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The arrest of Hilarion Capucci and the relations between the Holy See and the State of Israel

John Paul II was well-known to and respected by the Jewish people as one of the Popes who to a high degree contributed to the improvement of the previously strained mutual relations. It was not so with his predecessor, Pope Paul VI. The Jews did not highly appreciate Paul's VI pilgrimage to the Holy Land (4–6 Jan. 1964). The Pope did not visit the *Yad Vashem* Institute then, neither did he mention the name of the Jewish state in any of his speeches¹. The Jews remember that in his other statements which dealt with the situation in the State of Israel, although the Pope actually condemned Palestinian assaults in general, he did not mention the Jewish victims or the difficult situation of the Jewish state. Yet, an analysis of the Pope's official addresses during the Six Day War period and his later statements allow to adopt a more positive view of the Pope's attitude towards the State of Israel and the Jewish people. The Pope demanded not only the free access to the Christian Holy Places but also the recognition of the State of Israel by the Arab states.

Paradoxically, one of the situations which contributed to tightening the contacts between the Holy See and the State of Israel was the act of arresting by the Jewish police on 6 August, 1974, of the archbishop Hilarion Capucci, born in Aleppo in northern Syria. He used to be the auxiliary Melkite Greek Catholic bishop of Syrian Antiochia, delegated to conduct his service in Jerusalem. Various publications which present the Catholic-Jewish relations mention briefly this event [Mendes 1990, pp. 156–159; Giniewski 2000, pp. 301–302]. Two weeks after his arrest, on the 3rd of September 1974, the Israeli prosecution

¹ The pilgrimage of Paul VI to the Holy Land is presented in the publication: *Il pellegrinaggio di Paolo VI in Terra Santa*, Libreria Editrice Vaticana, Vatican City 1964.

drew up the charge against the archbishop. He was accused of collaboration with the Palestinian independence movement, that is of smuggling arms and money to support the Palestine Liberation Army.

After the arrest of Capucci, the archbishop Maximos V Hakim, the patriarch of Antiochia, stated that the accusations would never be proved. In the statement given by the patriarch we can also read that Capucci's lawyer declared that the Jewish court had not had the right to judge the prisoner because its procedure had been illegal. In the opinion of the archbishop's lawyer the process was to be held in the old Jerusalem, which, according to the ONZ declaration was not the part of the Jewish state. In this context we must remember that according to the U.N. General Assembly's Resolution no 181 of November 29, 1947 "The City of Jerusalem shall be established as a corpus separatum under a special international regime and shall be administered by the United Nations". In spite of this Resolution, after the 1947 Arab-Israeli War Jerusalem was divided into two parts: the west, which was occupied by the State of Israel and the east, controlled by the Kingdom of Jordan. After the 1967 war the whole city came under Israeli rule. In November 1967, the United Nations Security Council Resolution 242 was passed, calling Israel to withdraw "from territories occupied in the recent conflict", the old Jerusalem included. Maximos V Hakim declared that Capucci would not answer the questions of the court in the part of Jerusalem annexed by the Jewish state [Problèmes de L'Eglise melkite ... La Documentation Catholique 1974, No. 1662, pp. 881-882].

The arrest of Capucci was widely discussed by Christian leaders in Damascus on September 20, 1974. They announced that his case had to be considered in the context of unresolved problems of the Palestinian region, and especially those of Jerusalem. His accusation was directly connected with the political issues and humanitarian problems. In the opinion of these Christian bishops the accusations had to be appreciated in the perspective of the Israeli-Arab war and from the point of view of the international and human laws. Moreover, the leaders also put some questions. The first one was, if the bishop, the shepherd of the Palestinians in Jerusalem, on seeing their tragedy, the illegal Israeli occupation and judaisation of its east part ever since 1967, could not support his people? The Leaders stated that his help for the Palestinian resistance movement, inside and outside, was his national and pastoral duty, which was an honour to the archbishop Capucci. Bishops gathered in Damascus considered that the act of arresting of Capucci, was aiming at:

- Forcing to silence the courageous and responsible people who protested against the Israeli annexation and its policy in the occupied territory.
- Destroying Islamic and Christian beliefs concerning destination of Jerusalem.
- Blackmailing the Holy See to change its attitude towards Jerusalem and to stop its help to the Palestinian people.

- Satisfying the political religious parties in Israel and delivering Christian Arabs the blow.
- Seeking the support of the American opinion concerning its policy towards Jerusalem [Declaration des chefs des Communautés... *La Documentation Catholique* 1975, No. 1668, pp. 98–99].

On December 9, 1975, the archbishop Capucci was sentenced by the Israel court to twelve year imprisonment. The following day the Holy See press office issued the statement, in which we can read: “The Holy See with the deep care and lament was informed about the sentence of the archbishop Hilarion Capucci”. This event – according to the statement – was the serious blow aimed at the one of the oldest and most honorable Catholic communities of the Melkite Church, in which, for many years, Capucci had been the bishop and the shepherd. His arrest would only cause an increase of spiritual problems. In spite of the noble efforts the people of this region still live in the climate of anxieties, conflicts and incertitude. The official communiqué also informed us that the Holy See would be watching the fate of the archbishop, looking for the positive solution for him and the reconciliation among all the people [Declaration de la Salle de Press... *La Documentation Catholique* 1975, No. 1668, p. 97].

