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High Courts Upholds N.Y. Textbook Law; Affirms Right To Challenge Education Aid

WASHINGTON, June 10 (JTA)--The United States Supreme Court, in a six-to-three decision today, upheld a New York State law that requires public school systems to lend textbooks to students in parochial and other private schools. But in another ruling today, the Court decided eight-to-one that taxpayer suits may be brought challenging Federal aid to parochial schools. The latter decision reversed a 1923 finding by the Supreme Court that individual taxpayers lacked standing in such cases because their individual tax payments were too small to prove adequate personal involvement. It cleared the way for a suit by seven New York residents who contend that Federal aid to pupils in church-related schools violates the Constitution.

The American Jewish Congress, one of several organizations sponsoring the New Yorkers' test case, hailed the Supreme Court's ruling today as a "landmark decision" which "gives new life to the First Amendment" and "marks the end of the anomalous situation under which violations of the principle of separation of church and state through use of public funds for parochial schools have been immune from challenge in the courts." Howard M. Squadron, chairman of the AJCongress' commission on law and social action, said today that "we are now prepared to proceed with our suit to bring to a halt the use of Federal funds under the Elementary and Secondary Education Act (of 1965) to provide teachers and equipment for sectarian schools."

The case for reversal of the 1923 ruling was argued before the Supreme Court last March by Leo Pfeffer, special counsel to the AJCongress, who was joined before the bench by Sen. Sam J. Ervin, Democrat of North Carolina. The AJCongress' position was upheld in briefs filed by the National Council of Churches, the Council of State School officers and all of the national member agencies of the National Community Relations Advisory Council except the Union of Orthodox Jewish Congregations.

The decision on the New York State textbook law involved a test case brought by two local schools, one in the Albany area and the other on Long Island. The school boards had argued that the 1965 law promoted compulsory taxation to support religious training. Justice Byron R. White, speaking for the six-man majority in today's decision said "we cannot agree...that all teaching in sectarian schools is religious or that the processes of secular or religious training are so intertwined that textbooks furnished students by the public are in fact instrumental in the teaching of religion." He noted that such services as fire and police protection and sewage systems are of value to parochial schools but do not amount to support of religion in violation of the Constitution. Justice White added that the Supreme Court "has long recognized that private education has played and is playing a significant and valuable role in raising national levels of knowledge, competence and experience." Separate dissents were written by Justices Abe Fortas, Hugo Black and William O. Douglas.

New York State is spending about \$25 million a year under the law which benefits about 300,000 students including children in Catholic and Jewish schools. The Federal Government spends \$419 million a year under the 1965 Elementary and Secondary School Education Act to provide special education programs for students in parochial schools.

AJCommittee Disappointed, Orthodox Organizations Pleased

Edwin J. Lukas, general counsel of the American Jewish Committee, commenting on the textbook case, said, "we cannot conceal our disappointment over today's...decision upholding the constitutionality of the New York law which requires the loan of secular textbooks to religious school pupils. In our view, it may be a serious blow to those who believe church and state must remain separate. This decision could open the floodgates to additional substantial public assistance to sectarian schools." The AJCommittee was one of the organizations which filed a friend-of-the-court brief in the case.

The National Jewish Commission on Law and Public Affairs, an Orthodox organization which submitted a brief favoring the law, said it was "delighted with the decision." The decision is a "major victory in the struggle to win fair treatment for non-public school children and opens new perspectives for additional benefits for these children," declared Rabbi Moshe Sherer, executive president of Agudath Israel of America. The Orthodox leader asserted "hopefully the American Jewish Congress and other groups fighting Federal and state aid for religious school children will read the handwriting on the wall from this decision and will cease their campaigns." Rabbi Sherer announced that Agudath Israel will now draft legislation seeking new benefits in Washington, Albany and other state capitols based on this decision.

