Judah Leib Magnes: The Last Year

Monty Noam Penkower

On 28 October 1948, one day after the passing of Judah Leib Magnes, a long obituary in the *New York Times* took note that he was one of the modern builders of the liberal tradition in America and for forty years "an outstanding cultural leader in American and world Jewry." The obituary went on to mention his service as the spiritual leader of Temple Emanu-El (Reform) and Congregation B'nai Jeshurun (Conservative)—both of which he left because he preferred a more Orthodox Judaism; his chairing of the New York City Kehilla organization and its Board of Jewish Education; his association with American labor causes; and his vocal pacifism during World War I. In 1922 Magnes immigrated to Palestine, where he became chancellor of the Hebrew University three years later. The obituary noted that his hope was for the first Jewish university to serve as a permanent home for the tradition of science, learning, and ethical dedication among the Jews, "not to achieve nationalistic aims but to enable Judaism to carry on its historical role as an interpreter and mediator among nations." This meshed with his calling for cooperation with the Arab population toward a bi-nationalist Palestine state, which would take its place within an Arab federation in the Middle East.[1]

Magnes's proposal for Palestine was one of many competing positions during that time. In fact, Magnes had chosen not to join forces with the like-minded Brit Shalom (1925–1933), a small group founded by philosophers Samuel Hugo Bergman and Martin Buber, historian Hans Kohn, kabbalah scholar Gershom Scholem, and Palestine Land

1 *New York Times*, 28 October 1948. For Magnes's pioneering activities to establish a comprehensive communal structure for New York City's Jewish community, see Arthur A. Goren, *New York Jews and The Quest for Community: The Kehillah Experiment, 1908–1922* (New York: Columbia University Press, 1970).

Development Company head Arthur Ruppin. This group advocated one state based on parity between the Arab and Jewish populations. Magnes favored the British mandatory's proposed scheme in 1936 for a legislative council, which Jewish Agency for Palestine political director Moshe Shertok (later Sharett) feared would give the Yishuv (Palestinian Jewish community) permanent minority status. In June of that year, together with a few other prominent individuals, Magnes drew up a Jewish-Arab agreement. This agreement included Arab nationalist Musa al-Alami's proposal that the Jews reach 40 percent of the total population after ten years. Subsequently, the British Peel Commission came forward with a plan to partition Palestine into an Arab and a Jewish state; Arthur Hays Sulzberger, publisher of the *New York Times*, objected to this, instead championing Magnes's plan. However, the Peel Commission plan was endorsed by First Palestine High Commissioner Herbert Samuel, former Palestine Attorney General Norman Bentwich, Kedma Mizraha founder Chaim Kalvariski-Margalioth, American philanthropist Felix Warburg, and a few other eminent figures, as well as the British Colonial and Foreign Offices. Yet the sustained Arab Revolt in Palestine (1936–1939), accompanied by slight prospects for true reconciliation from Grand Mufti Haj Amin al-Husseini and other leaders on the Arab side, soon put paid to any such hopes.[2]

"I am personally ready to yield Jewish political sovereignty in Palestine," Magnes wrote in October 1937 to Rev. John Holmes in New York City, "if through that I can secure—over a long period of years and over large stretches of the Arab world—the settlement of large numbers of Jews and their peaceful living and working together with the Arabs."

2 Monty Noam Penkower, *Palestine in Turmoil: The Struggle for Sovereignty, 1933–1939* (New York: Touro University Press, 2014), vol. 1, "Prelude to Revolt, 1933–1936," 250, 292, 304; vol. 2, "Retreat from the Mandate, 1937–1939," 413, 418, 421, 438, 449–451, 455–460, 479–481, 490–491, 506, 535n31; Adi Gordon, ed., *Brith Shalom and Bi-National Zionism: "The Arab Question" as a Jewish Question* [Hebrew] (Jerusalem: Carmel, 2008); Dmitry Shumsky, *Between Prague and Jerusalem: Prague Zionists and the Origins of the Idea of a Binational State in Palestine* [Hebrew] (Jerusalem: Shazar Center, 2010). The eminent Yishuv leaders who endorsed Magnes's June 1936 Jewish-Arab agreement included Judge Gad Frumkin; Pinhas Rutenberg, founder of Palestine Electric Company; Moshe Smilansky, head of Farmers' Federation; and Moshe Novomeysky, Palestine Potash Ltd. founder.

He joined with leaders of some Yishuv parties, former Brit Shalom and Kedma Mizraha members, and others to establish the League for Jewish-Arab Rapprochement and Cooperation, whose March 1939 pamphlet, *Al Parashat Darkenu* (At Our Crossroads), embraced the bi-nationalist banner. Five months later, Magnes expressed his doubts to Edward Norman, an American Jewish philanthropist. Norman had proposed a plan to transfer a large number of Palestine Arabs to Iraq's unsettled, fertile valley between the Tigris and Euphrates rivers, thus facilitating considerable Jewish entry into the biblical Promised Land. That way, Magnes objected, "many more" Jews could be settled in Palestine "if we insist upon a Jewish state or a Jewish majority in Palestine," but certainly not in Arab lands. The German *Wehrmacht*'s swift invasion of Poland, unleashing World War II, would not alter his overall perspective.[3]

Magnes's strictures aligned with those of Morris Lazaron, rabbi of Baltimore Hebrew Congregation. Their opposition to militant Zionist nationalism—especially in light of the 1941 pro-Nazi revolt in Iraq and German General Edwin Rommel's grave threat vis-à-vis the Suez Canal—suited the anti-Zionist mandarins in the U.S. State Department's Near Eastern Division and its head, Wallace Murray. At the end of July, Sulzberger enthusiastically publicized Magnes's credo for a bi-nationalist Palestine within an Arab federation. This, in turn, evoked American Zionist elder and American Jewish Congress President Stephen Wise's lament that "we have a man of [Magnes's] influence and power more concerned with messianic union with the Arabs than insuring the little for which we ask and to which we are more than entitled."[4]

3 Magnes to Holmes, 24 October 1937, SC-5164, American Jewish Archives, Cincinnati, OH (hereafter AJA); Susan Lee Hattis, *The Bi-National Idea in Palestine during Mandatory Times* (Haifa: Shikmona, 1970); Magnes to Norman, 15 August 1939, file P3/207, Central Archives of the History of the Jewish People, Jerusalem (hereafter CAHJP). For a broader, historical context of "transfer" solutions in the Middle East during the interwar period, see Laura Robson, *States of Separation: Transfer, Partition, and the Making of the Modern Middle East* (Oakland: University of California Press, 2017), particularly ch. 3.

4 Monty Noam Penkower, *Decision on Palestine Deferred: America, Britain and Wartime Diplomacy, 1939–1945* (London: Frank Cass, 2002), 75, 85–86.

Magnes signed the majority, bi-nationalist conclusions of the Jewish Agency's Committee on the Arab Question, remarking that "if there is no other way then the whole thing is not worthwhile." In August 1942 he led the way to the formation of the Ihud (Union) party, which continued his earlier efforts to create a religious society that would be politically engaged, focusing on shared moral sensibilities that could result in reconciliation between communities in conflict. At the Ihud's first meeting, Magnes condemned the Jewish Agency's embrace of the Biltmore Program, whose recent call for a Jewish state in Western Palestine would lead to a war that might destroy the Yishuv or create "a pagan state like all the nations." Joining Magnes's condemnation were many of his fellow League activists: Buber; Kalvariski; Farmer's Federation head Moshe Smilansky; educator Ernst Simon; Rabbi Binyamin (Yehoshua Radler-Feldman); the journalist Gavriel Stern; Justice A. Valero; Hadassah founder Henrietta Szold; and leaders of the left-wing Hashomer HaTsa'ir party. Lazaron, active just then in the incipient formation of the anti-Zionist American Council for Judaism (ACJ), publicized—without authorization—Magnes's private letter to him critiquing current Jewish nationalism as "unhappily chauvinistic and narrow and terroristic in the best style of East European nations." Magnes's article a few months later in the prestigious journal *Foreign Affairs*, calling for an imposed Anglo-American bi-national solution, delighted the State Department's secret postwar planning staff, which worried about Arab unrest and was skeptical of Palestine's capacity for additional immigration.[5]

At the end of World War II in Europe, however, no responsible Palestinian Arab leader had ever endorsed a bi-nationalist state. Already in the 1930s, Palestinians al-Husseini, al-Alami, and Auni Bey Abd al-Hadi, together with Saudi Arabia's King Abdul Aziz Ibn Saud and other Muslim rulers, had voiced strident opposition to Zionism. In a letter

5 Ibid., 121–123, 153–156, 202, 367; Paul R. Mendes-Flohr, "The Appeal of the Incorrigible Idealist," in *Like All the Nations? The Life and Legacy of Judah L. Magnes*, ed. W.M. Brinner and M. Rischin (Syracuse: Syracuse University Press, 1987), ch. 10; Judah Magnes, "Towards Peace in Palestine," *Foreign Affairs* 21 (1943): 239–249. Also see Yosef Heller, *MiBrit Shalom Le-Ihud* (Jerusalem: Magnes Press, 2003).

to Magnes one week after the Japanese surprise attack on Pearl Harbor, Rashid al-Haj Ibrahim, former leader of the Istiqlal Party (the first native Palestinian group to urge collaboration with Italy and Germany), dismissed even Magnes's solution by publicly listing his people's demands: "Non-recognition and cancellation of the Balfour Declaration, total opposition to Jewish immigration, non-recognition of any Jewish rights whatsoever, and further promotion of Arab aims at this time and at all times to come until our freedom and independence are fully restored." Haj Amin's alignment with Hitler during the war notwithstanding, an Arab League had been created with British encouragement, and five Arab independent nations could bring great weight to bear on Palestine's future. Seen in this context, Ihud's dream of peaceful coexistence in one small country increasingly appeared a chimera.[6]

The pressing plight of Holocaust survivors had a strong impact on Magnes, who in October 1945 flatly told U.S. Consul-General Lowell Pinkerton in Jerusalem that, counter to the stringent British quotas of the May 1939 White Paper, he would help "with all the means at his disposal" any Jewish refugees who arrived. Yet that same month, the Royal Institute of International Affairs's Chatham House—former home to Harold Beeley, Foreign Minister Ernest Bevin's chief advisor on Palestine—began preparing a paper for the Anglo-American Committee of Inquiry on Palestine that started with Magnes's bi-nationalist views coupled with an extension and adaption of the Ottoman millet system, which gave Arab and Jew a measure of autonomy. On the other hand, it was precisely the need to transfer Europe's Jews as soon as possible to Palestine and achieve a Jewish majority that led Eliyahu Epstein (later Eilat), the Jewish Agency's Washington representative, to urge Shertok in January 1946 to press for partition. Epstein argued that the partition was the only realistic alternative to the bi-nationalism that Magnes and HaShomer HaTsa'ir advocated, which would require a permanent international trusteeship or soon develop into an Arab state.[7]

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6 Penkower, *Decision on Palestine Deferred*, 209, 367. The Balfour Declaration of 2 November 1917 pledged that Great Britain would "facilitate the establishment of a Jewish National Home in Palestine."

