Review of the Year

UNITED STATES
Civic and Political

Intergroup Relations

JEWISH GROUPS GENERALLY SUPPORTED American military intervention in the Persian Gulf at the start of 1991, consistent with a UN resolution authorizing "all necessary means" to force Iraq to withdraw from Kuwait. Later in the year, disturbances in Brooklyn and the remarks of a black professor, Leonard Jeffries, fueled heightened anxieties among American Jews with respect to anti-Semitism, even as Jewish security in the United States remained essentially strong. The announced presidential candidacies of Patrick J. Buchanan and David Duke raised concern in the Jewish community about right-wing influence in politics. Some tension occurred in Catholic-Jewish relations—particularly regarding the visit to the United States of Polish cardinal Jozef Glemp—but in the end, ties between the organized Jewish community and the National Conference of Catholic Bishops were strengthened. In the area of the separation of church and state, both "establishment" and "free-exercise" protections were at risk. The Civil Rights Act of 1991 was passed by the Congress and signed into law by President George Bush.

The Gulf War

The first decision facing the 102nd Congress in January was whether to commit troops to war in the Persian Gulf. Despite a spate of diplomatic initiatives that followed Iraq's invasion of neighboring Kuwait on August 2, 1990, the elements for a major war were in place by January 1. Nearly one million troops were poised along Kuwait's border with Saudi Arabia. On November 29, 1990, the UN Security Council had adopted Resolution 678, an ultimatum to Iraq, setting a January 15 deadline and authorizing member states "to use all necessary means" to force Iraq to withdraw from Kuwait.

As the new Congress convened, its Democratic leaders spurned President George Bush's invitation for an open-ended vote of support for military intervention. The leadership, fearful of undermining final attempts at a diplomatic solution, also urged members to delay congressional action. But the Congress, with the Senate in the lead, haltingly began debate on January 4.

In the House of Representatives, two approaches emerged. A resolution offered
by Rep. Richard Gephardt (D., Mo.) asked that additional time be given to the economic sanctions policy—economic pressure put on Iraqi leader Saddam Hussein—before using the military option. A resolution spearheaded by Rep. Stephen J. Solarz (D., N.Y.), who characterized the Gulf crisis as “one of the transcendental issues of our time,” “authorize[d] the use of United States armed forces pursuant to United Nations Security Council Resolution 678.” On the Senate side, the most prominent, and perhaps most unexpected, voice of restraint was that of Sen. Sam Nunn (D., Ga.), the relatively conservative chairman of the Armed Services Committee, who argued forcefully for continuing tough economic sanctions rather than resorting to a quick use of military force.

The Jewish membership within each House of Congress was divided. With voting for the most part along party lines—Democratic members in large numbers preferring the continued use of economic sanctions to war—Rep. Solarz was noteworthy in his active support of the administration position. In the Senate, Joseph Lieberman (D., Conn.) was a cosponsor of the parallel resolution. In the weeks following the vote, two Democratic House members from New York—Charles Schumer and Nita Lowey—faced serious revolts in their districts from Jewish constituents. Schumer—whose Tenth District in Brooklyn was at the time threatened with redistricting into Solarz’s Thirteenth—later recanted. At a meeting with Jewish activists, he said that he had made a mistake in voting against the House bill.

A sharply divided Congress voted on January 12—three days before the expiration of the UN deadline—to go to war against Iraq if the Kuwait occupation was not ended. The congressional action marked the first time since World War II that Congress had directly confronted the issue of sending large numbers of American forces into combat. The Senate voted for the resolution by a 52–47 margin, with ten Democrats joining a virtually unanimous Republican delegation in support of the resolution. Minutes later, the House approved identical legislation by a vote of 250–183. The resolution was signed by President Bush on January 14, and on the evening of January 16 a resolute president told the nation of his decision to transform the massive military deployment known as “Operation Desert Shield” into the war known as “Operation Desert Storm.”

During the period of the congressional debate, Jewish groups affirmed their support of UN Resolution 678. Although a number of groups had expressed initial reluctance to support a resolution that would almost certainly lead to military action, Jewish organizations all across the political spectrum ultimately felt that they had no alternative but to support it, given the circumstances. (See “Jewish Communal Affairs,” elsewhere in this volume, for more on the Jewish debate.)

As for anti-Semitic fallout from the Gulf War, the view that American Jews were pressing for the war solely for Israel’s interest—a variation of the “dual loyalty” charge—found little support among most Americans, who were, in any case, overwhelmingly supportive of the war. Within the antiwar movement itself, however, there were resonances of anti-Semitism, much of it fueled by extremist anti-Semitic organizations (see “Anti-Semitism,” below).
RELIGIOUS DIFFERENCES

Among Jewish religious groups, the sentiment was overwhelmingly prowar. The Synagogue Council of America (SCA), an umbrella organization of the rabbinical and congregational bodies of the Orthodox, Conservative, and Reform movements, passed a resolution on December 19, 1990, characterizing military action as “justifiable” in order to “effectively deter or end Iraq’s capacity to threaten other nations,” even as peaceful means to end the conflict needed to be explored. The SCA view was in marked contrast to that of various Christian and other religious bodies that questioned the use of force and called for reflection and ongoing dialogue to resolve the situation.

The sweeping antiwar language of the National Council of Churches (NCC), articulated in its November 15, 1990, “Message on the Gulf and Middle East Crisis” (see AJYB 1992, p. 178), resulted, in the view of observers of Christian affairs, from pressure to find a rhetorical common denominator embracing all of its 32 denominations. According to Dale Bishop, Middle East director for the NCC, “Some are opposed to any war on fundamental theological grounds; others would say that war is justified in some circumstances, but not under the current circumstances.” The NCC message drew a sharp rebuke from a range of Jewish organizations over “the equation drawn [in the NCC message] between Iraq’s aggression and Israel’s occupation of the territories” and other points. The NCC, in a statement reported on February 22, reaffirmed its opposition to the war: “We opposed this war on moral grounds and remain opposed to it now.” But there was no unanimity among Protestant clergy, and a number of Christian voices around the country expressed support for the war.

By contrast, the National Conference of Catholic Bishops/U.S. Catholic Conference was not officially declared as opposed to the war. Nevertheless, its president, Archbishop Daniel Pilarczyk of Cincinnati, said, “We are deeply disappointed it has come to war.” And in a subtle but not unimportant shift, on February 14, Pope John Paul II rejected his previous stand of “peace at any cost,” articulated in more than 40 previous public statements, and called for a “just peace.” Analysts interpreted the pope’s new formulation as a response to criticism that he had identified himself too closely with the pacifist cause.

Notwithstanding their opposition to U.S. involvement in the Persian Gulf War, Christian groups were united and vocal in their condemnation of Iraq’s attacks on Israel. “There is a reservoir of good will for Israel,” said the American Jewish Committee’s national interreligious director, Rabbi A. James Rudin, even though “Israel’s behavior during the intifada was seen by many Christians as using up a lot of that good will.”

After the war ended, leaders of the Reform movement’s Union of American Hebrew Congregations (UAHC) and the National Council of Churches amicably resolved the sharp differences that divided them during the Gulf crisis and issued, on April 22, a joint statement about Israel and the Palestinians. The statement
expressed the hope "that all nations in the Middle East will be able to pursue peace through negotiation," and called on Israel's neighbors "to recognize her legitimate right to exist within internationally recognized borders." The single point of disagreement between the two religious groups was over who ought to negotiate with Israel: "The UAHC supports a process of open elections in the West Bank and Gaza. The NCC advocates the right of the widely dispersed Palestinian people to freely select their own representatives."

ARAB-AMERICANS

Concern was expressed during January by Jewish groups over reports that the Federal Bureau of Investigation planned to conduct interviews with Arab-Americans for the purpose of seeking information about possible Iraqi terrorist activity. The FBI, for its part, asserted that its interviews had the additional purpose of warning Arab-Americans about possible reprisals. Recalling the internment of Japanese-Americans in World War II, David A. Harris, executive vice-president of the American Jewish Committee, warned, "This could happen again," that "Arab-Americans could be unfairly linked to Iraq, whether or not they have supported the Iraqi invasion of Kuwait." He went on: "Necessary actions taken by our law enforcement authorities to protect U.S. security must at the same time be protective of the civil rights and liberties of Arab-Americans." Jewish community relations organizations maintained that, while governments have an obligation to prevent terrorist activity, insinuations of dual or diminished loyalty or any other intimidation based on ancestry or ethnic background were unacceptable.

Anti-Semitism and Extremism

EVALUATING ANTI-SEMITISM

While polling data continued to indicate that the level of negative attitudes toward Jews was at a low ebb, developments during 1991 deepened concern among most American Jews. Nonetheless, as measured by most major criteria for assessing anti-Semitism, the security of Jews in the United States remained strong.

A significant help in evaluating the picture was a new study, "What Do Americans Think About Jews?" prepared for the American Jewish Committee by Tom W. Smith of the National Opinion Research Center (NORC) of the University of Chicago and released in December. The study was based on data collected by NORC's General Social Survey, which studied in detail 57 ethnic groups in the United States, as well as data gleaned from a number of other studies and polls. Smith analyzed this profusion of data specifically for findings with respect to American Jews. The study concluded: "Today anti-Semitism in America is neither virulent nor growing. It is not a powerful social or political force." Nonetheless, Smith
cautioned that "anti-Semitism is not a spent force . . . [it] has not disappeared. In both latent and manifest forms it remains part of contemporary American society."

Some confirmation of this could be found in statistics compiled by the Anti-Defamation League (ADL), which reported 1,879 incidents of anti-Semitism in 1991. This figure represented the highest level of discrete anti-Jewish acts in the 13-year history of ADL's annual audit and an 11-percent increase over the number of incidents reported in 1990. It was the fifth straight year of increase in these forms of behavioral anti-Semitism. Further, the ADL reported that for the first time since the statistics were compiled, there were more attacks on Jewish individuals than against their property. Of the 1,879 incidents reported, 950 were incidents of anti-Semitic harassment, threats, and physical assault, as compared to 929 acts of vandalism. Moreover, the physical assaults—60 in all, double the 1990 figure—included one murder, that of Yankel Rosenbaum during the Crown Heights disturbance in August. (See below, "Anti-Semitism in the Black Community.") The number of serious crimes—arson, bombing, and cemetery desecration—was 49, a 29-percent increase over the previous high of 38 noted in both 1989 and 1990.

As noted above, relatively little expression of anti-Semitism was generated by the Persian Gulf War, although the Anti-Defamation League did report that approximately one-half of all anti-Semitic acts reported nationwide between January 16 and February 14—52 incidents—were linked to the war. One disturbing element was the use of anti-Semitic rhetoric in the antiwar movement. One of the major peace movements, the Coalition to Stop U.S. Intervention in the Middle East, reportedly permitted representatives of extremist anti-Semitic groups, such as the Liberty Lobby and the LaRouche organization, to speak on its behalf. Coalition organizers subsequently repudiated such activity.

The larger number of incidents reported by the ADL clearly suggested, in the eyes of analysts, that inhibitions and taboos against such expressions were eroding, together with a rising level of interethnic conflict in general in the United States. One area of growing concern during 1991 was the use of the electronic media—particularly "talk radio" and public-access cable television—as forums for anti-Semitic expression. Reports by the American Jewish Committee ("Hate on Talk Radio") and the Anti-Defamation League ("Electronic Hate: Bigotry Comes to T.V.") explored both the extent of the problem and the relevant Federal Communications Commission rules and First Amendment issues.

EXTREMIST GROUPS

There was a continuing decline in most extremist groups, in both membership and activity, during 1991. A report prepared by the Anti-Defamation League, "The KKK Today: A 1991 Status Report," released in February, placed the total membership of the different factions collectively known as the Ku Klux Klan at 4,000 (down from a peak of 11,500 in 1981). The report discussed the ten-year decline of the Klan and concluded: "There is little prospect of the Klan once again becoming
a significant force." Factors contributing to the decline in Klan membership—and that of other extremist groups as well—were the implication of members in violent crime, highly publicized civil and criminal trials, and the passage of hate-crimes legislation in numerous states. The ADL placed the membership of all hate groups in the United States at fewer than 20,000, approximately the same as in 1990; the Center for Democratic Renewal, an organization monitoring extremist-group activity, estimated that it was in excess of 25,000. According to Klanwatch, a project of the Southern Poverty Law Center, the number of discrete hate groups in the United States in 1991 totaled 346.

White supremacist Tom Metzger, a former Klan leader who headed the racist organization White Aryan Resistance (WAR), was once again in the news. Metzger, who lost in a $12.5-million verdict in 1990 in *Engedaw Berhanu v. Tom Metzger et al.*, was tried in August for his participation in a cross-burning ceremony in a Los Angeles suburb. On December 3—eight years to the day after 15 men joined in shouting racist slogans, giving Nazi salutes, and burning three large crosses in a Los Angeles canyon—Metzger was sentenced to a prison term of six months.

ANTI-SEMITISM IN THE BLACK COMMUNITY

The major source of anxiety among American Jews during 1991 with respect to anti-Semitism was anti-Semitism among African-Americans. This anxiety was fueled, in large measure, by two events: a speech by Prof. Leonard Jeffries, Jr., in July, and a riot in Crown Heights in August.

The Jeffries matter provoked a fire-storm of reaction from the Jewish community and counterreaction from the African-American community. The uproar was occasioned by a speech delivered on July 20 by Professor Jeffries, chairman of black studies at the City College of New York, at the Empire State Black Arts and Cultural Festival, held in Albany, New York. Jeffries framed his speech as a defense of the commission appointed by Thomas Sobol, New York State commissioner of education, to rewrite the public-school curriculum to include material of significant “multicultural” content. In his two-hour speech, however, Jeffries for the most part picked on the Jews and, to a lesser extent, the Italians. The speech included anti-Semitic swipes at Diane Ravitch, an assistant secretary of education, sociologist Nathan Glazer of Harvard, former New York City mayor Edward I. Koch, and City University of New York historian Arthur Schlesinger, Jr., whom Jeffries mistakenly identified as a Jew. An antiblack “conspiracy, planned and plotted and programmed out of Hollywood” by “people called Greenberg and Weisberg and Trigliani” was responsible for blacks being denigrated in films, asserted Jeffries. On slavery, Jeffries asserted in his July 20 speech that a Jewish conspiracy was the driving force behind the slave trade. In general, Jeffries accused “Russian Jewry” of conspiring with the Mafia to “put together a system of destruction of black people.”

Knowledgeable observers pointed out that the effort to promote Africa and African studies as part of the central public-school curriculum is not a priori
anti-Semitic and is, by and large, without an anti-Semitic component. On the extreme end of the multicultural movement, however, are those “Afrocentrists” who claim the superiority of all things African to anything non-African; many of these individuals have used anti-Semitic rhetoric—as well as anti-Catholic and anti-Muslim rhetoric.

The Jeffries speech did not come to public attention until August 5—two weeks before the Crown Heights disturbances—when it was first reported in the New York Post. While Jewish and other groups, a number of newspapers, and white elected officials, including New York governor Mario Cuomo, vigorously denounced Jeffries’ bigotry, black officials were largely silent on the matter. The Amsterdam News, a black newspaper, rallied to Jeffries’ defense. Jewish groups expressed appreciation at the overall level of public criticism of Jeffries but found the reluctance of black leadership to repudiate racism and anti-Semitism in their midst increasingly disturbing.

Jewish groups such as the American Jewish Committee, the American Jewish Congress, and the Anti-Defamation League immediately called upon City University chancellor W. Ann Reynolds to distance the university from Jeffries’ views. The executive committee of the faculty senate of the City College of New York, however, citing freedom of expression, declined to recommend censure. And City College president Bernard Harleston, a black, said on November 4 that, while he considered Jeffries to be “anti-Semitic,” he would defend keeping the professor in his position because dismissing him would “deepen the sense of crisis on campus.” On November 6, he said that statements undermining racial or ethnic groups were “deplorable,” but did not mention Jeffries or the speech, instead simply defending freedom of expression, in principle. Following an administrative review of the situation, the City University board of trustees voted on October 28 to reappoint Jeffries as chairman of black studies for a probationary period of one academic year, rather than dismiss him outright or extend his chairmanship by the customary three-year term. The Jewish Community Relations Council of New York termed the board’s decision “validation of Jeffries’ anti-Semitic and racist views.” The fact that “a racist can help to create tension and then use it to intimidate a major public institution proves that there is something drastically wrong with the process.” The American Jewish Committee criticized the City College trustees for saying, in effect, “that the preaching of hatred should not disqualify the bestowing of honors, that political expediency is more important than a strong stand against bigotry.”

The disturbance in August in the Brooklyn neighborhood of Crown Heights evoked equally strong concern but was a far more complex situation. Although cries of “Kill the Jew!” were heard in the streets, and the murder of Australian student Yankel Rosenbaum seemed clearly motivated by anti-Semitism, some analysts suggested that the root of the problem was not black anti-Semitism per se but the unique dynamics of the Crown Heights situation. Crown Heights is home to some 25,000 Jews—most of whom are Lubavitcher Hassidim, who began arriving in the neighborhood in the 1930s—and 100,000 blacks, including a sizable population of Carib-
Deep-seated "tribal rivalries" over land, housing, political power, and culture—and not anti-Semitism—were at the heart of the Crown Heights manifestations, suggested sociologist Jonathan Rieder in the *New Republic* (October 14, 1991). These rivalries, however, "easily upset the delicate balance between pluralism and difference," said Rieder, resulting in an atmosphere of profound misunderstanding during crisis situations, such as the one that occurred in August.

The August 19 events were ignited when a car driven by Yosef Lifsh, a Hassid who was driving in a motorcade escorting the Lubavitcher Rebbe, Menachem Mendel Schneerson, through Crown Heights, jumped a curb and struck seven-year-old Gavin Cato, killing the black child and injuring his cousin. A private Jewish ambulance service, Hatzolah, arrived within minutes of the accident—almost simultaneously with a New York City ambulance. As a crowd of 100 to 150 was gathering, police advised the Hatzolah ambulance to remove Lifsh, who was already being beaten by blacks in the crowd, from the scene. It was widely believed that the Jewish ambulance ignored the injured black children because they were black and treated the Hassidim because they were Jews, though subsequent investigation failed to confirm this. In the ensuing riot, cries of "Get the Jews" and "Jews! Jews! Jews!" were heard.

Three hours after the accident, and three blocks from the scene, 29-year-old Yankel Rosenbaum, an Australian Hassid who had come to New York to study anti-Semitism, was stopped in his car by a gang, assaulted, held down, and stabbed. Rosenbaum died later that night. The riots lasted three days and resulted in injuries to 65 civilians and 158 police officers, as well as significant property damage.

Blacks from outside the community, most notably the Reverend Al Sharpton and Sonny Carson (a longtime black activist), were instrumental in fomenting the riot. Also of significance, in the view of most observers, was the role played by the press. Looking for a "story," press reports tended to downplay—or not cover at all—constructive statements of some black leadership, focusing instead on the violence.

Lingering questions remained afterward about the role played by black leaders—and by Jewish groups—during the riot. "We may have had unrealistic expectations of a black leadership that simply didn't exist—a naked emperor playing no role in the community," commented one Jewish official. At the same time, mainstream Jewish organizations were noticeably hesitant in their own initial responses: none mentioned anti-Semitism in its public statements the first few days after the disturbances. One element in the slow Jewish response was undoubtedly the fact that mainstream Jewish organizations were generally distant from the Hassidim and ambivalent toward them. They also hesitated to disrupt the already fragile black-Jewish coalition in the city. Indeed, it was not until 11 days after the riot's eruption that the ADL characterized the black reaction as "anti-Semitic." ADL national director Abraham H. Foxman, on August 30, explained his agency's "self-imposed restraint" as "a desire not to hurt those who were hurt in the past," referring to the blacks.

Even as Jewish groups acknowledged the reality of anti-Semitism as a factor in
the Crown Heights situation, several Jewish leaders expressed the view that there would be no peace in Crown Heights—and little hope for a lessening of black-Jewish tensions—until root causes of those tensions were examined. “It’s not too late,” suggested Albert Vorspan of the Union of American Hebrew Congregations. “Charges of preferential treatment [made by blacks of Jews in the neighborhood] need to be thoroughly examined.” Vorspan further noted that the Crown Heights confrontation constituted the first instance in American Jewish history in which there was a physical confrontation between black and Jewish populations.

While some observers believed that Crown Heights was unique, that the conditions underlying the violence there were not present elsewhere, others saw Crown Heights as a symbol of the breakdown of the black-Jewish relationship in general. Author Jim Sleeper, a white, Jewish analyst of black-Jewish affairs, argued that if Jews and blacks were “the closest of strangers before,” the riots tore the communities farther apart than ever. “The relationship,” asserted Sleeper, “is dead. The silence of the black leadership really killed it. But the romance had been one-sided for some time. I sense that on the part of the blacks it’s been dead for a lot longer.”

Jewish leaders differed in their assessments of black anti-Semitism in the aftermath of Crown Heights. To ADL’s Foxman, the Crown Heights riots may have been the catalyst the Jewish community needed to overcome its deep reluctance based on “color consciousness” to address the specter of “anti-Semitism that is all over the place in Crown Heights” and on the rise elsewhere.

Henry Siegman, executive director of the American Jewish Congress, had a different view. The issue, suggested Siegman, was more one of black-white race relations in the society at large than of anti-Semitism in Crown Heights. “It is strategically dumb and factually incorrect,” said Siegman, “to insist that the violence in Crown Heights is essentially a black-Jewish problem. It is not. It is essentially a black-white problem, and it seems to me that for Jews to insist that it is a black-Jewish problem is to take the monkey off the back of white Americans and to put it on our own back.” Echoing this view from a black perspective, Princeton University scholar Cornell West suggested that “black anti-Semitism is a species of anti-whitism.” As such, it could conceivably be interpreted as black anger directed at the most visible manifestation of white power in the neighborhood. Knowledgeable observers suggested that the true nature of “black anti-Semitism” would not be understood until there was a serious ethnographic study in the street.

Several conclusions could be drawn from the Crown Heights events. First, while animosity toward Jews per se played a part, long-standing, deep-seated community rivalries clearly lay at the root of the riots. Second, a seriously distorted picture of the event was reported in the media. Blacks and Jews were consistently portrayed as antagonists throughout the affair, yet constructive efforts by blacks and Jews, working together in the neighborhood, kept tensions from building further than they did. Third, although several black leaders denounced the violence, questions remained about the responses of both black and Jewish influentials as well as the roles played by community organizations, the police, and other government institutions.
Jewish groups called upon the U.S. Justice Department to look into possible civil-rights violations that may have been committed during the disturbances.

POLITICAL ANTI-SEMITISM

Controversy continued to swirl around syndicated columnist Patrick J. Buchanan over his remarks in August 1990, during the Gulf crisis, referring to American Jews in relation to Israel as the "amen-corner." In late December of this year, three weeks after Buchanan announced his candidacy for the presidency, he was the subject of a "case study" in a special issue of the National Review, a conservative weekly edited by William F. Buckley, Jr., entitled "In Search of Anti-Semitism" (December 30, 1991). Buckley found it "impossible to defend Buchanan against the charge that what he said during [the Gulf crisis] amounted to anti-Semitism, whatever it was that drove him to say it; most probably an iconoclastic temperament." Nonetheless, Buckley suggested that critics of Buchanan at the time may have overreacted.

The activities of former Ku Klux Klan leader David Duke were again a matter of concern as he continued his quest for electoral legitimacy. Duke, who had garnered 44 percent of the vote in a 1990 Senate race in Louisiana, ran for governor of Louisiana on the Republican ticket. He qualified for the runoff in the 1991 gubernatorial race by placing second in a nonpartisan primary election in October. In the runoff election on November 16, Duke received some 700,000 votes—39 percent of the total, including 55 percent of the white vote. The 96 percent of the African-American vote against Duke assured victory for Duke's runoff opponent, Edwin W. Edwards.

Duke, who was a Klan leader from 1975 to 1980 and who associated with neo-Nazi groups throughout the 1970s, made an effort during the campaign to shed his Klan and racist image and ran his campaign in the guise of a devout Christian. He skillfully exploited voter hostility to "big government," and many voted for him despite his racial views. According to exit-polling conducted by Voter Research Surveys and interpreted by Melman and Lazarus, 27 percent of voters supported Duke because of his views on the state's economy, 39 percent because of government corruption, and only 12 percent because of the candidate's views on racial issues.

President George Bush and other Republican leaders disavowed Duke after the October primary, but the president issued a more vigorous denunciation on November 6, ten days before the runoff election: "When someone has an ugly record of racism and bigotry, that record simply cannot be erased by the glib rhetoric of a political campaign."

Jewish communities within Louisiana worked within the framework of the Louisiana Coalition Against Racism and Nazism, a broad-based intergroup political action committee, in countering Duke's candidacy. Most national and local Jewish groups were constrained from becoming involved by the absolute ban on political activity imposed by Sect. 501(c)(3) of the Internal Revenue Code. The Duke election evoked concern about the willingness of the large numbers of Americans
who are not anti-Semitic—indeed for whom Jews are not an issue—to vote for a candidate who appeals to them on issues of concern, even if the candidate espouses racist and anti-Semitic views. There was little evidence, however, of an emergent political anti-Semitism during 1991 elsewhere in the country.

HOLOCAUST REVISIONISM

Holocaust revisionism—the denial of the Holocaust or of its extent, often by pseudo-scholars—found its main expression in 1991 in a series of advertisements offered for placement in campus newspapers around the country. In November, Bradley R. Smith, head of the revisionist Committee for Open Debate on the Holocaust, began submitting the ads, which claimed that the “myth of the Holocaust” was created by Zionist organizations in order to promulgate anti-German propaganda. The ads did appear in some newspapers but were rejected by a majority of editorial boards and advertising directors. University-based Hillel groups played a major role in exposing the false content of these advertisements. Indeed, observers noted that the publication of the ads and the attendant controversy raised awareness on a number of campuses of the anti-Semitic agenda of the revisionists.

