

**Review
of
the
Year**

**UNITED STATES
OTHER COUNTRIES**

Civic and Political

Intergroup Relations

IN 1978 THERE WAS CONTINUED PRESSURE on Americans, caused by inflation, high taxes, and a general mood of uncertainty. This set the tone for intergroup relations.

Despite relative affluence and broad acceptance, American Jews experienced considerable anxiety as a result of a variety of developments in the intergroup area. Adding to this sense of anxiety were differences between the Jewish community and the Carter administration growing out of efforts to bring about peace in the Middle East, the continued harassment of Jews wishing to leave the Soviet Union, and an increased awareness of such problems as a low Jewish birthrate and sharp rise in intermarriage.

Religion

EVANGELICAL PROTESTANTISM, MISSIONARY ACTIVITIES, AND CULTS

There was a continuation of the growth of evangelical Protestant activities. Four weeks after publication, more than one million copies of the *Holy Bible, New International Version*, a translation by evangelicals for evangelicals, were sold. Religious broadcasting, once relegated to the early morning hours, particularly on Sunday, was becoming what the *New York Times* called "the fourth network"; there were more than 1,000 Christian radio stations and 25 religiously controlled television outlets.

The estimated 50 million evangelical Protestants were emerging from isolation and making their impact felt in the social and political arenas. Attacks continued on pornography, "gay" rights, and sex and violence on television. Two years after the election of Jimmy Carter, a "born again" Christian, to the presidency, *Congressional Quarterly* reported that the evangelical religious movement was becoming a significant factor in American politics. In several instances during the primary contests in 1978, candidates sought to persuade voters to elect "real Christians," or appealed to the public in "the name of Jesus Christ." For the most part, however, evangelical candidates either failed to survive the primaries or lost in the general elections.

Widespread public attention was given to groups like the Unification Church, Hari Krishna, and a wide variety of Hebrew-Christian sects. The spectacular mass suicide and murder in the Guyana jungle by members of Jim Jones's People's Temple highlighted the concern felt by many over these movements. According to one sociologist, some 1,300 new religious cults had sprung up in the United States since 1965.

Of special concern to Jews was the perceived threat of missionary activities. In January the Jewish Community Relations Council of Philadelphia released *The Challenge of the Cults*, which noted that "a distressingly large number of the young people being recruited into so-called cult groups" were Jewish; estimates ran as high as 60 or 70 per cent. In the metropolitan New York area alone there were some 60 such groups whose activities were geared primarily, if not exclusively, to the Jewish community. According to Malcolm Hoenlein, director of the Jewish Community Relations Council of New York, the conversionary techniques of Hebrew-Christian groups included "misrepresentation of biblical scripture; distortion of Jewish symbolism; the use of performing groups to gain entrance to Jewish organizations, synagogues, and institutions; and street corner distribution of cleverly designed humorous pamphlets with titles such as 'Jesus Made Me Kosher.'"

Jewish communal groups in New York, San Francisco, Los Angeles, Philadelphia, Chicago, and other cities mobilized to meet the challenge of the cults and missionaries. On April 5 American Jewish Committee (AJC) staff members met in St. Louis with the leadership of the Lutheran Church-Missouri Synod to express concern about the resolution adopted by the Synod the previous year making Jews a particular target of conversionary appeals. The AJC called for an immediate suspension and total revision of a highly offensive training manual entitled, "Witnessing To Jewish People." Ruth Carter Stapleton, the president's sister and a well-known evangelist, cancelled her appearance as keynote speaker at a Long Island convention of B'nai Yeshua, a Hebrew-Christian group, after she was criticized by officials of AJC and the National Council of Churches. Stapleton indicated in an announcement made on June 2 that she was concerned about the possibility of angering American Jews.

There were other factors besides missionary efforts which adversely affected the attitudes of Jews toward evangelicals. Among these were the Carter administration's policies on Israel; the growing use of the Christian Yellow Pages, which encouraged consumers to deal only with "born again" Christians; and the establishment of Christian physicians', lawyers', and businessmen's groups. The Yellow Pages and Christian groups were particularly resented because they were seen as excluding Jews from the mainstream of American life.

Efforts went forward, however, to improve relations between evangelicals and Jews. One such effort was the publication of *Evangelicals and Jews in Conversation*, edited by Rabbis Marc H. Tanenbaum and A. James Rudin of AJC and Reverend Marvin R. Wilson. The book stressed a "deepened perception" of the values and

beliefs of the two groups and illustrated the diversity and pluralism that existed within each. Dr. Wilson noted that Jews had too often been viewed "as trophies to be bagged" by evangelicals. Another indication of rapprochement was the appearance of Billy Graham at the meeting of the national executive council of AJC in Atlanta, Georgia in October. This was Graham's first speech to a major national Jewish organization, and he was given AJC's Interreligious Award. In his remarks the popular evangelist, who had previously made strong statements in support of Israel, called on Christians and Jews to work together for peace in the Middle East and for an end to terrorism. A series of regional dialogues co-sponsored by the Southern Baptist Convention and AJC took place in the fall; more were scheduled for early 1979.

As the year drew to a close, Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations (Reform), called on Jews to mount a "dignified" proselytizing campaign among non-Jews. His proposal, described in a front-page story in the *New York Times*, was unanimously adopted by the UAHC board of trustees. The new policy of the Reform movement precipitated a great deal of discussion in the Jewish community in terms of the impact it would have on Jewish efforts to combat Christian missionary activities and the cults.

CATHOLIC-JEWISH RELATIONS

The year found the Roman Catholic leadership seeking to influence opinion and policy in opposing abortion, the loosening of sexual mores, and other forms of permissiveness in society. At a time of growing uncertainty, the Catholic Church was stepping forward to become the custodian of traditional values and morality. Inevitably, this thrust brought Catholics into harmony with evangelical Protestants on issues like abortion, and conflict with liberal, mainline Protestants and many Jews on a wide range of social and political issues.

As Catholics moved up the economic ladder and pressed their agenda in public life—they were the dominant group in the "pro-life" (anti-abortion) movement and efforts to obtain tax credits for private and parochial schools—they were becoming an increasingly powerful political force. Catholic mayors, often only a generation away from Central and Eastern European backgrounds, governed major cities like Philadelphia, Chicago, and Cleveland, while important state capitals such as those in Connecticut, New York, New Jersey, and California, were presided over by politicians of Irish-Catholic background. The newly formed Right-To-Life party polled enough votes in the gubernatorial election in New York to guarantee it a position on the ballot; it took over fourth place behind the Conservative party, but ahead of the well established Liberal Party. In addition, "right to life" grass roots activity linked to the November elections was an important factor in the defeat of three Democratic senators—Dick Clark of Iowa, Floyd Haskell of Colorado, and Thomas J. McIntyre of New Hampshire—and the election of a number of candidates.

In June *Time* reported that the national Right-To-Life organization claimed up to 11 million members in 1,500 chapters around the nation, and a total budget of \$1.3 million. By the time Congress adjourned in October, amendments attached to five different bills had outlawed about 98 per cent of federally-funded abortions, according to an estimate by the Department of Health, Education, and Welfare. As a result of drastic reductions in free abortions for the poor ordered by the federal government and by 33 states since August 1977, federally-funded abortions had been reduced from as many as 350,000 a year to fewer than 900 in the third quarter of 1978.

Catholics had less success in their efforts to obtain tax credits for parents with children in non-public schools. On June 1 the House of Representatives passed such a bill by a close vote. On August 16, however, the Senate eliminated elementary and secondary students from the bill and, in the rush for adjournment, tax credits for college tuition also failed to survive. Opposed to this legislation were a wide variety of groups, including public education officials and most Jewish organizations. In a statement made public on June 11, Carol M. Stix, education chairman of AJC, expressed the organization's opposition to the bill, calling it "an unsound expenditure of public funds" which would "undermine the principle of separation of church and state." She expressed concern that if the principle of partial reimbursement for tuition costs were made legitimate, there would be pressure to grant tax credits for total tuition, leading to increasing abandonment of "inadequately financed public schools."

Despite differences on such issues, the day-to-day relations of Catholics and Jews remained good. Catholics continued to reach out to Jews in order to learn more about the Jewish heritage. On December 10 Bishop Francis J. Mugavero of the Roman Catholic Diocese of Brooklyn issued new guidelines discouraging proselytizing and encouraging the study of Jewish history and tradition. The Diocese was described by Avron I. Brog, chairman of the New York Regional Board of the Anti-Defamation League of B'nai B'rith, as having the most successful Jewish-Catholic dialogue in the country. Similarly, officials in Philadelphia's Catholic parochial schools reported late in the year on a new supplemental curriculum on Judaism being prepared for use in the fall of 1979. The curriculum was geared to heighten awareness of the Jewish roots of Christianity, and of antisemitic attitudes which had led in the past to the persecution of Jews.

Concern was expressed in some Catholic quarters that Jews were not responding in kind to overtures. Returning to a theme that aroused considerable controversy in 1976 when he addressed a meeting of AJC, the priest-sociologist Andrew M. Greeley argued in *An Ugly Little Secret: Anti-Catholicism in North America*, that Jews were turning a blind eye to anti-Catholic sentiments which existed in the Jewish community. The focus of Catholic anger, however, was not so much the Jews *per se*, as the liberal or cosmopolitan society of which Jews were a part. Catholics were stung by such developments as the Supreme Court decision upholding abortion and Congress' unwillingness to approve tax credits for private and parochial

schools. In August Senator Daniel Patrick Moynihan (D., N.Y.), co-sponsor of the tax credit legislation, indicated to the American Church hierarchy that the "institutions associated with social progress in American culture are overwhelmingly against us on this issue." He termed the opposition "vindictive" and "vicious," adding that "anti-Catholicism is one form of bigotry which liberalism seems still to tolerate."

The "surge of Catholic anger," as Father Theodore Hesburgh, president of Notre Dame University, dubbed it, was directed at leading institutions and organs of the "cosmopolitan" culture. In *An Ugly Little Secret* and "Anti-Catholicism In The Academy," Greeley charged that prestige colleges and universities had few Catholics on their faculties. In a syndicated column carried in a number of newspapers, Patrick J. Buchanan took Hollywood to task for such films as "Looking For Mr. Goodbar" and "Saturday Night Fever." "To the Hollywood screen writer," he wrote, "the traditional, socially conservative Catholic family, like the racist, Southern sheriff and the corrupt business executive, appears as a stereotypical negative figure." Commenting on "In The Beginning," a half-hour CBS situation comedy featuring a "free-spirited, street-wise nun" and "an uptight, stuffed shirt priest," the *Catholic Standard and Times* of Philadelphia asked, "Is television becoming increasingly anti-Catholic?" The Catholic League for Religious and Civil Rights, modeled after the Anti-Defamation League and AJC, was engaged in countering anti-Catholic bias it allegedly found in the *New York Times*, *Newsweek*, *Time* and other national media outlets.

Virgil C. Blum, S.J., president of the Catholic League, noted in the organization's newsletter in November that "the repeated refusals of Congress to lend financial support to parents of independent school children has had the tragic effect of imprisoning our low income minority youth in public schools, which are often wholly inadequate." The following month, in an article "Should Catholics Be Angry?" Blum pointed out that 15 religious and civic organizations endorsed the *amicus curiae* brief submitted by Leo Pfeffer, special counsel to the American Jewish Congress, in the *McRae v. Califano* case in New York, challenging the constitutionality of the Hyde Amendment, which had ended most Medicaid funding of abortions. This, he asserted, was a "most unecumenical challenge of the civil rights of Catholics." "What the Hyde Amendment's opponents have done," *Commonweal*, the liberal Catholic weekly editorialized, "is to inflate the notion of religion, and therefore of establishment and of religious infringement beyond anything relevant to the First Amendment."

In a quite different way Catholic and Jewish intellectuals also seemed to be growing apart. Writing in *National Review* (April 28), Jeffrey Hart noted that "Catholic intellectuals were moving to the left while their Jewish counterparts were going to the right." At the same time that such magazines as *Commentary*, *The Public Interest* and *The New Republic*, edited by Jews and with large Jewish readerships, were taking strong stands against communism, racial quotas, and welfare

schemes, Catholic publications such as *Commonweal*, *America*, and *The National Catholic Reporter* were embracing "an intellectually jejune and dated leftism."

CHURCH-STATE RELATIONS

With the exception of the tax credit issue, there were few clashes in 1978 over church-state matters. At the close of the year, the American Jewish Congress reported that in the wake of the Supreme Court decisions banning prayer recitation and Bible reading in public schools there had been a steady decline in sectarian holiday observances at Christmas and Easter time. Nonetheless, such observances were still occurring in some parts of the country. In November a suit was filed in Sioux Falls, South Dakota by a group of parents who objected to the use of religious songs and pageants in Christmas programs. In another law suit, a U.S. district judge in Chicago denied a motion by the American Civil Liberties Union asking that the city be required to dismantle a nativity scene in the City Hall courtyard. He ruled, however, that a sign be installed at the scene stating that the display had been donated by private groups and did not represent the official religious outlook of the city. At Marple-Newtown High School in Delaware County, Pennsylvania, a group of Jewish students petitioned the Student Council not to purchase a Christmas tree, but were turned down.

On one matter the religious communities found themselves united. This involved maintenance of the section of the Internal Revenue Code giving a tax exemption to charitable, religious, and educational institutions. The IRS announced that it intended to take away the tax exemption of private schools if they were found by the courts to discriminate or if they failed to show non-discrimination when measured by a number of criteria. One such criterion was the "safe harbor" test; a school would be considered discriminatory if the percentage of minority students enrolled did not equal or exceed 20 per cent of the minority school population in the community served by the school. The IRS's new policy required schools that were "statistically suspect" to take "affirmative action" or risk losing their tax exempt status. The procedure was supported by the Departments of Justice and HEW, as well as the NAACP and ACLU, as a means of putting pressure on the large number of Christian academies that had been founded in the South in an effort to bypass the Supreme Court's school desegregation decisions.

Early in December representatives of Protestant, Roman Catholic, and Jewish groups joined forces at four days of public hearings in Washington to denounce the IRS proposal. Testimony on behalf of the National Jewish Community Relations Advisory Council, the Council of Jewish Federations and Welfare Funds, the Synagogue Council of America, and the American Association for Jewish Education was presented by the American Jewish Congress. The Congress spokesman argued that the proposal would "unfairly burden" the Jewish community: "The absence of Black students [in Jewish schools] can be attributed to facts wholly unconnected to any policy of intentional racial discrimination and is due primarily to the *de*

minus number of minority group students who are Jewish." Because of the intensity of public reaction, the IRS was expected to revise the proposed regulations.

Race Relations

BLACKS AND JEWS

The need of expanding government efforts to meet the tragic plight of the Black underclass ran head-on into efforts of cities and states to cut governmental costs and eliminate corruption from poverty and welfare programs. In New York City, for example, welfare rolls for family and home recipients were down from the peak of 1,002,847 in June 1976 to 884,426 in November 1978. Mayor Koch came into office in New York City following an election campaign in which he attacked "poverty pimps." As Koch mounted a drive seeking to remove ineligible from the welfare rolls, he and Blanche Bernstein, the head of the City's Human Resources Administration, ran into difficulties with Blacks and Hispanics. In the spring, Representative Charles B. Rangel and State Senator H. Carl McCall filed suit in Federal Court in an attempt to halt Koch's plan to restructure New York's anti-poverty program.

Koch's difficulties with Blacks and other minorities rapidly escalated into a full-blown racial and religious confrontation. Black legislators and other spokesmen for the Black community began to associate his policy decision and personnel changes, which they vehemently opposed, with the fact of his Jewishness. Fred Samuel, a Harlem councilman, observed that as far as Blacks were concerned, Koch was the "Jewish Mayor." (His predecessor, Abraham Beame, had also been a Jew, but according to Samuel, Beame "knew how to reach out to the Black community.") Koch was attacked for appointing "so many Jewish commissioners" and restructuring anti-poverty programs in conformity with "Jewish interests." One Black spokesman publicly declared that the elements which made Blanche Bernstein unfit to head the Human Resources Administration—racism, insensitivity, and lack of charity toward the poor—were attributable to "her Jewish middle-class background."

Behind these charges lay a complex power struggle. Anti-Jewish feelings appeared at a time when Black politicians saw their political power at a low ebb. For the first time in 25 years, the Manhattan borough president's office was held by a white, Andrew J. Stein, following the defeat of Percy E. Sutton in the primary. This was closely related to the loss of Black patronage and control of the City's poverty programs. While Koch did name a Black (Haskell Ward) to head the anti-poverty apparatus, he was a former State Department official with no ties to the New York City political establishment. Koch and Ward promptly cancelled a number of contracts with anti-poverty organizations, including the giant Bedford-Stuyvesant Youth in Action, citing "severe fiscal mismanagement problems." "The Koch Administration has brought anti-Jewish and anti-Black feelings out in the open," stated Horace Morris, director of the New York City Urban League. At the close of the

year, Koch attacked his critics, particularly the Black-owned *Amsterdam News*, as racist.

Further exacerbating the situation in New York City were a series of neighborhood conflicts. On June 14, in the Crown Heights section of Brooklyn, a popular Black community leader was killed in a struggle with police who were trying to arrest him. Two nights later, in the same neighborhood, a group of yeshiva students beat into a coma a 16-year-old Black believed to have attacked an elderly hasid. Following the second incident, two young hasidim were arrested, despite protests from other Jews that the men were innocent travelers who happened to be driving through the neighborhood as the police were looking for suspects.

As Dorothy Rabinowitz pointed out in "Blacks, Jews, and New York Politics," (*Commentary*, November), Crown Heights, where approximately 30,000 hasidim and 55,000 Blacks lived, had been the scene of Black-Jewish conflict for a number of years. Blacks charged that because Jews voted in great numbers, they wielded a disproportionate influence in the area. Shortly after the June incident, the *Village Voice* stated that the hasidim ran Crown Heights almost at will. So great was their influence, it was averred by Black leaders, that since 1966 the headquarters of the Lubavitcher rebbe, Rabbi Menachem Schneerson, had been guarded day and night by police patrol cars. The hasidim had organized effective neighborhood patrols to guard against crime and violence.