Israel Government's Decision To Establish Absorption Ministry Creates Storm

JERUSALEM, June 10 (JTA)--News that the Israeli Government had decided to establish a Ministry of Absorption and to assume responsibility for the absorption of immigrants, a responsibility previously held by the Jewish Agency, created a storm here today in the 27th World Zionist Congress. The decision was announced by the Government after Sunday's Cabinet meeting. The announcement did not use the qualifying phrase "permanent absorption" as Zionist leaders had anticipated, thereby giving rise to the belief that the Government intended to take over the whole process starting with the arrival of the immigrant. A special meeting was held this morning to discuss the implications of the Government decision and the Jewish Agency's attitude. Before the meeting began, A.L. Pincus, chairman of the Jewish Agency, received a telephone call from Prime Minister Levi Eshkol assuring him that the Cabinet decision

had been "in principle" and that actual details would remain to be worked out by a joint Government-Jewish Agency committee. Mr. Pincus reported this statement to the special meeting this morning but it did not satisfy a number of those present. Several members of the Jewish Agency expressed themselves in strong terms against converting the agency into "a travel agency."

Strong opposition was voiced at the meeting to a separation of the immigration function and primary absorption or the care of the immigrant immediately after his arrival in Israel. The meeting reportedly concluded that retention of the function of primary absorption by the Agency would be a precondition to discussions with the Government.

In his address to the plenary working session of the Congress today, Mr. Pincus stressed the need for the Jewish Agency to retain the primary absorption function. Discussing relations between the Government and the Agency, he described a covenant, which formally recognized the special status of the World Zionist Organization and the Jewish Agency in Israel, not as a formal document but as an expression of historic fact and of the true partnership between Israel and the Zionist movement. He told the session that in the one year of its functioning, the joint authority established by the Government and Agency had made significant progress in many directions. Among them he cited incentives for new immigrants, job placement and housing. He stressed the effectiveness of creating "one address" for immigration and absorption by unifying three Agency departments.

The Jewish Agency chief said there were three guiding principles the Agency and Zionist movement must follow: the Zionist movement must shoulder the burden of encouraging and organizing immigration; the Government must assume responsibility for the permanent settlement of immigrants, including employment, and finally, there must be no artificial barriers interposed between immigration and absorption.

Mr. Pincus said that the same body that dealt with the bringing of the immigrant to Israel must also see to his needs in the first stages of absorption — such as the immigrant centers and the Hebrew language courses (Ulpanim). The welfare of the immigrant, he said, required this.

Eshkol Urges Direct Peace Talks, Stresses Importance Of Immigration To Israel

JERUSALEM, June 10 (JTA)--Prime Minister Levi Eshkol, addressing the plenary session of the 27th World Zionist Congress here tonight, devoted the major part of his presentation to Israel's quest for peace and a flat rejection of "palliatives" and "temporary arrangements" reached outside the Middle East which resulted only in war and the present Arab-Israeli impasse. But Mr. Eshkol's most urgent plea was for Jewish immigration from the free world. "We are entering a new era," he said, "and even today Israel's economy can absorb any professional who would come." Because the country is lacking in craftsmen and experts, the Prime Minister said, some branches of the economy have been restricted in their development.

He referred to the plight of Russian Jewry and expressed the hope that they would ultimately be free to come to Israel. But the timing of immigration from Russia is not dependent on the Jewish nation or Israel; immigration from the free world depends on what the Jewish nation does, Mr. Eshkol declared.

The Prime Minister stressed that if there is to be peace in the Middle East, there is no alternative to secure borders agreed upon by both sides. "True peace will come only through direct, face-to-face talks, out of mutual respect and mutual recognition," he said. He decried the interference of a "big power" which, "to the sad fate of the region and of peace, equips our enemies with the best weapons and war material and does not bring peace nearer."

Mr. Eshkol said Israel has had enough of international undertakings which have failed to alter the situation. There are specific international resolutions on the free navigation of the Suez Canal, and an international force was stationed in Sinai to ensure free navigation through the Straits of Tiran, he said. There was supposed to be free access to the Holy Places and free access to Mt. Scopus in Old Jerusalem by distinct agreement under the auspices of the United Nations. "Look how they were performed," Eshkol declared. "Destruction of synagogues, desecration of cemeteries, everywhere indescribable dirt and refuse. That is what we found in the Old City of Jerusalem and our sacred places. That is what happens with arrangements when there is no true peace."