Fred A. Leuchter, Jr., a Massachusetts builder and repairer of execution equipment and author of a 192-page document claiming that gas chambers were never used for execution during the Holocaust, lost considerable credibility this year as a self-appointed expert witness on the subject. He was forced to sign a consent agreement on June 11 with the Massachusetts Board of Registration of Professional Engineers and Land Surveyors, admitting that he was not an engineer and agreeing to “cease and desist” from commenting authoritatively on gas chambers.

ANTI-SEMITISM ON THE CAMPUS

The number of anti-Semitic incidents on college campuses slightly increased in 1991, with 101 acts reported at 60 campuses, as compared to 95 in 1990. Overall, according to Melanie Schneider of the National Jewish Community Relations Advisory Council, while most Jewish students on campuses around the country felt secure, “many among the Jewish student leadership are feeling increasingly uneasy.” Nonetheless, most incidents on college campuses occurred around “flash points,” such as invited speakers who carried an anti-Zionist or anti-Semitic message. One such speaker, Kwame Toure (black activist Stokely Carmichael), continued his rounds of the campuses in 1991. Following Toure’s speech at Amherst College in Massachusetts in February, an Israeli flag owned by Jewish students was set on fire. City College of New York professor Leonard Jeffries (see above) was on the campus speaking circuit as well during the autumn of 1991.

In Los Angeles, after months of shilly-shallying and amid rising indignation in the Jewish community, the administration of the University of California, Los Angeles, took action on May 23 against a black student magazine, NOMMO, for
its persistent "highly offensive and blatantly anti-Semitic statements," withdrawing student-affairs advertising from the magazine. NOMMO had, in February, approvingly cited excerpts from The Protocols of the Elders of Zion and Henry Ford's The International Jew: The World's Foremost Problem, and continued to publish anti-Semitism in May. The university action came in response to a campaign spearheaded by the Los Angeles Jewish Community Relations Council, Anti-Defamation League, and the Los Angeles Hillel Council that included a faculty "teach-in."

LEGISLATIVE AND JUDICIAL ACTIVITY

Following passage in 1990 of the Hate Crimes Statistics Act, on January 1 the Federal Bureau of Investigation began collecting statistics on crimes based on prejudice against race, religion, ethnicity, or sexual orientation. The Justice Department's Civil Rights Division reported that through March 1991 the department had indicted 139 defendants in 26 states for "hate crimes" under the Religious Violence Act (passed in 1990) and other legislation; of these, 126 resulted in convictions.

In 1991, 47 states, in addition to the federal government, had some form of hate-crimes, ethnic-intimidation, or bias-motivated violence laws. Three of these states passed new statutes and four strengthened existing law during 1990 and 1991. However, the constitutionality of such laws was challenged in a number of states as well as in the U.S. Supreme Court in R.A.V. v. City of St. Paul (see AJYB 1992, p. 189). No decision was reached during 1991 on this case. Challenges to hate-crimes laws—on the grounds that they violate free-speech or due-process protections—were mounted in federal and state courts in California, Florida, Georgia, Ohio, Vermont, Virginia, Washington, Wisconsin, and the District of Columbia. In Ohio two courts of appeal arrived at different conclusions regarding the constitutionality of that state's ethnic-intimidation statute. Ohio v. Wyant found that the law was not overbroad and therefore did not violate freedom-of-expression protections. Ohio v. van Gundy ruled that the Ohio statute was both overbroad (and therefore violates First Amendment free-speech rights) and vague (thereby violating the due-process clause of the First Amendment). Both cases were appealed to the Ohio Supreme Court. The Anti-Defamation League filed an amicus brief in Ohio v. van Gundy.

Another hate-crimes-law case that reached its state's highest court in 1991 was State of Wisconsin v. Todd Mitchell, in which an appeals court in June upheld the constitutionality of Wisconsin's statute.

There were further developments in the so-called Merchant of Venice case, Weiss v. United States, in which a federal prosecutor on a Medicare and mail-fraud case repeatedly referred to Shakespeare's A Merchant of Venice and harped on defendant Steven Weiss's greed, clearly invoking the character of Shylock, a classic and libelous anti-Semitic stereotype. While the U.S. Second Circuit Court of Appeals in New York was troubled by the prosecutor's remarks, it rejected a new trial for Weiss based on those remarks. In August the Anti-Defamation League, the American
Jewish Congress, and Agudath Israel of America joined in an *amicus curiae* brief in support of a petition of *certiorari* asking the U.S. Supreme Court to review the case.

**OTHER MATTERS**

For the fourth year in a row, the National Alliance, a racist and anti-Semitic neo-Nazi group that owned 100 shares of stock in the American Telephone and Telegraph Company, submitted a proposal to the AT&T annual shareholders' meeting on April 17 calling on shareholders to stop providing products and services to Israel. The AT&T board of directors recommended against the proposal, characterizing it as "lacking credibility and misleading, given the consistent anti-Semitic bias of the proponent." Jewish groups were nuanced in their approach on this issue, however. "We never want to give these groups the visibility they don't deserve," said the National Jewish Community Relations Advisory Council, reflecting the view shared by most Jewish groups. "At the same time," said the group's spokesman, "our long experience has taught us that the best counteraction against groups such as the National Alliance is public exposure . . . they are repudiated by the American body politic and individual Americans." As expected, 96 percent of AT&T shareholders voted against the proposal.

Congressional resolutions introduced by Sen. Alfonse D'Amato (R., N.Y.) and Rep. Ray McGrath (R., N.Y.) called upon the German and Austrian governments to "halt the distribution of neo-Nazi computer games and prosecute those in possession of those materials." The measure was passed in both Houses as an amendment to the Foreign Aid Authorization Bill. There were no reports of the video games—which bore such names as "KZ Manager" and "Aryan Test"—having been distributed in the United States. A troubling matter of free-speech protection came to the fore when it was learned that Prodigy Services, an on-line computer service owned by IBM and Sears, permitted subscribers to post anti-Semitic messages on its computer "bulletin board" while disallowing responses to those messages. Representations made by the Anti-Defamation League in October resulted in an agreement by Prodigy to amplify its guidelines to consumers of the service, in which the company requested Prodigy members not to post offensive notes. At the same time, Prodigy asserted that these forms of expression constitute protected behavior.

Rock star Madonna angered Jewish groups with her song "The Beast Within," released in late December 1990, which included a verse from the New Testament Book of Revelations (2:9): "... and the slander of those who say they are Jews, but they are not, they are a synagogue of Satan." Jewish groups noted that the "Jew-as-Satan" image was a notorious piece of anti-Semitica. Madonna responded on January 4, asserting that she had no anti-Semitic intent, and that her message was "pro-tolerance and about love."

In November, the Anti-Defamation League and the B'nai B'rith of Canada
League for Human Rights convened a conference in Montreal on worldwide anti-Semitism, bringing together scholars, journalists, and community leaders in an effort to assess the changes in levels of anti-Semitism in various countries.

**Political Affairs**

**BUCHANAN AND DUKE**

The electoral off-year 1991 was noteworthy in terms of what it presaged for 1992, a presidential-election year. Two right-wing figures announced their candidacies for the presidency: David Duke, who was defeated in November in the gubernatorial race in Louisiana, but garnered 39 percent of the vote; and syndicated columnist Pat Buchanan. Duke, declaring his candidacy on December 4 for the Republican party nomination, highlighted in his declaration speech the undermining of “Christian society.” The National Jewish Coalition, a group of Jewish Republicans, arguing that Duke was a “bipartisan problem,” suggested that Duke’s candidacy would not cost President George Bush—or any other Republican candidate—Jewish votes in November 1992.

The candidacy of Patrick J. Buchanan, on the other hand, announced on December 10, clearly complicated the Republican party’s quest for the Jewish vote. Analysts—recalling the history of 1984 and 1988, when the Reverend Jesse Jackson ran for the Democratic nomination—suggested that Buchanan in the race would make it more difficult to convince Jewish voters that the Republican party was not hostile to their interests. While Buchanan was considered to be more respectable than Duke, he had in the past questioned the dual loyalty of American Jews to Israel and America, shown some sympathy for suspected Nazi war criminals, and supported the presence of the Carmelite convent at the Auschwitz/Birkenau death-camp site.


The election in Pennsylvania on November 5 of interim senator Harris Wofford to the three-year unexpired term of the late John Heinz, defeating former U.S. attorney general Richard Thornburgh, was greeted with relish by Jewish Democrats. Although Wofford and Thornburgh were equally supportive of Israel, many pro-Israel activists preferred Wofford over Thornburgh. Morris Amitay, former director of the American Israel Public Affairs Committee (AIPAC), said that support of Wofford was justified because Thornburgh, who served under President Bush, “owed the president too much to break with him on any issue,” spelling
possible trouble if Bush continued to block the loan-guarantee package.

In one of the two off-year races for the House of Representatives, Lucien Blackwell, a Democrat, defeated three candidates to win the seat vacated by Rep. William Gray, who resigned from Congress to become president of the United Negro College Fund. Gray, who represented a Philadelphia district, had close ties to the Jewish community in that city and to Jewish groups nationally. Also in Philadelphia, Edward Rendell was elected the city's first Jewish mayor.

LEGISLATIVE DEVELOPMENTS

A change was made in the passport law that affected travelers to both Israel and Arab countries. Legislation introduced by Sen. Frank Lautenberg (D., N.J.) and Rep. Howard Berman (D., Calif.), as part of the 1992 State Department Appropriations Bill (passed and signed into law in October), barred the use of passports stamped with the words "Israel only." Consular officials had issued such passports as a service to citizens wishing to travel to both Israel and Arab countries, which routinely denied entry to those carrying passports with Israeli visas. (Indeed, in March, the Saudi and Kuwaiti governments had denied visitors' visas to Sen. Lautenberg because his passport contained Israeli entrance stamps.) The change was made because the practice was seen as reinforcing Arab ostracism of Israel.

REDISTRICTING AND REAPPORTIONMENT

Jewish groups expressed concern over the possible consequences of electoral redistricting based on the 1990 census. New York, Illinois, Michigan, Ohio, Pennsylvania, New Jersey, and Massachusetts—all states with concentrations of Jews—were among those states that lost seats, according to figures released by the Census Bureau in July.

Of particular concern was the application of the Voting Rights Act of 1965 and the 1982 amendments to the act which, as interpreted by the U.S. Supreme Court, served as a mechanism for guaranteeing minority representation. A harbinger of the kind of problem that could arise developed in New York in 1991. Consistent with interpretations of the provisions of the Voting Rights Act amendments—that the race of communities be considered in the carving up of electoral districts—the New York City Districting Commission in June passed a plan for the city that would have gerrymandered at least one Jewish City Council member out of her district. Jewish groups reacted vigorously to the "mirror-image" representation scheme. In a July 15 letter to the Justice Department's Voting Rights Section, the American Jewish Congress, the Anti-Defamation League, B'nai B'rith District 1, the National Council of Jewish Women, the Union of Orthodox Jewish Congregations of America, the Workmen's Circle, and the New York Jewish Community Relations Council charged that the plan was "illegal under both the Voting Rights Act and the Constitution." The point was underscored by Washington attorney Nathan Lewin,
a longtime participant in Jewish legal affairs: "The Constitution doesn't permit any government agency to determine the race of an elected official." The Justice Department on July 23 rejected the idea that the Voting Rights Act required minority electoral districts to elect minority representatives and sent the commission back to the drawing board. At year's end a number of redistricting and reapportionment plans under consideration around the country were being monitored by Jewish groups.

OTHER MATTERS

Among the long-awaited and eagerly welcomed public-affairs actions of 1991 was the repeal on December 16 by the United Nations of Resolution 3379, which said that "Zionism is a form of racism and racial discrimination." Repeal of Resolution 3379, passed in 1975, had been a cornerstone of Jewish public policy for more than a decade and a half. In November, in anticipation of the UN vote, the U.S. Senate passed a resolution, 97-0, calling upon the United States and the Soviet Union to lead an effort to repeal the measure. (See "The United States, Israel, and the Middle East," elsewhere in this volume, for more on the subject.)

A flap surrounding White House chief of staff John Sununu's misuse of government transportation for private travel spilled over into the Jewish community in June. An unsourced item in the June 21 Wall Street Journal reported, "Israel supporters quietly campaign against him [Sununu], spreading their complaints about his ties to Arab-American groups." The story gathered steam when Rowland Evans and Robert Novak (Washington Post, June 24) cited unnamed sources who said that Sununu believed the "attacks . . . have come because he is a second-generation Lebanese-American who is not fully supportive of Israel's demands on the United States." In other words, Sununu believed that the Jewish community was out to get him because of his Middle East views. Matters were further complicated by the appearance on June 27 of a column, "Sununu Blames the Jews," by William Safire in the New York Times; and a news article by David Twersky in the English-language Forward, which criticized Sununu for his involvement in the creation of a new organization, the Arab-American Council.

Sununu immediately denied that he blamed Jews and other supporters of Israel for the controversy raging over his unreimbursed travel and other questionable practices. In a telephone call to the Conference of Presidents of Major American Jewish Organizations on June 26, Sununu replied to a letter from Malcolm Hoenlein, Presidents' Conference executive director, and Shoshana Cardin, conference president, and said that he never made the allegations. On June 27, Sununu held a conference call with American Jewish Committee executive vice-president David Harris, Anti-Defamation League national director Abraham H. Foxman, Meyer Mitchell of AIPAC, and George Klein, a leading Jewish Republican, in which he advised the Jewish leaders of a statement he was releasing that read, in part: "I am not blaming anybody but myself for the flurry of recent events nor am I engaging
at all...to suggest any involvement by any one or any groups in what has taken place or been reported.” And in letters to Hoenlein and Foxman, Sununu recalled his “good and productive working relationship” with Jewish organizations and expressed his intention to “continue working with all of you in an accessible and forthright manner.” Many Jewish leaders, who had been uneasy about Sununu since President Bush named him chief of staff, were privately outraged that Sununu may have sought, despite his denials, to blame Jews for some of his problems. At the same time, as Kenneth Jacobson of the ADL noted, “our principal role was to make clear, on the one hand, that scapegoating Jews was intolerable; and on the other hand, that accusations against an official for activities based only on his ethnic ties were also unacceptable.”

Finally, various Jewish groups expressed support for the plight of some 7,000 Haitians who fled Haiti, most in small boats headed toward the United States, after a military coup deposed democratically elected Haitian president Jean-Bertrand Aristide on September 30. The Bush administration’s policy of returning refugees to Haiti was temporarily restrained on December 3 by a federal district court judge in Florida, whose ruling was overturned on December 17 by a federal appeals court in Atlanta. Supreme Court review was expected. A statement of support for the plight of the Haitian refugees first came from a coalition of Hassidic groups in the Crown Heights, Williamsburg, and Boro Park sections of Brooklyn, New York, in early December. Statements of support soon followed from other groups, including the American Jewish Committee, the Jewish Labor Committee, the Union of Orthodox Jewish Congregations of America, the American Jewish Congress, the Hebrew Immigrant Aid Society, and the Anti-Defamation League, all of whom called upon the administration to reverse its repatriation policy.

Soviet Jewry

The resettlement in Israel of Jews from the former Soviet Union was a major area of Jewish public-policy activity. The specific focus was Israel’s request to the United States to guarantee, by acting as a co-signatory, a loan for $10 billion to assist in absorption of the immigrants. (It was estimated in early 1991 that approximately one million new immigrants, mostly from the Soviet Union, were expected to arrive in Israel over the next three to five years.) Jewish groups attempted to make the case to the administration and the Congress that the absorption of Soviet immigrants was not simply a “Jewish” issue but a humanitarian concern shared by the United States. Moreover, argued Jewish groups, the loan-guarantee program, far from being a drain on American resources, would yield economic benefits, such as profits to American financial institutions servicing the loans, increased Israeli purchases of American goods and services, and so on. The administration, however, saw the question in the context of settlement building in the West Bank, which it strongly opposed, and as a possible obstacle to a Middle East peace conference.

The formal request from Israel to Secretary of State James Baker for the guaran-
tees came on September 7, after—and despite the fact that—President Bush announced that he would ask the Congress not to act on the Israeli request for 120 days, in order to allow the planned peace conference to get off the ground. The request was for a total of $10 billion in five annual installments of $2 billion each for fiscal years 1992 through 1996. On September 11, the president said that he was not committed to supporting the $10-billion guarantee.

On September 12, more than 1,000 activists converged on Washington from communities around the country to lobby the Congress to act swiftly on Israel’s request. The president, at a hastily convened news conference, repeated his request for a 120-day delay in congressional consideration, in order to “avoid a contentious debate.” Jewish groups were upset, however, more by the president’s words and tone than by his political message. In the televised news conference, the president unleashed an unprecedentedly sharp attack on the Jewish community leaders who had come to Washington, characterizing the activists as “powerful political forces” and himself as “one lonely little guy down here.” Jewish groups strongly criticized the president, both for his decision to postpone consideration of the guarantees and for the nature of his remarks, which echoed classic anti-Semitic charges of Jewish power and manipulation. In a letter sent on September 17 to Shoshana Cardin, chairwoman of the Conference of Presidents, the president asserted that his remarks were not meant to be pejorative. “I have great respect for the exercise of free expression in the democratic process,” he wrote. “Politically organized groups and individuals are a legitimate and valued part of the decision-making process in a democracy.” Nonetheless, many observers continued to view the September 12 remarks as a hostile expression.

The options before Congress during the last three months of 1991 included amending the foreign operations appropriations bill to include the loan guarantees; introducing clean bills; or following the president’s request to wait until January to introduce the legislation approving the guarantees. The ambivalence of many members of Congress came into play during this crucial period. While a clear majority in the Senate supported the guarantees, there was no willingness, in the words of one Jewish official, “to stand up and fight once the president called for a delay.” On October 2, senators who had been working on behalf of the loan guarantees formally acceded to the president’s 120-day-delay request. At year’s end, the proposal awaited the beginning of the Second Session of the 102nd Congress. Jewish groups continued making the case for loan guarantees as a humanitarian issue.

In recognition of the steady flow of immigrants from the Soviet Union, on June 3, President Bush extended the temporary waiver of the Jackson-Vanik Amendment granted in December 1990 for a one-year period. (Jackson-Vanik, passed in 1974 as an amendment to the U.S. Trade Act of 1974, imposed restrictions on U.S. trade with the Soviet Union and linked “most-favored-nation” status to Soviet-Jewish immigration.) The waiver of Jackson-Vanik was a prelude to congressional passage in November, and presidential approval on December 9, of a U.S.-Soviet agreement that included MFN status for the USSR. The president had held off submitting the
pact, signed in June, to Congress for ratification until the Soviet legislature passed
a law guaranteeing Soviet citizens the right to emigrate freely. The legislature
adopted such a law on May 20.

**Black-Jewish Relations**

Notwithstanding the tensions surrounding Crown Heights and other events, or
declarations about the demise of the black-Jewish coalition, there were some positive
developments to report. A recent study commissioned by the American Jewish
Committee found that Jews had more positive attitudes toward blacks and a greater
commitment to equal opportunity than did other white Americans. The study,
"Jewish Attitudes Toward Blacks and Race Relations," by Tom W. Smith, director
of the General Social Survey of the University of Chicago's National Opinion
Research Center, found "no evidence of a Jewish backlash against the goal of racial
equality or against blacks as a group, either as part of a general movement away
from liberalism or as a specific result of racial conflicts with blacks."

In Kansas City, the city's first black mayor, Emanuel Cleaver, credited the Jewish
community with playing a "major role" in his victory in an April election. While
the community's agencies were proscribed from articulating formal support of any
candidate, Jewish support "added credibility to the campaign." And in many com-
munities faced with municipal budget cuts, intergroup coalitions formed to make
their collective voice heard in city councils and state houses around the country.

*Common Road to Justice: A Programming Manual for Blacks and Jews*, published
by the Religious Action Center of Reform Judaism, outlined programmatic initia-
tives that had been undertaken in hundreds of communities around the country. The
manual was the result of a project cosponsored by the National Association for the
Advancement of Colored People and the Union of American Hebrew Congrega-
tions, a parent body of the Religious Action Center.

In a public-policy area with long-standing implications for black-Jewish relations,
Jewish groups were divided on the Bush administration's decision on July 10 to lift
the economic sanctions imposed on South Africa by Congress in 1986, over Presi-
dent Reagan's veto. The National Jewish Community Relations Advisory Council
(NJCRAC), arguing that the legal criteria for lifting sanctions had not been met,
urged Jewish organizations to lobby the Congress to block President Bush's deci-
sion; and failing congressional action, to challenge the decision in the courts. Other
Jewish groups took different positions. The Anti-Defamation League supported the
president's action, accepting Bush's "assessment that South Africa has met the
conditions for change embodied in the sanctions act." The Union of Orthodox
Jewish Congregations, while not immediately adopting a position on the matter,
raised questions about the NJCRAC stance, suggesting that the views of South
African Jewry needed to be considered.

A meeting between African National Congress president Nelson Mandela and
representatives of four national Jewish organizations, held in Washington on De-
Mandela reaffirmed the long-standing affection and cooperation between the ANC and South African Jews.

Catholic-Jewish Relations

The close, cooperative relations that existed between American Jews and American Catholics, on the national and local levels, were both tested and enhanced by developments this year.

POLAND: CARDINAL GLEMP; AUSCHWITZ

The visit of the Polish primate, Jozef Cardinal Glemp, to the United States—to visit Polish-American communities in 15 cities in September and October—provoked significant controversy within the Jewish community. The controversy dated back to August 1989, when Glemp delivered a homily at the Jasna Góra monastery in Czestochowa, Poland—the site of the “Black Madonna” shrine and therefore the focal point of Polish Catholic nationalism and religion—harshly criticizing the Jews, asserting that Jews controlled the mass media, “got peasants drunk,” and felt “superior” to other people. He further accused New York rabbi Avraham Weiss and Weiss’s followers, who had trespassed on the grounds of the Carmelite convent at Auschwitz, of plotting the “killing of our sisters.” Cardinal Glemp’s remarks were criticized by many Catholic religious leaders, especially by bishops in the United States and Europe, and his planned pastoral visit to the United States had to be put off. The 1991 visit to the United States was his rescheduled visit.

In the view of Jewish interreligious leaders, Glemp had never adequately apologized for his words. Thus, when the National Conference of Catholic Bishops (NCCB) in August invited Jewish leaders to a meeting with Glemp on September 20, a number of groups insisted that the cardinal first apologize for his Czestochowa remarks. On August 12, following a series of consultations between Jewish leaders and the NCCB, Cardinal Glemp, at the urging of Archbishop William Keeler of Baltimore, vice president of the NCCB, sent a letter to Archbishop Adam Maida of Detroit. In his letter to Maida, Glemp enumerated some of the Polish Catholic church’s initiatives in Polish-Jewish affairs, but he did not repudiate his August 1989 remarks. Still, Jewish leaders by and large agreed that a meeting with Glemp could be a vehicle for further clarification of his views and for discussing other matters on the Polish-Jewish agenda.

Cardinal Glemp did not fully retract his 1989 remarks at the September 20 meeting in Washington, nor at a meeting with Jewish leaders on October 6 in New York. In a prepared statement read at the September 20 meeting, he asserted that
he regretted the pain caused by his comments, but said that these comments "were in many aspects based on mistaken information." Nonetheless, the view expressed by most Jewish groups was that the meeting as a whole constituted a step forward and could lead to progress in Polish-Jewish relations in a number of areas discussed: anti-Semitism in Poland, curricula on Judaism in Polish seminaries, the condition of Jewish cemeteries in Poland, the timely implementation of the Auschwitz convent agreement.

Analysts of Catholic-Jewish relations took the position that what Cardinal Glemp believed with respect to Jews was far less important than his actions. They suggested that he was shrewd enough politically to understand the benefits that might accrue to his Polish Catholic flock, from the American government and elsewhere, through adherence to the teachings of Vatican II on the Jews. The Glemp meeting also served to enhance Jewish relations with the National Conference of Catholic Bishops, which from the outset—and particularly Archbishop Keeler—wanted the meeting to take place.

The issue that lay close to the heart of the Glemp matter was that of the Carmelite convent abutting the Auschwitz/Birkenau death-camp site. Construction of the interfaith "study center" and quarters for the Carmelite nuns was completed in 1991, but serious inflation in Poland during the year wiped out much of the capital that had been raised for completion of other facilities, including a new convent, several hundred meters from—and out of sight of—the death camp. At year's end the nuns were yet at their old convent. In July the newly elected superior-general of the Carmelite order, Father Camilo Maccise, said that the nuns would move no sooner than October 1992.

A signal development in Polish-Jewish relations—and in Catholic-Jewish relations generally—was the reading in Polish churches, during Sunday services on January 20, of a bishops' pastoral letter on anti-Semitism and Christian-Jewish relations. The letter, signed by all of Poland's bishops, including Cardinal Glemp, was a detailed statement on Jews and Judaism, anti-Semitism, and the Holocaust. It expressed "sincere regret for all the anti-Semitism committed at any time or by anyone on Polish soil" and asserted, "We must ask for forgiveness." The Polish bishops' pastoral was viewed as an important follow-up to the September 1990 "Prague Declaration" by Catholic and Jewish leadership on anti-Semitism in Eastern Europe. "As a pastoral letter, and not merely a statement," said Rabbi Leon Klenicki of the Anti-Defamation League, "the document carries weight."

THE VATICAN

There were encouraging signs this year on the question of establishing full and formal diplomatic relations between the Holy See and the State of Israel. New York's John Cardinal O'Connor visited Lebanon, Egypt, Jordan, and Israel from December 27 to January 7, 1992, and reported to Jewish groups upon his return, "There is a definite change in the Vatican's orientation toward Israel." Most signifi-
cantly, with respect to diplomatic relations, said O’Connor, “The issue is no longer the status of Jerusalem, but guarantees of free access to Jerusalem’s holy shrines to Christians, Muslims, and Jews; and the protection of Christian communities in the Middle East.” Commenting on the political dynamics of the situation, Rabbi Marc Tanenbaum, a longtime observer of Vatican-Jewish relations, said, “[The Vatican] is not a player now and it needs to find a way to get to the negotiating table, or the fate of Jerusalem will be decided without them. The Vatican now realizes it needs diplomatic relations with Israel far more than Israel needs diplomatic relations with the Vatican.” The Vatican had earlier asserted that there was no theological bar to full normalization of relations, and also that it recognized the State of Israel on a de facto basis.

