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BUSH VOWS TO VETO LOAN GUARANTEES AS ACTIVISTS CONVERGE IN WASHINGTON

By David Friedman

WASHINGTON, Sept. 12 (JTA) -- Israel's battle with the Bush administration to obtain guarantees for \$10 billion in immigrant resettlement loans encountered tough resistance Thursday when the president vowed to veto any legislation authorizing the guarantees at this time.

Bush made the threat at a White House news conference hastily convened after some 1,000 pro-Israel activists from across the country converged on Capitol Hill to press Congress to act swiftly on the Israeli request.

Pounding his fist on the lectern, the president repeated his request that Congress delay consideration of the loan guarantees for 120 days, in order to "avoid a contentious debate" that could torpedo his plan to hold a Middle East peace conference in October.

"We are close to being able to convene a peace conference that in turn would launch direct peace negotiation between Israel and the Arab states, something the State of Israel has sought since its inception," Bush said.

"A 120-day delay is not too much for a president to ask with so much in the balance," he declared. "We must give peace a chance, we must give peace every chance."

But Shoshana Cardin, chairman of the Conference of Presidents of Major American Jewish Organizations, which is coordinating the lobbying effort on the loan guarantees, rejected Bush's appeal.

"While we regret the president's position," she said, "we will carry forward our effort with our senators and representatives because of our firm belief that prompt consideration" of the loan guarantees "is best for peace, best for the American national interest, and best for our friend and ally, Israel."

Delay Would Cause 'Deep Hardship'

Observing that Bush "did not state why he thought a delay would improve the prospects for peace," Cardin said, "It is our firm conviction that any further delay would not only cause deep hardship among the hundreds of thousands of new immigrants to Israel. It could also hurt the chances of peace."

She warned that "any delay could send a signal to the Arab side that they could achieve political gains through the exercise of American pressure against Israel rather than in the give-and-take inherent in the negotiating process."

At his news conference, Bush denied that he was asking for a delay in response to Arab demands. He said he was merely trying to ensure that the peace conference is not jeopardized.

It was the third time in less than a week that the president had appeared before reporters to press for the 120-day delay. His reiteration of that plea at a formal news conference was an apparent attempt to neutralize the effect of 1,000 persons meeting personally with senators and representatives to press for quick enactment of the loan guarantee legislation.

Acknowledging this, Bush said, "I'm up against some powerful political forces, but I owe

it to the American people to tell them how strongly I feel about deferral."

He repeatedly stressed, as he had on the two previous occasions, his belief that "the American people will support me."

But he conceded that he does not yet have congressional support and said he had been constantly on the phone with members of Congress urging them to agree to the delay.

'Playing With Politics'

Sen. Alan Cranston (D-Calif.), a member of the Senate Foreign Relations Committee, charged that Bush is "politicizing an issue that should be dealt with purely on humanitarian grounds."

By threatening a veto, Bush is "playing politics with the peace process," Cranston said.

Sen. Frank Lautenberg (D-N.J.) accused Bush of having "created an issue where none existed."

He said he is joining other members of the Senate Appropriations Committee in urging the "president's continued dialogue with Congress."

Rep. Eliot Engel (D-N.Y.) said Bush "has forced Congress to choose between confrontation or caving in, and I don't believe we are prepared to relinquish our right to vote on important policy matters."

The 1,000 pro-Israel activists, most of them national and local Jewish leaders, were in Washington for National Leadership Action Day, sponsored by the National Jewish Community Relations Advisory Council and the National Conference for Soviet Jewry, in consultation with the Conference of Presidents.

Before leaving for Capitol Hill, they were briefed by Israeli Ambassador Zalman Shoval and Thomas Dine, executive director of AIPAC, the American Israel Public Affairs Committee.

At a morning news conference, Cardin, who is also chairman of the National Conference on Soviet Jewry, and Arden Shenker, NJCRAC's chair, stressed that the American Jewish community is not seeking a confrontation with the president.

They said the Jewish community is pushing for immediate action, because the loans are needed now to meet the urgent needs of the new immigrants to Israel, who are arriving by the thousands each month.