7 Hooper to Byrnes, 13 October 1945, report XL 24351, RG 226, State Department

Magnes appeared before the Anglo-American Committee of Inquiry on Palestine at Jerusalem's YMCA on the afternoon of 14 March 1946. His delivery, preceded by Buber's presentation of their Ihud Party's platform, appealed to most of the committee. His approach when calling for a bi-national state with Jewish and Arab parity held his audience "almost breathless"—U.S. member James G. McDonald's phrase—for more than two hours. All found his statement eloquent at times, deeply moving, and showing a moral courage that, according to a *Palestine Post* editorial, would not find its Arab counterpart. Many listeners had tears in their eyes, and U.S. Chair Joseph C. Hutcheson went up to congratulate him, quoting from John 1:47: "Here truly is an Israelite in whom there is no guile." However, some, including McDonald, thought Magnes's advocacy not at all practical—a "utopia," in British member Richard Crossman's judgment, unless all the Jews were as patient and rational as Magnes, the Arabs uncertain that the British were on their side, and all of His Majesty's Government's key Middle Eastern officials replaced by people who believed in the Jewish national home promised in the Balfour Declaration and in helping Arabs and Jews to work together. In fact, Magnes himself, in reply to British member Wilfrid Crick, objected to altering his institution's name to "the University of Palestine" and advocated continued Jewish immigration (much as Mordechai Bentov of HaShomer HaTsa'ir joined it to bi-nationalism in a private talk with the sympathetic Hutcheson). For Crossman, the difference between moderates, such as Magnes and World Zionist Organization President Chaim Weizmann, and militants, such as Jewish Agency Executive Chair David Ben-Gurion, was one of principle. (Arab representatives thought

files, National Archives, Suitland, MD (hereafter NA); Epstein to members, 28 December 1945, L35/98, Central Zionist Archives, Jerusalem (hereafter CZA). For Magnes's support of the Anglo-American Committee, see Magnes to Hinden, 27 December 1945, folder 221, Judah Magnes MSS, Hebrew University, Jerusalem; Epstein to Shertok, 25 January 1946, Z4/30969, CZA. For the Anglo-American Committee of Inquiry on Palestine, see Monty Noam Penkower, *Palestine to Israel: Mandate to State, 1945–1948* (New York: Touro University Press, 2019), vol. 1, *Rebellion Launched, 1945–1946*, chs. 2–3. The 1939 White Paper limited Jewish immigration to Palestine to 75,000 in the next five years, thereafter only with Arab consent. Fearing what it called a "flood" of Jewish refugees, the Foreign Office doled out even these legal certificates, that number expiring in October 1945.

Magnes more dangerous than Ben-Gurion.) It was all, he concluded, a question of tactics.[8]

Magnes welcomed the Anglo-American Committee's recommendation of a bi-national state and the immediate admission of 100,000 Holocaust survivors to Palestine. At the same time, he cautioned Palestine's sympathetic high commissioner, Alan Cunningham, that the Yishuv could not be asked to renounce its right to self-defense—the proviso announced by Prime Minister Clement Attlee—if the report were to be accepted, given its "unhappy bitter experiences" of Arab attacks. Yet the public tide in America, as in Palestine, was steadily running against the moderation called for by Magnes and Weizmann; for example, Magnes was unable to persuade Eleanor Roosevelt to drop her sponsorship of Ben Hecht's pageant-drama *A Flag is Born*, a defiant call for Jewish statehood that was sponsored by the right-wing Irgun Tsva'i Leumi-allied American League for a free Palestine. Further, Magnes's testimony on 15 July 1947, before the UN Special Committee on Palestine (UNSCOP), made less of an impression than that of the Jewish Agency's Shertok, who noted that the two fundamental events in modern Jewish history—the destruction of European Jewry and the Yishuv's renaissance in Palestine—were "two poles which, between them, galvanized the Jewish national will into action." Permanent stability in Palestine could only come, Shertok emphasized, by "satisfying the craving of the Jewish people" for sovereignty in their historic homeland. UNSCOP's majority partition report on 1 September—welcomed even by the dissenting HaShomer HaTsa'ir, Ahdut HaAvoda, and Revisionist Zionist parties as forming a basis for negotiation—brought Magnes to tears. It would

8 Azriel Carlbach, *Va'adat HaHakira HaAnglo-Amerikanit L'Inyanei Eretz-Yisrael*, vol. 1 (Tel-Aviv, 1946), 386–403; William Phillips diary, MS Am 2232, 14–15 March 1946, Houghton Library, Harvard University, Cambridge, MA; Richard Crossman, *Palestine Mission: A Personal Record* (New York: Harper & Bros., 1947), 132–134; Mordechai Bentov, *Yamim Mesaprim: Zikhronot MeHaTekufa Hamachra'at* (Tel Aviv: Sifriyat Po'alim, 1984), 86–87; Ben-Tov interview with the author, 26 August 1976. Hutcheson would repeat his appreciation of Magnes's views while criticizing "Russian influence" in the kibbutzim. Lefever report, 30 March 1946, C25/6522, CZA. For Arab views of Magnes, see Teller report, 21 March 1946, Box 1534, Jewish Welfare Board Archives, New York; report, "Arab Political Life," 20 March 1946, S25/22831, CZA.

mean war, he told a close friend, and the end of everything for which he and his followers stood against; the result would be a "dismembering" of the country.[9]

Seeking to secure Ihud's political objectives, Magnes backed—with some revisions—the UNSCOP minority report of a unitary, confederated state with two autonomous areas as the basis of discussion. He listed these alterations in a letter to the *New York Times* at the end of September: The boundaries should constitute a form of partition, divided into counties for purposes of local administration. The two peoples should have political parity, and the Federal Court of Appeals on constitutional matters should be composed of an equal number of Jews and Arabs. Jewish immigration should be permitted in all parts of Palestine up to parity with the Arabs. His original draft added that Sami Taha and Fawzi Darwish al-Husseini, who had called for bi-nationalism before their assassination at Arab hands, reflected "the true vision of the Holy Land to guide the United Nations, not the despair of the defeatists and chauvinists." "Give these two peoples the chance they never had of self-government *together,*" he asserted, "and through systematic work day by day, year by year, their response will be increasingly joyous and constructive."[10]

In a letter to Cunningham, Magnes posited that Britain had a moral obligation not to leave with "nothing to replace her." Together with Buber and Smilansky, he cabled General Assembly President Herbert Evatt of Australia to encourage work toward Ihud's program for a bi-national Palestine in a league of Middle East states, which would be represented at the United Nations by an equal number of Jews and Arabs. That single, independent entity would offer complete political equality between Jew and Arab; Jewish immigration and continued settlement would be according to the country's economic capacity, determined by a board of three Jews,

9 Magnes to Hinden, 1 May 1946; Magnes to Cunningham, 5 May 1946; both in Magnes MSS, 249, CAHJP; *HaMashkif*, 5 December 1946; *Foreign Relations of the United States (FRUS), 1947*, vol. 5 (Washington, DC, 1971), 1126–1129; *Jewish Telegraphic Agency* (hereafter *JTA)*, 15 July 1947; Magnes draft statement, n.d., Magnes MSS, 138, CAHJP.

10 Magnes to Ernst Simon, 8 October 1947, file 4-1751/K4, Ernst Simon MSS, National Library of Israel, Jerusalem (hereafter NLI); Arthur Goren, ed. *Dissenter in Zion* (Cambridge: Harvard University Press, 1982), 451–456.

three Arabs, and three UN-appointed delegates; and it would allow for the fullest autonomy of both peoples. This would be preceded, the trio added, by "generous immediate immigration [of] Jewish displaced persons."[11]

Magnes was convinced that attacks on British troops and Arab citizens by the dissident Irgun and Stern group forces were, as he put it to Simon, the "decisive factor" in the partition recommendation. He condemned these assaults that the extremists defended as an effective method of reestablishing a Jewish commonwealth. On 29 October, at the opening of the twenty-third year of the Hebrew University, Magnes condemned Zionist "totalitarianism," which he said was trying to bring the entire Jewish people under its influence "by force and violence." Those who did not speak out against the "foul deeds" of "this new pagan leadership" were also to be held responsible. He called for voices to raise the alarm, not because of anxiety for "the national discipline" but of anxiety concerning discipline to "the spirit of Israel and the timeless values of Israel's tradition." The *New York Times*, which had also declared that all Jews in the United States must share in this guilt, featured his condemnation.[12]

Simon, then on leave to teach at the Jewish Theological Seminary (JTS) in New York City, questioned the propriety of the individual dissenter continuing to attack the recommendation of the majority, even if it were "for the sake of Zion." Such behavior, he wrote to Ihud member and veteran agricultural pioneer-pacifist Natan Hofshi (formerly Frankel) of Nahalal, that such tactics carried the quality of the "lyrical," not reaching the realm of actuality. We have failed, he concluded, in that Ihud's ideas were appropriated by the anti-Zionists; "we were wrong in depending upon them." Magnes disagreed, asserting that as long as partition remained an uncertainty, his tactics were to oppose it—at the opportune moment publicly, and when times were not propitious, then privately.[13]

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11 Magnes to Cunningham, 10 October 1947, file P3-2/18, CAHJP; Cable to Evatt, 27 October 1947, file 4-1751/K4, Ernst Simon MSS, NLI.

12 Magnes address, 29 October 1947, Lewis Strauss MSS, box 1, P-632, American Jewish Historical Society, New York; *New York Times*, 30 Oct. 1947.

13 Goren, ed., *Dissenter in Zion*, 456–458. "For the sake of Zion" is taken from Isaiah 62:1. The phrase continues: "I shall not be silent."

Accounts that the special session of the General Assembly might save his beloved Jerusalem from partition gave Magnes some hope in the third week of November. The city's "unifying influence" might in time heal the "surgical operation" on the rest of the country, he thought. "It has been a fearful experience for me all these weeks and days" that the "sacred land" was being bargained over and cut up "like a piece of beef," Magnes wrote to Maurice Hexter, Federation of Jewish Philanthropies executive in New York. It was not just a wound in his own heart, Magnes was certain, but in all of Jewish history. "Time will tell," he concluded wistfully.[14]

On 27 November Magnes cabled Sulzberger requesting that he distribute to the General Assembly delegates—without necessarily identifying himself with its message—a telegram in case deadlock over Palestine ensued, but not to publish the document without further approval. It read:

> Listened attentively Palestine debate astonished contention that Arabs Jews cannot live together and that partition or Arab dominated state or chaos only alternatives. Jews and Arabs do live and work together today and despite all contrary statements don't desire separation but union. Real alternative bi-national united Palestine based upon equal political rights and national autonomy both peoples and Jewish immigration and settlement according economic capacity as determined and developed for entire population by economic board consisting three Jews three Arabs three United Nations appointees. If special U.S. status practicable for Holy City of Jerusalem with 200,000 Jews Arabs and others why not for whole undivided Holy Land? Meanwhile pending definitive arrangements homeless Jews yearning for Zion should be admitted without further delay. Such bi-national compromise would guarantee vital interests both peoples and would be accepted by them without bloodshed and welcomed by men of goodwill everywhere. Please cable.

Sulzberger chose not to distribute the telegram as requested.[15]

The next morning, Pakistan delegate Zafrullah Khan proposed a

14 Magnes to Hexter, 20 November 1947, file 18/4, Jacob Billikopf MSS, AJA.

15 Magnes to Sulzberger, 27 November 1947; Magnes to Hexter, 1 December 1947; both in file 11/12, Billikopf MSS, AJA.

unitary federal state with cantons and praised Magnes's "noble and wise" steps in this respect. Former UNSCOP member Jorge García Granados of Guatemala rebutted immediately with an attack on the British mandatory's failures; charged that the Arab Higher Committee under Haj Amin would never agree to concessions; declared that the world had an obligation after the Holocaust to the Jewish people; and lauded the Zionist enterprise for already having laid the foundations for the spiritual, social, and political independence of a Jewish commonwealth in Eretz Israel. The die was cast the following day; the vote was thirty-three to thirteen in favor of partitioning Palestine into two independent states, with ten abstentions and one absent. "Any line of partition drawn in Palestine will be a line of fire and blood," shouted Arab League Secretary Azzam Pasha as the furious Arab delegations left the hall.[16]

"We have failed 'for all eternity,'" Magnes wrote to his Ihud colleagues on 30 November 1947. That sense of defeat, he explained, rested not only in the General Assembly's vote one day earlier to partition Palestine into two separate Jewish and Arab states. The committee's plan of championing Arab-Jewish reconciliation by means of a bi-nationalist Palestine had not even achieved the appointment of a special United Nations subcommittee to study this scheme and its implementation. In light of Ihud's failure to achieve its primary political objective, the committee now had to consider if it yet had special tasks, such as continued engagement in moral and educational efforts, to justify its existence. Magnes, who had led the organization's creation five years earlier and served as its chair, considered himself responsible for its failure. Although he would be happy to continue to work with such "dedicated, enlightened" friends should the organization continue, he no longer felt qualified to serve as its leader. He hoped that they would understand the validity of his next step: resignation.[17]

That same day, Palestine's Arabs launched a civil war. Unlike Magnes,

16 Eliahu Eilat, *HaMa'avak 'al HaMedina*, vol. 2 (Tel-Aviv: Am Oved, 1982), 449–452; Ruth Gruber, *Witness* (New York: Schocken, 2007), 158.

