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BONN GOVERNMENT ACTS ON HAMBURG SUPREME COURT ANTI-JEWISH RULING

BONN, Jan. 13. (JTA) -- The office of the Federal Attorney General opened an investigation today into the refusal of the Hamburg Supreme Court to act against the publisher and printer of an anti-Semitic pamphlet in an incident which has evoked protests from the German press and public that anti-Semitism is again rising.

The pamphlet, printed by Adolf Heimberg and written and distributed by Friedrich Nieland, lumber merchant, drew a distinction between the Jewish people and "international Jewry." The Hamburg court declined to take action on a charge that publication of the pamphlet violated the Federal law against preaching anti-Semitism and race hatred. The court ruled that the booklet did not call for a campaign against the Jewish people but discussed only "international Jewry."

The Attorney General's office will investigate the possibility of whether the case can be reviewed by the Federal Supreme Court, as well as whether other measures can be taken to ban further distribution. The Attorney General's plans followed personal intervention in the case by Chancellor Konrad Adenauer after a conference with Max Brauer, Mayor of Hamburg, who asked for vigorous federal action.

While newspapers continued to condemn the Hamburg court ruling, the influential Frankfurter Allgemeine Zeitung declared that the Chancellor's intervention created the possibility of executive influence over the judiciary. Political observers said that the application by the West German Republic's highest court of Article 18 of the basic law, which makes the abuse of basic rights a punishable offense, might have "undemocratic consequences in the long run." Experts in Bonn and Hamburg indicated they felt that action under civil law would most likely be taken against the two men.

The German Trade Union Council and the Central Council of Jews of Germany asserted that the incident showed the need for a new criminal code to prevent recurrences of Nazism and to protect minorities against defamation.

Hamburg Senate Meets Today on Supreme Court's Decision

HAMBURG, Jan. 13. (JTA) -- The Senate of the city of Hamburg will meet in special session tomorrow to discuss the implications of the decision last week of the Hamburg Supreme Court that the author and publisher of an anti-Semitic pamphlet could not be prosecuted because the publication circumspcctly attacked "international Jewry" rather than the Jewish people.

It is anticipated that all parties represented in the Senate will join in a plea to the Federal Government at Bonn to tighten the law against racism and anti-Semitism to make prosecution of offenders legally more feasible. Individual judges of the Hamburg court have replied to attacks on the court's decision by insisting that as the Federal law is now written prosecution of anti-Semitism is difficult.

Dr. H. G. van Dam, secretary general of the Central Council of Jews in Germany, in a protest to Chancellor Adenauer yesterday the ruling of the Hamburg court, asked legal action against "slanderous attacks against the Jewish community in Germany, the approval of National Socialistic crimes and defamation of the memory of the dead victims of National Socialism." He also noted the slow pace and continued hampering of procedures in the indemnification cases. He wrote that the victims of Nazism still were not receiving adequate compensation.

Meanwhile, the Central Council has filed a civil suit against Friedrich Nieland, the author, and Adolf Heimberg, the printer, of the brochure.

The Schleswig-Holstein Ministry of Culture announced today the suspension of a high school teacher in Luebeck for allegedly making anti-Semitic remarks. Complaints were voiced recently in the provincial legislature about the teacher, Lothar Stielau, who is also district chairman of the neo-Nazi German Reich Party. An official investigation has been launched by the Ministry.

MIKOYAN TO GET APPEAL FOR RESTORATION OF JEWISH CULTURE IN RUSSIA

WASHINGTON, Jan. 13, (JTA) -- American Jewish organizations intend to ask Soviet Deputy Premier Anastas Mikoyan, who is now visiting the United States, to intervene for the restoration of Jewish cultural activities in the Soviet Union as well as for a halt to anti-Jewish and anti-Israel propaganda over the Soviet radio, it was learned here today.

