper representation of minority groups and the respective provisions may be amended only by a 75% majority of Council members entitled to vote and present at the meeting.

Area Shekel  
Board and  
Area Election  
Committee

## Article 21

### Section 1

The maximum and minimum price of the Shekel shall be established as provided for in the Regulations. Within the limits so provided for, the Area Shekel Board by a two-thirds majority shall fix the actual price of the Shekel in respect of any area.

Cost of Shekel

## *Section 2*

The proceeds derived from the sale of the Shekel after deduction of the expenses incurred with its printing, distribution and conduct of the elections, shall be divided in accordance with the agreement made at the time of the establishment of the Area Shekel Board.

## *Section 3*

The Area Shekel Board shall distribute the Shekel as widely as possible in its area.

# *Article 22*

## *Section 1*

Right to vote  
and eligibility  
for election

Every Jew who has reached the age of 18 years and who has acquired a Shekel shall be entitled to vote in elections to Congress.

## *Section 2*

Save as is otherwise provided for in this Constitution, every person entitled to vote in elections to the Congress and who has attained the age of 21 years, shall be eligible for election as delegate to Congress.

# *Article 23*

## *Section 1*

Elections to  
Congress

Elections to Congress shall be direct, secret and in areas electing more than one delegate proportional.

## *Section 2*

The Area Election Committee shall be responsible for the conduct of the Congress elections in the area in respect of which it is constituted.

# *Article 24*

Examination  
and confirma-  
tion of election  
results

The Congress Tribunal shall examine the conduct of the elections in every area and shall be entitled to confirm, annul or vary the results thereof. The decision of the Congress Tribunal shall be final.

## Article 25

### Section 1

Every delegate to Congress shall be entitled to one vote.

Status of Congress Delegates

### Section 2

The mandate of a Congress delegate shall be valid from the time that the Congress to which he has been elected is convened until the opening of the next Ordinary Congress.

## Article 26

### Section 1

Members of Council not elected as delegates shall be entitled to participate in plenary sessions of Congress in an advisory capacity only, and shall not be taken into account in determining the strength of Congress groupings. Any such Council member shall, if appointed to any committee, have full rights as a member of such committee.

Composition of Congress

### Section 2

The Chairman of the Congress Tribunal, the Attorney of the World Zionist Organisation or, in their absence, the representative nominated by them from amongst their deputies, the Comptroller and, in his absence, the Deputy Comptroller, shall participate in Congress and in its committees in an advisory capacity.

### Section 3

- (a) With the consent of the Council, the Executive may grant to a Zionist body fulfilling a special task and which has a membership of not less than 150,000 and branches in not less than 20 countries, and which has not submitted a list of its own in elections to Congress, a representation at the Congress in an advisory capacity. The Executive shall fix the number of representatives in each case. The number shall not exceed 5, of whom not more than one may take part in every Congress committee, except the Standing Committee;
- (b) notwithstanding anything contained in sub-sec. (a) hereof, the Executive, with the approval of the Council, may make an agreement with a body as described in the said sub-sec. (a) granting such body representation with voting rights on Congress, on the Council and other organs of the World Zionist Organisation.

### Article 27

#### Period of Office

Unless the Constitution or the Congress otherwise prescribe, a person elected by Congress to serve in a particular office shall hold such office until termination of the next following Ordinary Congress.

### Article 28

#### Standing Orders of Congress

The procedure of the Congress, including its convocation, shall be determined by Standing Orders decided upon by Congress or by the Council or any other body to whom Congress has delegated authority for such purpose.

### Article 29

#### Section 1

#### Extraordinary Congress

The Council or the Executive may convene an Extraordinary Congress. The delegates participating in the last Ordinary Congress, or those who have replaced them in accordance with this Constitution (or the Regulations thereunder), shall be the delegates to the Extraordinary Congress.

#### Section 2

The Extraordinary Congress shall deal with the matters placed upon the agenda by the Council or the Executive.

#### Section 3

The Standing Orders of the Ordinary Congress shall, *mutatis mutandis*, apply to the Extraordinary Congress.

## II

### THE ZIONIST GENERAL COUNCIL

### Article 30

#### Section 1

#### Competence of the Council

Save for those matters within the exclusive jurisdiction of the Congress, the Council shall in inter-Congress periods consider and decide upon all matters relating to the World Zionist Organisation and its institutions. In particular, the Council shall inspect and, insofar as it is necessary, decide upon the manner in which the Executive shall implement the decisions of the Congress and the Council.

