

**Review  
of  
the  
Year**

**UNITED STATES**

# Civic and Political

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## Intergroup Relations

**I**F ANY SINGLE EVENT IN 1990 caused American Jews some unease, it was the crisis in the Persian Gulf, which began in August and was building toward a climax at year's end. Throughout the year, Jewish groups noted increasing levels of anxiety at the grass roots about anti-Semitism; however, most indices showed that anti-Semitism had not increased and that the fundamental security of the Jewish community was not threatened. The specter of a breach in the wall of separation between church and state, and of erosion of religious liberty, troubled the American Jewish polity, particularly as the contours of the federal judiciary underwent significant changes. The 25th anniversary of Vatican II's *Nostra Aetate* symbolized the exceptional changes that had occurred in the broad realm of interreligious relationships. A simmering dispute about quotas dominated debate over the ill-fated civil-rights bill in the U.S. Congress.

### *Political Affairs*

#### THE GULF CRISIS

The August 1990 invasion of Kuwait by Iraq generated an active debate on the nature of an appropriate American response. This discussion during the late summer and autumn of 1990, involving the administration and the Congress, had significant implications for the Jewish community.

Immediately following the Iraqi invasion, Jewish groups expressed support of administration efforts to forge an international consensus to force Iraq's withdrawal from Kuwait. In September and again in December, community groups also approved UN resolutions relating to the crisis, including one that authorized member nations to use "all means necessary" to curb Iraq. As the year drew to a close, Jewish groups moved toward taking stands on the use of force in the Gulf. At the end of November, the Union of American Hebrew Congregations became the first Jewish group to openly advocate the use of force in order to resolve the crisis. Other Jewish groups, however, recommended a more cautious option. The National Council of

Jewish Women, for example, urged President George Bush to “explore every feasible alternative to military action.”

In the sharp debate that unfolded toward the end of the year over the use of force versus continuation of sanctions against Iraq, the Jewish community generally was reluctant to take a high-profile position, lest support of the resolution be perceived as a Jewish issue. This was particularly so after syndicated columnist Patrick J. Buchanan stated on an August 26 telecast of “The McLaughlin Group”: “There are only two groups that are beating the drums for war in the Middle East—the Israeli Defense Ministry and its ‘amen’ corner in the United States.” Buchanan further asserted that the Israelis wanted war “desperately” because “they want the United States to finish off the Iraqi war machine.” (See “Political Anti-Semitism,” below.) The desire for a low-key approach was especially evident when Rep. Stephen Solarz (D., N.Y.), an ardent advocate of the military option, called a meeting of representatives of Jewish groups to ask for their support. The Jewish representatives expressed a reluctance to be involved in that manner, but they reportedly told Solarz, “When the president makes a formal request, we are ready to be openly supportive.”

Although Buchanan sought to encourage the view that American Jews were pressing for the war in Israel’s interest, his suggestion of “dual loyalty” found little response among most Americans, who were in any case largely supportive of the administration’s position.

At the end of November, one group, the Commission on Social Action of Reform Judaism, an arm of the Union of American Hebrew Congregations and the Central Conference of American Rabbis, affixed its signature to an interreligious statement on the Gulf condemning the Iraqi invasion and speaking of the “dangers of offensive military action by the United States.” This interreligious statement was considerably less extreme in its opposition to force than the statement released by the National Council of Churches on November 16, which, in a stinging rebuke of administration policy, called for “withdrawal of U.S. troops from the Gulf.” It was suggested that the church groups that signed the interreligious statement—many of whom also signed the NCC document—agreed to water down their position on pragmatic grounds. As one observer put it, “[The NCC] wanted Jewish participation and a statement they could take into a Congressman’s office without being dismissed out of hand. They wanted real talking points.”

The U.S. Catholic Conference, the public-affairs arm of the Catholic Church in America, took a more nuanced stance on the use of force. In a November 15 letter to President Bush, USCC president Archbishop Daniel Pilarczyk of Cincinnati suggested that there might be moral justification for the use of force to resolve the Gulf crisis, but not without a prior national assessment and discussion of the ethical dimensions of the situation.

Questions were raised during the summer and autumn with respect to the participation of Jewish personnel in Operation Desert Shield, the American military build-up in the Persian Gulf. It was reported that Jewish military personnel, particularly chaplains, were being denied entry into Saudi Arabia, and that some Jewish

servicemen were being pressured to remove any Jewish identification from their dog tags. (As a matter of constitutional protection, all military personnel have the option of indicating any religion—or none at all—on their dog tags.) Jewish groups such as the Jewish War Veterans of the U.S.A. were in contact with the Defense Department regarding these allegations.

An intergroup-relations issue directly flowing from the Gulf crisis was that of harassment and scapegoating of Arab-Americans, including a number of reported physical attacks. Some Jewish groups, including the National Jewish Community Relations Advisory Council (NJCRAC), acting on behalf of national and local Jewish organizations, issued statements during the fall condemning such activity and warning that “all manifestations of bias, bigotry, and group stereotyping” were unacceptable.

### THE 1990 ELECTIONS

During 1990, an election year, foreign policy—including even the Persian Gulf crisis—took a back seat to taxes and domestic economic issues. Although Israel was a factor in a few races for the House of Representatives—and anti-Semitism in at least one—neither was a significant determinative factor across the country.

While a number of Jewish incumbents in the U.S. Congress were thought to be endangered, only one was defeated in the November elections. Indeed, two new Jewish members of the House of Representatives were elected—Richard Zimmer (R., N.J.) and Bernard Sanders (I., Vt.)—increasing the number of Jews in the lower house of Congress to a record high of 33. In the Senate, the Jewish contingent remained at eight (six Democrats and two Republicans), but Sen. Rudy Boschwitz (R., Minn.) lost his seat—and his party a vote—to another Jew, Democrat Paul Wellstone. Supporters of Israel viewed the Boschwitz defeat as a blow; political analysts observed that Boschwitz, the only Jew on the Senate Foreign Relations Committee, not only was one of the leading advocates of Israel in the Senate but played a crucial role in behind-the-scenes “arm-twisting” of those senators wavering in support. One of two survivors of the Holocaust in the Congress (the other was Rep. Tom Lantos, D., Calif.), Boschwitz was active in Holocaust organizations and commemorations as well.

Boschwitz, who was seeking a third term, was defeated by political newcomer Paul Wellstone, a Jew, a 48-year-old professor of political science at Carleton College in Northfield, Minnesota. The close Wellstone–Boschwitz race was troubled—and perhaps decided—by a letter sent out by Senator Boschwitz’s campaign to Jewish groups in the state saying that Wellstone had married a Christian, did not raise his children as Jews, and had no ties to the Jewish community. Jewish leaders reacted with outrage against Boschwitz. Jews account for only a tiny percentage of voters in Minnesota, but the incident resounded throughout the state. Wellstone asserted support for Israel, but indicated that he would not hesitate to criticize the policies of the Likud government on the Senate floor.

Other 1990 Senate races of note included the defeat by Jesse Helms (R., N.C.) of Harvey Gantt, after Helms resorted to the use of racial themes during the final weeks of the campaign. Although Helms, who had a mixed record on Israel, had some Jewish support, most Jews backed Gantt to become the first black senator in the South since Reconstruction. In Oregon, Sen. Mark Hatfield (R.), a longtime critic of Israel ("even before it became fashionable," in the words of Morris Amitay, past director of the American Israel Public Affairs Committee-AIPAC), defeated Harry Lonsdale. And in Iowa, Sen. Tom Harkin, supported by pro-Israel groups and by Jewish activists concerned with the domestic agenda, became the only Democratic senator from Iowa to be reelected in many decades.

In one of the more unusual races in recent memory, Bernard Sanders—a Jewish socialist running as an independent—won an overwhelming victory to become Vermont's single member of the House of Representatives.

The net loss of Republican seats in both the House and Senate pleased representatives of a number of multi-issue Jewish organizations, who had endured two very difficult legislative sessions of the 101st Congress on issues such as civil rights, church-state separation, and reproductive rights. Observers of the 1990 elections noted that both pro-Israel and multi-issue political action committees (PACs) provided money to the vast majority of congressional races in 1990, mostly to incumbents.

In another political development, efforts by pro-Arab state convention delegates to pass anti-Israel resolutions or platform planks in a number of states came to naught. In at least one state, California, the state Republican party passed a strong pro-Israel resolution at its convention in March, but only after overcoming stiff opposition on the part of pro-Arab delegates.

In gubernatorial races, California Democrats, in a primary election held in June, chose Dianne G. Feinstein as their candidate for governor. She was defeated, however, in the November general election by the Republican candidate, Sen. Pete Wilson. Bruce Sundlin of Rhode Island (D.) remained the only Jewish governor, with Democratic governors Madeline Kunin of Vermont and Neil Goldschmidt of Oregon not seeking reelection in 1990.

In Arkansas, a Ku Klux Klan supporter and former leader of the American Nazi party, Ralph Forbes, was defeated by a black candidate, Kenneth Harris, by a landslide margin in a Republican runoff election in June for lieutenant governor. The white-supremacist candidate had received a 46-percent plurality in the primary election in May, short of the majority needed to clinch the primary. According to the Anti-Defamation League, Forbes was associated with an affiliate of the anti-Semitic and racist Christian Identity Movement, and had been the campaign manager of Louisiana white-supremacist David Duke's 1988 presidential campaign. In another expression of anti-Semitism, Rep. Gus Savage of Chicago (D., Ill.), victorious in his reelection bid, assailed "Jewish money" and Jewish control of the media in a campaign speech.

In December, a group of Jewish Democratic leaders formed the National Jewish

Democratic Council, for the purposes of encouraging Jewish candidates at all levels and of promoting greater Jewish involvement in the Democratic party. They hoped to maintain the pattern of a Jewish majority voting for Democratic candidates in presidential, congressional, statewide, and local elections. (According to polling data, 74 percent of Jewish voters supported Democratic candidates in the November 1990 congressional elections.) Republican Jews had already formed such an organization, the National Jewish Coalition, organized during 1980 to support Ronald Reagan in his bid for the presidency. Both groups stressed that they were independent of their respective party's official organizations. Political observers suggested that the motivation for forming the Jewish Democratic Council was to prevent recurrence of what happened in 1988, when seven state Democratic party conventions adopted resolutions supporting Palestinian "self-determination," and the issue was debated at the 1988 Democratic national convention.

Finally, the Reverend Jesse Jackson declined to run for the Washington, D.C., mayoralty, but easily won election to one of two "shadow" Senate seats for the District of Columbia, and was expected to use his position to lobby for D.C. statehood.

### *Soviet Jewry*

#### LOAN GUARANTEES

To help meet the costs of the heavy influx of Soviet Jews to Israel, early in 1990 Israel requested a \$400-million guarantee from the U.S. government for commercial loans from banks for the purpose of Soviet Jewry settlement. According to Secretary of State James Baker's March 1 testimony before the foreign operations subcommittee of the House Appropriations Committee, the administration's condition for the \$400-million loan guarantee was that the funds not be used in the occupied territories. President Bush's March 3 statement objecting to Israeli settlements in the West Bank (and East Jerusalem, for that matter) was based on the perception that sizable numbers of Soviet Jews were being settled in those areas; in fact, asserted the Israeli government, a tiny fraction—less than 1 percent—was being settled there. Subsequent statements by various administration officials suggested that the United States would indeed not link loan guarantees to the end of settlement activity per se, but only to the settlement of Soviet Jews in those areas. Throughout much of the year, the administration declined to say whether it would in fact support the \$400-million guarantee. Finally, in October, armed with Israeli assurances that the money would not be used to settle Soviet Jews in the West Bank or the Gaza strip, the administration indicated that it would provide final approval of the guarantees.

Meanwhile, in the Congress, Senators Patrick Leahy (D., Vt.) and Robert Kasten (R., Wis.) introduced legislation in early February that provided guarantees for \$400 million of housing loans. Senate passage of the FY 90 supplemental appropriations

bill, which had strong bipartisan support, occurred in April. Companion legislation was approved the same month by an overwhelming margin in the House of Representatives. Rep. Gus Savage (D., Ill.), who had made assertedly anti-Semitic remarks after he won his primary reelection campaign in late March, tried unsuccessfully to strip the \$400 million from the House bill.

There was little domestic fallout during 1990 over the protracted negotiations between the Israeli and American governments. American Jewish groups took the public posture that the negotiations were "mostly technical difficulties" to be resolved between the two governments without major American Jewish communal involvement.

#### WAIVER OF JACKSON-VANIK

President Bush's partial waiver on December 12 of the Jackson-Vanik Amendment—good until July 1991—was the culmination of yearlong discussions within both the Jewish community and the administration, and between Jewish groups and administration officials on the issue. Jackson-Vanik, passed in 1974 in reaction to a Soviet decision to put a steep tax on émigrés with higher academic degrees (most of whom were Jews), imposed restrictions on U.S. trade with the Soviet Union and linked "most-favored-nation" (MFN) status to Soviet-Jewish immigration. With significant changes in the U.S.-Soviet climate, particularly with respect to the easing of emigration restrictions and promises to introduce more liberal emigration laws, a number of Jewish organizations publicly supported easing the Jackson-Vanik restrictions. Under the law, the president could waive Jackson-Vanik for a one-year period if he were able to demonstrate to the Congress that doing so would promote freer emigration. The waiver could be extended each year unless both houses of Congress voted to disapprove such an extension.

Among Jewish groups, the two leading Soviet Jewry advocacy organizations, the National Conference on Soviet Jewry (NCSJ) and the Union of Councils for Soviet Jews (UCSJ), were split on the waiver issue. The NCSJ, in a reevaluation of its policy, announced in early December that it would support waiver. NCSJ had previously asserted that it would support a Jackson-Vanik waiver only if a number of conditions, including assurances of a continuing high level of Jewish emigration, were met. The UCSJ, for its part, maintained the position that a waiver would remove any incentive for the Soviet Union to codify free emigration into its laws. Indeed, President Bush, who met with Soviet president Mikhail Gorbachev in Washington in June, indicated before the summit that codification was an issue for the administration as well. Nonetheless, on December 12, the president decided to waive a number of Jackson-Vanik restrictions on agricultural credits for the Soviet Union. He did not, however, lift the important provision that barred the USSR from receiving MFN trade benefits.

While other Jewish groups were generally supportive of waiver, arguing that

demonstration of support for Gorbachev for his role in increasing emigration was indicated, it was unclear on what precise conditions the administration based its waiver. In 1989, for example, Bush had called for "passage . . . and faithful implementation of an emigration law." What constituted implementation? queried analysts; in fact, did the administration yet require this provision in 1990? None of those analysts following the issue had any answers.

Finally, the first "Solidarity Sunday" amid *glasnost*—and the first in three years—was held in New York on May 1. The traditional cry of "Let My People Go!" was changed to "Bring My People Home!" as rally planners, who had canceled the demonstrations in 1989 and 1990 because conditions for Soviet Jews continued to improve, now looked toward public support of resettlement.

### *Anti-Semitism and Extremism*

The standard indices for measuring anti-Semitism offered somewhat contradictory evidence this year about the state of Jewish security: an increase in incidents of vandalism and harassment related to anti-Semitism, but a continuing decline in anti-Semitic attitudes, as measured by public-opinion surveys.

The annual Anti-Defamation League (ADL) audit of anti-Semitic incidents for 1990 reported 1,685 episodes, an 18-percent increase over the 1,432 such incidents reported during 1989, and the highest total reported in the 12-year history of the audit. Of the 1,685 incidents reported, 927 were acts of vandalism directed at Jewish institutions and Jewish-owned property, and included 38 serious crimes of arson, bombing, and vandalism. This was a record number as well. Additionally, the ADL audit reported 758 acts of harassment, threats, and assaults against Jewish individuals, their property, and their institutions. Incidents in this category increased 29 percent over the previous year and were at a record number. The total ADL figure marked the fourth straight year of increasing levels of anti-Semitic acts nationwide.

The ADL report further noted a trend in the growing numbers of anti-Semitic incidents occurring on college campuses and a "resurgence" of anti-Semitic incidents seemingly motivated by the developing Persian Gulf crisis toward the end of the year. While the ADL had in 1989 underscored signs of growing neo-Nazi, violence-mongering "skinheads," in 1990 the league reported a sharp decrease in the number of skinhead-related anti-Semitic incidents. The number of hard-core skinheads in 1990 remained unchanged from the estimated 3,000 activists in 31 states reported by the ADL and other monitoring groups in 1989. It was not clear to observers whether the number had indeed peaked in 1989.

According to the May 1990 Roper Organization poll conducted annually for the American Jewish Committee, on the key question of which groups have too much power in the United States, respondents continued to rank Jews near the bottom of those groups listed. The 8-percent figure of those who responded "Jews" to this indicative question was unchanged from the previous year's poll. Other significant Roper findings included: on the "dual-loyalty" question, a large plurality—44 per-

cent—of respondents disagreeing with the proposition “American Jews are more loyal to Israel than to the United States.” The percentage agreeing—28 percent—was up slightly over the 1989 number.

Other evaluative criteria by which anti-Semitism is measured showed no evidence of an increase during 1990. Most significant, in the view of analysts, was the fact that “conflict” situations—situations that tend to polarize society and can lead to an increase in anti-Semitic expression—did not produce any increase in anti-Semitism in 1990, continuing the pattern of four decades. This, despite the perception among many Jews that there was greater expression of anti-Semitism in the general community than was reflected in the survey data or the assessments of Jewish groups.

In the view of many Jewish communal leaders and of seasoned observers, a distinction had to be made between anti-Semitism—which surely exists and must be monitored and counteracted by Jewish communal agencies—and basic Jewish security, which is rooted primarily in the strength of constitutional protections and democratic institutions, which in 1990 remained stable in the United States.

#### EXTREMIST GROUPS

According to organizations monitoring extremist-group activity, membership in most such groups continued to decline. Still, the ADL claimed that the decade-long decline in the strength of the Klan had come to a halt, with membership in 1990 remaining approximately the same as in 1989. According to the ADL and Klan-watch, some areas of the country showed indications of possible Klan growth. The ADL placed the membership of all hate groups in the United States during 1990 at fewer than 20,000.

A significant development in countering extremist activities was the October verdict in a civil trial against Tom Metzger, a former Klan leader who headed the racist organization White Aryan Resistance (WAR), and his son John, leader of the Aryan Youth Movement. These two national extremist organizations reportedly had sizable followings among racist skinheads. In *Engedaw Berhanu v. Tom Metzger et al.*, a jury in Portland, Oregon, returned a \$12.5-million verdict against the Metzgers, White Aryan Resistance, and two skinhead followers in connection with the 1988 murder of an Ethiopian immigrant by the skinheads. The jury found that the Metzgers and WAR were vicariously liable for the immigrant's death because they had actively encouraged the skinheads to commit acts of racial violence. The ADL and the Southern Poverty Law Center cooperated in bringing the lawsuit on behalf of the plaintiff in *Berhanu* under various statutes, including the Oregon racial intimidation law that allows individual victims of hate crimes to bring a civil action for relief. Analysts suggested that lawsuits like *Berhanu* sent a clear message that illegal harassment on the basis of religion and race would be countered not only in the criminal courts, but in civil actions as well.

