

75th ANNIVERSARY YEAR

TUESDAY, JUNE 23, 1992

VOL. 70, NO. 119

**AIPAC HAILS DECISION BY THE FEC
TO DROP CASE AGAINST THE LOBBY**By Cynthia Mann
States News Service

WASHINGTON, June 22 (JTA) -- The Federal Election Commission's decision to drop a case against the American Israel Public Affairs Committee has come as welcome relief to the pro-Israel lobby, which had been accused of violating FEC regulations.

FEC commissioners voted unanimously last week to close the case, deciding that the regulations in question were too vague and should be rewritten.

AIPAC officials, who had denied any wrongdoing from the outset, hailed the action as a vindication of their position.

At issue in the case, initiated by opponents of AIPAC in 1989, was the lobby's dissemination of information about political candidates "in a manner which suggests persons support the candidates financially or otherwise," according to a letter reportedly sent by the FEC to AIPAC in February.

By a vote of 4-2, the commissioners determined last week that there was probable cause to conclude AIPAC had violated a regulation barring corporations from engaging in such activities.

Probable cause is not a finding of wrongdoing, but is a procedural step that would have enabled the commissioners to negotiate a conciliation agreement with AIPAC.

AIPAC had notified the commissioners, however, that under no circumstances would it agree to any finding of wrongdoing, sources said.

Its position was that as an "incorporated membership organization," it was entitled, under an FEC exemption, to "communicate with its members on any subject, including partisan electioneering messages," as long as it did not directly encourage political contributions.

'A Welcome Vindication'

Recognizing that the case would be difficult and time-consuming to prove, the commissioners' decided to halt further action and redraft the regulations.

There was a question as to whether there was "enough of a regulatory basis for the finding to justify pursuing the case," said Sharon Snyder, FEC assistant press officer.

Ultimately, the commissioners opted to review and clarify the regulations to avert future problems, said Snyder.

AIPAC officials were clearly pleased with the decision.

"The commission's determination to close the file on these baseless allegations is a welcome vindication of AIPAC, and it reaffirms the constitutional right of our members to participate in the democratic process," the organization said in a statement.

FEC commissioners also voted unanimously to dismiss another complaint in the case that suggested AIPAC should be registered as a political action committee because of its political activities.

In December 1990, the FEC dismissed yet another complaint that AIPAC was coordinating

the activities of dozens of pro-Israel PACs. Federal law bars collusion among political action committees.

The various complaints were initiated in January 1989 by eight longtime critics of Israel, including former U.S. Rep. Paul Findley (R-Ill.). Their case was supported by the American-Arab Anti-Discrimination Committee.

Last week's decision is the final ruling in the case.

**U.S. AND ISRAEL DENOUNCE GENERAL
WHO DECRIED U.S. ROLE IN GULF WAR**
By Hugh Orgel

TEL AVIV, June 22 (JTA) -- Israeli and American officials reacted sharply to a charge by the Israeli air force's former commanding officer that the United States did not try to prevent Iraqi Scud missile attacks on Israel during last year's Persian Gulf War.

Prime Minister Yitzhak Shamir denounced the accusation by reserve Maj. Gen. Avihu Bin-Nun, who commanded the air force during the war. It was unwarranted and he should not have made it, Shamir said Sunday.

U.S. Ambassador to Israel William Harrop said, "I can't understand how someone who was as closely involved with the events as he was could say such things."

In Washington, the Pentagon issued an angry rebuttal.

And in Israel, Defense Ministry spokesman Danny Naveh dissociated the ministry from Bin-Nun's remarks.

"We have no doubt that the Americans made pretty much every effort to destroy the Scuds," he said.

The Defense Ministry issued a lengthy statement expressing appreciation for U.S. efforts to destroy the Scud missile launchers.

Bin-Nun made his allegation in an address to a forum of systems analysts in Tel Aviv last Thursday. "It's not that the U.S. military failed to stop Iraqi Scud launchings against Israel; they never tried."

"I know that this is a very harsh accusation, but I stand firmly behind it," the general said.