## *Section 2*

The Council shall receive and consider the reports of the Executive.

## *Section 3*

- (a) The Council shall, upon proposal of the Executive, either itself or through a committee established by it for that purpose in terms of Article 31 (The Permanent Budget—and Finance Committee) decide upon all budgetary and financial matters, provided such decision be not inconsistent with the decisions of Congress;
- (b) notwithstanding the provisions of sub-sec. (a) hereof, the Council may, by a two-thirds majority, change the budget fixed by Congress, if in its opinion unexpected circumstances make it necessary so to do.

## *Article 31*

### *Section 1*

Save for those matters in which this Constitution or the Congress has prohibited delegation, the Council may delegate any of its powers to any organ or body it deems fit.

Delegation  
of Powers

### *Section 2*

Where such delegation is made to a committee based upon the strength of groupings within the Council, such committee shall, at the request of any group, be constituted on the same basis as the Council.

## *Article 32*

### *Section 1*

The Council shall consist of 96 members entitled to vote, such members being elected by Congress in accordance with the relative strength of the groupings at Congress.

Composition  
of Council

### *Section 2*

Subject to such exceptions as may be fixed by the Council in Regulations, the Comptroller, officials of the World Zionist Organisation and its National Funds shall not be eligible for election as members or deputy members of the Council.

### Section 3

The following members shall be entitled to participate in the Council in an advisory capacity, namely:

- (a) Members of the Executive;
- (b) one representative each of the Jewish Colonial Trust, of the Keren Kayemet Le-Israel and the Keren Hayessod-United Israel Appeal;
- (c) the Chairman of the Congress Tribunal and the Attorney of the World Zionist Organisation;
- (d) the Comptroller;
- (e) ex-members of the Executive who have resigned during the current Congress period;
- (f) Zionist leaders, not to exceed 10, proposed by the President of the World Zionist Organisation and the Chairman of the Council jointly, and approved by the Congress or the Council;
- (g) representatives of Zionist bodies provided for in Article 26, sec. 3, the number of which shall not exceed 2 for any single body and 4 in respect of all such bodies together;
- (h) personalities elected as such by the 24th Congress (virilists).

### Section 4

- (a) Together with the election of members designated in sec. 1, the Council shall elect 192 deputies of those members in accordance with the relative strength of the Congress groupings. If a Council member does not intend taking part in a session of the Council for any reason whatsoever, he may empower one of the deputy members belonging to his grouping to deputise for him at that session. In the event of a Council member not exercising this right, the group, acting through its duly authorised controlling body, shall appoint a deputy in his stead;
- (b) the institutions designated in sec. 3(b) shall appoint together with their representative a deputy representative. The provision of sub-sec. (a), second and third clause, shall apply, *mutatis mutandis*.

### Section 5

The Chairman of the Congress Tribunal and Attorney of the World Zionist Organisation shall be entitled to appoint one of their deputies to participate in any meeting or session of the Council from which they will be absent.

## Section 6

In the absence of the Comptroller, his deputy shall be entitled to take part in such meeting or session.

## Section 7

Upon the resignation or inability of a Council member to act for any reason, the grouping or organisation or body which he represents shall designate a deputy Council member from among those belonging to their members in his stead. Upon such designation, the deputy Council member shall have the full rights of an ordinary Council member.

### Article 33

Council members who, while being Council members, are elected to the Executive, shall cease to have voting rights in the Council and shall participate in it in an advisory capacity only.

Status of Council Members elected to the Executive

### Article 34

The Council shall hold at least one session a year. The first session in any Congress period shall take place immediately after the Congress.

Dates of Sessions

### Article 35

The Council shall, at its first session in any Congress period, elect from among its members the Chairman of the Council and the Presidium of the Council. The Chairman of the Council shall *ex officio* be a member of the Presidium and shall act as Chairman of the Presidium. The composition and functions of the Presidium shall be determined by the Standing Orders of the Council (Article 38).

Chairman of Council and Presidium of Council

### Article 36

The Presidium of the Council may, by a two-thirds majority of its members, after hearing the Executive, decide to postpone a session of the Council by reason of the existence of special and extraordinary circumstances. The provisions of Article 16 shall apply, *mutatis mutandis*, to such a decision.

