

JTA daily news bulletin

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Published by Jewish Telegraphic Agency / 165 West 46th Street / New York, New York 10036

Vol. XLVI - 62nd Year

Friday, April 20, 1979

No. 76

4 EX-NAZIS ACQUITTED BY GERMAN COURT

BONN, April 19 (JTA) -- A doctor and three former women guards at the notorious Maidanek concentration camp were acquitted by a Dusseldorf court today for lack of positive identification as the persons involved in the murders of 250,000 inmates, most of them Jews, during World War II. Although the verdict was not unexpected inasmuch as the prosecutor himself had recommended acquittal, it touched off a near riot among spectators in the courts who overturned benches and shouted "Nazi murderers."

The defendants were Dr. Heinrich Schmidt, 66, who had been charged with selecting children, sick and elderly inmates for the gas chambers and camp guards Charlotte Mayer, 61 and Rosa Suess and Hermine Boettcher, both 60, charged with assisting in the selection process. They went on trial almost four years ago along with nine other former guards at Maidanek, a death camp near Lublin, Poland.

Last month, Public Prosecutor Dieter Ambach called for their acquittal because the evidence was "too inexact for a verdict." The court agreed to separate proceedings for Schmidt and the three women. According to Ambach, surviving Maidanek inmates from Poland and Israel who testified were unable to establish positive identification. The trial of the other nine defendants will continue. One of them is former Queens housewife Hermine Braunsteiner Ryan who was deported from the U.S. four years ago because she lied about her Nazi past when applying for citizenship.

Hausner Denounces Verdict

(In Israel, Gideon Hausner, head of the Yab Vashem, said the trial in Dusseldorf was conducted in an "insufferable atmosphere" and that its verdict would now be used to justify ending the prosecution of Nazi war criminals under the statute of limitations which, unless it is abolished, will go into effect Jan. 1, 1980. Speaking on Israel Radio, Hausner, who was the prosecutor in the Adolf Eichmann trial, noted that the entire trial of the four Nazis must be extensively criticized in view of the hostile manner in which witnesses were treated during its almost four-year duration.

(He pointed to the dismissal of certain witnesses on the basis that they had "Jewish teachers" and could not therefore be objective about the Maidanek concentration camp and the thousands of Jews who perished there. "This verdict will undoubtedly be added to a series of other contentions which claim that after so much time, it is impossible to prove one's guilt," Hausner said, referring to the Bundestag debate on the statute of limitations.) (See related story P. 3.)

BEGIN SAYS ISRAEL WILL TAKE ALL NECESSARY MEASURES TO MAINTAIN SECURITY OF ITS NORTHERN BORDER

By Yitzhak Shargil and Barbie Zelizer

JERUSALEM, April 19 (JTA) -- Israel made it clear today that its response to events in south Lebanon will be determined by its security needs. This was stated in a message sent by Premier Menachem Begin today to United Nations Secre-

tary General Kurt Waldheim. Early this week, Waldheim sent a cable to Begin in which he charged that Israel was inciting Christians in south Lebanon not to permit the entry of a Lebanese army battalion into the region.

Begin stated in his reply that in light of new terrorist activities by the Palestine Liberation Organization in south Lebanon and an upsurge of terrorist incidents inside Israel, it was imperative that Israel take all necessary measures to maintain the security of its northern borders. He stressed that Israel was not attempting to influence the Christians and that the steps taken by Maj. Saad Haddad, commander of the Christian militia, were taken independently, in accordance with what Haddad thought was best for the Christian community.

Yesterday, Haddad declared the 350-square mile region of south Lebanon along the Israel border a "free Lebanon." He said it would refuse to recognize the authority of the central government in Beirut until all Palestinians and Syrian forces were removed from Lebanese territory. The Christians have used armed force to block the advance of the 500-man Lebanese battalion which they contend is a pro-Syrian unit commanded by Syrian officers disguised in Lebanese uniforms.

Fighting In South Lebanon

Christian artillery shelled the headquarters of the United Nations Interim Force in Lebanon (UNIFIL) early today, wounding eight UN soldiers. A UN spokesman said later that "the Israeli army intervened after about an hour to stop the attack." The wounded soldiers were identified as two Dutch captains and six Irish troopers.

In another incident, a Christian militiaman laying telephone wire was killed by UNIFIL soldiers who thought he was planting mines. Enraged by the killing, Christian villagers fired on UNIFIL headquarters at Nakura wounding several United Nations personnel. UNIFIL said two of its helicopters were hit.