In another case involving criminal prosecution of extremists, in March five members of a white supremacist group were convicted in a Dallas federal district court of firearms violations and conspiracy to violate the civil rights of Jews, blacks, and Hispanics. The charges against the five stemmed from a series of anti-Semitic and racist incidents committed in 1988, including vandalism of religious institutions and beatings of individuals.

#### ANTI-SEMITISM ON THE CAMPUS

Reports from college and university campuses around the country seemed to indicate a growth of anti-Semitic expression along with a rise in the number of bias incidents in general on campuses, many of them with highly diverse populations. A study conducted by the National Jewish Community Relations Advisory Council (NJCRAC) at the request of the Council of Jewish Federations and released in November, found that behavioral anti-Semitism was in fact not pervasive on college campuses and concluded that "the vast majority of Jewish students feel comfortable on most American campuses." The study did find that troubling incidents of anti-Semitism occurred in connection with campus visits of extremist speakers, and were more likely to be linked to the political debate surrounding events in the Middle East, especially on those campuses having a large foreign—especially Arab—student population. To a significantly smaller degree, campus anti-Semitism was expressed in random incidents of vandalism and graffiti, according to the NJCRAC report.

While the numbers of incidents of anti-Semitic vandalism on the campus, as reported by the Anti-Defamation League, jumped from 69 incidents at 54 institutions in 1989 to 95 incidents at 57 institutions in 1990, the number of such incidents was small relative to the total campus population, and indeed represented a minuscule percentage of the total number of "bias" incidents reported on the campus. Indeed, according to the National Institute Against Prejudice and Violence, since 1986 more than 250 campuses around the country had reported a range of racist and bias-related incidents, with virtually every minority group a target. Both the NJCRAC and the National Institute Against Prejudice and Violence found that bias and racism were far more pervasive problems on the campus than anti-Semitism.

Invited speakers bearing a largely anti-Semitic message, such as Kwame Toure (black activist Stokely Carmichael) and Nation of Islam leader Louis Farrakhan, continued to travel the campus circuit during 1990, often serving as flash points for anti-Semitic acts. In response to the speakers' appearances, Jewish communal organizations, both on and off the campus, encouraged university administrators to issue statements that condemned messages of hate while supporting free speech. On a number of campuses, university administrators did demonstrate leadership in denouncing campus anti-Semitism. On the University of Wisconsin campus and in the Madison, Wisconsin, community, which experienced a series of 24 incidents, from

July to September, ranging from vandalism of Jewish fraternities, Hillel houses, and synagogues to the cutting of a brake cable on a bus parked in the synagogue parking lot, a broad intergroup coalition and the university administration strongly repudiated anti-Semitism and other forms of bigotry.

A troubling campus-related episode was the publication of a quote from Adolf Hitler's *Mein Kampf* in the October 3 issue of the *Dartmouth Review*, an alternative, politically conservative weekly newspaper published by students but unaffiliated with Dartmouth College. In the incident, which took place on Yom Kippur, a quote from Theodore Roosevelt on the newspaper's masthead was replaced with the Hitler quote. Dartmouth president James O. Freedman immediately denounced the newspaper, and the *Review* issued an apology, suggesting that it had been a victim of sabotage on the part of an unknown staff member.

#### ANTI-SEMITISM IN THE BLACK COMMUNITY

In August, black filmmaker Spike Lee's film *Mo' Better Blues* was attacked by Jewish groups for its stereotypical depiction of two Jewish jazz-club owners, Moe and Josh Flatbush. The ADL said that "Spike Lee's characterization of the Flatbush brothers as greedy and unscrupulous dredges up an age-old and highly-dangerous form of anti-Semitic stereotyping." In a *Los Angeles Times* survey of film critics, many agreed that the characterization was anti-Semitic, but many also defended Spike Lee's right of free artistic expression. Around the time of the film's release, in July, a speaker at the annual convention of the National Association of the Advancement of Colored People (NAACP) in Los Angeles asserted that black entertainers had been held back because of the "century-old problem of Jewish racism in Hollywood." Benjamin J. Hooks, executive director of the NAACP, did not repudiate the comment, although he said that it did not represent the organization's views.

The rap group Public Enemy, which had caused consternation among Jewish groups for the anti-Semitic comments made by one of its members, "Professor Griff," during 1989, spurred protest again this year, with the release of its new album in January. A single, "Welcome to the Terrordome," contained lyrics that revived the anti-Semitic slander of deicide. The ADL called upon Walter Yetnikoff, president of CBS Records, the album's distributor, to repudiate the racism and anti-Semitism articulated in the record. Yetnikoff responded with a statement condemning bigotry in music. In a related matter, the music industry in 1990 agreed to voluntary uniform labeling of albums with offensive lyrics, prompting legislators in 13 states to withdraw pending bills calling for mandatory labeling.

Minister Louis Farrakhan, who had been the focal point of controversy for several years in his role as head of the some-10,000-member black organization Nation of Islam, asserted in a *Washington Post* interview on March 1 that he was "not an enemy of Jews." He said he wished to end the bitter antagonism that had character-

ized his relationship with the Jewish community since his 1984 assertion that Judaism was "a gutter religion." Observers suggested that Farrakhan's overture was part of an effort to win a more prominent role in national politics for his organization.

A report published by the American Jewish Committee, "What Do We Know About Black Anti-Semitism?" provided a comprehensive analysis of published survey evidence on black attitudes toward Jews. Among the conclusions of the AJC report were that blacks tend to be more anti-Semitic than whites at the same levels of education (but *not* that as education levels rise in the black community, so does anti-Semitism—a commonly held belief); and that generally, a greater percentage of blacks (37 percent) than whites (20 percent) score as anti-Semitic on standard attitudinal scales. The review further showed that the percentage of blacks scoring as anti-Semitic on those scales had decreased perceptibly from 1964, but the decrease was smaller than that for whites. Analysts noted that the data on black anti-Semitism were fragmentary and limited, and that no recent comprehensive survey of black attitudes toward Jews had been conducted.

A study by sociologist Hubert Locke of three cities—St. Louis, Seattle, and Buffalo—suggested that the popular perception that black anti-Semitism is widespread may be unfounded. The study, *Black Protestantism and Anti-Semitism*, published in 1990 and based on Locke's earlier research, suggested that the souring of relationships between leadership of the two communities was a result of battles over such contentious issues as affirmative action and should not be "generalized as a characteristic of the . . . attitudes of black citizens toward Jewish people as a general proposition."

#### POLITICAL ANTI-SEMITISM

On the political front, the activities of two individuals raised questions about racial politics and a possible reemergence of political anti-Semitism. In Louisiana, former "grand wizard" of the Knights of the Ku Klux Klan David Duke mounted a strong bid for the U.S. Senate seat held by Democrat J. Bennett Johnston. Duke, 40, who headed the National Association for the Advancement of White People, had been elected in 1989 to the state legislature in Louisiana. Running on an anti-establishment platform as a Republican in the October election, Duke garnered 605,681 votes—43.5 percent of the total, including an estimated 55 percent of the white vote. Johnston, in gaining more than 50 percent of the total vote, avoided a runoff in November. It was a matter of concern to many that the Louisiana Republican party failed to repudiate Duke.

Observers suggested that Duke's strong showing in the Louisiana senatorial vote was a step in an effort aimed at moving white supremacy and other racial politics off the margin and back into the mainstream of American politics. At the same time, it appeared that many, if not most, white voters for Duke cast their ballots in favor

of Duke's populist "anti-government" stance—including his call for an end to affirmative-action programs—rather than explicitly for racist reasons. At year's end, Duke was reportedly considering a race in 1991 for governor of Louisiana.

In general, election campaigns during 1990 were free of anti-Semitism, a key criterion in the assessment of the nature and extent of anti-Semitism. One exception was the public attack considered by Jewish groups to be anti-Semitic made by Rep. Gus Savage (D., Ill.) of Chicago against Jewish contributors to his opponent, who was also African-American. Savage was repudiated by some black leaders, but not by any in Chicago.

One issue raised for Jewish organizations by the Duke and similar campaigns was the limitation placed on partisan political activity by Section 501(c)(3) of the Internal Revenue Code, which governs most nonprofit organizations in the Jewish community. In Louisiana, a number of groups joined forces to form the Louisiana Coalition Against Racism and Nazism, a political action committee, for the purpose of countering Duke's 1990 candidacy.

In a September 14 *New York Times* column, op-ed writer A.M. Rosenthal accused conservative syndicated columnist Patrick J. Buchanan of anti-Semitism and indeed of "blood libel." The impetus for the Rosenthal denunciation was Buchanan's charge that only Israel and American Jews (he called them Israel's "amen corner") were backing the Gulf war (see above). Rosenthal wrote: "We are not dealing here with country-club anti-Semitism but with the blood libel that often grows out of it: Jews are not like us but are others, with alien loyalties for which they will sacrifice the lives of Americans." In his printed response of September 19, Buchanan denied that he was anti-Semitic, and, in a pointed reference to ADL national director Abraham H. Foxman, averred that such charges were smoke screens for "amen-corner" protectors.

In both his syndicated columns and on television, Buchanan had evidenced hostility to Israel and to many Jewish concerns for some years. He questioned the viability of the Jewish state and the validity of continued American support of Israel, proclaimed the innocence of convicted Nazi war criminal John Demjanjuk, and supported the presence of the Carmelite convent at Auschwitz. Jewish groups were reluctant during the 1990 Buchanan fray to label the columnist an out-and-out anti-Semite, or to call for removal of his column or other censoring. "The organized Jewish community does not feel that Pat Buchanan should be muzzled," said the National Jewish Community Relations Advisory Council, reflecting the view shared by many Jewish leaders. "We're very unhappy about what Pat Buchanan says, but the place for counteraction is in the marketplace of ideas," the group's spokesman noted. Nevertheless, there was serious concern among a number of analysts about Buchanan's remarks, particularly as they reflected a reaction triggered by a "conflict" situation, in this case the Gulf crisis.

## HOLOCAUST REVISIONISM

Holocaust revisionism—denial of the Holocaust or of its extent by pseudo-scholarly means—was expressed in a number of campus settings during 1990. In February, Donald Hiner, a part-time instructor of history at Indiana-Purdue University, taught in his classes that the Holocaust was a “myth,” and that “none of it makes sense unless you look at it from the prospect of Israel getting a lot of wealth from the story.” Following fact-finding by the Indianapolis Jewish Community Relations Council and other Jewish groups, the college dean characterized Hiner’s classroom remarks as “lies and slander.”

## DISCRIMINATORY CLUBS

Discriminatory practices by private clubs, although generally on the decline, were exposed in a number of situations that garnered national headlines in this year. The exclusion of Jews, including Henry Bloch, a prominent Jewish citizen in Kansas City, by the Kansas City Country Club prompted Tom Watson, a champion golfer, to resign from the club in protest in December. “It’s something I can’t personally live with,” said Watson. Bloch was subsequently invited to join the club. Jewish groups welcomed the decision in August by the Shoal Creek Country Club of Birmingham to admit its first black member. Shoal Creek was the site of the 1990 Professional Golfers’ Association championship tournament. And in Orlando, Florida, the women’s tennis team of the Jewish Community Center faced expulsion from the Orlando-based Women’s Amateur Invitational League (WAIT) for refusing to play matches on the premises of a country club with discriminatory membership policies. Finally, in August, the Senate Judiciary Committee passed a resolution characterizing it as “inappropriate” for nominees to the federal bench and Justice Department appointees to be members of discriminatory private clubs. Jewish groups welcomed the Judiciary Committee action.

## LEGISLATIVE AND JUDICIAL ACTIVITY

The Hate Crimes Statistics Act was passed by the 101st Congress and signed into law by President George Bush in April. This legislation, which enjoyed wide support within the Jewish community as furthering the goals of the Religious Violence Act (passed by the 100th Congress), requires the U.S. Attorney General to acquire data on crimes that manifest prejudice based on race, religion, sexual orientation, or ethnicity. Passage of the statistics act reflected widespread concern about the reported increase in hate violence in America.

Most states had laws on their books on bias-motivated violence and intimidation, other hate crimes, or data reporting; however, the constitutionality of such statutes was challenged in a number of states. One such case, *R.A.V. v. St. Paul*, was accepted in 1990 for review by the U.S. Supreme Court. In *R.A.V.*, the Minnesota

Supreme Court—the first state supreme court to interpret hate-crimes statutes—upheld a St. Paul city ordinance making it a crime to place on public or private property a burning cross, a swastika, or any other symbol likely to arouse “anger, alarm, or resentment on the basis of race, color, creed, religion, or gender.” While acknowledging that the St. Paul ordinance raised free-speech concerns, the court interpreted the law as applying only to conduct that is violence-provoking and therefore “outside First Amendment protection,” and not to expression that is merely offensive. On a related issue, the U.S. Supreme Court this year struck down federal and state laws making it a crime to burn the American flag, asserting that the government could not prosecute “expressive conduct” (*U.S. v. Haggerty* and *U.S. v. Eichman*). A similar judgment had been reached in the 1989 *Texas v. Johnson*. Jewish groups applauded the Court’s action in these cases and were opposed to a proposed constitutional amendment that would have given the Congress and the states the power to prohibit physical desecration of the flag. (It was defeated in the House of Representatives, 254–177.) The proposed amendment was triggered by the decisions in *Haggerty* and *Eichman*, and was opposed by the Jewish community both on the grounds of freedom of expression and of frivolously amending the Constitution. Jewish groups were divided on *R.A.V. v. St. Paul*.

In at least one state, New York, a bias-related crimes bill was stalled as a result of opposition by some members of the legislature, based on provisions of the bill that would extend protection to homosexuals and put bias crimes in a special category.

#### OTHER MATTERS

The U.S. Supreme Court decided in 1990 to hear a case involving alleged discrimination against Americans working abroad, *Equal Employment Opportunity Commission v. Aramco*. In this case, the U.S. Court of Appeals for the Fifth Circuit ruled that Title VII of the Civil Rights Act of 1964, prohibiting job discrimination on the basis of race, sex, religion, or national origin, did not apply to U.S. citizens working abroad. Although the individual involved in *Aramco* was not Jewish, Jewish groups expressed concern over the appeals-court decision. *Aramco* was the first such case to reach the Supreme Court, and a decision was expected during 1991. The American Jewish Congress joined in an *amicus* brief in the case, and the American Jewish Committee and the Anti-Defamation League were considering such action as well.

In a widely publicized incident in December, the head of the international team in charge of editing the Dead Sea Scrolls, Harvard professor John Strugnell, was dismissed from his editorial post after attacking Jews, Judaism, and Israel. Strugnell was quoted in the Israeli newspaper *Ha'aretz* on November 9 as saying “Judaism is originally racist”; “the correct answer of Jews to Christianity is to become Christian”; Judaism “is a horrible religion; it’s a Christian heresy”; and other such assertions.

## *Catholic-Jewish Relations*

The 25th anniversary of *Nostra Aetate*, commemorated in the autumn of 1990, provided a backdrop for Catholic-Jewish relations during the year, both internationally and in the United States. The promulgation in 1965 by the Second Vatican Council of *Nostra Aetate*, "In Our Time," the Vatican "Declaration on the Relation of the Church to Non-Christian Religions," marked a special moment in the history of the Church and its relation to Judaism. *Nostra Aetate* redefined the ways in which Catholics view Jews, and, in essence, rejected and repudiated Christian anti-Semitism. The 25th anniversary of the document symbolized these exceptional changes that had occurred in Catholic-Jewish relations since 1965 and was commemorated in numerous programs around the United States.

### THE VATICAN

The Church, via Vatican statements and programmatic initiatives on the part of Catholic bodies in a number of countries, continued its call for repudiation of anti-Semitism, as consistent with Vatican II declarations. On March 16, Pope John Paul II called on all Catholic churches around the world to engage in "systematic study" of the Second Vatican Council's teaching on Jews and Judaism. The pope's call came at a meeting with a delegation of American Jewish leaders in Rome, which ended a two-year hiatus in such high-level meetings brought on, in the view of most observers, by tensions over the Auschwitz convent issue. (The last meeting between the pope and Jews had taken place in September 1987.) The delegation urged the pope to take a leading role in combating anti-Semitism that might emerge in the newly liberalized societies in Eastern Europe and the USSR. At the meeting, the pope reaffirmed the Church's adherence to *Nostra Aetate* and proposed a "systematic study of the [Second Vatican] Council's teaching" on the irrevocable nature of God's bond with the Jewish people. This was the first time that individual Catholic churches were directed by the Vatican to address issues such as anti-Semitism.

A highly significant development in Vatican-Jewish relations was the promulgation in Prague on September 6 of a statement of the Holy See's Commission on Religious Relations with the Jews, "Anti-Semitism: A Sin Against God and Humanity." The statement, issued by an international Catholic-Jewish liaison committee, asserted: "That anti-Semitism has found a place in Christian thought and practice calls for an act of *teshuvah* (repentance) and of reconciliation on our part." Among other recommendations, the Prague declaration called for the monitoring and prompt countering of all trends and developments that threaten an upsurge of anti-Semitism in Eastern and Central Europe and the inclusion of *Nostra Aetate* teachings in curricula, including those of theological seminaries, in order to eliminate the Catholic "teaching of contempt." "One cannot be authentically Christian and engage in anti-Semitism," asserted the declaration. Analysts of Christian-Jewish relations suggested that the Prague document helped to repair the rift in interna-

tional Catholic-Jewish relations resulting from papal meetings with Yasir Arafat and Austrian president Kurt Waldheim, and by the prolonged controversy over relocating a Carmelite convent from the Auschwitz/Birkenau death-camp site.

A second meeting between Pope John Paul II and a delegation from the International Jewish Committee for Interreligious Consultations (IJCIC), held in December, represented a further step in the discussion of anti-Semitism. The meeting, originally scheduled for November, was postponed because of an internal dispute within the Synagogue Council of America, the umbrella body for Jewish rabbinical and synagogue organizations that serves as the American secretariat for IJCIC. The rescheduled meeting in Rome, on December 6, was held in conjunction with a 25th-anniversary commemoration of *Nostra Aetate*. At the meeting, according to IJCIC chairman Seymour D. Reich, the pope "went beyond the language of [the] Prague [declaration], which called for dissemination [of the new Church teachings], and he called for implementation." This development was consistent with a pattern of Vatican actions in recent years that included the noteworthy February 1989 document *The Church and Racism: Toward a More Fraternal Society*, which included statements on anti-Zionism, anti-Semitism, and Nazism that were viewed by Jewish groups as positive.