17 Magnes to Ihud Political Committee, 30 November 1947, Ms.Var. 350/7, Martin Buber MSS, National Library of Israel (NLI), Jerusalem.

who stood ready to resign over the defeat of all for which he had stood, Ben-Gurion issued a statement declaring that the General Assembly's vote to give his people a sovereign commonwealth in part of its ancient homeland was "an act of historic justice, compensating at least partly for the unparalleled wrong to which the Jewish people were subjected for 1,800 years." It represented a "great moral victory" for the very conception of the United Nations, the international body standing for cooperation in the cause of peace, justice, and equality all over the world.[18]

After the Mandate: Backing a Trusteeship

In the aftermath of the General Assembly's vote for two states in Palestine, Magnes wrote that the "political impotence" exhibited by Ihud, HaShomer HaTsa'ir, and particularly himself led to their suffering a defeat "for which we are hardly to be forgiven." The United States "pinch[ed] the arm" of enough dependent countries to have partition go through, and many delegates erred in averring that there were no alternatives to either partition or chaos; the minority report and bi-nationalism did offer other options, Magnes wrote. The British mistakenly pointed to the Arab Higher Committee as the authoritative representative of the Palestine Arabs; Cunningham threatened chaos; and London officials did not try to have the problem settled through the Trusteeship Council, as provided in the UN Charter. The Arabs' own "intransigence as usual" attitude—that Palestine must be an Arab state or nothing—contributed to the unfortunate result, while the Jewish Agency, which had placed "all its cards" on partition, was only too eager to have the delegates believe that chaos was the sole alternative to partition.[19]

Magnes, meanwhile, focused on another reason to blame himself for the failure of bi-nationalism. The previous February the seventy-year-old, who had been diagnosed with a heart condition, heeded doctors' orders not to travel. Therefore, he did not go to London, where he might have helped change the British attitude in favor of Ihud's bi-nationalism. Nor was he given the green light to travel to the United States in November

18 *JTA*, 1 December 1947.

19 Magnes to Hexter, 1 December 1947, Ms. Var. 350/7, Buber MSS, NLI.

to participate in the General Assembly discussions, where bi-nationalism was omitted from the order of business, and country after country stated that there was no alternative to partition. To Magnes, a man trying to achieve political results "must kick the doctors into the pit and go," and not having done so, he believed, constituted a failure on his part.

Despair seized the man as the "same business" began all over again in Palestine. Convoys continued to guard for potash lorries, stonings of the University-Hadassah Hospital bus to Har HaTsofim (Mount Scopus) went on, convoys were needed for funerals of those killed by Arab gunfire. Road blocks, children lifting closed fists, strikes—it all reflected "the same harbingers of a spring-time of blood." As for Ihud's future, Magnes acknowledged to Simon that it lacked administrative strength. Perhaps, he suggested, its ranks should now disband and seek other organizational venues.[20]

On 29 January 1948 Magnes, Buber, and David W. Senator, a former member of the Jewish Agency who had resigned years earlier to protest the increasing activist militancy of his colleagues, issued a ringing declaration of moral protest and an appeal to "the people of Jerusalem" and, particularly, "to our Jewish brethren" to desist from mob violence and reprisals. The *Palestine Post* considered their public *cri de coeur* "a Quislingism and a stab in the back of the Jewish cause" and refused to publish the following:[21]

> Acts of barbarism have been multiplying with startling rapidity throughout the country. The aged, women, children have not been spared. Happily there are instances where Arabs have risked their lives to save Jews, and Jews to save Arabs. But men, women and children, innocent of all crime, are being murdered in increasing numbers before the very eyes of passers-bye [*sic*]; and even in the presence of the security forces themselves.

20 Magnes to Hexter, 1 December 1947, Ms. Var. 350/7, Buber MSS, NLI; Magnes to Simon, 11 December 1947, file 4-1751/K4, Ernst Simon MSS, NLI.

21 Simon to Magnes, 17 March 1948, file 4-1751/K5, Ernst Simon MSS, NLI. Vidkung Quisling was a Norwegian army officer whose collaboration with the Germans in their occupation of Norway during World War II established his name as a synonym for "traitor."

> We appeal, more particularly, to our Jewish brethren: do not desecrate our name and honor! If we also follow the rabble and the incited mob, not only shall we achieve nothing positive, but we shall only be contributing to the worsening of the situation, to an increase of hatred, and to reprisal after reprisal, without distinction and without mercy. We appeal to public opinion and to the Jewish leadership to take every possible step to prevent these vicious mob attacks. Let these recent regrettable incidents serve as a warning, not to let the mob rule us, not to destroy with our own hands the moral foundations of our life and our future.

Come February, Magnes mused to Buber that the current tragedy did not reside in "confusion and sorrow, the loss of precious, irretrievable human lives, struggles and more struggles whose end cannot be foreseen"; it lay in the fact that, as in the days of the prophet Micah (3:9–10), "the rulers of the House of Jacob and the chiefs of the House of Israel … build Zion with blood." Throughout human history, states were almost invariably created with blood and injustice, he continued, and the terrible sufferings that Jews have had to endure have been so unbearable "that they have deprived us the capacity to be patient. We have been incapable of contenting ourselves with daily creative work for a prolonged period of time, and we have fallen prey to the Fata Morgana of the state, as though it were a shield that could defend us against the enmity of the peoples." In Magnes's 9 February letter to the editor of the *New York Times*, he called for the UN Security Council to demand a truce and mediate between the two sides.[22]

Across the Atlantic, Ernst Simon viewed the Palestine situation as dangerous not only for those living in Palestine but for the whole of world Jewry. He sought to form a group that would endorse the Magnes-Buber-Senator proclamation. In early March he held almost daily conferences with a range of Jewish leaders—psychologist Erich Fromm, biochemist David Nachmansohn, Freeland League of the Jewish Territorial Organization founder Isaac. N. Steinberg, *Commentary* founder-editor

22 Nahum Glatzer and Paul Mendes-Flohr, eds., *The Letters of Martin Buber: A Life of Dialogue*, trans. Richard and Clara Winston and Harry Zohn (Syracuse: Syracuse University Press, 1991), 528; *New York Times*, 9 February 1948.

Elliot E. Cohen, and political scientist Hannah Arendt—to produce a religious and moral statement signed by the spiritual leaders of American Jewry. Albert Einstein signed the draft, and prominent Holocaust survivor and Reform theologian Leo Baeck agreed to join the group in a meeting at Fromm's home on 24 March. JTS President Louis Finkelstein agreed "emphatically" with the draft but did not feel that he could sign any pronouncements in view of his special position as head of the Conservative movement. Leon Simon, chair of Hebrew University's Executive Council, did not agree with the whole matter, however. He warned Magnes not to support the Committee for Justice and Peace in the Holy Land, which had been founded in February by Kermit Roosevelt and former Barnard College Dean Virginia Gildersleeve and was considered anti-Zionist and pro-Arab.[23]

Prior to the meeting at Fromm's home, Ernst Simon sought Magnes's reaction on 17 March to this joint endeavor. Simon explained that the same group, which was prepared to identify itself with Magnes's name on a more moral than political matter, might be ready to do so even on a political level if the time arose. The declaration would oppose methods by groups in Palestine that threatened Jewish settlement and conflicted with the fundamental spiritual and moral principles of the Jewish heritage. Only methods that were defensible on moral grounds, his draft statement went on, could reinforce "the peaceful tendencies in the Arab population" and thus prepare the cooperation of Jewish and Arab groups in Palestine—a necessary condition for a "peaceful and productive development of and for further large-scale Jewish immigration into the Holy Land." Simon thoroughly opposed any political step that might counteract the Jewish Agency's endeavors to secure an international police power for Palestine, yet he thought that the group he had assembled had to prepare for the moment when partition and its international implementation failed. At that moment, he concluded, Magnes should be in America, if his health permitted it. Hexter had spoken with Magnes by telephone, expressing the hope that he would

23 Simon to Finkelstein, 10 March 1948, file 4-1751/S1/A.F.; and Finkelstein to Simon, 22 March 1948, file 4-1751/K5; both in Ernst Simon MSS, NLI; Goren, ed., *Dissenter in Zion*, 467–472.

come to America to campaign for this end, and Simon continued to believe that was possible.[24]

Two days later, UN Ambassador Warren Austin announced that the U.S. delegation would retreat from partition in favor of a temporary Palestine trusteeship. This move shocked the Zionists and their supporters worldwide but found a few adherents. Loy Henderson, head of State Department's Near Eastern desk, urged the leaders of the American Council for Judaism to send a strong letter of support to Secretary of State George Marshall. The council's president, Lessing Rosenwald, wrote to Austin; Lazaron spoke on radio across the country and shared his views with the receptive Samuel McCrea Cavert, general secretary of Federal Council of the Churches of Christ in America. The Committee for Justice and Peace in the Holy Land, which advocated the resettlement of Holocaust survivors in the United States and elsewhere, stepped up its lobbying against partition in the belief that it went against America's national interests and common justice. Jacob Rosenheim, president of the ultra-Orthodox Agudath Israel, urged his followers in Palestine not to participate in "an illegal Jewish government of an illegal state" opposed to religious tradition, and to favor trusteeship "without the frivolous game with statehood." Neither Robert Weltsch, former *Jüdische Rundschau* editor and ex-Jewish Agency Executive member, nor Yale University law professor Eugene Rostow favored trusteeship, but they believed that the American switch necessitated a change to the Zionist helm: They advocated the return of Weizmann and his associates, who had been deposed at the December 1946 World Zionist Congress in place of the more militant David Ben-Gurion and American Zionist Emergency Council Chair Abba Hillel Silver.[25]

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24 Simon to Magnes, 17 March 1948, file 4-1751.S1/A,F, Ernst Simon MSS, NLI. Magnes had been suffering from a heart condition for the last two years.

25 Thomas A. Kolsky, *Jews Against Zionism* (Philadelphia: Temple University Press, 1990), 184; Rosenwald to Austin, 23 March 1948, file 124, American Council for Judaism (hereafter ACJ) MSS, University of Wisconsin Library, Madison, WI; Lazaron address, 31 March 1948, RG18, 16/13, Presbyterian Historical Association; file 6044, Morris Lazaron MSS, AJA; Virginia Gildersleeve, *Many a Good Crusade* (New York: MacMillan, 1959), 409, 186; Gildersleeve to Taft, 30 March 1948, Virginia Gildersleeve MSS, Special Collections,

Magnes, for his part, wrote to Hans Kohn that the United States was finally "on the right track," and he urged Austin to "keep up your valiant efforts" in giving Arab and Jew the "great opportunity" of self-government. Magnes also cabled Hexter asking if Hexter could consult Alan Stroock, James Marshall, and other like-minded executives on the American Jewish Committee (AJC), which had always favored "shaking off shackles and seizing historic opportunity secure Jewish Arab acquiescence new American proposals including Trusteeship." To Truman he sent a separate telegram: "Many thousands Jews Arabs Palestine and elsewhere pray you persist your humane wise effort behalf truce and understanding in Holy Land." Ihud released a statement as well welcoming the dramatic policy reversal, which the *New York Times* published in full on 28 March.[26]

Thomas Mann, the German-born winner of the Nobel Prize for Literature, launched a public attack against the reversal of U.S. support for partition that particularly disturbed Magnes. For Mann, the switch represented "the most humiliating and revolting political event since the treachery against Czechoslovakia in 1938." He strongly defended a Nation Associates' pamphlet, which charged that the British armed forces could have prevented Arab attacks and that the Arabs themselves were incapable of sustaining a revolt against the UN partition vote. Further, the foundation of a Jewish state in partition's "extremely modest boundaries" could have been carried out with minimal conflict if that small area had not become "the vortex of the big power fight" involving oil and bases.[27]

Columbia University, New York, NY; Rosenheim to Va'ad HaPoel, 22 March 1948, Eretz Israel III, Jacob Rosenheim MSS, Agudas Israel of America Archives, New York, NY; Weltsch to Hexter, 20 March 1948, file 4/1751/K5, Ernst Simon MSS, NLI; Rostow to Frankfurter, 22 March 1948, Felix Frankfurter MSS, box 99, Library of Congress, Washington, DC.