Shelling became generalized during the day when Palestinian terrorists fired several salvos of Katyusha rockets into eastern and western Galilee. One Israeli settler was injured and a chicken coop and sheds in a moshav were damaged. Israeli artillery returned the fire, but only perfunctorily. An officer explained that the restraint was deliberate because the Lebanese battalion, escorted by UNIFIL troops, was in the area at the time. Israelis, who took to bomb shelters during the day, emerged in the evening when the border region was quiet.

Meanwhile, the Beirut government denounced Haddad as a traitor and said he would be tried for revolt and collaboration with the enemy, the penalty for which is death.

Latest Developments Assessed

Begin met with his ministerial defense committee this morning, including Foreign Minister Moshe Dayan and Defense Minister Ezer Weizman, to discuss the latest developments in Lebanon. Diplomatic circles here noted afterwards that Haddad's declaration of a "free Lebanon" was made without Israel's knowledge and that Israel would not interfere in internal matters north of its border.

On the other hand, Israel has aided and supported the Christian militia and has pledged to protect the Christian minority from annihilation. This obligation is still valid, sources here said today, but

Israel will not intervene in matters that do not endanger the existence of the Christian communities. Israel's position is that it will not oppose the suspect Lebanese battalion's deployment in the areas south of the Litani River under UNIFIL control but would oppose its entry into the Christian enclaves. Israel's position was conveyed to Haddad by Weizman who asked the Christian commander to accept it. Haddad and most of his men apparently did but some militia units continued their attempts to block the battalion's advance into the south.

Haddad made it clear yesterday that his proclamation of a free Lebanese republic in his territory did not envisage a permanent separatist state. "Lebanon is our country and Beirut is its capital," he said. But he demanded the ouster of the Palestinians and Syrians from the country.

JERUSALEM | JERUSALEM?

WASHINGTON, April 19 (JTA) -- The State Department's chief spokesman, Hodding Carter, surprised correspondents at his daily briefing today. He said, and then repeated, that the government of Israel is in Jerusalem. The U.S. does not recognize Jerusalem as Israel's capital and normally refers to "the government of Israel" without saying where it is. The U.S. Embassy is in Tel Aviv.

Today, Carter said that the U.S. has "made its own concern regarding southern Lebanon very clear repeatedly to the government of Beirut and in Jerusalem." An amazed correspondent asked, "Jerusalem?" Carter replied, "That's where the government is. That's where it happens to be." He laughingly remarked that two years ago he would have been questioned for 20 minutes about his expression. There was no indication that Carter's reference to Jerusalem was anything but a slip of the tongue and not a hint of a policy change.

Carter reaffirmed the U.S. position that the deployment of Lebanese troops, believed to be headed by Syrian officers in Lebanese uniforms, south of the Litani River is "a matter of great importance for the ultimate well-being and security" of Lebanon.

"Anything that hinders that should be stopped," he said. He said that no U.S. official has contacted Major Saad Haddad who has spoken of a "free Lebanon" in that area. "We talk to anybody who has influence on events," Carter added, however. He noted "various people have influence on the various forces in play."

PLO OFFICIAL LEAVES

By Joseph Palakoff

WASHINGTON, April 19 (JTA) -- Shafik Al-Hout, the director of the Beirut operation of the Palestine Liberation Organization, who had received a "restricted visa" from the State Department to speak and travel in the United States, has left the country after cancelling meetings in Chicago.

Al-Hout was to have addressed the Chicago Council on Foreign Relations and meet with editors of the Chicago Tribune. The Council said Tuesday that he had sent word to it that he had been called home while the Tribune said he did not explain his cancellation of his appointment with the paper. Al-Hout had met with as yet unidentified groups at Princeton, Columbia, Harvard and Yale, ostensibly at their invitations. He also met with reporters at a breakfast in Washington.

The Immigration and Naturalization Service (INS), which has jurisdiction over the entry of aliens into the U.S., said that it granted a waiver for his entry at the State Department's request. It provided for his entry for three weeks and he was to come here before April 3.

The INS told the Jewish Telegraphic Agency that it does not keep tabs on visitors and it presumes that they will "engage in activities indicated with no deviation or extension of the visit without approval" of the Washington Director of the INS. No such request has been made, the INS said.