While these developments were welcomed by most Jewish organizations in America and worldwide, the ambiguous and indeed sometimes ambivalent nature of Vatican-Jewish relations was also in evidence. The meeting between Pope John Paul II and PLO leader Yasir Arafat on April 6, their third meeting since 1982, drew strong protests from Jewish organizations. Arafat reportedly used his meeting with the pope to carry further his campaign against Soviet Jewish *aliyah*. Jewish groups expressed disappointment that the pope did not publicly call upon Arafat to condemn terrorism, including the murder of Palestinians by other Palestinians.

As during past years, official Catholic documents considered during 1990 had ramifications for relations with Jews. A draft of a new catechism for the Roman Catholic Church, the *Catechism for the Universal Church*, issued in September, was part of an effort by the Vatican to codify Vatican II teachings—in particular, the opposition to anti-Semitism and a commitment to promoting constructive Christian-Jewish cooperation—for educational use. Nonetheless, concern was expressed that the draft's extensive use of "typology" and "prefiguration" was supersessionist in nature. According to Rabbi A. James Rudin of the American Jewish Committee, "By using typology the catechism's authors see the entire Hebrew Scriptures as a clear 'prefiguration,' an intermediate step, a prelude to the coming of Jesus"; as such, according to Rudin and other analysts, the catechism ran counter to Vatican II teachings. Additionally, the catechism's views on the Pharisees and on the Jewish messianic idea were deeply troubling to Jewish analysts of the document. Summing up the catechism's deficiencies, Rudin said: "*Nostra Aetate*, the Vatican 'Notes' [on *Nostra Aetate*], the many constructive statements that have been issued by various bishops' conferences since 1965 have given great impetus to positive Catholic-Jewish relations, but they have had little or no effect upon the Catechism's authors. The

Catechism takes almost no note of the robust quality of the encounter.”

Jewish communal officials attributed significance to the catechism and other documents because the Catholic Church, more than other religious bodies, operates by means of official documents that receive global usage. With respect to the forthcoming Vatican document on the Church and the *Shoah*, some observers suggested that, in order to avoid the protests that greeted publication of the Vatican's 1985 “Notes” on *Nostra Aetate*, the draft of the document be reviewed by a group of Jewish scholars prior to its issuance.

Jewish leaders were disappointed that the Vatican did not indicate any intention during 1990 to grant full, formal, and normal recognition to the State of Israel, although it had previously asserted that there were no theological bars to recognizing Israel. (The Vatican maintains that it does recognize the State of Israel on a *de facto* basis.) It is widely believed that the reason for Vatican reluctance to normalize relations with Israel is fear over possible consequences of recognition for Catholic communities in Middle Eastern countries. Additionally, according to Rabbi Marc Tanenbaum, a longtime observer of Vatican-Jewish relations, “Israel is not interested, in this stage, in pushing for full diplomatic relations with the Vatican. Israel does not want to invite Vatican pressure for a Palestinian homeland, and so it is in Israel's interests to remain relatively silent.” Support for formal Vatican recognition continued to be expressed during 1990 by individual American bishops and by officials of the National Conference of Catholic Bishops and the U.S. Catholic Conference.

#### OTHER CATHOLIC-JEWISH MATTERS

Jewish groups were not happy when New York's John Cardinal O'Connor, on May 10, sharply criticized the Israeli government over its handling of the St. John's Hospice issue, raising the question of a possible “conspiracy” to drive Christians out of Israel. (See “Protestant-Jewish Relations.”) However, O'Connor stated in an address to the American Jewish Committee on May 17 that guaranteeing access to the holy places in Jerusalem did not necessarily mean that Israel must relinquish control of the city. Cardinal O'Connor, a member of the three-bishop National Conference of Catholic Bishops committee on Middle East affairs, said that the “juridical status of Jerusalem” and “what nation controls Jerusalem are irrelevant so long as there is free access to the holy places for members of all religious persuasions.” Although Jewish groups took sharp exception to Cardinal O'Connor's May 10 characterization of the move of the Jews into the hospice as “obscene,” and other comments, O'Connor was considered to be a friend of Israel, especially within Church councils.

The Passion Play performed every ten years at Oberammergau, Germany, a sometimes-serious obstacle to Christian-Jewish relations, was performed before more than 500,000 people between May and September. In May 1989 the Anti-

Defamation League, the American Jewish Committee, the Brooklyn-Queens Archdiocese, and representatives of Oberammergau undertook to deal with the concerns about and criticisms of the play that had been expressed since the last production. Despite some changes, however, the 1990 production continued to use the traditional 1634 text. In the words of Rabbi Leon Klenicki of the Anti-Defamation League, "The play, despite revisions, is not yet in accordance with the teachings of the Second Vatican Council nor of subsequent Vatican guidelines on Passion Plays." Play officials averred that a new Passion Play production, with a new text, would be mounted in 2000.

The issue of the Carmelite convent at the Auschwitz/Birkenau death-camp site, which had been a focus for Catholic-Jewish tensions during the 1980s, came closer to resolution in 1990. Following rounds of meetings and discussions, including intervention by the Vatican in the matter, Bishop Henryk Muszynski, chairman of the Polish Episcopate's Commission on Dialogue with the Jews, announced on February 6 that construction would begin in the spring of 1990 on an interfaith center, outside the death-camp site, in which the nuns from the convent would be relocated. Indeed, on February 19, ground was broken for the center. In a separate albeit related development, Tadeusz Mazowiecki, Poland's prime minister, announced in London in January that the Auschwitz museum, set up during the Stalinist period, would be redesigned "to do justice to the tragedy of the Jewish people." Bishop Muszynski confirmed that the future of the museum "will be considered in consultation with Jewish organizations." This affirmation was welcomed by Jewish leaders in Poland and elsewhere.

Concerns were expressed within the Jewish community over a proposal to the Vatican to consider Queen Isabella of Spain for sainthood in the Roman Catholic Church. Queen Isabella, who in March 1492 signed the edict of expulsion of Jews from Spain, is viewed as a despot by both Jews and Muslims, who were subject to torture, forced conversion, and expulsion during her reign from 1474 to 1504. Isabella's cause, which was being promoted by individuals in the Spanish Catholic clergy, was still in the early stages of study. She had yet to be declared "venerable," the first of three stages in the sainthood process. (The other two are beatification and sainthood itself.) Under Vatican rules, after being declared venerable, a person needs two attributed miracles in order to qualify for sainthood. The Vatican reported in 1990 that there were no miracles attributed as yet to Isabella. While the U.S. National Conference of Catholic Bishops did not articulate a position on the Isabella canonization, individual American bishops raised serious questions about the sainthood proposal.

In November, the Anti-Defamation League and the American Jewish Committee announced that they were rejoining the International Jewish Committee for Inter-religious Consultations (IJCIC). The "unity" move was undertaken to enable these community-relations agencies to participate in the December papal meeting.

## *Protestant-Jewish Relations*

The bipolar character of Protestant-Jewish relations in the United States continued during 1990: generally critical in terms of Israel and the Middle East; positive in other areas but with some divergence over priorities on their respective domestic agendas.

### ST. JOHN'S HOSPICE

The news that 150 Jewish settlers had occupied a building belonging to the Greek Orthodox Church in the Christian Quarter of Jerusalem's Old City on April 11, during Christian Holy Week, caused significant consternation in the Christian community, including in the United States. Tensions were exacerbated by the revelation that Israel's Ministry of Housing had provided substantial financial aid for purchase of the building's lease from its present tenant. American Jewish organizations, joined by Jerusalem mayor Teddy Kollek and other Israeli leaders, were quick to condemn the action, asserting that the incident was idiosyncratic, an aberration of long-standing policy of sensitivity to religious and ethnic diversity in the Old City.

The Middle East Council of Churches, a consistent anti-Israel voice since its founding, called for a public campaign during the Easter season of "prayer and action for peace in the Holy Land." Elements of the campaign included a "Prayer from Jerusalem," distributed by the National Council of Churches (NCC) and intended for use in churches on Palm Sunday, April 8; and "Prayers for the Peace of Jerusalem," for the Christian Pentecost on June 3. The National Jewish Community Relations Advisory Council, in an analysis of the Holy Week prayer on behalf of a consortium of Jewish groups, concluded, "The true purpose of the prayer is to transmit anti-Israel attitudes within a liturgical setting. . . . The prayer is a theological screen for political extremism and distortion." And the National Conference of Christians and Jews (NCCJ) characterized the prayer as "triumphal, contradicting the NCC's work to overcome such attitudes," and asserted that the prayer recalls "the worst uses of Christian Holy Week as a club against Jews." The NCCJ cautioned that the prayer's use could "cause Jewish-Christian tensions in U.S. communities." However, consistent with a long-recognized pattern on matters having to do with Israel and the Middle East, the issue had very limited play in local churches and even less among those in the pews.

### PROTESTANT DENOMINATIONS AND ISRAEL

Exemplifying national denominational views on Israel was the resolution adopted by the General Assembly of the Presbyterian Church (U.S.A.), the main denominational body for Presbyterians in the United States, at its General Assembly in June. The resolution, "Continuing Concern for the Israeli/Palestinian Situation," took a more hostile posture than that body's 1989 resolution on Israel, recommending that

the U.S. Congress "make the continuation of U.S. aid contingent upon an end to further settlements in the occupied territories, and an end to human-rights violations as enumerated by the U.S. State Department in its Annual Report." It further recommended that the State Department "designate 10 percent of all appropriated aid for Israel to be used exclusively for the educational, medical, and economic benefit of Palestinians in the occupied territories." Jewish community-relations organizations were encouraged to meet with local presbyteries and to make positive "overtures" on Israel, with an eye to the next (1991) assembly.

The National Council of Churches underwent leadership changes during 1990, and signaled Jewish groups that it would seek to enhance Christian-Jewish relations, particularly through expansion of the activities of the reactivated Office of Jewish-Christian Relations. Although General Secretary James A. Hamilton said that the NCC would seek to moderate its previously harsh posture on issues involving the Middle East, NCC response on the national level to the Persian Gulf crisis raised questions for Jewish groups. The General Board of the NCC, meeting in November, issued a message that linked the crisis with a call for withdrawal of Israeli forces from the West Bank and for convening an international conference to resolve the Israeli-Palestinian issue.

A positive development in denominational activities was the "Message" on Jewish-Christian relations, issued in May by the United Church of Christ (UCC; formerly New England Congregational). The UCC reaffirmed its 1987 condemnation and repudiation of anti-Semitism and of supersessionism. "God has *not* abrogated the Jews' covenant," asserted the UCC statement. The UCC followed the pattern of positive declarations on Jews and Judaism that had emerged from a number of denominations in recent years.

### *Black-Jewish Relations*

Black-Jewish relations during 1990 continued to be troubled, in the eyes of most observers. One element was the specter of black anti-Semitism that haunted large segments of the American Jewish community (see above). One analyst, Earl Raab, director of Brandeis University's Perlmutter Institute for Jewish Advocacy, suggested, "American Jews may tend to overstate the extent of black hostility towards them, and, in so doing, may tend to understate the importance to their security of more general race-connected problems in the country." In general, despite the rise in race-connected violence, race-related problems were not considered top priorities on the Jewish communal agenda. Rather, attention was paid to specific situations as they arose.

## MANDELA VISIT TO U.S.

Tensions between Jewish groups and Nelson Mandela, the long-imprisoned South African National Congress leader, threatened to mar the black leader's first visit to the United States in June. Many Jews were unhappy that Mandela had, on a number of occasions, equated the nationalist struggle of black South Africans with the Palestinian struggle, and in March he reiterated his support of the Palestine Liberation Organization and of Libyan leader Muammar Qaddafi. In the hope of avoiding unpleasant confrontation, leaders of six Jewish groups arranged to meet with Mandela in Geneva on June 10, hoping to have him clarify his views on Israel before his scheduled arrival in the United States on June 20.

At the Geneva meeting, American Jewish leaders reaffirmed the Jewish community's unqualified opposition to apartheid and its strong support of the international arms embargo of South Africa. As for Mandela's views, they were summed up by ADL national director Abraham H. Foxman in a letter to the *New York Times* published on June 24: "We left with no doubt about his recognition of the legitimacy of the Zionist endeavor and the right of the Jewish people to a state in the Middle East."

Mandela, as expected, was embraced by the black community in the United States. He was warmly welcomed by most Jewish groups as well. He addressed an ecumenical service at New York's Riverside Church at which the presence of Jewish communal leadership was especially prominent. "It was an important continuation of the communication begun in Geneva," according to American Jewish Committee official Rabbi A. James Rudin. But soon into his American visit, Mandela, on national television, caused consternation when he stated that he considered Yasir Arafat a "comrade-in-arms." At the same time, rearticulating a theme from the Geneva talk, Mandela said, "We have been very much influenced by the lack of racialism amongst the Jewish communities."

Mandela's seemingly contradictory statements highlighted the potential for conflict in two of the basic missions of Jewish community-relations agencies: their role as human-relations organizations, promoting black-Jewish dialogue and opposing apartheid; their role as "defense" organizations, defending fundamental Jewish interests, particularly when the State of Israel is perceived to be under attack. The distress of most Jewish leaders over many of Mandela's comments was mostly kept under wraps, largely for fear of exacerbating black-Jewish tensions. One Jewish group, the Community Relations Council of the Greater Miami Jewish Federation, formulated a distinction that many subscribed to: "We separate Mr. Mandela's role as a symbol for the struggle for freedom and equality in South Africa from that of Mr. Mandela's statements as an individual who supports terrorists, terrorism, and oppression." Summing up the Mandela visit in terms of black-Jewish relations, it appeared that the restraint of the Jewish community with respect to Mandela's comments prevented further disruption in black-Jewish relations but also underscored the sensitive nature of those relations.

*Church-State Issues*

## CHANGES IN FEDERAL JUDICIARY

Changes in the federal courts, especially on the U.S. Supreme Court—resulting from appointments during the Reagan and Bush administrations—had a profound effect on developments in the area of church-state separation during 1990. A shift in the Supreme Court's stance on these matters was signaled by decisions and opinions in a number of cases over 1989 and 1990, with both the "establishment" and "free exercise" clauses of the First Amendment coming under attack.

One important development was the surprise resignation in July of Associate Justice William J. Brennan, Jr., after 34 years on the Supreme Court, where he exercised leadership within the "separationist" camp. Named to replace him by President George Bush was relatively inexperienced David H. Souter, 50 years old, who had served 12 years as a state judge in New Hampshire and had just been appointed to the U.S. Court of Appeals for the First Circuit in April 1990. His record—including writings on judicial matters—was considered meager. In the view of most observers of church-state separation, Souter's replacement of Justice Brennan further diminished the core support for the High Court's position on church-state issues.

The sizable number of Bush administration nominations to the federal judiciary—72 through 1990—led, in the view of a number of analysts, to the tipping of a delicate balance between "conservative" and "liberal" jurists on the U.S. Supreme Court and on many federal courts of appeal. Jewish civil-liberties and -rights organizations expressed increasing concern during 1990 about threats to fundamental Bill of Rights protections resulting from the changing contours of the federal bench.

## "ESTABLISHMENT-CLAUSE" MATTERS

On June 5, the U.S. Supreme Court decided a significant "equal-access" case, *Mergens v. Board of Education of Westside Community Schools*, testing the constitutionality of the Equal Access Act. The act, passed by Congress in 1984, required schools that established a "limited open forum" policy—namely, that permitted non-curriculum-related groups and clubs to meet—to allow religious, social, or philosophical clubs to meet on school property during noninstructional hours. The High Court upheld the act by an 8–1 margin, ruling that official recognition by the Omaha high school of a Christian Bible club did not breach the constitutionally required separation of church and state. An *amicus* brief was filed in *Mergens* by the Anti-Defamation League on behalf of the National Jewish Community Relations Advisory Council and other Jewish groups, who expressed disappointment in the Court's decision. In the aftermath of *Mergens*, analysts suggested that civil-liberties groups, including local Jewish communal organizations, would be called

upon to monitor high schools that chose to permit religious clubs to ensure that no coercion or proselytizing took place.

A reemerging battleground related to schools and religion was that of public aid to parochial schools in the form of vouchers and tuition-tax credits, and aid for remedial programs in schools. Growing dissatisfaction with the existing structure of public-school education had led some states to consider programs, including voucher and tax-credit systems, that would enhance parental choice in selecting their children's schools. In some cases, the universe of available choices included sectarian institutions. In one notable development on this issue, Ballot Measure 11, a voter referendum in Oregon that would have established a tuition tax-credit program "for education outside the public schools" in that state, was defeated by more than a 2-1 margin in the November election.

With respect to public-sector aid to remedial programs, two cases were on appeal in federal courts during 1990. In *Pulido v. Cavazos* and *Barnes v. Cavazos*, federal district courts ruled that publicly funded off-premises remedial programs for private and parochial schools were permissible. Previous Supreme Court rulings had invalidated attempts to use public funds to aid religiously related schools for auxiliary services under Title I of the Elementary and Secondary Education Act of 1965. Jewish groups were divided on this issue.

School prayer, a heatedly debated issue in recent years both in the Congress and in the courts, had a relatively low profile during 1990. In *Doe v. Human*—a case testing the legality of voluntary Bible classes during regular school hours in an elementary school—a federal district court decision halting the practice was affirmed by the U.S. Eighth Circuit Court of Appeals.

In Congress, in prior years a battleground for school prayer, a measure supporting voluntary school prayer that had passed the House of Representatives in 1989 failed passage in 1990 in the Senate. The measure, an amendment to vocational rehabilitation legislation, would have forbidden the allocation of federal vocational funds to any agency that has "a policy of denying . . . prayer in public schools by individuals on a voluntary basis." Introduction of this measure indicated an apparent shift in the tactics of school-prayer proponents, who now sought to introduce school-prayer legislation under the cover of other legislative vehicles, thereby bypassing the Senate and House Judiciary committees, which in recent years had not been supportive of school-prayer measures.

The issue of religious holiday observances in schools was addressed by a broad coalition of religious and educational groups that produced a pamphlet, *Religious Holidays in the Public Schools: Questions and Answers*, emphasizing the need for objective teaching about religious holidays rather than their celebration. The pamphlet was well received by school officials around the country, but a number of Jewish groups continued to view "teaching about religion" as possibly leading to more damaging practices.

The related issues of "values education," teaching religion, and teaching about religion reemerged, with a number of states considering the adoption of textbooks

that included material on religious matters. Points of controversy on this issue were sharpened in June, with the issuance of a joint statement of the Synagogue Council of America and the National Conference of Catholic Bishops, calling for the introduction of programs and materials in schools on "civil and personal values," and encouraging congregations to press for "moral instruction" in the schools.