President Zalman Shazar, of Israel, addressing the Congress' opening session last night, also stressed the primacy of immigration from the free world. While Israel appreciates fund-raising campaigns and their results, he said, for Jews in the diaspora he has only one word — "come." The President said that Israel's aim is peace and the Jewish people must show their ability to win peace just as a year ago they showed how they could win a war. "Israelis," he said, "do not want to kill or be killed."

Aryeh Pincus, chairman of the Jewish Agency Executive, praised the work of the Youth Aliyah in his general report of Agency activities. He noted 11 new settlements have been established recently from Biranit, on the Lebanese border, to Gerofit and Hazeiva in the Negev. He described the Jewish Agency's work abroad, mainly in the field of education. He urged the Zionist movement to make aliyah — immigration — its prime task and major goal.

Gen. Bull, Head of Cease-Fire Observers, Arrives For Talks With U Thant

UNITED NATIONS, June 10 (JTA)--Lieut-Gen. Odd Bull, chief of the United Nations observers, arrived in New York tonight for consultations with Secretary-General U Thant. While UN officials and Gen. Bull himself continue to regard him as head of the UN Truce Supervision Organization, Israel no longer recognizes the existence of that body nor the 1949 armistice agreements on which it was based. The UN Secretariat and a number of the Security Council powers, including the United States, would like to see the cease-fire observation arrangements now in force along the Suez Canal extended the entire length of the Jordan-Israel cease-fire line — the scene of continuing serious cease-fire violations.

Father of Alleged Assassin of Sen. Kennedy Coming To U.S. To Help His Son

JERUSALEM, June 10 (JTA)--Bishara Salameh Sirhan, whose son is accused of the assassination of Sen. Robert F. Kennedy, announced today that he was going to the United States soon to help the son whom, he had said earlier, deserved to be hanged. He also was quoted today as blaming the martyred Senator for his own death because of his "anti-Arab statements." The former Jerusalem civil servant did not explain why he had abruptly changed his mind regarding his son and the late Senator he had formerly extolled, nor did he say who was providing the funds for the journey from his West Bank village to Los Angeles. He charged yesterday that Mr. Kennedy had "insulted the Arabs enough."

(In New York, the Wall Street Journal editorially rejected contentions that the assassination was a further indication of moral collapse in this nation and termed the contention "nonsense." The paper said "it is particularly strange since, as it happens, Robert Kennedy was killed by an alien, an Arab fanatic living here. The assassination was a gruesome act of violence bred of violence — but it was a violence primarily of the Middle East, not the United States.

(Hugh D. Auchincloss, Jr., president of the Holy Land Center, deplored, in a letter to the New York Times today the "unfortunate implication that this beastly act had some connection with the Arab-Israeli conflict." He expressed concern that the assassination had been followed by many anti-Arab statements on the streets of New York and said "we cannot and should not generalize the guilt, neither toward the people of Jordan and the Arabs." The center promotes Middle East tourism and is primarily supported by Jordan.)

Three Arab Infiltrators Killed In Clash With Israeli Patrol

TEL AVIV, June 10 (JTA)--Three Arab marauders were killed yesterday afternoon in a fierce clash with an Israeli border patrol in the Jordan Valley about six miles north of the Damiyah Bridge. The patrol intercepted the guerrilla band which was apparently on a sabotage mission. The Israelis seized a quantity of Russian-made Kalatchnikoff assault rifles and sabotage equipment found on the bodies. No Israeli casualties were reported.

An unused munitions dump on a beach south of Tel Aviv blew up yesterday afternoon forcing the evacuation of the nearby village of Ben Zakkai and other security measures, but no casualties were reported. The dump contained war booty captured last June but discarded by the Army. The explosion was attributed to a fire that broke out in an adjacent field and was spread by wind. An investigation when the flames subsided this morning yielded no evidence of sabotage. The explosions were heard over a large section of the country and resulted in the suspension of work yesterday at the port of Ashdod, south of Tel Aviv. Work in the port resumed this morning.