'Unfair And Unsubstantiated'

He was quoted as telling reporters after his speech, which was delivered on the occasion of Air Force Day, that "the key question is: Did the Americans try to stop the Scud launchings against Israel and Saudi Arabia? It's not that they didn't succeed. They didn't try."

Later, Bin-Nun stressed that his remarks were made at a closed meeting and complained that he was misquoted by the press.

He was quoted as saying that only a very small proportion of U.S. air sorties during the Gulf War were aimed at destroying Scud missile launchers. He said the United States failed to use attack helicopters for that purpose.

He also charged that the few attacks made by U.S. aircraft on the Scud launching sites had the purpose of deterring the Israeli air force from doing the job itself.

A ranking Israel Defense Force officer called

Bin-Nun's remarks "unfair and unsubstantiated" and said they "mislead the public."

The senior officer said the United States "assisted in lifting a dangerous threat against Israel and is still working with the United Nations to eliminate Iraq's remaining unconventional power."

A Pentagon spokesman said U.S. Air Force attacks on Scud launching sites were far more numerous than credited by Bin-Nun and were a part of the overall air war against the forces of Saddam Hussein.

The Pentagon acknowledged that helicopters were not employed fully in those raids because of the distances involved and lack of refueling bases enroute.

The Israeli Defense Ministry issued a statement Sunday saying that "during the Gulf War there existed a direct and frequent link between the Israel Defense Ministry and the Pentagon, particularly between U.S. Defense Secretary Richard Cheney and Defense Minister Moshe Arens.

"Israel appreciates the efforts invested by the United States during the course of the Gulf War, to destroy the Scud launchers in western Iraq and to prevent the danger of a missile strike against Israel. U.S. activity against Iraq demonstrates the shared strategic interests between Israel and the United States," the statement said.

A total of 39 Scud missiles struck Israel during the war, causing extensive property damage but no serious casualties.

ISRAELI ELECTION CAMPAIGN ENDS WITH NO CLEAR WINNER IN SIGHT By Gil Sedan

JERUSALEM, June 22 (JTA) -- If the major opinion polls are to be believed, the Labor Party retained a healthy lead over Likud when the 1992 election campaign came to an official close at 7 p.m. local time Monday.

But the political complexion of the next government will be determined not by which party wins the most Knesset seats in Tuesday's voting but by the size of the rival blocs.

At the end of the campaign the left- and right-wing blocs were in a virtual tie, according to the polls.

The Dahaf pollsters gave Labor 41 Knesset seats, Likud 32, and the leftist Meretz 13. Teleseker gave Labor 42 while Geocartographia predicted a Labor sweep of as many as 43 to 44 Knesset seats, with Likud down to 29 or 30.

The pollsters differed on the outcome between the two major blocs. Dahaf gave the right wing, including Likud plus the religious parties, a combined total of 61 seats. This would be just enough to form a new coalition government, though not a very stable one.

Teleseker, on the other hand, predicted 61 mandates for the left -- Labor, Meretz and the Arab lists. Geocartographia gave the left-wing bloc 62 to 64 seats.

Labor has pledged, however, not to include the Arab parties in a coalition. That means that unless it wins big, it will be unable to form a government, even with substantially more Knesset seats than Likud.

But Labor could utilize the Arabs' seats to prevent Likud from forming a government with its allies.

The possibility of a deadlock has strengthened speculation that the next government will be

a reprise of the Labor-Likud unity regime that governed from 1984 to 1990.

If that were to happen, the party that garners the most Knesset seats will hold the office of prime minister.

Election Updates By Phone

There are 3,409,015 Israelis eligible to vote on Tuesday. Of that number, 514,748 will be first-time voters.

About 300,000 of the first-timers will be immigrants and the rest are Israelis who have reached the voting age of 18.

There are 25 lists competing to get into the Knesset, but this year it will be especially tough for the new parties.

The threshold has been raised to 1.5 percent of the total vote cast, which means a faction will need over 40,000 votes to qualify. It also means that tens of thousands of votes will be wasted on lists which do not get the minimum.

Election Day is a legal holiday in Israel. Schools and work places will be closed, except for restaurants, large food markets, gasoline stations and other businesses and utilities providing essential services. Public transportation will be fully operative.