Other areas involving religion in the schools, such as prayers at graduation, baccalaureate ceremonies, and distribution of religious literature—situations previously considered by most observers to be "on the margin"—surfaced in federal and state courts during 1990. The case law on these situations was mixed, since issues such as distribution of religious literature raised free-speech as well as church-state questions.

The state of the law on religious symbols (including so-called menorah-crèche cases) remained unclear. In the last major case on the subject heard by the Supreme Court (*County of Allegheny v. American Civil Liberties Union of Greater Pittsburgh, et al.*, 1989), the Court ruled that a religious symbol standing alone, such as a nativity scene or a menorah, violates the establishment clause. However, following *Lynch v. Donnelly* (1984), the Court found that secular symbols accompanying the religious symbol—placement of a Christmas tree alongside a Hanukkah menorah—had the effect of making the entire display secular, and therefore constitutionally permissible. The issue of a religious symbol standing alone in a public park, arguably a public forum and therefore subject to free-speech protections, was not addressed by *Allegheny County*.

The Supreme Court in 1990 refused to review *Kaplan v. City of Burlington*, in which a federal appeals court ruled that placement of a menorah standing alone in a public park violated the establishment clause. However, a federal district court ordered the City of Pittsburgh to permit Lubavitch to erect its menorah on the steps of City Hall, a public forum. The city had refused to permit the menorah display because, under *Allegheny County*, the crèche could not be displayed at the nearby courthouse. The district court held that this was not sufficient justification for denying Lubavitch's right of religious free speech. According to Marc D. Stern, co-legal director of the American Jewish Congress, "A case-by-case approach is being taken, so that the 'public-forum' doctrine will not swallow up the Establishment Clause."

The Lubavitch/Chabad organization continued its efforts to place menorahs in as many communities around the country as possible. In most of those cases that were litigated—Beverly Hills, Cincinnati, Boca Raton, and Grand Rapids—Chabad won. (In Beverly Hills, the judge required placement of a Christmas tree together with the menorah.) In Atlanta, the federal district court ruled that a menorah could not be placed outside the state capitol, not on constitutional grounds, but on the basis of a state law prohibiting free-standing displays of any sort outside the capitol.

There was some federal-court activity in a number of communities surrounding non-holiday-related religious symbols on public property, in which the courts generally ruled that such placement was unconstitutional.

Most mainstream Jewish groups maintained the position that any public support of religious symbols—including their display on public property—violates the establishment clause. However, recognizing that changes in the country's judicial climate meant that they could no longer rely on the federal courts to enforce this view, it seemed likely that groups would increasingly seek protection from state constitutions and courts.

The question of prayer in the courtroom was ruled on this year. In *North Carolina Civil Liberties Union v. The Honorable H. William Costangy*, a federal district court in North Carolina barred a state-court judge from opening his court sessions with a self-composed prayer.

In another area of church-state separation, a case testing the constitutionality of a New Jersey fraud-protection law as applied to *kashrut* regulation was decided this year. In *Ran-Dav v. New Jersey*, a state court found that the law and accompanying regulations did not violate the establishment clause. Jewish groups had long held that the state has a legitimate interest in protecting consumers against fraud, and that this interest, even in areas involving religion (such as the dietary laws), was not compromised by the First Amendment.

The first effort to codify this principle on a federal level was mounted by Rep. Stephen Solarz (D., N.Y.). In August, Solarz introduced into the House of Representatives the Public Disclosure of Religious Dietary Certification Act, which would require manufacturers of products labeled as kosher to file certain information with the U.S. Food and Drug Administration. While the legislation, developed by Agudath Israel of America, an Orthodox group, raised some questions with respect to its constitutionality, by and large most other Jewish groups supported the bill's principle. The bill died with the adjournment of the 101st Congress.

#### "FREE EXERCISE"-CLAUSE MATTERS

A serious and potentially crippling blow to the free exercise of religion occurred in April 1990, when the Supreme Court, in *Employment Division of Oregon v. Smith*, rejected the "compelling state interest" standard in use since 1963 in free-exercise cases. This test held that where the free exercise of religion conflicts with an otherwise valid law of general applicability, the government must demonstrate a compelling interest in order to deprive a person of his or her religious rights. In *Smith* the Supreme Court held that two Native Americans, dismissed from their jobs as drug counselors because of their sacramental ingestion of peyote—an illegal hallucinogenic drug—were not entitled to unemployment compensation. The Court held that the use of peyote was not protected by the free-exercise clause, because the law banning the use of the drug did not single out Native Americans or their church but applied to everyone equally.

In a stunning departure from settled jurisprudence, Justice Antonin Scalia, writing for the 6-3 majority in *Smith*, asserted that the Oregon law had no free-exercise

implications and, thus, that the “compelling state interest” standard need not be applied. Additionally, Justice Scalia called into question the role of the courts in safeguarding the rights of religious minorities. He noted that, while a state might legitimately grant a “religious-practice exemption,” such an exemption was not “constitutionally required. . . . It may be fairly said that leaving accommodation to the political process will place at a relative disadvantage those religious practices that are not widely engaged in.”

The fallout from *Smith* was felt in some situations at the state and local levels and in several cases in federal courts and the U.S. Supreme Court. Within days of the decision in *Smith*, in a 7–2 decision, in *Minnesota v. Hershberger*, the Supreme Court set aside a 1989 Minnesota Supreme Court decision that exempted members of the Old Order Amish from complying with a highway safety law. The Amish had maintained that the law placed an unconstitutional burden on their free exercise of religion, and the Minnesota court had exempted the Amish, on religious grounds, from observing the traffic law. The Supreme Court, citing *Smith*'s rejection of the “compelling state interest” test, ordered the Minnesota court to review the case under the Scalia guidelines.

Observers of church-state relations averred that the principle of religious freedom would be dangerously eroded by the decision in *Smith*. Jewish groups were concerned, for example, that kosher slaughter could be in jeopardy, or that zoning regulations could be used to exclude houses of worship. The *Smith* decision may have effectively demolished the constitutional protection that had shielded religious groups, including those with unpopular views and conduct, from the legislative will of intolerant majorities.

At least one other Supreme Court case in 1990 was decided on the basis of Scalia's *Smith* opinion. The U.S. Supreme Court reversed a landmark case, *City of Seattle v. First Covenant Church*, in which the Washington Supreme Court ruled for the church—which had resisted landmarking status—on the basis that preservation was not a “compelling state interest.” The U.S. Supreme Court vacated the Washington court's ruling. And in Rhode Island, in *Yang v. Riley*, a case testing the right of Hmong Laotians to refuse to have autopsies performed, a federal district court judge revised his opinion in light of *Smith* and ruled against the Hmong religious principle. Rhode Island subsequently passed autopsy legislation protective of religious rights. Analysts of free-exercise law suggested that, in the aftermath of *Smith*, discrete legislation in many areas would have to be carefully scrutinized in terms of religious protection, or special laws passed.

Legislation was introduced on July 30 in the 101st Congress to remedy *Smith*. The Religious Freedom Restoration Act, sponsored by Rep. Stephen Solarz (D., N.Y.), was drafted by a broad coalition of religious and civil-liberties groups. Despite wide-ranging support, however, the measure failed of passage in 1990. Reintroduction of the bill in the 102nd Congress was expected by coalition members.

In a related development, legislation was introduced, but failed to pass, in the

101st Congress to reverse the 1986 Supreme Court decision in *Ansonia v. Philbrook*. In *Philbrook* the Supreme Court rejected arguments by religious employees seeking to broaden the standard in use for "reasonable accommodation" for Sabbath and holiday observance. Religious-liberty organizations vowed to press for passage of legislation to remedy *Philbrook* in the 102nd Congress.

#### TAXATION OF RELIGION

Taxation of religious institutions, a most sensitive area, was tested in the courts this year, with *Jimmy Swaggart Ministries v. California Board of Education* decided in January by the U.S. Supreme Court. From 1974 to 1981, the Louisiana-based Swaggart group held 23 religious "crusades" in California, during which the ministries sold religious and nonreligious merchandise and were taxed on these sales, as well as on mail-order merchandise. Swaggart's request for a refund of the sales tax, contending that churches ought not be taxed for disseminating doctrine and carrying on worship, was denied. A unanimous Supreme Court ruled that the mere fact that the imposition of a tax made religious activity marginally more expensive was not unconstitutional. Church-state observers suggested that, with the decisions in *Swaggart* and the 1989 *Texas Monthly v. Bullock*, the heretofore-assumed principle of the exemption of religious organizations from certain types of taxation could no longer be assumed or asserted.

#### OTHER CHURCH-STATE MATTERS

The controversy over provisions of federal child-care legislation that impinge on church-state separation continued during 1990. The legislation, the Act for Better Child Care Services (known as the "ABC" bill), was passed by the Senate (S. 5) this year, in spite of the opposition of many groups in the organized Jewish community, including the National Jewish Community Relations Advisory Council, the American Jewish Congress, the National Council of Jewish Women, the Anti-Defamation League, the American Jewish Committee, and the synagogue bodies of the Conservative and Reform movements, as well as groups such as Americans United for the Separation of Church and State. These organizations maintained that the ABC bill permitted sectarian institutions to receive public money for child care with no prohibitions on sectarian worship or instruction. ABC also permitted, in effect, the use of child-care vouchers for sectarian purposes at day-care facilities. Sen. Robert Dole (R., Kan.), a supporter of the ABC bill, had warned in 1989 that the bill, if passed, would lead to litigation because of church-state concerns.

The House version of the child-care bill, H.R. 3, passed on March 29 by a 265-145 margin. The bill included an earlier amendment by Rep. Richard Gephardt (D., Mo.) that permits the use of vouchers in church-run day-care facilities, even if sectarian education is provided. Rejected, by 297-125, was an amendment by Rep.

Don Edwards (D., Calif.) that would have barred the use of federal funds for sectarian worship or instruction, and prohibited religious discrimination in the hiring of child-care workers by sectarian institutions that receive federal funds. Jewish groups awaited the promulgation of administrative regulations governing the measure.

The debate on this issue led analysts to suggest that differences over the provision of social services in sectarian settings could lead to both a breakdown in consensus within the Jewish community and increasing strains in coalitional relationships with other groups.

A legal test of a group's right to maintain a sectarian or parochial character emerged this year. In *Welsh v. Boy Scouts of America*, an atheist sued the Boy Scouts, alleging that its policy of refusing membership to children who don't believe in God discriminated on the basis of religion in a place of public accommodation. A federal judge in Chicago ruled that the claim had merit. For Jewish groups, the case raised questions about the ability of the quasi-religious organizations that abound in the Jewish community to restrict membership to Jews.

In the area of religion and politics, New York archbishop John Cardinal O'Connor caused a furor on June 14 when he warned Catholic office-holders that "they are at the risk of excommunication" if they support abortion rights. While most Jewish groups did not publicly comment on the cardinal's remarks, which appeared in the weekly archdiocesan newspaper *Catholic New York*, Jewish community-relations organizations had long-standing positions opposing the use of ecclesiastical sanctions with respect to public-policy matters.

### *Civil Rights*

The long-standing dispute over quotas dominated debate on civil-rights legislation in the 101st Congress. The Civil Rights Act of 1990 (S. 2104 and H.R. 4000), introduced in February, aimed at strengthening remedies for gender, racial, religious, and ethnic on-the-job discrimination in hiring, promotion, and termination. The bill also amended Title VII of the Civil Rights Act of 1964 to allow for punitive damages in cases of gender, religious, or ethnic discrimination. (Under present Title VII law such damages were available only to victims of racial discrimination.) Among other things, the legislation would make it easier for a plaintiff to prove the discriminatory effect of employment practices and to require employers to defend the legitimacy of such practices.

The Bush administration objected to S. 2104/H. R. 4000 on the grounds that the legislation would result in the imposition of minority hiring quotas. (The administration supported a substitute civil-rights bill, which used a different test for discrimination.) Jewish groups, working within a larger coalition spearheaded by the Washington-based Leadership Conference on Civil Rights (LCCR), engaged throughout the year with congressional leaders and administration officials in an effort to garner administration support. The Senate adopted the Civil Rights Act by a wide margin

in July; the House passed its very similar version of the bill on October 17. President Bush vetoed the legislation, citing the quota issue. Neither body mustered the two-thirds majority needed to override a presidential veto.

The fact that Jewish groups, which were mostly on record as opposing quotas, gave strong support to the legislation, was intended to send the message that quotas were not an issue. Jewish groups, including NJCRAC, ADL, the American Jewish Congress, the National Council of Jewish Women, the American Jewish Committee, and synagogue bodies of Orthodox, Conservative, and Reform movements, and other organizations, expressed the view that legislative language that eased challenges to employment practices would not result in hiring or promotion quotas. These groups expressed disappointment over the Bush veto. One Jewish organization, Agudath Israel of America, opposed the bill because it believed that the legislation would indeed result in quotas. Reintroduction of civil-rights legislation was expected in 1991.

In one of the last decisions handed down in its 1990 term, the U.S. Supreme Court in June decided *Metro Broadcasting v. Federal Communications Commission*, a case involving FCC policies that gave minority broadcasters special preference in obtaining FCC licenses. In a 5-4 decision, the Court upheld the constitutionality of the FCC policies. Justice William Brennan ruled that the FCC policies do not violate the "equal-protection" clause of the 14th Amendment, since they are consistent with "longstanding congressional support" for achieving the important governmental objective of broadcast diversity.

Reaction of Jewish groups to the *Metro Broadcasting* decision was mixed: the Anti-Defamation League, which had filed an *amicus* brief supporting Metro Broadcasting, was disappointed in the ruling. It had argued that the FCC policies, in that they gave preferences to certain groups, were unconstitutional. The American Jewish Committee, which had filed a brief on behalf of the FCC, argued that the FCC policies considered minority status only to the degree of acting as an "enhancement" in the awarding of contracts, and not as the guarantee of such awards.

The decision in *Metro Broadcasting* was considered to have important intergroup-relations ramifications, because the High Court had been sending conflicting messages on affirmative action. Supreme Court decisions in 1989 forced state and local governments to revamp numerous affirmative-action programs; in *Metro Broadcasting*, however, a case in which federal programs to aid minority businesses were at risk, the Court ruled that such programs were constitutional. One implication of the decision in *Metro Broadcasting*, according to Jewish groups, was that the Congress might implement race-based affirmative-action programs simply to promote diversity.

*Nazi War Criminals*

## DEMJANJUK CASE

The controversy over the trial of John Demjanjuk in Jerusalem continued, with developments both in the United States and in Israel. (Demjanjuk, the man accused of being "Ivan the Terrible" who operated the gas chambers at Treblinka, was extradited to Israel by the United States in 1986. After a lengthy and often contentious trial, he was convicted on April 18, 1988, of crimes against the Jewish people, crimes against humanity, war crimes, and crimes against persecuted people. On April 25, 1988, Demjanjuk was sentenced to death. In 1989, the Israeli High Court of Justice, which had planned to hear an appeal of Demjanjuk's conviction and death sentence, granted a six-month delay, based on reported new defense evidence that Demjanjuk was a victim of mistaken identity.) The Israeli High Court finally heard Demjanjuk's appeal on June 22. The burden of the defense case was that a different person—one identified as "Marczenko"—was "Ivan the Terrible." The prosecution claimed that Marczenko was Demjanjuk's mother's maiden name, and that "Marczenko" and Demjanjuk were one and the same person. There was no decision in 1990 on the appeal.

In the United States, Demjanjuk's family petitioned the Justice Department in February to produce transcripts of the interviews conducted by the department's Office of Special Investigations that had led to the ex-Cleveland autoworker's denaturalization in 1988. Judge Louis Oberdorfer of the U.S. district court in Washington, D.C., denied the family's request. (Judge Oberdorfer had earlier, in 1987, upheld a request under the Freedom of Information Act to produce other documents.) In December, James Traficant (D., Ohio), a supporter of Demjanjuk's claims, released what he claimed to be evidence of mistaken identity. Congressman Traficant's evidence was dismissed by a Justice Department official in December.

## OSI INVESTIGATIONS

The Justice Department's Office of Special Investigations (OSI) continued its investigations of individuals who were suspected of being Nazi war criminals and were alleged to have lied when they entered the United States or applied for citizenship. Through 1990, 33 Nazi war criminals were stripped of their citizenship, and 29 of them were deported from the United States. OSI investigations were in process on more than 600 suspected war criminals.

The case of Boleslavs Maikovskis continued to garner attention. Maikovskis, 86, of Mineola, N.Y., had been the subject of a lengthy Immigration and Naturalization Service (INS) investigation. The INS began deportation proceedings against Maikovskis in 1976 on the ground that he lied about his past when he applied for a visa to enter the country in 1951. The intention of the INS at that time was to deport

Maikovskis to the Soviet Union, where he had been tried *in absentia* in 1965 and sentenced to death for war crimes, specifically, the killing of Jews and others in the area of Audrini, Latvia, in 1942. But Maikovskis slipped out of the United States in 1987 and traveled to West Germany, where he was arrested in October 1988. Maikovskis, who was charged in January with war crimes in a Muenster, West Germany, court, faced a life sentence.

Among other Nazi war criminals whose cases reached closure during 1990 was Martin Zultner, 78, who moved to Austria in 1975 and voluntarily relinquished his American citizenship in October rather than face deportation proceedings. An OSI complaint alleged that Zultner, when he arrived in the United States in 1950, concealed SS service at Mauthausen during 1943–45. The citizenship of Anton Tittjung, 66, was revoked in December by a federal district court, likewise on the grounds of concealment of wartime service in Mauthausen. Jakob Habich, 77, of Chicago, in the United States since 1955, had assertedly concealed his membership in Nazi SS Death's Head battalions and his service as a prison guard in Auschwitz, and was deprived of his citizenship in March. The OSI, citing Habich's fragile medical condition, agreed not to deport him. Bruno Karl Blach, 69, an SS guard in Dachau from 1940 to 1943, was extradited to West Germany by a Los Angeles federal district court order in January. Blach, who entered the United States in 1956 and never became an American citizen, was sent to Duisberg, West Germany, to stand trial for mass murder in Germany and Austria. Albert Ensin, 68, of Stoughton, Massachusetts, who was not a U.S. citizen, was ordered not deported by a U.S. immigration judge for health reasons.

#### OUTSIDE THE U.S.

The case of Arthur Rudolph, 83, who was deported from the United States to West Germany in 1983, came to public attention again this year. Rudolph was the Nazi rocket scientist who was invited to the United States in 1957 and headed the "Saturn 5" project at the Marshall Space Center at Huntsville, Alabama. He chose deportation over the alternative of remaining in the United States and facing criminal charges.