Haaretz Says Eshkol Favors Allon Plan For Partition of West Bank Region

JERUSALEM, June 10 (JTA)--A plan for the partition of the West Bank between Jordan and Israel, advanced publicly a few weeks ago by Labor Minister Yigal Allon, is favored by Prime Minister Eshkol, Foreign Minister Eban and Defense Minister Dayan, the daily Haaretz said today. The paper said that the Cabinet ministers were giving serious thought to the so-called Allon plan in case peace talks with Jordan materialize. The plan calls for the incorporation into Israel of a 10- to 14-mile-wide strip along the West Bank of the Jordan River and the return to Jordan of the central mountainous region in which such towns as Nablus and Hebron are located. A corridor passing through Jericho would link the two regions. At present there are only 14,000 inhabitants in the strip of which 8,000 live in Jericho, Haaretz said.

Minister Bids Moslem Religious Leaders To End Political Resistance To Israel

JERUSALEM, June 10 (JTA)--A call to Moslem religious leaders to desist from their political resistance to Israeli authorities in Jerusalem and the occupied areas was issued in the Knesset (Parliament) this afternoon by Dr. Zerah Warhaftig, Minister for Religious Affairs. Dr. Warhaftig also reported on the extent of damage to Jewish holy places in East Jerusalem during 19 years of Jordanian occupation. He said that restoration of the cemetery on the Mt. of Olives alone would cost \$1.7 million.

Guardian Says Arab Identification With Guerrillas Makes Peace Moves Difficult

LONDON, June 10 (JTA)--The Guardian reported in a dispatch from Beirut today that Arab leaders are "adrift" on a popular tide of discontent and identification with guerrillas which would make it difficult, if not impossible, for them to enter into serious peace talks with Israel. According to the Guardian, King Hussein of Jordan is virtually helpless and the radical Baathist regime in Syria is digging trenches as far north as Aleppo and calling for the immediate unity of "progressive" Arab countries on the Palestine issue.

In Egypt, the Guardian said, "President Nasser would no doubt gratefully accept, in the interests of a peaceful settlement, some semantic device thought up by diplomats in New York and elsewhere which appeared to save Arab honor. But he cannot possibly be sure the Arab people would accept it, which makes it doubtful whether Nasser would, in the event of a serious Israeli response, carry his peace offensive to a logical conclusion."

Visit Of Moscow Rabbi In Doubt; No Request For Visas Made To U.S. Embassy

WASHINGTON, June 10 (JTA)--There was considerable doubt here that a Soviet Jewish religious delegation which was to have arrived in the United States today could still be expected. A State Department spokesman said that late this afternoon the Department had received no word from the U.S. Embassy in Moscow on the issuance of visas to Rabbi Yehuda Leib Levin, of Moscow, and Cantor David Stiskin of Leningrad. This indicated, according to the spokesman, that no visa applications had been made.

Communal Workers Parley Hears Plea For Creation Of Urban Planning Council

DETROIT, June 10 (JTA)--The creation in the United States of a new institution, a Jewish Urban Planning Council, to help meet urgent demands for social change in a period of urban crisis and racial conflict, was urged Monday by Bertram H. Gold, executive vice-president of the American Jewish Committee. He addressed the third general session of the National Conference of Jewish Communal Service here. Mr. Gold declared that there must be "a new Jewish communal look at the urban crisis in response to the dual sickness that plagues our nation — the sickness of the deteriorating city and the blind rage of an oppressed minority no longer content to live with poverty and prejudice."

He examined four areas that he saw as subjects of deep concern: Black Power and separatism; Negro-Jewish relationships; conditions of Jews in Negro slum areas; and the role of Jewish communal agencies in the crisis of the cities. While he felt that some new programs by Jewish agencies in this field were "encouraging and useful," he labeled them "only marginal and peripheral." Mr. Gold warned that they would remain so until all Jewish agencies carefully re-examined their programs, their intake policies and service objectives. He called on experts to build new models of action programs and create new institutional forms "which must closely articulate a sense of mission and commitment to Jewish values and be a true expression and function of our Jewish tradition" in helping meet the great "social issues of these times."