The Israeli were surprised by the attitude of the Holy See and its statement was criticized for a long time. The official communiqué of the Israeli authorities presented those Jewish opinions. It emphasized that the Holy See did not express disapproval of the offence committed by the archbishop. “From our point of view” – the Israeli document said – “we do not consider that the Holy See identifies the Catholic Church with the acting of terrorism conducted in Israel”. The Jewish statement recalled that the archbishop was tried in the objective and public trial, he had the right to choose the lawyer. In the end of the Israeli statement it is said that the State of Israel had always appreciated the religious Christian leaders who thoughtfully conducted their duties” [Mendes 1990, p. 157]. As a prisoner Capucci was allowed to say the Holy Mass, to wear the clerical robe and to stay in a one man cell. He was visited by priests, the Latin patriarch of Jerusalem and other people.

On the 31st of March 1976 the patriarch Maximos V Hakim sent letters to Gerald Ford – the president of the United States of America, Valéry Giscard d’Estaing – the president of the French Republic, Kurt Waldheim – the general secretary of the United Nations and to Jose Barosso Chavez – the president of the International Federation of the Red Cross and the Red Crescent Societies. He informed them that Capucci had been beaten and harassed on March 15, 1976 by the prison guards because he had gone on hunger strike to protest against the conditions in which he was imprisoned. As the international law was broken, the patriarch demanded the immediate intervention and that the prisoner be released [Message du patriarche... *La Documentation Catholique* 1976, No. 1697, p. 447].

The letter of the patriarch sent to the above mentioned personages included the personal Capucci's notes. We are informed by the archbishop that he went on hunger strike on the 20th of January 1976. About one month later, on the 25th February, he was force-fed by the prison guards. On the 15th of May, he went on total strike. In reaction to the contemptuous treatment by the prison service and the director, – as he wrote to his patriarch – Capucci cried that “the victory was for the rightful people”, “I am not afraid of violence”, and “enough of humiliation”. The archbishop compared his humiliation to the suffering of Jesus Christ. We are informed by Capucci's note that he was not surprised at the way he had been treated because “A servant is not greater than his master. If they persecuted me, they will persecute you too” [Jo 15, 20]. Before the arrest the archbishop weighed 90 kg. Maximos informed the above mentioned personages by that time he had lost 34 kg [Extraits d'une lettre de Mgr Capucci à son... *La Documentation Catholique* 1976, No. 1697, pp. 447–448].

On the 29th of June 1976, Capucci wrote a letter to the Pope, priests, monks, seminarians and lay persons of his archdiocese and compared the imprisonment to the arrest of St. Paul in Rome. In the letter he emphasized his Arab patriotism, the love for the Holy Land and the desire to serve the peace and justice. Paul's VI reply to the letter was sent on September 16, 1976. The Holy Father expressed his gratitude for the archbishop's attachment to the Holy See, his prayers and suffering offered for the Pope, and especially for the peace. The Pope also said that finding the way to the agreement, harmony and peace would be the great grace of God to the people of the Holy Land [Paul VI 1976, p. 107].

At the beginning of 1977 the talks began between the Holy See and the State of Israel aiming at freeing the archbishop. On the 31st of July 1977, Paul VI sent an official letter to Ephraim Kazir, the president of the State of Israel. Articulating his personal concern for the archbishop's health, the Pope asked the president, as the Head of the State, to grant a presidential pardon and to free Capucci. The Pope also said that such an act of kindness would be appreciated by the Holy See. Addressing Paul VI, the president remarked that he appreciated the meaning and the significance of the Pope's request. Kazir stated that using his rights and fulfilling his decision, he issued a warrant to reduce the punishment of the archbishop. According to the order the arrest of the archbishop was to be finished on the 6th of November 1977 [ibidem, p. 158].

The president's decision “was received by the Holy See with the complete satisfaction. It did not stop being interested in the situation of archbishop Capucci and it was continuously concerned about his fragile health”. “The gesture of the Israeli president”, as it is said in the official Vatican communiqué, “would be well received by the Christians of the Holy Land, and the Melkite community especially” [Communiqué du Saint-Siège... *La Documentation Catholique* 1977, No. 1730, p. 962].

Indeed, on the 6th of November 1977 the archbishop was released and deported from the territory of the State of Israel. After that he went to one of Rome hospitals.

In conclusion we have to say that the decision of the Israeli president was pragmatic. The Pope asked him to grant the presidential pardon, and not to annul the punishment. It was recognized by Israel as the act of confirmation of the archbishop's guilt, though indirectly. It is necessary to remember that before the arrest of Capucci the authority of the State of Israel had asked the Pope to help to rescue their soldiers from the Arab prison. That is why the president of the Jewish state could not have refused the papal request.

From the point of view of the official relations between the Vatican and the State of Israel we must remember that until 1994 the Holy See did not officially recognize the Jewish State. In their addresses the Popes did not even mention the name of the state. The punishment of the archbishop caused that Paul VI, perhaps for the second or third time in his official statements, addressed the president of the State of Israel. But Capucci's arrest and his doings must also be seen as one of the problems for the modern theology. The archbishop put the question about the limits of the involvement of priests in the modern armed conflicts not only in the Middle East but in the whole world as well. It is necessary to remember that after his release and deportation archbishop Capucci did not stop his activity. Until today he has been participating in supporting the Palestinian people in their combat with Israeli.

Abstract

The official contacts between the Holy See and the State of Israel were not very frequent during the pontificate of Paul VI. One of the situations which contributed to tightening the relations was the act of arresting archbishop Hilarion Capucci by the Israeli police on August 18, 1974, on a charge of collaboration with the Palestinian independence movement. The court sentenced him to twelve years imprisonment, but three years later, in 1977, the official talks began between the Holy See and the Jewish State, aiming at freeing Capucci. The Pope even sent a letter to Ephraim Kazir, the State of Israel's President. After the papal message the arrest of the archbishop ended on the 6th of November 1977. That was the second or the third occasion when the Pope addressed the President of the Jewish State by his name and the official title.

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