Compromise Ruled Out

Cardin ruled out a compromise effort from the American Jewish community. She said any such deal would have to be worked out in negotiations between Israel and the United States. She indicated this could happen when Secretary of State Baker arrives in Israel on Monday.

Bush also appeared to rule out any compromise. "We have worked too hard to have this request of mine denied," he said.

Cardin and Shenker said that both Bush and Baker had previously said on many occasions that helping Jews settle in Israel should not be linked to the peace process.

"The organized American Jewish community is united in the firm conviction that Israel's request for loan guarantees is the humanitarian issue that cannot, will not and should not be linked in any way to political developments in the region," Shenker said.

Cardin thanked Bush for his continued

support for the immigration to Israel of both Soviet and Ethiopian Jews.

Bush reminded reporters of that support during his afternoon news conference.

"As vice president and president, I have tried my hardest to do everything possible to liberate Jews living in Ethiopia and the Soviet Union so that they could emigrate to Israel," he said.

Bush Enumerates Aid To Israel

The president reiterated his support for "a strong and secure Israel." He pointed out that during the Persian Gulf War, "American men and women in uniform risked their lives to defend Israelis in the face of Iraqi Scud missiles." He did not mention Israel's self-restraint in agreeing not to retaliate for the Iraqi attacks.

Bush also pointed out that "during the current fiscal year, despite our own economic problems, the United States provided Israel with more than \$4 billion in economic and military aid, nearly a thousand dollars for every Israeli man, woman and child."

He recalled, too, that the United States had already issued guarantees to Israel this year for \$400 million in immigrant absorption loans. But he did not mention that he held up those guarantees for some nine months until he received assurances that Israel would not use the money to settle immigrants in the West Bank or Gaza Strip.

Cardin said she expects similar assurances will be required for the new guarantees.

The president said his request for a delay will not prejudice any congressional action in January. But he also said he has never promised to guarantee \$10 billion in loans, only to provide additional assistance for the new immigrants.

ISRAEL'S PRISONER RELEASE CONTRIBUTES TO 'MOMENTUM' OF U.N. CHIEF'S EFFORTS By Hugh Orgel

TEL AVIV, Sept. 12 (JTA) -- Defense Minister Moshe Arens said Thursday that 51 Lebanese and Palestinian prisoners were released Wednesday by the Israel-backed South Lebanon Army because Israel wanted to lend "momentum" to U.N. efforts toward prisoner-hostage exchanges.

Arens spoke as optimism grew that at least one American and one British hostage would soon be released as a consequence of Israel's act.

In Washington, President Bush told reporters at the White House he was "very pleased" by Israel's prisoner release.

Still, Arens cautioned, "I think it is far too early to talk about any other steps."

Israel returned the bodies of nine Hezbollah militiamen who were killed in clashes and buried in Israel. Both moves elicited approving statements from Islamic fundamentalist groups, which hinted the hostage ordeal may be nearing an end.

They were also applauded by U.N. Secretary-General Javier Perez de Cuellar, who told Israel Radio he felt very encouraged. "I feel that this is a further step toward finding a solution to the release of all hostages of all nationalities," he said, adding that there could be no discrimination between nationalities.

Arens, for his part, declined to comment on a report broadcast by the Arab-owned Radio Monte Carlo that there would be an imminent return to Israel of the body of Israel Defense Force Sgt. Samir Assad.

Assad, a Druse from Israel captured by

Lebanese Shi'ites, was killed in an Israeli air raid, his captors have claimed. "I suggest we simply wait a few hours to find out if that is indeed the case," said Arens.

News about the fate of Assad followed Israel's receipt of "credible evidence" that Israeli soldier Rachamim Alsheikh is dead. And there was uncertainty voiced about the fate of Yosef Fink, who was kidnapped in Lebanon along with Alsheikh in 1986.

Rumors Of Hostage Release

The Radio Monte Carlo broadcast said one Western hostage held in Lebanon could be expected to be released "shortly." Arens suggested that the key to further releases lies in Damascus and Teheran, where the U.N. secretary-general is presently holding consultations.

He said that Iran and Syria are now working actively toward the release of Western hostages, in their desire to improve their international images and become a part of the world community.