In July Rudolph arrived in Canada, intending to remain in Canada on an extended visit. An American organization based in Huntsville, "Friends of Arthur Rudolph," with support of Rep. James Traficant (D., Ohio)—who had been active in support of Demjanjuk—advocated on behalf of the former NASA scientist. In December, Rudolph was found by Canadian immigration authorities to be not admissible, on the grounds that there was sufficient evidence that he had been an accessory to war crimes. Rudolph had already voluntarily returned to West Germany on August 13.

### *Other Holocaust-Related Matters*

During 1990 the German Democratic Republic, in a reversal of a 40-year policy, formally acknowledged for the first time its share of responsibility for Jewish victims of Nazi persecution. On April 12, a statement of apology for the Holocaust, asking forgiveness of the Jewish people, was read in the Volkskammer, East Germany's first freely elected parliament. In June, the first individual reparations claim against the new East German regime was filed by a Philadelphia attorney on behalf of a survivor. In September, the two Germanys, as part of their Unification Agreement, committed themselves to negotiate new restitution agreements with the Conference on Jewish Material Claims Against Germany for certain categories of Holocaust survivors.

A noteworthy event was a Conference on Moral Courage During the Holocaust and in a Post-Holocaust World, convened in May by the Jewish Foundation for Christian Rescuers, founded by Rabbi Harold Schulweis of Encino, California, and Eva Fogelman of New York, and now a project of the Anti-Defamation League; and by Princeton University's Woodrow Wilson School. The issue of Christian rescuers of Jews during the Nazi era—the "Righteous Among the Nations"—had received scant attention, and indeed some scorn, among some in the survivor community. The Princeton conference, together with the activities of a number of scholars and those of the Jewish Foundation, gave visibility to this relatively neglected area of Holocaust-related activity and study.

### *The Pollard Affair*

In March, Jonathan J. Pollard filed a motion with the U.S. district court for the District of Columbia, to have his 1986 plea of guilty set aside. Pollard had pleaded guilty and was convicted in June 1986 of spying for Israel and was serving a life sentence. Pollard's attorneys contended that the government had violated a number of promises made in the plea-bargain agreement, chiefly not to seek a life sentence. Were their petition granted, Pollard would be entitled to a trial on the espionage charges. However, in September, U.S. district court judge Aubrey Robinson denied Pollard's plea-withdrawal motion. Observers noted that courts do not readily grant such motions.

Meanwhile, sporadic campaigns throughout the year on Pollard's behalf were mounted by members of Pollard's family and other activists. Jewish groups in the United States, while not adopting a formal advocacy role, explored with Justice Department officials questions regarding the circumstances surrounding Pollard's sentencing and allegations of discrimination, civil-rights abuses, and anti-Semitism.

JEROME A. CHANES

# The United States, Israel, and the Middle East

**R**ELATIONS BETWEEN THE United States and Israel in 1990 focused primarily on three areas: the Arab-Israeli peace process, with its continuing ups and downs; Israel's request for financial assistance in the absorption of Soviet Jewish immigrants; and the crisis in the Persian Gulf that began to unfold in August.

## *The Peace Process*

In December 1989 Secretary of State James Baker had succeeded in persuading Israel and Egypt to accept "in principle" his five-point plan for negotiations between Israel and the Palestinians, which included preliminary talks among the United States, Egypt, and Israel, a list of Palestinians satisfactory to Israel, and plans for an Israeli-Palestinian dialogue in Cairo. As the year ended, Baker was seeking a date for a Washington meeting of Israeli foreign minister Moshe Arens, Egyptian foreign minister Ahmad Esmat Abdel-Meguid, and himself.

Early in January, a meeting date had still not been set. There were reports that it might not take place at all because of the wide gulf between the sides on conditions each wanted attached to the Baker plan. Israel interpreted the plan to support its refusal to deal even indirectly with the PLO, while Egypt assumed that it provided for the PLO to approve the Palestinian negotiations. Commenting on such reports on January 8, State Department spokeswoman Margaret Tutwiler denied that the United States had given up on chances for the meeting: "Secretary Baker has always said as long as there is hope, he would stay engaged. We have no reasons for him not to be engaged right now." Two days later, after the Israeli inner cabinet gave no response to the latest U.S. bid, she indicated that the secretary was increasingly impatient at the lack of movement and that he might turn to "other areas of the world clamoring for his attention." The comments were believed to be directed mostly at Israeli prime minister Yitzhak Shamir and his coalition government. Tutwiler added that Baker had not given up and had actually resumed his personal involvement—missing for the past month—with phone calls to Meguid and Arens.

Talk of uncertainty about a U.S. role led the Egyptian foreign minister to fly to Washington on January 16 to appeal for continued involvement. Reports indicated that Cairo was alarmed not only by news of U.S. distancing but also by Shamir's recent comment—regarding the influx of Soviet Jews (January 14)—that a "big Israel" was required to accommodate the newcomers. Meguid said the next day that the comment did "not serve the interests of peace in the Middle East and it would be better if Shamir stopped making such statements." After meeting with Baker, Meguid told reporters that Egypt wanted to pursue the process but added that no

progress had been made on a three-way meeting. Egyptian diplomacy continued closer to home when it was announced, the next day, that Israel's finance minister, Labor leader Shimon Peres, would visit Cairo the following week at the invitation of President Hosni Mubarak to discuss the negotiations. The invitation was seen as a slap at Likud leaders Shamir and Arens.

The differing perspectives within the unity government of Israel surfaced in full force during Peres's visit to Cairo on January 24. On arrival at the airport, he told reporters that the parties "are very near an agreement" on direct talks between Israel and the Palestinians and that such talks "can be started rather soon." Shamir chief of staff Yossi Achimeir, upon hearing of Peres's words, rejected his comments—"I don't know on what basis he said this"—and denied that Shamir had dropped his opposition to deported Palestinians taking part in the proposed talks. Later in the day, following his meeting with Mubarak, Peres reiterated his optimistic assessment and indicated that he and the Egyptian leader had agreed on compromises that would allow two West Bank residents deported by Israel to join the Palestinian negotiating team and permit Arab residents of East Jerusalem to take part. Reports suggested that Peres would submit the ideas agreed upon to a vote by the 12-member Israeli cabinet, and if the proposal were defeated, Labor would pull out of the government.

At the very time that stories were coming out of Washington that Baker might meet Arens and Meguid in Europe in mid-February, the process was sidetracked when a tour bus in Egypt carrying a group of Israeli academics and their wives was attacked by assailants armed with rifle and grenades, killing 8 and wounding 17. Mubarak, who had snubbed Shamir on several recent occasions, called him to express sympathy for the families of the victims. Israel expressed satisfaction at Egypt's response, but because of the tragedy, a much-anticipated session of the Likud party's Central Committee was postponed, as was the possibility of a three-way meeting the following week in Geneva.

On February 12, the Likud meeting was finally held. Disorder and chaos characterized the event. Housing Minister Ariel Sharon announced his resignation from the government on the grounds that the party was making concessions on its principles not to deal with the PLO or to give up any territory. Shamir, after a long speech, broke from the agenda and asked the 3,000 delegates for a show of support. As hands shot up, and amid the shouts of Sharon supporters, the prime minister declared himself the victor and marched from the room.

Tension grew when, ten days later, the Labor party's Central Bureau voted unanimously to leave the government if Likud did not accept Labor's compromise formula for starting negotiations by March 7. While Labor had made earlier threats to leave, this was taken more seriously. Labor was perceived to have improved its political standing due, on one hand, to Likud squabbling and, on the other, to commitments of support from enough smaller parties to enable it to form a government without Likud.

In the United States, a note of optimism was sounded by Assistant Secretary for

Mid-East Affairs John Kelly in testimony on February 28 before the House Foreign Affairs subcommittee on Europe and the Middle East. Kelly told chairman Lee Hamilton (D.,Ind.) that he believed the three-way meeting would take place in March. Official sources, elaborating on Kelly's prediction, indicated that they expected the Israeli cabinet to accept within several days the latest U.S. proposals for a Palestinian delegation to include some members who were residents of East Jerusalem but who also had residences in the West Bank, and others who had been expelled from the territories by Israel.

Amid Israel's internal bickering over the process, Baker dropped a bombshell from Washington. On March 1, speaking before a House subcommittee, the secretary said that the United States would tie Israel's request for \$400 million in loan guarantees for housing Soviet immigrants to a halt in new Israeli settlements (see below). Baker also said that the United States had "done pretty much what we can do, we think, from our end" to get the talks started and we "are awaiting a response from the Israeli government." A close aide to Shamir described him as "quite angry" over the timing of the settlements remark. Adding fuel to the fire, the day after the hearing, President George Bush said in Palm Springs, California, "We do not believe there should be new settlements in the West Bank or Jerusalem," thus appearing to challenge Israel's right to build in East Jerusalem.

On March 6, one day before the Labor deadline, Likud leaders agreed to open talks with the Palestinians, but only if East Jerusalem Arabs were excluded from the process. Likud also reserved the right to walk out of any negotiating session with Palestinians if they believed the PLO was trying to control or direct the discussions. Likud said it would not proceed until Labor accepted these conditions, its leaders pointing out that, in light of President Bush's comments on Jerusalem in such blunt terms and on the eve of a critical political decision, "we see the danger Jerusalem is in now, and we couldn't allow ourselves to put any question marks on it."

On Wednesday, March 7, the inner cabinet met to consider the critical issue, but failed to complete the discussion, postponing the vote until Sunday, March 11. That morning, the inner cabinet met in an acrimonious three-hour meeting. Likud rejected Labor's demand that the body vote on Baker's plan. Labor ministers stormed out and told reporters that they would try to bring the government down through a no-confidence vote. Peres summed up Labor's position: "We have said that the minute the peace process is terminated, this will put an end to the present Government. We shall draw the necessary conclusions from the new situation, which means that the present situation has reached an end, and we shall check all other alternatives." The next day Shamir beat Peres to the punch when he dismissed the finance minister, prompting the rest of Labor's cabinet ministers to resign.

## ISRAELI GOVERNMENT FALLS

Two days later Peres got his revenge. By a 60–55 vote, with the abstention of five members of the Orthodox Shas party, the Knesset defeated Shamir in a confidence vote, thereby dissolving the government, the first time the Knesset had ever done so. Shamir, as a result, became the head of a transitional, caretaker government. All awaited the decision the following week by President Chaim Herzog to give either Shamir or Peres an opportunity to form a new government.

U.S. officials were reported to be unfazed by the developments in Israel, indicating that the fall of the government would cause a short-term pause in the peace process but could actually enhance prospects for Israeli-Palestinian negotiations in the long run. These officials noted that the government fell trying to resist the Baker plan and, citing the religious party vote, expressed relief that the president's recent comments on Jerusalem seemed to have had little effect on the Knesset vote.

On March 20, President Herzog chose Shimon Peres to try to form a new government because he believed that Labor had "the most reasonable and best chance to win the widest Knesset support." Peres said that if he succeeded in forming a government, he would immediately approve the Baker proposal. U.S. reaction was generally low-key; however, on April 19, the State Department called on Israel to choose a government "capable of saying yes" to U.S. proposals for negotiations with representatives of the Palestinians.

On April 26, after five weeks of unsuccessful effort to win support, Peres gave up his bid to form a government. The next day Herzog turned to Shamir. How the U.S. government felt about the Peres demise and the possibility of a new Shamir government soon became clear. Shamir had mocked Peres's assertion that Shamir's refusal to say "yes to Baker" had stalled the peace process: "I must say there is something perhaps ridiculous in the very slogan 'Yes to Baker' . . . If there is understanding and cooperation between us and the United States, no one can expect we will accept every proposal or idea of an American secretary of state."

The State Department was quick to respond. On April 30, in a stinging rebuke, it said that Shamir had torpedoed the U.S. initiative "on the verge" of direct negotiations between Israel and the Palestinians. It went on to say, "Saying yes to Secretary Baker's [proposal] meant saying yes to Israel's [own peace proposal], yes to Israeli-Palestinian dialogue, and yes to peace. Continuing to say no will give us very little to work with."

Shamir, like Peres, went through difficult weeks of bargaining with the small parties to form a government. With his final deadline only hours away, on June 8, the Likud leader announced that he had succeeded in bringing together a government deemed by some as the most conservative ever formed in Israel. The agreement reached with a variety of smaller parties stated as among its priorities "dealing with the massive immigration that is coming here and its absorption," as well as "strengthening, expanding and developing" Jewish settlements in the territories.

President Bush told reporters in Omaha that Israel's forming of a new govern-

ment was an internal matter, but the tenor of his remarks made clear his attitude: "Israel can do what it wants with its government, and I'll work with whoever that country puts forward as their government. But they know the policy of the United States on peace talks. U.S. policy is firm. We want the peace talks to begin."

On June 11, the new government became official, with 62 of the 120 Knesset members voting approval. Tensions between Prime Minister Shamir and the U.S. administration resumed immediately. Two days after taking office, Shamir appeared to be hardening his previous position, saying that Israel would not negotiate with any Palestinian who opposed the idea of autonomy for the territories. Meanwhile, new defense minister Moshe Arens spent his first full day in office visiting the two largest Jewish settlements in the West Bank, and Police Minister Roni Milo, a close aide to Shamir, said that the Baker plan was "no longer relevant." At the same time, new foreign minister David Levy spoke in softer tones: "I will say to our American friends that this is not an extremist government. This is not a government opposed to peace."

Baker was not slow to react to Shamir. Testifying before a congressional committee, he delivered what *Newsweek* called a U.S. administration's "sharpest public rebuke to an Israeli government since the 1956 Suez crisis." First, he detailed how Shamir had scuttled his own peace plan. Then he complained that Israel's new government was posing more obstacles to talks. In the *coup de grace*, he offered the White House phone number: 1-202-456-1414 and said, "When you're serious about peace, call us."

Israeli leaders reacted with anger, Avi Pazner, Shamir's media aide, complaining that Baker had misunderstood Shamir, that there were no new conditions, and that Baker could have found this out had he contacted the prime minister. Where was the usual honeymoon? Pazner asked. "It's usual to give a new government 100 days of grace. We didn't even get a few days, not even 100 hours."

Israel's response to U.S. criticism that it was to blame for the stalled peace process was to direct attention to another issue, the absence of peace talks between the Arab states and Israel. On June 19, speaking before high-school students in Petah Tikvah, Shamir invited Syrian president Hafez al-Assad "to come, to talk, to conduct negotiations and maybe to get to peace." On June 25, Syria gave its first reaction to the Shamir invitation in the form of a commentary by the state-run Damascus radio, calling the gesture "a trick." On the same day, Syrian defense minister Gen. Mustafa Tlas said he had warned his combat troops of an attack from Israel.

Meanwhile, President Bush indicated in a news conference on June 20 that he had written the Israeli prime minister a letter to determine his "seriousness about the peace process." Officials said that the letter asked again for a positive response to Baker's request for Israeli agreement to open talks with Palestinians in Cairo based on Shamir's plan. When asked the next day by reporters for the administration's next move, Baker resorted to the George Shultz approach: "We can't make it happen, we can't impose it. The parties in the region have to want it. We can't want it any more than they do. That's what it really boils down to." Shamir's response

came several days later. According to reports, the letter committed Israel to continue to work with the United States to promote a dialogue with a Palestinian delegation, but reiterated Israel's resistance to the participation of deportees and Arabs from East Jerusalem.

On June 26 and 27, Egyptian foreign minister Meguid met in Washington with Bush and Baker in what were described as sessions to discuss "prospects for reviving" the peace effort and "how we work together to do so." No new ground was broken.

The month of July was characterized by Israeli efforts to ease tensions with Washington and alter the image of the government as extremist. Defense Minister Arens steered Israeli forces away from conflict with Palestinians in the West Bank and Gaza, Foreign Minister Levy softened his former resistance to Israeli-Palestinian negotiations, and Housing Minister Sharon concentrated on housing for Soviet immigrants. As the month ended, no apparent direction was evident in the peace process.

And then the Middle East exploded.

### *The Gulf Crisis*

On August 2, the forces of Iraq invaded Kuwait and within hours had overrun the small emirate. The invasion, which shocked the world, quickly became the focal point not only of Middle East but of world diplomacy.

For Israel, the move by Saddam Hussein was not so startling; indeed, Israel had been warning about his aggressive intentions for a decade and more. In 1981, Menachem Begin decided to deal with a growing Iraqi nuclear potential by ordering Israel's Air Force to destroy Iraq's nuclear reactor at Osirak. For that Israel was widely condemned, including by the United States.

During the 1980s Iraq was consumed with its war with Iran, which ended in 1988. As 1990 began, speculation grew about what Saddam Hussein would do next. Some analysis maintained that eight years of war were enough, that he would need a respite to rebuild. Others, however, noted that Saddam was moving toward making Iraq a Middle East superpower. The *Christian Science Monitor* reported in January that ambitious programs were under way in almost every aspect of the military—ballistic missiles, chemical and biological warfare, munitions, tank production, and nuclear weapons. Perceptions of an Iraq gone amok heightened when Iraq hung an Iranian-born British journalist, Farzad Bazoft, on March 15, on charges of espionage, despite appeals from Margaret Thatcher and others. Thatcher described it as "an act of barbarism deeply repugnant to all civilized people," and recalled Britain's ambassador in protest.

On March 30, a federal indictment was unsealed in San Diego accusing four Iraqis and the export manager of a London-based front company of conspiring to smuggle 40 nuclear-warhead detonation capacitors into Iraq from the United States. The Iraqi News Agency quoted a Foreign Ministry spokesman as denouncing the arrests

as part of an anti-Iraq campaign on the part of the British government, news media, and "Zionists." The Western criticism spurred Saddam to give a belligerent speech on official Baghdad radio on April 2. Boasting that he had acquired advanced chemical weapons, he said that if the United States and Britain thought their criticism would provide political and diplomatic cover for Israel to strike at Iraq, they were mistaken: "Because, by God, we will make the fire eat up half of Israel if it tries to do anything."

In Washington, the Bush administration criticized Hussein's remarks as "deplorable and irresponsible" and called for concrete steps "to rid the region of chemical and other conventional weapons and to move toward peace." In Jerusalem, Shamir answered for his nation: "Let there be no doubt. Israel will also know how to defend itself in the future and defeat the evil designs of its enemies." Meanwhile, Jordan's King Hussein and Egypt's Hosni Mubarak rallied to Saddam's side, echoing the Iraqi leader's claims that his country was the target of a Western-inspired campaign of hostility. Early in May, Yasir Arafat ordered several thousand of his forces from Jordan and other Arab nations to be relocated in Iraq for training, a move seen as an effort to cooperate more closely with Saddam, to fight off challenges from hard-liners within his own organization, and to enhance his status among Arab leaders.