The two episodes in Crown Heights produced a sharp reaction on the part of Blacks and Jews. A number of protest meetings were organized by Crown Heights Blacks and numerous others from outside the neighborhood. At one such meeting, a Protestant minister was reported to have said, "We're going to get the Jews and the people in the long black coats!" A Black United Front was initiated with some 300 Black men snuffing out candles with their bare fingers and mingling blood in an oath-taking ceremony. In the course of an interview with the *New York Times*, a leader of the Black United Front stated that if Blacks could not stop the City and the hasidim from mistreating them, "maybe it will be time for people like me to step aside and let the people who say that violence is the only answer take over."

The climax of the protests came on July 16, when some 2,000 Blacks gathered at a rally on Eastern Parkway across from the massive Lubavitcher headquarters. The demonstration occurred on the same Sunday that the New York Patrolmen's Benevolent Association chose to schedule a march in Crown Heights to honor the memory of police officers slain in the line of duty. A three-way confrontation took place. One Black speaker, facing the Lubavitcher headquarters, labeled it "the house of oppression." Appeals were made for a boycott of hasidic-owned stores, and the police were urged to stand aside to let the crowd do its work. A group of 24 Black ministers subsequently disassociated themselves from the antisemitism expressed at the rally, but the *Amsterdam News* carried an approving headline, "Blacks Warn Jews."

In commenting on the significance of the events in Crown Heights, Dorothy Rabinowitz noted that "the public expression of antisemitic sentiment, as a means

of conveying political antagonism, seems now to have become normal. So much so, that virtually no public notice could be taken of the explicitly anti-Jewish tirades of Crown Heights leaders, the threats to burn down Jewish houses, the enlistments to riot and commit mayhem against Jews." In an effort to head off further racial and religious antagonism, Mayor Koch announced in July the formation of a city-wide Council on Intergroup Relations.

Hardly had the situation in Crown Heights died down when another incident occurred which again exacerbated race relations. On December 2 an elderly hasidic Jew in the Boro Park section of Brooklyn was set upon and killed while on his way home from Sabbath services. A few hours later some 3,000 hasidim, dressed in their traditional black garb, descended on the 66th Police Precinct headquarters to demand greater police protection. Before long, violence broke out; 62 policemen and a number of protesters were injured, the station house door was ripped off, and police records were scattered about.

The Metropolitan Council of the NAACP charged that the failure of the police to make quick arrests in the assault on the police station represented a double standard by the city administration. In January 1979, however, Assemblyman Samuel Hirsch and four other men were arrested on charges growing out of the violent clash in Boro Park.

There were some 50,000 Jews in the Boro Park area, over 95 per cent of them Orthodox and/or hasidic. Most had come to the United States in the aftermath of the Holocaust. Surrounded by other minority groups, the Jews felt that their beards, earlocks, and traditional style of dress made them special targets for cruelty as well as robbery. Ironically, just a few hours before the clash at the station house, the police had arrested three youths who were later charged with killing the hasid. The police reported that the murder had been part of a night-long rampage of stabbings and muggings; other victims had been Haitian, Black, and Hispanic.

The Bakke Case

The serious problems of the Black underclass tended to obscure the fact that, simultaneously, the Black middle class was making significant advances. In a study made public on May 7, the Rand Corporation reported that the wage gap between white and Black workers in the United States had narrowed substantially in recent years, and that with specific reference to Black and white women, the gap had almost completely disappeared. The report indicated, however, that the average salary of Black men was still three-quarters that of white men. The annual report of the National Center For Educational Statistics noted that the number of Black college students had grown from 282,000 in 1966 to 1,062,000 in 1976; the percentage of Blacks among all college students in that period soared from 4.6 per cent to 10.7 per cent. Moreover, as William Julius Wilson, a Black professor of sociology at the University of Chicago, pointed out, almost 80 per cent of current Black collegians were attending predominantly white institutions. More generally, Wilson

argued, in a widely discussed book, *The Declining Significance of Race*, that class had become more important than race in determining the life chances of Blacks.

The 1978 edition of the *National Roster of Black Elected Officials*, published by the Joint Center For Political Studies, listed 4,503 Blacks in elective office in 42 states and the District of Columbia. The figure represented a decline in the rate of growth for previous years and, as many Black leaders pointed out, accounted for less than one per cent of the more than 522,000 elected officials in the nation. Black political strength was evident, however, in the number of Black mayors in major cities across the United States, and in the ability of Blacks in Philadelphia to defeat a proposed change in the City Charter that would have permitted Mayor Frank L. Rizzo, widely seen as anti-Black, to run for a third term.

The growth of a Black middle class and its efforts to achieve full equality and advance socially provided the setting for what was probably the single most divisive issue separating Blacks and whites and, more especially, Black and Jews—the Bakke case. On June 28 the Supreme Court handed down its long awaited decision. In a 5-4 split vote, the judgment affirmed the decision of the California Supreme Court to the extent that it held that the special admissions program at the Medical School of the University of California at Davis was unlawful, and that Allen Bakke, who was white, should be admitted. At the same time, the judgment reversed that part of the California Supreme Court ruling which barred the Medical School from giving any consideration to race in its admissions policy. The decision was confusing in that Justice Powell joined with four of his colleagues in affirming the California Supreme Court on one point, and with the four other justices in reversing another point.

In ruling in Bakke's favor, Justice Powell laid great emphasis on the Equal Protection Clause of the 14th Amendment, which was guaranteed to all individuals regardless of race or ethnic origin. At the same time, however, Powell held that race could be taken into account in the admissions process, since diversity was a valid educational objective. The admissions program at Davis, which focused solely on ethnic diversity, hindered rather than furthered attainment of genuine diversity, Powell argued. He then went on to distinguish between diversity and preference: "We have never approved preferential classifications in the absence of proved Constitution or statutory violations."

Speaking for himself and three other colleagues, Justice Stevens argued for the admission of Bakke on narrower grounds. He based his judgment solely on Title VI of the Civil Rights Act of 1964 which prohibited discrimination on the grounds of race, color, or national origin in any program or activity receiving federal funds. The other four justices disagreed with Powell regarding Bakke's admission, and felt that he had not gone nearly far enough in legitimatizing racial considerations in the admissions process. It was constitutionally permissible, they argued, to endorse the explicit use of racial considerations "where there is a sound basis for concluding that minority underrepresentation was substantial and chronic, and that the handicap of past discrimination is impeding access of minorities to the Medical School."

What seemed to emerge from this complex and somewhat ambiguous decision was that affirmative action was permissible, but that the use of racial or ethnic quotas, where there has been no finding of past discrimination on the part of an institution, was not. Predictably, debate swirled about the meaning and implications for the future of the Bakke decision.

Within the Black community the reaction to the Bakke decision was mixed. National Urban League president Vernon Jordan saw it as a "green light to go forward" with affirmative action programs. Others, however, reacted with dismay. A day after the decision the New York *Amsterdam News* headlined the event: "Bakke: We Lose!!" Analyzing the impact of the decision, the newspaper concluded that it had "jeopardized every affirmative action program in the country, not only in colleges and graduate schools, but also in private business and industry." Chicago civil rights leader Jesse Jackson compared the impact of the decision on Blacks to a Nazi march in Skokie or Klan marches in Mississippi. Angry protesters rallied against the decision in San Francisco, Los Angeles, and New York.

The decision exacerbated the already strained relations between Blacks and Jews. The *Amsterdam News* warned that the decision "may further divide Blacks from Jews at the national and local levels." Louis Clayton Jones, a Black columnist, wrote that the "intellectually unstable among us will make common cause with Mr. Bayard Rustin and his friends from B'nai B'rith and the American Jewish Congress who have been vindicated in their opposition to effectively enforceable affirmative action programs by five reactionary members of a nine-man Supreme Court." He warned that overtures would be made encouraging Blacks and Jews to get together to develop new approaches to the enforcement of affirmative action programs. Deriding this, he suggested that such a Black-Jewish coalition be called JEWSAC, an acronym for Jews to Support Affirmative Action Committee.

Most Jewish organizations did, in fact, react favorably to the decision. Harold M. Jacobs, president of the Union of Orthodox Jewish Congregations of America, hailed it as "an historic milestone in the furtherance of equal rights in American society and a reaffirmation of individual rights under law." Bertram Gold, executive vice president of the American Jewish Committee, declared in an article in *Civil Rights Digest* that "both sides won." Noting that his organization had filed a friend-of-the-court brief on behalf of Bakke, Howard M. Squadron, national president of the American Jewish Congress, called on Blacks and Jews to join together in devising "effective affirmative action programs in accordance with the court's ruling."

In the weeks and months that followed the Bakke decision, greater cautiousness developed among Jewish leaders about its long-range implications. The Supreme Court decision had stressed that ethnic diversity was a valid goal in university admissions and that race could be an "important element in the selection process." Writing in *Commentary* in September, William J. Bennett and Terry Eastland warned that universities professing to employ racially nondiscriminatory admissions policies could use them as covers for de facto quota systems. Some also worried that

Justice Powell's approval of the objective of "diversity" would encourage other underrepresented groups in the learned professions, such as Italian-Americans, to seek proportional representation. New York State Senator John Calandra complained in November that Italian-Americans comprised 25 per cent of the City University student body, but only 4 per cent of the faculty. "Every other ethnic group starts yelling about quotas," he said. "I want the Italo-Americans to get what everybody else has. Otherwise I'll fight every budget in Albany."

In January 1979, the NAACP released a report charging that "the plurality of opinions in the Bakke case" had led some educational institutions "to commence tampering with and, in some instances, boldly uprooting special programs aimed at assisting minorities." The report specifically mentioned Rutgers, Yale, and the University of Pennsylvania. A spokesman for Yale Law School responded that Yale had modified some procedures in conformity with the Bakke decision, but that it had not changed its commitment to admit members of minority groups. The NAACP also noted that in the wake of the Bakke decision, lawyers representing white policemen and firemen were seeking to eliminate affirmative action programs that had previously been adopted by such cities as San Francisco, Detroit, Atlanta, and Dayton.

On December 11, the U.S. Supreme Court agreed to review *Weber v. Kaiser Aluminum and Chemical Corp.* in what some termed the "blue collar Bakke case." The case involved a white Louisiana factory worker who charged that a training program designed to increase the number of Blacks in skilled craft jobs illegally discriminated against white workers with greater seniority. At year's end, the Anti-Defamation League of B'nai B'rith prepared to file an *amicus curiae* brief in Weber's behalf. Thus, the stage appeared to be set for yet another intergroup conflict.

Whatever the effect of the Bakke decision on the private sector, it was clear that the federal government was moving ahead with renewed energy in the area of affirmative action. In December the Equal Employment Opportunity Commission issued a new set of guidelines for handling reverse discrimination cases. If an employer made a "reasonable assessment" and found that affirmative action was an "appropriate" remedy, the guidelines indicated, the Commission would not take administrative action against the company on the grounds of reverse discrimination. The guidelines drew criticism from the American Jewish Congress, the American Jewish Committee, and the Anti-Defamation League of B'nai B'rith. In a letter to Eleanor Holmes Norton, chairman of the EEOC, the three organizations reiterated their full support for eliminating discrimination and for special efforts to increase the recruitment and advancement of minorities and women. They expressed concern, however, that the guidelines would give employers the impression that the federal government was demanding that the makeup of the work force be roughly parallel to the makeup of the population, and that employers would feel compelled, despite an absence of any discriminatory practices, to institute a race conscious affirmative action plan. Concerned perhaps by this reaction, Norton, in an interview with the National Catholic News Service, revealed that she planned to investigate

and attack "executive suite discrimination" against Catholics and Jews. She said that while "Catholics and Jews have indeed been able to penetrate the workforce . . . there are particular industries where there are artificial cutoff points, normally at a fairly low middle management level, for people who are not Anglo-Saxon Protestants."

The year ended, therefore, with considerable uncertainty about affirmative action programs. Black leadership worried about what Vernon E. Jordan, Jr. called "the bitter harvest of a decade of negativism" that featured "indifference to the plight of the poor . . . abandonment of affirmative action and letting the cities twist slowly, slowly in the wind." Working class whites and many Jews, on the other hand, feared that their rights and opportunities were being curtailed.

Extremism

ANTISEMITISM

There were manifestations of anti-Jewish prejudice on college campuses. One incident took place at the University of Florida on November 9, the anniversary of "Crystal Night" in Germany. Members of the Sigma Phi Epsilon fraternity who had been feuding with students belonging to the predominantly Jewish Tau Epsilon Phi fraternity, demonstrated in front of the TEP house, uttering antisemitic slogans and obscenities. Other incidents occurred at the University of California, Berkeley, Queens College in New York, the University of Georgia, and the University of North Carolina. On April 30 the *New York Times* reported on increasing clashes at Brooklyn College between militant minority students and Jewish collegians, about half of whom came from Orthodox families. These episodes, however, tended to be isolated, and anti-Jewish hostility remained, in general, at a relatively low level.

SKOKIE

American Jews were greatly concerned about a resurgence of Nazi groups. During the year, Nazis were active in St. Louis, San Francisco, Detroit, Cincinnati, Houston, Kansas City, Milwaukee, and Denver. A predominantly non-Jewish crowd in St. Louis prevented a Nazi group from getting off a truck which brought them to the site of a proposed march and rally. In San Francisco there was an anti-Nazi demonstration involving such groups as the NAACP, Catholic Archdiocese, Protestant Church Council, and Jewish Community Relations Council.

The most important episode involving the Nazis occurred in Skokie, Illinois, where the National Socialist party, under the leadership of Frank Collins, sought to hold a march. Skokie had a population of 70,000, including 40,000 Jews, many of whom were concentration camp survivors. At a meeting of religious and community leaders from Skokie and representatives of the Anti-Defamation League, an

initial decision was reached to deal with the threatened march through the classic quarantine method. However, pressure from Nazi survivors who vowed that they were not going to allow anyone to flaunt the swastika forced a revision in this strategy. Three ordinances were enacted by the Skokie officials; one required a permit for any parade or public assembly involving more than 50 persons; a second banned "political organizations" from demonstrating in "military style" uniforms; a third prohibited the display of "symbols offensive to the community" and the distribution of literature that ascribed a "lack of virtue" to racially or ethnically identifiable groups. Concurrently, a small group of Skokie Jews sought an injunction against any Nazi demonstration, because of the injury it would allegedly do to them. These actions raised the issue of freedom of speech, and the American Civil Liberties Union came to the defense of the Nazis. The U.S. District Court and the 7th Circuit Court of Appeals ruled that guarantees of free speech protected even American Nazis.

The proposed march, which was postponed a number of times and finally scheduled for June 25, 1978, quickly became a major media event across the country. Eugene Dubow, Midwest regional director of the American Jewish Committee, pointed out that for many American Jews, particularly those under 35, it was the first time in years that they faced a pointedly antisemitic attack in an area heavily populated by Jews. The Jewish community responded through the Public Affairs Committee of the Jewish United Fund of Metropolitan Chicago, which made plans for a counter-demonstration if all legal appeals failed. Expressions of solidarity were received from various ethnic, religious, and civic groups, and thousands of people from all over the country made ready to gather in Skokie.

The complex series of legal moves finally culminated in a terse, one-sentence order issued by Supreme Court Justice Warren E. Berger on June 12 denying Skokie's request for a temporary stay of the march. Officials in Skokie had hoped that the Supreme Court would hold up the march until the town had a chance to appeal lower Federal Court rulings which had struck down as unconstitutional the three local ordinances designed to prevent the Nazi rally. Having gained a legal victory, the Nazis cancelled their plans to demonstrate in Skokie in favor of a rally in Marquette Park in Chicago. A carefully regulated, but considerably smaller, counter-demonstration by Jewish civic and religious organizations was held nearby. In addition to the usual calls to "burn the Jews" and "warm up the ovens," the Nazis made an effort to cash in on anti-Black feeling in the working-class, white ethnic area by wearing "White Power" T-shirts.

Following this episode debate ensued over the tactics employed in dealing with the Nazis. The veteran head of the Anti-Defamation League in the Midwest, A. Abbot Rosen, argued that the Jewish community had played into the hands of the Nazis by giving them publicity that they would otherwise never have received, given their small numbers and lack of public appeal. Others pointed out, however, that the Nazis came across in the media as pariahs, and that the admittedly high visibility they received did them little good.

The effect on the Jewish community of events in Skokie was considerable. The planned Nazi march was one of a number of occurrences in recent years contributing to a new sense of militancy with regard to Jewish safety and security. It marked, most probably, the end of the quarantine method which Jewish organizations had used for many years to handle gutter bigots and fanatics with little or no political power. It contributed, further, to pushing the Jewish community away from its traditional pro-civil-liberties stance. Some 30,000 members of the ACLU, a significant proportion of them Jews, left the organization in protest against the ACLU's position. There was a drop of 30 per cent in the Illinois membership alone. On May 19 the National Executive Council of the American Jewish Committee adopted by a narrow margin a resolution calling on the organization to take appropriate legal action to halt demonstrations aimed "specifically at highly vulnerable groups such as Jews."

"Holocaust" Television Series

The Skokie case was argued in the Appeals Court a few days before NBC-TV began showing "Holocaust," a four-part, fictionalized drama dealing with the fate of European Jewry during World War II. The nine-and-a-half-hour series marked an important television breakthrough. Nearly 120 million people, including members of the White House staff and cabinet—one of the largest audiences on record for a television special—watched all or part of the series. It was praised by a wide variety of church, communal, and civil rights leaders, including Benjamin Hooks of the NAACP, Vernon Jordan of the National Urban League, and Terry Herndon of the National Education Association. "The lesson of the Holocaust and of the television program by the same name is that it is never too soon for Christians to come to the defense of Jews who are being threatened by any form of antisemitism," Msgr. George Higgins wrote in his widely syndicated column in the Catholic press.