26 Magnes to Kohn, 31 March 1948, Box 38; Magnes to Austin, 25 March 1948, file 2/11; both in Robert Weltsch MSS, Leo Baeck Institute, Center for Jewish History, New York, NY; Ihud statement, 28 March 1948, file 999/28/20, Israel State Archives, Jerusalem; Magnes to Gildersleeve, 8 March 1948; Magnes to Hexter, 22 March 1948; Magnes to Truman, 26 March 1948; Simon draft, 1948; all in file 4/1751, Ernst Simon MSS, NLI. March 1948, *New York Times*. Marshall's aunt was Magnes's wife.

27 Mann to Magnes, 1 April 1948, James Marshall MSS, AJA, file 21/9, AJA. The Nation

Magnes, on the other hand, thought the U.S. change of policy "the most humane and the wisest decision which American statesmanship could have taken." Humane, he wrote to Mann, because it called for a cessation of warfare and blood-letting, wise because it was a long-overdue attempt to meet the problem through conciliation and cooperation between Arabs and Jews. The "great god Propaganda" carried the partition resolution through the General Assembly on the mistaken assumption that the only alternative to partition was chaos and that the Arab threats of war were mere bluff, but partition had led and would lead to war between millions of Arabs and the Jews in Palestine. Power politics had lain behind the pro-partition UN decision; eastern Mediterranean oil was vital for the Marshall recovery program for war-torn Europe and for combatting the spread of communism. Magnes concluded by stating that whatever the reasons for America's new position, it stood for peace in Palestine and for compromise and understanding, and he wished to help, if possible, "with my limited powers."[28]

On 9 April Henderson proposed to Under Secretary Robert Lovett, appointed by Marshall to oversee State's stance on Palestine, that "moderates and temperate" individuals like Magnes and Azzam Pasha be invited to the United States as soon as possible to break "the present log jam" in the United Nations. Austin had called for a special General Assembly session to consider trusteeship and a truce under a governor-general, and State awaited responses to the proposal, which was presented to European and Arab capitals. Henderson argued that the "extreme public positions" taken by the Jewish Agency and the Arab Higher Committee regarding sovereignty made it difficult for them to modify their positions sufficiently to arrange a UN truce and interim government after 15 May, the announced date of British withdrawal. On 9 May Lovett requested that Bevin and French Foreign Minister Georges Bidault join in sponsoring the American trusteeship proposal, and the next day he approved Henderson's suggestion. Telegrams to that effect

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Associates, spearheaded by *Nation* publisher Freda Kirchwey and director Lillie Schultz, was an organization created to advocate liberal causes worldwide and the creation of a Jewish state in Palestine.

28 Magnes to Mann, 12 April 1948, James Marshall MSS, AJA, file 21/9, AJA.

were then dispatched to Jerusalem and Cairo. The message to Magnes included this assertion: "At no time has there been a greater need for courageously conciliatory attitude such as yours on part of Arabs and Jews. If such attitude is to prevail cooperation on part of moderate and conciliatory Arabs and Jews is essential."[29]

By then, Magnes had transmitted to U.S. Consul Thomas C. Wasson in Jerusalem his thoughts about the Americans' fifteen-point "informal suggestions" for the proposed trusteeship over Palestine. Magnes laid out his vision for the trusteeship: It should be of indefinite duration; Arabs and Jews should from the first day have equal representation in government; a governor-general should be appointed at once; and the cabinet should consist of an equal number of Jews and Arabs. In addition, there should be a democratically elected legislature where both "nationalities" were equal, regardless of who was in the majority, as in the U.S. Senate. Before the elections took place, however, the country should be "more or less" pacified, which might take six months or a year. The situation might be saved if the British troops stayed on until 15 July, giving the governor-general and his cabinet the opportunity to organize the required forces. Finally, Jewish immigration should be permitted up to parity with the Arabs. Since "the reservoir" of possible Jewish immigrants had been "greatly depleted since the extermination of 6 million Jews in Europe," he advised that the 100,000 Holocaust survivors on behalf of whom President Truman had made his plea to both Churchill and Attlee be given priority. This would probably include the refugees in Cyprus internment camps, held there for trying to run the British blockade against "illegal" Jewish immigration.[30]

As for the AJC's statement in support of partition—which reflected the overwhelming majority of American Jewry—Magnes wrote to Hexter that almost the entire Yishuv was hoping and praying for a truce. The "realities of the situation, of political wisdom, and of human feeling" all ran counter to that declaration. Everywhere one went in Palestine the same story was heard: Food was scarce; the strategic

29 *FRUS, 1948*, 5:2, 804–807; Sack to Silver, 8 April 1948, Hyman A. Schulson MSS, box 3, Manuscripts and Archives Section, New York Public Library, New York City.
30 Goren, ed., *Dissenter in Zion*, 475–477.

position of the Jews was impossible; it was time to stop. Seeing that the American Jewish Committee had set itself up in opposition, this time, to U.S. government policy, it should be easy to form an ad hoc committee adopting the Ihud point of view, including that of a democracy based upon two equal peoples. A strong group of that nature "might make a great difference." Magnes would send copies of this letter to his son Jonathan, Marshall, and Simon, and he asked Hexter to share it with all individuals interested in his position.[31]

Encouraged by Henderson, a small group of these prominent supporters invited Magnes to come to America. Their hope was that his presence could help stop the deadly fighting in Palestine and check an expected invasion from the neighboring Arab armies immediately following the mandate's termination. The mounting violence in Palestine haunted Magnes, especially the Arab slaughter of a convoy heading to Hadassah Hospital and the Hebrew University on 13 April, killing seventy-six workers and injuring another twenty while British forces nearby did not intervene for several hours. General Officer Commanding Gordon MacMillan's subsequent defense of the mandatory's armed response did not placate him. Three days later, Magnes consulted with his doctors on the advisability of a trip to the United States and wrote in his diary, "How can I not go and stand before the world and say: 'Friends, stop the bloodshed. Understanding is possible.' This is the moment I have been preparing for all these years." If the General Assembly vote on partition stood, he told Cairo Geniza scholar S.D. Goitein, there would not be peace between Jews and Arabs "even after two hundred years." Accompanied by his wife, Beatrice née Loewenstein, and personal physician, Dr. Alexander Geiger, Magnes left for New York on 21 April, his first return since 1946.[32]

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31 Ibid., 477–479.

32 Ibid., 481–482, 54. S.D. Goitein, "The School of Oriental Studies: A Memoir," in *Like All the Nations?*, 169. There was an assertion that because of Magnes's bi-nationalist stance and criticism of Deir Yassin and other attacks on Arabs, as well as his defense of the mandatory, he was discredited and "was in effect forced to quit his job," and that he left for the United States "ostensibly in search of funds for his beloved university." No source is given for this claim, which bears no connection to his actual peace mission. Benny Morris, *1948,*

Confederation, Conciliation, and Failed Diplomacy

Magnes's last personal mission for peace began on 23 April 1948, when he met with Austin to convey his anxiety that Arab armies would seek to cut across the village triangle of Nablus-Tulkarm-Jenin in north-central Palestine, with its seventeen-kilometer-wide corridor separating the two parts of the projected Jewish state. Partition had united the Arab states and caused chaos in the country. Magnes was convinced that most Jews in Palestine wanted another twenty to twenty-five years for constructive achievement and increased immigration, and he believed that war would risk everything that had been accomplished. A small, "sincere and fanatic" group, supported by a considerable section of the Yishuv's youth and the Jewish terrorists—the latter, whom Magnes acknowledged to be, for the most part, courageous, idealistic men—wished to fight it out. Moderates such as Musa Alami, who was afraid to return to Palestine, should be encouraged, Magnes said, and Jews and Arabs together should administer the proposed trusteeship. The Jews had won Haifa and might be victorious in many other battles, he concluded, but they would lose a war.[33]

Magnes shared his innermost fears with a small group of supporters who convened in the law offices of Edward Greenbaum on 26 April in New York City. Among the attendees were Hexter, Rosenwald, Judges Jerome Frank and Horace Stern, and James Marshall, who in October 1947 had warned AJC Executive Chair Jacob Blaustein that a Jewish state would result in "the complete destruction of Palestinian Jewry." (The mandatory's Criminal Investigation Department had secured a copy of this letter.) Magnes urged that only a truce and a commission sent to Jerusalem to set up a provisional government could safeguard the city. The "great mass" of Jews would favor "*aliya* and *b'niya*" (immigration and upbuilding) to "*medina*" (statehood). Thirty additional years of fruitful progress were preferable to war, which the Jews would lose for four reasons: the world's Muslims numbered in the many millions; the Arabs had

A History of the first Arab-Israeli War (New Haven: Yale University Press, 2008), 129.

33 Magnes-Austin-Ross memo of conversation, 23 April 1948, file Rusk-2, Dean Rusk MSS, State Department records, NA.

time—"the timelessness of the desert"; the Jews were in a hurry "because of our tragedy"; and, according to Magnes, the loss of an Arab life was "a relatively cheap sacrifice of lives as against the pitifully small remnant of world Jewry." The U.S. government could refuse to permit any monies to be sent abroad, while Arab oil was essential for the Marshall Plan's efforts to revive the struggling postwar economies of Europe. "Palestine can become OURS," he remained certain, not by force, statehood, or conflict, but with Arab cooperation via a trusteeship in whose government both peoples took part over the next thirty years.[34]

The same day, the General Assembly approved a resolution that the Trusteeship Council study "suitable measures" to protect besieged Jerusalem and quickly submit proposals to that effect. An Australian amendment to refer action on Jerusalem to a General Assembly subcommittee rather than the Trusteeship Council was defeated (twenty-six against, twenty in favor, and seven abstaining), which was taken as an indication that the United States might find it impossible to reverse partition and have trusteeship adopted by the required two-thirds majority. AJC President Joseph Proskauer pressed Ben-Gurion and Jewish Agency's Shertok to support the overall truce effort; he had been impressed by a letter to the *New York Times* by Einstein and Leo Baeck, former chief rabbi of Berlin and Theresienstadt survivor, which endorsed Magnes's truce and called on Palestine's Jews not to "permit themselves to be driven into a mood of despair and false heroism which eventually results in suicidal measures."[35]

Realizing that the U.S. government's stance rested on the shoulders

34 Minutes of meeting, 26 April 1948, file M68-68, 1948, #4, ACJ; Marshall to Blaustein, September 1947, file 47/803, Hagana Archives, Tel-Aviv. Others present at this meeting included Mrs. Adle Levy, Alan Stroock, Harold Linder, Frank Altshul, and David Sher.

35 Creech Jones to Bevin, 28 April 1948, Foreign Office 371/68546, Public Record Office, Kew, England; *FRUS, 1948*, 5:2, 858–859, 864–868, 871; box 8, Joseph Proskauer MSS, American Jewish Committee archives, New York City (hereafter AJC); Rusk to Lovett, 24 April 1948, file Rusk-3, Rusk MSS; Austin to Marshall, 27 April 1948, file McClintock-2, Robert McClintock MSS; Garreau interview, 26 April 1948, file Rusk-3, Rusk MSS; all in State Department records, NA; *JTA*, 19 and 27 April 1948; Rusk remarks, 26 April 1948, file 7/1, Abba Hillel Silver MSS, The Temple, Cleveland, Ohio; Shertok to Ben-Gurion, 29 April 1948, S25/1558, CZA.

of Marshall and, especially, of Truman, Magnes drafted a lengthy and urgent memo to them. The first part stressed that, with the war in Jerusalem growing fiercer each day, only by the United States taking the lead might the situation be saved. The governor-general, representing the world's conscience, should be appointed immediately, then proceed to Jerusalem with, if necessary, a small staff and a comparatively small token force—not an army—to act as his guard. The 150,000 Jewish men, women, and children there prayed for this deliverance; the people of Jerusalem would join to bring about order, thereby obviating the need of a truce. Food should be distributed equitably among the population in accordance with individual needs. The United Nations could "conquer" Jerusalem by "imagination, moral force, and faith."