Saddam renewed his threats against Israel at the opening session of an Arab summit meeting in Baghdad on May 28, called to seek ways to stem large-scale immigration of Soviet Jews to Israel: "If Israel attacks, we will hit back strongly, and if it uses weapons of total destruction against our nation we will use against it the weapons of total destruction we have. There can be no concession on liberating Palestine." Late in June, Saddam continued his war rhetoric in an interview with the *Wall Street Journal*. He said that another Middle East war was "inevitable" unless the United States blocked Israeli policies aimed at dominating the Arab world. Saying Iraq would strike only if Israel struck first, he asserted: "We shall respond to an Israeli attack whenever it comes and wherever."

Saddam's aggressive language continued in July, but it shifted away from Israel and toward Kuwait and the Arab emirates. The issue was these states' oil production, which Iraq claimed was excessive, thereby weakening oil prices and hurting the Iraqi economy. In a nationally broadcast address on July 17, he charged that their oil production policies were the result of American influence seeking "to undermine Arab interests and security." Ominously, he threatened to use force against these countries: "Iraqis will not forget the saying that cutting necks is better than cutting means of living. O God almighty, be witness that we have warned them. If words fail to protect Iraqis, something effective must be done to return things to their natural course and to return usurped rights to their owners." The next day Iraq made public a letter to the Arab League accusing Kuwait of stealing Iraqi oil, building military installations on its territory, and reducing oil income by cooperating with an "imperialist-Zionist plan" to depress oil prices through overproduction.

On July 24, it was reported that Iraq had moved nearly 30,000 elite army troops

to its border with Kuwait, and that the Bush administration had put U.S. warships in the Persian Gulf on alert. The following day, the United States called for a diplomatic solution to the crisis, saying there was "no place for coercion and intimidation in a civilized world." On July 25, Saddam summoned U.S. ambassador April Glaspie and, according to reports, conveyed a message to President Bush that Iraq sought to end the crisis peacefully and avoid a confrontation with the United States. On the same day, however, U.S. officials announced that Saddam's forces on the Kuwait border had grown to 100,000. (Later on, the meeting with Hussein became highly controversial, as questions were raised about whether Ambassador Glaspie had been sufficiently firm with Saddam, and if not, whether her conduct was her own doing or a result of instructions from Washington.)

On August 1, talks between Iraq and Kuwait that were being hosted in Jiddah, Saudi Arabia, by King Fahd broke off after only one session. Early the next morning, the Iraqi army invaded Kuwait; within hours it had seized control of Kuwait City and its rich oil fields and driven the emir of Kuwait into exile. President Bush immediately denounced the invasion as "naked aggression," and the UN Security Council issued a unanimous call for an immediate, unconditional Iraqi withdrawal.

On August 6, the Security Council passed Resolution 661, which called on the UN's 159 member states to halt all trade and other financial dealings with Iraq and occupied Kuwait. Two days later, at a news conference, Secretary of Defense Cheney and Chairman of the Joint Chiefs of Staff Colin Powell indicated that after consultation with King Fahd, the president had ordered U.S. military deployment to Saudi Arabia on August 6 and that the first American forces had taken off for the Gulf on August 7.

On the same day, the president, in a televised address, said that the "mission of our troops is wholly defensive," and they "will not initiate hostilities." Bush explained U.S. goals in the struggle: "First, we seek the immediate, unconditional and complete withdrawal of all Iraqi forces from Kuwait. Second, Kuwait's legitimate government must be restored to replace the puppet regime. And third, my administration, as has been the case with every President from President Roosevelt to President Reagan, is committed to the security and stability of the Persian Gulf. And fourth, I am determined to protect the lives of American citizens abroad."

On the same day, August 8, Iraq announced that it had annexed Kuwait, leading the Security Council, on August 9, to declare the annexation "null and void" under international law. The following day, in a historic decision, an emergency Arab League summit in Cairo voted to send troops to Saudi Arabia and other Gulf states to protect against further Iraqi attack. The Security Council, throughout the matter, continued to give the United States and others in the coalition further discretion. On August 25, it authorized the U.S.-led naval armada to use force to prevent violations of the UN economic sanctions.

## ISRAEL'S RESPONSE

Israeli officials condemned the invasion, pointing to its broader significance. Avi Pazner, senior aide to Shamir, said: "I think it's time the world, especially the big powers, open their eyes and see where the real threat to peace and stability comes from in the Middle East. And it does not come from our conflict here with the Palestinians." Defense Minister Moshe Arens compared Saddam's invasion to events in the 1930s, when a "cruel and brutal dictator was gobbling up one country after another." He indicated that Israel had no intention of getting involved in any fighting with Iraq unless Iraqi troops moved into Syria or Jordan or "if Iraq takes aggressive actions against Israel."

The question of Israel's role in the affair was to become a recurring theme in the developing conflict. Early reports suggested that the crisis was bound to improve Israel's relations with the United States, strained during the past six months over the peace process. A senior Israeli government official told the *Washington Post* on August 5, "We are the big winners of the whole situation. It's like a God-given gift for us. It changes the perception of almost everything, above all the priorities of the U.S.-Israeli relationship." It was assumed that pressure on Israel in the peace process would be deferred, especially with the PLO in a new predicament as a Saddam ally that had also been cultivating the United States. On August 7, during a special Knesset discussion on the crisis, Arens read a statement that officially put forth Israel's position. "I ought to stress that the Iraqi invasion of Kuwait does not constitute a strategic change from Israel's standpoint. But the moment we see that we face a change—for instance, the entry of the Iraqi army into Jordan—we will act."

The Bush administration's decision to send military forces to Saudi Arabia and also to enlist Arab allies against Iraq was warmly praised by Shamir, who called it a "credible action, very encouraging to the free world." Meanwhile, it was widely noted that, while Israel saw itself as America's closest ally in the Middle East, the United States was not asking Jerusalem for help. As Simcha Dinitz, chairman of the Jewish Agency, told the *New York Times*, Israel needed "to keep a low profile because, in the U.S.'s efforts to draft the Arab world in a move against Iraq, Israel isn't any help." On August 8, Arens reiterated Israel's view that Iraq's invasion "does not represent a geostrategic change for Israel." He also commended the U.S. embargo policy against Saddam, saying it could be effective, noting that Hussein had made reversals at other times in the past.

On the same day, in an interview published in the weekly *Paris Match*, Shamir said that Israel had no desire to intervene in the Iraq-Kuwait conflict, but that there was a difference between Israel and Kuwait "and it is a big one, the Jewish state is not Kuwait and Iraq better not forget it."

Also on August 8, when Saddam announced the annexation of Kuwait, he pledged to fight what he called a "criminal force" assembling in the region under American leadership. At the same time he made comments about Israel and the

Palestinians which were seen as the beginning of a campaign aimed at dissuading other Arab states from participating in an economic embargo of Iraq. By invoking the Palestinian cause and implying that Kuwait was a stop on the road to the liberation of Jerusalem, Saddam was seen as going over the heads of Arab leaders who opposed him and straight to the masses.

When Iraqi military officials the same day threatened an all-out attack, after accusing Israel of disguising its aircraft in American markings, Israelis of all stripes began to prepare themselves emotionally for the possibility of war. Military officials in Israel were quoted as fearing that Saddam intended to attack Israel if the United States and other countries struck Iraq. This was seen as a way to draw other Arab states into the conflict on Iraq's side. Ze'ev Schiff, the respected military analyst for the newspaper *Ha'aretz*, wrote that the Iraqi lie "is apparently designed to pave the way for the launching of land-to-land missiles at Israel, in the event that the Americans launch air strikes against Iraq." *Yediot Aharonot*, the mass-circulation daily, ran a headline: "Apprehension in Israel: Conflict in the Gulf Could Reach Us." And the circumspect *Ha'aretz* proclaimed: "Estimation in Jerusalem: Iraq Is Likely to Launch a Missile Attack Against Israel," while Israel radio began to discuss the possibility of issuing gas masks to every citizen.

On August 12, Saddam addressed his nation on the crisis and offered the proposal that "all cases of occupation" in the region "be resolved simultaneously." Spelling out what he meant, he said that he referred to "immediate and unconditional Israeli withdrawal from occupied Arab lands in Palestine, Syria, and Lebanon; a Syrian withdrawal from Lebanon; mutual withdrawals by Iraq and Iran and arrangement for the situation in Kuwait." This linkage of the Arab-Israeli conflict to Iraq's invasion of Kuwait (though he never spoke of withdrawing from Kuwait) remained an underlying theme during the crisis.

The White House responded immediately, saying that the U.S. government "categorically regrets" the proposals. The administration statement urged enforcement of the UN Security Council resolutions calling for Iraq's "immediate, complete and unconditional" withdrawal and the restoration of Kuwait's legitimate government. It labeled Saddam's proposals as "another attempt at distracting from Iraq's isolation and at imposing a new status quo." In a news conference on August 14, Bush was asked whether the United States had an "across-the-board policy" against annexation of captured lands in the Middle East, clearly a reference to Saddam's proposal. The president refused to bite, saying, "I can only address myself to the current situation," that the invasion of Kuwait "is unacceptable."

One week later, Shamir told an Israeli television audience that the government was worried about a possible Iraqi attack on Israel but remained determined not to get involved in the crisis. He showed no displeasure with the U.S. request that Israel maintain a low profile, recognizing that any Israeli action might jeopardize U.S. relations with cooperating Arab states, that "it is in the interest of the United States that Israel not be involved now." Furthermore, he denied that Israel was failing to fulfill a role as a strategic asset to the United States, that in fact everything Israel

was doing was "in agreement" with Washington. Shamir summarized Israel's posture: "It's clear that someone wants us to become involved in this conflict and that's Iraq and Saddam Hussein. He wants to make this into an Arab-Israeli conflict . . . but we have no intention of helping Saddam Hussein to involve us in this conflict."

Israel reacted more strongly to the mediation effort launched by UN Secretary-General Javier Pérez de Cuéllar, which raised Israeli concerns that a weak diplomatic compromise would allow Saddam to achieve some of his war aims and would be an invitation to aggression. On August 28, Defense Minister Arens stated on Israel television that, if Saddam "stays in power and retains the weapons, there will be grounds for concern here, in this region, and, I think, throughout the world. I hope this will not be the way the crisis ends." Zalman Shoval, newly appointed Israeli ambassador to Washington, said bluntly that the "whole Middle East and particularly Israel would be in grave danger" if Saddam survived.

With such stories circulating, Shamir felt compelled to explain to a Knesset committee, on August 28, that the Israeli government was not pressing the United States to go to war: "Israel isn't pushing the United States to do anything. Who are we that we'd push the only superpower in the world today? We aren't pushing the U.S. into any kind of war." Several days later, the *Washington Post* reported that on August 26 President Bush had sent Shamir a letter expressing thanks for Israel's willingness to be helpful in the Gulf situation. The letter was described by unnamed sources as having an "exceedingly warm tone"; the contrast was noted to the situation only a month earlier when Shamir was regarded within the administration as an untrustworthy ally whose obstructionist position on peace talks with the Palestinians had made him unwelcome in Washington.

#### ARMS SALES

A persistent issue in U.S.-Israeli relations during the Gulf crisis was that of arms sales. It first came to light on August 28, when the Defense Department indicated that it had agreed to sell Saudi Arabia a \$6-billion emergency package of advanced weaponry, including F-15 fighter planes, M-60 tanks, and Stinger anti-aircraft missiles. This sale was seen as significant because it exceeded the limits Congress had imposed on the Saudi Air Force for more than five years. That included a limit of 60 F-15s; the sales projected would increase the total number of F-15s in Saudi Arabia by early 1991 to 120.

In response, the director general of Israel's Defense Ministry, Gen. David Ivri, flew to Washington to meet with Pentagon officials to discuss Israeli needs. Reports indicated that Israel was asking for two batteries of Patriot missiles, designed primarily for use against aircraft but which also could be used against incoming missiles. It was noted that Israel had considered buying the Patriot system before the crisis but had decided against it because of the high cost.

Meanwhile, in September, the arms issue moved to a more serious level when it was revealed that the Pentagon was recommending one of the largest U.S. arms sales in history to Saudi Arabia, over \$20 billion in advanced weapons. Included in the package—which was an expansion of the \$6-billion deal reported in August—were F-15s, air-to-air missiles, Apache helicopters, Stinger anti-aircraft missiles, and more. Shortly after the news broke of the sale recommendation, Israeli defense minister Arens visited Washington, where he told Defense Secretary Dick Cheney and National Security Advisor Brent Scowcroft that the sale and the soaring costs to Israel as a result of the crisis had severely eroded Israel's military position. After his meeting with Cheney, Arens told reporters that large-scale sales to the Saudis without adequate compensation for Israel "could upset the military balance in the area, and that would be destabilizing." It was reported that he had asked for an infusion of military aid on the order of \$1 billion in 1990. Pentagon officials quoted Cheney as having reiterated the American "commitment to maintain Israel's qualitative military edge." Reportedly, Arens was also told that in view of the large-scale American military presence in the Middle East, the threat generally to Israel in the near term and the chance of any Arab attack other than from Iraq had been reduced. In the long term, it was acknowledged, Israel's needs would have to be addressed.

On his return to Israel on September 19, Arens said, "There are signs that Washington is beginning to understand Israel's needs" as a result of the Gulf crisis. Other reports indicated that the Arens visit had not met Israel's expectations; when asked about that in a briefing, State Department spokeswoman Margaret Tutwiler said only that the entire issue of arms aid to Israel remained "under discussion."

In Washington, the size of the projected Saudi sale generated a political uproar in Congress. House Appropriations subcommittee chairman David Obey (D., Wis.) called the plan "widely large" and "grossly oversized." Within days, on September 21, the White House announced a compromise on the Saudi sale, saying that after consultations with Congress, the sale would proceed "in phases." The White House went on to say that the sale "constitutes a key dimension of our overall strategy toward the Persian Gulf and could serve as well to protect American lives." It was reported that the first part of the sale, an emergency package, would be up to \$8 billion, and was not expected to meet any serious opposition in Congress. The second phase, however, was seen by some members of Congress as still questionable.

#### LINKAGE

The issue of linkage of the Gulf crisis to the Arab-Israeli conflict surfaced again early in September. Soviet foreign minister Eduard Shevardnadze, in a speech in Vladivostok on September 4, described Iraq's seizure of Kuwait as one of "several highly complex interlocking problems" troubling the Middle East that required an international conference to seek a coordinated solution. He went on to say that Israel's agreement to such a conference "could exert a positive influence on the

overall situation in the Middle East and on efforts to defuse the crisis."

The following day, Secretary Baker and Foreign Minister Levy met in Washington, the first high-level meeting between Israeli and American officials since the crisis began. After the meeting, Baker said they had agreed "that we should not link the situation between Israel and the Palestinians with the situation in the Persian Gulf, as some have suggested." He also thanked Israel publicly for maintaining its low profile in the Persian Gulf crisis. Levy responded in kind, indicating that he was returning to Israel with a "good feeling about the commitments to the needs of Israel." He said that Israel was keeping a low profile, "not because Israel is not an important factor on the scene, and not because there is no danger lurking or threatening Israel," but because Israel "stands firmly with the United States and understands what great tasks it is undertaking." Levy and Baker also indicated agreement on the importance of establishing a "credible" Arab-Israeli peace process which, according to Baker, was one of the best ways to prove that Saddam's approach was not the wave of the future in the Middle East. The next day Levy met with Bush, a meeting arranged by Baker after their session. The tenor of the meeting was reported to have been positive, once again highlighting the changed atmosphere since the Gulf crisis began.

On September 9, Bush and Soviet president Mikhail Gorbachev met in Helsinki, with the U.S. president rejecting efforts to link the Gulf crisis to the Arab-Israeli conflict but indicating that he might not oppose an international conference as long as it was not linked. Israeli leaders were low-key in their response: Avi Pazner, Shamir's press adviser, noted that the United States's "priority is to find a solution to the crisis in the Persian Gulf, and as to the future, it is much too early to tell what will happen." Clearly, the Middle East peace process remained on hold.

On September 14, Baker met with President Hafez al-Assad of Syria, in Damascus, the first high-level U.S.-Syrian meeting in more than two years. The session was seen as an effort to draw attention in the Arab world to hard-line Syria's participation in the struggle against Saddam Hussein, as a way to legitimize the coalition in Arab eyes in a way that no other country could. Syria had already dispatched 3,000 troops to Saudi Arabia. At a news conference, Syria's intent to cooperate with the U.S.-led effort against its old enemy, Saddam, was highlighted by Foreign Minister Farouk al-Sharaa's rejection of linkage: "Let me make it clear to you that I don't believe there is a linkage between the two questions. We are not linking the Gulf crisis with the Arab-Israeli crisis at all."

On September 23, Saddam Hussein stepped up his rhetoric, threatening to attack oil fields in Saudi Arabia and Israel if his nation was "strangled" by the economic sanctions imposed by the UN. The Iraqi statement, issued in the name of the Revolutionary Command Council, described the "prime objective" as "the liberation of Palestine from the usurpation of the Zionist usurpers." Bush administration officials described the latest Saddam outburst as part of his continuing political strategy aimed at splitting the international coalition opposing him, but also indicated that the events of July had taught them not to discount his threats as mere

bravado. As one Pentagon official said: "It's a deliberate step in his plan to keep what he's got and drive our coalition apart. At the same time, we're not sloughing this off. He has the capability to do these things."

In Israel, Shamir responded to this most bellicose statement yet from Saddam: "We, of course, are taking his threats seriously and preparing for them, to anticipate, prevent, and God forbid, if he'll really attack, to repay him."

On September 26, Levy met Baker in Washington to discuss Saddam's threat. Reportedly, Levy pointed out that before Saddam's latest remarks, he had talked about "retaliating" against Israel with chemical weapons for any Israeli attack on Iraq, but now had changed his threat and begun talking about an Iraqi first strike on Israel. This new threat, Levy reportedly said, made it more difficult for Israel to maintain its low profile and made more urgent the need for U.S. assistance. Baker was said to have told Levy that the administration was "committed to Israel's security and you can count on that fact" if Israel were attacked.

One official was quoted as saying that Israel had "some legitimate concerns and we want to address them." Nothing concrete, however, emerged. In an interview after the meeting, Levy acknowledged that Washington's request for a low Israeli profile, made within hours after Iraq's invasion, had caused "a malaise about U.S.-Israeli relations" in his country. He continued: "The low profile was pursued so vigorously by Washington that it was made to seem Israel had vanished from the region. The U.S. administration knew what we were doing. But to American public opinion—to the man in the street—it was made to seem we weren't there."