Questions were raised by Jewish groups about a papal encyclical (Redemptoris Missio, The Church’s Missionary Mandate), issued January 22, in which Pope John Paul II called for more active missionary efforts among non-Christians. The encyclical did not specifically mention Jews and reportedly reflected church fears that Catholicism was lagging behind Islam in expansion in Asia, Africa, and the Middle East. Nonetheless, according to Rabbi Leon Klenicki, interfaith affairs director of the ADL, “The language of Christian supersessionism and triumphalism resonates in the encyclical.”

Finally, Jewish groups worldwide were exercised when, on June 4, Pope John Paul II, while on a visit to Poland, delivered a stinging condemnation of abortion, comparing it to the Nazi Holocaust.

OTHER MATTERS

Various Catholic bodies supported the movement for repeal of the 1975 UN resolution equating Zionism with racism. (When the original resolution was passed in 1975, Joseph Cardinal L. Bernardin of Chicago, then archbishop of Cincinnati and president of the U.S. Catholic Conference (USCC), the public-affairs arm of the Catholic Church in America, issued a statement expressing the conference’s “profound disagreement” with the UN vote. The USCC position was reaffirmed in 1986 by Bishop James W. Malone of Youngstown, then USCC president.) In May of this year, the Roman Catholic archdiocese of Miami issued a call for repeal of the resolution, characterizing it as “offering a cloak to bigoted anti-Semitism around the world.” And following the UN vote to repeal, in December, the U.S. Catholic Conference hailed the successful vote.

Within the American bishops’ conference there were some indications of a growing impatience with Israeli government policy and performance. In an October 4 letter to President George Bush, welcoming U.S. efforts to bring about a Middle East peace conference, NCCB president Archbishop Daniel E. Pilarczyk of Cincinnati asserted that “legitimate and necessary assistance to Israel [should] not be used to foster a settlements policy which our government opposes and which could undermine prospects for peace.” The suggestion of “linkage” of foreign aid to settlements
went significantly beyond the 1989 NCCB statement, *Toward Peace in the Middle East: Perspectives, Principles, and Hopes*, in which the conference, in an otherwise positive analysis, called for Palestinian "soverignty."

On the domestic public-affairs agenda, despite disagreement over the Religious Freedom Restoration Act (RFRA) (see "Church-State Issues," below), Catholic and Jewish groups continued to make common cause in statehouse advocacy around the country for a range of social-service and other programs.

Finally, the move to have Queen Isabella of Spain considered for sainthood in the Roman Catholic Church appeared to have fizzled when, in March, the 40 bishops on the Pontifical Council for Christian Unity unanimously passed a resolution recommending against it, stating that the proposed beatification contradicted current church teachings on the freedom of conscience. 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. American Jewish groups, and many American bishops as well, regarded the sainthood proposal as harmful to interreligious relationships.

**Protestant-Jewish Relations**

Protestant-Jewish relations in 1991 were characterized by disquiet on the national denominational level over the policies of the government of Israel and by cooperation on the local level—"in the pews"—on a range of issues on the domestic agenda.

On the national level, Protestants continued to express critical—sometimes harsh—positions on Israel and the Middle East and positive statements on Jews, Judaism, and Christian-Jewish relations. One significant departure from the pattern of blanket criticism of Israel was the statement adopted in June by the annual meeting of the General Assembly of the Presbyterian Church (USA), the main denominational body for American Presbyterians, which was more balanced with respect to the Arab-Israeli conflict and exhibited some concern for Israel's situation. The Presbyterian Church (USA) did not call for a cutoff in U.S. aid to Israel (as it had in 1990) and, in language that Jewish groups viewed as positive, asserted that "any peaceful resolution of the Israeli-Palestinian conflict must be accompanied by peace between Israel and the Arab states" through direct negotiations.

The General Board of the National Council of Churches (NCC), the 32-member umbrella group comprising traditional mainline Protestant and Orthodox denominations, which in November 1990 had issued a message on the Gulf crisis that called for the withdrawal of Israeli forces from the West Bank and for the convening of an international conference to resolve the Israeli-Palestinian issue, issued no significant statement in November 1991. Indeed, the professional leadership of the National Council of Churches indicated to Jewish leaders its intention to continue its effort to pursue a "moderate" stance on Israel.

The General Convention of the Episcopal Church adopted a Middle East resolution on July 13 that was highly critical of Israel. The resolution urged the U.S. government "to hold in escrow aid to Israel by an amount equal to any expenditures
by the Government of Israel to expand, develop, or further establish Israeli settlements in the West Bank, Gaza, and East Jerusalem—and only release the aid from escrow if proof is given that settlements are not being established." Jewish groups sharply criticized the Episcopal resolution. Rabbi A. James Rudin, national interreligious director of the American Jewish Committee, said the resolution was "onesided in that it makes demands solely on Israel and not on those who have been at war with Israel for 43 years." The resolution notwithstanding, a July 29 letter to his fellow bishops by Bishop John H. Burt, chairman of the Church's Presiding Bishop's Committee on Christian-Jewish Relations, reflected the intense debate within the church on the resolution. It called upon Episcopalians to "understand and recognize" the "risks Israel must take" and the "virtues of the Jewish State along with its warts."

On the local level, Bishop Charles Vache of the Episcopal Diocese of Southern Virginia created a flap in May when he compared the treatment of Palestinians under the Israeli government to that of Jews in Nazi Germany. "We were sinfully silent then. . . . We must speak out now," said Vache. Jewish groups characterized Vache's comments as "arrogant, ignorant, and offensive." Noted the local ADL representative, Ira Gissen, "In the 1930's the churches were actively teaching contempt, which created the climate in which the Holocaust was possible; perhaps the bishop is trying to relieve his own guilt by making this ludicrous comparison."

The Evangelical Lutheran Church, the nation's largest Lutheran denomination, passed a resolution at its biennial churchwide assembly in August calling for the delay of U.S. loan guarantees to Israel "until and unless the construction and expansion of settlements in the occupied territories is stopped." Finally, the 7th Assembly of the World Council of Churches (WCC)—the WCC meets every seven years—met in February and issued a statement on the Gulf War, the Middle East, and the threat to world peace. Conspicuously missing from the WCC statement was any reference to threats to Israel during the war.

The New York Jewish Community Relations Council (JCRC) was victorious in 1991 in two lawsuits brought against it by Jews for Jesus, a Hebrew-Christian missionary group. In January the Appellate Division of the New York State Supreme Court upheld a lower court's ruling that Jews for Jesus was not a victim of discrimination when the JCRC, in February 1985, circulated a warning about its activities, encouraging rabbis to ask local restaurants and catering halls not to rent their premises to the group. And on July 31, in Jews for Jesus v. Jewish Community Relations Council of New York, a federal district court judge in New York ruled that objections raised by Jewish organizations to Jews for Jesus holding its annual convention at a kosher resort were protected under First Amendment free-speech guarantees. Jewish organizations had objected to the practice of Jews for Jesus misrepresenting themselves as "Jewish," and had said that they would not hold their meetings at the facility. Jews for Jesus announced that it would appeal the district court decision.

Although there was a continuing decline in the growth of most Protestant denom-
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izations, including many evangelical churches, during 1991, one notable exception was the Assemblies of God, a pentecostal group that proselytized aggressively, was politically and religiously conservative, and was generally supportive of Israel. In general, whatever growth was occurring in the Protestant community was in large measure among the theologically and politically more conservative. Jewish groups viewed with some concern the changes taking place in the Southern Baptist Convention, the nation's largest Protestant denomination, which in 1991 saw its offices and seminaries dominated by fundamentalist conservatives. In the decade-long struggle between "moderates" and "conservatives" for control of the Southern Baptist Convention, the battleground now shifted to the Baptist Joint Committee, a respected public-policy voice in Washington that had long enjoyed a close working relationship with Jewish groups.

Federal Judiciary

Changes in the federal judiciary, especially the U.S. Supreme Court, seemed likely to influence the arena of constitutional protections, particularly First Amendment guarantees of the separation of church and state. A signal development was the resignation, on June 27, of Associate Supreme Court Justice Thurgood Marshall, the first black justice in the High Court's history and the present court's most consistent liberal. Clarence Thomas, a conservative black judge on the U.S. Court of Appeals for the District of Columbia Circuit, was named by President Bush on July 1 to succeed Marshall. It was not until October 23, however, that Thomas took the oath as a Supreme Court justice, following several weeks of explosive confirmation hearings—including last-minute hearings on allegations of sexual harassment—that culminated in his narrow (52–48) confirmation on October 15 by the Senate. At 43, Clarence Thomas became the youngest justice on the Rehnquist court.

Jewish groups expressed concern over Thomas's views on a variety of issues, especially employment discrimination, affirmative action, and church-state separation. Among the Jewish groups that took positions in opposition to Thomas's confirmation were the American Jewish Congress, the National Council of Jewish Women, the Jewish Labor Committee, New Jewish Agenda, the Union of American Hebrew Congregations, and the Workmen's Circle. Agudath Israel of America and the National Council of Young Israel, two Orthodox Jewish congregational bodies, endorsed Thomas. Other groups did not adopt formal positions on Thomas; nonetheless, these organizations raised questions with respect to the nominee's qualifications and his positions on civil liberties.

Another judicial nomination that evoked criticism was that of Florida federal district court judge Kenneth L. Ryskamp, in April 1990, to fill a vacancy on the U.S. 11th Circuit Court of Appeals. Jewish groups, together with civil-rights and civil-liberties organizations, raised questions with respect to Ryskamp's positions on civil-rights issues, his membership in a club that reportedly discriminated against blacks and Jews, and his comments from the bench that indicated an insensitivity
to discrimination issues. The Anti-Defamation League, the American Jewish Committee, and the American Jewish Congress delivered testimony at Senate Judiciary Committee hearings on Judge Ryskamp in March. On April 11, the committee voted 6-5 to kill the nomination.

Through 1991, 115 Bush nominees to the federal judiciary had been confirmed, with 50 nominations pending and 30 vacancies on the federal bench yet to be filled. Analysts such as Marc Stern, co-legal director of the American Jewish Congress, suggested that, with the changing contours of the federal judiciary resulting from the unusually large number of Reagan-Bush appointees, the federal courts might be less reliable guarantors of fundamental constitutional rights for the foreseeable future. According to Stern, "Even without Clarence Thomas, the Supreme Court—and other federal courts—would be on a course that's very inhospitable toward using judicial power as a check on government action. The Jewish community needs to revisit its strategy of looking toward the federal courts. We need to go to the Congress for legislative action to ensure our rights, to state constitutions, and to state courts and legislatures."

**Church-State Issues**

**"ESTABLISHMENT-CLAUSE" MATTERS**

The U.S. Supreme Court on March 18 agreed to review a Rhode Island case, *Lee v. Weisman*, which would test whether public-school graduation ceremonies that include prayers violate the establishment clause and are therefore illegal. Daniel and Vivian Weisman of Providence objected in the mid-1980s, and again in 1989, when prayers were offered at graduation ceremonies at their daughters' graduations from the Nathan Bishop Middle School, a public school. A federal appeals court agreed with the Weismans. The Bush administration, in requesting that the Supreme Court hear *Lee v. Weisman*, urged the court to replace the existing standard, the so-called *Lemon* test, with a new test: whether anyone not choosing to participate in the practice at issue would feel coerced.

Almost all Jewish groups were opposed to the substitution of a stricter "coercion" test for the three-part *Lemon* test. "We haven't always agreed with where the courts have come out when they use *Lemon*," said Marc Stern of the American Jewish Congress, "but without *Lemon* it will be impossible." A broad coalition of organizations filed an *amicus curiae* brief, urging the Supreme Court to affirm the appellate-

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1 In order to be constitutional under the *Lemon v. Kurtzman* guidelines, a statute or governmental activity must satisfy at least one of three conditions: it must have a secular legislative purpose; its principal or primary effect must be one that neither advances nor inhibits religion; and it must not foster an excessive government entanglement with religion. Violation of any one of the three prongs of this test renders the act or activity unconstitutional. The *Lemon* test has been the one most often applied since it was first articulated in the 1971 decision.
court decision holding the prayer unconstitutional, and retaining the *Lemon* test as “an elaboration of the fundamental rule that government must be neutral with respect to religion.” One group that was not opposed to revising or removing *Lemon* was Agudath Israel of America. Abba Cohen, Washington representative of Aguda, asserted that “[Lemon’s] impact has been devastating [for religion]. Such hostility has never been required by the Constitution.”

Questions related to religion in the schools—long a heated battleground in the church-state area—came up on a number of fronts in 1991. President Bush set the tone for the administration stance in an address on January 27 to the convention of the National Religious Broadcasters, whom he told that he had not lessened his “commitment to restoring voluntary prayer in the schools.”

A development that was noted with growing concern was the resurgence of the evangelical religious right and the move to renew the social agenda of fundamentalist groups. Pat Robertson’s Christian Coalition, founded in 1989, a political-action group whose agenda for America was “a return to moral strength,” by 1991 had 125 chapters in 43 states and announced a ten-year plan to become “the most powerful political organization of its kind.” The most likely long-term impact of the evangelical resurgence, in the view of analysts of the field, was in two areas touching on public-school education: “equal access,” with its increased possibilities for proselytizing; and teaching about religion. In fact, largely as a result of evangelical complaints, many texts were being rewritten to include material on religion.

“Equal access”—allowing noncurriculum-related student-run clubs in public schools to meet during noninstructional hours—was still in the courts during 1991. On August 14, a federal district court in Washington, reconsidering *Garnett v. Renton*, ruled that the 1984 federal Equal Access Act could not require activity that the state’s constitution prohibited, specifically, the use of school premises for religious clubs and the appropriation of public money for religious purposes. At the close of 1991 the district court ruling was on appeal to the Ninth Circuit. Precisely the opposite conclusion was reached in a similar situation in Idaho. In *Hoppock v. Twin Falls School District*, a federal district court ruled in September that the Idaho state constitution could not overrule the Equal Access Act. These cases, particularly *Garnett*, suggested to Jewish groups that they ought to look to state constitutions, in addition to, or even rather than, the federal courts, in developing tactical approaches to such issues.

Recognizing the reality that the Equal Access Act was not likely to be repealed or overruled in the foreseeable future, two Jewish groups, the American Jewish Committee and the American Jewish Congress, joined with 19 Protestant, Catholic, and educational organizations in publishing *The Equal Access Act and the Public Schools: Questions and Answers*, in order to provide guidance in the implementation of the act, to ensure that religious groups receive “equal, and not preferred, treatment,” and as an aid in guiding against proselytizing. A number of Jewish groups, believing that the guidebook implicitly sanctioned the act, declined to participate in the project.
One area in which the establishment clause crossed swords with other constitutional guarantees—notably freedom of expression—involved the distribution of religious literature in public schools. A number of cases involving this issue arrived in federal courts in 1991, indicating that the problem was no longer an isolated one. Berger v. Rensselaer Central School District, before the U.S. Seventh Circuit Court of Appeals, tested the constitutionality of distribution by the Gideons, a Christian religious organization, of various items of sectarian literature to primary-school students. A range of Jewish groups joined in broad coalitions in submitting amicus briefs in this case. In Wauconda v. Hedges, a federal district court in Illinois upheld a ban on student distribution of religious literature. And in Roberts v. Madigan, the Tenth Circuit Court of Appeals, in a split decision, affirmed a district court decision prohibiting an elementary-school teacher from displaying religious materials—a Bible, Christian religious books, and a religious poster—in his classroom. Observers noted that case law in this area remained mixed and was likely to remain so until a religious-literature case reached the Supreme Court.

A continuing battleground was public aid to parochial schools and aid for remedial programs in schools. Of particular concern to Jewish groups was the Bush administration’s “Choice for Education” plan, which offered federal incentives for school “choice” programs, giving parents the option of sending their children to any school, public or private, secular or parochial. Jewish groups questioned the proposal on two grounds: diverting federal funds from public to private schools would further erode the already inadequate pool of resources for public education (for which the Jewish community had long articulated support); and the use of public funds for religiously sponsored schools violates the establishment clause. The Bush plan for choice did not move forward during the First Session of the 102nd Congress in 1991. In a few states, measures that included voucher plans and tuition-tax-credit systems were considered by legislatures; in one state, New Hampshire, a voucher plan put forth by the town of Epsom was invalidated in the courts. Budget crunches in many states undoubtedly inhibited consideration of programs that required additional expenditures.

On the related issue of public-sector aid to remedial programs, the U.S. Eighth Circuit Court of Appeals ruled, in Pulido v. Cavazos, that publicly funded off-premises remedial programs for private and parochial schools were permissible. Jewish groups were divided on this issue, the American Jewish Congress, for example, sanctioning the use of off-premises vehicles for such activity. Regarding programs conducted on school premises, the U.S. Supreme Court had previously ruled, in a 1985 case, Aguilar v. Felton, that use of funds under Chapter I of the Elementary and Secondary Education Act of 1965 to aid auxiliary services provided in religiously related schools was unconstitutional.

Two federal court cases, in California and Illinois, dealt with the subject of religious symbols in public parks—which are considered “open forums” and are thus arguably different from government-owned buildings. The Ninth U.S. Circuit Court of Appeals ruled in Hewitt v. Joyner that government ownership of a park
containing statues depicting scenes from the Christian Scriptures violated the estab-
lishment clause. And in June, the Seventh Circuit, in a similar case, *Doe v. Small*, ruled that Ottawa, Illinois, could not display in a public park 16 large paintings
depicting events in the life of Jesus. The full (*en banc*) Seventh Circuit Court was
expected to rehear *Doe v. Small*. Jewish groups participated in these cases as
"friends of the court" and applauded the decisions.

The Lubavitch organization continued to erect Hanukkah menorahs in a number
of communities around the country, generally in proximity to Christmas trees or
other artifacts, in an effort to satisfy the technical requirements laid down in recent
Supreme Court decisions. One long-standing dispute, simmering since 1987, over
placement of a menorah in Cincinnati's Fountain Square, ended with a federal
appeals court permitting the Chabad menorah. Most Jewish groups viewed place-
ment of religious symbols—including placement together with other religious sym-
bols or secular artifacts—as a violation of the establishment clause.

The constitutionality of designating Good Friday a legal state holiday was upheld,
for the first time, by the U.S. Ninth Circuit Court of Appeals in early May. The 2–1
decision in *Cammack v. Waihee*, declaring Good Friday a Hawaii state holiday, was
surprising to knowledgeable observers. Analysts suggested that if the Hawaii statute
were ultimately upheld by the Supreme Court, such a ruling could sanction the
closing of public schools on the Jewish High Holy Days. Although the Jewish
community had not traditionally opposed this practice—currently done in many
school districts for administrative reasons—it had never advocated it officially.
Hawaii was one of 12 states that currently designated the Friday before Easter, a
Christian holiday commemorating the crucifixion of Jesus, as a state holiday. State
courts in California and Connecticut in previous years ruled that Good Friday
cannot be a state holiday.

Finally, in October, the Fourth U.S. Circuit Court of Appeals upheld a lower-
court decision in *North Carolina Civil Liberties Union v. Honorable H. William
Costangy* that it was unconstitutional for a state-court judge to open his court
sessions with a 15-second, self-composed, nonsectarian prayer.

"FREE-EXERCISE" MATTERS

In the aftermath of the April 1990 U.S. Supreme Court decision in *Employment
Division of Oregon v. Smith*, the so-called peyote case, which rejected the "compel-
ing-state-interest" standard in use since 1963 in free-exercise cases, no fewer than
33 federal cases, through 1991, were decided using the new standard articulated by
201–02.) Seeking to reverse that decision with legislation, on July 26, the Religious
Freedom Restoration Act (RFRA) was introduced anew in the 102nd Congress by
Rep. Stephen J. Solarz (D., N.Y.). (Solarz's original bill had died without coming
to a vote in the 101st Congress.) Drafted by a broad coalition of religious groups,
RFRA was considered one of the highest legislative priorities of Jewish groups
across the political and religious spectrum. The measure aimed to codify the principle that no governmental body may restrict a person's free exercise of religion unless it can demonstrate a compelling state interest to do so.

Although the language of RFRA was neutral on the issue of reproductive choice, some prolife groups, including the National Right to Life Committee and the U.S. Catholic Conference (USCC), the public-affairs arm of American Catholic bishops, alleged that the bill implicitly supported abortion, and that it would be used to establish a religiously based right to abortion were *Roe v. Wade* to be overturned. (The USCC also maintained that RFRA would be used to challenge "parochiaid" proposals and religious organizations' tax-exempt status.) Movement on RFRA was stalled in 1991; indeed, by year's end companion legislation had not been introduced in the Senate.

Jewish groups, concerned about the potential erosion in religious liberty and practices made possible by the Scalia opinion in *Smith*, played an active role in drafting the legislation and in its advocacy. Even the Union of Orthodox Jewish Congregations of America and Agudath Israel of America, congregational bodies of Orthodox Judaism normally aligned with "prolife" forces, were vigorous advocates of the measure.

As Jews continued moving into areas new to Jewish population, the decision to build a synagogue sometimes resulted in disputes related to local zoning regulations. In some cases, questions were raised as to whether houses of worship had to adapt to the same land-use regulations as other community institutions. In others, zoning authorities attempted to regulate the scope and extent of a congregation's activities. This relatively new area was a difficult one for Jewish groups. "While zoning laws perform an important function, and synagogues cannot legitimately expect routinely to supersede these laws in the name of religious liberty," said American Jewish Committee legal director Samuel Rabinove, "these laws must not be permitted to stifle religious practice, diversity, and change."

In New York state, in May, a number of suits were brought in federal district court challenging the creation of a new village, Airmont, within the town of Ramapo, New York, whose zoning regulations would ban worship services in private residential dwellings. The proponents of the newly created village did not hide the fact that their motivation was to discourage Orthodox Jews from living in the community. On December 14, the U.S. Justice Department joined in the fray, filing its suit, *United States v. Village of Airmont*, against the new village and the town from which it was formed, alleging violation of the Orthodox residents' rights under federal fair-housing laws. At year's end, *U.S. v. Airmont* and other cases were pending in the district court.

On appeal before the Pennsylvania Supreme Court was a child-custody case, *Zummo v. Zummo*, arising from the divorce of an interfaith couple who made competing claims regarding the children's religious training and education. An appellate court in Pennsylvania permitted the father, during visitation periods, to take his children to religious services in a faith different from the mother's Jewish
Civil Rights

DISCRIMINATION

The U.S. Supreme Court ruled on March 26 that federal law barring discrimination in employment—Title VII of the 1964 Civil Rights Act—does not apply to Americans overseas. The 6–3 decision in Equal Employment Opportunity Commission v. Aramco upheld a federal appeals court ruling. The American Jewish Committee, the Anti-Defamation League, and the American Jewish Congress joined in a single amicus curiae brief in the case. American Jewish Committee legal director Samuel Rabinove, calling for legislation to remedy Aramco, asserted that "language can be formulated quite easily to say that Title VII does apply to American citizens working for American companies abroad." Indeed, a provision of the Civil Rights Act of 1991 (see below), signed into law on November 21, permitted American workers abroad to sue their U.S.-based employers for discrimination, reversing the Supreme Court ruling in Aramco.

CIVIL RIGHTS ACT OF 1991

The embattled Civil Rights Act of 1991 finally achieved passage in the 102nd Congress. The measure was a compromise bill, two years in the making, that had become a flash point in the relationship between President George Bush and black Americans and a battleground over racial preference involving the Jewish community as well.

The Civil Rights Act of 1991 was the first successful effort on the part of Congress to reverse the work of the conservative Rehnquist Supreme Court. Six U.S. Supreme Court decisions handed down during the 1988–89 term (and four other High Court rulings since 1985 involving awards in civil-rights cases) had restricted the reach and remedies of federal laws involving gender, racial, religious, and ethnic discrimination in hiring, promotion, and termination. Passage of this legislation, which would make it easier for a plaintiff to prove the discriminatory effect of employment practices and require employers to defend the legitimacy of such practices—and not the other way around—had been frustrated since first introduced early in the 101st Congress. President Bush had, in 1990, vetoed an earlier version of the bill, contending that it would induce employers to hire certain numbers of minorities and women in order to avoid lawsuits. His warning played to the belief of some whites that race preferences had cost them jobs; this administration view did not help to lessen political wrangling, which stretched out over a period of months and continued into the 102nd Congress.
Among the provisions of the final compromise bill, passed by the Senate in October (93-5) and the House in November (381-38), was one permitting American workers abroad to sue their U.S.-based employers for discrimination, reversing the earlier U.S. Supreme Court ruling, *Equal Employment Opportunity Commission v. Aramco*. President Bush signed the bill on November 21.

In the sharp debate that unfolded during the year over the proposed bill, almost all Jewish groups supported the legislation, notwithstanding questions involving the "quota" issue that had been played out in the extended 1990 debate over the bill. (See *AJYB* 1992, pp. 204–05.) But the discussion within the Jewish community in 1991 was more nuanced, and the administration took advantage of the slight differences in levels of support of Jewish groups for the bill. Early in the debate—on January 16, the day the Gulf War began—representatives of the Anti-Defamation League, the American Jewish Committee, and the Agudath Israel of America were wooed by administration representatives at a White House meeting called to discuss the views of Jewish communal organizations, ranging from the AJCommittee's enthusiastic support, through ADL's somewhat reluctant middle course of support, to Aguda, which had opposed the 1990 bill, supporting the president's position that the bill would promote the use of quotas. Ultimately, the Union of Orthodox Jewish Congregations of America, a centrist Orthodox congregational body, decided in May, after lengthy deliberations, to oppose the bill, asserting its belief that the bill "includes provisions that might lead employers to conclude that they should use racial, religious, or gender quotas," and joining Agudath Israel in that view. Twelve national organizations articulated joint support for the measure: the American Jewish Committee, the Anti-Defamation League, the American Jewish Congress, the National Council of Jewish Women, Hadassah, Women's American ORT, the Jewish War Veterans, the Jewish Labor Committee, the congregational bodies of Conservative and Reform Judaism in America, B'nai B'rith, and the Women's League for Conservative Judaism. The basis for their support was articulated by the American Jewish Committee: "The Civil Rights Act is about fairness and opportunity . . .[it] has nothing to do with quotas."