In order to measure the impact of "Holocaust" on viewers, the American Jewish Committee commissioned a survey by Response Analysis. Sixty per cent of the viewers said that watching the program made them better understand Jewish suffering at the hands of the Nazis. Three-quarters of them thought the series accurate, and more than two-thirds felt it was a good idea to present such a program on television. Since 30 per cent of the viewers and almost half of the non-viewers described themselves as poorly informed about the Holocaust, it was significant that almost two-thirds of those surveyed thought it a good idea to teach children about the subject.

"Holocaust" spurred a number of educational efforts. In October some 400 educators from around the world met in Philadelphia at the First International Conference on Teaching the Holocaust. Workshops were also held in a number of other cities. The Anti-Defamation League published *On the Holocaust*, a critique of the treatment of the subject in history textbooks. The American Jewish Committee provided *A Viewer's Guide to Holocaust*.

There was, however, some dissent. NBC reported that one out of four telephone calls it received about the series was unfavorable, as were 13 per cent of the letters that were sent in. In Chicago, where there was a sizeable German-American community, the German-language newspaper the *Abendpost* collected more than 1,500 signatures calling on education officials in Chicago to restrict teaching about the Holocaust. The newspaper argued that such teaching might leave the impression that "a Nazi is a German, a German a Nazi."

"Holocaust" spurred the movement, already underway, to bring to justice alleged Nazi war criminals who were living in the United States. Denaturalization proceedings were held during the year in Chicago, Baltimore, and Fort Lauderdale. When U.S. District Court Judge Norman C. Roettger ruled on July 26 in Fort Lauderdale that Feodor Federenko, a former Nazi concentration camp guard, could keep his American citizenship even though he had lied to obtain it, the American Jewish Congress urged the Department of Justice to appeal the decision. At the close of the year, efforts were underway by survivor groups, and virtually all other Jewish organizations, to get West Germany to extend the statute of limitations that would permit that country to prosecute Nazi war criminals there.

Conclusion

The year's events made it clear that group conflict in the United States could no longer be seen as the product of psychological aberrations which produced prejudice, racism, and antisemitism among some people. Rather, it was rooted in the differing group interests, values, life styles, and even historical memories which existed in a pluralistic society. The deepening sense of Jewish anxiety, highlighted by the revival of Nazism, Black-Jewish friction, and other factors, was promoting a new militancy with regard to the defense of Jewish interests. This militancy was bound to effect the usually liberal social-political posture of American Jews.

MURRAY FRIEDMAN

The United States, Israel, and the Middle East

DURING THE PERIOD UNDER REVIEW, President Jimmy Carter intensified his personal involvement in attempts to settle the Arab-Israel conflict. His efforts were crowned with success in the Camp David accords of September 1978. It took another six months of American pressure and blandishments, however, before the historic Egyptian-Israeli peace treaty could be signed on the White House lawn.

Although the United States had long been involved in Middle East peace efforts, under the Carter administration the American role was transformed from that of catalyst to acknowledged “full partner”—an enhanced role that had been advocated by Egyptian President Anwar Sadat. President Carter conceded that there was an inherent tension between the traditional American role as friend and advocate on behalf of Israel and the U.S. role as honest broker.

In fact, the United States had never been a completely disinterested mediator, since it had its own regional and global interests to protect. There had long been a bipartisan consensus that those fundamental interests included the containment, if not elimination, of Soviet influence; the encouragement of moderate and pro-Western elements; and continued access to and assured supply of Middle East oil to the United States and its West European and Japanese allies.

Israel shared these concerns. But tension became acute when Washington and Jerusalem did not see eye to eye on how American interests in the region might best be preserved, and whether specific Israeli actions harmed these interests.

The Carter administration continued to reaffirm the American commitment to Israel. Marking the anniversary of the Jewish State in the presence of Prime Minister Menachem Begin, President Carter declared on May 1:

For 30 years we have stood at the side of the proud and independent nation of Israel. I can say without reservation as President of the United States that we will continue to do so not just for another 30 years, but forever . . . The United States will never support any agreement or any action that places Israel's security in jeopardy.

Nevertheless, there was growing concern in Israel and within the American Jewish community that the special relationship between the United States and Israel was being eroded under the impact of new circumstances in the Middle East. The sharpest clash between the administration and Israel's supporters developed in the spring of 1978 over the Carter administration's insistence on portraying Saudi Arabia as a major force for peace and stability in the Middle East. After a bitter fight, the Carter administration won Senate approval for its arms package deal, which tied the sale of previously promised aircraft to Israel not only to congressional

acquiescence in the sale of 50 F-5E's to Egypt, but also to the sale of 60 sophisticated F-15's, the most advanced plane in the American arsenal, to Saudi Arabia.

Whatever the long-term effect of the arms sale to Saudi Arabia on the military balance in the region—Israel was to receive 15 F-15's and 75 F-16's—the immediate psychological effect was to enhance the public perception of the power of Arab petro-dollars and to weaken the influence of Israel and its supporters. One administration source reportedly went so far as to crow in private about having “broken the back of the Jewish lobby.” Publicly, however, the administration denied any such intention and sought to mend its fences with the Jewish leadership. The controversy over the arms sales package had earlier (in March) led Mark A. Siegel to resign his post as White House liaison to the Jewish community, on the grounds that he was not given accurate information by administration officials about the Saudi arms sale and, more generally, that he was not afforded the opportunity to present the concerns of the Jewish community as he perceived them before administration decisions affecting Israel were reached.

The package deal approach to Middle East arms sales was symptomatic of the linkage between the incipient Egyptian-Israeli treaty and a commitment to work toward resolving the other outstanding issues, notably the future of the West Bank (Judea and Samaria) and Gaza. Prime Minister Begin also gave vocal endorsement to the concept of a comprehensive peace and denied that Israel sought a separate peace with Egypt. But Israel wanted its bilateral treaty with Egypt to stand on its own legally, and Begin strenuously objected to any provisions that would make Sadat's fulfillment of his obligations toward normalization of relations with Israel contingent on progress in negotiations on any other fronts. Since Israel's major concessions to Egypt were tangible and essentially irreversible, Israel was concerned lest Sadat or his successor use lack of progress on the Palestinian issue or absence of negotiations with Syria as an excuse to delay movement toward peaceful relations with Israel.

The United States government, however, was deeply concerned about the negative effect that the appearance of a separate Egyptian-Israeli peace would have on America's relations with other elements in the Arab world. Consequently, the Carter administration took great pains during 1978 and early 1979 to reassure the Saudis, the Jordanians, and the Palestinians that the United States was sympathetic to their interests.

While high-level American diplomatic missions in this direction undertaken by National Security Adviser Zbigniew Brzezinski and Assistant Secretary of State Harold Saunders managed to antagonize Israel and arouse anxiety in the American Jewish community, they failed to win the endorsement of King Hussein of Jordan, or of King Khalid and others in the Saudi royal family. Predictably, the Palestine Liberation Organization (PLO) denounced the American peace initiative. But the open rejection by virtually all Palestinian municipal officials on the West Bank and in Gaza, the exclusion and nearly total isolation of Egypt at Arab League conferences convened in Baghdad in November 1978 and March 1979, and the active part

played by Saudi Arabia in imposing political and economic sanctions against Sadat came as a surprise to American policy makers.

Strains in Saudi-U.S. Relations

The increasingly negative role played by the Saudis, despite the friendship the Carter administration had displayed in ramming through Congress the F-15 plane sale, was attributed to a combination of factors. Divisions within the large Saudi royal family became increasingly apparent, with some of the younger members beginning to question the value of Saudi Arabia's traditional reliance upon the United States and demanding that Saudi Arabia diversify its international contacts. The United States had failed to stop Soviet and Cuban influence in South Yemen and the Horn of Africa. Washington had been taken by surprise when Noor Mohammed Taraki overthrew President Mohammed Daud in Afghanistan in April 1978 and greatly increased Moscow's influence in strategic Kabul by signing a 20-year friendship pact with the Soviet Union and bringing some 3,000 Soviet advisers to Afghanistan. These events might have been considered peripheral to American vital interests, but the apparent inability or unwillingness of the United States to prevent the overthrow of Shah Mohammed Reza Pahlevi caused the Saudis to wonder how reliable the United States was as an ally. The U.S., after all, had repeatedly referred to Iran as a bulwark of United States interests in the strategic oil-rich Gulf area. Moreover, the American commitment to Iran had been reflected in the sale of billions of dollars' worth of the most sophisticated arms to the Shah and the presence of tens of thousands of American technicians in the country.

While American policy makers had hoped to convince the Saudis that the loss of Iran made it all the more important for them to give at least tacit support to pro-Western and moderate elements in the Middle East, such as Egypt and Israel, which could serve as a barrier to Soviet penetration, the Saudis sought to buy insurance for themselves by siding with the radical Arab opponents of the Camp David accords, and even allowed rumors to be floated that Riyadh was considering developing ties with Moscow. The Saudis had in the past worked behind the scenes to promote Arab consensus—as in their efforts to overcome Egyptian-Syrian feuding, end the Lebanese civil war, and limit oil price rises—but now the Saudis publicly cast their lot with the Arab majority opposed to the Sadat initiative and also joined the more aggressive of the OPEC members to agree in December 1978 to a 14.5 per cent increase in oil prices.

The Saudi actions proved an embarrassment to the Carter administration. Senator Frank Church (D., Idaho) recalled that the administration had claimed that approving the F-15 sale "would give us much leverage with Saudi Arabia." Following the Baghdad conference and the OPEC action, Senator Church charged that the Saudis "have given us no help of any consequence." The incoming chairman of the Senate Foreign Relations Committee called for a reassessment of American policy toward the Saudis, noting that they "have played a

negative role in the Middle East" both with regard to the pursuit of peace and stabilization of oil prices.

The prospect of an impending Egyptian-Israeli peace treaty prompted the rival Ba'ath leaderships in Syria and Iraq temporarily to shelve their long-standing feud and to begin conciliatory moves designed to lead to an eventual union. Similarly, Syria and Jordan continued their steps at gradual coordination and cooperation, and even King Hussein and PLO leader Yasir Arafat, who had been locked in bloody battle in 1970, met to explore ways of countering what they perceived to be the challenge presented to them by the Egyptian-Israeli peace treaty.

Lebanon as PLO Terrorist Base

Whatever the rhetoric about linkage of the Egyptian-Israeli peace treaty to a comprehensive settlement of the Arab-Israel conflict, all sides knew that if Egypt was effectively and permanently removed from the fighting, Israel would be in a far better position to counter any threat mounted from the so-called eastern front—Syria, Lebanon, Jordan, Iraq, and potentially Saudi Arabia. During 1978 the immediate threat to peace in the area came from an escalation of Palestinian terrorist raids launched from Lebanon. The worst outrage occurred in March 1978 when PLO terrorists landed on a beach near Tel Aviv and seized passengers on the highway, killing 37 Israeli citizens and wounding 76 others. The Carter administration quickly condemned this action, but UN Ambassador Andrew Young urged Israel to avoid a "knee-jerk reaction" and to "consider the consequences of violence, even retaliatory violence." More than 400 members of Congress supported strongly worded resolutions condemning PLO terrorism and calling on the president to report to Congress the names of countries supplying arms and other support to the PLO.

After Israel launched a major attack to root out PLO terrorist positions in southern Lebanon, occupying a border area some six miles in depth, the United States undertook intensive behind-the-scenes efforts to prevent a further escalation of violence and to bring about an early Israeli withdrawal. After Israel's punitive raid, administration spokesmen became "even-handed" in their public criticism. Secretary of State Cyrus Vance indicated that both the Palestinian attack and the Israeli response had raised "impediments to the peace process." Department spokesman Hodding Carter III said the U.S. "deplores this new cycle of violence which erupted in the tragic killings in Israel . . . and continued with the military action and tragic loss of innocent civilian lives in Lebanon . . ." He also emphasized that the only real solution lay in a search for "a comprehensive settlement of the Arab-Israeli conflict in all its aspects and for measures which would restore long-term stability in Lebanon."

Although Prime Minister Begin was expected in Washington in a few days—the initial PLO terrorist attack causing his trip to be postponed for a week—the Carter administration rejected Israeli requests to defer action on the Lebanese situation until Begin could discuss it with President Carter. Instead, the United States pressed

at the United Nations for the withdrawal of the Israelis and their replacement by a UN peace-keeping force, which was in turn eventually to be replaced by the Lebanese army. While the United States was providing \$100 million to equip a new Lebanese army under the control of Lebanese president Elias Sarkis, this was still only a token force of some 3,500. The old Lebanese army had disintegrated during the civil war and the new army was no match for the 30,000 Syrian "peace-keeping" troops, the roughly 10,000 armed Palestinian guerrilla forces, and the various private militias belonging to the different Christian and Muslim factions.

Israel's UN Ambassador Chaim Herzog expressed doubt during the Security Council debate on March 17 that a UN force with sufficient "muscle" to curb the PLO in the border area would be established, especially in view of the Soviet Union's continued supply of arms to the PLO and the \$40 million that Saudi Arabia was providing the PLO annually. On March 19 the Security Council adopted an American resolution (by a vote of 12-0, with the Soviet Union and Czechoslovakia abstaining and China not participating) calling for "strict respect for the territorial integrity, sovereignty, and political independence of Lebanon within its internationally recognized boundaries," and calling on Israel "immediately to cease its military action against Lebanese territorial integrity" and to "withdraw forthwith its forces from all Lebanese territory." The Council also decided in accordance with the request of the Lebanese government to create a United Nations interim force for southern Lebanon (UNIFIL) for the purpose of "confirming the withdrawal of Israeli forces, restoring international peace and security, and assisting the government of Lebanon in ensuring the return of its effective authority in the area."

The following day, the Council adopted an additional resolution specifying that UNIFIL was to have a geographically balanced force of 4,000 men (raised in May to an authorized strength of 6,000) drawn from national contingents volunteered by various UN members (France, Norway, Fiji, Ireland, Iran, Nepal, Nigeria, and Senegal). The Israeli delegation charged that the United States had, in private negotiations, yielded to Arab pressure to delete a key phrase in the original draft of the American resolution that would have authorized UNIFIL to control movement in a demilitarized border area, and "to prevent the entry of unauthorized armed persons into the zone," a phrase directed at the PLO. In the resolution text that was adopted this phrase was replaced by wording that authorized the UN force to supervise the cessation of hostilities, insure the peaceful character of the area, control movement, and take measures to restore Lebanese control. The Israelis protested that this wording was too vague and would not have received their approval had they been consulted. American delegates claimed that they had tried to sound out the Israelis, but the latter had been pre-occupied with arrangements to meet Prime Minister Begin.

State Department Criticizes Israel

Israel was also upset by Secretary of State Cyrus R. Vance's report to Congress on April 5 that "a violation" of the 1952 legal agreement under which Israel receives

American arms "may have occurred by reason of the Israeli operations in Lebanon." Vance was responding to inquiries by several members of Congress who contended that Israel's large-scale moves in Lebanon utilizing American-supplied weapons violated a 1976 amendment to the Arms Export Act (prompted by the Turkish intervention in Cyprus) which specified that all U.S. military assistance should be terminated if a recipient country used American arms "in substantial violation" of any agreement. Prime Minister Begin insisted that all Israeli actions were based on "legitimate self-defense" in response to repeated incursions into Israel from bases in Lebanon by Palestinian terrorists. He also reiterated that Israel had no territorial designs against Lebanon. Secretary Vance, in his letter to House Speaker Thomas P. O'Neill, Jr., said that the matter had been discussed with senior Israeli officials and that Israel agreed to comply with the provisions of the Security Council resolution, including Israeli withdrawal. In view of these assurances and because of the "efforts to restore momentum to the vital peace negotiations," he was not recommending to the President any further action against Israel.

According to press reports, earlier State Department drafts of the Vance letter had been tougher in tone and included an implicit warning that American aid might be cut off in the future if the Israeli forces were not soon withdrawn. Representative Benjamin S. Rosenthal (D., N.Y.) reacted angrily to the Vance letter, declaring that it "contradicts prior policy followed consistently by previous administrations that when Israel responded to PLO raids that came out of Lebanon these were legitimate acts of self-defense." He termed the Vance letter "a significant change in American policy, a very disturbing shift."

Israel completed its phased withdrawal in June, but relinquished the last occupied area to a Lebanese Christian militia force headed by Major Saad Haddad, rather than to UNIFIL. Israel defended its action as a move to honor its commitment to protect the Lebanese Christian enclaves which had been cooperating with Israel. An attempt by the Beirut government to move regular Lebanese forces south in August failed when it ran into armed opposition from Haddad's Christian militia, which charged that the force was actually dominated by Syrians. Although the Syrian government had prudently refrained from getting its forces into a direct confrontation with Israel in southern Lebanon in March, the danger of potential conflict increased in October when, for several days, Syrian "peace-keeping" forces shelled Christian areas in Beirut and Israeli gunboats shelled Palestinian bases near the Syrians. President Carter sent a personal message to President Hafez al-Assad, who was then visiting Moscow, asking him to end the bloodshed, and also urged the Soviets and the Saudis to influence Assad. The president had earlier made similar appeals to all the parties involved. Israel Foreign Minister Moshe Dayan, who was on his way to Washington for Egyptian-Israeli peace negotiations following the Camp David agreement, told reporters on October 6 that "the Syrians are acting very negatively, but whether this is meant to torpedo the negotiations, I really can't say."

No full-scale conflict between Syria and Israel occurred during the period under review, but this continued to be a potential danger. That Damascus was not really prepared for total war with Israel was signified by the Syrian government's agreement to the periodic renewal of UNDOF, the UN force that separated Syrian and Israeli forces on the Golan Heights. The Security Council also periodically renewed the mandate of UNIFIL, but when it did so in January 1979 it expressed regret that UNIFIL had not been enabled to complete its tasks, and in particular deplored Israel's "lack of cooperation" and its continued assistance to "irregular armed groups in southern Lebanon." The Israelis were critical of the UN's one-sided approach, arguing that UNIFIL had failed to prevent infiltration by PLO terrorists and that the ultimate mission of UNIFIL, the restoration of Lebanese sovereignty throughout the country, could not be achieved until the Syrian occupation forces withdrew and the Palestinian guerrilla groups were effectively disarmed or removed from the area.