Postponement of Session



### *Article 37*

#### **Extraordinary Session**

Upon the written proposal of at least one third of the members of the Council entitled to vote, who shall belong to at least two different groupings, the Presidium of the Council shall convene an extraordinary session if the proposal has been submitted at least one month after the termination of the preceding session of the Council and indicates the agenda of the proposed session. The Presidium shall, within two weeks from the day of receipt of a proposal conforming to foregoing conditions, fix the opening of the session for a date not later than four weeks after the consideration of the proposal.

### *Article 38*

#### **Procedure of Council**

The Council shall lay down its procedure by Standing Orders.

## **III**

### **THE PRESIDENT OF THE WORLD ZIONIST ORGANISATION**

### *Article 39*

#### *Section 1*

#### **Status of the President of the World Zionist Organisation**

The President of the World Zionist Organisation (hereinafter referred to as "the President") shall be the head and chief representative of the World Zionist Organisation. He shall have the full rights of an Executive member and shall be entitled to preside over meetings of the Executive in which he participates. His term of office shall run from the time of his election to the termination of the next following Ordinary Congress.

#### *Section 2*

If during the inter-Congress period the President's position becomes vacant for any reason whatsoever, his place, until the election of a new President by Congress, shall be taken by the Chairman of the Executive.

## IV

### THE EXECUTIVE OF THE WORLD ZIONIST ORGANISATION

#### *Article 40*

##### *Section 1*

The Executive shall be the executive organ of the World Zionist Organisation, charged with the implementation of the decisions of Congress and Council, and shall be responsible to those bodies. It shall have the power to acquire rights and undertake obligations on behalf of the World Zionist Organisation, and to represent it externally.

Powers and  
Functions of  
Executive

##### *Section 2*

The Executive may delegate to one or more of its members or to officials of the World Zionist Organisation or of its institutions authority to undertake financial or other obligations on behalf of the World Zionist Organisation.

#### *Article 41*

The number of the members of the Executive shall be fixed by the Congress which elects it.

Number of  
Members of  
Executive

#### *Article 42*

The seat and head office of the Executive shall be in Jerusalem. The Congress or Council may, however, establish one or more divisions of the Executive abroad and in this event, the Executive shall appoint the Chairman of such division.

Seat of  
Executive

#### *Article 43*

##### *Section 1*

If during the inter-Congress period the post of the Chairman of the Executive becomes vacant for any reason whatsoever, the Council shall, at its next session, elect a new Chairman from among the members of the Executive. Pending his election, the functions of the Chairman shall be carried out by one of the members of the Executive elected by them by majority vote.

Filling of  
Vacancies

## *Section 2*

If, during the inter-Congress period, the place of one of the members of the Executive becomes vacant for any reason whatsoever, the Council shall elect another member in his stead.

### *Article 44*

#### Reports

The Executive shall submit to Council at least one month before any session of the Council a report of its activities. In addition to such report it shall submit annually an additional report of its activities.

### *Article 45*

#### Signing of Contracts and Documents

The Executive shall decide on the manner of signing contracts, written obligations and other documents binding the World Zionist Organisation.

## V

## THE JUDICIAL BODIES

### *Article 46*

#### Interpretation of terms

In this Part—

“Central Zionist Body” means the Congress, the Council, the Executive, an institution or body established by them to carry out any of their functions, the Keren Kayemeth in Jerusalem, the Keren Hayessod–United Israel Appeal in Jerusalem and such other institutions and enterprises as will be recognised by the Executive for the purpose of this part;

“Zionist Body” means a Central Zionist Body, a Member of the World Zionist Organisation and any organisation, fund, corporate or non-corporate body affiliated to the World Zionist Organisation.

### *Article 47*

## *Section 1*

#### Members of Tribunal— Their number

The Congress shall set up the Congress Tribunal (hereinafter referred to as “Tribunal”) which shall consist of 21 members, including the Chairman of the Tribunal and four Deputy Chairmen.

## *Section 2*

The President, the members of the Council entitled to vote, the members of the Executive, the Comptroller and the Deputy Comptroller, the Attorney of the World Zionist Organisation and his Deputies, the officials of the World Zionist Organisation and the Central Zionist Bodies shall not be eligible for membership of the Tribunal.