The INS also said that "once admitted, he was free to travel wherever he pleased" in the U.S. But meeting with the Chicago Tribune editors or addressing the Washington Press Club -- not to be confused with the National Press Club -- which reportedly sought to have him speak, would have been "deviations" of his visa conditions, the INS said.

The State Department has repeatedly contended that Al-Hout is not a terrorist by his own definition and that he opposed terrorism. However, the Department continues to refuse to say or indicate what, when or where Al-Hout said he is opposed to terrorism. A number of major Jewish organizations condemned the State Department for giving its approval to Al-Hout's entry.

ALIYA UP, SO IS NESHIRA

By David Landau

JERUSALEM, April 19 (JTA) -- Aliya figures for March showed a continued upswing in relation to last year. The total was 2992 compared to 1988 in March, 1978, an increase of about 55 percent. Most of the rise is attributable to the increased numbers of Jews leaving the Soviet Union, and some 400 Iranian Jews visiting Israel who decided in March to change their status to immigrant or temporary resident.

But "neshira" (drop-out) figures are rising, too. The rate in March was nearly 70 percent. Of the 3137 Jews who left the Soviet Union last month, only 1283 went to Israel. This problem was discussed at meetings earlier this week of the enlarged Jewish Agency Executive at a session of the Coordinating Committee, the government-Agency board which convenes periodically under the Premier.

Leading U.S. Jewish sources told the Jewish Telegraphic Agency that there would be renewed intensive discussions within the American Jewish community leadership on the whole issue of neshira. The sources said they felt a definite shift in thinking among American Jewish leaders, inasmuch as it was now widely realized that neshira was becoming a problem of historic Jewish dimensions.

The size of the Soviet Jewish exodus is growing, and the tide of immigration was seen to be flowing "in the wrong direction," in terms of the greater good, in long-run terms, of the Jewish people, the sources said. At the same time, these sources stressed, there was strong opposition within the American Jewish community to any form of coercion or pressure on the Soviet emigrants to choose Israel instead of the U.S. as their destination.

Seeking A Consensus

Rafael Kotlowitz, head of the Jewish Agency's Immigration Department, reported to the Executive last week that he had met with hundreds of nashim in Rome and they all told him that if their sole option had been to go to Israel or remain in the Soviet Union, they would have chosen Israel. It is not clear what practical conclusions Kotlowitz sought to infer from that finding or whether American Jewish leaders would necessarily agree with such conclusions.

In any event, the Jewish leaders have undertaken to seek a consensus among their various organizations on the neshima issue before the Jewish Agency Assembly in June. Premier Menachem Begin has reportedly agreed to give public expression to that consensus if he can agree with it personally. Observers have noted that Begin, unlike other Israeli leaders, has been reluctant to contemplate any action against neshima which could or might result in a decrease in the Jewish exodus from the Soviet Union to any destination in the free world.

Korlowitz reported that there were presently some 146,000 exit requests pending, a higher figure than at any previous time. Some of them came from areas of the Soviet Union from which there had been no aliya until now, he said.

His department recently sent eight Soviet olim as emissaries to Vienna, where they spent two days with the emigrants talking to them about life and opportunities in Israel. The emissaries had undergone intensive training here, including courses with a psychologist who specializes in communication with immigrants.

JEWISH GROUPS ASK FEDERAL COURT TO REVOKE EX-NAZI'S CITIZENSHIP

NEW ORLEANS, April 19 (JTA) -- The Federal Court of Appeals will hear arguments here Monday on a lower court decision permitting a former Nazi concentration camp guard to keep his American citizenship, even though he concealed his past to obtain it.

The Department of Justice agreed to appeal the ruling in response to an "urgent request" from the American Jewish Congress. Howard Salvadoron, president of the AJCongress, said he was "deeply gratified" by the action of Solicitor General Wade Hampton McCree, Jr. in deciding to appeal the District Court ruling to the Circuit Court of Appeals here.

The AJCongress, joined by the Anti-Defamation League of B'nai B'rith, filed a friend-of-the-court brief in the appeal. Phil Baum, associate executive director of the AJCongress, drafted the brief which was also signed by Arnold Forster and Jeffrey Sinensky of the ADL.

Facts In The Case

The former Nazi -- Feodor Federenko, now a resident of Miami Beach -- concealed his past as a guard in the Nazi death camp of Treblinka when he entered the United States in 1949 and when he applied for citizenship in 1970. At a denaturalization proceeding last June, Federenko admitted having portrayed himself as a Polish farmer who had been forced to work as a laborer for the Nazis. But he denied testimony by six Israeli survivors of Treblinka that they had seen Federenko torture and shoot prisoners there.