Opposition to U.S. Aid to Syria

In August the House of Representatives adopted by a vote of 280 to 103 an amendment by Representative Edward J. Derwinsky (R., Ill.) to eliminate the \$90 million in economic aid to Syria from the Foreign Assistance Appropriations Act for 1979. The main reasons cited for rejecting the aid were Syria's continued military actions against the Christians in Lebanon and Damascus' vehement opposition to the peace process initiated by President Sadat. The Senate had approved the full administration request. A compromise proposal of \$60 million, introduced by Representative Silvio O. Conte (R., Mass.) and initially approved, was reversed after intensive lobbying before the conference committee by administration spokesmen—including Secretary Vance, Vice President Walter F. Mondale, Defense Secretary Harold Brown, and National Security Adviser Brzezinski—who pressed for restoration of the full \$90 million, arguing that this was a modest but necessary sum to keep the door open to American influence in Syria. The House conferees went along with their Senate colleagues after adoption of an amendment by Matthew McHugh (D., N.Y.) instructing President Carter to allocate the funds "only if the President believes that such aid would serve the process of peace in the Middle East."

The administration was eager not to jeopardize any chance for success of Secretary Vance's post-Camp David summit trip to Damascus. Critics pointed out that the \$425 million in economic aid provided by the United States to Syria since 1975 had produced few tangible signs of moderation. Syria's fiery foreign minister, Abdul Halim Khaddam, had repeatedly declared that Sadat should be tried as a criminal and hanged for making peace with Israel; Syria had joined the even more radical states of Libya, Algeria, and South Yemen in breaking relations with Cairo; and within days of the Camp David accords Damascus hosted a summit of the "Steadfastness and Confrontation Front" which reportedly set up a \$1-billion fund to undermine the Camp David accords. Vance returned from Syria with little more

positive than a sense that while President Assad opposed the terms of Camp David, he did not completely rule out an eventual negotiated settlement on terms favorable to Syria and the Palestinians.

Senator Clifford P. Case (R., N.J.), who opposed the aid to Syria, also decried the American decision to approve the sale of L-100 transport planes to Syria ten days after Camp David. He noted that the Syrians had "reciprocated" these two generous gestures by continuing their onslaught against the accords and by stepping up their "attacks on the Christian community in Lebanon, creating hundreds of casualties."

U.S. Role in Peace Process

Since the details of the Egyptian-Israeli negotiations leading to the signing of the peace treaty in March 1979 are reviewed elsewhere (see Louvish, pp. 253-63), this article will focus primarily on the American role in the process.

The major points of disagreement between the Carter administration and the Begin government during 1978 focused on conflicting interpretations of what Israel was required to do to implement United Nations Security Council Resolution 242 of November 1967 (see AJYB, 1968, Vol. 69, pp. 180-81), the territories occupied by Israel in the 1967 Six Day War, and most crucially the legal status of East Jerusalem, the Gaza Strip, and the West Bank. Begin insisted that the unification of Jerusalem, "Israel's eternal capital," was not negotiable, and that the West Bank be referred to by the biblical names of Judea and Samaria, since, in his view, they were not occupied but had been liberated from the illegal occupation maintained by Jordan between the 1948 and 1967 wars.

The Carter administration tended to follow the general view of previous administrations, first developed under President Johnson after the Six Day War, that although Israel was not required to withdraw to the precise lines of June 5, 1967, which had reflected only the hastily drawn and politically negotiable military armistice lines of 1949, Resolution 242 envisaged substantial Israeli withdrawal on all three fronts—with Egypt, Syria, and Jordan. As for Jerusalem, the U.S. government had acknowledged since the days when Arthur Goldberg was American ambassador to the UN under President Johnson that the city was unique and required special arrangements to assure the interests of the three major monotheistic religions, that the city should be open to all, and that it should not again be physically divided as it had been under Jordanian rule. Nevertheless, the United States refused to recognize any unilateral actions by Israel, such as the extension of Israeli jurisdiction over East Jerusalem or the large-scale new Jewish housing developments therein as having any validity. Since 1969 the U.S. had occasionally voted at the UN to condemn such Israeli actions, but President Carter was the first repeatedly to declare in categorical terms that they were "illegal and an obstacle to peace." He applied the same stigma to Israeli civilian settlements in the West Bank.

This was to result in heated confrontation between Carter and Begin, with the latter insisting that Jewish settlements were not only legal but would be actively encouraged throughout historic *Eretz Yisrael* (the land of Israel). In part, this reflected the ideological differences between Begin's Likud party and the preceding Labor governments. The latter had accepted the principle of returning the densely inhabited portions of the West Bank to Jordan in a peace treaty, and had in general restricted officially approved Jewish settlements to areas that were considered crucial to Israel's security and which were not heavily populated by Arabs. The Begin government also approved, more readily, settlements begun by civilian activists, notably Gush Emunim (the bloc of the faithful) in areas of Jewish biblical and historical significance, such as Shiloh and Elon Moreh, even where they were close to Arab population centers and of debatable security value.

Ironically, the Begin proposal, presented to Sadat at Ismailia on December 25, 1977, to return the *entire* Sinai to Egyptian sovereignty was considerably more generous than what had been widely regarded as the bottom-line Labor party position—adjustment of the international frontier to enable Israel to maintain control of a narrow land corridor along the Gulf of Aqaba from Sharm el Sheikh in the south to El Arish along the Mediterranean. This was regarded as essential to assure free passage for Israeli shipping to the port of Eilat, in view of the history of prior Egyptian blockades that had precipitated the 1956 and 1967 wars. In this regard the Begin government's position was close to that of the United States.

Sinai Settlements Controversy

The fate of the Israeli settlements in Sinai was to become a source of controversy between Egypt and Israel, with the United States tending to back the Egyptian position. The Labor government had on security grounds encouraged their establishment along the Gulf of Aqaba (Eilat) and along the Mediterranean coast in the Rafiah salient, which separated the traditional invasion route in northern Sinai from the densely-populated Gaza Strip. Prime Minister Begin initially had insisted that the Jewish settlements in Sinai would have to remain and be protected by Israeli forces. Begin went so far as to write a letter to the worried settlers of Yamit, pledging that when he retired from office he would settle there.

The fundamental nature of the difference between Sadat and Begin on the settlement issue was apparently not immediately realized when Begin first mentioned his desire to maintain the Jewish settlements during the Ismailia talks. Sadat had brushed the matter aside with a remark to the effect that the question of a few Jewish settlers—there were only some 3,000 in the Rafiah area—should not be allowed to stand in the way of the great vision of peace and reconciliation that he had ushered in with his pilgrimage to Jerusalem. Begin thought that this meant that Sadat's objection to the settlements could be overcome, while the Egyptian leader believed that he had convinced Begin to relinquish the settlements. It was to take another fifteen months of intensive negotiations and vigorous prodding before Begin and the

majority of the Israeli Knesset approved the dismantling of the settlements in Sinai, which Sadat had made a non-negotiable precondition for the signing of the peace treaty with Israel.

The controversy had already begun to poison the atmosphere for negotiations in January 1978. At the beginning of the month, angry settlers met with Foreign Minister Dayan and Agriculture Minister Ariel Sharon to protest the turnover of Sinai to Egypt, prompting an Israeli announcement that existing settlements would be expanded. On January 7 Sadat declared that he would not allow "a single Jewish settlement on Egyptian soil" after the completion of the Israel withdrawal. The following day, the Israel Cabinet voted not to establish any new settlements in Sinai, but agreed to extend agricultural lands surrounding the settlements and to encourage additional settlers to help thicken the existing settlements. A few days later Sharon issued orders for bulldozers to clear extensive areas for cultivation in Sinai.

Meanwhile, Gush Emunim members took over a site near ancient Shiloh on the West Bank, planted trees, and laid the cornerstone for a new settlement. They had received government permission for what was ostensibly to be limited to an archaeological dig, although the settlers lacked the proper training, a point that could not have escaped the notice of the Cabinet, which included, as its deputy prime minister, Yigal Yadin, a world-renowned archaeologist.

These Israeli actions infuriated Sadat, and caused anger and dismay in official Washington. National Security Adviser Brzezinski said that the decision to set up additional Sinai settlements reflected "poor judgment" since this "complicated the negotiating process." He expected Israel to show "good judgment and good faith by refraining from such acts." At a press conference on January 12 President Carter said that he and President Sadat viewed the Middle East conflict "about identically." He reiterated his view that Israel had a right under Resolution 242 to obtain "secure" boundaries. The following day, in an interview with editors, Carter said he could not imagine the peace negotiations breaking down over settlements, adding that there might be "some mutual agreements between Jordan, Egypt, and Israel that some of those Israeli settlers could stay on there." But that would depend on whether UN peace-keeping forces were involved, or the responsibility was "Jordan's or Palestine's [*sic*] or Egypt's." Carter then paused to say that he thought such details should not be discussed in public.

Carter's View of the U.S. Mediating Role

Discussing the American role in the negotiations, President Carter said that it was "an unpleasant thing" for him to be the intermediary for more than nine months between nations who would not even speak to each other. He termed the start of direct negotiations between Egypt and Israel "a very major step forward and a very satisfying thing for me to observe." President Carter said that he privately discussed issues in dispute "without constraint with both Begin and Sadat, and we are very forceful in letting Prime Minister Begin and the Arab leaders know when we

disagree with their position." He added that in order to maintain the trust of all parties he was very careful whenever he had an American proposal to put forward as a compromise or as a basis for discussion to do so in writing and to show exactly the same document to all sides, including Jordan and Syria, and to report their reactions to each other. He noted that this was a tedious process and that sometimes the United States took the blame from both sides.

Future of Palestinian Arabs

Other than the settlements, the major differences among Egypt, Israel, and the United States centered on the Palestinian question. Before submitting his 26-point plan for Palestinian self-rule and administrative autonomy to Sadat on December 25, Begin had shown it to President Carter, who had termed it "a realistic negotiating position" offering "a great deal of flexibility." Some State Department officials had counselled Begin not to present the detailed plan to Sadat, since there were many specific points that would arouse Egyptian, Jordanian, and Palestinian objections. They suggested a more general statement of principles that would leave the door open for drawing the others into subsequent negotiations. Begin insisted on presenting the full plan, which predictably upset the Egyptians, and no agreed statement of principles emerged from Ismailia. The only agreement was for joint military and political committees to begin talks in Cairo and Jerusalem, respectively, in January 1978.

Having displeased the Israelis by reference to the "illegality" of the settlements, President Carter proceeded in an interview with television correspondents, on December 28, to discuss the Palestinian issue in a way to "disappoint" Sadat and to make PLO leader Yasir Arafat livid with rage and vow an escalation of "fighting until victory." In response to questions as to what he meant by a Palestinian entity or homeland, Carter replied:

We do favor a homeland or an entity wherein the Palestinians can live in peace. I think Prime Minister Begin has taken a long step forward in offering President Sadat, and indirectly the Palestinians, self-rule. President Sadat so far is insisting that the so-called Palestinian entity be an independent nation. My own preference is that they not be an independent nation but be tied in some way with the surrounding countries, making a choice, for instance, between Israel and Jordan.

He noted that the Begin autonomy plan offered the Arabs a choice of Jordanian or Israeli citizenship and a chance to run their local affairs. A lot remained to be negotiated, and he added that the United States would go along with any solution deemed acceptable by Israel and the surrounding countries. "But my own personal opinion," the President reiterated, "is that permanent peace can best be maintained if there is not a fairly radical, new, independent nation in the heart of the Middle Eastern area."

At the conclusion of the talks with President Sadat in Aswan on January 4, 1978, President Carter declared that a just and comprehensive peace would require three fundamental principles:

First, true peace must be based on normal relations among the parties to the peace.

Second, there must be withdrawal by Israel from territories occupied in 1967 and agreement on secure and recognized borders for all parties in the context of normal and peaceful relations in accordance with United Nations Resolutions 242 and 338.

Third, there must be a resolution of the Palestinian problem in all its aspects. [This] must recognize the legitimate rights of the Palestinian people and enable the Palestinians to participate in the determination of their future.

The statement went a long way to meeting Sadat's views and stopped just short of speaking of "self-determination" or an independent Palestinian state, although it should be pointed out that the Aswan formula did not explicitly rule out such a possibility. Upon his return home from the Middle East, Carter expressed the hope that agreement by Egypt and Israel on such an agreed set of principles would make it easier for Jordan and eventually Syria to join the negotiations.

Evidence that the course of Egyptian-Israeli negotiations was not to be smooth emerged already in January when the political talks in Jerusalem first were delayed a day until Secretary of State Vance worked out a compromise agenda, and then were broken off on the second day, when Sadat abruptly recalled Foreign Minister Muhammad Ibrahim Kamel. Much was made in the press of the "insult" that Begin had allegedly delivered to Kamel during a dinner toast by referring to him as "a young man" who did not personally remember, as did elder men such as Begin and Vance, how the "great human concept" of self-determination had been misused by the Nazis to bring disaster in Europe. The real reasons for Sadat's decision were more fundamental, since the discussions on the day following the toast seemed to be proceeding well and the Egyptian delegates were as stunned as the Israelis by Sadat's instructions to come home.

It appears that Sadat had only reluctantly and under strong American prodding agreed to the start of the January political talks. Opposition in the Arab world had continued to mount, and even within Egypt some influential advisers were concerned about the symbolism of agreeing to hold the political discussions continually in Jerusalem without any prior indication that Israel would modify its stand on exclusive Israeli political sovereignty over the entire city, including the Arab-inhabited sections. (Significantly, none of the subsequent Egyptian-Israeli negotiations were held in Jerusalem, and Sadat firmly declined Begin's invitation to have the peace treaty ceremonies held there.)

Sadat had hoped to get Begin to agree to a general statement of principles on withdrawal and Palestinian rights at Ismailia, along the lines of the Aswan formula he obtained from Carter, as a means of countering Arab objections to his peace

initiative. But in an interview published in the Egyptian magazine *October* on January 14, even *before* the start of the political talks in Jerusalem, Sadat said he now had “absolutely no hope” that a declaration of principles between Egypt and Israel could be reached, adding cryptically that therefore “we will have a different strategy.”

In its announcement following the suspension of the talks, the government of Israel expressed its regret and attributed the breakdown to the Egyptian “illusion that Israel would surrender” to unacceptable demands and agree to a declaration of principles in advance of the outcome of the negotiations. Israel, it said, did not set any preconditions but would not accept those dictated by the other side. The Israel government statement recalled that the Egyptian foreign minister had demanded that Israel “transfer the Old City of Jerusalem to foreign rule and further demanded the establishment of a Palestinian state in the territory of Eretz Yisrael in Judea, Samaria, and Gaza. Such a Palestinian state would have extinguished any prospect of peace and would have created a danger to the very existence of the Jewish State.” The statement went on to declare that “there has never been, and there will not be, a government in Israel that would agree to such conditions.” It concluded by indicating that Egypt could present whatever it wished as a proposal but not a precondition, and that “should the Egyptian government decide to renew the negotiations, Israel will be willing to do so.”

Sadat Appeals to American Jews

Seeing that he could not persuade the Israeli leadership itself to meet his terms, Sadat returned to his pre-Jerusalem strategy of attempting to drive a wedge between the United States and Israel. The new tactic in this campaign was an appeal to the American Jewish community to pressure Israel. In an “Open Letter to American Jews,” published in the *Miami Herald* on January 29 and reprinted in many other papers around the country, including New York’s mass circulation *Daily News*, Sadat called on the Jewish community to assume “a historic responsibility for erecting a formidable edifice for peace,” explaining that all people of Jewish faith “shoulder a special responsibility” in reviving the spirit of accommodation and peaceful coexistence. Jews are “most qualified to play a pivotal role in eliminating human suffering and misery,” he said, because of their own sad experience of persecution.

Acknowledging that American Jews were “an integral part of the American people,” Sadat said that he expected them to refuse to support the “perpetuation of injustice or the suppression of legitimate aspirations.” Implicitly attacking Begin’s appeals to Jewish solidarity, Sadat said that American Jews “should not be taken for granted by any power, regardless of the merits of its position.” He then emphasized that the goal of his peace initiative was to end all war and violence, and eliminate all fears and grievances so that the Israeli would “live side by side with

the Egyptian, the Syrian, and the Palestinian in a community of mutual benefit and love."

Sadat stressed that he undertook his historic mission to Jerusalem against all odds, not "to strike a bargain or to reach a compromise," but in order to uproot all "grudges, feuds, and misconceptions" in the area. He proceeded to complain that "the behavior of the Israeli government in the past few weeks has been negative and disappointing," and that his visit to Jerusalem had "not been responded to in a forthcoming manner." Sadat elaborated that he had hoped the spirit prompting his "sacred mission would propel us all to a new plane where we do not spend our time and effort fighting for procedural and peripheral matters." (This was a theme that Sadat returned to frequently. In a meeting in Washington with some American Jewish leaders on the day after the Egyptian-Israeli peace treaty signing in March 1979, Sadat was still complaining of the difficulty he had in dealing with Prime Minister Begin, who, he said, haggled over every detail and insisted that everything, e.g., the Egyptian promise to sell Sinai oil to Israel, be precisely spelled out in legalistic language, instead of trusting in Sadat's good faith now that a new era of peace was being ushered in.)

Sadat said time was of the essence to prove to Arabs and Jews alike that peace could work. He repeated that American Jews had a great responsibility to prevent tragedy by seizing the golden opportunity before the spirit of peace faded away. He then proceeded to ask four pointed questions:

Do you condone the annexation of others' territory by force?

Do you tolerate the suppression of the rights of the Palestinian people to live in peace in their homeland, free from foreign rule and military occupation?

Do you forgive the suppression of human rights of the Palestinians in the West Bank and Gaza and their natural right to liberate their land and emancipate themselves?

Do you agree with those Israeli officials who claim that territorial expansion is more important than the establishment of peace and the normalization of the situation?

Sadat concluded that he was certain that American Jews would "not hesitate to make [their] voices heard in favor of justice and security for all peoples in the Middle East."