Mr. Gold listed five directions for charting future Jewish urban work: A concentrated educational program within the Jewish community that would deal with Jewish responsibilities in urban development; leadership in creating suburban coalitions — movements growing out of suburbia and recognizing the interdependence of cities and suburbia; active assistance in creating Negro federations and agencies to help correct the imbalance of the over-abundance of white institutions and the acute lack of Negro institutions; exertion of every effort in every way possible in instances where integration is possible; and development of comprehensive goals that would be large enough to unite and coalesce not only Jews and Negroes but also white non-urbanites with black urbanites.

Massachusetts Rabbis Urge Boycott of California Grapes In Support of Strikers

MALDEN, Mass., June 10 (JTA)--The Massachusetts Board of Rabbis has come out in support of striking grape pickers in Delano, Calif. by calling for a Jewish boycott of California table grapes. The board, which represents the Conservative, Reform and Orthodox branches of the Massachusetts Jewish community, adopted a resolution urging all congregations to consider the California table grapes unfit for use in synagogues and in religious Jewish homes.

In drafting their resolution, the rabbinical group invoked the Talmudical injunction against "oshek" — the oppression of a hired man. "The farm workers are a group that has thus far been excluded from coverage of Federal Labor and minimum wage laws," the resolution stated. "Vast groups of farm workers are exploited with substandard wages and dehumanizing living conditions. We therefore call the attention of our congregants to the present strike of the grape pickers in California. The owners have been bringing in help from Mexico to break this strike. Hence the boycott is the only significant countervailing power available to these impoverished farm workers. We therefore urge Jewish congregations to consider that California table grapes are unfit for use in any synagogue or synagogal function until this strike is settled."

Soviet Magazine Charges That Polish 'Zionists' Responsible For Demonstrations

NEW YORK, June 10 (JTA)--A Soviet magazine has charged that Polish "Zionists" in the employment of "Western intelligence agencies" were responsible for organized demonstrations against the Warsaw Government several months ago. The magazine, International Life, received here, said that the "Zionists" adopted Nazi Germany-like "fifth-column" tactics. Since the demonstrations, Jews from all walks of Polish life, especially Party and Government positions, have been purged.

Philadelphia Youngsters Will Demonstrate In New York Against Polish Anti-Semitism

PHILADELPHIA, June 10 (JTA)--More than a thousand young Philadelphia Jews will journey to New York City on June 17 for a one-day demonstration at the United Nations and before the Polish Mission in protest against the continued anti-Semitic policy of the Polish Government. The youngsters, members of 17 Jewish youth groups here, will travel to New York in a bus cavalcade.

The Jewish Community Relations Council of Greater Philadelphia, sponsor of the demonstration, has asked the superintendent of Philadelphia's public schools to allow all Jewish students participating in the protest to be excused from school for the day.

Israeli Passenger Liner 'Jerusalem' Sold By Zim Line To American Firm For \$2.6 Million

NEW YORK, June 10 (JTA)--The Israeli passenger liner Jerusalem, which for a number of years made cruises from United States ports, has been sold by the Zim Line to an American firm for \$2.6 million. The vessel was built in West Germany in 1937 at a cost of \$8 million, financed through the Bonn-Israel reparations pact. Her sale reduces Israel's passenger liner fleet to two small vessels and a car ferry trading exclusively in the Mediterranean. Israel owned eight passenger liners in 1964.

In another transportation development, it was announced that Arkia, Israel's domestic airline, is expanding its schedule and introducing new equipment in order to meet a heavy demand for air tours to the Sinai, the Golan Heights and other areas, according to Avraham Spindler, the company's commercial manager. Mr. Spindler said in an interview with the travel industry magazine "Travel Agent" that his company will soon take delivery of its fifth 50-passenger Handley Page Herald prop-jet plane and is considering the charter of a sixth plane. He said traffic on Arkia routes has increased since last June's Six-Day War. In April, a record 18,750 passengers were carried on the Tel Aviv-Eilat route.