On October 1, President Bush addressed the opening session of the UN General Assembly and expressed hope for a diplomatic solution to the crisis. Regarding the Arab-Israeli conflict, he made comments which were read by some as implicit linkage: "In the aftermath of Iraq's unconditional departure from Kuwait, I truly believe there may be opportunities for Iraq and Kuwait to settle their differences permanently, for the states of the Gulf themselves to build new arrangements for stability, and for all the states and peoples of the region to settle the conflict that divides the Arabs from Israel." The change was noted from the president's remarks at Helsinki in which he had said that the issue of a homeland for the Palestinians was a matter "separate and apart" from the Kuwaiti invasion. Bush later told reporters that he had not meant to imply linkage.

Early in October, Saudi leaders made comments that reflected their sense of urgency about defeating Saddam, while appearing loyal to the Arab cause against Israel. Defense Minister Sultan Ibn Abdal-Aziz warned Israel to stay out of the crisis and said that if each of the two found itself at war with Iraq, Saudi Arabia would fight in isolation and not allow Israel to come to its defense. These comments were the first in public by a senior Saudi official on the prospect of Saudi Arabia and Israel finding themselves at war with Iraq at the same time. On October 2, the Saudi foreign minister, Prince Saud al-Faisal, told the UN that Iraq should give up Kuwait to strengthen the right of Palestinians to claim a homeland in Israeli-occupied territory. The prince was seen as trying to show that Arab concern for the

Palestinians was constant, but that primacy had to go to resolving the immediate Kuwaiti issue.

The seriousness with which Israel took Saddam's threats was manifest on October 9, with the announcement that the military had begun handing out gas masks and chemical-warfare defense kits to the population. Shamir noted that Saddam had "made his threats many times and we must take his threats seriously."

The following day, events took place in Jerusalem that led to renewed strains between the United States and Israel and fueled Arab efforts to isolate Israel and keep the question of linkage alive.

#### TEMPLE MOUNT INCIDENT

On October 10, a struggle took place outside the Al Aksa Mosque on the Temple Mount involving Israeli policemen, hundreds of demonstrating Arabs, and thousands of Jews praying at the Western Wall during Sukkot, resulting in 19 Palestinians killed and more than 100 wounded. Mayor Teddy Kollek described the event as the most violent in Jerusalem since the 1967 war, the death toll the largest in a single day since the beginning of the *intifada*. Immediately, sharp differences were expressed as to how the violence erupted. Israeli officials claimed that Palestinians had come to the mosque not to pray but for violence, citing rocks thrown from the Temple Mount onto Jewish worshipers, creating a provocation calculated to distract the world from the Gulf crisis. Palestinians said that the events occurred when demonstrators seeking to prevent Jewish radicals from laying a cornerstone for a new Jewish temple were indiscriminately shot upon by police.

At a White House news conference the next day, the president rejected efforts to use this incident to create linkage: "Saddam Hussein is trying to, from the very beginning, justify the illegal invasion of Kuwait by trying to tie it to the Palestine question. And that is not working. The Arab world is united, almost united, against him. And I don't think if he tries now to use this unfortunate incident to link the two questions, I don't think that will be successful. And certainly I will be doing what I can to see that it is not successful."

That said, it was apparent early on that the effort to pacify the Arab coalition regarding the incident would lead the United States to come down hard on Israel. Bush rebuked Israel that day for not acting "with greater restraint." And he added that he hoped no one questioned "our interest in seeing a solution to the Palestine question, to the implementation of the Security Council resolutions."

Later that day, the United States asked the Security Council to approve a resolution condemning Israel for "excessive" use of force in the Jerusalem incident. The proposed draft never referred to the Israelis hit by stones directly but only referred to "innocent worshipers" and called on the UN to investigate and report back. It was described as by far the most critical resolution of Israel ever introduced by the United States. Israel's acting UN representative, Johanan Bein, said that Israel was

being made a "sacrificial lamb" in order for the United States to maintain its coalition against Saddam.

Things then went from bad to worse between the two governments. On October 12, the Security Council passed a resolution condemning Israel and calling for a mission of the secretary-general to go to the region to investigate the matter and report back before the end of October. The next day, Israel's cabinet officially denounced the UN decision and declared it would not cooperate with the mission. David Levy focused on two points in explaining Israel's position. First, he said, accepting the delegation would mean accepting that "Jerusalem is not our legal capital and questioning our sovereignty over it." Secondly, he noted, in the resolution "no attention is paid to the savage attack of agitators against the calm Jewish worshipers praying on a holy day in a holy place."

On October 15, Bush declared that he wanted to see Israel drop its opposition to the UN mission. The United States had succeeded in watering down the resolution, and the longer Israel dragged out the issue, the more difficult it would be to pass any new anti-Iraq resolutions. According to Margaret Tutwiler, Baker had sent a message to Levy that the United States would have supported UN action on the Jerusalem incident even without the Gulf crisis. And he warned that if Israel did not cooperate, "there will be some who will compare you, even though it is not justified, to Saddam Hussein and his rejection of Security Council decisions."

In a speech before the Knesset on October 15, Shamir lashed out at the West, accusing it of hypocrisy and saying that "Israel will not pay the price of the lessons that the international community must extract from" its problems in the Arab world. Without mentioning the United States by name, Shamir complained that Israel was "expected to put up with the renewed and massive supply of arms and advanced weapons to [Arab] states, to agree to negotiations with the terrorist organizations, and to ignore the words of incitement and hatred that are constantly voiced and written in the Arab states."

Meanwhile, Jerusalem mayor Teddy Kollek said he would meet with the UN delegates, if asked: "It's haughty not to. I am confident enough of our situation and in the situation of Jerusalem that I can receive and answer anyone who comes here. This is a view of strength and not weakness."

On October 18, the government sent word that it would be willing to give the secretary-general a copy of the findings of its own inquiry into the shootings. The next day, Pérez de Cuéllar rejected the Israeli offer, saying "I can't make a report on the basis of the Israeli findings," and Security Council members from the Arab and nonaligned nations sought another resolution criticizing Israel. This one would cite article 25 of the charter requiring countries to obey council orders, would deplore Israel's refusal to cooperate with the secretary-general, urging it to reconsider, and would instruct the secretary-general to prepare a report on protecting Palestinians even if he could not send envoys to Israel.

On October 23, the council decided to put off voting on the new resolution while the Bush administration tried to persuade Israel to cooperate with UN representa-

tives. The next day Israel rejected the U.S. appeal made in a letter from Bush to Shamir. Immediately thereafter, the United States voted with the rest of the council to deplore Israel's refusal to cooperate. As in the case of the October 12 vote, diplomats noted that the U.S. vote was largely influenced by its desire to preserve the international coalition opposing Saddam, the argument being that an American veto would embarrass the Arab states by casting the United States in the role of Israel's protector. Israel's acting representative, Johanan Bein, said at the council meeting that the PLO had deliberately sidetracked the council from the Gulf crisis by involving it in the Palestinian question: "It appears Saddam Hussein has been let off the hook."

In more moderate tones than in its reaction to the first resolution, Israel criticized the Security Council decision and rejected calls to reconsider its refusal to accept a UN investigative team. Shamir aide Avi Pazner said that Israel was "sorry that the United States supported an anti-Israel resolution because they are playing into the hands of Saddam Hussein."

Meanwhile, an Israeli commission named to investigate the incident issued its report on October 26. While the report sharply criticized senior Israeli police commanders, concluding that they had not adequately prepared for the possibility of trouble, it put the responsibility for the violence and killings on the Palestinians: "[T]he use of live ammunition in the Temple Mount under the prevailing conditions was found to be justified because the police officers were afraid for their lives." It said further that Muslim extremists incited the Palestinian crowd to violence and called the stoning of Jewish worshippers "a terrible criminal act."

The perceived dilemma for the United States on this matter—to support action against its longtime ally, Israel, or to block such action and risk endangering the coalition—sharpened when Pérez de Cuéllar proposed in a report issued November 1 that the Security Council involve itself directly in a search for a way to protect Palestinians in the territories. Among the report's recommendations was a meeting of all the countries that had signed the Fourth Geneva Convention of 1949 to discuss possible measures for preventing human-rights violations in the territories. Israel's UN mission issued a statement in response indicating that Israel had "sole responsibility" for administering the territories, adding that "this responsibility is not subject to review or intervention by other authorities."

On November 4, Israel's Foreign Ministry issued a statement criticizing the UN report for being one-sided and for "not calling for a stop to Palestinian violence." Concerning the call to convene the nations that had signed the Fourth Geneva Convention, the statement said: "For the 40 years since the Geneva Convention was signed there have been dozens of wars with millions killed and wounded. The international community has not found reason to convene the signatories even once." And the statement suggested that the continuing preoccupation with this matter would "only serve those forces who are interested in creating a link between the Arab-Israeli conflict and the Gulf crisis."

On November 11, Yosef Ben Aharon, Shamir's chief of staff, told the *New York*

*Times* that, while the government "cannot entertain any kind of investigation mission from the Security Council resolutions," it would be willing to see a single UN envoy, Jean-Claude Aimé, to hold talks on "the situation in general, the peace process, the entire gamut of human rights in the territories," instead of specifically raising the killings at the Temple Mount or protection for Palestinians in the territories. Ben Aharon also said that the envoy would have to agree not to discuss the proposed convening of the Geneva Convention signatories. Later that day Israel formally invited Aimé through the secretary-general.

#### FURTHER PEACE EFFORTS

On the broader front, November was a critical month because of President Bush's decision to increase dramatically the number of American forces and the Security Council decision to authorize the use of force. On November 8, Bush announced that U.S. land, sea, and air forces might reach 400,000 by early 1991. The president said it was being done to provide an "adequate offensive military option," which was the first public declaration that U.S. forces might take an offensive role. When asked how long he would wait for sanctions to work, the president said: "I hope that the sanction will work within a two-month period."

Meanwhile, congressional skepticism of the Bush approach appeared to be growing. On November 27, the Senate Armed Forces Committee heard a host of witnesses asking the administration to give sanctions a chance. But Secretary Cheney told the committee, on December 3, that there was no guarantee that sanctions would work even over five years, and that military action might be the only sure way to end the occupation.

Earlier, on November 11, King Hassan of Morocco called for an emergency Arab summit meeting, which he described as a "last chance" for peace. The next day the Iraqi regime indicated that it would not reject the proposal flatly, but reiterated its insistence that any solution of the Gulf crisis should be tied to a settlement of the Palestinian issue.

Tensions between Washington and Jerusalem mounted when it was announced that President Bush would meet Hafez al-Assad of Syria. On November 23, Prime Minister Shamir told reporters that he hoped the Bush-Assad meeting would "not encourage the oppressive policies of Syria against Israel." Defense Minister Arens went further in criticism of the U.S. decision, saying that if Bush met with King Fahd, Mubarak, and then Assad, but pointedly did not meet with Shamir, "there is a danger of the wrong message being sent." At the same time, Shamir struck a conciliatory note, pointing out that "the paramount goal, over and above all else, at this time in the region, is the existence and strengthening of the international coalition" against Iraq. However, other Israeli officials reportedly were asserting that the U.S. administration was misjudging Assad and Syria, the same as it had Saddam and Iraq.

Not surprisingly, Yasir Arafat, a frequent visitor to Baghdad during the crisis,

expressed strong support for Saddam's assertion that any Iraqi withdrawal would have to be tied to other conflicts in the region, including the Palestinian-Israeli one. On November 22, in Tunisia, Arafat said: "One thing has to be understood clearly. We, the Palestinians, are not just a number in the equation. We are the difficult number. There can be no solution in the Gulf crisis without a solution to the Palestinian problem."

On November 29, in a historic decision, the Security Council voted 12 to 2, with one abstention, to authorize the United States and its allies to expel Iraq from Kuwait by force if Saddam did not withdraw his forces by January 15, 1991. This was only the second time the UN provided authority for individual member states to wage war against another country. Three council members—Yemen, Cuba, and Malaysia—sought to put another resolution critical of Israel's treatment of Palestinians living in the territories on the agenda ahead of the Iraq vote. Although the anti-Israel resolution was put off, attention returned to it soon after the resolution on Iraq was passed. Secretary Baker, at a news conference following the Iraq vote, denied that the United States had only avoided a fight over an Israel resolution before the Iraq vote by promising to withhold its veto when the Palestinian resolution did come up for a vote. Baker said there was no commitment except to "discuss with them next week in good faith the resolution which is now pending—and which is unacceptable to the United States in its present form—to see if we can come up with something we can support." It was noted that the PLO-backed resolution endorsed convening a Geneva conference, while a proposed substitute resolution introduced by Finland merely "welcome[d] the idea" of such a conference and called for further discussion and study, with no decision to be made until the end of the year.

Meanwhile, the day after the UN vote, Bush announced that he would "go the extra mile for peace" and offered to meet in Washington with the Iraqi foreign minister and send Baker to Baghdad to meet with Saddam. On December 1, the first hope for a breakthrough in the months-long Gulf crisis emerged when Iraq accepted the Bush offer for talks. In its statement of acceptance, however, the regime not only castigated the president as being the "enemy of God" and "arrogant," but said that it would continue to link the Kuwait issue to Israeli occupation of Arab lands. A White House spokesperson immediately rejected this avenue: "Our approach all along is that there is no linkage of the Gulf crisis to other issues, including the Middle East." And Vice-President Dan Quayle reiterated on CNN, "Palestine is not an issue on the table. There is no linkage."

The U.S. diplomatic initiative generated anxiety among Israelis and led several Israeli leaders to say openly what they had been reported to be saying privately for some time. Moshe Arens, Benjamin Netanyahu, and Ariel Sharon, as well as other members of the Knesset, all offered sharp public warnings that Saddam should not be left with his army and weapons intact, reflecting new concern in Israel that a diplomatic solution might be reached that would leave Iraq's military power in place.

In Montevideo, on December 4, Bush said he would not be "in a negotiating

mood" if he met with Iraqi foreign minister Tariq Aziz, and indicated that there "will be no linkage whatsoever" between the Palestinian issue and the Gulf crisis. Despite these comments, Israeli concern mounted in the next few days, leading Foreign Minister Levy to warn, on December 5, against "a situation in which all the Western armies will leave the Gulf and Saddam Hussein will emerge with certain advantages." The ministry indicated that Levy told U.S. ambassador William Brown that the original U.S. position vis-à-vis Saddam "was one of the factors which Israel considered in adopting its low profile policy." And Levy later told Israeli television that whoever "thinks that if Israel alone has to stand up against this danger, that Israel will continue with a low profile, is making a mistake. In order to defend herself, like in the past, Israel will not call on anyone to fight its war or anyone else's soldiers, but will reply with all its might."

Five days later, while in the United States on a visit, Shamir said in a speech in New York, "We trust the American Government's determined stand not to permit Saddam Hussein to link the Gulf crisis with the Arab-Israeli conflict and the Palestinian issue." At the same time, he said that Israel would not acquiesce in any "move to appease Saddam Hussein at the expense of Israel."

On December 11, Bush and Shamir met in the White House for two hours. The Israeli prime minister emerged from the meeting with a positive statement: "We have been delighted to express our full support for the leadership of the President, for the policy of the United States in this recent crisis of the Gulf, and the President also expressed his support for our behavior, for our policy, and for our problems." Shamir adviser Avi Pazner told the *New York Times* that the Israeli leader assured Bush that Israel would not abandon its low-profile response to the crisis. He said, too, that Shamir came away from the meeting "more assured about American intentions and determination to bring the crisis in the Gulf to a solution" based on UN resolutions.

On the U.S. side, Assistant Secretary of State for Near East and South Asian Affairs John Kelly said that the two leaders "talked about the peace process in the Middle East and the fact that after the Gulf crisis has been solved, that it'll be advisable to try to reinvigorate the peace process." The meeting was widely seen as a U.S. effort to soothe Israeli fears about the growing military and diplomatic ties between Washington and Israel's Arab neighbors, reflected in the fact that Baker had been to the region three times and Bush once during the crisis without even paying a visit to Jerusalem.

While the UN vote authorizing the use of force against Saddam heated up the Gulf crisis and led the president to initiate his diplomatic initiative, efforts also increased at the UN to pass a new resolution against Israel. Throughout December, negotiations were taking place between the United States and nonaligned countries on wording critical of Israel, with the former seen as trying to avoid excessively harsh language and proposals but apparently ready to support a resolution in order to sustain the coalition against Saddam.

Finally, on December 20, the United States joined other members of the Security

Council in adopting a resolution that referred to lands held by Israel since 1967 as "Palestinian territories," criticized an Israeli deportation order against four Palestinians, called for the UN to monitor the Palestinians' safety in the territories "on an urgent basis," and carried with it a nonbinding statement by the council's president, Yemen, backing a Middle East peace conference. U.S. representative to the UN Thomas Pickering insisted that his vote "in no way indicates a change in United States policy on any issue related to the Arab-Israeli conflict." The resolution was the third one critical of Israel since the start of the Gulf crisis to be backed by the United States. Israeli representative Yoram Aridor called it a "biased, unbalanced resolution in which Arab violent provocations are being condoned, and Israeli defense against these violations is being condemned."

The resolution's statement on an international conference was subject to different interpretations. Some saw the fact that it was nonbinding and its language—"at an appropriate time, properly structured"—as being not inconsistent with the long-standing U.S. approach to Israel. Others, however, deemed it a change of tone even to consider the idea of an international conference in a Security Council statement, especially in light of recent U.S. support for three anti-Israel resolutions.

Clearly, the Gulf conflict was a dominant element in U.S. strategy. As noted earlier, a U.S. veto might allow Saddam to portray the Arab allies as siding with Israel's friend and protector. On the other hand, the administration was seen as wary of approving a resolution too favorable to the Palestinian cause for fear that it might be interpreted as part of a concession to Iraq.

Pazner said that Israel was "dismayed" by this resolution because it was one-sided and unjustified, but added that it would "simply be one more anti-Israel UN resolution that will have no effect and will be filed in the vault with all the previous ones." Israel's reaction to the U.S. vote was depicted as low-key because Israel believed that overall its previously strained relations with the administration had rebounded in the wake of Shamir's visit to Washington earlier in December.

As the year came to a close, talk of war was in the air, with reports that the Pentagon was telling the president that offensive military action against Iraq should be deferred at least until February. On December 21, in Saudi Arabia, Secretary of Defense Cheney said that it looked increasingly as if Hussein was "not getting the message and we'll have to use force to get him out." And the Pentagon issued a statement on December 26 to the effect that the threat of an Iraqi attack on Israel was "very realistic." It noted that, as a last resort, if Saddam feared war was inevitable, he could initiate conflict "which may include a provocation with Israel as an attempt to decouple the coalition forces." Meanwhile, Arens told the Knesset on December 25 that Israel did not "rule out the possibility of the Iraqis striking at us first." Arens said that Saddam's missiles had the range to reach Israel but their capability was "very restricted." In the same vein, Army Chief of Staff Dan Shomron said: "We must remember that Iraq's ability to harm us is limited while our ability to seriously harm the Iraqi homefront is proven beyond declarations. Saddam Hussein understands this simple equation."