Simultaneously, it was pointed out that today marks two sad anniversaries for Soviet Jewry. It was on January 13, 1948, that actor-director Solomon Mikhoels of the Moscow Jewish Theatre and chairman of the liquidated Jewish Anti-Fascist Committee in the USSR, was assassinated on a street in Minsk by agents of the Soviet secret police. It was also on January 13, 1953, that Moscow published charges against leading Jewish physicians that they had plotted to assassinate, by medical malpractice, top figures in the Kremlin hierarchy.

The assassination of Mikhoels was followed by the liquidation of all Jewish cultural institutions in the Soviet Union and by the wholesale arrest of Yiddish writers and artists, many of whom perished later in Siberia or were executed. The charges against the Jewish physicians were branded as fraudulent by Soviet Premier Nikita S. Khrushchev immediately after the death of Stalin. He ordered the annulment of these charges, declaring that the so-called "doctors' plot" was a frame-up by the Lavrenti Beria, chief of the Soviet Secret police, who was executed in Moscow following Stalin's death.

Attention was drawn here to the fact that exactly eight days after these two sad anniversaries occur, the Soviet Communist Party is planning--according to authoritative reports--to raise the "Jewish problem" at its 21st Party Congress in Moscow. Fear was expressed that if the question is raised, it may result in a policy that will be even more draconic in nature, or a subterfuge to create a false impression of Soviet benevolence by offering the Jews resettlement in Biro-Bidjan. This territory has harrowing associations for Soviet Jews because twice before, after having responded to offers of resettlement in that region, the settlers were tried for allegedly fostering "bourgeois nationalism" in Biro-Bidjan.

NEUTRALIZATION CAN BRING STABILITY TO MIDDLE EAST, DR. GOLDMANN SAYS

NEW YORK, Jan. 13, (JTA) -- "Stability in the Middle East can result only from the de facto neutralization of the area by means of a joint guarantee of the peace by the two big power blocs," Dr. Nahum Goldmann, president of the Jewish Agency, declared here tonight in an address delivered at the New School for Social Research.

He declared that "a policy of this type would advance the more constructive tendencies within Arab nationalism, and open the way to the formation of a bloc of Middle East peoples and to Israel's acceptance by the Arabs as an integral and equal partner in such a bloc." Dr. Goldmann's address was entitled "The Middle East, the West, and the Peace of the World."

"The Near East," Dr. Goldmann said, "is one of the most important areas in the world today. It is certainly the single most crucial area. Unless stabilized, it represents perhaps the gravest danger to world peace. Its instability results from the violent character of Arab nationalism, and from the clash between Arab nationalism and Jewish nationalism as embodied in the State of Israel."

"Like all nationalist movements in their early stages, Arab nationalism is negatively oriented and has not yet assumed its stride as a constructive force, which it must become if it is to perform creatively and usefully for the welfare of the Arab people and in harmony with all the peoples of the Near East, including the vigorous and democratic Israeli people."

"However," Dr. Goldmann continued, "the most incendiary element in the Middle East today, far more serious than the nature of Arab nationalism and the tensions between Israel and the Arab states, is the cold war which is focused most violently on the Near East. It encourages the most extreme elements of Arab nationalism to play off the East against the West, and the West against the East. Soviet hostility emboldens them to entertain delusions of their capacity to destroy Israel."

The longer this cold war situation prevails, the weaker the West becomes because of the exploitation of its colonial record by the nationalist extremists and by the Soviet bloc whose methods of combat are ruthless and unconscionable," the Jewish leader pointed out.

DR. GOLDMANN CONFERS WITH HAMMARSKJOLD ON MIDDLE EAST PROBLEMS

NEW YORK, Jan. 13, (JTA) -- Dr. Nahum Goldmann, president of the Jewish Agency, conferred yesterday with United Nations Secretary General Dag Hammarskjold, who has just returned from the Middle East. The two statesmen discussed a range of problems affecting the Middle East.