Magnes's memo went on: A truce for three months might then operate in all of Palestine, with a central authority vested in the American, French, and Belgian consul committee in Jerusalem. It would assume the continuation of essential public services; a ceasefire; and no proclamation of a state or any other kind of sovereignty. What each side currently held would be administered by its people as best as possible, and 12,000 Jewish immigrants would be admitted during that period. Should the question of Jewish immigration from Rumania and Bulgaria prove to be "a stumbling block"—an acknowledgement of fears in the Foreign Office and State Department that communist agents could arrive from these countries—priority could be given to the 35,000 Holocaust survivors in the Cyprus detention camps. If a general truce could not be secured, then trusteeship had great merit. The United States should declare frankly that it erred in backing partition and was now proceeding in the constitutional way as laid down by the UN Charter, making a mandated territory into a trustee territory. This would allow the two rivals a chance to work and live together, seeking an agreement through conciliation and compromise, and the trusteeship period need not be "all too long." While it could take a federal form of government, giving areas a great degree of local or provincial autonomy, the governor-general and the strong central government would control foreign policy, finance, and economic union. The country could be divided into zones or cantons, each having a separate legislative council, with a joint council of delegations established subsequently. The Anglo-American Committee

of Inquiry had spoken of a bi-national state, and Switzerland offered a classic example of how this could function. Trusteeship, Magnes emphasized, near the closing of the memo, afforded the time and the opportunity for "working out this great problem in a peaceful way."[36]

On 4 May Magnes had a nearly hour-long interview with Marshall, which seemed promising. In the secretary's opinion, the Jews had won the first battles, like the Germans in World War II, but they would ultimately lose the war. Consequently, "it would be well for them to make terms now." Besides, the economic cost of a war was great, and the Palestinian Jewish economy was "largely artificial." Magnes agreed fully and suggested that the United States exercise financial sanctions equally on both sides as a last resort, then outlined his thoughts on sending a special UN representative immediately to Jerusalem to arrange a truce plus trusteeship for the entire country "without prejudice to the eventual political settlement to be worked out by the Arabs and the Jews." Responding that this was the first account of the Palestine question in which he could believe, Marshall instructed Robert McClintock, Rusk's deputy, to arrange that Magnes see Truman. "You talk to the President just like you talked to me," he said. As for an imposed truce, Marshall confided that no government had yet come forward to accept the American proposal for participating in a military force for Palestine, and he did not think it advisable just then to have the United States "left in the middle to bear the whole brunt." Magnes went over the same ground immediately thereafter with Henderson, who remarked that it was "encouraging" to have him in the country. With the Jewish Agency's Nahum Goldmann having independently urged Rusk that the United States press for a truce and a trusteeship, State officials sensed some optimism at this critical stage.[37]

Magnes's off-the-record meeting with Truman in the Oval Office the next morning brought further hope. Expressing his deep concern for the whole Palestine problem, the president thought that no head of state felt so deeply and knew so much about the issue as he; it was a question

36 Magnes memo, 29 April 1948, file P3/162, CAHJP.

37 Goren, ed., *Dissenter in Zion*, 488–493; *FRUS, 1948*, 5:2, 901–904, 917–923, 929.

that had to find an answer. Otherwise, "the peace of the world would be disturbed." After highly praising Marshall, Truman remarked that he knew the Anglo-American Committee of Inquiry document almost by heart and had reviewed it from time to time. "It was a thousand pities that that report had not been carried out," Truman declared. "We might have been spared much of this present misery." Very disappointed that the Jews had refused his recent offer to fly Arab and Jewish leaders to the much-contested area to discuss the Palestine dilemma, Truman revealed a personal dream that Jews, Muslims, and Christians, whose lives were based more or less on the same moral code, might get to understand one another better. This, he added, might also help to "lift the world from the materialism which was holding the world down to the ground and might destroy it." Russia would then not have "a spiritual leg to stand on." Jews and Arabs were "spoiling things," however, not giving these three religious communities a chance to have confidence in one another. "That is one of the reasons why I deplore so deeply this conflict in the Holy Land," Truman confided. Upon leaving the meeting Truman said rather emphatically: "Dr. Magnes, we won't give up! We shall hang on to this until we find a way. That is our duty."[38]

Reports still circulated at that moment in the State Department and the White House that Shertok had agreed to conditions for a military truce and "political standstill" in Palestine, forcing him to write to Marshall on 7 May in an effort to clear up this "persistent misunderstanding." He reminded Marshall that his letter of 29 April had made it clear that the proposed truce deferred Jewish statehood and threatened to prolong British rule in Palestine. He also noted that private individuals (a hint to Magnes, Proskauer, and Goldmann) had differed with the Jewish Agency's line, but they did not represent the Jewish people of Palestine, bore no constitutional responsibility for its future, and were not in a position to effect the policy they advocated. In response to an urgent call from the Jewish Agency Executive in Palestine, Shertok

38 Magnes to Mann, 12 April 1948, file 21/9, James Marshall MSS, AJA; Magnes memos, 2 May 1948, file P3/162, CAHJP; Goren, ed., *Dissenter in Zion*, 494–497; C.L. Sulzberger memo, 6 May 1948, file Palestine and Zionism-2, Arthur Hays Sulzberger MSS, *New York Times* Archives, now in the New York Public Library, New York City.

was about to return for consultation with colleagues, who alone would have to decide on the truce proposal as a whole. The Agency was still prepared to accept a ceasefire throughout Palestine, he concluded, provided the Arabs did, as well. Rusk quickly observed to Marshall that Shertok's wish for an interview before his departure was of "considerable significance." As Rusk saw it, the bitter debates between Agency moderates—such as Goldmann, Epstein, and possibly Shertok himself, who favored a truce—and the "more extreme elements"—such as Silver and Ben-Gurion, who pressed for the immediate establishment of the Jewish state "by force if necessary"—made such a meeting important before Shertok arrived in Palestine and the decision would be made.[39]

Marshall warned Shertok on 8 May that a declaration of Jewish sovereignty now would lead to a war with bleak prospects against the Arab nations. Four days later, Marshall had a stormy confrontation with Truman's special counsel, Clark Clifford, who advocated for recognition of the Jewish state. Marshall advised that should Truman recognize the State of Israel, Marshall would vote against the president in the next election. Yet the forty-one-year-old Clifford was able to convince fellow Missourian Truman that political motivation, the national interests of the United States, and humanitarianism—the president's lodestar on this vexatious issue—did, indeed, coincide. Others in Truman's inner circle, including Samuel Rosenman, Marvin Lowenthal, David Niles, and Bartley Crum, endorsed Clifford's arguments. The personal interventions by Weizmann and Eddie Jacobson, Truman's former partner in the haberdashery business, coupled with his resentment of what he called the State Department's "striped-pants boys" who forgot who was the president of the United States, played an important role in Truman's thinking as well.

Another key factor was Truman's desire to strengthen the fledgling United Nations and to forestall the Soviets in recognizing a new state that had already proven itself on the battlefield. The devout Baptist also shared with Clifford a strong belief in biblical sources about God's promise to give the *Land* of Canaan to Abraham and his descendants as "an

39 *FRUS, 1948*, 5:2, 929–935.

everlasting holding" (Genesis 17:8), and in the prophecies of Isaiah, Jeremiah, Ezekiel, and Amos concerning the Jewish revival there. To the shock of the American delegation and others at the United Nations, Truman chose to recognize the State of Israel de facto eleven minutes after Ben-Gurion announced its independence on 14 May 1948. Although he personally preferred the Anglo-American Committee of Inquiry's recommendations, Truman thought, as he told a group of Kansas City business leaders who honored him in December 1961, that "the creation and recognition of the State of Israel was right."[40]

Magnes's personal diplomacy in the last year of his life, capped by the half-hour interview with Truman, had failed to alter the course of history. Now, the day after Israel's sovereign rebirth, he went to see Weizmann, the president-designate, at the Waldorf-Astoria, where the Israeli flag unfurled for the first time above the hotel's Park Avenue entrance. Both men were in rather poor health as they discussed this historic denouement. "You know that I did not believe in an exclusive Jewish State," Magnes declared. "For a long time I was in favor of a bi-nationalist state. But now that there is a Jewish State, I will join in helping anyone to make the State a good state."[41]

Magnes found comfort in Arendt's essay that month in *Commentary*, which backed his trusteeship plan as the best temporary solution. She declared his version of a federated state resting on Jewish-Arab community councils to be realistic and the "natural stepping stone" for any later, greater federated structure in the region. Her concern echoed his—that the "victorious" Yishuv would live surrounded by a hostile Arab population, forcing it to be absorbed with self-defense to such a degree that it would "submerge all other interests and activities." Historian Kohn expressed a worry that reflected Magnes's as well. Kohn blasted the Zionist-sounding call for Arab-Jewish cooperation by the AJC, which simultaneously endorsed Truman's recognition of the new state while stressing that American Jewry could have no political attachment to that government. He agreed with Arendt that the "pseudo messianic

40 Monty Noam Penkower, *Palestine to Israel: Mandate to State, 1945–1948,* vol. 2, *Into the International Arena, 1947–1948* (New York: Touro University Press, 2019), ch. 10.
41 Beatrice Magnes, *My Four Lives: A Memoir* (1966), 119, 107.



Hannah Arendt.
(Courtesy American Jewish Archives)

intoxication" for statehood that had seized the whole of Jewry would bring "a complete disaster" for the Jews.[42]

42 Hannah Arendt, "To Save the Jewish Homeland: There is Still Time," *Commentary* 5 (May 1948): 398–406; AJC statement, 17 May 1948, file 5/5, James Marshall MSS, AJA;

President Bayard Dodge of the American University of Beirut conveyed his sympathy to Magnes at a time when Magnes's beautiful university in Jerusalem was under fire and all his dreams for a Holy Land of goodwill and cooperation seemed to be vanishing. In Dodge's view, Magnes resembled the prophet Jeremiah, who had warned his people of great danger and whose words were now spurned at a time when "rash propagandists" had plunged the land of Judah "into what may easily become another tragedy in its history." As he was about to return to Lebanon, Dodge conveyed to Magnes—the "wisest person to give advice about Palestine"—his deep appreciation "for your courageous work" and admiration "for your wisdom."[43]

Faced with a radically new reality, Magnes endeavored to find a modus vivendi that would allow for Jewish sovereignty, allay Arab fears, and create humane and peaceful ends for all. He pressed Edward Warburg, American Jewish Joint Distribution Committee (JDC) chair, to ensure that none of its philanthropic funds went to weapons for the Hagana. He also questioned Warburg as to why Ihud did not receive a grant on the grounds that (so Warburg declared) the JDC never funded organizations engaged in "essentially a political problem." The Ihud, Magnes insisted, was an educational body that never had participated in elections; its diverse membership was united in the conviction that force was not the way to preserve the Yishuv from destruction and a belief in "the traditional Jewish idea of peace and reconciliation." He soon told Egypt's Mahmoud Fawzi Bey that Lebanese delegate Charles Malik's speech on 28 May in the Security Council, which favored a four-week truce proposal, impressed him greatly. Given that possibility, he urged Israeli UN diplomat Mordekhai Eliash to consider some kind of federal solution to the whole problem. Eliash cautioned that it was doubtful that the Arabs would accept the truce. To Magnes's immediate offer to be of service, Eliash—the lawyer and soon-to-be first Israeli minister to the United Kingdom—replied that he would

Kohn to Slawson, 21 May 1948, file 4-1751, Ernst Simon MSS, NLI.