### *Article 48*

Unless the Congress otherwise decides, the seat of the Tribunal shall be in Jerusalem, but the Tribunal may hold sessions in any place it deems fit.

Seat of  
Tribunal

### *Article 49*

The Tribunal shall be competent to hear and determine—  
(A) *As a Tribunal of First Instance*—

Powers of  
Tribunal

## *Section 1*

- (a) the interpretation of this Constitution;
- (b) the legality of decisions of the Central Zionist Bodies, whether in connection with a dispute or upon the proposal of the Executive or the Attorney of the World Zionist Organisation;
- (c) disputes between Zionist Bodies, where at least one party is the World Zionist Organisation or a Central Zionist Body or where the parties to the dispute have their head offices in different countries;
- (d) disputes, except monetary disputes, between the World Zionist Organisation or a Central Zionist Body and individual Zionists in matters connected with Zionist work or arising out of membership in a Zionist Body;
- (e) objections to decisions to postpone the Congress or to postpone a session of the Council (Articles 16 and 36);
- (f) matters relating to the elections to the Zionist Congress;
- (g) matters relative to acts allegedly infringing the Constitution or damaging the interests or prestige of the World Zionist Organisation which have been brought before it by the Attorney of the World Zionist Organisation for consideration, by reason of their public Zionist importance.

## *Section 2*

In any matter referred to in (A), sec. (1) (g) of this Article the Tribunal may make such order or impose such sanction as it deems fit, provided that it take due care that such order or such sanction shall not damage the interests of innocent bodies or individuals affected by the decision.

### *(B) As a Tribunal of Appeal—*

Appeals from judgments of a Territorial Zionist Tribunal as provided for in Article 58.

## *Article 50*

### *Section 1*

#### **Composition of Tribunal**

Unless the Tribunal decides to increase the number of judges in respect of any particular matter, the bench of the Tribunal shall consist of—

- (a) Seven judges in matters referred to in Article 49, (A), sec. (1), (a);
- (b) five judges in matters referred to in Article 49, (A), sec. (1), (e) and (f);
- (c) three judges in all other matters referred to in Article 49.

### *Section 2*

The Chairman of the Tribunal or, in his absence, the Deputy Chairman shall appoint the Presiding Judge and other judges in respect of each case.

## *Article 51*

The judgments of any bench of the Congress Tribunal shall be final and not subject to any appeal.

## *Article 52*

#### **Tribunal Rules**

The Tribunal shall determine by Rules the procedure in cases conducted before it. The Rules are subject to the approval of the Council.

## *Article 53*

#### **Attorney of the World Zionist Organisation**

The Congress shall elect the Attorney of the World Zionist Organisation (hereinafter referred to as "the Attorney"). The Attorney shall represent the interests of the World Zionist Organisation, including matters referred to in Article 49, (A), sec. (1), (g),

before the Tribunal, and shall advise the Central Zionist Bodies in legal matters connected with this Constitution, the decisions of the Congress, the Council and the Executive, and with the relations between the Central Zionist Bodies and between them and other Zionist Bodies or individual Zionists.

#### *Article 54*

The Congress shall elect, upon the proposal of the Congress Presidium, the Chairman of the Tribunal. The Congress shall, on an agreed proposal made by the Chairman and the Attorney, after consultation with the Presidium, elect four Deputy Chairmen of the Tribunal, other members of the Tribunal and two Deputy Attorneys. The Deputy Chairmen of the Tribunal and the Deputy Attorneys shall be elected with express mention of their offices.

Procedure of  
election of  
Tribunal Judges

#### *Articles 55*

If during the inter-Congress period the place of one of the members of the Tribunal or the post of the Attorney or of one of his Deputies, becomes vacant, the Council may, upon an agreed proposal of the Chairman of the Tribunal and of the Attorney, or upon a proposal of one of them (as the case may be), such proposal having been made after consultation with the Presidium of the Council, appoint another person to the vacancy.

Filling of  
Vacancies

#### *Article 56*

Every member of the Tribunal shall, every time after his election and before taking office, pledge himself by a declaration to carry out his functions without bias and to the best of his knowledge and conscience. The declaration of the Chairman of the Tribunal shall be received by the President or, in his absence, by the Chairman of the Council. The declaration of the other members of the Tribunal shall be received by the Chairman of the Tribunal.