Sadat thus placed American Jews in a position they had long sought to avoid. If they joined him in criticizing Begin's policies, they would be undermining a crucial element in Israel's traditional base of domestic support within the United States. If they refused to join in such criticism, Sadat was laying the groundwork for isolating American Jews from the mainstream of the American public, and even opening the door to charges of disloyalty. This potential danger could become actual to the extent that the Carter administration publicly supported the view that the Egyptian position was consistent with the American national interest, while Israeli actions were illegal and constituted obstacles to peace.

The *Daily News* on the same day carried "A Jewish Reply" to Sadat written by Rabbi Alexander M. Schindler, chairman of the Conference of Presidents of Major American Jewish Organizations. After praising Sadat for his "daring" peace initiative and for his recognition of the special Jewish commitment to justice, Schindler disputed Sadat's statement that Israel had not responded to his visit in a forthcoming manner. Schindler argued that "Israel has made far-reaching territorial and political concessions—involving great national risks—in demonstrating its own commitment to peace."

Schindler pointed out that Begin's autonomy plan provided the Palestinian Arabs with more self-rule and self-identity than they enjoyed under Jordanian rule, and that the sincerity of the Israeli people's desire for peace had been demonstrated in the warm welcome they accorded Sadat. The American Jewish leader proceeded to dispute Sadat's evaluation that the Israelis were haggling over procedural and peripheral matters: "Israel's quest for carefully defined security arrangements . . . goes to the heart of the matter." Israel itself needed to be able to guard the peace, not out of a desire for "annexation" or "suppression" of Palestinian rights, but "simply to protect human lives—Arab as well as Jewish—from PLO terrorists still sworn to Israel's destruction, from the danger of Soviet incursion," and from Arab opponents of peace who had denounced Sadat as a traitor.

Schindler went on to point out that Sadat's apparent disdain for the negotiating process and insistence on full acceptance of Egypt's terms ran counter to the American Jewish experience of living in a democracy, which had "persuaded us that there can be no agreement without compromise, no settlement of disputes without mutual concessions." Alluding to Sadat's assertion that American Jews should not be taken for granted by any power, Rabbi Schindler turned aside the implication of possible dual loyalty: "Surely you understand that American Jews support Israel because the Jews are a people, one people . . . because Israel offers a home, a refuge, a place of dignity to every Jew . . . because a strong and free and democratic State of Israel is essential to the security of our own country, America." Rabbi Schindler concluded by suggesting a continuation of the dialogue on Sadat's forthcoming visit to the United States, and a joint call to the Arab rejectionist nations to join the peace process.

American Jews Between Begin and Carter

While Sadat's direct appeal to American Jews was an unusual occurrence, both the Carter administration and the Begin government intensified their ongoing efforts to persuade the American Jewish community to support their respective positions on the contentious issues in the Middle East. In the controversy over the sale of F-15 fighter planes to Saudi Arabia, the organized American Jewish community was vocally supportive of the Israeli opposition to the sale, in keeping with the traditional view prevalent in the American Jewish community that on military matters

affecting Israel's vital security, Americans living 6,000 miles away should not attempt to second-guess the decisions of the Israelis, whose lives were on the line.

When a series of "grim" meetings at the White House in March between Prime Minister Begin and President Carter revealed that the two were far apart in their approach to the peace negotiations, American Jews began to be increasingly drawn into the public debate as to who was responsible for the apparent stalemate in the peace process. The debate in the American Jewish community echoed what President Carter on March 9 termed the "very heated debate" in Israel itself on what should be done to bring about peace. (Some suspected that the Carter administration was in fact fanning the fire of controversy.) Particularly at issue were the new civilian settlements being set up in the West Bank with governmental approval, on historic and religious grounds, coupled with repeated declarations by Prime Minister Begin to the effect that Judea and Samaria (the biblical names for the West Bank region) were liberated territory and therefore not subject to the withdrawal provisions of UN Security Council Resolution 242.

On these questions of ideology and tactics there was no unity either within the American or the Israeli Jewish communities. It was the Labor government in Israel in 1967 that had endorsed Resolution 242, and had long accepted the concept of territorial compromise on the West Bank. Justice Arthur Goldberg, a prominent Jewish leader, who, as American ambassador to the United Nations in 1967, was the principal architect of 242, declared in a series of articles and statements in the spring of 1978 that 242 envisaged Israeli withdrawal *on all three* fronts. Heretofore it had only been the extent of withdrawal that had been at issue between the United States and Israel. President Carter warned at his news conference on March 9 that "abandonment" or rejection of the applicability of 242 to the West Bank would be "a very serious blow to the prospects of peace" and a complete reversal of Israeli government policy.

In a Middle East statement adopted at its May annual meeting, the American Jewish Committee coupled its criticism of the Carter administration on the arms sale issue with an endorsement of the view that Resolution 242 "contemplates some territorial adjustments consistent with Israel's legitimate security requirements in all the areas that came under Israeli control" in the 1967 war. The criticism of the Begin position was softened by a reference to recent Israeli government statements which indicated that the Begin government was prepared to negotiate with all its neighbors in this spirit. Begin and Foreign Minister Dayan did in fact reiterate that "everything is negotiable," and that Jordan was entitled to ask for Israeli withdrawal from the West Bank in the negotiations. This was an attempt to move the debate from the level of fundamental ideology to one of negotiating tactics.

The issue of the establishment of new civilian settlements involved both legal and tactical questions. The Carter administration contended that Israeli settlements in the West Bank were inherently illegal under international law and an obstacle to peace. Most American Jews, including the leaders of the American Jewish Committee in their May statement, agreed with Prime Minister Begin that "settlement of

Jews in the Land of Israel is absolutely legal and accords with international law." The issue for the Committee was thus not the legality but the prudence of establishing new settlements while negotiations with Egypt were in progress. The White House, in a March 25 memorandum outlining American-Israeli disagreements following the Carter-Begin talks, said that "Israel would not agree to a policy of stopping the establishment of new settlements, nor the expansion of existing settlements, even if peace negotiations were proceeding." The Committee, in its May statement, urged the Israeli government to consider a "pause" in new settlement activity while negotiations were underway.

Committee of Eight Mission

Concern within the organized American Jewish community over the apparent erosion of Israel's image and the consequent potential decline in support for Israel's policies among the general public in the United States had prompted eight prominent American Jewish leaders to go to Israel in mid-April for private discussions with Prime Minister Begin and other Israeli leaders. The group consisted of the president and chief executive officer of the three major Jewish intergroup relations organizations—the American Jewish Committee, American Jewish Congress, and Anti-Defamation League of B'nai B'rith—and the chairman and executive director of the National Jewish Community Relations Advisory Council. The "committee of eight" presented polling data and other evidence to indicate that support for Israel was softening both in Congress and among the general public. The group agreed in part with Prime Minister Begin's complaint, expressed to the National Press Club in Washington on March 23, that the initial words of praise from the American administration for Begin's peace proposal as a "notable contribution to peace" had unfairly been replaced in recent months by sharp criticism in response to Arab objections and the Carter administration's desire to win Egyptian, Saudi, and Jordanian support. Nevertheless, as the committee of eight pointed out, Israeli statements with regard to Resolution 242, the timing of new settlements, and the emphasis on biblical and historical rights rather than on security considerations in justifying the settlements had unnecessarily confused and alienated even traditional supporters of Israel in America.

Upon their return to the United States, the group met with President Carter and Vice President Walter F. Mondale at the White House. In a statement issued afterwards, the Jewish leaders emphasized that they had made clear to the president and vice president that "the American Jewish community was united and unwavering in its support of Israel's security concerns" and in opposition to the administration's linking of jet sales to Israel with similar sales to Saudi Arabia and Egypt. On the settlement issue, the group said that while "one may legitimately argue about the impact on American public opinion of the timing of new settlements, we continue to challenge the administration's position that settlements are illegal and serve no security function." They termed Begin's peace plan "very imaginative and

far-reaching" and deserving of greater support than it had been given by the Carter administration. They concluded by urging the president to call upon President Sadat to return to the negotiating table, and to encourage King Hussein of Jordan to join the talks. The group reported that President Carter had reiterated that "the preeminent commitment of the United States in the Middle East [was] the permanent security of Israel," and that the administration would continue its efforts to bring the parties together to achieve a just and lasting peace.

"Peace Now" versus "Secure Peace"

Whereas the committee of eight had gone to Israel to discuss its concerns quietly with the Israeli government, other American Jews joined the public debate that was reaching unprecedented proportions in Israel. On April 1 an estimated 25,000 to 30,000 persons crowded into Tel Aviv's "Kings of Israel" Square in support of a letter to Prime Minister Begin by some 350 army reservists, mostly combat officers, who had called on the government to give preference to ending the Arab-Israel conflict and "establishing peace and good neighborly relations" over maintaining settlements beyond the Green Line (the 1949 Armistice Line that demarcated Israel from the West Bank and Gaza territories). They favored a territorial compromise, using the slogan "Better a land of peace than a piece of land," and argued that ruling over a million Arabs contradicted the fundamental values of Zionism and democracy. The amorphous group initially had various names but soon came to be known as the "Peace Now" movement.

On April 21 the *New York Times* gave front-page coverage to a letter sent by 36 prominent American Jews expressing their support to the Peace Now leaders in Israel. The group included Nobel Prize laureates Saul Bellow and Kenneth Arrow, other prominent university professors, editors, and authors, as well as individuals long active in Zionist or other Jewish organizational work.

The message, which was initiated by Leonard Fein, professor at Brandeis and editor of *Moment*, stressed that the writers were "lifelong friends of Israel" who were disturbed that the Begin government's response to the Sadat initiative, its reinterpretation of 242, and its expansion of new settlements made their task of maintaining support for Israel "infinitely more difficult." The group welcomed Peace Now's call for greater flexibility in Israel's negotiating position with Egypt. The American Jews also expressed distress at the "dangerous Middle East policies of the American government," and concern at the "apparent readiness of Western nations to abandon Israel." The Americans pledged to continue to work for a secure peace for Israel and greeted with "delight and relief" the emergence of a grass-roots movement in Israel dedicated to safety and peace for Israel.

In response to "Peace Now" a group of supporters of the Begin policies organized under the slogan "Secure Peace" and held a rally on April 16 which they claimed was attended by 40,000 to 50,000 people. They too won vocal support from American Jews, and an *ad hoc* committee of American Jews in support of Begin gathered

more than 700 signatures in 48 hours. By July the American supporters of Peace Now had gathered more than 600 names to sign an advertisement in the *Jerusalem Post*. Americans for a Safe Israel placed a full-page ad in the *New York Times* on April 12 showing Holocaust victims under the heading "Six Million Jews Who Were Not Intransigent," and suggested that copies of the ad be sent to President Carter. On May 2 the Zionist Organization of America ran a full-page ad in the *Times* charging that the Carter administration was "selling Israel for petro-dollars" and that "Sadat, not Begin, is the obstacle to peace."

The Labor Zionist Alliance issued a policy statement in New York in May calling upon the Likud government to accept the traditional interpretation of Resolution 242, "namely, peace with defensible borders agreed to in negotiations with all of its neighboring states and including territorial compromises on all fronts, but no return to the 1967 borders." This paralleled the position of the Israel Labor party, which advocated the return of portions of the West Bank to Jordan. While criticizing the Begin position, the Labor Zionist Alliance also assailed the "continued erosion of support" for Israel by the Carter administration, as well as the administration's Saudi-Egyptian-Israeli plane deal package.

Rabbi Arthur Hertzberg, the outgoing president of the American Jewish Congress, pointed out in a *New York Times* interview in April the "terrible dilemma" that had caused American Jews to be very reluctant to criticize Israeli policies. Since they knew that all too often "public dissent in America becomes an anti-Israel weapon," many American Jews regarded it as "the path of safety or wisdom" to keep quiet about their reservations. Presidents' Conference chairman Schindler, who did not personally agree with all elements of Prime Minister Begin's policies, urged that Americans refrain from characterizing Begin's position as "intransigent," pointing out that his tough posture might be simply a good bargaining tactic, especially in view of Begin's assertion that "everything is negotiable." At the same time, Schindler, who had earlier been a supporter of President Carter, said that the president's policies had made him a "question mark" to American Jewry.

Major newspapers, such as the *New York Times* and *Washington Post*, gave considerably more prominent coverage to the critics of Begin than to his supporters. In response to charges that they were thereby aiding the administration's alleged efforts to split the Jewish community and weaken support for Israel, newspaper representatives responded that criticism of Israel by Jews was a "man bites dog" story that naturally aroused more interest and was more newsworthy than the expected traditional posture of Jewish support for Israeli policies.

The Carter administration's Middle East policy continued to raise serious questions and uneasiness in the American Jewish community, despite some extraordinary gestures by the president to win support among the Jewish leadership. Most notable of these was the invitation of more than 1,000 rabbis and other community leaders to the White House lawn for a ceremony marking Israel's 30th anniversary at which the president warmly praised Begin and declared that the United States would continue to stand at the side of Israel "not just for another 30 years but

forever." Another gesture was the invitation to 28 American Jewish leaders to accompany Vice President Mondale on a three-day official "goodwill visit" to Israel in early July. Although Mondale had earned a well-deserved reputation in the Jewish community as a friend of Israel and stressed the abiding American-Israeli ties, he too failed to remove the fears within the American Jewish community and in Israel that the administration was preparing to pressure the Begin government to change its policy. In a speech to the Knesset, Mondale again emphasized that although "exact boundaries must be determined through negotiations," Resolution 242 was based on the assumption of a trade-off of withdrawal for peace and recognition. The United States was therefore "convinced that without eventual withdrawal on *all* fronts to boundaries agreed upon in negotiations and safeguarded by effective security arrangements, there can be no lasting peace." (Emphasis added.) He termed the disputes between the United States and Israel over application of the withdrawal provision to the West Bank as "differences between friends," and pledged that American economic and military aid to Israel would "not be held hostage or used as a form of pressure on Israel's negotiating posture." Israeli and American Jewish critics of the administration pointed out that public enunciation of an American position in support of the Arab position was itself a form of pressure, since it weakened Israel's bargaining position.

The Israelis were also disturbed by Mondale's suggestion that Israel's proposed peace treaty with regard to the Sinai—a treaty "in which there would be a negotiated withdrawal and security would be achieved while relinquishing claims to territory"—could be applied to the West Bank as well. When questioned by reporters about this comparison, he acknowledged that there were differences between the two areas, but said he had in mind such measures as demilitarization, electronic sensors, and other arrangements that might enable Israel to relinquish land without loss of security. This had long been National Security Adviser Brzezinski's thesis, but it greatly disturbed the Israelis, who insisted that the security situation in the narrow and heavily populated West Bank and Gaza Strip was fundamentally different from that in the Sinai, with its vast empty spaces. This was in addition to the special historical and ideological attachment of Begin and his supporters to Judea and Samaria.

Disagreement between American and Israeli policy on Jerusalem also surfaced during the vice president's visit when it was initially announced that he would not make an official visit to East Jerusalem, the section of the city controlled by Jordan from 1948 to 1967. After Mayor Teddy Kollek threatened to boycott the Mondale visit, a compromise was worked out whereby the vice president and his wife and daughter made a personal visit to the Western Wall accompanied by Mayor Kollek as their host and guide. The American visitors were greeted by numerous pickets carrying signs critical of United States policy. Rabbi Saul Teplitz, president of the Synagogue Council of America, said, "For the first time in 30 years as an American visitor to Israel, I get the feeling that I am somewhat in an enemy camp," adding that some Israeli friends saw his coming with the Mondale delegation "as an

indication that [he] had sold out." To allay that impression some of the American Jewish leaders vigorously expressed their criticisms of current American policy in a private meeting with U.S. Ambassador Samuel Lewis, and in interviews with the Israeli press.

A full-page ad in the *Jerusalem Post* by 33 prominent American Jews in support of the Begin government appeared on July 3, to coincide with the Mondale visit. In addition to Rabbi Schindler, the signatories included two former Presidents' Conference chairmen, Rabbis Herschel Schachter and Israel Miller; prominent industrialists and UJA leaders, such as Max Fisher; Rabbi Joseph Sternstein, president of ZOA, and other leaders of ZOA and Herut in the U. S.; and Gerald S. Strober, chairman of the recently founded Committee of American Jews in Support of Prime Minister Begin. They lauded "the earnest and diligent efforts" Israel was making for peace, and called upon the American government to encourage direct Egyptian-Israeli negotiations "rather than setting unreasonable demands upon one of the parties." The signatories believed they expressed "the sentiments of the overwhelming majority of American Jewry" in supporting the Begin government and commending its "tireless efforts on behalf of peace. . . ."

When Mondale went on to Egypt to meet with President Sadat, the Jewish delegation with him was divided over the wisdom of accompanying him. The problem was resolved when the U.S. government informed the group that their participation would cause "logistical problems." The vice president went to Egypt alone, and American Jews were thus not formally drawn into the negotiating process.

Breakthrough at Camp David

During the summer there were additional trips to the Middle East by special envoy Alfred (Roy) Atherton and Secretary of State Vance, and inconclusive talks among Vance and the Egyptian and Israeli foreign ministers at Leeds Castle, near London, in mid-July. While Egypt and Israel were still far apart on many points, these preliminary discussions had convinced all sides that the two countries were still genuinely eager to reach a peace agreement. Consequently, President Carter sent handwritten notes to President Sadat and Prime Minister Begin asking them to join him in a summit conference at the presidential retreat at Camp David. Both quickly accepted. The conference began on September 5, and after 13 intensive days of extraordinary effort and many crises, President Carter announced that an agreement had been reached. That night the Camp David agreements were signed by the three leaders—Jimmy Carter signing in the capacity of witness—at the White House in a moving ceremony that was televised live around the world (For the main points of the agreements see Louvish, pp. 258–60).