43 Dodge to Magnes, 21 May 1945 (should be 1948), file 21/9, James Marshall MSS, AJA. For a recent study comparing Magnes to Jeremiah, see David Barak-Gorodetsky, *Jeremiah in Zion: The Religion and Politics of Judah Leib Magnes* [Hebrew] (Midreshet Ben-Gurion: Ben-Gurion University Press, 2018).

pass on the offer to his colleagues.[44]

On the morning of 1 June, Magnes called the State Department's Henderson, who agreed that the proposed four-week armistice was "a God-given opportunity" for bringing some kind of political settlement. If accepted by both states, Magnes said that he would get in touch with various persons to suggest a federal solution. If the word "state" had to be retained, the whole structure might be called the United States of Palestine (the term suggested by McClintock during the meeting with Marshall). Henderson thought it would be most helpful if his visitor had preliminary conversations in this regard before determining whether or not Magnes should later return to Washington. Hearing that Magnes was torn between being in the United States or in Jerusalem, Henderson thought that if a truce came about, Magnes might find it advisable to be in Palestine to help Count Folke Bernadotte, the president of the Swedish Red Cross who had been appointed in May the UN mediator for Palestine.[45]

A mild stroke on 10 June did not stop Magnes. The Ihud filed with the U.S. Justice Department a few days earlier, while Arendt, sociologist David Reisman, *New York Times* correspondent Joseph Levy, and philanthropist Arthur Goldsmith had reviewed Magnes's memo "Political Union in Palestine." From his Hotel Mayflower suite, Magnes dispatched a letter on 14 June to McClintock, providing his detailed plan for a confederation of Arab and Jewish states closely linked in questions of defense and foreign policy, with Jerusalem as its capital. He had found interest in this when talking with the American UN delegate Philip Jessup, Fawzi Bey, Malik, and France's Alexandre Parodi. To Magnes's disappointment, an arrangement for the Arab Legion to safeguard the books, manuscripts, and scientific treasures at the university and Hadassah Hospital on Mount Scopus had not worked out; it would have helped dissipate the all-too-prevalent notion that "our Semitic cousins" were nothing but marauders from the desert, in whose word no faith could be put. Some prominent Jews in New York City tried

44 Warburg to Magnes, 19 May 1948; Magnes to Warburg, 25 May 1945; both in file 21/9, James Marshall MSS, AJA; Goren, ed., *Dissenter in Zion*, 498–499.
45 Ibid., 497–498.

to organize a group to promote Jewish-Arab cooperation, and Magnes hoped that the substance of his program, along with the Mount Scopus situation, would be sent to Bernadotte at the earliest possible moment.[46]

In July Magnes mailed Bernadotte a copy of his confederation plan, offering a compromise between partitioning Palestine and maintaining its unity. He pointed out its similarity with Bernadotte's proposals except for Jerusalem, which Bernadotte had assigned to the Arab state. If that city could be internationalized and demilitarized, then made the capital of the federal union, Magnes wrote, a good chance existed that Arabs and Jews would agree. Additionally, this might succeed for the rest of Palestine. Bernadotte, while agreeing with the gist of the confederation plan, continued to disagree over Jerusalem. The Swedish emissary was skeptical about the efficacy of an international area existing within the boundaries of another state, and believed the financial burden of maintaining an international organization was too heavy for a local population to bear. In mid-August Magnes countered that world Jewry would pay the difference between what local taxes required and the amount needed to maintain the capital. He reported that a group of American Jews encouraging Jewish-Arab cooperation was making progress, and he and wife Beatrice hoped to get back to Jerusalem in the not-too-distant future. Upon his return, he hoped to "have the privilege of being able to help you in your devoted work." Bernadotte had "done more to advance the cause of peace and conciliation in Palestine than all other persons put together," Magnes asserted in a press statement on 23 August, and he expressed the conviction that most of the UN mediator's suggestions would serve as a basis for future discussions concerned with peace and reconciliation in the Holy Land.[47]

Magnes also sent a copy of his confederation plan to Silver, who was also serving as chair of the American Section of the Jewish Agency. This plan, Silver's response read, "advocated the restriction of Jewish sovereignty and the dilution of its independence." Further, the Agency deplored individual Jews' seeking the support of the U.S. government

46 B. Magnes to Marshall, 10 June 1948, file 21/4; Magnes to McClintock, 14 June 1948, file 21/9; both in James Marshall MSS, AJA.

47 Goren, ed., *Dissenter in Zion*, 505–507, 517–518.

or the UN delegations "for policies which run counter to those which the government of Israel is striving so gallantly to defend." Silver enclosed a critique of Magnes's plan by Abba Eban, then serving as the new state's UN representative. Magnes wrote to Arendt that he found Eban's analysis, soon to be published in *Commentary*, "a well-reasoned, and perhaps helpful point of view, despite the several details of his article with which one must differ." He then wrote to Eban that the Jewish-Arab cooperation that they both desired could be achieved only by a "statutory confederation" and that "no looser form" such as Eban advocated would work.[48]

On 18 August, Magnes released a press statement about his plan, printed in full by the *New York Times*, also citing Ben-Gurion's declared wish "to cooperate closely" with the Arabs of Palestine and neighboring countries and urging that Jerusalem's character as "a spiritual center of world-wide importance" be preserved. Addressing the new Israeli prime minister as "dear and honored friend," he pointed out that the plan bore a "striking enough" resemblance to the public suggestions Bernadotte had issued before seeing Magnes's proposal. He appealed to Ben-Gurion to settle the Arab refugee problem solely on "a human basis and not through political bargaining." Ben-Gurion's invitation to Arab countries for talks about a peace settlement was welcome, but the proposal lacked details. Unfortunately, Magnes added, his "somewhat weak" health raised doubts about whether he would be permitted to return home soon: "I suffer from this thought."[49]

Magnes urged Warburg in September to have the JDC allocate funds for thousands of Arab refugees, which would "redound to the glory of the Jews throughout the world and not least in Palestine itself." Seeing no urgency within the JDC to address this problem, Magnes withdrew as longtime chair of its Middle East Advisory Committee, stating his disappointment that the JDC had not "risen to this great opportunity" and that his connection with the JDC, of which he was one of the founders, "should end so ingloriously."

48 Goren, ed., *Dissenter in Zion*, 508–509; Aubrey S. Eban, "The Future of Arab-Jewish Relations," *Commentary* (September 1948): 199–206.

49 Goren, ed., *Dissenter in* Zion, 507–508.

Warburg replied the following month that the JDC was seriously considering the issue and was glad that Magnes had decided to withhold his resignation. This is "one of my dramatic acts which make people take notice," Magnes wrote in a journal, even while mulling over the possibility of a Marshall Plan for the Middle East, contemplating that perhaps through economic aid some chance of peace would arise in place of "war and hatred for decades."[50]

Magnes thought James Marshall's idea for a kind of handbook on confederation was practical; however, he disliked the idea that Rosenwald and others of that ilk should be excluded from the new group to avoid appearing anti-Zionist—perhaps because he himself had appeared on too many proscribed lists. Magnes also noted to Marshall that Rosenwald was the one prominent Jew who had the courage to "buck the terror of the Zionist political machine." Using the JDC as an example, Magnes worried that this political machine would put "the Jewish vote in its pocket," to the detriment of American Jews. Marshall and Arendt suggested that intellectuals and labor leaders who shared Magnes's views be formed to advance his platform, and he proposed seeking the views of Kohn, Finkelstein, and Hebrew Union College president Nelson Glueck. In the meantime, his response to Eban's article in *Commentary* would be published in October.[51]

Bernadotte's assassination in Jerusalem by the Stern group on 14 September had a seismic effect, as did his final proposals. His report, completed a few hours beforehand, had called for Jerusalem to be placed under the control of the United Nations; the Negev as well as the towns of Ramleh and Lydda (Lod) defined as Arab territory; the Galilee defined as Jewish territory; Haifa port declared a free port, with assurances of free access to interested Arab countries; the Arab airport of Lydda declared a free area, with assurances of free access to Jerusalem and interested countries; and the establishment of a conciliation commission, which would answer to the United Nations. Marshall and Bevin endorsed the report, with His Majesty's Government (HMG) particularly

50 Ibid., 519–520.
51 Ibid., 509–511.

partial to Bernadotte's suggestion that "compelling reasons" existed for the Arab territory of Palestine to be merged with Transjordan. The USSR, however, declared that the General Assembly's vote for partition was endangered not only by certain states' proposals to revise that decision, but also by proposals to set up a trusteeship over Palestine and appoint a mediator. The Israeli government took particular exception to the Negev's being defined as Arab territory in light of UNSCOP's recommendation that it go to the Jewish state, and the overall Arab reaction was negative. Malik remarked that the "chief bone of contention is the irrevocable views supported by the Bernadotte report and by the U.S. that a Jewish state was here to stay."[52]

Magnes issued a statement saying that Bernadotte had come closer than anyone else to bringing the two warring peoples to an understanding, and that his murder was a tragedy of "historic importance" for both. This great task of peace-making was now deprived of Bernadotte's "integrity of heart and mind," as well as the "great store of insight" he had accumulated. Magnes went on to say some responsibility for the Jewish terrorists rested with all—certainly with the U.S. politicians, newspaper publishers, and the large number of Jews and others who supported terrorists morally and financially. A considerable measure of responsibility lay with those official circles in Israel who had carried on joint activities with terrorist groups, he said, and a large share of the blame should be attributed to the "recklessness" of those who accused Bernadotte of acting as the prejudiced agent of HMG or of "British-American imperialism" or of "the oil interests." Magnes closed by saying that Dr. Ralph Bunche, now Bernadotte's successor, deserved the wholehearted support of all in carrying to completion Bernardotte's efforts at peace-making.[53]

This rebuke appeared as a postscript to Magnes's lengthy essay in *Commentary* titled "For a Jewish-Arab Confederation." While praising Eban's article—which included a call for a regional solution between

52 Folke Bernadotte, *To Jerusalem* (London: Hodder & Stoughton, 1951); Kati Marton, *A Death in Jerusalem* (New York, 1994); Carry David Stanger, "A Haunting Legacy: The Assassination of Count Bernadotte," *Middle East Journal* 42, no. 2 (Spring 1988): 260–272.
53 Goren, ed., *Dissenter in Zion*, 517–518.

Israel and the other Middle Eastern countries—as, in many ways, the "most hopeful" statement by an official Zionist source, he continued to defend Ihud's program. He pointed to the old Austrian-Hungarian empire as a precedent, since it allowed both countries to remain independent and with separate parliaments, yet topics such as foreign affairs, defense, and international loans were reserved for a council of delegations from the two parliaments. The U.S. Articles of Confederation and Newfoundland's recent vote for confederation with Canada were other examples. For this Jewish-Arab confederation, Jerusalem would be the capital and seat of a joint economic board. A federal court, perhaps consisting of three Jews, three Arabs, and a UN-appointed chair, could also serve as the high court for Jerusalem. This proposed United States of Palestine was somewhat analogous to the American example, where sovereign states are nevertheless limited by their adherence to the federal union. Immigration regulations and land sales would be made by each state autonomously, one day to be taken up within the confederation framework. A statutory, binding political union would be mandated because the Jewish Agency had not made "one single sincere and systematic attempt" at conciliation, and the current "frightful, needless war with the legacies of hatred and ill-will on both sides" had intervened. Magnes ended with an appeal for a humane resolution for the Palestinian Arab refugees, many of whom had fled their homes for fear of a repetition of the Irgun-Stern atrocities at Deir Yassin.