TEL AVIV, Jan. 13. (JTA) -- Israeli fishermen gathering in their nets on the Sea of Galilee were fired on today by Syrian troops on the eastern bank. Israeli police boats escorting the fishermen immediately loosed a few rounds of automatic fire and silence prevailed again. No Israeli was hit.

Israel officers, accompanied by United Nations observers, began an investigation today of a new infiltration incident in which a number of Syrians attacked two Israel shepherds of Kibbutz Shamir in upper Galilee.

Israel charged that the infiltrators intended to ambush the shepherds but their automatic fire missed the intended victims who managed to escape. The incident reportedly took place about a mile inside Israel territory.

U.N. BODY COMPLETES DRAFTING RULES ON RELIGIOUS RIGHTS AND PRACTICES

UNITED NATIONS, N. Y., Jan. 13. (JTA) -- The United Nations Subcommission on Prevention of Discrimination and Protection of Minorities today completed examination of the 12 draft rules on religious rights and practices proposed by Dr. Arcot Krishnaswami of India in his draft report to the subcommission.

At the adjournment, Mohamad Awad of the United Arab Republic, the Subcommission's chairman, said that he would propose a new draft rule on the protection of places of worship. In his view, this had not been sufficiently provided for in the draft presented. (See page 4 for the views presented by Jewish groups before the subcommission). The rule on marriage as now drafted reads as follows:

"1. Everyone should have the right to enter into a valid marriage celebrated in a form which is not contrary to his religion or belief.

"2. In exercising its power to regulate the form of celebration of marriage, the state should not prevent any one from having marriage rites performed in accordance with his religion or belief, nor compel anyone to undergo a religious ceremony not in conformity with his convictions.

"3. In a state which admits the dissolution of marriage by divorce, the right to seek and obtain divorce should not be denied to anyone whose convictions admit the institution of divorce solely on the ground that he professes a particular religion or belief."

The rule on arrangements for disposal of the dead reads: "In regulating the disposal of the dead, account should be taken, as far as practicable, of the demands of the religion or belief of the deceased, in such matters as the taking out of funeral processions, the assignment of places for burial, cremation, or other methods of disposal, the performance of rites, and the display of religious or other symbols."

The rule on dietary practices, reads: "No one should be prevented from observing the dietary practices prescribed by his religion or belief."

The rule on pilgrimages, reads: "The possibility for pilgrims to journey to sacred places, inside or outside their own country, as acts of religious devotion, should be assured. Such limitations as may be imposed should not be of a permanent character."

The rule on training of religious leaders, reads: "No religious group should be prevented from training its religious leaders, such as ministers of religion, priests, rabbis or mullahs. When such training is only available outside the country, no permanent limitations should be placed upon travel abroad for the purpose of undergoing such training. Such limitations as may be imposed should not be of a permanent nature."

The rule on dissemination of religion or belief, reads: "Freedom to disseminate a religion or a belief should be recognized in so far as it does not impair the absolute right of everyone to maintain his religion or belief. Such limitations as may be imposed with a view to protecting public safety within or outside the state, or such limitations as may be imposed upon particular methods of dissemination in the interest of morals as conceived by society as a whole, should be confined within the narrowest possible bounds."

The rule on objections on conscientious grounds, reads: "States which recognize the claims of conscientious objectors to exemption from military duties should make no adverse distinction between claimants on the ground of the religion or belief which they profess. No one should be compelled to take an oath contrary to his religion or belief. When the taking of an oath is required of an individual whose religion or belief does not allow him to take the oath, he should be permitted to make instead a binding declaration or solemn affirmation."

The rule on financial measures for the support of a religion or belief, reads: "No one should be compelled to contribute to the support of a religion, a religious institution, or a belief, which is not in conformity with his convictions. Public authorities should refrain from differentiating between religions or beliefs in matters of taxation or subsidy."

JEWISH GROUPS PRESENT PROPOSALS TO U. N. BODY ON MINORITY RIGHTS

UNITED NATIONS, N. Y., Jan. 13. (JTA) -- Any United Nations effort to protect the right of minorities to observe religious dietary rules will be meaningless for Jews unless they have a corollary guarantee of the right to practice Schechita, Jewish ritual slaughter, an Orthodox leader declared here today.