The American Jewish community had been deeply fearful during the conference that Israel would be blamed for the anticipated failure. The community was relieved and overjoyed at the success of the talks and the cordiality that the three leaders

expressed to each other. It was a rare moment in which American, Israeli, and Egyptian interests all appeared to converge, and the organized Jewish community was lavish in its praise for Carter, Begin, and Sadat. When the Camp David achievement resulted in a Nobel Peace Prize for both Begin and Sadat, most major American Jewish organizations sent congratulatory telegrams to the Egyptian as well as to the Israeli leader, and Egyptian officials in the United States began to be besieged with invitations to speak at Jewish organizational events.

At the White House signing ceremony, Prime Minister Begin declared that the Camp David summit should be renamed "the Jimmy Carter Conference," a remark that was greeted with laughter and applause. The direct American involvement was indeed crucial to the success of the talks. There were several elements in this. First, there was the president's decision to exclude the press from the deliberations. The president, who had exacerbated the situation by some of his own public statements, had finally come to the realization that even in an open democratic society the process of negotiations had to be insulated from the public. As he explained on the eve of the conference, his hope was that "personal interchange, without the necessity for political posturing or defense of a transient stand or belief, will be constructive." Indeed, there were several issues on which there was a significant evolution from the opening position at the start of the conference to the language agreed upon at the end.

A second factor was the intensive personal involvement of the president, who literally stayed up into the early hours of the morning drafting suggested compromise language and reviewing every aspect of the proposed agreements, departing from the normal practice of leaving details to be worked out by professional aides. Since Sadat and Begin were quite different in personal style and at that point still tended to distrust and dislike each other, President Carter, after a couple of unsuccessful three-way meetings, decided to use his persistence and powers of persuasion to deal with the Egyptian and Israeli leaders separately.

In this effort Carter had another important asset. He had dramatically demonstrated the importance he attached to achieving a peace agreement by taking the unprecedented step of totally devoting himself to the Middle East problem to the exclusion of all other pressing business. Although there was no time limit set at the opening of the conference, it was generally realized that the clock was ticking and that the president of a superpower could not absent himself from other affairs of state for more than a couple of weeks. There was thus implicit pressure to conclude the conference. It could have been ended by announcement of failure, and there was at least one occasion on which Sadat indicated that he was ready to pack up and leave. But he was prevailed upon by Carter to stay.

While the President had no legal power to keep the Egyptians and Israelis at the negotiations, he possessed immense moral and political power stemming from the obvious fact that neither side wanted to be seen as responsible for the failure of the effort. Whatever their differences, the Egyptian and Israeli leaders shared at least one basic goal—maintenance of American support. Both countries were heavily

dependent upon American economic and political assistance, and both sought additional military aid as well, which required Congressional approval and ultimately broad support within the American public.

The pressures of time and the desire to achieve a favorable outcome had a number of consequences that were reflected in the Camp David agreements and accompanying documents. On some issues the parties had indeed significantly modified their initial positions. For example, Begin agreed to remove Israeli air bases and to recommend the withdrawal of all civilian settlements from Sinai. He also accepted modifications in the original 26-point autonomy plan for Judea, Samaria (the West Bank), and Gaza to provide detailed arrangements for "full autonomy" and for establishing a "self-governing authority (administrative council)," for elections and for a five-year transition period at the end of which the final status of the area would be determined. This determination would not be made unilaterally by Israel, but in negotiations with Jordan, Egypt, and local Palestinians in such a way as to take into account "the legitimate rights of the Palestinian people and their just requirements." The agreement also outlined the ways in which "the Palestinians will participate in the determination of their own future." While Israel retained a veto power over security matters and the inclusion of individual Palestinians from outside the West Bank, Israel committed itself in effect to allowing duly elected West Bank and Gaza Palestinians to participate, irrespective of their openly anti-Israeli sympathies.

For his part, Sadat modified his earlier demand for an independent Palestinian state, and the Camp David agreements did not use the term "self-determination" or mention the PLO. Although the PLO had officially been recognized as sole legitimate Palestinian representative at the Rabat summit conference, it was anathema to Israel, and not particularly in favor with either Sadat or King Hussein. Sadat also acknowledged Israeli security concerns, and the West Bank-Gaza framework accordingly provided that "all necessary measures will be taken . . . to assure the security of Israel and its neighbors during the transitional period *and beyond*." (Emphasis added.)

Sadat also agreed to Israel's demand that the detailed "Framework for the Conclusion of a Peace Treaty Between Egypt and Israel" be in a separate document from the more general "Framework for Peace in the Middle East Agreed at Camp David," which dealt only briefly with the Egyptian-Israeli treaty and potential treaties between Israel and its other neighbors, and spelled out in detail the framework for proceeding on the West Bank and Gaza.

There were also differences in the timetables in the two documents. The Egyptian-Israeli framework included an agreement "to negotiate in good faith with a goal of concluding within three months" a peace treaty between Egypt and Israel. (At the Camp David signing ceremony Begin proposed that they try to wrap up the negotiations in two months, an idea to which both Sadat and Carter voiced their assent, but which proved overly optimistic.) Israel agreed to withdraw to an interim line in Sinai within nine months of the treaty signing, and Egypt pledged that "after the interim withdrawal is complete, normal relations will be established between Egypt

and Israel . . ." The precise pace of the normalization of relations was not specified at Camp David—the March 1979 peace treaty provided that ambassadors would be exchanged one month after the interim withdrawal—but stated generally that all aspects of the treaty would be implemented within two to three years, including Israel's final withdrawal from Sinai.

The Camp David agreements papered over some issues through the use of ambiguous language subject to conflicting interpretations. For example, while the West Bank-Gaza provisions talked of "full autonomy" and the replacement of the Israeli military government and its civil administration by a freely-elected, "self-governing authority," the new arrangements were to give "due consideration both to the principle of self-government by the inhabitants of these territories and to the legitimate security concerns of the parties involved." It did not say how this would be done when Arab political aspirations and Israeli security requirements clashed, as they were certain to do in the case of Israel's encouragement of the establishment of additional Israeli civilian settlements on "security grounds." The Camp David framework provided that "when the self-governing authority (administrative council) in the West Bank and Gaza is established and inaugurated, the transitional period of five years will begin." But Camp David did not set a deadline for holding the elections, a matter that was to become a subject of heated controversy, with the United States backing Egypt's demand for a target date. Israel had insisted on the parenthetical description of the self-governing authority as an *administrative* council to make it clear that it would have no legislative or judicial authority, but this was to prove a far more restrictive view than that held not only by the Palestinians but by Egyptian and American officials. Although in the Camp David agreement Begin and Sadat pledged that their countries were determined to reach "a just, *comprehensive*, and durable settlement of the Middle East conflict through the conclusion of peace treaties based on Security Council Resolutions 242 and 338 in *all* their parts" (emphasis added), there remained considerable disagreement on what Israel was required to do to implement 242 with regard to the West Bank and Gaza, and to what extent there was linkage between the bilateral Egyptian-Israeli peace treaty and the comprehensive peace. At a background briefing for the press at the conclusion of Camp David, National Security Adviser Brzezinski stated that legally each of the two agreements "stands on its own feet." He pointed out that in the overall political context there was, however, an element of linkage, since progress on one would affect the general climate and the prospects for peace in the Middle East.

In subsequent months Egypt and the United States attempted to tighten the linkage, in order to help Sadat counter the assertion in the Arab world that he had in fact made a separate peace with Israel and thus betrayed the Arab cause. The Israelis were equally vigorous in their insistence that Egyptian fulfillment of its obligations to Israel on such a matter as the normalization of relations be tied only to Israel's fulfillment of its obligations to Egypt, e.g. on withdrawal, and not be linked to progress in the autonomy talks, the entry of Jordan into the negotiating process, or the willingness of West Bank Palestinians to participate. Egypt and Israel

also disagreed on how to reconcile the Egyptian-Israeli treaty with obligations Egypt had to other Arab states. Most crucially this involved the problem of Egypt's response if Israel became embroiled in a war with an Arab state with which Egypt had a mutual defense treaty and both Israel and the Arab state claimed that the other was the aggressor.

There were other outstanding issues (most notably involving Jerusalem and the question of existing and new Israeli settlements in the West Bank and Gaza) on which the parties were so far apart that it was finally decided to say nothing explicit on the subjects. In an accompanying exchange of letters, Sadat, Begin, and Carter simply restated their governments' positions on Jerusalem.

The Aftermath of Camp David

While it was the generally accepted view among Middle East specialists that the ultimate resolution of the Jerusalem question had best be deferred until other Arab-Israeli issues had been solved and a spirit of mutual trust and confidence had been achieved, the question of Jerusalem's relationship to the West Bank was immediately brought to the fore by the Camp David framework dealing with Palestinian autonomy. Begin sent President Carter a letter saying that wherever the agreements spoke of "West Bank" the government of Israel understood this to mean "Judea and Samaria." Begin thus put Carter and Sadat on notice that the territory in question was not to be regarded as occupied, and that in any case East Jerusalem was not part of the West Bank. Not surprisingly, among the main questions about the Camp David agreements that King Hussein submitted to President Carter were a number dealing with Jerusalem. The president's answers were transmitted to Hussein by Assistant Secretary of State Harold Saunders, who reaffirmed that the United States regarded East Jerusalem as occupied territory. Saunders indicated that while East Jerusalem would not be included within the boundaries of the proposed autonomous area during the transitional period, the United States was prepared "to support proposals that would permit Arab inhabitants of East Jerusalem who are not Israeli citizens" to vote in the elections leading to self-rule, and that such Jerusalem Arabs might share in the work of the self-governing authority. As for the final status of Jerusalem—that would have to be settled in the Camp David negotiations, to which Hussein had an explicit invitation.

The American response was regarded as "inadequate" by King Hussein, and the Jordanian monarch refused to join in the negotiations. While Saunders was equally unsuccessful in convincing the Saudis to endorse Camp David, he infuriated the Begin government by allegedly implying (in conversations with West Bank personalities) that just as Sadat had obtained a total withdrawal of Israeli personnel from Sinai in exchange for peace, Palestinians who came forward might eventually achieve the power to transform the West Bank-Gaza autonomy plan into the nucleus of a Palestinian state and limit Jewish civilian settlements.

The Saunders mission also precipitated another American-Israeli blowup on the long simmering controversy over Israel's settlement policy. One of the letters accompanying the Camp David agreements was to have dealt with the moratorium on new Israeli settlement construction during the negotiating period. The letters were never completed, because of an apparent "misunderstanding" between Carter and Begin as to what they had agreed upon. Begin understood the moratorium to cover the three-month period specified for completion of the Egyptian-Israeli treaty. Carter assumed it also encompassed the period of the negotiations for election of the West Bank self-governing authority, which might take a year or so. Moreover, since the Palestinian representatives were certain to ask for a limitation on Israeli settlements, the moratorium might well be of an indefinite, if not permanent, length. Carter had agreed that some projected enlargement of existing settlements might take place for purposes of family reunion and natural growth. However, when, in the wake of the Saunders trip, the Israel Cabinet in October announced plans to "thicken" some of the settlements on the West Bank, Secretary of State Vance declared that the United States regarded this as "a very serious matter and [was] deeply disturbed by it." President Carter reportedly sent an even more strongly worded note to Begin. Israeli officials then explained that all they really had in mind was the addition of "several hundred" housing units and construction of a water reservoir and roads.

Despite these irritants, negotiations on the draft of the Egyptian-Israeli peace treaty were completed at Blair House in Washington on November 11, and after some initial objections, the Israel government voted to accept the text on November 21. The Egyptian government insisted, however, on side letters which would have increased the linkage between the treaty and the West Bank autonomy talks, set a target date for the autonomy elections, provided for a review of the Sinai security provisions in the treaty, and left Egypt free to help an Arab state if it was subjected to armed attack by Israel. Israel strenuously objected to linking Egypt's performance of its obligations in such matters as the exchange of ambassadors to progress in the autonomy talks, since these were dependent on the actions of other parties, such as the Palestinians and Jordanians, over whom Israel had no control. Israel also resisted a target date for elections, and insisted that Egypt's commitment to peace with Israel be permanent, and not conditional on outside factors or inconsistent commitments Egypt had made to other Arab states in the context of its earlier policy of hostility to Israel. Because of these issues and a few other less serious matters, the target date of December 17 passed without the anticipated signing of an Egyptian-Israeli treaty.

Sadat, who was used to seeing other deadlines pass, was less distressed than President Carter, who openly expressed his impatience. Whether because of the growing crisis in Iran, the impending announcement that the United States was opening diplomatic relations with the People's Republic of China on terms that were seen by many Americans as an abandonment of the U.S. commitment to Taiwan, or simply because the president felt he had spent too much time already on the

Middle East, annoyance with Israel was clearly voiced by the administration. It was also natural that Washington wanted the treaty signed as soon as possible, to forestall the mounting opposition to Sadat in the Arab world.

On December 7 Carter had stated that he "would like to see the accord carried out not grudgingly but enthusiastically." He then went on to declare: "If the Egyptians and the Israelis *violate* the three-month *limit* on negotiating this treaty, it will be a very serious matter." (Emphases added.) This had just the opposite of the desired effect on the Israelis. If what the Camp David agreement called a "goal" of concluding negotiations in three months suddenly turned into an inviolable limit, then what would be the American reaction if Israel accepted a "target date" for West Bank elections and then failed to meet it? The Israelis were also upset when Secretary Vance publicly declared that the proposals Sadat had worked out with him for resolving the points at issue were regarded as "reasonable" by the United States government, and he recommended them as such to Jerusalem. Moreover, on December 14 Carter bluntly stated that it was now up to Israel to accept or reject the treaty.

The brief era of good feeling between Carter and the Jewish community that had been developed in the afterglow of Camp David was quickly dissipated by the president's cold comments in December. The Jewish community was quick to react. "In sharp contrast to his creative efforts at Camp David," the American Jewish Committee declared, "President Carter's repeated expressions of impatience and frustration, either explicitly or implicitly addressed to Israel, have been neither appropriate nor helpful." Rabbi Schindler, now speaking as president of the Union of American Hebrew Congregations, called for a reversal of "the dangerous and failed policy" of the Carter administration "to buy off the Saudis with our weapons and to submit to Egypt's ever harsher conditions for peace with Israel." Such a policy, he said, "is not a prescription for peace; it is an invitation to more war."

On December 19, 33 of the 36 American Jewish leaders who in the spring had sent a letter critical of Begin and supportive of Peace Now, sent a cable to President Carter declaring his position "unacceptable," stating that they believed that Israel's objections to the proposed Egyptian revisions were in fact reasonable, and concluding that the "unfortunate" American posture of blaming Israel for the current impasse did "serious damage to the prospects of peace."

Carter's Role in Achieving an Egyptian-Israeli Treaty

After the arbitrary December 17 deadline had passed without catastrophe and the popular disapproval of the administration's one-sided declarations had sunk in, the United States government resumed its peace-making efforts. The Egyptian and Israeli foreign ministers met with Vance in Brussels in late December, and special envoy Atherton engaged in shuttle diplomacy in January.

An important ingredient was added by Defense Secretary Harold Brown's visit to the area in mid-February. Brown tried to convince Egypt, Saudi Arabia, and

Jordan that the United States remained a dependable ally despite the overthrow of the pro-Western regime of the Shah in Iran. Israeli officials had become increasingly concerned that the Carter administration saw friendship with Saudi Arabia as the keystone of its Middle East policy, and was consequently downgrading the importance of Israel as a positive factor in America's geopolitical and strategic thinking. Brown helped allay these fears when he declared, during his visit to Israel, that he was deeply impressed by the Jewish State's "great value to the United States [as] a strong and stable democratic country." Israeli officials were also "extremely satisfied" with Brown's response to Israel's long-term arms requests.

The conclusion of the treaty required another marathon effort by President Carter. The intangible but significant elements of prestige, personality, and power prevented progress at a second Camp David conference in mid-February. Israel was represented by Foreign Minister Dayan, and Egypt by Prime Minister and Foreign Minister Mustafa Khalil. After five days of inconclusive talks, President Carter invited Prime Minister Begin to come to the United States, but Begin declined when it became known that President Sadat would not come to head the Egyptian delegation. Finally, President Carter decided to go to Cairo and Jerusalem. The president addressed the Egyptian People's Assembly and had intensive discussions with Sadat during March 8–10. He then went to Jerusalem, where he conferred with Begin and his government from March 10 to 13, and addressed the Knesset on March 12. After a brief meeting with Sadat at Cairo airport on March 13, President Carter was finally able to announce that both parties had reached agreement. The treaty was signed in Washington on the White House lawn on March 26.

The president helped bridge the gap between the two countries by adding his personal commitment to the promises of political support and economic assistance that he was making on behalf of the United States. On the crucial question of linkage, President Carter told the Egyptian People's Assembly:

When two nations conclude a treaty with one another, they have every right to expect that the terms of the treaty will be carried out faithfully and steadfastly. At the same time, there can be little doubt that the two agreements reached at Camp David—negotiated together and signed together—are related, and that a comprehensive peace remains a common objective . . . Both leaders [Sadat and Begin] have reaffirmed that they do not want a separate peace between their two nations. Therefore, our current efforts to complete the treaty negotiations represent not the end of a process, but the beginning of one . . . I pledge to you today that I also remain personally committed to move on to negotiations concerning the West Bank and Gaza Strip and other issues of concern to the Palestinians, and also to future negotiations between Israel and all her neighbors. . . .

Carter went on to urge representative Palestinians to join the negotiations proposed in the Camp David agreements as the only means of fulfilling "the hopes of the Palestinian people for peaceful self-expression."

In his address to the Knesset on March 12, President Carter stressed that the Egyptian-Israeli treaty was the cornerstone of a comprehensive structure of peace, and that he understood "the magnitude of the choices" with which Israel would be

faced, even after a peace treaty with Egypt was concluded. He added, "As the time for these choices approaches, remember this pledge that I make to you today: The United States will never support any agreement or any action that places Israel's security in jeopardy." But he made it clear that the United States was determined to push forward: "We must proceed with due caution . . . But we must proceed."