As on any holiday in Israel, the administered territories will be sealed off from Israel proper for 24 hours for security reasons.

People who waited until the last minute to obtain the identity cards needed to vote jammed the offices of the Interior Ministry on Monday, setting tempers on edge. Fistfights were reported in Beersheba.

Israeli soldiers serving in Lebanon and in some parts of the West Bank voted Monday to allow time for their sealed ballots to reach the polling places and be counted.

Bezek, the government's telecommunications corporation, and the army radio will jointly provide election updates from noon Tuesday until noon Wednesday. The news flashes will be updated every half hour for local and overseas callers.

For those in the United States, both AT&T and MCI are participating in the service and are charging regular long-distance rates.

To hear Hebrew broadcasts, call 972-3-65-333. For English broadcasts, call 972-3-65-4444.

GUNMEN WOUND 2 ISRAELIS IN GAZA

JERUSALEM, June 22 (JTA) -- Gunmen firing from a speeding car wounded a policeman and a construction worker outside a police hostel in Gaza on Monday.

The victims, both Israelis, were taken to Barzilai Hospital in Ashkelon. They were not immediately identified nor was information given on the severity of their wounds.

Eyewitnesses said three occupants of the car opened fire in the direction of the hostel on the Gaza beach shortly before noon, when the policemen gathered outside for lunch.

A police officer reportedly returned the fire but apparently missed. The car sped away in the direction of the nearby Shati refugee camp.

A police motorcade came under fire several weeks ago near the scene of Monday's attack, but did not suffer any casualties.

In an unrelated incident in the Gaza Strip town of Khan Yunis, masked men shot to death a 50-year-old woman, apparently because she was suspected of collaborating with the Israeli authorities.

JEWISH GROUPS CONCERNED BY RULING STRIKING DOWN HATE CRIMES ORDINANCE

By Cynthia Mann
States News Service

WASHINGTON, June 22 (JTA) -- A Supreme Court ruling that unanimously struck down a city ban on cross-burning and other expressions of hate and racism, has provoked mixed reactions from Jewish defense groups close to the case.

The justices ruled Monday that the St. Paul, Minn., ordinance violates constitutional rights to free speech.

Their decision, which strikes at the heart of a free society's dilemma over how much intolerance to tolerate, could affect similar laws enacted in recent years around the nation.

The Anti-Defamation League expressed its disappointment with the ruling, while the American Jewish Congress, which had protested the ordinance as too broad, welcomed it with some serious reservations. Both had filed friend-of-the-court briefs in the case.

The challenge to the city ordinance was mounted by a youth accused of burning a cross on the property of a black family in an all-white, St. Paul neighborhood in 1990.

Robert Viktora pleaded guilty to the misdemeanor but challenged as unconstitutional the hate crimes ordinance under which he also was charged.

The St. Paul ordinance bans the placement on public or private property of a symbol or object, such as a Nazi swastika or a burning cross, which the perpetrator "knows or has reasonable grounds to know arouses anger, alarm or resentment in others on the basis of race, color, creed, religion or gender."

All but a handful of states have laws against hate crimes, but most increase existing penalties for crimes if the crimes are found to be motivated by bias or hate. Many of these follow a model advocated by the ADL.

But the St. Paul ordinance went further, in effect criminalizing the expression of hate.

Ramifications 'Quite Troubling'

First struck down by a trial court, the statute was upheld by the Minnesota Supreme Court, which nonetheless criticized it for being too broad.

The state Supreme Court said the ordinance should be interpreted to apply only to expressions that could be characterized as either "fighting words" or "incitement to imminent lawless action," both of which the U.S. Supreme Court has held are not protected by the Constitution's First Amendment.

While conceding that the ordinance was flawed, the ADL had supported its narrow interpretation by St. Paul prosecutors to apply it to "fighting words."

But AJCongress had protested the statute's vagueness, charging it had to be precisely drawn to prevent abuse. Prosecutors, they argued, were allowed too much latitude to determine what speech is offensive.

AJCommittee had not taken a position because its ranks were deeply divided. But the agency's legal director, Samuel Rabinove, said Monday that AJCommittee felt the ordinance was too broad.