Separately, Magnes expressed that he much appreciated Arendt's *New Leader* article on Bernadotte's mission, where she offered alternatives for another form of UN trusteeship. Feeling depressed about the murder of "a great and good man who started full of hope and ended almost in despair," Magnes considered either her alternatives or a continuation of the Jewish-Arab war "a grave choice, this way or that."[54]

Early in his career, Magnes held the belief that voluntary consent

54 Judah Magnes, "For a Jewish-Arab Confederation," *Commentary* (October 1948): 379–383; "The Mission of Bernadotte," in *The Jewish Writings*, *Hannah Arendt*, ed. J. Kohn and R.H. Feldman (New York: Schocken, 2007), 408–416. For the atrocities referred to, see Eliezer Tauber, *Deir Yassin: Sof HaMitos* (Jerusalem: Kinneret Zmora-Bitan Dvir Publishing, 2017).

between Arabs and Jews was essential to conciliation. During World War II, however, Magnes's article in *Foreign Affairs* asserted that London and Washington should, if necessary, impose a bi-nationalist solution to the Arab-Jewish situation. His backing of the Anglo-American Committee of Inquiry's recommendations in 1946 and then of the State Department's switch from partition to a UN trusteeship two years later reflected this belief. But by September 1948, his message at the opening of the Hebrew University's academic year sounded his former conviction: "In the eyes of many of us the chief value of an independent state is that we ourselves bear the responsibility for our own decisions and that we do not just have to accept the consequences of decisions made for us by others." At the same time, his plan did call for UN intervention in case of "irreconcilable conflict," which appeared most likely between the two opposing forces.[55]

Refusing as always to recognize the dichotomy between the moral and the real worlds, Magnes ended his *Commentary* essay with a striking sentence that Arendt, now chairing the political committee which she and Marshall advocated, had seen when editing the piece. Appealing for the Palestinian Arab refugees, he found it "unfortunate that the very men who could point to the tragedy of Jewish DPs as the chief argument for mass immigration into Palestine should now be ready, as far as the world knows, to help create an additional category of DPs in the Holy Land." On 26 October, he took a usual walk in New York City's Central Park, answered mail, and held meetings in his hotel suite with friends and family. That evening, Magnes typed a letter to Dr. E.M. Bluestone, director of the Hadassah Medical Organization, expressing his views on relocating the Hadassah Hospital in Jerusalem. He died of a heart attack the next morning.[56]

A simple ceremony marked the funeral service on the afternoon of

55 Bernard Wasserstein, "The Arab-Jewish Dilemma," in *Like All the Nations?,* 194–196.

56 Gil Rubin, "From Federalism to Binationalism, Hannah Arendt's Shifting Zionism," *Contemporary European History* 24, no. 3 (August 2015): 393–414, and n83; Goren, ed., *Dissenter in Zion*, 517–519, 520n1. The victorious Allied powers had officially termed Holocaust survivors "Displaced Persons" (DPs), thereby consciously masking their Jewish identity.

28 October at the Jewish Theological Seminary. No eulogies were delivered, in accordance with Magnes's wishes. Dr. Simon Greenberg, acting president of the seminary, read selections from the Psalms. Dr. David de Sola Pool, longtime Orthodox rabbi of the Shearith Israel Congregation (Spanish-Portuguese synagogue) in New York City, officiated. In addition to the surviving members of Magnes's family, leaders from all walks of Jewish life, including Simon and other members of the Hebrew University faculty, attended the funeral. Consul-General Arthur Lourie represented the State of Israel. Burial took place at the Beth Olom cemetery in Ridgewood, Queens County, New York. [57]

A Legacy Unrealized

Zionist representatives in the United States issued statements to mark Magnes's passing. Wise hailed him as "one of the most gallant figures in the history of world Jewry." Silver observed that he was an early champion of the Zionist movement in the United States and emphasized that "his greatest achievement" was his leadership over many years of the Hebrew University. Pronouncements mourning Magnes's death were also issued by Dr. Emanuel Neumann, president of the Zionist Organization of America, and Judge Morris Rothenberg, president of the Jewish National Fund. A resolution from Hadassah, which expressed "deep sorrow" at the passing of "a distinguished colleague, a wise counselor, and a cherished friend," noted that, as chair of its council in Palestine, Magnes "selflessly and tirelessly" gave the benefit of his "profound wisdom and vast experience."[58]

Other American Jewish leaders offered their own tributes. Proskauer considered the death of Magnes, who was one of the AJC's founders, "a grievous loss to Jewry and to humanity." As president of Hebrew University, he "created a great instrument of education for the Middle East and for all the people thereof. His intellectual integrity and his uncompromising morality were such that he was held in the highest esteem even by those who differed from him in some of his objectives." Warburg, noting that the JDC had benefited continuously from his

57 *JTA*, 28 October 1948.
58 *JTA*, 28 and 29 October 1948.

"leadership and insight" for over thirty years, viewed him thus: "As a Jew who thrilled to the spiritual heritage of his religion and to its ethical concepts, Dr. Magnes labored all his adult life in behalf of Jewish welfare, in the United States, in Europe and in Palestine." In special memorial services held a week later at Hebrew Union College, where Magnes had received ordination in 1900, Glueck declared that Magnes "had been a great leader and teacher, constantly battling for ideals which promised peace and occupation in Palestine and the world at large. He was always in the minority and was forever respected by the majority."[59]

At a memorial meeting at Temple Emanu-El in December, to which Truman sent a message lauding Magnes's "vision and understanding," historian Hans Kohn spoke of Magnes and Ahad HaAm, who was widely regarded as cultural Zionism's major ideologue, as his two great Zionist teachers—men who were much objected to in their times, who did not join in "emotional conformity" but "raised their warning though solitary voice against it." Both had sought to revive Judaism's prophetic ideals in the struggles of daily reality. In the 1920s, when Kohn lived in Palestine, Magnes had been "a great inspiration and a redeeming comfort." Like Ahad HaAm and Buber, Magnes recognized the moral challenge that Palestine was a home of two peoples with deep roots in its past and its present. After the Arab riots of 1929, Magnes had written a pamphlet calling for binationalism, hoping that the Holy Land would pioneer in the future road to closer cooperation and inclusive federation of neighboring peoples. In his last years, Magnes, like Ahad HaAm, was faced with the spiritual and moral tragedy of terrorism, and almost his last utterance was a letter to the *New York Times* after Bernadotte's death, hailing Bernadotte's efforts to advance the cause of peace in Palestine. Magnes passed away soon thereafter, and no one could replace him. Yet his message, Kohn concluded, should inspire friends to try to follow where he had led, "a great American in the tradition of Western civilization and a great Zionist in the line of Jewish tradition."[60]

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59 *JTA*, 28 October and 5 November 1948.

60 Hans Kohn, "In Memory of Two Great Teachers," file 26/13, Henry Hurwitz MSS, AJA; *New York Times*, 17 December 1948. For Kohn's changing views, see Hagit Lavski, "Leumiyut Bein Teioriya L'Politika: Hans Kohn V'HaTsiyonut," *Tsiyon* 67 (2002): 189–212; Adi Gordon, *Toward Nationalism's End: An Intellectual Biography of Hans Kohn* (Waltham:

Arendt went even further, calling Magnes in 1951 "the conscience of the Jewish people." He had raised his voice primarily on moral grounds, and his authority was that "he was a citizen of Jerusalem, that their fate was his fate, and that therefore nothing he said could ever be blamed on ulterior motives." She thought him "a very practical and a very realistic man who passionately wanted to do the right thing" and who had "a healthy distrust of the wisdom of our *Realpolitiker*." Being a Jew and Zionist, Magnes was "simply ashamed" of what Jews and Zionists were doing. The last years of his life coincided with "a great change in the Jewish national character," by which Arendt meant the founding of the State of Israel and the consequent flight of nearly 600,000 Arabs from Palestine. A people that for two thousand years had made justice the cornerstone of its spiritual and communal existence, she went on, "has become emphatically hostile" to all arguments of such a nature, as though these were necessarily the arguments of failure. "We all know," her encomium concluded, that "this change has come about since Auschwitz, but that is little consolation."[61]

Yet, seven decades after Magnes's death, a more balanced assessment is in order. Few doubted his integrity and his sincere wish to champion a Zionism sustained by what might be called prophetic humanism. It appears no coincidence that until his last days this outsider was working on a study of the Essenes, a monastic sect during the Second Temple period dedicated to piety, asceticism, charity, and an unshakeable belief that its members would change the course of history. His desire to build a just society in Zion and for his beloved Hebrew University to take the lead as "a spiritual center for the Jewish people" remained constant. At the same time, even admirer Norman Bentwich, who authored Magnes's first biography, concluded that Magnes was "prone to oversimplify complex problems by concentrating on its ethical aspects and

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Brandeis University Press, 2017). For Ahad HaAm (Asher Ginsberg), the major rival to Theodore Herzl, political Zionism's founder, see Monty Noam Penkower, *The Emergence of Zionist Thought* (Millwood: Associated Faculty Press, 1986), ch. 6.

61 Hannah Arendt, "Magnes, The Conscience of the Jewish People," in *The Jewish Writings, Hannah Arendt*, 451–464: Efraim Karsh, *Palestine Betrayed* (New Haven: Yale University Press, 2010), 264–267.

neglecting the state of facts; he could not adjust the order of thought to the order of things." Arthur A. Goren ended an introduction to his fine edition of Magnes's writings by noting that, when calling for a Zion redeemed in justice despite no positive response from the Arab side, he demanded from his people "perhaps more than the unfolding events of the years allowed."[62]

Gershom Scholem, who broke with Brit Shalom after the lethal 1929 Arab riots, saw Magnes as an incorrigible idealist of the nineteenth-century mold—"a free man" refusing to jettison Judaism's fundamental values when crisis shook the old, rational order. In the twentieth century, however, the dream of peaceful coexistence appeared naïve and misguided to most. Shmuel Yosef (Shai) Agnon's posthumously published novel *Shirah*, which takes place in the Hebrew University milieu of the 1930s, sharply critiqued Magnes (the unnamed *Nagid* who speaks in clichés about "everything human is Jewish and everything Jewish is human") and the faculty for being divorced from the real concerns of the Jewish community in Eretz Israel and elsewhere. The urgent needs of world Jewry after the Holocaust brought this disconnect more sharply into focus. In the end Magnes, whom Eban recalled as having a "frigid temperament," failed to persuade, because Arab-Jewish cooperation remained further away than ever by the time of his death.[63]

Magnes did not doubt the rightness of his stand even while "skating on thin ice—very often" (his suggested title for an unwritten autobiography), but his political judgment must be deemed wanting. He took seriously the assurances of adventurer H. St. John Philby after the 1929 riots to successfully engineer an Arab-Jewish understanding, only to discover that the Arabs, the British, and the Zionists did not. A murderous rivalry

62 Norman Bentwich, *For Zion's Sake: A Biography of Judah Leib Magnes* (Philadelphia: Jewish Publication Society, 1954), 303, 273; Magnes to Weizmann, 25 May 1923, cited in *Like All the Nations?*, 221n16; Arthur A. Goren, "Introduction," Goren, ed., *Dissenter in Zion*, 57.

63 Gershom Scholem, "A Free Man, On J.L. Magnes," in Gershom Sholem, *Devarim bego*, ed. Avraham Shapira (Tel Aviv: Am Oved, 1976), 208–210; Arnold J. Band, "Gown and Town," in *Like All the Nations?*, 159–163; Abba Eban, *An Autobiography* (New York: Random House, 1977), 57.

between the Arab Nashashibi and Husseini clans for power during the Arab Revolt required the Magnes family to move in 1938 from their home on the top floor of an Arab house outside of Herod's Gate in the Old City to the Rehaviah section in Jewish Jerusalem facing a children's playground that is now called Kikar Magnes. The few Arabs who agreed with him faced physical danger from their own people. Prominent attorney Omar Effendi escaped with a deep dent on the top of his head, but Darwish Husseini and some others, whose New Palestine Society drew up an agreement with the League for Jewish-Arab Cooperation in 1946, were soon murdered by loyalists of the former Grand Mufti Haj Amin el-Husseini. Eminent trade union leader Sami Taha, disagreeing with Haj Amin's intransigence, suffered the same fate the next year.[64]

Magnes failed to convince supposedly moderate Azzam Pasha, the first secretary-general of the Arab League, that the league's "constant negative was sterile." In September 1947 Azzam told Eban and David Horowitz that the Arab peoples viewed Palestine Jewry as "an alien organism" whom the Arabs would eventually eject in the same manner as they had the European Crusaders after two hundred years of living uninvited in their midst. Azzam's "forcefulness and fanaticism" stirred his visitors but left them depressed, realizing that with this encounter and his emphasis on a religious war (*jihad*) "vanished the last effort to bridge the gulf." In the end, Musa Alami also objected to further Jewish immigration, however much he admired Magnes. When James Marshall asked if Mount Scopus could be used as a university and hospital center for Arabs and Jews, Charles Malik replied that while this was the proper thing to do, "we Arabs do not compromise the way you Westerners do. We can't take one bite of the cherry, we have to have the whole cherry."[65]

64 Bentwich, *For Zion's Sake*, 313, 262; *The Magnes-Philby Negotiations, 1929*, ed. Menahem Kaufman and trans. Y. Goell (Jerusalem: The Magnes Press, 1998); Beatrice L. Magnes, *Episodes, A Memoir* (Berkeley, CA: Judah L. Magnes Memorial Museum, 1977), 93, 100; 15 November 1947 report, Mapai MSS, Bet Berl, Kfar Sabba, Israel; R.M. Graves, *Experiment in Anarchy* (London: Gollancz, 1949), 84.