Dr. Isaac Lewin, chairman of the American section of the Agudas Israel World Organization, made that point in a statement during discussion before the UN Subcommittee on the prevention of discrimination and protection of minorities. He was one of three spokesmen for non-governmental organizations. The others were Moses Moskowitz of the Consultative Council of Jewish Organizations and Gerhard Jacoby of the World Jewish Congress.

Dr. Lewin was commenting on one of the 12 draft rules proposed in a report on discrimination in religious matters, submitted by the special rapporteur for the study, Dr. Arcot Krishnaswami of India. One of the draft rules was that "no one should be prevented from observing the dietary practices prescribed by his religion or belief."

Dr. Lewin proposed that the draft rule be re-phrased to read: "No one should be prevented from observing the religious practices which are necessary for the observance of dietary laws, as they are prescribed by his religion or belief."

Urge Effective Methods to Prevent Religious Discrimination

Mr. Moskowitz, whose organization speaks for the American Jewish Committee, Anglo-Jewish Association and Alliance Israelite Universelle of France, pointed to one omission in the proposed rules for preventing discrimination in the area of religion: an injunction to public authorities not to practice such discrimination. He suggested that unless at the very beginning of the rules mention was made of the threat to freedom of religion posed by discrimination on the basis of religion, the rules would fall short of their purpose.

He declared that discrimination on the basis of religion is "a most grievous form of coercion" which brings about a change of religion or an outright denial of it. Referring to the history of discrimination in nations throughout the world, Mr. Moskowitz said: "A governmental policy which deliberately discriminates against persons and groups on the ground of their adherence to a particular religion will not hesitate to discriminate against them in the matter of their religious rights and practices."

Dr. Gerhard Jacoby, representative of the World Jewish Congress, offered a number of proposals on behalf of the WJC for the basic rules to guide governments in eradicating discrimination in religious rights and practices.

To Dr. Krishnaswami's proposal that "parents have a prior right to decide upon the religion or belief in which children should be brought up," the WJC urged addition of the proposal that parents should have "an unfettered opportunity of securing religious instruction for their children through the religious community of their own choice."

The WJC representative also suggested a bolder wording of a Krishnaswami suggestion with regard to religious worship. Dr. Jacoby proposed that "freedom to manifest religion or belief, either alone or in community with others and in public or in private, should be assured on the basis of equal treatment of all religions."

He proposed an addition to the basic rules that would guarantee the right to every religious community to organize itself nationally and to cooperate with co-religionists in other communities "in furtherance of the common interests of the denomination."

TORONTO JEWS PURCHASED \$1,500,000 IN ISRAEL BONDS DURING 1958

TORONTO, Jan. 13. (JTA) -- The Toronto Jewish community, 70,000 strong, last year purchased over \$1,500,000 in Israel bonds, a record for any year for a city of this size, it was announced here last night at the Ambassador's Ball, an annual event sponsored by the Israel Bond Organization.

At the same time, the first awards in an annual series were made to Canadians who had contributed to the development and improvement of Israel-Canadian cultural relations. The citations were awarded by Arthur Lourie, Israel's Ambassador to Ottawa.

DAVID ULLMAN, N. C. R. A. C. CHAIRMAN, NAMED TO PENNSYLVANIA COURT

PHILADELPHIA, Jan. 13. (JTA) -- David L. Ullman, chairman of the National Community Relations Advisory Council, was sworn in as an associate justice of Pennsylvania's Court of Common Pleas at a ceremony in Philadelphia.

The appointment of Judge Ullman by Governor George Leader was widely hailed by members of the bar and by community leadership. Messages of congratulations came from Jewish leaders throughout the country. A long-time resident of Philadelphia, Judge Ullman has been chairman of the NCRAC since 1957.