Declaration  
made by mem-  
bers of Con-  
gress Tribunal

#### *Article 57*

##### *Section 1*

In this Article and Article 58 the term "Zionist Territorial Organisation" includes an all-inclusive Zionist national body of another kind in countries where no Zionist Territorial Organisation exists.

Territorial  
Judicial Bodies

## Section 2

In every country where a Zionist Territorial Organisation exists there shall be set up by constitution a judicial body (hereinafter referred to as "The Judicial Body"), having in respect of its area of jurisdiction the power, to hear and determine such matters, *mutatis mutandis*, as the Congress Tribunal hears and determines in terms of Article 49, sec. 1.

## Section 3

The Judicial Body referred to in the preceding subsec. shall be constituted by—

- (a) establishing a permanent Zionist Territorial Tribunal, or
- (b) by making provision for hearing the matter by way of arbitration.

## Section 4

The permanent Zionist Territorial Tribunal shall be elected by a properly constituted National Convention of the Zionist Territorial Organisation. The Composition, (except for the number of members), method of election, filling of vacancies, conduct of cases, declarations of members of the Tribunal, shall, *mutatis mutandis*, be as provided for in Articles 47, 52, 54, 55, and 56.

## Section 5

- (a) The Judicial Body set up by way of arbitration (hereinafter referred to as "The Arbitration Tribunal") shall be constituted on the basis of each party to the dispute appointing from among the Zionists of the Country one arbitrator and the Arbitrators choosing a Chairman. The Arbitration Tribunal shall decide by majority of votes;
- (b) should, however, the Arbitration Tribunal consist of an even number of Arbitrators, the Chairman shall have a casting vote.

The procedure for the appointment of the Attorney of the Territorial Zionist Organisation, his powers as well as the particulars for bringing into being the Arbitration Tribunal shall be set out in the Constitution of the Zionist Territorial Organisation or in Regulations framed thereunder.

## *Article 58*

### *Section 1*

The decisions of the Judicial Body shall be appealable, provided the Constitution or Regulations thereunder of the Zionist Territorial Organisation so stipulates or, in the absence of such stipulation, the parties agree that the decision is appealable.

Appeals on  
decisions  
of the Judicial  
Body

### *Section 2*

- (a) The Appellate Tribunal from a Zionist Territorial Tribunal shall be the Congress Tribunal;
- (b) the Appellate Tribunal from an Arbitration Tribunal shall be constituted by each party to the dispute, appointing one member of the Tribunal. The Chairman of the Appellate Tribunal shall be appointed by the Chairman of the Congress Tribunal on the application of any party to the dispute. The provisions of Article 57, Sec. 5 shall apply to the manner in which decision is reached.

### *Section 3*

The decisions of the Appellate Tribunal shall be final.

### *Section 4*

The precise procedure for the hearing of appeals as provided for in this Article shall be set out in the Constitution of the Zionist Territorial Organisation or in Regulations framed thereunder.

## **VI**

### **ACCOUNTING PERIOD**

#### *Article 59*

The Financial Year of the World Zionist Organisation shall be fixed by the Council.

Financial  
Year



## VII

### THE COMPTROLLER

#### *Article 60*

##### *Section 1*

Status and  
Functions of  
Comptroller  
and Deputy  
Comptroller

The Comptroller shall inspect the financial and economic activities of the World Zionist Organisation and its officers and institutions of every kind.

##### *Section 2*

The Executive shall submit to the Comptroller, not later than six months after the termination of the Financial Year of the World Zionist Organisation, a report on the income and expenditure of the World Zionist Organisation during that year and a balance sheet of its assets and liabilities. The Executive shall make available all the documents required by the Comptroller for his examination.

##### *Section 3*

The Congress or Council may elect a Deputy Comptroller. In urgent cases the Presidium of the Council may elect a Deputy Comptroller, subject to the approval of the Council at its next session.

##### *Section 4*

The term of office of the Comptroller shall be from the Congress which elected him to the termination of the following Ordinary Congress. If during the inter-Congress period the post of Comptroller falls vacant for any reason whatsoever, the Council shall elect a new Comptroller, and pending his election the functions of the Comptroller shall be carried out by the Deputy Comptroller.

##### *Section 5*

The Comptroller shall present a report on the results of his inspection to the Congress and to the Council and, upon demand, to the Permanent Budget and Finance Committee established by the Council (Article 30, sec. 3).