65 Goren, ed., *Dissenter in Zion*, 192; Eban report, 19 September 1947, S25/2965, CZA; David Horowitz, *State in the Making* (New York: Greenwood Press, 1953), 234–235; James Marshall and Elliot Sanger interview, 11 April 1974, AJC oral history program.

The sad fact remained that no hope existed for a peaceful resolution in Palestine, as the Arab world rejected the Yishuv's appeal for compromise and its claim to national sovereignty. Most of the UNSCOP members, García Granados recalled, agreed early on that bi-nationalism had "all the inconvenience of partition without its finality" and would be rejected by both sides. Journalist Julian Meltzer may have seen Magnes as "the soul of rectitude and ethical rightness" in Jewish and Zionist affairs, but U.S. representative Frank Buxton of the Anglo-American Committee of Inquiry on Palestine was closer to the mark, writing to a friend in January 1948 that "Magnes is a sweet soul and something in addition to that. But harsh realities do not seem to affect him at all." "Is he so prideful of opinion," Buxton, the *Boston Herald* editor and Pulitzer Prize winner wondered, "that massacres of Jews do not sadden him but make him a trifle prouder of his judgment?" Concurrently, Richard Crossman, of the Anglo-American Committee's British delegation, said to Lazaron, the ACJ's bi-nationalist ideologue, that Magnes's solution was completely unacceptable to either Jew or Arab and that "the Jewish community cannot escape from the nationalism of the world it lives in." "As a result," he added, "the Jewish State will be established in the worst possible way—by Jewish force."[66]

Arab rejection meant that Palestine was partitioned through war and five Arab state armies immediately invaded the Jewish state, with a consequent, tragic harvest. Already in January 1946, Scholem had taken Arendt to task for championing what he termed "a patently anti-Zionist, warmed-over version of Communist criticism, infused with a vague *galut* [exile] nationalism." Her public call for universalism against

66 Jorge García Granados, *The Birth of Israel, The Drama as I Saw It* (New York: Alfred A. Knopf, 1948), 43–44; Meltzer to Montor, 22 June 1968, A371/40, CZA; Buxton to Ben-Horin, 26 January 1948, file 1660, Israel Goldstein MSS, Jerusalem; Buxton interview with the author, 10 July 1979; Crossman to Lazaron, 3 December 1947, box 4, Morris Lazaron MSS, AJA. Calling on the ACJ to follow Ihud's example in seeking peace between Jews and Arabs and criticizing the new government "severely" once the Israeli state was established, Lazaron acknowledged the ACJ's failures to convince the majority of American Jews that to follow Zionism would "isolate us from our fellow citizens" and to "stave the national influences which have slowly disintegrated Judaism and transform all of its branches into a national religion for Jews only." *National Jewish Post and Opinion*, 16 May 1948.

"reactionary" Zionism and "something that is for the Jewish people of life or death importance" observed the pioneering scholar of Jewish mysticism, neglected what he termed the "eternity" of antisemitism, as well as the fact that the Arabs, refusing any plan that included Jewish immigration, were "primarily interested not in the morality of our political convictions but in whether or not we are here in Palestine at all." Arendt's views would not change.[67]

At the time of the partition vote, Mordecai Kaplan, one of Magnes's former associates in the New York City Kehilla and the later founder of Reconstructionist Judaism, reflected far more instinctively and accurately the feelings of American Jewry. "It is a long time, indeed, since we Jews have had occasion as we do tonight to sing *LaYehudim Hai'ta Ora V'Sason V'Simha Vi'Kar*," he wrote in a diary. Then, after adding the traditional *She'hehHeyanu* prayer of thanks to the Creator, Kaplan noted the following: "Considering the dreadful finality that an adverse vote might have had in that it would have put an end to all our hopes of resuming life as a nation in our homeland and would have rendered futile all efforts to keep Judaism alive in the diaspora, we should thank God with the benediction of *HaTov V'HaMeitiv LaRa'im V'LaTovim Sheh'Gemalanu Kol Tov Selah*." And novelist Amos Oz vividly recalled that in northern Jerusalem, as elsewhere in the Jewish areas of Palestine, a "cataclysmic shout" was replaced by "roars of joy and a medley of hoarse cries and 'The Jewish People Lives' and somebody trying to sing 'Hatikvah' and women shrieking and clapping and 'Here in the land our Fathers Loved,' and the whole crowd started to revolve slowly around itself as though it was being stirred in a huge cement mixer, and there were no more restraints."[68]

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67 Scholem to Arendt, 28 January 1946, in *Gershom Scholem, A Life in letters, 1914–1982*, ed. and trans. A.D. Skinner (Cambridge: Cambridge University Press, 2002), 330–332.

68 29 November 1947, Mordecai Kaplan Diary, Jewish Theological Seminary archives, NY; Amos Oz, *A Tale of Love and Darkness*, trans. N. de Lange (London: Harcourt, 2004), 343. The first quotation by Kaplan is "The Jews enjoyed light and gladness, happiness, and honor" (Esther 8:16), and the second, "He does good to the wicked and to the good Who did all good to us Selah" (Rosh HaShana prayer). The *Sheh'hehHeyanu* prayer expresses thanks to "the King of the Universe who has given us life, sustained us, and brought us to this time."



Judah L. Magnes in his later years, undated.
(Courtesy American Jewish Archives)

Magnes's "religious eyes" (his own early characterization) failed to see this. Later champions have charged that he "yearned for a Great Community that would bond Jews and all mankind as they must be"; "founded the tradition of vigorous intellectual dissent which is such a crucial ingredient of Israeli political culture"; and understood that the peaceful coexistence with the nearby Arab countries was "a prerequisite" for the "guaranteed existence of a Jewish national home based on a strong moral, political, cultural, and social foundation." The fullest biography concludes that he was "the Zionist conscience." Yet the real world—not his ideal one—pressed forward with its own claims, directly challenging Magnes's credo, set down just before he left New York to live in Palestine, to call for a Judaism "which gives hope to redeem mankind by means of spirit rather than by brute force." Ethical visions, however lofty, cannot easily be reconciled with gritty and, at times, grim truths.[69]

Years after the Arab Revolt, Hexter conceded that there was "no likelihood" of a basis for compromise. Magnes had questioned Gandhi's advice, given in a letter to Magnes and Buber one day after *Kristallnacht*, that the Jews should practice passive resistance even unto death. Was it right, Magnes wondered, to sit quietly when children were being butchered? Magnes, the militant pacifist, also felt compelled to declare, although reluctantly, his support for the Allied war against Hitler. The bimillennial curse of Jewish powerlessness, culminating in the Shoah while the free world abdicated moral responsibility and stood by, convinced Jews and much of public opinion worldwide that only sovereignty in the land that had seen their birth as a people could put an end to their anguished wanderings across the globe.[70]

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69 Bentwich, *For Zion's Sake*, 38, 284; Moses Rischin, "Introduction," 15; Wasserstein, "The Arab-Jewish Dilemma," 197; Gavriel Stern, "He Looked Out on Zion from Atop Mt. Scopus," 184; all in *Like All the Nations?*; Goren, ed., *Dissenter in Zion*, 357–365; Daniel P. Kotzkin, *Judah L. Magnes, An American Nonconformist* (Syracuse: Syracuse University Press, 2010), ch. 8.

70 Hexter interview with the author, 22 April 1976; Gideon Shimoni, ed. *Gandhi, Satyagraha and the Jews: A Formative Factor in India's Policy Towards Israel* (Jerusalem: Hebrew University, 1977), 44; Monty Noam Penkower, *The Jews Were Expendable: Free World Diplomacy and the Holocaust* (Urbana: University of Illinois Press, 1983). Also see Monty Noam Penkower, *The Holocaust and Israel Reborn: From Catastrophe to Sovereignty*

After Magnes's passing, a tumultuous future lay ahead for Arab and Jew that continues today. A recent scholarly article by Hedva Ben-Israel posits that the spirit and style of Magnes's "sermons" were so alien to most of the Yishuv that they concealed from their eyes "the sober and realistic observation" that Magnes kept repeating—"that without an agreement with the Arabs both nations would meet on a course of collisions for a long time." A second academic, Dmitry Shumsky, proposes that the Zionist political imagination, following in the spirit of a few of the movement's earlier ideologues, goes today "beyond the nation-state."[71] Yet no resolution to the depth and obduracy of that conflict, even the possibility of a viable two-state solution in the distant future, is a prospect so long as the legitimate existence of the State of Israel is denied and demonized. Attempts at reconciliation appear to be a quixotic effort while Israel remains under attack by the Palestinian Arabs' secular Fatah and fundamentalist Hamas leaderships, and by surrounding Arab neighbors, particularly the Lebanese Shiite Hezbollah army, founded and funded by an Iranian government that threatens the Jewish commonwealth with obliteration. The State of Israel would offer sovereignty to the Palestinian Arab leadership in 1967, 2000, and 2008, only to be refused every time.

Not surprisingly, the overwhelming majority of Israel's Jewish citizens, witness to thousands of rockets, terrorism, and unceasing, murderous incitement after the Israeli withdrawals from Lebanon in 2000 and Gaza in 2005, are deeply committed to maintaining the territorial

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(Urbana: University of Illinois Press, 1994). Even after the Holocaust, which he called "the greatest crime of our time," Gandhi felt that the Jews should have "thrown themselves into the sea from cliffs…. It would have aroused the world and the people of Germany." Louis Fischer, *The Life of Mahatma Gandhi* (New York: Collier Books, 1950), 346–348. For Magnes's short-lived effort to create in the spring of 1939 a religious society carrying "a commitment to social action and practical political work," most of whose members would be drawn to the League for Jewish-Arab rapprochement and Cooperation, see Paul Mendes-Flohr, *Divided Passions: Jewish Intellectuals and the Experience of Modernity* (Detroit: Wayne State University Press, 1991), 344–350 and ch. 15.

71 Hedva Ben-Israel, "Bi-nationalism versus Nationalism: The case of Judah Magnes," *Israel Studies* 23:1 (2018): 102; Dmitry Shumsky, *Beyond the Nation-State: The Zionist Political Imagination from Pinsker to Ben-Gurion* (New Haven: Yale University Press, 2018).

integrity of their ancestral homeland and to insuring the security of their families. In their view, for one people with a long, tormented history of exile and exclusion in a world without love or redemption, the new state born in war and beleaguered for decades by implacable enemies serves as a testament to Jewish resilience and faith in a better tomorrow. With that assessment, Magnes, "the agitator and troubler in Israel," [72] would likely agree.

Monty Noam Penkower, Professor Emeritus of Modern Jewish History at the Machon Lander Graduate School for Jewish Studies, Jerusalem, recently completed his trilogy on the rise of the State of Israel between the years 1933–1948 with Palestine to Israel: Mandate to State, 1945–1948 *(2 vols.). The first two books were* Palestine in Turmoil: The Struggle for Sovereignty, 1933–1939 *(2 vols.), and* Decision on Palestine Deferred: America, Britain and Wartime Diplomacy, 1939–1945.

72 Goren, "Introduction," in *Dissenter in Zion*, 57.