"We strongly support freedom of speech and expression, and we believe hate crimes should be severely punished," he said. "But there's a line to

be drawn," and the St. Paul ordinance failed to draw that line properly, he said.

In writing for the court, Justice Antonin Scalia said the ordinance "has not singled out an especially offensive mode of expression." Rather, "it has proscribed fighting words of whatever manner that communicate messages of racial, gender or religious intolerance."

"Selectivity of this sort creates the possibility that the city is seeking to handicap the expression of particular ideas," Scalia wrote.

Marc Stern, co-director of the AJCongress Commission on Law and Social Action, said Scalia's reasoning was unnecessary and may harm efforts to punish racist violence more severely.

"The long-term ramifications of this case for free speech are quite troubling," said Abraham Foxman, ADL's national director. Scalia's opinion, he said, "sweeps aside decades of First Amendment precedents and leaves the parameters of permissible speech unsettled."

ROBERTSON, WIESEL ADDRESS RALLY CALLING FOR RELEASE OF POLLARD By Yafit Bendory

NEW YORK, June 22 (JTA) -- Over 1,000 people gathered in the halls and on the streets outside a synagogue in Manhattan on Sunday to call on President Bush to commute the life sentence of Jonathan Pollard, a former U.S. Navy analyst convicted of spying for Israel.

Christian broadcaster Pat Robertson and Nobel laureate Elie Wiesel addressed the rally at Congregation Kehilath Jeshurun, which marked the largest gathering on Pollard's behalf since a group calling itself Citizens for Justice began a campaign for his release from prison in 1987.

The variety of speakers, according to Carol Pollard, Jonathan's sister and founder of Citizens for Justice, indicated that "this is not a Jewish issue, it's a fairness and human rights issue."

Robertson, who made a "fervent call" to President Bush "to commute the sentence of Jonathan Pollard," said he was "outraged" at the severity of Pollard's punishment and criticized former Attorney General Edwin Meese III for breaking a plea bargain agreement with Pollard.

Pollard was arrested in 1985 for passing top-secret documents to Israel for a period of 18 months in return for \$45,000 in cash. Pollard said he acted because the United States was withholding important intelligence from Israel, including information about Iraqi chemical plants.

Wiesel, who was in Israel during the Persian Gulf War, said that while Scud missiles fell on Israel, he thought "if it had not been for Pollard, would Israel have known of the threat?"

Pollard was sentenced to life in prison after then-Secretary of Defense Caspar Weinberger wrote a confidential letter to the sentencing judge urging stiff punishment for Pollard.

In March, a U.S. Court of Appeals denied Pollard's request for a new trial.

Seymour Reich, former chairman of the Conference of Presidents of Major American Jewish Organizations, said the issue at hand is not Pollard's innocence or guilt but his punishment, which is exceptionally "cruel" and "excessive."

He said Pollard had been "deceived and double-crossed" by Weinberger and the government.

Outside the synagogue, an overflow crowd of several hundred supporters congregated while members of Kahane Chai chanted "Kill Weinberger" and "Free Pollard."

BEHIND THE HEADLINES:

GENDER-NEUTRAL LANGUAGE FINDS PLACE IN LITURGY OF MAINSTREAM MOVEMENTS

By Debra Nussbaum Cohen

NEW YORK (JTA) -- Yah. Rachamema (Merciful One). Ruach HaOlam (Spirit of the World). Mekor Chaim (Source of Life). Eyn HaChaim (Wellspring of Life).

These words are names for God, and all of them are gender-neutral or feminine.

They are but a few of the new terms currently being incorporated into the liturgy as a growing number of Jews look away from the traditional male metaphors for God to search for new ways to describe the divine.

Many of these seekers, particularly women, are wondering what it means to refer to God in masculine terms.

Words, they say, are more than letters on a page.

Rabbi Julie Greenberg, a Reconstructionist, once stood at the Western Wall in Jerusalem and asked young Orthodox boys and girls if God is a man or a woman.

"They all said a man, of course," recalls Greenberg, who is director of the Jewish Renewal Life Center, a progressive yeshiva in Philadelphia.

According to Rabbi David Teutsch, editor of the Reconstructionist movement's prayerbooks, "reinforcing the metaphor of God as male is much more powerful than people realize."