### *Section 6*

The Comptroller and the Deputy Comptroller shall be independent of the institutions and bodies inspected by them and responsible only to the Congress and the Council.

### *Section 7*

The Comptroller and the Deputy Comptroller cannot be elected as delegates of the Congress and cannot be members of the Executive or members of the Council (except for membership in the Council under Art. 32 sec. 3d) or members of the judicial bodies of the World Zionist Organisation.

### *Section 8*

The details of the powers and functions of the Comptroller and his Deputy, their modes of activity and working procedure shall be determined by special Statutes adopted by the Congress or the Council.

## CHAPTER THREE

### TERMINATION AND SUSPENSION OF MEMBERSHIP

#### *Article 61*

Every Member may withdraw from membership in the World Zionist Organisation at the expiration of not less than six months after giving written advance notice to the Executive. The withdrawing Member is bound to fulfil all its monetary obligations towards the World Zionist Organisation.

Termination of  
membership

#### *Article 62*

If a Member has not paid the membership dues imposed on him under the provision of Article 5, Section 5, within the fixed time-limit, the Executive may, after warning, suspend all or any of his membership rights in the World Zionist Organisation until the debt is paid.

Suspension of  
membership  
rights

## CHAPTER FOUR

### STATE OF EMERGENCY

#### *Article 63*

##### *Section 1*

##### Emergency provision

If by reason of an unexpected and unusual situation it is necessary to deviate from any of the provisions of this Constitution or of any other law of the World Zionist Organisation or from the decisions of the Congress or the Council, the Executive may, after hearing the opinion of the Attorney and the Chairman of the Tribunal, propose to the Presidium of the Council that in the particular case brought before it a deviation from the Constitution or from some other law of the World Zionist Organisation or from the decisions of the Congress or the Council be permitted. The proposal of the Executive shall be accompanied by the opinion of the Attorney and the Chairman of the Tribunal. A decision of the Presidium of the Council permitting the deviation shall be valid, if passed in the presence of not less than two thirds of the members of the Presidium by a two thirds majority of those present. If the voting is in writing or by telegraph, the decision shall be valid, if two thirds of all the members of the Presidium take part in the voting and the decision is adopted by a two-thirds majority of those voting.

##### *Section 2*

The Executive shall notify the Council of the decision, while referring to this provision, and shall submit it for approval to the Council at its next session or, if a session of the Council does not take place before the convening of the Congress, to the Congress. Upon the refusal of the approval by the Council or the Congress the decision becomes void; but its voidance shall not affect the validity of any arrangements made in the meantime by virtue thereof.

## CHAPTER FIVE

### AMENDMENT OF THE CONSTITUTION

#### *Article 64*

The decisions to amend the Constitution shall be valid, if they have been adopted in the presence of the majority of the Congress delegates by a two thirds majority of those voting.

Decisions on  
Amendment of  
the Constitution

The Congress may decide in the presence of the majority of the Congress delegates, by a majority of two thirds of those voting, to delegate its powers to amend the Constitution to the Council only. The Council must not delegate this power to another organ or body. In the case of such delegation the decision of the Council shall be valid if it has been adopted in the presence of the majority of the members of the Council entitled to vote by a two thirds majority of those voting.

## CHAPTER SIX

### FINAL PROVISIONS

#### *Article 65*

The Congress, the Council and the Executive shall be authorised to issue Regulations for the implementation of this Constitution, insofar as such Regulations are required. The Regulations of the Executive are subject to the confirmation by the Council.

Regulations

#### *Article 66*

##### *Section 1*

Except for the Regulations relating to the composition of Shekel Boards and Election Committees, which have been adopted by the Council at its session in December 1959-January 1960 and which apply also to the Shekel campaign 5720 and the elections to the 25th Zionist Congress, the aforesaid Shekel campaign and elections shall be conducted in accordance with the provisions which were in force at the time of the adoption of this Constitution.

Coming into  
force of  
Constitution

## ***Section 2***

Save for the provisions of the following Articles, this Constitution shall come into force on the day which shall be fixed and promulgated by the Executive, but not later than on September 1st, 1960.

Articles 53, 54 shall come into force upon the convening of the 25th Zionist Congress;

Articles 5—sec. 5, 18, 19–24, 32, 35, 42, second sentence, 46–52, 55–57, shall come into force upon the close of the 25th Zionist Congress.