On July 26, 1978, U.S. District Court Judge Norman Roettger ruled in Fort Lauderdale, Fla. that Federenko could keep his citizenship. The Immigration and Naturalization Service, he ruled, had failed to prove the Ukrainian-born Federenko guilty of having committed any atrocities. Roettger also said that the defendant had lived an exemplary life since entering the United States.

No Grounds For Exoneration

The AJCongress-ADL brief rejects the District Court judgement that Federenko deserved consideration because he was "an excellent worker

who did not speak unkindly of anyone." The brief continues: "It is hardly surprising that an alien who gained entry by deliberate misrepresentations would be scrupulously careful during his subsequent residency in the U.S. to shun anything that might bring him public notice. Indeed, every individual now in this country whom there may be reason to suspect of complicity in war crimes has camouflaged himself while in the U.S. with extreme circumspection."

The brief also states that Judge Roettger "directly contravened the canons of judicial ethics by criticizing the credibility of the government's witnesses to the press while the trial was in progress." The brief cites a press conference held by the lower court judge during which he commented "on matters central and germane to the proceedings," adding: "His conduct constituted gross judicial impropriety which we submit constitutes at the very least grounds for vacating the court's judgement and ordering a new trial."

NO OIL TO ISRAEL FROM NORWAY, UK

By Joseph Polakoff

WASHINGTON, April 19 (JTA) -- The governments of Norway and Great Britain, which share oil from the North Sea fields, will not ask the controlling petroleum companies to sell any of it to Israel, the Embassies of the two countries made clear to the Jewish Telegraphic Agency.

Inquiries by the JTA followed reports from Oslo after Vice President Walter Mondale spoke there Tuesday that the Norwegian government has ruled that the North Sea oil is in the hands of private firms and the government will not intervene in its distribution. Earlier, the British government took a similar position.

Reporters traveling with Mondale on his Scandinavian visit noted that Norway's fear of impairing its trade relations with Arab countries is the reason it is keeping away from supporting the U.S. guarantee of oil for 15 years to Israel. This guarantee stems from Israel's withdrawal from Sinai and its oil wells there as a result of the Israeli-Egyptian peace treaty.

At the Norwegian Embassy, the JTA was told that during his talks with Mondale, Norway's Prime Minister Odvar Nordli said Norway does not have enough oil to supply any single country -- "that is, Israel." Later, the Embassy spokesman added, Norway's Foreign Minister Knut Frydenlund explained that the oil Norway obtains from the Norwegian continental shelf is distributed in the international market by private oil companies.

"It is a commercial transaction," the spokesman reported Frydenlund as saying. "The government cannot impose on oil companies any restrictions where they can dispose of their oil." He said there was "no discussion about this." The matter "just came during talks."

At the British Embassy, a spokesman told the JTA that Britain's Secretary of State for Energy Anthony Wedgwood Benn has pointed out that the British government does not control North Sea oil and its movement to fixed contracts. "We don't have the power to stop or divert oil" movement, he said. Therefore, the "United Kingdom could not intervene in contracts between oil producers and normal customers."

On his arrival in Norway, Mondale said the U.S. is "not pressing" any country to help with oil supplies to Israel. He added, "We have discussed informally with other nations whether in a general way they would like to help should an event ever arise when oil is needed. There has been no specificity."

STUDY FINDS FEDERATION ALLOCATIONS TO DAY SCHOOLS NOT KEEPING PACE WITH BURGEONING PER CAPITA EXPENSES

NEW YORK, April 19 (JTA) -- The American Association for Jewish Education, citing a national study it has just concluded on the budgeting and financing of day schools, declared this week that Jewish Federation allocations to these institutions are not keeping pace with burgeoning per capita expenses resulting from increased day school enrollment.

Arthur Brody, president of the AAJE, said Federations "must seek to formulate more realistic allocation patterns toward day schools in order to forestall the imminent possibility of any or all of three ominous alternatives: growing budget deficits, rising tuition fees or a diminution in the schools' continuing ability to provide quality education for their students."