Arens said Israel expects "the completion of the secretary-general's visit to Teheran, and we hope there will be news when he completes that visit."

Meanwhile, on Thursday, a Lebanese Shi'ite minister close to the hostage negotiators predicted in Beirut that one American and one Briton would be freed "within a week."

It was strongly suggested they could be Church of England emissary Terry Waite and American journalist Terry Anderson, both believed held by Islamic Jihad.

That group released photographs of the two men Thursday, which was seen as an encouraging sign.

ABIE NATHAN CONVICTED AGAIN **OF MEETING WITH YASIR ARAFAT** By Hugh Orgel

TEL AVIV, Sept. 12 (JTA) -- The Ramla Magistrates Court found Abie Nathan guilty Thursday of meeting with Yasir Arafat and other members of the Palestine Liberation Organization, in violation of Israeli law. He will be sentenced next month.

The 64-year-old Israeli peace activist readily admitted the meetings but insisted they had not "endangered the security of Israel," as the prosecution contends.

It is not the first time Nathan has been convicted for meeting the PLO leader. His most recent encounter with Arafat took place in June in Tunis.

Shortly before that he completed four months of a seven-month prison sentence imposed for a 1989 meeting with Arafat. Nathan also got a one-year suspended sentence on that occasion, which he may now have to serve.

He told the Jewish Telegraphic Agency before Thursday's hearing that he expected the prosecution to ask the court to invoke the suspended sentence.

The prosecutor obliged and demanded a stiff new sentence on top of it, to make an example of a high-profile personality who claims the right to violate the law.

Nathan told the court, as he has on previous occasions, that his activities are aimed at promoting peace between enemies. He claimed that scores of Israelis have met with Arafat but that only he has been punished.

NEWS ANALYSIS:
STATE DEPARTMENT PERSONNEL CHANGE
UNLIKELY TO AFFECT MIDEAST POLICY

By Howard Rosenberg

WASHINGTON, Sept. 12 (JTA) -- The Bush administration's Middle East policy is unlikely to change much with the appointment of Edward Djerejian as the new assistant secretary of state for the Near East and South Asian affairs.

Djerejian, now ambassador to Syria, has been nominated by President Bush to replace John Kelly. His appointment must still be confirmed by the Senate.

While technically Djerejian would become the administration's top policy-maker on the Middle East, he is likely to have only secondary influence, according to Middle East experts.

The reason is that Secretary of State James Baker prefers to involve only a "very small circle of people" in Middle East policy-making, said Morris Amitay, a pro-Israel lobbyist who formerly served as executive director of the American Israel Public Affairs Committee.

Nevertheless, Djerejian is "likely to be a more activist assistant secretary" than Kelly has been, said Marvin Feuerwerker, senior strategic fellow at the Washington Institute for Near East Policy, a pro-Israel think tank.

Feuerwerker cited Djerejian's past experience at the White House, where he was deputy press secretary from 1985 to 1986, and his "extensive Middle Eastern background."

Prior to serving as assistant secretary, Kelly had been ambassador to Lebanon, but had no other Middle East experience.

Djerejian, on the other hand, has served since 1988 as ambassador to Syria, which Feuerwerker called a "critical" post, especially if a Middle East peace conference is convened.

Djerejian has also held posts in Lebanon and Jordan and was formerly a deputy spokesman at the State Department.

One analyst, who requested anonymity, voiced concern that Djerejian will advocate a "full withdrawal" by Israel from the Golan Heights. But Djerejian has "good press relations on the Israeli side," the analyst added.

Feuerwerker said U.S. positions on Jewish settlements in the West Bank or on trading land for peace "won't be changed by one or another figure filling the Near East bureau," and that it remains to be seen if Djerejian's views will carry weight with the top U.S. policy-makers.

'Not Happy' With Mideast Policy

Amitay said he is "not happy" with the administration's current Middle East policy, which he said is being driven by Bush, Baker and Brent Scowcroft, the national security adviser.

"I don't think any one of the three could ever be called a friend of Israel or someone who really understands the Middle East," he said.