These comments were seen as a signal that Israel would not launch a preemptive strike against Baghdad, hinted at a while back when Israel expressed frustration over a lack of strategic coordination between Israel and the U.S. military. The comments seemed to reflect the improved situation between the two militaries in response to Israeli complaints.

### *Absorption of Soviet Jews*

Significant as it was, the major event of the year for Israel was not the Gulf crisis but the massive immigration of Soviet Jews. This movement, expected to continue for a number of years, was seen as a historic turning point for Israel, the fulfillment of its *raison d'être*. The large-scale immigration to Israel was initiated by two events: the opening of Soviet doors to Jewish emigration and new U.S. regulations limiting the number of Soviet Jews coming to the United States to 50,000 per year.

Early in the year, with projections emerging in Israel that as many as a million Soviet Jews could immigrate to Israel over the next few years, Israel turned to the American Jewish community for assistance. In January, Simcha Dinitz, chairman of the Jewish Agency, met with heads of the United Jewish Appeal and other Jewish organizations to ask for a greater sum than had been committed to earlier.

In mid-January, Shamir gave a speech to Likud party members that reverberated throughout the Arab world and elsewhere. In his talk, the prime minister appeared to connect Soviet immigration to the issue of the territories. "A big immigration requires Israel to be big as well," he said, adding that Israel should hold onto the territories because "we need the space to house the people." Criticized for his remark, the prime minister asserted in an interview with the *New York Times* that he had been misunderstood and did not advocate settling any Soviet Jews in the territories unless they chose on their own to go there.

Despite his clarification, the speech, together with the dramatic increase in the number of Soviet Jewish immigrants in January, generated great anxiety in the Arab world. King Hussein said the influx was "not a threat to Jordan only" but "threatens the depth of the Arab world and the Palestinian people's national rights." Egyptian president Mubarak called on the Arab states to protest. A Persian Gulf magazine in Qatar summed up the feelings when it warned that quick action was necessary, "otherwise a great Israel will become a fact."

Under heavy Arab pressure, the Soviet Foreign Ministry issued a condemnation of any settlement plan that would "endanger Soviet émigrés by using them to crowd Palestinians out of their own land," and suggested that such a move could undercut Moscow's efforts to liberalize emigration laws. In response, on January 30, Israel denied having any plan to settle Soviet Jews in the territories, saying that "anyone who comes to Israel can go wherever he chooses." It was pointed out that fewer than 1 percent of the Soviet Jews were, in fact, settling in the territories. On March 3, President Bush held a press conference in Palm Springs, California, at the time of a visit by Japanese prime minister Toshiki Kaifu. He used the occasion to express publicly his objection to Israeli settlements: "We do not believe there should be new

settlements in the West Bank or in East Jerusalem." The president's inclusion of Jerusalem set off a furor, since it was clearly aimed at Israel's insistence that less than 1 percent of Soviet Jews were settling in the territories. Reportedly, advisers to the president had pointed out that the Israeli statistics were correct only if East Jerusalem was not considered part of the West Bank. If East Jerusalem was included, they noted, the actual figure was closer to 10 percent.

The magnitude of the influx of Soviet Jews led Israeli leaders to conclude that the absorption process could not be dealt with by Israel itself. As a result, Israel requested that the United States provide a \$400-million loan guarantee to enable Israel to borrow the money from commercial banks at reasonable interest rates. On March 1, Secretary of State Baker, testifying before Congress, indicated administration support for the \$400-million loan guarantee provided Israel stopped expanding settlements. Administration logic was that even if the money was not spent in the territories, the guarantee would free other Israeli funds to be spent on settlements. Two days later, the president added his remarks at Palm Springs, making clear that the administration still viewed Jerusalem as occupied territory. Israeli leaders reacted with bitterness. Shamir said, on March 5, that "there are no settlements in Jerusalem. It is part of Israel and it will never be divided again." And he insisted that new Jewish neighborhoods in Jerusalem would be expanded with "as many Soviet Jewish immigrants as possible." Meanwhile, on March 5, according to White House spokesman Marlin Fitzwater, the president told Seymour Reich, chairman of the Conference of Presidents of Major American Jewish Organizations, that he would support the loan guarantees "provided the United States and Israel can work out assurances that satisfy the United States on settlement activity."

Efforts to soften the impact of the president's comments soon began to emerge. In a letter dated March 16, Baker wrote to Mel Levine, Democratic congressman from California, that he was "very aware of the great significance which Jerusalem has for the Jewish people as well as for people of other religions" and said that Jews and others can live where they want, East or West, and the city must remain undivided."

In late April, Congress approved the FY 90 supplemental appropriations bill, which included the \$400-million loan guarantee.

By May, Arab efforts to generate international opposition to Soviet Jewish immigration to Israel had taken a new turn. Negotiations were being conducted between the United States and Arab countries on a UN Security Council resolution criticizing Israeli settlements as a breach of international law. On May 10, Defense Minister Arens formally protested the negotiations to U.S. ambassador Brown, accusing the United States of supporting Arab efforts to halt the flow of Soviet immigrants into Israel altogether. One week later, the State Department announced that discussions between the United States and the Arabs on this matter had been suspended, reportedly because the Arabs continued to insist on including language which asserted that settlements violated international law, a concept the administration was unwilling to support.

Late in May the Arab states called a three-day Arab summit in Baghdad, primar-

ily to discuss the perceived threat to the Arab world posed by the mass movement of Soviet Jews to Israel. At the summit Saddam Hussein urged economic reprisals against countries supporting the influx. The summit's final communiqué, however, merely appealed to countries to avoid aid to Israel "that would facilitate the implanting of the immigrants in Palestine and other occupied territories." The communiqué summed up Arab attitudes on the subject: "The conference is fully convinced that the transfer of Soviet and other Jews to Palestine and other occupied Arab territories represents a new aggression against the rights of the Palestinian people, and a grave threat to the Arab nation."

Arab pressure seemed to pay some dividends when President Gorbachev, in Washington for meetings with President Bush, intimated at a news conference on June 3 that the emigration flow could be stopped if Israel did not give assurances that Soviet Jews would not be settled in the territories. Responding to a question on the issue, he said that either "our concern will be heeded in Israel and they will make certain conclusions, or else we must give further thought to it in terms of what we can do with issuing permits for exit." Israel continued to insist, in response, that it was "not sending, not encouraging, and not giving incentives to Soviet Jews to settle in the areas of Judea, Samaria and Gaza." On June 5, however, Shamir also made clear that Soviet Jews would not be stopped from moving to the territories if they so desired: "If the Soviet Union or President Gorbachev does not think it can today tell its citizens where to live, it is as clear as the sun that we, as followers of freedom and democracy, cannot limit this category."

With foreign concern on the rise, the Israeli government announced on June 24 that it would not, as a matter of policy, settle Soviet immigrants in the territories. The announcement was made by Housing Minister Sharon to the Jewish Agency and was deemed significant as the clearest government public stand against settlement of immigrants in the territories. Sharon made the distinction between settlements generally and those for Soviet Jews: "The building policy, according to the government, is to be implemented in every part of the land of Israel. But immigrants, due to the problems we have, will not be settled beyond the green line. We will not send any Jew who comes from Russia to Judea, Samaria or to Gaza because we understand the seriousness of the situation. But that doesn't mean that other people cannot settle in any place." Immigration officials explained that Sharon's policy involved a modest change: before, Israel made no attempt to direct immigrants to any particular place, but from then on Israel would actively encourage Soviet immigrants to all points inside Israel; no new immigrant housing would be built in the West Bank or in Gaza.

As the months passed, even though the brouhaha between the United States and Israel over Jerusalem quieted down, the \$400-million loan guarantee was still not approved. Finally, early in October, Secretary Baker reported that he and Israeli foreign minister Levy, after meeting in Washington, had reached agreement, with Israel confirming that "it is the policy of Israel that immigrants will not be settled beyond the green line." Baker also said that Israel had agreed to give the United

States periodic information about the financing of settlements, commitments described by Baker that "go beyond the traditional assurances that Israel has provided us with respect to the use of our aid in the territories." Back in Jerusalem, Levy gave a different reading on the agreement, saying that while new immigrants would not be steered to the territories, Israel was not eager to report on its settlement activities: "Our operations aren't subject to any approvals except that of the Cabinet and the Knesset. If our friends want to know from time to time, they can turn to the Foreign Ministry and receive the information."

Several days later Shamir announced that a new neighborhood would be built in East Jerusalem, making clear that the agreement regarding immigrants did not include Jerusalem.

### *U.S.-PLO Relations*

The first year of the Bush administration, 1989, was a year of dialogue between the United States and the PLO. It was as well a year in which Israel continually criticized that dialogue on the grounds that the PLO had not ceased its terrorism and was not a fit party for peace negotiations.

Early in 1990, the Prime Minister's Office stepped up its efforts to persuade the United States to break off the dialogue, issuing a report that documented PLO violations of its commitment to stop terrorism. Referring to the talking points which the United States had conveyed to the PLO in 1988, making the talks contingent both on cessation of terrorism "by the PLO or any of its factions" and PLO condemnation and discipline of the factions responsible for any terrorism, the Israeli report said: "Not only has the PLO failed to fulfill these requirements, but Arafat's own Fatah organization, in particular, has itself engaged in terrorist acts. It has encouraged and lauded these attacks even in the midst of the dialogue." Israel claimed that since the beginning of 1989 there had been at least six attempts to penetrate Israel's northern border by guerrillas associated with the Democratic Front for the Liberation of Palestine, a leftist faction within the PLO.

The report also referred to evidence presented to Washington that Arafat's own Fatah movement had launched a raid from Egypt into the Negev on December 5, 1989. Five heavily armed guerrillas crossed the border that night, but were killed by Israeli troops before they could carry out any attacks. Reports indicated that American officials had raised the Negev raid with the PLO leadership in Tunis and had concluded that the attack had occurred without Arafat's knowledge or authorization. Israeli officials continued to insist that the United States was ignoring its own policy by keeping the incident quiet and by not calling on the PLO to denounce the attacks and expel members responsible for them.

In response to some congressional urging as well as to Israeli persistence on this matter, the State Department initiated a review of PLO conduct since the dialogue began. On March 19, it sent a report to Congress in which it concluded that Arafat had stuck to his word on renouncing terrorism. Concerning some 30 border and

rocket attacks by Palestinian groups against Israel, the report attributed them to "disparate elements with different views" and said the PLO was deficient in controlling all of its groups. The report said that this lack of control was not a reason to excuse PLO activities and that "we have made it clear to the PLO that these activities raise serious questions about the PLO's commitment to renounce terrorism." The bottom line, however, was that the United States found that the PLO "has adhered to its commitment undertaken in 1988 to renounce terrorism."

Sen. Connie Mack (R., Fla.), who with Sen. Joseph Lieberman (D., Conn.) had cosponsored the legislation that prompted the State Department review, strongly condemned the report, saying that it "reads more like a defense of the PLO than a balanced account of the PLO's record since its 1988 commitments." Mack added that the report would "further erode confidence in the administration's will to effectively hold the PLO to its commitments." And Lieberman accused the State Department of "bend[ing] over backward to not be too critical of the PLO," for fear of jeopardizing any Middle East peace initiative.

PLO attitudes toward the administration were reflected in an interview that Arafat had with the *New York Times* on March 2. Usually critical of the United States, Arafat went out of his way to offer words of praise: "This Administration is the first American Administration that speaks of the end of Israeli occupation." He praised Secretary Baker for telling Israelis "to forget the dream of Greater Israel."

On the morning of May 30, an attempted terrorist raid on Israel changed the equation. Israeli forces foiled a speedboat attack by Palestinian guerrillas off the coast of Tel Aviv, killing 4 and capturing 12 of the raiders. Only one of the six guerrilla boats reached shore; the rest either broke down or were intercepted at sea. In Lebanon, a spokesperson for the Palestine Liberation Front headed by Abul Abbas, the mastermind of the *Achille Lauro* affair, said the raid was initiated to avenge "the Zionist massacre against our workers," a reference to the shooting on May 20 of seven Palestinian day laborers in Rishon LeZion by an emotionally unstable Israeli. Israeli officials immediately demanded that the United States end its dialogue with the PLO, since Abbas was a member of the PLO executive committee. Moshe Arens said that Israel hoped this last event "will convince the Administration," adding, "You can't fool all the people all the time."

The following day, Arafat denied PLO responsibility for the raid but did not denounce the operation or take any action against the PLO faction involved. Concerning Abul Abbas, Arafat said that since he was elected by the Palestine National Council, the "PNC has to decide on Abul Abbas, not me." An unnamed administration official expressed dissatisfaction with the PLO response: "It is not good enough for him to say, 'We are not part of it. We didn't know about it.' That is good to hear, but it is not enough—not just for us, but, more important, for the Israelis. This was a real opportunity for Arafat to send a signal to the Israelis that he truly is committed to a moderate approach. Once again, it's an opportunity missed." Concerning future U.S.-PLO relations, White House spokesman Fitzwater said the

administration wanted "to investigate the information and reach conclusions about what happened and who was responsible and why, before we would try to change our policy in any way."

Meanwhile, Presidents Conference head Seymour Reich called on the administration to "reassess the policy of talking with the PLO," saying that the United States "cannot lead a campaign against worldwide terrorism while holding ongoing discussions with the world's most notorious terrorists."

On May 31, U.S. ambassador in Tunis Robert Pelletreau, the link to the PLO during 1989, asked the PLO to condemn the raid and expel or suspend Abul Abbas. Two days later, Abu Iyad, a top PLO official, rejected the U.S. demand because it "considers any military act a type of terrorism." As the days passed, the State Department indicated that it was putting pressure on the PLO to expel Abul Abbas from its executive committee, but was ready to give Arafat sufficient opportunity to take the necessary steps to prevent a breaking off of the U.S.-PLO dialogue. After meeting for three days in Baghdad, the PLO executive committee issued a statement on June 7 which failed to condemn the raid or to take any action against Abul Abbas, warning that a break in U.S.-PLO contacts would be a "blow to the peace process" in the region.

Secretary Baker, who was attending a NATO foreign ministers' meeting in Scotland, reflected on June 8 on the U.S. dilemma in this matter. He spoke of terrorism as something that had to be taken "very, very seriously," but added that "peace in the Middle East is also a serious matter." He concluded that when all the facts were in, "we will act in a way that reflects our dual commitment to promoting peace and being resolute in countering terrorism." Bush too called on Arafat to "speak up," saying that the U.S.-PLO dialogue is "predicated in part on renunciation of terror," and in his view, "this is sheer terror." Pressure on the administration to act was coming not only from Israel but from members of Congress. Senators Frank Lautenberg (D., N.J.), Charles Grassly (R., Iowa), Connie Mack (R., Fla.), and Joseph Lieberman (D., Conn.) introduced legislation early in June urging the administration to end the dialogue.

On June 11, a statement issued by the PLO press agency said that the PLO was "against any military action that targets civilians, whatever form it may take." The statement was issued after Egyptian president Mubarak warned Arafat that failure to speak out would almost certainly lead to suspension of the dialogue. The administration, however, said it was "disappointed" with the PLO because it had "not explicitly condemned the Tel Aviv raid and refrained from any public comment on Abul Abbas."

Finally, on June 20, President Bush announced that the United States was suspending the 18-month discussions with the PLO. He said that "we have given the PLO ample time" and that the United States can't digest the dialogue as long as this terrorist act is sticking in our throat." Finally, speaking in Huntsville, Alabama, the president said the suspension was "not an easy call" because of the negative effect it was likely to have on the peace process. He indicated as well that if the PLO

condemned the attack and began "to take steps" to discipline Abul Abbas, the United States would be prepared to resume the dialogue immediately. Clearly, one factor pushing the administration was the imminence of a Senate resolution calling for suspension. According to one official, the White House "wanted to be seen as driving this process, not being driven by it."

Not surprisingly, the PLO criticized the move as "an unfriendly and provocative act" and called for economic sanctions against Israel. On the other hand, Israel welcomed the suspension as "an important and positive decision" and said it would be sending the administration new proposals on how to advance the peace process without the PLO. Egypt and Jordan offered muted responses, expressing "regret," but, in the words of Egypt, the hope that "this suspension of the U.S.-Palestinian dialogue will be lifted as soon as possible."

Clearly, the administration, which during the previous year had repeatedly articulated the view that the dialogue with the PLO was an important element in moving the peace process forward, took the step because events left it with no other choice. It is questionable whether in the months ahead the parties could have found a formula to renew the dialogue. With the emergence of the Gulf crisis at the beginning of August, attention moved away from the Arab-Israeli conflict, and relations between Washington and the PLO were further hurt by the PLO's decided tilt toward Baghdad from the outset of the crisis.

### *St. John's Hospice Affair*

On April 11, over 100 Orthodox Jews moved into a vacant building, the St. John's Hospice, in the Christian quarter of the Old City of Jerusalem. The action set off a protest by hundreds of Christian clericals and soon became an international affair. The Greek Orthodox Church claimed that it owned the property and that its tenant, an Armenian, had no right to sublease the building to Jews. The Jews said their move was intended to reestablish a Jewish presence in buildings they asserted had been inhabited by Jews in the 1920s, though several days later they dropped this argument. This was the first Jewish move into the Christian quarter since Israel captured the Old City in 1967. One focus of the criticism of the settlers was the fact that the action had taken place during Easter week. Mayor Teddy Kollek urged Jews to consider "how they would feel if singing and dancing Christians or Muslims moved into the Jewish quarter on Passover."

On April 18, Israel's High Court issued an eviction notice for the more than 100 Jewish residents of the buildings, but the law allowed them 21 days to respond. On April 22, what had started out as one more story of ideologically motivated Israeli citizens making claims for a Jewish presence turned into a more serious issue when the government acknowledged that it had secretly provided almost \$2 million to help establish the group in the hospice. The following day, the State Department sharply criticized the government of Israel, calling the aid "deeply disturbing," and saying that Ambassador William Brown would be "taking this issue up with the

government of Israel." State Department officials called the takeover of the hospice "an insensitive and provocative action" and expressed pleasure "that the Israeli courts have ordered the settlers' eviction."

Israel, however, reacted defiantly to the criticism. The Foreign Ministry stated, "It is the right of Jews to live everywhere, and to purchase or rent property in all parts of the land of Israel, and especially in Jerusalem." And the Prime Minister's Office called the matter an "ordinary commercial real estate transaction," with no affront intended to the Greek Orthodox Church. As for the financial assistance, it was deemed consistent with government aid provided for housing projects across Israel.

On April 26, Israel's Supreme Court upheld the eviction order. The settlers had until May 1 to leave the premises. The controversy began to die out, but not before Pope John Paul, in his Sunday address in St. Peter's Square on April 29, expressed "profound concern" over the "grave incidents that have occurred recently in the Holy City."

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