A number of Jewish groups voiced strong objections to last-minute amendments to the House bill, including one that could arguably be interpreted as permitting quotas when used to hire or promote only "qualified" applicants. The American Jewish Committee and the National Council of Jewish Women expressed "reservations" about the measure, suggesting that the "cap" provisions for punitive damages weakened the bill, and that "undue obstacles" in the way of discrimination claims were yet in place. Nonetheless, final passage of the Civil Rights Act was welcomed by most Jewish groups as a major step in remedying the 1988–89 Supreme Court decisions, one that sent a strong message to the High Court that the intent of Congress in earlier civil-rights legislation had to be taken seriously in judicial interpretation.
Nazi War Criminals

Through 1991, the U.S. Justice Department Office of Special Investigations (OSI), charged with the investigation of individuals suspected of being Nazi war criminals and alleged to have lied when they entered the United States or applied for citizenship, had stripped 35 Nazi war criminals of their citizenship. Legal action of some sort—deportation and extradition—had been taken against 75 people since the office was created in 1979. During 1991, OSI had approximately 500 cases of suspected war criminals under investigation.

The citizenship of Anton Baumann, 79 years old, was revoked in May by a federal district court in Milwaukee, on the grounds that Baumann had illegally concealed his service as a member of the Death's Head Battalion of the SS, as a guard at the Stutthof and Buchenwald concentration camps, when he sought entry into the United States after World War II. In October the U.S. Supreme Court denied an appeal from Michael Schmidt, who was stripped of his citizenship in 1990 for concealing wartime service as a guard at the Sachsenhausen concentration camp. Observers noted that it was routine for the Supreme Court to refuse to hear such appeals. But in December the U.S. Sixth Circuit Court of Appeals did block the government from deporting Leonid Petkiewytsch, 68, who admitted, when he applied for U.S. citizenship, to having served at the Kiel-Hassee labor camp during the war. He had been living in the United States on an immigrant visa since 1955. The court said that the government had failed to prove that Petkiewytsch had abused prisoners. At year's end the government had not decided whether to appeal the ruling to the Supreme Court.

DEMJANJUK CASE

New evidence submitted by John Demjanjuk's defense attorney during 1990 raised questions about the identity of the 65-year-old Demjanjuk, who was in prison in Israel, as "Ivan the Terrible." (Demjanjuk, accused of having operated the gas chambers at the Treblinka death camp, 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.) In August 1991, Demjanjuk's lawyer appealed to the High Court for Demjanjuk's immediate release on the grounds that the prosecution withheld from the defense exculpatory evidence about Demjanjuk's identity. Demjanjuk's Israeli lawyer, Yoram Sheftel, claimed that the testimony—in the form of statements, found in the Soviet Union, from former Treblinka prison guards—identified another Treblinka guard, Ivan Marczenko (or "Marchenko") as Ivan the Terrible. (Sheftel
had made the same claim during Demjanjuk's trial; the prosecutor had countered by maintaining that "Marczenko" was the maiden name of the defendant's mother, which he sometimes used as his own.) The Israeli High Court of Justice on August 14 rejected the Demjanjuk application; the court, however, agreed to hold a hearing on the evidence in December. The hearing was held on December 23. The court then said that it would hear "new evidence" on the appeal from both sides in the case in January 1992.

OTHER MATTERS

The First International Gathering of Hidden Children took place in New York at the end of May. The gathering, sponsored by the Anti-Defamation League and Child Development Research (an organization that studies the psychological effects of persecution on children), brought together 1,600 child Holocaust survivors from around the world who survived the Holocaust in hiding or by being rescued by non-Jews.

The Pollard Case

On September 11, Jonathan J. Pollard filed an appeal with the U.S. Court of Appeals for the D.C. Circuit to reverse a 1990 district court decision denying his motion to have his plea of guilty set aside. (Pollard had pleaded guilty, 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 the district court decision reversed and the motion granted, Pollard would be entitled to a trial on the espionage charges. A decision was expected on the appeal during 1992. In August President Bush said "there is no consideration" for presidential commutation of Pollard's sentence.

Pollard's appeal generated increased activity throughout the year on the part of his family and a cadre of activists on his behalf. The stance of most Jewish groups was articulated by the National Jewish Community Relations Advisory Council (NJCRAC), in a statement issued on behalf of NJCRAC's member agencies in June: "The NJCRAC has supported the call for full, open, and fair hearings, before appropriate tribunals, on the question of whether the fact that Mr. Pollard was an American Jew who spied for Israel may have had an improper influence in his sentencing." However, said NJCRAC, "there is no demonstrable indication that factors related to [Pollard's] standing as a Jew entered into the determination of his sentence." Most Jewish groups did not join as amici in the appeal of U.S. v. Pollard. Jewish organizations continued exploring with government officials and with Pollard's attorneys allegations of discrimination, civil-rights and civil-liberties abuses, and institutional anti-Semitism.

JEROME A. CHANES
The United States, Israel, and the Middle East

The year 1991 began with an imminent threat of war in the Middle East and ended with the first stirrings of hope for peace between Arabs and Israelis. It was a year of great highs and lows in relations between the United States and Israel, highs in the American-led defeat of Iraq's Saddam Hussein and the opening of Middle East negotiations in Madrid, lows in the off-and-on contention between the Bush administration and the Shamir government, highlighted by bitterness over Israel's request for loan guarantees from the United States. Above all, it was a year of change—in the Middle East, in U.S. involvement in the area, in U.S.-Israeli relations—which reflected the wider change in the world brought about by the fall of the Soviet Empire and the ensuing ambivalence about America's role in the world.

The Gulf War

On the first day of the new year, President George Bush met with his senior advisers to discuss military and diplomatic strategies that might avert war in the Persian Gulf. Five months had passed since Saddam Hussein invaded and overran Kuwait. Nothing had budged the Iraqi leader, not the formation of a coalition of nations (including a number of Arab states) led by the United States, not a series of United Nations resolutions instituting sanctions against Iraq, not a variety of diplomatic approaches by the United States and others, and not a U.S. buildup of forces in Saudi Arabia. In place was the critical Security Council resolution of November 29 which demanded that Iraq leave Kuwait by January 15, 1991, or face possible war.

An unnamed senior official had told the New York Times on December 31 that Secretary of State James A. Baker III would likely make a trip to the Gulf as the deadline approached, leading to speculation that a much-discussed meeting between Baker and Foreign Minister Tariq Aziz of Iraq might yet come off. The negotiations about such a meeting, which had begun in December 1990, had stalled when the Iraqis insisted that Baker could visit Baghdad only on January 12, a date that the administration rejected as being too close to the deadline. The Baker trip's purpose, as described by an official, was "to hold the coalition together, to seek a peaceful solution, and if Saddam Hussein fails to accept the message that he must unconditionally leave Kuwait, we want to consider the use of force."

Meanwhile, the foreign ministers of the European Community (EC) had agreed on December 30, 1990, to meet in Luxembourg on January 4, 1991, to consider an independent initiative to persuade Iraq to withdraw from Kuwait. There seemed to be no consensus among the countries, however, as to whether the EC should simply reiterate the demand for an end to Iraq's occupation of Kuwait or offer some
face-saving formula that might ease a withdrawal. British foreign minister Douglas Hurd cautioned against any independent move, saying that if there were any chance for peace, however slim, it lay in Saddam’s knowing that “if he stays in Kuwait, he will be attacked, and that if he withdraws completely and unconditionally, he will not be attacked.”

Early January also brought a greater urgency to the question of Congress’s role in events in the Gulf. Some commentators and newspapers criticized the administration for not bringing Congress into the decision-making process; others accused Congress of shrinking from its constitutional duty to debate the issue. Robert Dole (R., Kan.), Senate minority leader, and Les Aspin (D., Wis.), chairman of the House Armed Services Committee, indicated that Congress would be unwilling to support a war until it had been persuaded that all opportunities for a peaceful settlement had been exhausted, making it clear that they looked for further efforts beyond the January 3 U.S. deadline to arrange a Baker-Hussein meeting.

And, indeed, as January 3 arrived, a new initiative was taken. Saying “I am ready to make one last attempt to go the extra mile for peace,” the president offered to send Baker to Geneva on January 7, 8, or 9 during his Middle East trip to meet with Aziz. The proposal was described by administration officials as an effort by the White House to reassert Bush’s leadership on the diplomatic and domestic political fronts in the face of potential independent peace initiatives abroad and congressional grumbling at home. That evening Baker indicated in an ABC television interview that he was “not as optimistic about the possibility” of a diplomatic settlement as he had been even the week before, but he expressed the hope that the Iraqis would pick up on this offer “because this will be the last such proposal we will make.” Congressional reaction to the proposal was generally positive, with Democratic leaders saying there should be no debate pending the outcome of Baker’s mission.

In spite of the new administration offer, the Europeans held their scheduled emergency meeting the following day in Luxembourg. Halfway through the closed-door session, word came that Aziz had agreed to travel to Geneva on January 9 to meet with Baker. One official said the news brought “an audible sigh of relief” to the room. By day’s end, the EC members had issued a statement reiterating “their firm commitment in favor of the full and unconditional implementation of the relevant resolutions of the UN Security Council,” welcoming the agreement for a Baker-Aziz meeting, inviting Aziz to meet with EC representatives on January 10, but also asserting their commitment, once the present crisis was settled, “to contribute actively to a settlement of the other problems of the region,” a clear reference to the Arab-Israeli conflict. The latter was seen as a French victory, part of the ongoing French effort to mount an approach independent of the United States by suggesting an incentive for Iraq to withdraw from Kuwait. However, on January 5, Aziz declined the European invitation for a meeting, saying that Iraq resented “the submissive policies” of some European governments to the United States.

In announcing Iraqi acceptance, over state-run television, of the U.S. offer for a meeting, Aziz said he would press for “justice and fairness” for the Palestinians,
including the “right of the Palestinian people in establishing its free state on the land of Palestine with Jerusalem as its capital.”

In his own announcement of the agreed-upon meeting, President Bush told the news conference on January 4 that there “can be no compromise or negotiating on the objectives contained in those UN resolutions.” When asked by a journalist whether Baker would also talk in Geneva about the Palestinian problem, as the Iraqis wanted, the president said: “There will be no linkage on these questions.”

The following day the president addressed the nation over radio. He told the country that “time is running out,” that 11 days from then, Saddam Hussein “will either have met the United Nations deadline for a full and unconditional with- drawal, or he will have once again defied the civilized world. This is a deadline for Saddam Hussein to comply with the United Nations resolution, not a deadline for our own armed forces.”

On Sunday, January 6, prior to taking off for his trip to Europe, Baker told ABC News that he considered the French approach to resolving the crisis—Iraq to withdraw from Kuwait with the understanding that there would later be an international conference to try to settle all outstanding conflicts in the Middle East—as unacceptable: “You cannot make promises that would constitute linkage. We think that is a terrible mistake.” He added that the only thing he would offer Aziz was that if they complied with the UN resolutions, “they can expect that force will not be used against them. And if they don’t, then, in all probability, force will be used against them.”

Baker also indicated that the administration would now welcome even a 60-40 congressional vote backing the use of force. This was a change in the administration’s position, which had previously treated anything less than overwhelming congressional support as likely to send a message of weakness to Iraq. On the same ABC show, House Speaker Thomas Foley (D., Wash.) and Republican Senate leader Dole indicated that Congress would take up the issue after the Baker-Aziz meeting, and that votes in support of the use of force were likely.

A Washington Post-ABC News poll released on January 7 showed strong sup- port—67 percent—for the president’s handling of the crisis. In addition, there were majorities calling for Bush to get congressional approval before using force as well as for Congress to give more support to the president.

On January 8, one day before Baker’s meeting with Aziz, Bush sent a letter to Congress calling for a resolution supporting the use of force to “help dispel any belief that may exist in the minds of Iraq’s leaders that the United States lacks the necessary unity to act decisively in response to Iraq’s continued aggression against Kuwait.” The letter was the first presidential request for congressional backing for offensive military action since President Lyndon Johnson asked for the Gulf of Tonkin resolution on the Vietnam War on August 5, 1964.

On January 9, Baker and Aziz met for six hours in Geneva. Although expecta- tions were high, Baker dashed hopes when he announced to the press immediately afterward that he had “heard nothing that suggested to me any Iraqi flexibility
whatever.” Baker indicated that he had offered Aziz assurances that if Iraq were to comply with UN resolutions and leave Kuwait, it would not be attacked by U.S. forces. The secretary said that when Aziz raised the idea of an international conference on the Middle East, he told the Iraqi that “rewarding Iraq’s aggression with a link to the Arab-Israeli peace process would really send a terrible signal.” When Aziz insisted that Iraq was trying to help the Palestinians, Baker said that Iraq had invaded Kuwait “for its own aggrandizement.” Baker indicated as well that he had rejected Aziz’s invitation to come to Baghdad as a stall and warned the Iraqi “not to miscalculate the resolve of the American people.”

At a separate press conference, Aziz complained about Baker’s “threats” and reiterated the old Iraqi theme that the peace of the whole region was the real issue. When asked about a possible war, Aziz said Iraq would defend itself in “a very bold manner” and pledged that Iraq would “absolutely” target Israel for attack.

Aziz’s threat to attack Israel raised the question of Israel’s role should war break out. On January 8, Hosni Mubarak told a gathering of writers in Cairo that Egypt would “not permit an Israeli involvement or a military involvement in the Gulf crisis. I do not think Israel would get involved, but if it did, Egypt would take a different position.” Three days later, Mubarak told CNN that if Iraq launched an attack against Israel, “she will have the right to retaliate. Every country has a legitimate right to defend itself.” But he added that he doubted Israel would have to do so since the United States had the ability to destroy Iraqi Scud missiles. On January 10, President Bush called Prime Minister Yitzhak Shamir to tell him that he was sending Deputy Secretary of State Lawrence Eagleburger to Israel to discuss Israel’s role; he urged Israel to “lie low” and “stay out” of the conflict.

After two days of talks in which Eagleburger reportedly asked Israel to let the United States handle any response to an Iraqi attack, Israeli defense minister Moshe Arens made clear that “if we are attacked, we will respond.” Shamir was reportedly more equivocal in his response, not saying explicitly that Israel would strike back at Iraq but only that it “will determine its response if attacked.” It was also reported that Eagleburger and his team were unable in the two days of talks to conclude arrangements on tactical coordination between the Israeli military and U.S. forces in the Gulf.

In Baghdad, meanwhile, Saddam told a conference of Islamic leaders that he was preparing for a holy war against the U.S.-led military alliance, and that if international law and legitimacy were the issues, “let us start with Palestine.” He threatened that “whether they solve the problem according to international law or not, Palestine will return to the Palestinians.”

On January 12, after debating for three days, Congress passed a resolution authorizing the president to use military power to force Iraq from Kuwait. The resolution passed the Senate 52–47 and the House 250–183. The voting was largely partisan: Republicans supported the resolution 42–2 in the Senate and 164–3 in the House; Democrats opposed it, 45–10 in the Senate and 179–86 in the House. The debate saw 268 members of the House and 93 senators take the floor, and many referred
to the vote as the most important of their careers. Bush, reacting after the vote, said that it "unmistakeably demonstrates the United States' commitment to enforce a complete Iraqi withdrawal from Kuwait."

As the possibility of war drew closer, three key aspects of Israel's approach to the crisis emerged. First, while preemptive action was historically central to Israel's defense policies, Israel seemed ready to rule it out and to risk absorbing an Iraqi missile strike because of larger strategic and political concerns—keeping the coalition together and maintaining good relations with the United States. Second, while Israeli leaders were reluctant to oppose a negotiated settlement publicly, they clearly saw such a possibility as dangerous because it would leave the Iraqi arsenal intact, would invite linkage between the Iraqi occupation and Israel's, and would make inevitable a future Middle East war in which Israel, rather than the United States, would have to face Saddam. Third, it was understood that the flip side of the government's decision to accept a first strike would be an automatic counterattack. As one Israeli official told the Washington Post: "This government would never be able to explain to Israelis why it allowed them to be attacked, then didn't even respond to the attack. It would be political suicide here."

As the January 15 deadline arrived, France brought an initiative to the Security Council in a last-minute effort to defuse the crisis. The initiative called for Iraqi troops to withdraw from Kuwait, to be replaced by an international Arab force and international observers, and for an international conference to find a solution to the Israeli-Palestinian conflict. The United States and Britain expressed severe reservations; Shamir's spokesman, Avi Pazner, said Israel viewed the initiative as "extremely negative" since it "gives a prize for aggression." Noting these reactions, the French let it drop.

Meanwhile, in a briefing in Tel Aviv, Israeli Air Force chief Avihu Bin-Nun indicated that Israel planned a major retaliation should Iraq send planes or missiles. On the question of coordination with the United States, Bin-Nun left a mixed message, saying, "We have no promises and no coordination with the United States at all," but predicting that "when it comes to actuality, I think we'll have the necessary coordination."

AIR WAR BEGINS

On January 16, the U.S.-led coalition let loose a massive air attack on Iraq. There were reports in Israel that U.S. planes first attacked surface-to-surface missile launchers in western Iraq targeted at Israel. Israel declared a state of emergency minutes after the war began, with authorities closing schools and advising people to stay home and to prepare gas masks and chemical-warfare kits. Israeli sources indicated that U.S. and Israeli military officials had finally succeeded in working out basic arrangements for coordinating their actions in the event that both Israeli and U.S. planes were striking Iraq simultaneously.

Reaction to the U.S. attack in the Arab world was restrained or supportive, with
the exception of Jordan and the PLO. Crown Prince Hassan of Jordan expressed “horror and shock” at the large-scale raids, as well as anxiety about a tidal wave of refugees fleeing to Jordan. The PLO, in a statement from Tunis, urged Muslims and Third World countries to pool their resources in the face of what it called a “bold-faced and treacherous aggression against Iraq.”

On the second night of the war, Israel’s worst fears were realized. Iraqi Scud missiles carrying conventional warheads hit Israel in an area running from Tel Aviv to Haifa. The army reported seven injuries and extensive property damage. Chief of Staff Dan Shomron said on Israel Television that the attacks “cannot go without a response.” When asked if Israel could respond in view of the American need to maintain its coalition with Arab partners, Shomron said that it “doesn’t alter the principle that the protection of the civilians of Israel is the responsibility of the State of Israel.”

President Bush said he was “outraged” at the Iraqi attack on Israel, and Secretary Baker was reportedly urging the Israelis not to engage in any large-scale retaliation that might be used by Iraq to transform the Gulf War into an Arab-Israeli conflict. Israel’s ambassador to the United States, Zalman Shoval, indicated at a Washington news conference that Israel “reserves the right to respond in any way it deems fit.” He declined to specify, but he pointed out that Israel, in seeking to accommodate Washington, had refrained from launching a preemptive strike against the Iraqi missile batteries and had now paid the price.

Israel, however, did not retaliate. Instead it accepted an American offer to have U.S. technicians make two Patriot antimissile systems, already in Israel, operational, as well as a commitment to establish a liaison between the Israeli military and the U.S. Central Command in Riyadh.

On January 19, as the U.S. assault on Iraq continued, a second barrage of Iraqi Scuds struck Israel. President Bush called Prime Minister Shamir twice during the night to express concern about the attacks and his continuing hope that Israel would let the United States retaliate on its behalf. Marlin Fitzwater, the White House spokesman, reported that the president told the Israeli leader: “I understand the anguish of your people and your Government. We will use every resource possible to suppress and destroy the mobile Scuds.” The president, according to Fitzwater, thanked Israel for its “restraint” and explained in detail to Shamir what American forces were doing to seek out and destroy the mobile missile launchers in western Iraq. After two more batteries of Patriots and American crews arrived in Israel on the 19th, Pete Williams, Pentagon spokesman, said the missiles would be operated by the Americans as long as it took to train Israelis. Williams called the provision of American crews to Israel “an extraordinary step taken in view of the unconscionable attacks” by Iraq on residential neighborhoods in Israel.

Still, Israel’s leaders were keeping their options open. The deputy foreign minister said during a news briefing, “We’re not saying what we will do, when we will do it, where or how we will do it.” Immediately, Eagleburger returned to Israel to shore up Israel’s commitment to restraint in the face of Iraqi attempts to draw it into the
war. This American activity—the Bush calls, the Eagleburger visit—clearly sprang from American anxiety over what Israel would do. Israeli officials chose to focus on the positive. Yossi (Yosef) Ben-Aharon, the prime minister’s chief of staff, explained Israel’s position this way: “Restraint is not always negative. It all depends on your capacity, your intentions and your potential for achieving your goals in a confrontation. At this time, the United States and its coalition partners are pouring hundreds, if not thousands, of tons of bombs and missiles on Iraq.” Coming from a key figure, these comments reflected Israel’s understanding of the consequences of retaliation.

Commentators noted the striking improvement in U.S.-Israeli relations, in light of the previous two years of mounting tension. On the personal level alone, four telephone conversations between Bush and Baker and Shamir in several days seemed to have established mutual trust that had not existed before. The perception existed on both sides that the other could be depended upon more than it had previously believed. The United States, critical of Israeli actions in Lebanon, the West Bank, and the peace process, now saw Israel showing concern for American interests by its restraint; and Israel, which had questioned Bush and Baker’s commitment to Israel, now saw the United States swiftly sending Patriot teams to its aid.

At a news conference in Jerusalem, after two days of talks, Eagleburger articulated these new warm feelings. “We have a common cause with Israel now,” he said. He said the United States recognized and respected the right of every sovereign state to defend itself and had “never questioned Israel’s right to respond to attack.” But, he added, “we also recognize and respect Israel’s desire not to get drawn into this conflict, and greatly admire Israel’s restraint.” For his part, Shamir said after one meeting with Eagleburger, “We are working together. We are thinking together how to do it better.” Nothing demonstrated the new mood better than an Eagleburger tour of sites in Tel Aviv struck by an Iraqi missile the previous Saturday morning. Crowds mobbed and cheered the U.S. representative and he, in turn, shouted: “Good for you! The people of Israel live.” An Israeli poll published on January 21 by Yediot Aharonot showed 91 percent of Israelis in favor of a policy of restraint.

That policy, however, was put to its most severe test when the third Iraqi Scud attack took place on Tuesday, January 22. Evading the Patriots, the missile slammed into a Tel Aviv suburb, leaving 3 dead and 96 hurt and damaging some 20 apartment buildings. The White House again praised Israel’s “remarkable restraint in the face of this aggression.” The next day, following a morning meeting of the government’s most senior members, it became clear that immediate retaliation was not contemplated. Unnamed officials pointed out that for Israeli retaliation to be worthwhile, it would have to reduce or remove the Iraqi threat to Israel, not endanger the coalition, and be coordinated with the United States. For the moment, there would be no action.

Back in Washington, Secretary Baker said that while Israeli retaliation “might not” fracture the American-Arab alliance, Israel’s continuing restraint was “very much appreciated by the United States.” Baker also indicated that the administra-
tion would consider any Israeli request for additional financial aid to deal with the war and the absorption of Soviet Jews. Earlier, Israel’s finance minister, Yitzhak Modai, had suggested to Eagleburger that Israel would need $13 billion in extra economic assistance over five years.

As the rocket attacks on Israel continued, Chancellor Helmut Kohl of Germany announced that his government would send $165 million to Israel as “immediate humanitarian aid.” In a news conference in Bonn on January 23, Kohl said that the missile attacks filled Germans “with deep outrage,” describing them as “a clear blow against Israel’s integrity and right to exist, for which we Germans have a special responsibility.” The following day, German foreign minister Hans-Dietrich Genscher visited Israel. At a news conference with David Levy, he said, “We have come at an hour of danger for Israel . . . You can count on the Germans.” He also indicated that besides the announced aid, Germany would tighten its laws to prevent export of materials and technology that could be used to produce weapons such as chemical and biological warheads. Levy, however, voiced strong criticism of Germany’s export policy, saying that Saddam was threatening to burn Israel, and that his chemical and other weapons of mass destruction “are all coming from German soil.” Several days later, Kohl announced a $666-million defense package, including funds to build two submarines and a battery of Patriots, “in accordance with the special responsibility which [Germany] . . . feels toward Israel.”

The attacks on Israel and Israel’s restraint generated much comment about the future impact on U.S.-Israeli relations and the Middle East. Clearly, some of the old sympathy for Israel as the beleaguered underdog was reemerging. The administration and Congress as well as the public were depicted as viewing Israel in a new light. It was argued that these factors were key elements in Shamir’s decision to forego a military response. As for the impact of the war on the Arab-Israeli conflict, there seemed to be greater recognition that Arab hostility to Israel generally, beyond the Palestinian issue, was indeed a core issue, and that the PLO had hurt itself immeasurably by its support of Saddam.

The missile attacks continued almost daily, and tens of thousands of Tel Aviv residents moved away from town. On January 25, the fifth night of bombardment, Patriot missiles were reported to have intercepted seven Scuds fired at Haifa and Tel Aviv. Parts of the missiles fell, however, killing one person and wounding 42. Property damage was extensive. Despite the fact that the Patriots were not completely destroying the Scuds, Israelis were described as extraordinarily grateful for U.S. help, with dozens of people every day bringing cookies and gifts to the American soldiers operating the batteries outside Tel Aviv. And the policy of restraint was holding, as Chief of Staff Shomron told Israel Television on January 25: “We have the ability to hit back, but we have a long-term interest in holding back now. If we try to be rational, there’s no other way.” Shomron also dismissed the notion that Israel could do better against the Scud launchers in Iraq, saying “anyone who thinks Israel could do a quick job and finish it is mistaken.”