Amitay added that U.S. policy toward Israel "doesn't get any better" when one widens the circle of Middle East policy-makers.

Djerejian, a career Foreign Service officer, became ambassador to Syria in August 1988. Under Kelly's predecessor, Richard Murphy, he was the Near East bureau's top deputy assistant secretary.

Because of his Armenian background, Djerejian was reportedly passed over this summer when Bush instead selected Robert Strauss to be his new ambassador to the Soviet Union.

LITHUANIANS AGREE TO COOPERATE
WITH ISRAEL, OSI ON WAR CRIMINALS

By Susan Birnbaum

NEW YORK, Sept. 12 (JTA) -- Faced with charges that it is pardoning Nazi war criminals, Lithuania has proposed cooperating with Israel to ensure that such criminals not be pardoned.

Lithuanian President Vytautas Landsbergis reportedly sent a letter to Dov Shilansky, the speaker of Israel's Knesset.

At an earlier meeting in June, the two men had discussed the issue of Nazi war criminals, according to Abraham Bayer, director of international concerns for the National Jewish Community Relations Advisory Council.

Bayer said NJCRAC is "consulting with the U.S. Justice Department, the Israeli Justice Department and the (Israeli) Prime Minister's Office on Soviet Jewry" on the matter.

The Lithuanian president also wrote a conciliatory letter to Rep. Anthony Beilinson (D-Calif.), responding to his concern over reports that Vilnius is pardoning Nazi collaborators.

Landsbergis told Beilinson his government intended to "exonerate only those individuals whose only transgression was to defend the freedom and the lives of their countrymen."

"Lithuania is willing to cooperate with those institutions interested in examining cases of individuals concerning whom there is credible evidence of participation" in war crimes, he said.

Other congressional members who have initiated correspondence with Landsbergis on the matter include Mel Levine (D-Calif.), Richard Durbin (D-Ill.) and Benjamin Cardin (D-Md.).

Rep. Eliot Engel (D-N.Y.) asked U.S. Secretary of State James Baker to raise the issue when he meets Lithuanian leaders Saturday in Vilnius.

Meanwhile, the Lithuanian Supreme Council assured the U.S. Holocaust Memorial Council that "files of any individual collaborators mistakenly exonerated would be reopened and investigated."

'There Are Lists'

The Lithuanian government admitted in a statement that mistakes might have been made. It said both the Lithuanian and Israeli parliaments could investigate cases of purported Nazi war criminals and "make it possible to avoid mistakes concerning rehabilitation."

The government said that "not one person who can be proven guilty of actions of genocide of Jews or the massacre of unarmed civilians can be rehabilitated."

Rabbi Abraham Cooper, associate dean of the Los Angeles-based Simon Wiesenthal Center, said Wednesday that the center was pleased to hear of a proposed working relationship between the Vilnius government and Israel, but noted that neither specializes in war-crimes tracking.

He called for an advisory panel of experts with "experience in dealing with the documents pertaining to war crimes on Lithuanian territory."

"There are existing and finite lists of criminals, as well as an existing and finite list of those exonerated, we understand. All that we have to do is just compare those lists," he said.

News reports claimed that Vilnius will cooperate with the U.S. Justice Department, and that there have been moves by Justice to send Lithuania a list of some 2,000 convicted war criminals to prevent their rehabilitation. But a Justice Department source said Wednesday: "We have not dealt with the Lithuanians."

SUPREME COURT NOMINEE ENDORSES SEPARATION OF CHURCH AND STATE

By Howard Rosenberg

WASHINGTON, Sept. 12 (JTA) -- Supreme Court nominee Judge Clarence Thomas told the Senate Judiciary Committee this week that the concept of the separation between church and state is "an important metaphor."

That statement, said Marc Stern, legal director of the American Jewish Congress, goes a "long way to dispelling our concerns" about Thomas' church-state views, little of which were known before his confirmation hearing began Tuesday.

But Stern added that unless Thomas also dispels its fears in two other areas, abortion and civil rights, AJCongress will urge the Senate not to confirm him.

Three other Jewish groups have taken a stand on the nomination: The National Council of Jewish Women and the Jewish Labor Committee oppose Thomas, and Agudath Israel of America supports him.