On the question of linkage President Carter told the Israelis:

At Camp David, Prime Minister Begin and President Sadat forged two frameworks for the building of that comprehensive peace. The genius of that accomplishment is that negotiations under these frameworks can go forward independently of each other, without destroying the obvious relationship between them. They are designed to be mutually reinforcing, with the intrinsic flexibility necessary to promote the comprehensive peace that we all desire. . . .

After urging Israel's other Arab neighbors to negotiate directly with Israel as Sadat had done, Carter stressed the importance of keeping the door open "to all the parties in conflict, including the Palestinians, with whom, above all, Israel shares a common interest in living in peace and living with mutual respect."

In an apparent allusion to developments in Iran and the Arabian peninsula, Carter said that peace had become an even more urgent concern in recent weeks because of its influence on Middle East regional security. Israel's own security, he said, would rest not only on how Egyptian-Israeli negotiations "affect the situation on [Israel's] borders, but also on how it affects the forces of stability and moderation beyond [those] borders." An "equitable peace treaty" between Egypt and Israel would greatly help foster a hospitable atmosphere for those positive forces. President Carter then made one of the strongest and most explicit commitments of American support for Israel issued in recent years:

The risks of peace . . . are real. But America is ready to reduce any risks and to balance them within the bounds of our strength and our influence. I came to Israel representing the most powerful country on Earth. And I can assure you that the United States intends to use that power in the pursuit of a stable and peaceful Middle East. We've been centrally involved in this region, and we will stay involved politically, economically, and militarily. We will stand by our friends. We are ready to place our strength at Israel's side when you want it to ensure Israel's security and well-being.

Turning to specifics, President Carter reaffirmed the American commitment to guarantee Israel an adequate oil supply, should its normal sources of supply be interrupted. (The treaty was accompanied by a U.S.-Israeli memorandum of agreement on oil, which extended for a total of 15 years the original five-year American commitment—which Israel had never invoked—contained in the September 1, 1975 agreement. Details were to be worked out within 60 days.) Acknowledging that the peace treaty with Egypt would exacerbate Israel's difficult economic and security problems, President Carter declared: "In the context of peace, we are prepared to see Israel's economic and military relationship with the United States take on new and strong and more meaningful dimensions, even than already exist."

In a separate memorandum of agreement between the United States and Israel, the U. S. reaffirmed all the existing American agreements and assurances, including those accompanying the Sinai II accord of September 1975, with the exception of those provisions that were specifically tied to implementation of that limited agreement and were superseded by the peace treaty. The United States promised to take appropriate measures to promote full observance of the peace, including "diplomatic, economic, and military measures . . . should it be demonstrated to the satisfaction of the United States that there has been a violation or threat of violation of the Treaty of Peace."

Although guarded in its language, the United States was more explicit than in the past regarding the kinds of measures it would undertake:

The United States will provide support it deems appropriate for proper actions taken by Israel in response to such demonstrated violations of the Treaty of Peace. In particular, if a violation of the Treaty of Peace is deemed to threaten the security of Israel, including, *inter alia*, a blockade of Israel's use of international waterways, a violation of the provisions . . . concerning limitation of forces or an armed attack against Israel, the United States will be prepared to consider, on an urgent basis, such measures as the strengthening of the United States presence in the area, the providing of emergency supplies to Israel, and the exercise of maritime rights in order to put an end to the violation.

In other sections of the memorandum of agreement, the United States also promised to support the parties' overflight and navigation rights, and to oppose any United Nations action or resolution which the U. S. judged as adversely affecting the treaty. The American government also promised to be responsive to Israel's military and economic aid requirements, and said that it would continue to impose restrictions forbidding the unauthorized transfer of American weapons to a third country, and would forbid their use against Israel.

The peace treaty dealt with the problem of a possible conflict between Egypt's prior inter-Arab commitments and its peace treaty with Israel as follows: After stating (article VI, paragraph 4) that "the Parties undertake not to enter into any obligation in conflict with this Treaty," paragraph 5 declared: "Subject to Article 103 of the United Nations Charter, in the event of a conflict between the obligations of the Parties under the present Treaty and any of their other obligations, the obligations under this Treaty will be binding and implemented." (Article 103 provides that the UN Charter take precedence over any treaty provisions inconsistent with the Charter. Thus Egypt could claim that it had not given up its right to aid an Arab state, a fellow member of the UN, if Israel engaged in aggressive action in clear violation of the UN Charter. At the same time Israel could rely on the peaceful settlement requirements of the Charter to prevent Egypt from invoking obligations under mutual assistance defense pacts with other Arab states that antedated and were inconsistent with the peace treaty with Israel.)

Although there was no equally detailed memorandum between the United States and Egypt, similar general assurances that the U. S. would take appropriate action

to prevent violations and achieve compliance with the treaty were contained in identical letters sent by President Carter to President Sadat and Prime Minister Begin on the date of the treaty signing. The United States also confirmed in these letters that it would itself conduct aerial monitoring, as provided for in the treaty, and would also "exert its utmost efforts" to have a UN force under the Security Council be permanently stationed in the limited forces zone. Should the Security Council fail to act, the president would take the necessary steps "to ensure the establishment of an acceptable alternative multinational force."

While the text of the Egyptian-Israeli peace treaty did not address itself to the West Bank-Gaza and Palestinian issues, these questions were dealt with in a joint letter to President Carter from President Sadat and Prime Minister Begin on March 26, the day of the treaty signing. The two leaders agreed to begin negotiations on implementing the West Bank-Gaza provisions a month after the treaty's ratifications were exchanged. If Jordan did not enter the talks, Egypt and Israel would negotiate themselves for the establishment of the "self-governing authority" in the West Bank and Gaza, in order to "provide full autonomy to the inhabitants." The parties set themselves "the goal of completing the negotiations within one year," so that elections could be held. One month after the self-governing authority was elected, the clock would begin to run on the five-year transitional period specified in the Camp David agreements, the Israeli military government and civilian administration would be withdrawn, and the remaining Israeli forces would be redeployed "into specified security locations." The last paragraph of the joint letter stated: "This letter also confirms our understanding that the United States government will participate fully in all stages of negotiations." Thus, while Prime Minister Begin had succeeded in removing any provisions with regard to negotiations on the Palestinian autonomy in Judea, Samaria, and Gaza from the text of the Egyptian-Israeli peace treaty itself, President Sadat had succeeded in getting Israel's agreement that the United States would be a full participant in the negotiations. This was in line with Sadat's basic strategy that Egypt's objectives could best be advanced by drawing in the United States as a full partner.

The Egyptian-Israeli peace treaty was a significant achievement for President Carter's personal diplomacy. It also marked the recognition by the United States, in a more explicit and formalized manner than ever before, of its continuing involvement in the peace process in the Middle East.

GEORGE E. GRUEN

American Reaction to the Shcharansky Case

THE ARREST IN MOSCOW OF ANATOLY SHCHARANSKY on March 15, 1977 on charges of treason and his conviction on July 14, 1978 triggered the most powerful governmental and public response in the United States to the plight of Soviet Jewry since the infamous air-hijacking verdict of December 1970. The 1970 verdict, including two death sentences imposed by a Moscow court, set in motion such strong currents of protest in the United States and the West that, within a very short time, the Kremlin felt compelled to open the "Soviet cage" and allow tens of thousands of Soviet Jews to emigrate. The Shcharansky case exerted a similar effect.

For several years prior to the arrest of Shcharansky, the Soviet Jewish movement in the United States had been at an ebb. The initial burst of activity during 1971-74, involving hundreds of thousands of people in demonstrations, letter-writing campaigns, and lobbying, came to an end with the passage in Congress of the Jackson-Vanik Amendment. Approximately 100,000 Soviet Jews emigrated during 1971-74, and the adoption of the Jackson-Vanik Amendment appeared to ensure America's formal commitment to a solution of the Soviet-Jewish problem. Such formal commitment, it was assumed, would result in a continuous flow of Soviet Jewish emigration. Thus, the very success of the protest movement led to a weakening of activism.

The assumption that the situation of Soviet Jewry was bound to improve was incorrect. The Kremlin publicly repudiated its trade agreement with the United States, rejected the application of the Jackson-Vanik Amendment, stepped up harassment and intimidation of Soviet Jews seeking to emigrate, and generally diminished the drive for exodus. The Jewish emigration rate dropped in 1974 and continued to plunge downward during 1975-77 to approximately one-half the 1972-73 level.

In America the organized Soviet Jewry movement faced greater difficulties in mobilizing the necessary resources to respond effectively to the new challenge. Annual "Solidarity Day" demonstrations were characterized by weakened participation and enthusiasm. Various pro-Soviet Jewry activities continued to be carried out by the National Conference on Soviet Jewry and other groups, but the previous excitement and hope were gone. The movement was in the doldrums, with internal debates over strategy sometimes replacing action.

The arrest of Shcharansky radically transformed this situation. The organized American Jewish community was once again galvanized into action, making an impact on the entire voluntary sector in the United States, as well as on Congress and the administration. The case became a *cause célèbre* not unlike the Dreyfus case in France at the turn of the century.

The notoriety of the case and the enormous influence it exerted on various American circles flowed from two factors—concern about détente and concern about Soviet antisemitism. The first concern directly involved the American government, since détente was perceived in the U.S., at least with respect to human rights, as an expression of the Helsinki Final Act. Shcharansky was linked directly, indeed intimately, with Helsinki.

Both the USSR and the United States conceived of the Helsinki Final Act as the consummation of détente. General Secretary (later President) Leonid Brezhnev and President Gerald Ford were present at the signing of the Helsinki Declaration on August 1, 1975. Since 1954, Soviet diplomacy had been oriented toward achieving an agreement with the West that would officially recognize the prevailing territorial arrangements in Eastern Europe and, thus, Kremlin dominance in the area. The West finally acquiesced to this, as expressed in Basket I of the Final Act, when the USSR reciprocated by recognizing the human rights principles incorporated into Basket III, including provisions for the reunion of families. Basket II called for economic, scientific, technological, and cultural exchange.

Détente, at its core, was characterized by linkage; accommodation in one field was to elicit a reciprocal response in another. As applied to the Final Act, linkage meant that progress in Baskets I and II—something greatly desired by the USSR—necessitated a corresponding advance in Basket III. Clearly, then, the human rights principle of the Final Act had the same status as the other principles, and had to be directly or indirectly included in applying any of the other principles. Incorporated in Principle VII of the Final Act was this key phrase: “The right of the individual to know and act upon his rights.” This phrase was seen in dissident and democratic circles throughout Eastern Europe as the central element in the entire Helsinki structure. Monitoring lay committees, commonly known as Helsinki watch committees, sprang up everywhere in the area, based precisely on Principle VII. The committees perceived their function as providing information about the fulfillment of the provisions of Helsinki.

Shcharansky's Arrest

On May 12, 1976, the Moscow Watch Committee was established. Shortly thereafter similar committees were set up in Leningrad, Kiev, Vilnius, Tbilisi, and Yerevan. Among the founders of the Moscow group was Anatoly Shcharansky, a young (born in 1948) computer specialist who had been a Jewish activist since being refused an exit visa in 1973. Shcharansky quickly became a leader of the Committee, thus becoming involved with general human rights issues. Because of his impeccable knowledge of English, he became the Committee's translator and interpreter for Western correspondents and high-level visitors, such as American senators and congressmen.

The Kremlin, notwithstanding Helsinki and détente, regarded the watch committees as a fundamental challenge to its authority, even though their total

membership was less than 50 persons. Soviet authorities unleashed a barrage of propaganda against the committees; members were harassed and most of them arrested. Pressure on the committees intensified after Jimmy Carter was elected U.S. president, since he symbolized and gave expression to human rights objectives.

It is not surprising that the extremely intelligent and courageous Shcharansky became the KGB's principal target; silencing him would be an object lesson to others, would cut the link to Jewish activists, and would sever the verbal connection with Western contacts. If KGB ingenuity could be utilized to entrap Shcharansky, linking him in some way with espionage, a treason trial could be held that, from the Kremlin viewpoint, would have the effect of destroying the legitimacy and credibility of the Helsinki watch committees, and deterring even the most courageous activists. Such a KGB entrapment was attempted through Sanya Lipavsky, a surgeon who undoubtedly had been or became a "plant" of the secret police within the Jewish activist movement. Lipavsky "volunteered" to become an operative of the Central Intelligence Agency. The KGB, after manipulating a situation whereby Lipavsky spent a brief time living with Shcharansky, sprung the trap. Lipavsky "confessed" publicly in an article in *Izvestia* (March 5, 1977) to being "recruited" by the CIA, and alleged that Shcharansky had been engaged in espionage plans to "undermine the foundations of Soviet power."

The fact of the matter was that Shcharansky had meticulously adhered to Soviet and international law. The specific charges that were brought against him in court in July 1978 could not possibly be considered as involving espionage or treason. "Absurd" was the way Shcharansky described the allegations against him; the term was precise and correct. Moreover, he had no knowledge of Lipavsky's relationship to the CIA.

Protests Over Shcharansky's Arrest

It was the unquestionable innocence of Shcharansky that led President Carter to take the unprecedented step of declaring at a press conference on June 13, 1977 that Shcharansky "has never had any sort of relationship, to our knowledge, with the CIA." Shcharansky's arrest was perceived by the U.S. government as a direct challenge to the Helsinki Final Act and, therefore, as a thrust at détente itself. When the first review conference of the Final Act opened in Belgrade on October 4, 1977, Ambassador Arthur Goldberg, the head of the American delegation, stated: "We are . . . obliged to register vigorous disapproval of repressive measures taken in any country against individuals and private groups whose activities relate solely to promoting the Final Act's goals and promises." The Soviet delegation was put on notice that the arrests of Shcharansky and other members of monitoring watch committees would be an important matter of discussion, since "such repression is contrary to the spirit and letter of our common pledge."

The Shcharansky case was aired, both in private discussions and public sessions, throughout the Belgrade meetings, which ran until mid-February, 1978. Ambassador Goldberg and his colleagues repeatedly stressed that interference with the watch

committees struck at the very heart of Helsinki. Robert Dole, the senate minority leader, appeared at Belgrade as a delegation member, and warned on November 25, 1977 that "public trials of political dissidents could have a profound impact on pending or subsequent bilateral and multilateral agreements."

For Jews, the arrest of Shcharansky on grounds of treason awakened memories of the Dreyfus case and stirred recollections of the "Doctors' Plot" that had generated a pogrom atmosphere in the USSR in 1953. Anxiety about Soviet antisemitism had been spreading among the American Jewish leadership since the beginning of 1977. The virulent Soviet propaganda campaign directed against Zionism, which but thinly masked anti-Jewish canards, had taken a particularly ugly turn on January 22. On that day, Soviet television carried a prime time, one-hour documentary entitled "Buyers of Souls." Replete with vulgar antisemitic stereotypes, the program listed the names and addresses of several Jewish activists, including Shcharansky. A background voice declared: "These people are all soldiers of Zionism within the Soviet Union, and it is here that they carry out their subversive activity." Following the showing of the documentary, the Soviet media lauded it. The equation of Zionism with subversion in the public mind was strongly reinforced by the publication in *Ogonek* (January 29, 1977), which has a circulation of two million, of a lengthy article entitled "The Espionage Octopus of Zionism."

Soviet Jewish activists warned of the creation of a "pogrom atmosphere" as they described anti-Jewish remarks on buses and in shops. At this point, the *Izvestia* article detailing the alleged connections between Shcharansky and the CIA appeared. Six days later "Buyers of Souls" was rebroadcast. Four days afterward Shcharansky was arrested. The sequence of events sent a shudder through the American Jewish community.

The National Conference on Soviet Jewry, representing the organized Jewish community, initiated the mobilization of a national campaign on Shcharansky's behalf. Its objective was to sensitize the American public to the issues involved, to encourage official and unofficial efforts for the release of Shcharansky, and, in the event such efforts failed and a trial were held, to activate a vigorous and sustained American response. With the arrival in the United States of Shcharansky's wife Avital in April, the campaign moved into high gear. On April 15, with Mrs. Shcharansky present, Congressman Robert Drinan (D., Mass.), who agreed to serve as American chairman of an "International Committee for the Release of Anatoly Shcharansky," held the first major press conference on the subject in Washington.

While the U.S. government, at various levels, was signalling to Soviet officials that a trial of Shcharansky would prove seriously detrimental to détente, the Jewish community was preoccupied with mounting a major response among critical sectors of American public opinion. A particularly dramatic action by the National Conference on Soviet Jewry was the creation of an Ad Hoc Commission on Justice for Anatoly Shcharansky. Its membership was impressive: William J. McGill, president of Columbia University (who acted as chairman); Senator Frank Church (D., Idaho); Robert McKay, director of the Aspen Institute for Humanistic Studies;

Eleanor Holmes Norton, chairman of the Equal Opportunity Employment Commission; Bayard Rustin, president of the A. Philip Randolph Institute; and Chesterfield Smith, former president of the American Bar Association. The Commission was modelled on the famous John Dewey Commission of the late 30's which had evaluated the Kremlin's trial proceedings against Leon Trotsky. As with the Dewey group, the McGill Commission held public hearings (on October 20, 1977) in the nation's capital. Two of America's most prominent legal specialists on civil liberties acted as co-counsels of the Commission: Alan Dershowitz of Harvard University Law School and Jack Greenberg, director of the NAACP Legal Defense and Education Fund. Aside from drawing public and especially congressional attention to the Shcharansky case—the hearings were held in the Democratic Caucus Room—the Commission sought to gather evidence that would constitute a brief for the Shcharansky defense. A transcript of the proceedings was to be sent to Roman Rudenko, the chief Soviet prosecutor.

To certify the objective judicial character of the hearings, each of the witnesses was sworn in by David L. Bazelon, chief judge of the U.S. Court of Appeals in the District of Columbia. The witnesses included Avital Shcharansky, who flew in specially from Israel; Isaak Elkind, a Soviet attorney who had emigrated to Israel; Jack Minker, professor of computer science at the University of Maryland; Congressman Drinan, and Alfred J. Friendly, Jr., former *Newsweek* correspondent in Moscow, and an official of the U.S. Commission on Security and Cooperation in Europe.