Two days later, the Israeli cabinet reaffirmed the policy of postponing any military
action, this despite continued attacks, despite much damage, frayed nerves, and some pressure from several hard-line members of the cabinet for action. The vote was seen as reflecting an appreciation of the political and diplomatic rewards the government appeared to be reaping both at home and abroad. At the same time, government officials expressed concern over renewed threats by Saddam to use nonconventional weapons against Israel. "So far, he has done everything that he said he was going to do and so we are taking this very seriously," said one unnamed official.

Another night of Scud attacks appeared to snap Israel's patience. A different tone emerged. Shamir spokesman Avi Pazner said on January 28: "We are quite fed up with what's going on here. Maybe we can do the job. Our main constraint is military coordination." Moshe Arens told the Knesset: "Israel can contribute to the removal of the missile threat on the condition that it is done with total coordination with the United States."

On January 29, in an interview on Israeli television, Arens heard the interviewer express his own frustration: "The Americans keep bombing launchers but haven't been terribly effective. Meanwhile, Americans are watching the Super Bowl, and Israelis are sitting in shelters and sealed rooms." To which Arens responded: "The situation you described isn't going to continue—not two months, and not a month. I simply estimate that a situation in which we'll be neutral or not active, and their ability to launch missiles against us isn't eliminated, it won't continue for a long time." Meanwhile, the director-general of Israel's Ministry of Defense, David Ivri, spent two days in Washington talking with Pentagon officials about possibly improving the Patriot missile so that it could prevent an Iraqi chemical missile attack on Israel.

U.S.-SOVIET STATEMENT

While the U.S.-led onslaught on Iraq continued and Israeli frustrations grew, a brouhaha developed over a joint U.S.-Soviet communiqué about the war. It was issued on January 29, following a meeting between Secretary of State Baker and Soviet foreign minister Aleksandr Bessmertnykh, and was released, according to officials, without the president's knowledge. The document said: "The two ministers continue to believe that a cessation of hostilities is possible if Iraq would make an unequivocal commitment to withdraw from Kuwait." Critics saw this as a softening of Bush's vow that there would be "no pause for negotiations" in the war. The communiqué also said that the Soviet Union and the United States would work with the countries of the Middle East after the war to resolve other regional disputes. This was read as a move toward the "linkage" between Iraq's withdrawal from Kuwait and the Palestinian question that Bush had sought to avoid.

Indeed, the Kremlin hailed the document as a significant shift in Washington's position. Bessmertnykh, speaking on Soviet television on January 30, described the document as "important," calling it the first U.S.-Soviet statement on Arab-Israeli
issues since 1977. He said that he and Baker had tried to “look beyond the bounda-
ries of the war in Kuwait” to consider the broader Mideast crisis. Soviet commenta-
tors saw the document as a sign of U.S. acceptance of indirect linkage, the longtime 
Soviet position.

In Jerusalem, Shamir and other Israeli leaders sharply criticized the document. 
The prime minister complained about the lack of consultation: “A political act that 
involved us, our fate, our future, was taken without consulting with us, without even 
telling us beforehand.” The White House sought to calm the storm. Spokesman 
Fitzwater said the statement had been “widely and wildly” misinterpreted as a 
change of policy, and White House officials admitted that the affair had been 
handled clumsily. Clearly, though, the document served both sides’ purposes: the 
Soviets were eager to demonstrate that they remained major players, with the ability 
to influence U.S. policy; and the State Department wanted to ensure that the Soviet 
Union remained an active and supportive member of the coalition. It was also a 
means of strengthening the new foreign minister, who had recently replaced Eduard 
Shevardnadze.

In Iraq, Saddam’s efforts to turn the war into a struggle against the Zionists were 
not limited to his almost nightly Scud attacks. In an interview with Peter Arnett 
on CNN on January 28 he charged that the forces attacking Baghdad were all due 
to the “Zionist influence” in the corridors of the U.S. administration: “This war that 
is being wagered against us is a Zionist war. Only here, Zionism is fighting us through 
American blood, through your blood . . . in order to be the dominant power in the 
area once the war has come to an end.”

As January was coming to a close, Israeli leaders, while still inclined not to 
retaliate against the missile attacks, were signaling Washington that they could not 
indefinitely absorb such strikes, particularly if Iraq used a chemical warhead. In 
Washington, on January 31, Israel’s defense attaché, Rear Admiral Avraham Ben-
Shoshan, told reporters that American coordination with Israel had improved since 
the war began, including information about the military situation in western Iraq 
where Iraq had fixed Scud missile sites and mobile launchers. On the other hand, 
Israeli officials indicated that Washington had withheld daily electronic identifica-
tion codes used by the allied forces bombing Iraq. This meant that if Israel suddenly 
wanted to enter the fray, its pilots would not be able to tell friendly aircraft from 
Iraqi aircraft.

Israeli military officials began to sound more optimistic about the situation early 
in February. On the 1st, army chief of staff Shomron said that “even if Saddam 
Hussein has chemical warheads, they are very primitive and the damage will not 
be that great.” And Air Force commander Avihu Bin-Nun indicated in an interview 
that with every passing day the war in the Gulf was working in Israel’s favor: 
“Because of the American activities in the gulf, Israel can see itself as more secure 
today than two weeks ago.” The fact that Iraq had launched four missiles at Israel 
during the last days of January and first days of February and all fell far short of 
Israel’s civilian population centers generated hope that U.S. efforts were having an 
effect.
As U.S. air attacks continued, President Bush told a White House news conference, on February 5, that he was "somewhat skeptical" that air power alone would force Iraqi troops to leave Kuwait. He announced that he was sending Secretary of Defense Richard Cheney and Chief of Staff Gen. Colin Powell to Saudi Arabia to consult with local commanders before he determined whether to order a ground offensive or continue the air campaign alone. The president was buffeted by conflicting political pressures as he considered a ground war. Pressure to move quickly stemmed from concern that a growing tide of sympathy for Saddam in the Arab world could in time create serious domestic problems for Arab allies. Pressure to go slowly came from many in Congress anxious to minimize U.S. casualties.

For Israel, even as Iraqi missile attacks were diminishing, the deeper ramifications of its position of restraint were causing concern. As one unnamed Israeli official told the *Washington Post*: "We have to think about what other Arab leaders will think in the future if they remember there was an attack on Tel Aviv and Israel did not act." Or, as a Shamir aide put it: "Our whole conception of ourselves is that no one will be able to attack us and go unpunished. And we feel strongly that to do nothing is not healthy for us in the long run."

On February 9, Israel once again experienced casualties as a result of a Scud attack. The missile was said by Israeli authorities to have been hit by a Patriot, but burning debris struck buildings in a residential area of Tel Aviv, badly damaging property and hurting 15 residents. This was the 11th Iraqi missile attack on Israel since the war began, but the first in two weeks to cause any significant damage or injuries. Reports from Israel indicated that the Israeli public understood Saddam's game of trying to goad Israel into responding and continued to support the government's policy of restraint as being in Israel's self-interest.

Meanwhile, Secretary Cheney and General Powell returned from Saudi Arabia and met with the president on February 10. Afterward, Bush told reporters that the air war, which "has been very, very effective," would continue "for a while," but added that he was prepared to move to a ground phase when Cheney, Powell, and Gen. Norman Schwarzkopf, commander of the U.S. military force, suggested doing so: "If they come to me and say there needs to be another phase, then I will make that decision because that is a decision for the President of the United States."

On February 11, Arens came to Washington for a hastily arranged one-day visit. He had meetings with Bush, Baker, and Cheney and reportedly told the president in his 30-minute meeting in the Oval Office that Israel was suffering heavy damage and could only go on so long. The visit's intent was perceived to be as much as anything to impress the administration with the sacrifice Israel was making, in the hope that this would elicit a more favorable response to Israel's increased economic needs. When reporters at the Pentagon asked Arens if Israel could be counted on to show restraint indefinitely, he said: "I don't think we can make any such commitments."

On the diplomatic front, Iraq's ruling Revolutionary Command Council issued a surprise statement on February 15, suggesting for the first time that Iraq would withdraw from Kuwait if the terms were right. The Iraqi statement expressed
“appreciation” to the Soviets for their diplomatic efforts. This was clearly related to the visit to Baghdad, two days earlier, of Soviet envoy Yevgeny Primakov, bearing a private message from Gorbachev to Saddam. Later he said that Saddam had given him “cause for hope” for a diplomatic solution. Subsequently, Tariq Aziz visited Moscow and received from Gorbachev a new Soviet peace plan, all of which was seen as a last-minute effort to prevent a U.S. ground war. President Bush was clearly cool to the Soviet move, saying that the Soviet initiative would be “thoroughly explored” but that “as far as I’m concerned there are no negotiations.” The plan reportedly promised some “progress on the Palestinian issue” after an Iraqi pullout, but this was seen by administration officials as too much “linkage.”

Meanwhile, on February 22, as the United States considered the next critical move, Israel’s prime minister made clear what he believed the war should accomplish: “It would be very bad for us if Saddam Hussein remained in power in Iraq with a substantial part of his large army still intact.” And he noted that if Saddam’s army were left intact, it might lead Israel to abandon its policy of restraint: “If the conditions will change, it will change our behavior. Our army is ready.” Israeli leaders, however, stopped short of directly advocating the launching of an allied ground offensive to destroy the Iraqi army.

THE END OF THE WAR

On February 23, the U.S.-led forces launched a ground offensive in addition to the air war in Iraq and Kuwait. Prime Minister Shamir, speaking on Israeli television, said that the end of the Iraqi regime was near and praised the Americans: “Our hearts are with the fighters and all the soldiers in the large coalition who are fighting against the tyrannical Iraqi tyrant. We wish them a decisive and quick victory.” Shamir aide Avi Pazner added that the outcome of the war had to be “the removal of Saddam Hussein from power in Baghdad and the dismantling of his military machine.” Israelis wondered, in the meantime, whether the ground war would provoke Hussein into firing chemically tipped Scuds at Israel.

By February 27, the allied forces had liberated Kuwait, routed Iraqi forces, and gone deep into Iraq. That day President Bush announced that the allies would suspend military operations against Iraq: “Kuwait is liberated. Iraq’s army is defeated. Our military objectives are met.” On the following day, in a letter from Tariq Aziz transmitted to the Security Council, Iraq agreed to comply with all the UN resolutions that formed the allies’ mandate in the war.

On March 3, U.S. general Norman Schwarzkopf met with Iraqi military commanders at a captured Iraqi airfield to arrange the terms of a formal cease-fire. One day earlier, the Security Council passed Resolution 686 setting the terms, including a reaffirmation of the 12 previous resolutions. Included were calls on Iraq to rescind its annexation of Kuwait, return Kuwaiti property, and disclose data on chemical and biological weapons and materials possibly stored in Kuwait or allied-occupied Iraq. On March 3, Aziz informed the Security Council that Iraq had agreed “to fulfill its obligations” under the resolution, while pointing out that the new resolu-
tion "ignored the Iraqi people's suffering" from the war.

Meanwhile, on February 28, Purim, Israel lifted its state of emergency and advised citizens to resume normal lives. While jubilant Israelis ripped the plastic sheeting off their windows and tossed their gas masks into closets, thoughts were already turning to the impact of the war on future Israeli relations with its Arab neighbors and the United States. Chief of Staff Shomron focused on Israel's greatly improved security situation: "The central building block of the eastern front—the Iraqi military—has been destroyed. The threat from the east, for years I hope, will be much smaller." Shamir, however, told the Boston Globe that he was deeply disappointed that the coalition had not driven Saddam from power: "It is clear that as long as he will be in power in Iraq he will look for opportunities to attack us. It could be in a year, or in three years, or in five years. He is always an enemy."

Moshe Arens, on Israeli radio, expressed the hope that the cease-fire "will involve in time the destruction of all missile capability, and monitoring that would assure us that there would not be rejuvenation of that capability."

In the days following the end of the war, Washington addressed the issue of Israel's request for additional U.S. aid to meet Israel's costs from the war. Israel had asked for $1 billion. On March 5, in agreement with the administration, the House Appropriations Committee voted to spend $15.8 billion to begin paying the U.S. share of the war costs, including $650 million in aid for Israel.

As the weeks passed, a strange relationship developed between the UN forces in Iraq and Saddam Hussein, involving agreements, broken agreements, sanctions, accusations, and recriminations. That the end of the war would remain an issue of controversy was reflected in General Schwarzkopf's television interview with David Frost on March 27. The general said that he had recommended to the president to "continue the march" into Iraq to annihilate Iraq's armed forces, but that, as a result of the cease-fire ordered by Bush, significant elements of Iraq's army and Republican Guard escaped. The following day, the president rebutted the general, saying, "All I know is there was total agreement in terms of when this war should end." Clearly, there was concern within the administration about criticism that the United States missed an opportunity to remove Saddam from power, and having the military hero Schwarzkopf play into this criticism could not be allowed.

Concerns about Saddam were somewhat alleviated by the Security Council resolution passed on April 3, stipulating terms for a permanent end to the war. This resolution, 687, set forth stern financial and military conditions to limit Iraq's ability to make war on its neighbors. Included were new demands: UN monitoring of a demilitarized zone to be created on the Iraq-Kuwait border; destruction of all Iraqi chemical, biological, and nuclear weapons, to be supervised by a UN commission; destruction of all but short-range missiles; and a renunciation of international terrorism. On April 6, Iraq accepted the terms for a permanent cease-fire. Three days later, the Security Council authorized development of a 1,440-member peacekeeping force to patrol a demilitarized zone along the Iraq-Kuwait border. Meanwhile, the United States began withdrawing its forces from Iraq.
The Peace Process

The crisis in the Gulf had a mixed effect on the Arab-Israeli peace process. On the one hand, official diplomatic efforts were set aside as the struggle against Saddam consumed the Western world. On the other hand, the Arab-Israeli conflict was never far from the surface, whether the issue was Israel’s involvement in the war, or efforts to link the Gulf conflict to the Arab-Israeli conflict, or, most significantly, what opportunities for movement in the peace process might appear after resolution of the Gulf War.

Leading up to the January 15 deadline, the United States resisted efforts by Saddam, as well as by France and the Soviet Union, to link the Gulf struggle to the Arab-Israeli struggle. With the war in full tilt, the administration focused its efforts, as noted, on keeping Israel out of the conflict. However, on January 28, in a speech perceived to be a move to reassure the Arab world, the president told the National Association of Religious Broadcasters that, when the war was over, Washington would take the lead in efforts “to bring peace to the rest of the Middle East.” Marlin Fitzwater later explained that the administration intended to pursue some “initiatives” in the Middle East after the war ended. Other officials, unnamed, told the New York Times that the Bush statement was intended to signal that “Israeli restraint now is not being purchased at the price of forsaking our interest in pushing along the peace process later,” and that after the war there would be “increased pressure to focus on the Palestinians and a great desire to show that this coalition against Iraq can do something on the other front.” This proved to be the opening shot leading to the postwar fireworks.

Following the joint U.S.-Soviet declaration that generated strong reaction (see above), Israeli foreign minister David Levy, on January 31, told the Washington Post that Israel would resist any joint move by the powers to structure a comprehensive solution to the Arab-Israeli conflict, especially if it involved an international conference. Levy focused instead on the need for the Arab states finally to engage in direct bilateral talks with Israel. “Once we start face-to-face negotiations with the Arab countries,” he said, “we will at the same time negotiate with the Palestinians.” He added that a successful peace process depended on a total Iraqi defeat; this, he said, would leave the United States as the sole superpower and put it in a position “to end the Arab state of war against Israel, because the Arab states, for the most part, need the United States and the West more than the United States needs them, both politically and economically.”

On February 4, the European Community ministers meeting in Brussels indicated that they would approach Washington to devise a joint U.S.-European strategy about how to deal with the Arab-Israeli conflict as well as Gulf issues. British foreign minister Douglas Hurd said that Israel had a “right to expect security and acceptance of her right to exist,” but added that “Israelis above all should understand the position of the Palestinians who see themselves as dispossessed.”

That night, Shamir, in an address to the Knesset, reacted to the growing clamor
for something to be done after the Gulf War. He warned the West that it had better take into account the lessons learned from the Gulf War before pressing Israel to accept any new Middle East peace plans: "We hope that now, more than in the past, the complexity of the problems in the Middle East—the cruelty of dictatorial regimes here, and that of Saddam Hussein is today the worst and crudest of all, but not the only one—has been better comprehended, and the need for us to exercise care in our political moves better understood." Shamir went on to lay out basic tenets of Israel's approach to any new peace plan, including opposition to an international conference and rejection of any PLO role. Most importantly, like Levy, he stressed the need for the Arab nations to end their belligerency toward Israel if there was to be progress on the Palestinian issue.

The Gulf War clearly did refocus attention on the Arab war against Israel, a perspective that had been lost in the focus on the Palestinian issue in recent years. Thus, the New York Times in an editorial on February 11, "Plan Now for Peace," noted that the war "gives dramatic evidence that Israel is an integral part of the Middle East," and "Arab states will have to recognize it as such."

One focus of the renewed emphasis on the Arab states was Syria. Long held to be one of the most intractable and extreme of the Arab states, in light of its place in the U.S.-led coalition against Saddam, Syria was now being viewed as a potential partner for peace talks. Reportedly, early in February Baker had suggested to Israeli ambassador Shoval that an Israeli commitment to demilitarization of the Golan might be part of a rapprochement between Israel and Syria. On February 13, German foreign minister Hans-Dietrich Genscher visited Damascus. After meeting with Syrian foreign minister Farouk Sharaa, he said, "Syria realizes that the recognition of the right of self-determination for the Palestinians also means that the right of Israel to exist is recognized and assured."

The government of Israel was quick to make its own position clear on these matters when, on February 14, it released a telegram from the prime minister to Jewish settlers in the Golan Heights assuring them that Israel would not accept demilitarization of the territory or any other change in its status. The message was seen as an effort to forestall any U.S. move to have Israel pay a political price for Arab participation in the U.S.-led coalition.

Meanwhile, the Arab countries that had joined the allied coalition to fight Saddam met in Cairo on February 16 and reaffirmed the right of Palestinians to self-determination and an independent state. They noticeably omitted any reference to the PLO, which was seen as a reaction to PLO support for Saddam, and omitted the usual call for an international conference.

As the ground war against Saddam brought victory for the allies into sight, Prime Minister Shamir reportedly told Likud members of the Knesset, in a closed meeting on February 25, that the end of the war would bring a new "period of trial" for Israel. The Jerusalem Post, in an account of the session, quoted the prime minister as warning what was ahead: "The end of the Gulf War will be followed by the usual attempt to establish a new pattern of Middle East arrangements. There will be an
effort to use political means to snatch from Israel what could not be snatched from us by force. We shall stand firm and not retreat. If negotiations do take place, we shall go into them with a number of advantages, and weather them successfully."

Late in February, consistent with reports that President Bush wanted to move quickly to the Arab-Israeli issue following the Gulf War, it was announced that Secretary Baker would soon make his first trip to Israel. While Shamir's chief of staff, Yossi Ben-Aharon, indicated that the government still stood behind its own initiative of February 1989, calling for elections in the territories, Foreign Minister Levy continued to argue that Israel should come up with its own new plan before the Americans tried to impose one, adding that Israel needed to demonstrate that it was not running away from peace. On the other side, Labor leader Shimon Peres offered his own plan, calling for a demilitarized West Bank and unilateral withdrawal from Gaza.

The likely effect of the war on the peace process also evoked mixed views. Some focused on increased U.S. prestige, improved U.S.-Israeli relations, new Arab dependence on the United States, the decline of the PLO, and the new emphasis on the Arab states' role in the Arab-Israeli conflict as factors providing opportunities for a breakthrough. Others pointed to Israelis' heightened resentment of the Palestinians as a result of the war and the weakness of both the Palestinians and the right-wing Israeli government as factors inhibiting any movement.

Speaking on NBC's "Meet the Press" on March 3, Secretary Baker said he believed Arabs and Israelis would display "goodwill" in trying to resolve differences following the Gulf War. He emphasized that the United States had no intention of trying to impose a solution and that he was going to the region merely to consult. He said he would press for a "two-track approach"—finding a way for Arab states and Israel to make peace, as well as Israelis and Palestinians. Baker's comments on an imposed solution and the two-track approach were viewed as intended to soothe Israeli concerns. At the same time, Baker and National Security Adviser Brent Scowcroft ruled out a PLO role because of Arafat's early outspoken support of Saddam. Baker said Arafat's standing among Arab states that had backed him in the past was "seriously and substantially hurt." As for King Hussein and the sympathy he showed for Saddam, Baker made clear that the United States wanted "to see him continue in power," and suggested that the Jordanian ruler might still "become an important player" in the peace process.

On the evening of March 6, President Bush addressed a special joint session of Congress to celebrate the victory in the war. Basking in the ovation from members of Congress, Bush said he would immediately begin bringing American troops home from the Gulf and pledged to redouble efforts to solve the Arab-Israeli conflict. "Our commitment to peace in the Middle East does not end with the liberation of Kuwait. The time has come to put an end to the Arab-Israeli conflict." In his address, Bush made a series of comments which were seen as hinting pressure on the Shamir government. He spoke of the need for "compromise" in the region. He noted that "we have learned in the modern age geography cannot guarantee security and
security does not come from military power alone." He said that a comprehensive peace must be grounded in UN Resolutions 242 and 338 and in "the principle of territory for peace." At the same time, he spoke of the two-track approach, of the need to close the gap between Israel and the Arab states as well as that between Israel and the Palestinians.

BAKER'S TALKS: FIRST ROUND

On the flight to the Middle East on March 7, Secretary Baker and his aides told reporters that they did not expect peace initiatives to emerge quickly but were seeking to secure modest goodwill gestures from the Israelis and Arabs to establish a measure of trust. On March 10, Baker was in Riyadh to meet with Arab foreign ministers from the Gulf states, Egypt, and Syria. While the diplomats endorsed Bush's approach to Middle East security, including the presence of American naval forces and occasional visits of U.S. ground troops, on the conflict with Israel there appeared to be little change, the group calling for Israel to end the occupation, and as of old, for an international conference under UN auspices as the only way to negotiate with Israel. Baker indicated that "this is not the appropriate time" for such a conference, and unnamed officials described it as a "total non-starter" since Israel would never attend. Acknowledging that he was not "overly optimistic" about the peace process, Baker added, prior to leaving for Israel: "Please don't declare it dead until it's actually dead—I happen to think it's at least alive until we explore the concept and the possibilities with the leadership of Israel."

Baker arrived in Israel the next day for his first visit since becoming secretary of state in 1989. He immediately went to Yad Vashem where he laid a wreath. After meeting with Foreign Minister Levy, Baker emphasized that he did not come with any plan or intention to impose peace but "to listen, to cajole, to plead and to offer our good offices to see if we can seize this opportunity to make progress for peace." He said that he had seen "signs of new thinking" in the Arab world. Levy said that Baker's report left him with the impression that the Arab states were "beginning to show signs of change."

On March 12, Baker met with Shamir for over an hour and later held talks with ten leading Palestinians from the West Bank and Gaza. According to U.S. officials, Baker asked Shamir to take specific steps to engage the Arab states and the Palestinians in a new peace process. These included a halt to settlements, stopping deportations of Palestinian militants, and not ruling out an exchange of land for peace. Shamir reportedly did not reject anything outright, but this was seen to reflect a desire not to be viewed as negative more than anything else. In Baker's controversial meeting with the Palestinians, which they tried to claim was equivalent to meeting with the PLO, the Palestinians insisted that the PLO must be included in any peace process and called for a Palestinian state and an international conference. Baker, according to reports, told the Palestinians that they had a great deal at stake now and should not squander the opportunity by continuing to rely on the PLO leader-
The Baker visit was as important for its tone as for its substance. The secretary clearly was interested in building trust, as seen in a helicopter tour he took to allow Israelis to show him how narrow the country was within its pre-1967 boundaries, and a visit to the cemetery where four Israeli women killed by a Palestinian on March 10 were buried. As Baker left Israel to move on to Syria for meetings with Hafez al-Assad, officials in Jerusalem were reportedly relieved that the pressure from Washington had not materialized, this despite the fact that Baker had asked Israeli leaders to commit themselves to the concept of “land for peace.”

In Damascus, on March 13, Baker met with Assad for seven hours, the third time the two had met since the beginning of the Gulf crisis. In a press conference with Syrian foreign minister al-Sharaa the next day, Baker said that he and Assad agreed that they must take advantage of the “window of opportunity” that existed after the Gulf War to produce a comprehensive Arab-Israeli settlement. When asked whether he heard any “new thinking” about Israel from Assad, as he said he had heard from Arab leaders in Saudi Arabia, he could not point to anything other than the commitment to be active in the peace process.

In Ankara, on March 16, at the end of ten days in the Middle East, Baker told reporters that he was sufficiently encouraged to begin presenting specific proposals the following week to see if “old stereotypes” and “rigid positions” would give way to “new thinking.” “I think that what makes the situation a little bit different now is that there has been a significant change in the region and that has presented us with an opportunity to act as a catalyst. The Soviets were responsive and I think that there is a basis for us to continue to work together.”

During the following ten days, as part of Baker’s commitment to follow up on his Middle East trip, he met in Washington with Israeli ambassador Shoval, Osama Baz, national security adviser to Mubarak, and Adnan Abu Odeih, foreign policy adviser to King Hussein; other State Department officials were reported to have been in touch with Saudi diplomats and some of the Palestinians Baker had met in the Middle East. As the month drew to a close, reports began to surface that the administration was exploring the possibility of convening regional peace talks, with the United States and Soviet Union as hosts, that would serve as the opening for direct negotiations between Israel and the Arabs. Under that proposal, the United States and the Soviets would invite Israel, Palestinian representatives, Egypt, Jordan, and Syria and possibly others to a ceremonial opening that would be followed by direct talks.