Thomas, who sits on the U.S. Court of Appeals for the District of Columbia, was nominated to replace retiring Justice Thurgood Marshall. From 1982 to 1989, Thomas chaired the Equal Employment Opportunity Commission, where he strongly opposed racial preferences.

Thomas' statement about the separation between church and state is in sharp contrast to a 1985 dictum by Justice William Rehnquist, who is now the chief justice.

In *Wallace v. Jaffree*, a school prayer case, a 6-3 majority of the Supreme Court struck down a series of Alabama statutes that allowed public schools to provide a moment of silence each school day.

'A Metaphor Based On Bad History'

In a dissent, Rehnquist wrote: "The wall of separation between church and state is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned."

Americans United for the Separation Between Church and State called Thomas' support for the metaphor "heartening" but said that statement "doesn't follow that he will be a strict separationist."

Robert Boston, a spokesman for the group, said that Justice Anthony Kennedy, at his confirmation a few years ago, also said he supported the separation of church and state -- a position not very much in evidence in his subsequent rulings.

Thomas has been accused by some opponents of undergoing a "confirmation conversion," distancing himself from past statements. But such a criticism cannot be made of his church-state record, said Boston, because the nominee lacks a "paper trail" on the subject.

By contrast, Judge Robert Bork, whose 1988 nomination was rejected by the Senate, tried to disavow some of his past statements critical of the church-state separation, Boston added.

In the one church-state area in which his past comments are known, Thomas told the conservative Heritage Foundation in 1985 that his mother "may be right" in saying that "when they took God out of the schools, the schools went to hell." Religion, he said, "is certainly a source of positive values, and we need as many positive values in the schools as we can get."

Thomas was referring to the Supreme Court's 1962 and 1963 decisions striking down organized school prayer.

Thomas told the committee that "my comments there were not meant to in any way reflect on the legal rulings on the Establishment Clause or the Free Exercise Clause" of the First Amendment.

Following up on this point, Sen. Paul Simon (D-Ill.) told Thomas that Jewish Rep. Dan Glickman (D-Kan.), as a fourth-grader, "was excused while they had school prayer."

"Every morning," he said, "little Danny Glickman was being told, 'You are different, and all the other fourth graders were being told he was different.'"

Right To Privacy Is Fundamental

Thomas, asked if he found that "offensive," responded, "My concern would be with someone like Danny Glickman that when we consider cases in a constitutional context that we understand the effects of government's perceived endorsement of one religion over another."

Thomas said he has "no quarrel" with the Supreme Court's tough test for ruling on Establishment Clause cases but that some justices feel that it will "need to be reformulated."

Stern said he "can't quibble with the fact that (Thomas) is describing what's going on." At the same time, Stern expressed concern that Thomas may be "buying into" the Bush administration's view that the test for considering possible violations of the Establishment Clause should be relaxed.

On abortion, Thomas has refused to go into much detail on his view except to say that he believes that the right to privacy is a fundamental right imbedded in the Constitution. But he has refused to say whether a woman's desire to have an abortion constitutes such a right.

A concern of the AJCongress is that Thomas has supported the notion of "natural rights," meaning rights that should be guaranteed even if not contained in the Constitution. For example, Thomas has said that slavery should not have been allowed on U.S. soil because of the natural right to equality.

While such an interpretation of natural rights has not fueled concerns, some such as Stern are worried that Thomas might invoke natural law to protect the life of a fetus over a mother's desires.

Overwhelming Opposition To Quotas

Natural law could also be invoked to protect private property in a way that bars the government from regulating zoning or land use, or applying minimum wage laws, Stern warned.

On civil rights, the AJCongress wants Thomas to say that he supports remedies to compensate those who suffered wrongly, including "numerical remedies" in the most extreme cases, said Stern.

But Stern said Democrats on the committee were not inclined to raise the subject, because they "don't want to make a big fuss about quotas" given political fears about the U.S. public's overwhelming opposition to them.

Because of Yom Kippur, the JTA Daily News Bulletin will not be published on Thursday, Sept. 19.