Mrs. Shcharansky's testimony was electrifying. She denounced the charges against her husband as "absurd," noting that it was inconceivable for a Soviet refusenik who was "constantly followed by members of the KGB 24 hours a day" to become a foreign agent. This view was buttressed by the other witnesses, and particularly by documentary material from more than 40 Soviet refuseniks still in the USSR, which was entered into the Commission's records. The statements attested to "the highest moral character" of Shcharansky and to the fact that "all his activities in the Jewish emigration movement were legal under Soviet and international law." Alfred Friendly, who had known Shcharansky extremely well as the translator for Western correspondents of the Helsinki Watch Committee in Moscow, stated: "Shcharansky's only crime was to speak truth and, worst of all, in English."

The American legal profession played a central role in shaping public opinion on the Shcharansky case. At the annual meeting of the Association of American Law Schools held in Atlanta, Georgia on December 27–30, 1977, a quickly assembled and unofficial "human rights" meeting was called into session by Dean Peter Liacouras and Professor Burton Caine, both of Temple University Law School in Philadelphia. The Temple Law School academics had returned on December 22 from a week-long stay in the USSR, where they had met in Moscow with leading Soviet legal and judicial officials, and expressed their concern about the Shcharansky case. Professor Alan Dershowitz of Harvard Law, who had already offered his

services as defense counsel to Shcharansky and was rebuffed by Soviet authorities, delivered the principal address outlining the character of the Soviet case. His Harvard Law colleague, Professor Harold Berman, a specialist on Soviet law, described the Soviet legal system. The deans of 72 law schools throughout the U.S., joined by more than 100 law professors, "deplored" the action of the Soviet government in the Shcharansky case as "counter to the rule of law and minimum standards of justice."

The impact on Congress was strong. Particularly significant was the formation of a Congressional Wives Committee for Soviet Jewry, initiated by Marina Wallach, Washington representative of the National Conference on Soviet Jewry. More than 40 wives of key senators and congressmen gathered on January 31, 1978 to greet Avital Shcharansky and to hear a plea on behalf of Soviet Jewish families. Mrs. Shcharansky was so moved by the interest of the group that she burst into tears and found herself unable to complete the speech she was scheduled to deliver. From time to time the Congressional Wives made its influence felt. On March 15, 1978, the first anniversary of Shcharansky's arrest, they gathered in the Capitol Hill office of Senator Harrison Williams (D., N.J.) and petitioned Soviet authorities to allow the Jewish dissenter to "fulfill his dream and rejoin his wife in Israel."

The protest movement, reinforcing continued expressions of concern directed to the Kremlin by the Carter administration, may have helped delay the opening of the Shcharansky trial. Soviet law required that a defendant be brought to trial within nine months after arrest. In December, 1977, however, the Praesidium of the Supreme Soviet, no doubt prompted by high party officials, adopted an *ex post facto* edict, extending the maximum arrest period to 15 months. The Kremlin was probably reluctant to give the American delegation at the Belgrade Conference an opening for drawing world attention to the Shcharansky case.

By March 1978 the Belgrade sessions had come to an end, and the continued incarceration of Shcharansky spurred the American Jewish community to step up its activities. The National Conference on Soviet Jewry called for a variegated action program to mark the anniversary of Shcharansky's arrest. Jewish organizations, and particularly youth and student groups, were asked to participate in a hunger strike. Local leaders were urged to meet with newspaper editors to press for editorials, and to seek from city and state officials the designation of March 15 as "Anatoly Shcharansky Day." Finally, synagogues and congregations were called upon to designate Saturday, March 11 and Saturday, March 18 as special sabbaths, in solidarity with the imprisoned Jewish activist.

The Annual Leadership Conference of the NCSJ, held in Washington on April 9-11, was utilized for the purpose of highlighting the Shcharansky case. On April 9, with the cooperation of the Jewish Community Council of Greater Washington, a public rally involving thousands was held in Lafayette Park opposite the White House. Participants in the Conference also joined on April 10 in a vigil in front of the Soviet embassy.

The Trial and its Aftermath

When the trial of Shcharansky (scheduled for July 10) was finally announced in Moscow on July 8, the U.S. government reacted with vigor. The State Department, clearly anticipating the announcement, had warned the Kremlin the day before that the fate of Shcharansky and Alexander Ginzburg (whose trial was scheduled for the same day) would be "an important indicator of the attitude of the Soviet government both with respect to the Helsinki Accord and to U.S.-Soviet relations." Secretary of State Cyrus Vance now formally declared that the Soviet dissidents were being put on trial "on a number of pretexts" and that they had been merely "asserting fundamental human rights . . . rights guaranteed in international agreements entered into by their [Soviet] government." He noted that his statement reflected "the deepest feelings and values of the American people" and that the trials would "inevitably affect the climate of our relations and impose obstacles to the building of confidence and cooperation between our countries." In keeping with his strong condemnation, Vance announced that, under President Carter's direction, he was cancelling two official trips to the Soviet Union, one by an environmental group headed by Barbara Blum, deputy administrator of the Environmental Protection Agency, and a second led by Dr. Frank Press, the president's science adviser.

If cancellation of high-level visits was designed to signal strong displeasure, the administration was not yet prepared to undertake punitive measures in the economic or political fields. The Shcharansky trial, after all, had not yet begun, and its outcome, in terms of sentencing—a guilty verdict, given the nature of Soviet jurisprudential practices, was certain—was still unknown. The Carter administration specifically rejected any precise linkage between the important strategic arms limitation talks (SALT II) with the USSR and human rights. The talks, part of a continuing long-term process aimed at signing a treaty by the end of 1978, had been scheduled for Geneva on July 13–14. Vance, even while denouncing the planned trials, disclosed that he would meet with Soviet Foreign Minister Andrei Gromyko as scheduled.

Paralleling and interlocking with the U.S. government response was the strong reaction of the organized Jewish community through the National Conference on Soviet Jewry. NCSJ executive director Jerry Goodman appealed for protest actions by local Jewish groups, and called on Congress to reject proposals then circulating that would extend credits for agricultural purposes to the Soviet Union. These proposals, floated in late 1977 and early 1978 and then formalized in a legislative initiative in the House by Representative Paul Findlay (R., Ill.), were supported by farm interests in the Midwest. Their adoption would have circumvented to some extent the Jackson-Vanik Amendment.

The NCSJ action, bolstered by strong public denunciations issued the same day by B'nai B'rith and Hadassah, quickly found expression in a public demonstration. The Greater New York Conference on Soviet Jewry, frequently the standard bearer for local action throughout the country, called for a rally July 10 in New York's

garment center to coincide with the opening of the Shcharansky trial. Media coverage was extensive as the chairman of the event, Mervin Riseman, called on Secretary of State Vance to postpone his scheduled meeting with Gromyko and to recall the U.S. ambassador to Moscow for consultations. A spokesman for the New York academic community, Dr. John Sawhill, president of New York University, denounced the Kremlin for holding its Jewish community "hostage." A representative of the legal profession, Orville Schell, past president of the Association of the Bar of the City of New York, stated: "Our obligation is to keep the Russian bear's feet to the fire until he releases Anatoly Shcharansky and other imprisoned persons." Schell revealed that, while on a trip to Moscow the previous March, he had been extended an invitation by the Moscow Collegium of Lawyers to attend the Shcharansky trial as an observer. That promise, he said, had not been kept.

While the rally in New York proceeded, top NCSJ officials and others travelled to Washington to meet with National Security Adviser Zbigniew Brzezinski. Included in the delegation was the chairman of the Conference of Presidents of Major American Jewish Organizations, Theodore R. Mann, who declared that people everywhere "are outraged at the flagrant misuse of a legal process to punish people for claiming rights that in any civilized country would be a matter of course." Another delegation member, Richard Maass, president of the American Jewish Committee, urged the U.S. government to "engage in a total re-evaluation of its attitude toward the Soviet Union and our ability to cooperate with it in the whole spectrum of relationships . . ."

The escalating protest movement exerted a profound impact on Washington. In Congress, a spate of resolutions was introduced. Senator Abraham Ribicoff (D., Conn.) and Representative Robert Drinan (D., Mass.) proposed identical resolutions calling on the USSR to release Shcharansky immediately and permit him to emigrate. Senator Robert Dole (R., Kansas), the former Republican vice-presidential candidate, asked for an indefinite postponement of U.S.-Soviet negotiations on nuclear weapons, pending Soviet compliance with the Helsinki agreement. What finally emerged was a "sense of Congress" bi-partisan resolution, which expressed dismay and deep concern about the Soviet trials. John Rhodes (R., Ariz.), the House minority leader, called the Shcharansky case a "throwback to the days of the pogroms."

The angry congressional reaction was echoed in a specially called hearing of the U.S. Helsinki Commission on Security and Cooperation in Europe, the agency established by Congress to monitor compliance with the Helsinki accord. Representative Dante Fascell (D., Fla.), chairman of the Commission, stated that the trial "raises serious questions about the international integrity of the Soviet government." One witness before the Commission, Senator Robert Packwood (R., Ore.), went as far as urging the U.S. to withdraw unilaterally from the Helsinki accords, a position which found a sympathetic response with several other senators, the AFL-CIO leadership, and some important columnists. A contrary view was taken by Jerry Goodman and by NCJS consultant Dr. William Korey, director of B'nai B'rith

International Policy Research. Both men stated that Helsinki was important as a major international human rights yardstick, and that to reject it would merely play into the hands of the Soviet Union. At the same time, Goodman emphasized that "the Soviet Union has to pay a price for its actions." Korey argued that to the extent that the human rights provisions in Basket III had been reduced by the USSR, the U.S. should reduce application of Basket II provisions dealing with economic and scientific exchanges.

On July 12 President Carter once again stated that the claim that Shcharansky had committed espionage on behalf of the United States was "patently false." In an interview with West European television correspondents, he declared that the Soviets were prosecuting Shcharansky because "he represents an element, a small group in the Soviet Union, who are fighting for the implementation of international agreements which the Soviets themselves have signed." The president stressed that the U.S. would continue "through every legitimate means to let the Soviets know of our displeasure . . ." Among specific steps being considered was the cancellation of sales of advanced technology, such as oil drilling equipment worth \$144 million produced by Dresser Industries of Dallas and a large Sperry Rand computer.

On July 13 Alexander Ginzburg was sentenced by a court in Kaluga to eight years in the harshest type of labor camp—"special regime." The next day the Shcharansky trial ended with the imposition of a 13-year sentence, three in prison and ten in a forced labor camp. Shcharansky's powerful and courageous final statement to the Moscow courtroom, printed on front pages of newspapers across the U.S., aroused a massive response. The National Conference on Soviet Jewry and the Conference of Presidents of Major American Jewish Organizations issued a joint statement calling on the administration to "seek an immediate freeze of the export of American technology to the USSR." The statement urged the Jewish community and its supporters to take to the streets in nationwide demonstrations on July 26 "to give personal testimony in solidarity with the agony of Anatoly Shcharansky."

President Carter was in Bonn, West Germany when the Shcharansky verdict was handed down. Condemning the imposed sentence in the strongest possible terms, Carter told a crowd of thousands of West Germans that "we are all sobered by this reminder that, so late in the 20th century, a person can be sent to jail simply for asserting his basic human rights." His words were echoed in the Congress. Senator Jacob K. Javits called the sentencing "an international disgrace and an affront to humankind." His New York colleague, Senator Daniel Patrick Moynihan, called upon the president to cancel the sale of the Sperry Rand Univac computer to Tass, the Soviet news service. Senator Henry Jackson (D., Wash.) and Senator Alan Cranston (D., Calif.) joined in the angry condemnations. On July 23 President Carter formally cancelled the sale of the Sperry Rand computer and held up the sale of oil technology produced by Dresser Industries. The administration announced that in the future it would carefully review all sales of advanced technological equipment to the USSR before final approval.

The United Auto Workers Union cancelled a planned trip of its officials to the USSR in protest against Shcharansky's conviction. On July 17 Vice-President Walter Mondale met with Avital Shcharansky for nearly 30 minutes at the White House. Just prior to the private meeting, he praised Mrs. Shcharansky for her "courage, dignity and strength." Mondale singled out Anatoly Shcharansky's final statement to the Moscow court as one that "will go down in literature as a great statement by an oppressed person." Later that day congressional members of both parties gathered under the sponsorship of the International Committee for the Release of Anatoly Shcharansky to greet Mrs. Shcharansky. The hearing room of the Rayburn House Office Building was jammed as Committee members expressed abhorrence of the Soviet proceedings and called for a U.S. boycott of the 1980 Olympic Games in Moscow, reduction of U.S. trade with the USSR, and suspension of scientific and technological exchanges.

It was a hectic schedule to which Shcharansky's wife subjected herself. In the late afternoon she met with the U.S. Commission on Security and Cooperation in Europe. In the evening she met with the wives of U.S. senators at a reception in the Israel embassy given by the wife of Israel's ambassador to the U.S. Everywhere, Mrs. Shcharansky uttered the same appeal: "In your hands is the fate of the Jewish movement in the Soviet Union and the fate of my husband." Recalling the antisemitism and repression of Stalin, she warned that "unless all those oppressed in the Soviet Union get help, the same catastrophe that happened 40 years ago will be repeated." On July 18 she appeared before the House Science and Technology Committee and repeated the warning that "a catastrophe is emerging [in the USSR] not only for the Soviet people, but a massacre of all human rights advocates." The congressmen responded with expressions of strong support, rejecting quiet diplomacy as leading only to harsher sentences. President Carter's open and vigorous support for Shcharansky was warmly lauded.

Rallies spread across the country as communities heeded the appeal of the NCSJ and the President's Conference. Particularly noteworthy was a rally in Los Angeles on July 24 attended by 2,000 persons, including California Governor Jerry Brown and actor Charlton Heston. Mrs. Shcharansky was the principal speaker, and once again she appealed for help to win freedom for her husband. "I do not have 13 years to wait," she cried. That same day, members of the Los Angeles Bar Association joined with prominent state legal officials and leading law professors to form the Los Angeles Committee of Concerned Lawyers for Soviet Jews. The Committee announced that it would "document individual cases of refuseniks within the Soviet Union and analyze Soviet law as it applies to these cases." A detailed legal critique of the Shcharansky case, in the form of an "open letter to the legal community," appeared in the *New York Law Journal* on July 17. It was signed by Bernard Katzen, chairman of the American section of the International Association of Jewish Lawyers and Jurists and asked lawyers "to help reverse the miscarriage of justice in Moscow" by sending protest letters and telegrams to high legal and judicial officials in the USSR.

In the voluntary sector of society, the strongest reaction to the Shcharansky trial came from the scientific community. Shcharansky, a computer specialist whose graduate thesis had dealt with the application of computers to chess, was from the beginning recognized as a "colleague," a member of the international scientific fraternity. Various organizations, especially the Committee of Concerned Scientists (loosely affiliated with the National Conference on Soviet Jewry) and, to a lesser extent, the Federation of American Scientists, had labored for a number of years to make their colleagues aware of the serious problems confronting Soviet Jewish scientists seeking to emigrate.

Computer specialists were among the first to respond. In the fall of 1977, the 35,000-member Association for Computer Machinery, the largest U.S. computer science group, cut official ties with the USSR in protest against the arrest of Shcharansky. On the day when the Shcharansky trial began, the chairmen of university computer science departments were meeting in conference in Utah. Twenty-seven leading department chairmen sent a cable to the president of the Soviet Academy of Sciences stating that they were "extremely concerned that our fellow computer scientist Anatoly Shcharansky is on trial." The cable warned that "situations of this sort tend to poison the atmosphere and make it increasingly difficult to welcome Soviet scientists to our laboratories and universities."

The question of scientific cooperation with the Soviet Union became a central feature of the protest movement. Thus, 150 scientists and engineers at the Argonne National Laboratory in Illinois sent a letter to the Kremlin warning that "regression to the conditions of 25 years ago [will] inevitably create major new barriers to the cooperation which we have achieved since those times." Similar views were articulated in numerous protest letters and statements, including one signed by 26 Nobel laureates. Especially important was the intervention of the National Academy of Sciences of the United States, which supervises official collaboration with the Soviet Academy of Sciences. Early in 1978, the president of the National Academy, Philip Handler, cabled Leonid Brezhnev that the denial of a fair trial for Shcharansky, including the presence of American legal observers, might imperil U.S.-USSR scientific relations.

The conviction and sentencing of Shcharansky accelerated the protest movement to a point where non-participation by various American scientists in Soviet conferences became standard. An organization called Scientists for Shcharansky, formed by high energy physicists at the Lawrence Berkeley Laboratory, pledged to "withdraw all personal cooperation with the Soviet Union until Anatoly Shcharansky and Yuri Orlov are released from prison." Telegrams carrying this message, signed by 500 scientists, including Nobel laureates, were sent in late July to Soviet officials. The 14th International Congress of Genetics, held in Moscow August 20-31, was boycotted by some 60 American geneticists. Two prominent physicists scheduled to visit the USSR under the intergovernmental physics program administered by the National Academy of Sciences dropped their plans. Nobel laureate Rosalyn S.

Yalow publicly rejected an invitation of the Soviet minister of health to play a central role in a scientific symposium scheduled for October. In early 1979 the protest movement among scientists was still growing. More than 2,400 American scientists signed a "statement of conscience" in which they vowed to withhold all cooperation with the USSR until Orlov and Shcharansky were released. The magnitude of the commitment was unprecedented in scientific circles. The signatories included 13 Nobel laureates, 113 members of the National Academy of Sciences, and the heads of 20 scientific organizations and 18 major laboratories.

Nor would the organized Jewish community of the United States drop its commitment to Shcharansky's release. It remembered vividly the inspired and inspiring words uttered by the young Zionist on the occasion of his sentencing: "Now as I am facing long and hard years of detention, I say, addressing my people and my Avital—'Next year in Jerusalem!' " Even as the Kremlin, during the latter half of 1978 and during 1979, attempted to assuage the anger of the American Jewish community by once again permitting large numbers of Soviet Jews to emigrate (at a rate of approximately 4,000 a month) the outcry on behalf of Shcharansky could not be stilled.

WILLIAM KOREY