In this same period, strains between the Bush and Shamir governments began to reemerge. Reports circulated of unhappiness in Washington concerning a series of Israeli moves that seemed ill-timed: a tour by Ariel Sharon of the territories, shortly after Baker’s visit, in which he urged further settlement activity; Israel’s announcement that it planned to deport four Palestinians; and Shamir’s rejection of talks with Palestinians with whom Baker had held a meeting on his trip.
SECOND ROUND

On Friday, April 5, Baker suddenly announced that he was leaving for a second round of Middle East meetings because of concern that whatever momentum had been generated by the war was in danger of evaporating. On April 8, one day before scheduled talks between Baker and Shamir in Jerusalem, Israel's Defense Ministry announced that it would free more than 1,000 of the approximately 14,000 Palestinian prisoners held for actions connected with the intifada. Israeli officials maintained that the move was timed for the end of the Muslim fasting month of Ramadan and was not connected with the Baker visit. Nonetheless, the step was seen as responding to Baker's request for confidence-building measures from both sides.

Baker's talks in Israel with Shamir, Levy, and Arens, as well as with Palestinian representatives, brought into the open the idea of a regional conference as the centerpiece of the post-Gulf War effort to rekindle the peace process. The one-time regional conference was seen by American officials as a useful vehicle to bridge the gap between the Arab demand for international cover for any talks with Israel and Israel's demand for direct talks with the Arabs. Levy, following his meeting with Baker, told the press, with Baker at his side, that the two sides had reached an "agreed position" on how such a parley might be organized, but there were still "many details that have to be addressed and looked at and ironed out." One major issue that remained to be settled was the conference's structure—whether it should be ongoing or not; have Soviet participation or not; consider proposals for autonomy only or the final status of the territories as well. Second was the old question of who should represent the Palestinians; and third was the question of the terms of reference, whether Israel should commit itself to an interpretation of UN Resolution 242 that left open the possibility of trading land for peace.

Meanwhile, Baker also met with a group of Palestinians from the territories, led by Faisal al-Husseini and approved by the PLO. Afterward, the Palestinians said they were disappointed by what they described as American pressure to "forget about" bringing the PLO into any regional talks and by Baker's failure to promise to do anything about expanded Israeli settlement activities. However, Husseini indicated that the regional conference idea was new, one that "we would like to know more about and that the PLO is interested in." When Baker moved on to Cairo, he received the same vague positive response, Foreign Minister Ahmad Esmat Abdel-Meguid indicating that Egyptians were "open to discuss any way to find a practical solution."

On April 11, Baker met with Saudi foreign minister Saud Faisal in Cairo and reportedly sounded him out on Saudi willingness to provide economic and political support for a new leadership of the Palestinians, in light of the Saudi break with the PLO over the Gulf War. They also discussed the regional conference plan, about which Faisal asked numerous questions. Later in the day, Baker moved on to Damascus, where he met with President Assad for six hours but failed to get any definitive response to his ideas. In Damascus, as elsewhere, the host apparently
sought to convince the American official of good intent. However, after Baker left Syria, Sharaa announced that Syria "opposes" the Israeli-backed "regional" conference idea.

At the end of this latest swing through the region, the Baker party reportedly believed that a consensus had developed for an Arab-Israeli conference, but that differences were unresolved on what would happen at such a meeting. It was also reported that, in focusing on the conference, Baker would put aside efforts to get each side to offer confidence-building measures. Shamir had told Baker that he had no intention of halting settlements, and it was unclear what gestures the Arabs were willing to make. Returning to Washington, Baker consulted with Bush about developments. Within days, on April 15, it was announced that Baker would return to the Middle East after going to Luxembourg on the 16th. The decision was seen as reflecting a sense of urgency to pin the parties down soon or risk falling back.

On April 16, a small group of Israeli settlers opened a new settlement on the West Bank, called Revava, three days before Baker's scheduled visit. While the settlement had been planned for years, its timing was seen as symbolic defiance of the United States. The White House called it an "obstacle to peace" and through the U.S. embassy in Tel Aviv asked the Israeli government for an explanation. Even some Likud leaders raised questions, David Levy saying that building should be done quietly, without any "unnecessary declarations that will only bring pressure on Israel," and Health Minister Ehud Olmert wondering whether it might have been better to delay the settlement for a couple of days because of Baker's visit. Shamir, visiting in London, said settlements were not relevant to the peace process: "We have explained many times to our American friends that it does not make any difference if there will be in these disputed territories 100 settlements or 120 settlements because a permanent political solution will be accepted outside this fact."

THIRD ROUND

Baker arrived in Israel on April 18, amid new concern over a reported comment by the secretary that there would not be any movement toward a peace conference unless the United States was willing to press for an agreement. On the day of Baker's arrival, Shamir cautioned, in an Israeli radio interview, against any U.S. pressure, saying that anyone who knew Israel knew "that pressure doesn't yield flexibility—just the opposite." In the interview, Shamir also reiterated his opposition to any UN role in a peace meeting or participation by East Jerusalem Palestinians, but indicated that a European role was not excluded. The mood of anxiety in Israel was reflected in reports in the Israeli media that Israel's ambassador in Washington, Zalman Shoval, suspected the administration of backing off from earlier reported agreements about the conference.

On April 19, Baker and Shamir met for four hours, during which the secretary presented a series of questions to the prime minister in an effort to find a compromise position on the conference. The questions posed reportedly referred to whether the
proposed conference should have some permanent character without allowing it to act collectively or impose decisions; whether Israel would accept participation by the European Community or the UN; and whether Israel would allow Palestinians who were dual residents of East Jerusalem and the West Bank to participate in the negotiations.

As Baker moved on to Saudi Arabia, and reports circulated of new troubles in U.S.-Israeli relations, Shamir stated after an April 21 cabinet meeting, "There was no atmosphere of ultimatum in our talks with Baker" and "It's exaggerated to say there's a crisis." Meanwhile, Levy acknowledged that there were differences between the U.S. and Israeli positions, some procedural, some substantive.

After meetings in Cairo, Baker disclosed the administration's strategic plan. Asked by reporters why Saudi Arabia, which was supposed to have changed its posture toward Israel after the Gulf War, would not be taking part in any talks with Israel, Baker indicated that he was trying to organize a two-phase conference. The core conference, he said, would involve Israel, Jordan, Syria, Egypt, Lebanon, and the Palestinians; the second phase would focus on regional issues like water, arms control, and economic development, in which the Saudis and others might all take part. Baker described the Saudis as "a significant part of the peace process," whether in attending wide regional talks or broadly trying to promote the process. Significantly, he mentioned that the Saudis could help end the Arab boycott of Israel, provided that Israel agreed to halt the building of settlements.

On April 23, as Baker's travels continued, the secretary held almost ten hours of talks with Assad in Damascus. Baker reportedly tried to persuade Assad to limit his demands concerning the conference, including questions of a UN role, a permanent structure for the conference, and Syria's insistence on a prior commitment from Israel to abide by UN resolutions calling for land for peace. A news conference made clear that little had been accomplished. Foreign Minister Sharaa sought to blame Israel for the stalemate and to identify Baker with that view, saying he agreed with Baker's assessment that "the difficulties and obstacles remain in Israel." Baker interjected, "Well, now, that is not exactly what I said." But the secretary did have some strong words about a new Israeli settlement established on Tuesday, April 23: "I have to say to you that we were very disappointed to learn this morning that there is yet another settlement that has been established in the occupied territories. I think that probably points up rather visibly that it is easier to obstruct peace than it is to promote it and that the establishment of those settlements certainly doesn't help the efforts of those who are interested in peace."

From Syria, on April 25, the Baker road show moved on to the Soviet Union, where the secretary met his Soviet counterpart, Bessmertnykh, at the Black Sea resort of Kislovodsk. The talks seemed to restore some momentum to Baker's efforts as the Soviets formally announced that they were prepared to cosponsor a Middle East peace conference with the United States.

The next step was a return to Israel, where Baker was going to make another effort at a breakthrough. However, reports filtering back to Israel of what had taken place
on other stops of the road show generated pessimism. Moshe Arens spoke of learning that the Arab states “are trying to take this instrument, this one-time meeting, and turn it into an international conference which I don’t think could be a forum that would lead us to peace.” He added, “I doubt the intentions of any state that isn’t prepared to sit down with us at the negotiating table.”

These latest talks did not go well. Following a meeting with Shamir on April 26, Baker issued a statement, saying: “Questions remain here in Israel. We still need some answers from the Israeli government relating primarily to modalities before we can move this process forward.” The comments were widely perceived to be a slap at Israel, especially in contrast to the situation two days earlier in Damascus, when Baker said nothing about Syria’s refusal to modify its hard-line terms for peace talks.

While the question of Palestinian representation continued to be at the heart of the administration’s difficulties with Israel, the issue of whether the conference could reconvene after an opening session became a subject of intense division among Israel’s top leaders. In his meeting with Baker, Levy reportedly left open the possibility that a conference might be reconvened periodically to monitor progress in Arab-Israeli talks (but only if Israel and the others agreed in advance). Later in the day, however, after objections from several cabinet ministers, Shamir notified Baker that Israel would stick to its original insistence that only one ceremonial meeting of the conference be held. And two days later, a cabinet majority agreed that Levy’s accord with Baker was invalid since it had not received formal government approval. Shamir said that the government was opposed even to a qualified permanent conference, “because if there are subsequent sessions of the same meeting or conference, we’ll never get to direct negotiations.” As for the status of Baker’s efforts, Shamir indicated that even if the dispute over the conference was resolved, “there are other differences of opinion that we haven’t yet touched upon. Not only matters of procedure, but of substance.” As to U.S.-Israeli relations, he said, “I don’t think we are on the verge of a crisis.”

A mini-crisis, however, did occur in connection with the visit at this time of Housing Minister Ariel Sharon to the United States. When Secretary Baker, who was still angry at Israel for establishing new settlements on the eve of two of his trips, learned on April 25 that Sharon had arranged a meeting with Secretary of Housing and Urban Development Jack Kemp, he raised questions with the White House about the meeting. According to spokeswoman Margaret Tutwiler, the White House let Kemp know that Sharon should not be received officially. And so Kemp met Sharon on May 1 at the Israel embassy in Washington, instead of at Kemp’s agency. Sharon, in a radio interview broadcast to Israel on May 2, urged the Israeli government to “respond swiftly and firmly to this attack on it,” adding that “no independent state with any self-respect would accept such an attack.” And as journalists and politicians in Israel expressed concern that the slight of Sharon might be Washington’s way of putting full blame on Israel for failure to get peace talks going, the government delivered an uncommon protest to the United States, complaining
about the "inappropriate way that the Administration behaved" in the Sharon affair.

With pessimism in the air following Baker's third swing through the region, the secretary suddenly announced on May 5 that he would return to the Middle East, again out of a sense that another push might get the parties to the table. His goal, he said, was still to arrange a conference "that would see direct face-to-face discussions and negotiations between Israel and each of its neighboring Arab states, as well as direct face-to-face discussions between Israel and the Palestinians. And in that sense, it would be a very, very broad conference of a nature and type that has never before taken place." This trip was to be unique in that Soviet foreign minister Bessmertnykh would also be touring the region, and the two planned to join forces. On May 8, the president told a news conference, "I think there's reason to be optimistic."

On May 8, Bessmertnykh opened his tour in Damascus by trying to reassure the Arabs of his support, despite warming Soviet ties with Israel: "The Soviet Union has been and is going to be a strong supporter of the Arab cause, the supporter of the rights of the Palestinians." He added that the PLO "should undoubtedly play a role in the quest for a resolution of the Middle East conflict." In Amman the following day, Bessmertnykh continued his pro-Arab comments, saying, after meeting with King Hussein, that he could not "conceive or accept a situation where a peace conference is in session while the settlements are being built."

The next day the Soviet foreign minister was in Israel for the highest-level visit ever to the Jewish state by a Soviet official. While Israeli officials anticipated difficulties, the visit was notable mostly for the lack of conflict. Bessmertnykh offered nothing but platitudes and praise: "We agreed that no state should try to pressure or impose something on another country. No pressure, because this process will yield fruit only once we all try to achieve the objectives we have set for ourselves." Issues such as settlements and the PLO appeared not to have been discussed, and he made clear that Jewish emigration was not tied to Israeli positions on the peace process: "The immigration of Soviet Jews to Israel is the result of democratization in our country, both in internal policy and foreign matters. The immigration from the Soviet Union isn't only to Israel, but to any place where our citizens want to live."

FOURTH ROUND

As Baker embarked on his fourth trip to the region on May 10, the Gulf Cooperation Council announced that it would be ready to participate only "as an observer in the forthcoming peace conference through representation of its secretary-general." The statement went on to say that if peace talks occurred, the Gulf states would participate in discussions on regional issues such as arms control, water resources, and protection of the environment. Reports indicated that the administration exerted some pressure on the Gulf states, including a Bush call to King Fahd, in which it was pointed out that it would be impossible to get arms sales through
Congress without approval. In Damascus on May 12, Baker met once again with Assad. The talks lasted five and one-half hours and were reported to have been unsuccessful, as reflected in the cancellation of the usual postmeeting news conference. The sticking points were said to be Syrian demands for a UN role and a permanent conference, both of which Israel had rejected.

Baker's meeting with King Hussein on May 14 also did not appear to achieve any breakthrough, with Jordan hedging on whether it would move forward if Syria did not. The secretary's decision to go by car, rather than plane, from Amman to Jerusalem, the first time any secretary of state had done so, made more news than the talks with Hussein. The drive was even depicted as symbolic, Baker noting in Jerusalem that "you realize when you drive like that, rather than flying, just how short the distances are and how important, therefore, it is to promote peaceful coexistence."

In Israel, Baker seemed to make no progress in finding a compromise on the outstanding issues of a UN role and a continuing conference. It was said that Baker's compromise involved a UN "observer" at the talks, and that the conference would reconvene periodically, provided both sides were amenable, to hear reports of progress but not to interfere in the talks in any way.

As the fourth trip was drawing to a close, Baker indicated in Jerusalem that he and President Bush would consult upon his return to see where they were and what they should do next. He pointed out that he had obtained general agreement on several key issues: that there should be a peace conference; that the Saudis and Gulf states would attend as observers; and that the Palestinians would likely be represented by a Jordanian-Palestinian delegation. Baker left Israel in a more upbeat mood than the last time, expressing some hope, without assigning blame and saying that he was "not disappointed, because I do think we are making progress." Later, Shamir spoke on Israel Television in optimistic tones: "There's a basis for my hope. We agreed on several things that still can't be made public—things that lay the groundwork for Baker to come into close and serious contact with the other parties."

On May 17, after meeting with Baker, the president said that he saw "real cause for optimism" and pledged the administration would "just keep plugging away," despite what appeared to be a lack of visible progress. He refused to discuss any details of the process on the grounds that the "way to solve this conundrum is not to get these parties positioned by public statements." When asked if a fifth Baker mission was planned, Bush replied, "If there is reason to go back, he will."

Four days later, at a ceremony marking the start of a new settlement in the Golan Heights, Ariel Sharon vowed to "at least double" the Jewish population there and said that the "component of settlement" in the territories was "a component of security in Israel."

The following day, in testimony before a House Foreign Affairs subcommittee, Secretary Baker cited Israeli settlement building as a particular problem: "Nothing has made my job of trying to find Arab and Palestinian partners for Israel more
difficult than being greeted by a new settlement every time I arrive. I don't think that there is any bigger obstacle to peace than the settlement activity that continues not only unabated but at an enhanced pace.” Baker did point out several areas of Arab-Israeli agreement: the conference would aim to achieve a comprehensive settlement through direct talks between Israel and the Arabs and Israel and the Palestinians; negotiations between Israel and the Palestinians would first address an interim self-government solution and then the permanent status of the territories; and Palestinians would be represented by leaders from the territories. He reiterated that the issues of a UN role and a permanent conference remained unresolved.

Israeli leaders reacted angrily to Baker's comments about settlements. They blamed the Arabs for the slow pace of Baker's initiative and rejected his claim of settlements as the largest obstacle to peace. Yosef Ben-Aharon summed up the government's view, saying that to keep the territories “clean of Jews pending a settlement would mean, in effect, relinquishing the territories before negotiations.”

A number of American senators, including Alfonse D'Amato (R., N.Y.), Robert Kasten (R., Wis.), Frank Lautenberg (D., N.J.), and Arlen Specter (R., Pa.), charged that Baker was unfair to single out Israel. They said he had failed to cite Saudi Arabia's failure to move, Syria's missile buildup, and Jordan's ambivalence about the talks. And the Conference of Presidents of Major American Jewish Organizations said it was “shocked and dismayed” by Baker's remarks. President Bush, however, defended Baker: “I'm backing the man. I'm stating the policy of the United States of America and so was the Secretary. We would like to see those settlements stopped.”

Despite this latest brouhaha over Israeli settlements, the administration pushed forward on the peace process. At the beginning of June, President Bush sent personal letters to the leaders of Israel, Syria, Jordan, Egypt, and Saudi Arabia emphasizing his personal commitment to Middle East peacemaking and spelling out what he considered to be a fair compromise of each party's conditions for peace talks. The letters reportedly also made clear to the parties that the president would have a hard time understanding if they refused his compromises. To Syria, he reportedly focused on the need for talks as the only way to change the post-1967 status quo in the Golan Heights; to Israel, he spoke of his proposal as providing the direct negotiations Israel had always wanted. In each case he argued that the technicalities of a UN role and reconvening of the conference should not stand in the way of important achievements.

Foreign Minister Levy, in Paris on June 5 for talks with European Community representatives, predicted that the impasse over the conference would soon be broken and that the conference could be approved in a matter of weeks. However, Shamir's response to the Bush letter, delivered to the president on June 7, was broadly characterized as a rejection of Bush's appeal, with the Israeli leader suggesting that the procedural issues at stake—the UN and the reconvening of the conference—were really attempts by the Arabs to continue their refusal to deal directly with Israel. In Washington, the White House maintained a low-key posture, saying
that Israel had "other ideas" about a formula for Mideast talks, but that this would not derail American efforts.

Several days later, in an interview with Israeli journalists, Shamir reintroduced the question of Palestinian representation as a sticking point in the discussions. He indicated that Israel would insist on approving the names of any Palestinians named to the proposed conference's joint Jordanian-Palestinian delegation. A senior official said that Shamir felt the need "to make this point now so there will be no misunderstandings later." Some, however, interpreted the Shamir comments as a new condition, because when Baker left Jerusalem on May 16 there were signs that he and the Israelis had come to an agreement on how Palestinian delegates would be chosen, and there seemed to be no demand for a veto. In addition, all the focus in recent weeks had been on the UN and reconvening issues, leaving the impression that the Palestinian representation matter was no longer in contention. In Washington, on June 12, State Department deputy spokesman Richard Boucher said pointedly that "Palestinians must choose those who will represent them in negotiations."

The next day, David Levy, in the States on a private visit, met with James Baker. The secretary's message to Shamir was that "Israel should try to be a bit more flexible." For his part, Levy continued to sound optimistic, saying that despite the apparent stall, "the process is not stuck." He added, however, that Israel had made many concessions and that "it is time for Syria and the Arab countries to make concessions." Regarding Shamir's remarks on Palestinian representation, Levy said that this had been Israel's position all along: "Israel will not sit down with parties it refuses to sit down with."

On July 1, at a press conference outside his summer home in Maine, President Bush indicated that his patience was beginning to wear thin over the Middle East stalemate. Israel had rejected his compromise proposals, and Syria, more than a month after receiving his letter, had not even bothered to respond. He strongly suggested that he might have to press the issue publicly: "I have invoked quiet diplomacy and the need for confidentiality, but I can't do that forever. I just simply can't do it. I owe it to the American people and I think the people around the world to say, 'Hey, here is what the United States thinks is a good formula.'"

With the process apparently stalled, cynics wondered whether this was just one more in a long line of Middle East initiatives heading for failure. On July 14, however, a surprise development occurred when Assad finally responded to Bush's proposal and stated that the plan was "an acceptable basis for achieving a comprehensive solution." Baker, speaking at the State Department, said, "I do believe it is fair to characterize the response as positive. I do not see anything expressed specifically as conditions." He added that, overall, the response "moves the Syrian government further than they have been willing to move in any peace process effort."

The president, in London for the annual economic talks of the seven major industrial powers ("G-7"), hailed the Syrian response and characterized it as a "very positive breakthrough." He added that he hoped that Israel would "get on board," that Israel had "been wanting to talk with people in the area, and if all goes well
here, that is exactly what will happen ... so here will be a good test.”

The Syrian response highlighted divisions in Israel. The government issued a statement on July 15 that it “would stand on all the positions expressed in the Prime Minister’s letter to President Bush.” Defense Minister Arens said that the Syrian letter would be important only “if the Syrians have indeed expressed a willingness to sit down and negotiate directly on a peace treaty with Israel,” suggesting that compromise proposals would not do. By contrast, Shimon Peres said the government “will have to deal with this or appear as the only rejectionist on the scene.” And one Israeli newspaper said in an editorial that “this is the moment of truth for Shamir’s government.”

On July 16, the G-7 leaders issued a communique strongly endorsing Bush’s peace efforts and supporting “the principle of territory for peace.” Coming just before Baker’s fifth trip to the region, the message was seen as presaging pressure on Israel.

**FIFTH ROUND**

Two days later, after three hours of talks with President Assad in Damascus, Secretary Baker announced that Syria had accepted the U.S. proposal for a peace conference that would open direct talks between Israel and its Arab neighbors. Baker called it “an extraordinarily important and positive step.” Sharaa indicated that Syrian acceptance of compromise on a UN role and a limited reconvening of the conference was based on several assurances: commitment by Moscow and Washington to keep the UN secretary-general “fully informed” of progress in the talks; U.S. reaffirmation that it had never recognized Israel’s de facto annexation of the Golan Heights; and U.S. support for the interpretation of Resolution 242 as applying to “all fronts” from the 1967 war.

By the time Baker arrived in Jerusalem on July 21, he had commitments from five Arab countries—Syria, Jordan, Lebanon, Egypt, and Saudi Arabia—to take part in the conference. In his visits to Riyadh, Amman, and Cairo following his stay in Damascus, he also heard offers from the three to suspend the Arab boycott of Israel if Israel would suspend building settlements. Shamir was perceived to be in a bind—to say yes to the conference he risked collapse of his government; to say no, he risked alienation from the United States and others.

After two days of meetings between Baker and Shamir, Israel’s approach had clearly changed. Baker told the press that in light of recent Syrian, Lebanese, and Jordanian commitments, Israel was rethinking its position and would respond shortly. A close adviser to Shamir, Yossi Achimeir, indicated that Shamir had told his cabinet after hearing from Baker that there appeared to be a “revolutionary change” in Syria’s position, even if it was only for tactical reasons. Baker labeled it a “moment of historic opportunity,” saying that “direct negotiations are the only way to solve problems.” And later that evening, Shamir told a reporter for Israel Television, “It’s very possible that talks could be held in the framework of peace negotiations between us and the Arab world.”

When Baker reported on the proposal—endorsed by Saudi Arabia and Egypt—to
exchange an end to the boycott for suspension of settlement building, he said that Shamir was "not enthusiastic about that approach. That may be an understatement. We have a disagreement on that issue which is quite separate and apart from the peace process." This was the first acknowledgment by the Americans that the process could proceed irrespective of Israeli settlement policy. Baker also met in Jerusalem with three Palestinian representatives and reportedly told them that, while he sympathized with their plight, the realities of power in the Mideast now were such that if they wanted to take part in negotiations, they would essentially have to accept the Israeli conditions.

The president, flying back from Ankara to Washington, spoke by phone with Baker, and according to Brent Scowcroft, national security adviser, was "encouraged that there wasn’t a rejection." Scowcroft also indicated that the president wished for an Israeli response by the time of his summit meeting in Moscow on July 30 and 31, which would allow him and Mikhail Gorbachev to announce the conference and issue invitations.

On July 24, in a television interview, Shamir focused on the question of Palestinian representation as the main stumbling block. He said that Israel would only be ready to attend the U.S.-designed conference if no Palestinians from East Jerusalem or with connections to the PLO were present. He then went on to speak in optimistic tones: "Something has happened in the Middle East in the past few days. I wouldn’t say it’s already time to turn swords into plowshares... but there will be peace." He also said that Baker had promised Israel it would not be forced to negotiate with anyone it did not want to and said he was waiting for a list of names of Palestinians from U.S. officials.

Meanwhile, Yasir Arafat told Radio Monte Carlo the same day that he rejected the U.S. plan for a regional peace conference because it "ignores the Palestinian people’s national rights and completely leaves out the question of East Jerusalem."

Hope for a breakthrough mounted when Moshe Arens, in an interview on ABC’s "This Week," on July 28, said that Israel had "reached agreement with the United States over the Jordanian-Palestinian delegation. . . . I think we are very close to a general agreement that will allow an initial meeting to take place and then break up into bilateral talks." He called a public Israeli declaration to attend "no more than a formality." When asked later in the day about Arens’s comments, Bush said he heard Arens "was very upbeat and we view that as positive, but there has been no official word from Mr. Shamir yet." The next day, Shamir told the Knesset’s Foreign Affairs and Defense Committee that with one more visit by Baker, "we will manage to settle all the remaining questions."

On July 29, King Hussein of Jordan appealed to the leadership of the PLO to refrain from raising unnecessary problems over Palestinian representation that might delay the convening of the peace conference. In an interview at the royal palace, he described the American initiative as a "last chance," warning that without an agreement, large-scale Jewish settlement in the occupied territories might soon result in the territories being effectively merged into Israel.
The same day Bush arrived in Moscow for a summit meeting with Gorbachev to explore relations in the post-cold-war era. Reports circulated that Soviet officials were pressing the United States to issue invitations to a Middle East conference as a means of stepping up pressure on Israel, but that Baker and others expressed reluctance to do so. As the summit began, it was clear that no invitations would be issued at that time.

During the summit, a series of messages were exchanged between U.S. and Israeli officials, and there was a report that the United States had given Israel private assurances that it would support Israel's insistence that no Palestinians from East Jerusalem or linked to the PLO would be allowed to attend the talks. This was based on two factors: that the previous year's peace effort had failed because Israel could not agree to these points, and that the Palestinians were now the weakest party in the equation and desperately needed a change in the status quo. While in Moscow, Baker spoke to Shamir by phone on two occasions in an effort to seal the agreement. The Baker message reportedly was again that Israel should consent to the conference even if all details of who would be included in a joint Jordanian-Palestinian delegation had not been worked out.