For those who agree that this is an incomplete image of God, describing the divine using female metaphors creates spiritual access to a loving creator from whom they've felt distanced.

Rachamema, one of the newly developed terms, for example, comes from the Hebrew word "rechem," which means "womb," which is also the linguistic root of "rachmanut," or "mercy."

Changing Prayers Can Be Problematic

But for more traditional Jews, changing the language of prayer means an irreparable break with the past that ventures dangerously close to idolatry.

Describing God in female terms is "nonsensical," said Rabbi Binyamin Walfish, executive vice president of the Rabbinical Council of America, an Orthodox organization.

"Because it's an anthropomorphic expression, it borders on idolatry. God is a transcendent being," he said.

"We simply do not tamper with the text of tefillot," he added, using the Hebrew word for prayers.

Rabbi Jules Harlow, director of publications for the Conservative movement's Rabbinical Assembly, acknowledged that "since the Middle Ages there has been development" in the prayer form, but said that some of the newest changes "are dangerous to maintaining the fabric of tradition in Jewish liturgy."

Others disagree, especially those involved in the Jewish renewal movement of prayer groups and havurot, where much of the alternative language has originated.

From their point of view, it is very traditionally Jewish to develop prayer forms to reflect the changing needs of the community.

"The crisis of modernity for Judaism is an ossification of that process, that liturgy stopped evolving," said Marcia Falk, author of a forthcoming book called "A Book of Blessings: A Feminist-Jewish Reconstruction of Prayer."

"There's a sense that the only way to have tradition is to nostalgically hold on to some idea from the past. That's the quickest way to see it die," said Falk.

The first progressive prayer groups began developing new feminine and gender-neutral names for God in their liturgy about 15 years ago.

Slowly, the practice is making its way into the mainstream, through the Reconstructionist and Reform movements and even, in a limited way, finding a place in the Conservative movement.

As in every other matter of religious import, there is great debate over how far to take these egalitarian principles.

So far, altering the prayers seems to be happening more on an oral, ad-hoc basis, rather than in print. For example, congregants say "God," rather than "Lord" or "Master" when they come upon it in a synagogue reading.

First Change Is To Add Imahot

The first change usually made in the Hebrew liturgy is to add the mothers, the imahot--Sarah, Rebecca, Leah and Rachel -- to recitations of the fathers, the avot -- Abraham, Isaac and Jacob.

Aside from adding the imahot, the Reconstructionist and Reform movements have not changed the Hebrew wording in their prayerbooks.

"We're committed to complete gender neutrality in our English. Hebrew isn't a gender-neutral language, so there's not much we can do, except add the imahot," said Rabbi Mordechai Liebling, executive director of the Federation of Reconstructionist Congregations and Havurot.

The next step after inclusion of the mothers is to change the English translations of Adonai, the traditional metaphor for the unknown and unknowable name of God.

"Using Lord, or King, masculine terms, is eschewed," said Rabbi H. Leonard Poller, chairman of the Committee on Liturgy of Reform's Central Conference of American Rabbis.

Avoiding the most patriarchal of terms "enables the worshiper to express his or her relationship to the divine without having to feel excluded," he said.

At the same time, "There are masculine and feminine aspects to the godhead, and we need not negate the idea of gender altogether as long as we are balanced," said Rabbi Elliot Stevens, director of publications for the CCAR.

But, wonders the Conservative movement's Harlow, "Does it make sense to be gender-neutral in English only?"

P'nai Or Has Made Most Dramatic Changes

The liturgy has been amended most dramatically by the P'nai Or Religious Fellowship, an outreach and educational organization which serves Jewish renewal groups.

The Fellowship has made the Hebrew egalitarian in its new siddur, "Or Chadash."

"Brucha At" is used interchangeably with the traditional "Baruch Ata" of most blessings, and the feminine forms of verbs and nouns are provided alongside the masculine.

And then there is a school of Jewish feminist thought that says that since the traditional prayers were written by men, they exclude the female experience of prayer by definition.

One remedy is to retrieve the prayers and meditations that women wrote in centuries past, suggest rabbis, or to include the writings of contemporary female authors in the liturgy.