Brody said the AAJE study of 73 day schools in 58 communities revealed that Federations increased their support to local day schools by an average of 10.4 percent from 1976-77 to 1977-78. "The figures sound good," he said, "but they are misleading. Because of inflationary cost increases and -- far more important -- because the growth in day school enrollment has outstripped the rise in allocations, those allocations represent an average decrease of 5.1 percent on a per-pupil basis."

"By way of illustration, Brody said that if a school receives a 10 percent increase in its allocation at the same time that its student population has risen by 20 percent, "the impact of the allocation becomes a minus rather than a plus factor. This accounts for the AAJE's concern that Federation decision-making on day school allocations -- if based solely on dollar increases pegged to costs -- may no longer be sufficient, practicable or even logical in light of present-day enrollment realities."

The AAJE president said the agency's current estimate of day school enrollment is more than 90,000 students, a rise of better than 50 percent over the 60,000 students enrolled in 1967. Brody noted also that while the study indicated a "dollar increase" in allocations, those amounts represented a 2.1 percent average decline among total Federation allocations -- from 17.6 percent in 1976-77 to 15.5 percent in 1977-78.

Raises Basic Questions

"This disturbing phenomenon raises a number of basic philosophical questions," he said, "namely: How great is the importance attached by Jewish communities to the day school movement? Is it sufficient to alter their historic allocation patterns? And if Jewish education represents the best hope for creative Jewish survival, should the support of day schools -- surely, the repository of our greatest expectations for providing quality education -- occupy a more important place in Jewish communal planning?"

The study was conducted by the AAJE's Department of Community Service, Information and Studies under the supervision of Dr. George Pollak, director of the Department. Pollak said the study disclosed that Federation allocations comprised only 19.2 percent of the average income of day schools, whereas a year earlier they accounted for 19.7 percent.

Since day school fund-raising also declined during the period surveyed, the schools had to make up the differences by increasing tuition by

an average of 7.4 percent, he said. As a result, tuition fees represented 52.3 percent of the total income of day schools in 1977-78, a rise of 2.7 percent over the previous year.

However, Pollak pointed out that "no school in the study, not even the one with the highest tuition fees, charged parents the full per-pupil cost for educating their children." While tuition fees may rise, he said, "it is the AAJE's belief that they cannot increase to the extent that they represent a greater share of the total income of day schools than they presently do."

"Yet even if their proportionate share of the schools' total income remains the same, the resulting dollar increase will discourage marginally interested parents from enrolling their children and create great financial hardships for others who, while committed to giving their children a day school education, will find the costs growingly prohibitive."

UGANDA, TANZANIA PARTICIPATING IN THE NINTH JERUSALEM BOOK FAIR

By Barbie Zelizer

JERUSALEM, April 19 (JTA) -- Uganda and Tanzania became last-minute participants in the ninth Jerusalem International Book Fair, which opened here officially tonight. Some 55 countries are participating in the fair, which is considered the second largest in the world, second only to the Frankfurt fair. Seven kilometers of bookstalls will show the works of 1200 publishing houses to the Israeli public during the week-long fair.

The Ugandan and Tanzanian participation came after Edwin Wainaina, executive director of Kenya's East African Publishing House, told fair organizers that he also represented publishers from the two countries. The books are mainly in English and Swahili.

The Jerusalem Book Fair differs from that conducted in most other countries in that it is open to the public. Fair organizers expect a turnout of some 200,000 Israelis, most of whom are not employed in the publishing business.

Two highlights of the event include the awarding of the Jerusalem Prize to Simcha Berlin, in the presence of Premier Menachem Begin, and the display of the recently-signed Israeli-Egyptian peace treaty.

JEWISH WOMEN'S GROUP FORMED

AMSTERDAM, April 19 (JTA) -- Deborah, a new women's group aimed at increasing the participation of women in Jewish communal affairs, was launched here just before the Passover holidays by members of The Netherlands Ashkenazic Congregation. Reportedly, it has already attracted a substantial number of members.

The organization is open to all Jewish women, whether or not members of the congregation. Its stated purpose is to increase their Jewish awareness. But it is also urging a larger representation of women in official community bodies. Despite the shortage of qualified male candidates, Netherlands rabbis still tend to bar women from serving on the councils and executive committees of the Ashkenazic and Sephardic congregations. The result is the alienation of many women from Jewish activities, a situation that Deborah intends to correct.

The new group has a counterpart affiliated with the much smaller Liberal Congregation which has maintained international contacts for a number of years through the World Union for Progressive Judaism.