The next day, Bush announced in Moscow that he was sending Baker to Israel immediately to obtain an official Israeli statement expressing its willingness to attend a conference in October. In a joint statement, Bush and Gorbachev declared that there was a "historic opportunity" in the Middle East that "must not be lost." They indicated that invitations to the conference would be issued "at least ten days prior to the date the conference is to convene." In Israel, reaction to the upcoming Baker visit was low-keyed; Avi Pazner, Shamir's spokesman, talked of progress but said the question was "not yet solved."

SIXTH ROUND

On August 1, Baker and Shamir met in Jerusalem for the sixth time. After the meeting, Shamir announced that Israel would join in Middle East negotiations as long as its conditions on the composition of a Palestinian delegation were met. Standing next to Shamir when the announcement was made, Baker said he thought that "the prospect of Arab-Israeli peace discussions are no longer simply a dream. I think we should all recognize that there is still some work to be done, but I think that the announcement today by the Government of Israel is extraordinarily positive and significant." When asked by reporters whether he had received the response he was hoping for, Baker said, "That is the 'yes' we were hoping for from the Israelis, yes sir." At the same time, there were many reports indicating that Israel had demanded a number of concrete assurances from the United States that were yet to be worked out, on such matters as the organization of the talks, the Palestinian delegation, and an affirmation of existing agreements and understandings between the two countries.

On August 4, by a 16–3 vote, the Israeli cabinet approved Shamir's agreement
to attend the conference. Most notable in opposition was Ariel Sharon, who called it a "trap." Ehud Olmert, health minister, reflected the feeling that underlay the relative lack of resistance to this, as opposed to other, peace initiatives over the years: "I think that the damage that might have been caused to Israel had we answered negatively was much greater than the risk involved." The next day, Baker made his pitch to the Palestinians, meeting in Jerusalem with Faisal al-Husseini, Hanan Ashrawi, and Zakaria al-Agha. Baker later reported that he tried to impress on the Palestinians that they "have more to gain from a viable and active peace process than do almost anyone else," and "have the most to lose if there is no process." Ashrawi made clear that the group was "not empowered to say 'yes' or 'no,'" but described the PLO as having a "positive inclination." Husseini emphasized that the notion that Israel could veto anyone on a Palestinian delegation would be unacceptable.

On August 4, with Baker in Tunisia to seek Tunisian support for the conference, Bassam Abu Sharif, a spokesman for Arafat, told reporters that the Palestinians were "ready to attend the peace conference," and that no obstacle was "big enough" to prevent it. It didn't take long for the official PLO news agency to disavow Abu Sharif's remarks. The next day the agency said that "these statements do not represent the view of the PLO nor express its position."

On August 6, in an interview, Arafat talked tough, saying that the United States must ask him to choose the Palestinian delegation, otherwise the Palestinians would not attend: "I want the same terms as being given to the other participants because the Palestinians are the main factor in the Middle East peace equation. It's a matter of principle. Why are only the Palestinians treated in this way?"

The Moscow coup on August 19 caused international attention to shift away from the Middle East. The dramatic and historic events of the next few days and their residual effects left the Middle East process on hold for weeks. And U.S.-Israeli relations suffered a blow early in September when President Bush rejected Israel's request for $10 billion in loan guarantees as long as Israel continued building settlements in the territories. (See below for a full discussion of this issue.)

SEVENTH ROUND

On September 16, James Baker embarked on a new round of visits to Middle East countries to try to get final agreement for the conference. While the loan-guarantee crisis had strained relations, Shamir insisted the guarantees had nothing to do with the peace process and therefore Israel still planned to take part in it, as long as the Palestinian delegation met its approval. On September 19, however, in a meeting with visiting members of Congress, he questioned U.S. impartiality and raised questions about the impact of the guarantee delay on the Arab world and the peace process: "Now there is euphoria in the Arab world because of the Arab perception that the United States stands on their side. And thus this is not advancing peace but rather making it more distant."
Meanwhile, Baker invited the three Palestinians he had met with in Jerusalem in August to see him in Amman on September 19. At first they refused to do so, which was widely interpreted as a PLO show of dissatisfaction with the U.S. approach to the issue of Palestinian representatives that Baker had presented to them in Jerusalem. On the same day, Baker and King Hussein held a joint news conference in which they both implored the Palestinians not to miss the opportunity to attend the conference, tentatively scheduled for October. For the Palestinians, said Baker, “this is the best opportunity that has presented itself for a long, long time, and I also think that it is going to be a long, long time before the bus ever comes by again.” And King Hussein, for his part, said: “Time is short. The opportunity may not come again—ever.” The next day, Hanan Ashrawi showed up in Amman to meet with Baker and made clear she was doing so at the PLO’s behest.

On September 20, flying to Ireland after a week of talks which failed to produce final confirmation for a conference, Baker suggested that if the parties did not stop “fiddling” over terms for attending talks, Washington might simply issue invitations to them. Baker’s frustration stemmed from the fact that each party had asked for advance assurances about terms and objectives of the conference and about American policy on sensitive issues. None was ready to accept fully the draft letters of assurance that Baker presented during his seventh swing through the region. Talks were scheduled to continue the following week in New York, when the foreign ministers of Jordan, Israel, and Syria would attend the UN opening session. And the PLO’s parliament-in-exile was scheduled to meet in Algiers at the same time, where it was hoped a decision would be reached.

Although Bush’s tough stance on the loan guarantees did not derail Israel’s commitment to move forward in the peace process, it did raise serious questions in Israel about the U.S. role at the conference. Foreign Minister Levy reflected these concerns when he commented, on September 19, “We are going toward a situation where we are almost alone. What is our security? It is that every Israeli feels that the United States will treat Israel with special sensitivity. If this trust is broken, we go into the unknown without any security.”

Meanwhile, the search for the final piece of the conference puzzle turned to Algiers on September 23, where 450 delegates of the Palestine National Council (PNC) met to discuss Palestinian participation. This was the first meeting of the PNC since November 1988, when the group issued a conciliatory statement that presaged moderate comments by Arafat to a UN meeting in Geneva that in turn led to the opening of U.S.-PLO talks. Arafat told the gathering, “We renew our readiness to work with all the international parties to make the peace conference successful.” He called the gathering “a decisive point in the history of the Arab cause.” And he indicated that “we are ready to remove the obstacles which continue to prevent the holding of this peace conference, hoping that other parties also will make the same efforts. These efforts are entering an extremely delicate and serious phase.”

Despite reports that a consensus was building at the meeting to give a go-ahead
to a conference in which there would be no direct role for the PLO, the voices of the hard-liners, opposed to any agreement, continued to dominate. On September 26, Hanan Ashrawi and Faisal Husseini, the two key Palestinians from the territories, addressed the meeting, with an eye to boosting Arafat’s support for the negotiations. The two were welcomed with enthusiastic applause, and Ashrawi urged the council members to push for a solution that was “badly needed” by Palestinians living under occupation. The conspicuous role of leaders from the territories at this crucial PNC meeting highlighted some of the changes that had taken place within the Palestinian movement as a result of the intifada—chiefly the PLO’s loss of status by virtue of its support for Saddam Hussein and the fundamental interest in movement toward a solution by residents of the territories, as compared to those outside.

The next day, the PNC concluded its meeting by issuing a statement that seemed to endorse the conference. It declared that the PLO maintained the “right” to form its delegation from Palestinians in and outside the territories, including Jerusalem, but did not specify whether it would exercise that right. The statement was interpreted as a vague go-ahead for the effort to form a joint Jordanian-Palestinian delegation and at least left open the possibility that the PLO would stay in the background, which would allow the conference to proceed.

October began in an atmosphere of optimism that the conference might indeed take place that month. David Levy, addressing the UN General Assembly on October 2, expressed the hope that face-to-face Arab-Israeli negotiations would take place “in a few weeks.” Egyptian foreign minister Amre Moussa added that he was “cautiously optimistic” about the prospects. (Moussa’s predecessor, Abdel Meguid, had been elected secretary-general of the Arab League on May 15.) On October 4, in Jerusalem, Yitzhak Shamir said that the chances were “very good” that a peace conference would start late in October. And Hosni Mubarak went even further, telling Egyptian newspaper editors flatly that day that the talks would be held by the end of the month. French foreign minister Roland Dumas added to the chorus with a similar prediction, saying the conference site would be a European city. Only President Bush sought to dampen such talk, telling reporters that the Dumas statement “sounded to me a little more firm than where we are right now.” He indicated that no dates had been set. In fact, it was clear that the effort to work out remaining questions regarding the joint Jordanian-Palestinian delegation would require another visit to the region by Baker.

Four days later, on the 8th, it was announced that Baker would indeed embark on his eighth trip to the region. This announcement came on the same day as revelations that the administration had sent a strongly worded private protest to Israel after Israeli F-15 fighters flew over northern Iraq on Friday, September 25. The administration letter expressed two concerns: that the flights risked a new military confrontation with Iraq that could interfere with UN efforts to disarm Saddam’s regime, and that such a military confrontation could wreck chances for a Middle East peace conference. According to reports, four Israeli jets flew into Iraqi air space because of continuing Israeli “grave concerns” about the threat from Scud
missiles in western Iraq. Israeli officials made no public response to the U.S. protest, but Israeli public opinion was notably unhappy with the American criticism.

On October 10 and 11, Ashrawi, Husseini, Sari Nusseibeh, and Zakaria al-Agha met in Washington with Baker, who reportedly told them that they should go immediately to Amman and set up the joint delegation "in the right way" to ensure that the conference could begin before the end of October. Baker told the press prior to the meeting that Bush and Gorbachev had made it clear they wanted a conference in October, which required "some decisions taken across the board, across the region." He warned that, as the parties got closer to a decision, there would be a tendency by "rejectionists and extremists across the region to take actions designed to disrupt the possibilities for peace." The two days of talks ended in a mood of cautious optimism that the Palestinians would indeed begin formal discussions with Jordan on forming a joint delegation.

EIGHTH ROUND

On October 13, Baker arrived in Cairo to begin his eighth trip—possibly the decisive one—to the Middle East since the end of the Gulf War. Meanwhile, the new Soviet foreign minister, Boris Pankin, was also coming to the region during the Baker stay, with rumors circulating that he might announce the establishment of full diplomatic relations with Israel.

The next day, Baker was in Amman, conferring with King Hussein on ways to persuade Palestinians to take part. At a news conference following the meeting, Baker sought to prod the Palestinians by warning them that Washington's patience had limits: "The bus is not going to come by again. The Palestinians have more to gain and more to lose from this process than anyone else." Baker was reportedly annoyed that upon his arrival in Amman, rather than seeing non-PLO Palestinians working to form a delegation with Jordan, as they had assured him they would, a PLO delegation led by Yasir Abed Rabbo was there. Baker made clear that "it is not our objective to get Israel into a dialogue with the PLO." The next day, however, as Baker departed for talks in Damascus, the three Palestinian leaders—Ashrawi, Husseini, and al-Agha—met with Jordanians and announced that they had reached some basic understanding with Jordan on the framework of the joint delegation.

Meanwhile, Secretary Baker met with President Assad over a two-day period. Afterward, at the usual joint conference with Sharaa, Baker indicated that "we are still on course to hold a peace conference in this month of October." He indicated that Assad had agreed to attend the formal conference, scheduled for a European location October 29–31, and to join ensuing face-to-face negotiations between Israel and its Arab neighbors. But he acknowledged that during 12 hours of talks he had been unable to overcome Assad's refusal to participate in a third stage, the multilateral talks. When asked whether he would shake hands with Levy at the conference, Sharaa, showing how deep the hostility was, said: "I will tell you frankly no. This very hand is very guilty. It is a hand which occupies our lands, ignores Palestinian
rights, and for the last decades, we have been suffering from this occupation. So why do you ask me to shake hands with them unless and until they prove they are not guilty?” Sharaa explained Syrian opposition to the multilaterals on the grounds that Israel’s position was “intransigent,” and Syria “wanted first” to test the Israeli intentions in the peace conference before even considering multilaterals, which it clearly saw as a concession to Israel.

On the 16th, Baker flew to Jerusalem for talks with Israelis and Palestinians. Reports were circulating meanwhile that, if an agreement were not immediately forthcoming, the Americans and the Soviets might just issue invitations for the conference and force the parties to either accept the assurances they had already received or risk isolation by staying away from such talks. A flurry of diplomatic activity took place, with both Baker and Pankin meeting with Palestinians in an effort to get a list of delegates for the joint group, a list that would be approved by the PLO but would not include members of the PLO or Palestinians from East Jerusalem.

On the 17th, Baker spent six hours with Shamir and his key aides. The talk reportedly focused on a U.S. letter of assurances to Israel about the conference. Meanwhile, the PLO reportedly approved participation by seven Palestinians from the territories in the joint delegation. A compromise solution was in the works on participation of East Jerusalem Palestinians—a separate committee, in addition to the negotiating delegation, which would operate as a “decision-making” body. It would include several Palestinians from East Jerusalem, among them Husseini and Ashrawi.

Friday, October 18, was a historic day in the region. At a joint news conference in Jerusalem, Baker and Pankin announced that their two governments had issued invitations to Israel, its Arab neighbors, and the Palestinians for a Middle East peace conference to convene October 30 in Madrid. The parties had until 6 P.M. Eastern time, Wednesday, October 23, to respond officially. Reportedly, the invitations were sent after Baker was told by Palestinians in East Jerusalem that they were prepared to send representatives who were neither formal members of the PLO nor residents of East Jerusalem. When Baker communicated that to Shamir, the Israeli leader indicated that he would recommend to his cabinet that it approve Israel’s participation. He said the conference offered the first opportunity to negotiate directly and that he would recommend yes to the government, “because I don’t see a better alternative.” Baker said these talks held “the hope of a new era in the Middle East.”

While officials reported that all issues had still not been resolved, including that of Palestinian representation and how the second phase of direct negotiations would be conducted, Washington reportedly decided to issue the invitations in hopes that no one would dare to stay away, even if the terms were not 100 percent satisfactory. One unnamed senior official described the decision: “We just thought if we don’t make it happen in October, it very likely won’t happen, this being the Middle East.”

According to the invitations, the conference would be opened by Presidents Bush and Gorbachev. The opening session would last three days, to be followed at some
point by two phases—direct talks between Israel and each of the various Arab parties and multilateral talks on several issues, bringing together regional and other concerned parties.

Simultaneously, foreign ministers Pankin and Levy announced that Israel and the Soviet Union had restored full diplomatic relations. Pankin called the long rupture a "historic mistake." He indicated that in the past the Soviets tended to side with the Arabs, while the United States sided with Israel, and this "did not bring any tangible fruit."

Responses to the invitations started to come in the following day. Jordan announced that it would attend, and Assad's comments after a meeting with Pankin were interpreted as his approval. On October 20, the Israeli cabinet voted 17-3 to approve Shamir's decision to attend. Sharon led the opposition in a seven-hour debate, but the vote was overwhelming. Reports of the discussion indicated that the cabinet members were not necessarily optimistic but felt that Israel had no alternative, since it had been saying for decades that what it wanted above all was face-to-face negotiations. Justice Minister Dan Meridor summed it up: "It is a turning point in Israeli politics. It will not be easy, but we are taking a path whose essence is to bring peace." In fact, it was noted, that, because Washington feared that otherwise Israel would not attend, the peace talks were constructed largely on Israel's terms: Palestinian representatives had to be acceptable; there was no commitment to territorial concessions; Israel did not have to promise a freeze on settlements; and the conference would not be ongoing.

PRECONFERENCE MANEUVERING

Meanwhile, the issue of Palestinian representation continued to fester. As it became clear that the delegates would not officially be representatives of the PLO, statements were being made to reassert the PLO presence. The leader of the proposed delegation, Dr. Haidar Abdel-Shafi of Gaza, put it bluntly: "Certainly, we are not going to refrain from affirming we are PLO supporters." On October 22, the official Palestinian delegation of 14 men was announced, all living in the occupied territories but none from Jerusalem. Israeli officials expressed satisfaction with the delegation, but said they were "most unhappy" with a six-person advisory panel, whose members all violated Israel's guidelines, that would also be in Madrid and would serve as a conduit between the official Palestinian delegation and the PLO. Shamir, in Strasbourg on a visit to the European Parliament, said that Israel "will not speak with these advisers," and "they will not be present in the room during the deliberations of the conference."

On October 23, Shamir announced that he would personally head the Israeli team at Madrid. Since the conference invitations called for negotiations at the "ministerial" level, and since no Arab head of government had said he would attend, the Shamir decision was seen as a slap at David Levy and a determination by the prime minister to show that he was in charge of the process. Soon thereafter, Levy
announced that he would not attend the conference at all. (See “Israel,” elsewhere in this volume.)

The Arab side held a meeting the same day in Damascus to unify its position before sitting down with Israeli representatives the following week. Among the issues discussed were the location of the bilateral talks, whether to attend multilateral talks, and how to prevent the signing of separate peace agreements. The next day the participants expressed agreement in a joint statement to “guarantee a unified Arab stand throughout all the phases of the conference and the talks that complement it.” Opposition to separate deals was the main point of agreement, while Syria failed to convince other Arabs to promise to boycott the multilateral talks.

For the Palestinians, the decision to attend Madrid reflected their coming to grips with new realities. In Jerusalem on October 23, Faisal al-Husseini explained the change to a theater full of local residents: “Today we are entering a new phase. We are heading toward political discussions, a new reality.” He said that this was a stage “which follows many catastrophes,” referring to the intifada as well as Palestinian support for Iraq in the Gulf War. He said that the mistake they made “was facing powers that were much stronger than us,” and he spoke of a “new world order” and urged his compatriots “to understand the rules of the new game so that we can face the challenge and reach our goal.” It was noted that the Palestinians had moved toward a more realistic posture in several areas: talking to Israel, accepting negotiations without any guarantee of how they would end up, and acceding to a shift in representation away from the PLO toward residents of the territories. Elias Freij, Bethlehem mayor and one of the delegates, summed it up: “The Palestinians now realize that they will not win a military victory, that time is now on the side of Israel, which can build settlements and create facts, and that the only way out of this dilemma is face-to-face negotiations.”

At the same time, as the opening of the conference neared, it was clear that Arab leaders believed that a new attitude had developed in the Bush administration. Nabil Shaath, adviser to Arafat, reflected this view: “The Arabs now see that there is more divergence between the interests of the United States and Israel, which allows the United States for the first time to do some things more than before.” And Sharaa of Syria indicated that, since the United States would be the “moving force” at the conference, “we are confident we will arrive at the desired results.” Arab leaders pointed to Bush’s statement to Congress in March on “territory for peace”; his stand on the loan guarantees; and Baker’s continuous talks with Ashrawi and Husseini, even as their coordination with the PLO became increasingly overt.

Meanwhile, Shamir expressed greater optimism as the talks neared. In an interview on October 24 he said that the talks offered hope for “revolutionary change,” and that, while things could easily go wrong, “there are many chances for success.” He expressed doubts about Washington’s impartiality in light of the loan-guarantee and other spats, but he said there was a need for an “honest broker” and “there’s not a better candidate for playing this role” than the United States. An Israeli poll showed that Israelis overwhelmingly supported the decision to take part in the
negotiations, with 57 percent believing they might actually produce significant results.

Israel announced its delegates to the talks, naming Yosef Ben-Aharon to lead negotiations with Syria and Elyakim Rubinstein, the cabinet secretary, to lead negotiations with the Jordanian-Palestinian team.

At a White House news conference on October 25, President Bush stressed that the United States would serve as a catalyst to bring people together but would not try to "impose a settlement." Secretary Baker indicated that the plans for the conference were proceeding on schedule. He noted, too, that the Americans and Soviets hoped to prevent the opening conference from getting bogged down in procedural disputes, so that the parties could move to the direct bilateral negotiations which were the key to progress.

On October 28, participants in the peace conference began to arrive in Madrid, including Mikhail Gorbachev, making his first trip out of the Soviet Union since the failed coup. Palestinian delegates arrived in Madrid bearing olive branches and chanting "Palestine is Arab." And the first dispute of the opening conference surfaced when Israeli officials criticized the fact that the official Palestinian delegation was going to have equal speaking time at the conference with all other delegations. The Israelis argued that the Palestinians were part of a joint delegation and should split the time with the Jordanians.

On the eve of the opening of the historic talks, Bush, in Madrid, refused to reiterate the "land for peace" formula, saying again that "we're not here to impose a settlement" and "I don't want to give anybody reason to walk away or make additional conditions because of anything I say." It was as if, after all the years of disappointment and false starts, there was a lurking fear that another nasty surprise could still be in store for everybody. During the day, Shamir held a private meeting with Gorbachev, which again showed how much the world had changed on all sides.

On issues, on October 29, Israel agreed that Palestinians and Jordanians would each be permitted 45 minutes for their opening statements, although they were part of the same delegation. Regarding the direct talks, still unresolved were the questions of venue after the initial talks in Madrid—Israel wanted a Middle East location, the Arabs wished to stay in Madrid—and a continuing U.S.-Soviet role—Syria wanted their presence in direct talks, Israel was opposed.

PEACE CONFERENCE OPENS

And so, in Madrid, on October 30, Israel and the Arab states that surround it met face to face for peace talks. Representatives from Israel, Jordan, Syria, Lebanon, and the Palestinians sat around a T-shaped meeting table in the Hall of Columns at Spain's Royal Palace. Presidents Bush and Gorbachev gave the opening speeches. Bush used his speech to tell the Israelis that "territorial compromise is essential for peace," but balanced that declaration by telling the Arabs that they must make real peace, not just end the state of war, to gain any territorial concessions. Gorbachev
said that all should seek a shared victory over a “cruel past.” Reporters noted that the Israeli and Arab delegates were cold to each other in public but that during the breaks, several Israeli delegates quietly exchanged greetings with members of the Palestinian, Jordanian, and Lebanese teams. There was no contact, however, between Israelis and Syrians.

Baker, for whom the talks represented a personal triumph, said afterward that the “old taboo that Arabs and Israelis cannot meet and cannot talk is now something that we want to relegate to history.” He added, “The road to peace will be very long and it will be very difficult. We have to crawl before we walk and we have to walk before we run, and today I think we all began to crawl.” It was noted ironically by some commentators that, while this conference should have been a political triumph for George Bush back home, as a logical extension of the victory over Saddam, in fact, with the end of the threat that an Arab-Israeli conflict could escalate into a U.S.-Soviet nuclear war and with no imminent risk of an oil embargo, most Americans saw the development as distant and unlikely to influence their own well-being at home.

On the second day of the opening conference, each participant had an opportunity to present its perspective on the struggle. On the third day, each party had time for rebuttal. Shamir directed sharp attacks at Syria, charging that it was “the home of a host of terrorist organizations that spread violence and death to all kinds of innocent targets” and “merits the dubious distinction of being one of the most oppressive, tyrannical regimes in the world.” The prime minister saved his softer remarks for Jordan, noting that Israel maintained a “situation of de facto non-belligerency” with Jordan, as well as that Israel had no designs on Lebanese territory. Sharaa of Syria struck the most strident note of the day, holding up a picture of Shamir when he was a member of the Jewish underground and claiming that Shamir “himself recognized that he was a terrorist. . . . He killed peace mediators.”

The conference concluded with an address by James Baker in which he sought to dampen the effects of the harsh rhetoric: “I said often that the parties would probably stake out maximum positions, especially as they get closer to negotiations. This is not surprising, especially in a public forum.” He called it a “good start, an historic start that has broken taboos,” but cautioned that “you must not let this start become an end,” and added, “We cannot want peace more than you.”

On his return to Jerusalem on the same day, Shamir reiterated his commitment to the process, despite the vituperative comments by the Syrian representative and despite the dispute over where to hold the direct talks. Early on, the Jordanian-Palestinian group had agreed to meet with the Israelis on November 3 to discuss unresolved details, including the site of further talks. Hanan Ashrawi, speaking for the Palestinians, said that procedural matters should not be allowed to hold up the start of the bilateral talks, reflecting the sense that the Palestinians saw a prospect for immediate tangible gains from the talks.

The Syrian insistence on Madrid was seen as reflecting their fear that other bilateral talks would yield greater results than their own, which in their view
depended on Israel's willingness to return the Golan Heights. Sharaa indicated in his press conference that Syria would not agree to normalize ties with Israel and said he would not even shake hands or talk with Israelis until "after the withdrawal from the Golan." By November 3, however, the Syrians had given in and met the Israelis for the first time in direct talks. Reportedly, the Saudis and Egyptians had weighed in against the Syrian position, and the Palestinians had made it clear that they would not hold back, so the Syrian hold over Arab negotiating positions had been broken. Minus Soviet backing, Syria's weakness was exposed; it capitulated by showing up for the talks, though several hours late. After the sides met for five hours, Ben-Aharon, head of the Israeli delegation, indicated that the talks were "not fruitful at all," with the Syrians repeating the question: "When will you withdraw from the territories?" The Syrian chief delegate, Muwaffaz al-Allaf, also expressed dissatisfaction, claiming that the Israelis "wanted to make gains without giving anything in return."

In contrast, the Israeli-Jordanian-Palestinian talks were said to have been held in a good atmosphere with friendly exchanges. They ended with a joint statement saying that Israelis and Palestinians would soon begin negotiations for self-rule in the territories. Baker expressed pleasure with the quality of these talks and added that he hoped they would lead "within a year" to limited self-rule for the Palestinians. Elyakim Rubinstein, heading the Israeli delegation on the Jordanian-Palestinian talks, said "there is still a long way to go," but "there surely is an historic feeling here." The real success of the talks was that they had taken place at all, and that the Palestinians and Jordanians had put themselves on separate tracks from the Syrians, thus limiting the Syrian ability to dominate.

AFTER MADRID

With the end of the Madrid phase of the talks, it was unclear where and when they would continue. The Israelis sought Middle East venues on the grounds that it would be easier for government leaders to consult with their delegates, as well as for the recognition of Israel that would be implicit in such meetings. While the Arabs continued to argue on behalf of Madrid or other European spots, it was reported that Baker would seek to resolve the dispute by inviting the parties to Washington sometime in December.

Back in Washington, Baker held a news conference on November 5 in which he urged Israel and Syria to reach an agreement within two weeks on a location for the bilateral talks. "If there's no agreement," he said, "we will feel free to submit proposals." When asked about Israel's announcement of a new settlement in the Golan Heights the day before, he said that he could not see how such a move could help the process and expressed concern about provocative steps by any party.

Days passed without any resolution of the question as to where future talks should be held. Shamir's visit to the United States to speak to the annual assembly of the Council of Jewish Federations provided an opportunity for him to consult with Bush
and Baker on the matter. On November 21, Shamir told the Council of Jewish Federations meeting in Baltimore that Israeli security required that Israel maintain control of the West Bank and Gaza because there is "no room for two states in such a small area." Later in the day he met with Baker in Washington; after the meeting Baker said they had made progress regarding the site. Shamir, when asked if Israel was now ready to come to Washington to continue the talks (Washington was increasingly mentioned as the compromise site), would only say, "We have discussed this question of venue together with other questions and we have not yet decided."

The following day, November 22, only hours before Shamir was to meet with President Bush, the State Department issued invitations to the parties to begin their next round of peace talks in Washington on December 4. Shamir reportedly still tried to convince Bush in his meeting that he should bring more pressure to bear on the Arab states to hold the talks in the Middle East. Two hours later, however, spokeswoman Tutwiler announced that the invitations had gone out: "After waiting three weeks for the parties directly involved to work out among themselves the question of venue for additional bilateral talks, we proposed that the parties meet here in Washington on December 4."

Yitzhak Shamir returned to Israel on November 24, amid a storm of accusations that Washington had humiliated the prime minister in the way it fixed the next round of talks. Shamir himself sought to play down the dispute, insisting that, despite the obvious disagreements with Washington, "there is no crisis of confidence, not personal and not any other kind."

The Israeli government’s concerns about the U.S. attitude were heightened by some of the suggestions for bridging differences between the parties contained in the invitation. Included in it was language suggesting that Israel ask the Syrians what they would give in return if Israel were to withdraw from the Golan. Such references to withdrawal reportedly created an uproar in Shamir’s office.

On November 26, the informal deadline for response to the U.S. invitations, three parties—Israel, Syria, and the Palestinians—had not yet responded. The administration indicated that it would not consider any changes in its invitations and told Israel and the Arab parties, "The ball’s in your court." The issues of concern to the parties were: for Syria, its desire for a prior commitment from Israel to consider withdrawing from the Golan; for the Palestinians, admission of PLO representatives to the United States to observe the talks; for Israel, the venue.

On November 27, the government of Israel issued a statement indicating that, "out of respect for the United States," it was prepared to conduct one or two meetings in Washington, with subsequent talks to be held in the Middle East or close by. It proposed that the first talks take place on December 9. Later in the same day, sensing an opportunity to score a propaganda coup over the Israelis, Syria and the Palestinians quickly dropped their resistance and agreed to show up on December 4. Tutwiler indicated that the U.S. invitation stood and that the State Department would "have the negotiation facilities ready and open on December 4."

On November 29, Shamir explained to reporters why his government was so
intent on having the talks in the region and separately. Both positions, he said, were designed to dispel assumptions by the Arabs that they could bypass Israel and deal only with the Americans. He indicated that, while Bush and Baker told him that "the Arabs are making a complete mistake if this is what they think," he remained concerned about American intentions. Despite reports of possible compromise, Israel stuck to its guns about not appearing until December 9, apparently ready to take a public-relations setback in order to make the point that Jerusalem would not allow Washington to dictate procedural details, because that might lead the United States to dictate substantive measures.

While the United States refused to give in to Israeli requests to delay the talks, it did make a concession to Israel by barring photographers and reporters from the negotiating rooms until all the participants were in place, presumably to avoid a publicity barrage showing empty Israeli chairs. In two other developments perceived partly as U.S. efforts to heal the latest Israeli wounds, Washington announced, on December 3, a large-scale international meeting for January 28–29 in Moscow, to discuss Middle East regional issues. The administration indicated as well that it would press harder for repeal of the UN resolution equating Zionism with racism.

December 4 came and Israeli delegates did not appear. Syrian, Lebanese, Jordanian, and Palestinian negotiators gathered at the State Department but quickly departed. Tutwiler said it was "disappointing" that Israel did not show up. Meanwhile, Benjamin Netanyahu held a news conference in Washington in which he explained Israel's absence as a signal to both the Arabs and the United States that there could be no talks without Israel, and that Washington should not have issued the invitations without first insisting that the Arabs directly discuss the issue with Israel. By the next day, the Palestinians showed unhappiness that the American response to Israel's absence was not sharper. Ashrawi accused the United States of "avoiding confrontation with Israel and allowing Israel to stall." After much wrangling, the two sides agreed to begin the Washington talks on December 10.

On that date, after Syrian and Israeli negotiators met for 2½ hours, Syrian officials complained that Israel was "trying to talk about everything except for withdrawal from the territories, rejecting the possibility of land for peace," while Israel was trying to determine whether the Syrians were "willing to accept Israel's right to exist and its legitimacy."

Meanwhile, the Israeli-Jordanian-Palestinian talks, deemed the ones most likely to produce some sort of agreement in the future, became bogged down in a procedural dispute. Israel insisted that the talks open with a joint Jordanian-Palestinian delegation, and only after the opening would the Israelis and Palestinians separate into working groups. While Israel pointed out that the invitation to the talks required a joint delegation, it also wanted to highlight its view that a solution must be in the Jordanian context. For their part, the Palestinian delegates insisted on separate talks from the outset to underscore their view as to where the talks should lead.

By the end of the first week of talks, observers noted that the gulf between the
sides was too wide to permit any quick, dramatic agreements, but that the parties were willing to show just enough flexibility to avoid dooming the talks to failure. One of Israel’s negotiators was quoted as saying, “If you ask me where we will be a year from now, I would predict that we will have not reached any agreements. But I also believe that we will still be negotiating.”

Bush met with Levy on December 17, and officials reported that the president had called on Israeli and Arab negotiators to resolve the procedural wrangling. Two days later, with the round of talks over and scheduled for resumption on January 2, Bush said he was “disappointed” at the lack of progress, but insisted that when the talks resumed, the United States would “continue to have the same role, as a catalyst, not attempting to dictate solutions.” These comments were seen as siding more with Israel, which argued that the Arabs would not be forthcoming as long as they believed Washington would intervene, than with the Arabs, who sought a more active U.S. role to break the deadlock. On December 21, Shamir, talking to 3,000 members of Likud’s Central Committee, congratulated Israel’s negotiating team and said that their mission was to achieve peace without giving up land.

**Loan Guarantees**

Aside from the Gulf War and the beginning of the peace conference, the major issue facing the United States and Israel in 1991 was Israel’s request that the U.S. government cosign a loan for $10 billion over five years to help Israel absorb Soviet Jewish immigrants. The impetus for Israel’s request was the fact that Soviet Jews, alarmed by the collapse of the Soviet economy as well as fear of growing anti-Semitism, were rushing to leave the USSR by whatever means possible for the one country willing to take them immediately. In December 1990 alone the figures were close to 40,000, a record for immigration to Israel; officials of the government and Jewish Agency were predicting 200,000 to 400,000 for 1991. Simcha Dinitz, chairman of the Jewish Agency, summed up the mood: “We are going to get them out as quickly as we can, regardless of the difficulties it creates here. Because if we wait, the doors could close and it could be too late.”

In 1990, when the Soviets loosened restrictions on emigration and the number of immigrants began to climb, Israel requested and received a commitment for a $400-million loan guarantee from the United States. Final approval, however, had been held up by the administration’s desire for written assurance that the money would not be used to build housing units in the occupied territories. Although Israel submitted a letter signed by David Levy, making explicit promises to this effect, on October 2, 1990, the State Department continued to raise questions about Israel’s spending plans regarding road building and settlements.

On February 13, 1991, Ambassador Shoval handed the State Department answers to its last three questions on Israel’s plans. The following day, Secretary Baker read an article in the *Washington Post* suggesting that Israel had secret plans to build 12,000 new housing units in the territories. He instructed his aides to find out from
the ambassador whether this was official policy or not. That afternoon, Shoval, in a Reuters interview, accused Washington of giving his country the "runaround" on its request for loan guarantees, and complained that Israel had so far received no compensation for losses incurred as a result of the Gulf War.

The administration reacted with an unusual rebuke of the ambassador in the form of a White House statement on February 15: "Public statements made yesterday by Israeli Ambassador Zalman Shoval criticizing the United States are outrageous and outside the bounds of acceptable behavior by the ambassador of any friendly country. The Secretary of State made this clear to the Ambassador yesterday, and the President protested to Prime Minister Shamir by cable this morning. We deserve better from Israel's Ambassador." Administration officials made clear that Israel understood that Washington was prepared to release the $400 million as soon as the Israelis provided the information they had promised, and therefore the "runaround" claim was dishonest.

On February 17, at the National Jewish Community Relations Advisory Council meeting in Miami, Shoval apologized for his criticism, saying, "I did say some things which diplomats are not supposed to say and I am sorry for that." Clearly trying to smooth over the flap with the administration, Shoval called the dispute a "squabble between friends, and mistakes on my part can be overcome." Finally, on February 20, Baker telephoned Levy to inform him of Washington's decision "to release the $400 million." Reports were already circulating, however, that Israel would come back to the United States for further assistance, as well as seeking additional support from world Jewry and from other governments in the form of guarantees.

On May 6, ending months of speculation, Ambassador Shoval said in a speech to the American Jewish Committee that Israel would soon request $10 billion in loan guarantees and urged the United States not to link the aid to "political considerations of the moment." He indicated that Israel would not ask the administration for the additional guarantees until September (reportedly because of an agreement giving Israel $650 million in emergency aid at the end of the Persian Gulf War and mandating that there would be no additional Israeli aid requests until Labor Day). Shoval also indicated that once Washington agreed to grant the guarantees, Israel hoped that Europe and Japan would follow suit with additional assistance. He suggested that the world owed Israel and the Jewish people "a debt to normalize Jewish history."

Concern began to mount in Israel and the Jewish community as stories circulated that the administration was going to take a tougher stand on a new request, seeking concessions on the peace process or on settlements. Tom Dine, executive director of the American Israel Public Affairs Committee (AIPAC), declared in a speech on June 9 that the "paramount challenge this year" to American Jews would be to persuade Congress and the administration to grant the loan guarantees: "We must fight any attempt to imperil this vital program by linking it to the explosive ideological issue of settlements, or the peace process. This is something we will fight with all our being." On June 26, Israeli defense minister Arens said in a talk to the
Washington Institute for Near East Policy that Israel would fiercely resist any effort to link the loan guarantees to a halt in settlement building, saying that he found it "hard to believe anybody would tie together these two incommensurate things which would deprive Soviet Jews of needed help."

Reports also circulated that Shoval had sent a message to Jerusalem warning that additional settlement activity would seriously jeopardize efforts to secure the loan-guarantee package. In Israel, the government was pushing ahead with a massive building program in the territories. Thousands of housing units were under construction, and Sharon promised to build 12,000 new units over the next two years, which would increase the Jewish population in the territories by up to 50 percent.

On Monday, July 1, Bush addressed Israel's concern, saying that he did not think the loan guarantees should be a "quid pro quo." While Israeli officials said they were "happy" with Bush's statement, there still was concern that linkage would occur. Israel Radio's correspondent in Washington, Oded Ben Ami, said on July 2, "One must be blind to think there will not be a linkage; there will be one." And in an interview with Israel Radio, Shoval laid it on the line: "The government of Israel will have no choice but to decide if it is more important to continue settlement-building in Judea, Samaria, and Gaza, or obtain American aid for the absorption of Soviet immigrants." He stressed that he took no position but intended only to lay out the problem facing the government: "There is no escape from this choice. If the government refuses to freeze the settlements, it must know whether it is capable of absorbing the immigrants without U.S. aid."

As an open struggle began to loom between the administration and Israel, commentators looked at the third side of the triangle, Congress. It was noted that Capitol Hill would not want to do anything to undermine the administration's efforts to get a peace process started; at the same time, few members would want to pressure the Israeli government, particularly as it struggled to deal with the tide of new immigrants. Most significantly, it was pointed out that Congress would have to deal with the potential budgetary impact of the loan guarantees, the varying estimates of the money that would have to be set aside.

As the summer moved along and the September date for Israel's formal request neared, there was some hope that Israel's acceptance of the Baker peace initiative might lead the administration to back off from any thoughts of linkage. In September, as the day approached when Shoval would present Israel's request, Baker reportedly tried to persuade Shamir to defer the request until the peace conference opened in October. Shamir told Baker that he could not delay the request because the aid was too important and because he did not want to look weak before the Arabs. On September 4, having gotten nowhere with Shamir, Baker said at a news conference that he hoped Congress would defer the loan matter in order to give the peace conference a chance. Sen. Patrick Leahy (D., Vt.), chairman of the Senate appropriations subcommittee on foreign operations, said, after meeting with Bush and Baker on September 4, that he had decided to delay consideration of the foreign operations aid bill, which would include the loan guarantees.
On September 6, the day that Shoval would formally present Israel's request, Bush took the unusual step of summoning reporters into the Oval Office to announce that he would ask Congress not to act on the Israeli appeal for 120 days. This meant that it would only be dealt with after the opening of the peace conference. Bush said, "I think the American people will strongly support me in this. I'm going to fight for it because I think this is what the American people want, and I'm going to do absolutely everything I can to back those members of the United States Congress who are forward-looking in their desire to see peace." While Bush was making it clear that Shamir must take the administration seriously, that he could not have everything, Israelis and American Jewish leaders argued that in demanding a freeze on settlements, Bush was prejudicing himself as a cosponsor for the peace conference by insisting that Israel make a prior commitment on a matter that should be negotiated with the Arabs.

Several hours after Bush's meeting with reporters, Shoval presented Israel's request to Baker.

On September 10, Bush met in the White House with Senate supporters of Israel—Robert Kasten (R., Wis.), Daniel Inouye (D., Hawaii), and Patrick Leahy—and appealed to them to back his request for a four-month delay. All the senators promised him, however, was a two-week delay "to avoid confrontation if possible." The president told them that he would not seek any further delays in taking up the issue after January but gave no assurances that he would support the guarantees after the delay.

On September 11, Bush told reporters that it was "simply . . . not correct" to say, as one anonymous Israeli official had said in Jerusalem the day before, that the administration was breaking a vow on the loan guarantees. The president said, "I'm not committed to any numbers and never have been. I'm committed to seeing that they get considered. And we generally have been quite supportive of the idea of absorption" of Soviet Jews into Israel. While reports told of a president angered over Israel's insistence on pushing forward, he limited his public remarks on the 11th to the fact that he had seen comments from abroad "that I didn't particularly appreciate."

On September 12, as part of the American Jewish community's effort to win approval for the loan guarantees, more than a thousand people came to Washington from across the country to lobby members of Congress. While the community leaders were gathering in the capital, the president called a hurriedly scheduled nationally televised news conference in which he urged, in unusually vehement terms, that Congress delay debate on Israel's loan-guarantee request and threatened to use his veto to block any early congressional action on the matter. He expressed how upset he was that Congress was moving forward and reiterated his concern that a "contentious debate" on the issue "could well destroy our ability to bring one or more of the parties to the peace talks." The president spoke of his commitment to help Soviet Jews but said that he had "absolutely not" made any commitment to support the loan-guarantee request, even at the end of 120 days.
Even more than the policy decision of the president, the words and the tone of his remarks created an uproar in Israel and the American Jewish community. He conjured up old anti-Semitic stereotypes of excessive Jewish power when he said that "powerful political forces" were at work against him, while "we've got one lonely little guy down here doing it." He said that he heard "there were something like a thousand lobbyists on the Hill working the other side of the question." He talked of how American soldiers "risked their lives to defend Israelis" in the face of Iraqi Scud missiles but made no mention of the Israeli policy of restraint in support of the U.S. war effort in the face of those same Iraqi missiles. And he referred to U.S. aid to Israel in terms that those who propagandize against aid to Israel employ: "nearly $1,000 for every Israeli man, woman, and child" (as if the money were simply given to individual Israelis rather than assisting a nation considered crucial to U.S. interests).

The following day, Shamir, returning to Israel from a trip to Paris, responded defiantly to the Bush threat to veto a loan guarantee, saying that his government saw "no reason to change our position" on the issue. He seemed to encourage American Jews to press forward when he said, "Our friends have brought this . . . problem before the Congress, and the Congress will discuss it and take its decisions." Earlier, in a meeting with French Jews, he stressed that American Jews "have learned a lesson from the Holocaust and they are now united and very active, to the surprise of political circles in their country."

On September 15, things got nastier. Cabinet minister Rehavam Ze'evi, from the far Right, called George Bush an anti-Semite and a liar. Moshe Arens later repudiated this attack in an interview on ABC, and Shamir reportedly urged his ministers to "calm the atmosphere and watch our words." Shamir, however, was also quoted by officials as having said: "We will not retreat . . . we will stick by our position." Meanwhile, the official Syrian daily *Tishreen* said that if the United States submitted to Israeli pressure for loan guarantees—labeled Israeli "blackmail"—it risked destroying peace efforts and threatening U.S. interests.

Commentators on the Middle East pointed out that the conflict between Bush and Shamir was far deeper than just over loan guarantees. From Israel's side, it was noted, there were general anxieties about American attitudes now that the Cold War had ended, as well as questions about linkage of U.S. aid to settlements and nervousness that Israel would be isolated in the difficult negotiations. The American perspective, in turn, was seen as conflicted: on the one hand, the desire to coax or pressure the Arabs to come to the table so as to produce a change in Israeli behavior; on the other, a sense that without U.S. pressure, the Shamir government would never truly change.

On September 16, Secretary Baker visited Israel and spent two days of talks in Jerusalem. According to reports, Baker offered the Israelis a six-point compromise proposal that included an administration commitment to address the loan guarantees in principle after the four-month delay; it did not include a promise of the full $10 billion in guarantees or a way to avoid any linkage to a halt in settlements. Israeli
officials reportedly told Baker that they would agree to a delay if the administration promised an eventual full guarantee without any linkage. On the plane to Cairo, Baker called together reporters accompanying him and reportedly indicated that the administration would not give Israel the loan guarantees without an Israeli agreement to halt further settlements.

The following day, however, at a news conference in Damascus after talks with Assad, Baker said he had not “discussed either publicly or privately a settlement freeze” in connection with the loan guarantees. Instead he said: “We have asked for a delay, because we want to avoid the question of linkage, not to promote it. It is not new information that the Administration believes that when Congress debates the issue of absorption aid to Israel in the form of guarantees or otherwise, we have a right to know and a right to ask how that aid and how those guarantees would be used.” Syrian foreign minister Sharaa used the occasion to warn that if Washington granted the loan, “then that will be a major obstacle to peace, certainly.” In Israel, Shamir told a group of visiting congressmen, on September 19, that the U.S. decision on loan guarantees was creating “euphoria in the Arab world, and that this fact cannot advance peace.”

Meanwhile, in Washington, President Bush sought to calm the uproar in the Jewish community over his September 12 remarks by sending a conciliatory letter to Shoshana Cardin, chairwoman of the Conference of Presidents of Major American Jewish Organizations. While standing by his decision calling for a 120-day delay of consideration of the loan guarantees, Bush expressed recognition that some of his comments had “caused apprehension within the Jewish community,” and said that his reference to “lobbyists and powerful political forces was never meant to be pejorative in any sense.” He believed, he said, that “politically organized groups and individuals are a legitimate and valued part of the decision-making process in a democracy.”

At the same time, key members of Congress were seeking a compromise to avoid confrontation. Senators Kasten and Inouye sponsored a proposal to approve the guarantees without reference to a 120-day delay but indicated that they would wait for Baker’s return in hopes of reaching agreement. Senator Leahy summed up congressional opinion: “Even those who disagree with the President would like to avoid a fight, feeling that no one would win—not Israel, not the United States.” Commentators noted that the president saw the persistence of Israel and the Congress over this issue as a challenge to his control over foreign affairs and believed that he had public backing.

As discussions continued about possible congressional compromise, increasingly there were reports that the lawmakers would not oppose the president on his desire for a 120-day delay. A key figure, David Obey (D., Wis.), chairman of the House Appropriation Committee’s subcommittee on foreign operations, supported the president: “I don’t care if you tell me that Daffy Duck has a proposal. Proposals are very interesting, but in the end they’ve got to get the money, and they have to get the money through my committee. And that’s not going to happen until Janu-
ary.” With an election year coming and the country in a recession, there was ambivalence in Congress and unwillingness to confront the president over an issue perceived to be one of foreign aid. Inouye, for one, said, on September 23, that he believed most of his colleagues “do not want to frustrate the President in his role in conducting the nation’s foreign policy. I don’t think there’s any doubt about the 120 days. In fact, it may be longer.”

One proposal that received a good deal of attention and seemed to address the administration’s concern that money lent to Israel would free other money to build settlements (“fungibility”), was circulated by Senator Leahy. This would link the guarantees to settlements by deducting a dollar from the guarantees for every dollar Israel invested in settlements in the territories.

On September 25, Levy and Baker met in Washington, and the Israeli foreign minister told reporters afterward that a “better climate” had been achieved. This improvement in atmosphere was understood to mean not any substantive understandings but rather a growing sense that a fight with the White House in Congress was not realistic.

On October 2, the key senators working for the loan guarantees, Kasten and Inouye, formally acceded to the president’s request for a 120-day postponement. State Department spokeswoman Margaret Tutwiler said the congressional decision was “a welcome affirmation of the President’s judgment that a pause” would be “in the best interests of historic opportunity for peace that lies before us.” She indicated that the administration would support the guarantees the following year, “provided terms and conditions acceptable to the Administration are worked out.”

At the opening session of the Knesset, on October 7, Shamir took his strongest stand yet against the administration: “The pain and disappointment are especially great because the American Administration chose to take a step that damages the deepest foundations of Jewish and Zionist existence.” While praising Bush for his past efforts on behalf of Soviet and Ethiopian Jews, Shamir said that the administration had neglected to recognize the decades of Arab opposition to Jewish immigration to Israel.

On November 12, Bush met with Jewish leaders and reportedly told them that he was troubled that some of his remarks “hurt some people.” He refused, however, to discuss the loan guarantees, saying that he would take up the matter in January. Visiting Washington in November, Shamir chose not to raise the loan-guarantee issue with the president, apparently having been advised that it would not be a good idea. However, the prime minister was said to be angry at the lack of discussion on a matter of such importance to Israel.

“Zionism Equals Racism” Resolution

Amid the difficult struggles to start a peace process and to evaluate loan guarantees to Israel, the Bush administration took a major initiative to have the United Nations repeal its infamous resolution of 1975 equating Zionism with racism. Speak-
ing to the UN at its opening session, on September 23, Bush called for repeal, saying that the UN “cannot claim to seek peace” until it does: “We should take seriously the charter’s pledge to practice tolerance and live together in peace with one another as good neighbors. Resolution 3379, the so-called Zionism-is-racism resolution, mocks this pledge and the principles upon which the United Nations was founded.”

The administration had been committed in principle for two years to such a move, but had delayed because of the Gulf War. Although the president now stressed that the measure would promote the cause of peace, it was also noted that it was intended to heal the strains with Israel over the loan guarantees. Still, John Bolton, assistant secretary of state for international affairs, indicated that the United States was far from ready to put repeal to a vote because, while there was probably a majority in favor of repeal, it was not strong enough to risk a vote. The following day, September 24, Soviet foreign minister Boris Pankin joined Bush in calling on the UN to “once and for all leave behind the legacy of the ice age like the obnoxious resolution equating Zionism to racism.” The change in the Soviet position was seen as one more indicator of the new world created by the fall of Communism, holding out hope that repeal was not a pipe dream.

While other nations began to express their support for repeal, Arab leaders refused to budge. Syrian foreign minister Sharaa told the UN, on October 1, that Bush’s call was premature, that first the causes that prompted passage in 1975—Israel’s occupation of Arab lands and treatment of the Palestinians—must be dealt with.

After the initial flurry of activity following the president’s speech, the campaign for repeal seemed to stop dead, and in Israel there was some criticism of Bush for having let the issue drop. Early in December, however, U.S. diplomats engaged in an extensive campaign in capitals around the world to secure support for repeal of the resolution. By December 5, U.S. and Israeli officials reported that at least 85 and possibly 100 of the General Assembly’s 166 members were ready to vote for repeal. Meanwhile, on that day, 21 Arab members of the UN, including Egypt, decided that the repeal resolution was unacceptable because it offered nothing to the Palestinians. On December 8, the 45-nation Organization of the Islamic Conference approved a resolution condemning Zionism as racist.

Momentum for repeal continued to build. On December 9, it was revealed that Japan had decided to vote for it, the decision seen as part of a broader Japanese effort to improve relations with Israel.

Finally, on December 16, the General Assembly voted overwhelmingly to revoke the resolution. The vote was 111 in favor of repeal, 25 against, with 13 abstaining and 17 not taking part in the voting. The heavy vote was interpreted as a demonstration of U.S. diplomatic power as well as of the shifting political currents following the collapse of Communism and the Gulf War. All the former Soviet Bloc nations voted for repeal; many Asian and African nations, including India, Nigeria, Singapore, and the Philippines, which had voted for the resolution in 1975, reversed themselves. Among the Arabs, none voted for repeal, but Bahrain, Egypt, Kuwait,
Morocco, Oman, and Tunisia were all absent from the vote.

As the result of the vote flashed on the big electronic board in the General Assembly, applause broke out and delegates rushed to congratulate Israel's foreign minister Levy. Later, Levy described the vote as "removing a terrible blot" and said the world community was "sobering up." Lawrence Eagleburger, speaking for the United States, summed up the situation: "We believe that with the world's and this body's passage into a new era, it is more than time to consign one of the last relics of the Cold War to the dustbin of history."

KENNETH JACOBSON