

# JTA daily news bulletin

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## ALON MOREH CONSTRUCTION HALTED BY SUPREME COURT INJUNCTION; GOVERNMENT MUST ANSWER IN 30 DAYS By Gil Sedan and David Landau

JERUSALEM, June 20 (JTA) -- The Supreme Court ordered a halt today to the construction of Alon Moreh, the controversial Gush Emunim settlement near Nablus and gave the government 30 days to show cause why the settlement should not be removed and the Arab lands expropriated for it returned to the owners. The temporary injunction was issued after a panel of three justices heard testimony in an appeal by 17 Arabs from the Nablus area against the seizure of their land. The court forbade any new settlers from taking up residence at the site while the injunction is in effect.

Although the court's ruling has doubtlessly embarrassed the government, legal experts here expressed the opinion that the government eventually will prevail over the appellants by correcting the defective legal procedures by which the land was confiscated. The appeal was based on the contention that the government's claim that the settlement is necessary for security reasons was false and that the land owners never received a legally valid notice of seizure.

The most dramatic highlight of today's hearing was the testimony by two reserve generals, Haim Barlev, a former Chief of Staff and Mordechai Peled, flatly contradicting a statement signed by the current Chief of Staff, Gen. Raphael Eytan, which claimed that Alon Moreh was of strategic importance to Israel's defense. Eytan signed the statement yesterday and it was read to the court today. He claimed that the hill on which Alon Moreh is located controls communications in the Samaria region of the West Bank and therefore is vital to security.

But Barlev, who was Chief of Staff after the Six-Day War and is presently Secretary of the Labor Party, declared in a written statement that Alon Moreh does not contribute to the security of the State because it is located far from any major roads and is in the heart of a heavily Arab populated region. He stated further that, in the event of war, the settlement will not be able to defend the road to Nablus and that in any case, there is a military base not far away that controls the network of roads around Nablus. The same view was expressed by Peled who is a leader of the Sheli faction.

### Chief Of Staff Criticized

Their statements were presented under oath by Elias Khouri, an Israeli Arab attorney representing the appellants. Such was not the case with Eytan's testimony which was introduced only as a written statement. This aroused the ire of Justice Moshe Landau who expressed astonishment that the government did not find it necessary to bring the Chief of Staff to testify. With all due respect for the Chief of Staff, there is no special legal procedure for him," Landau said. He noted that the appellants questioned the honesty of the security argument and "we have no denial to that under oath." Observers noted that the State did not produce Defense Minister Ezer Weizman to testify. Weizman was one of the

minority in the Cabinet who voted against Alon Moreh.

The land at the Alon Moreh site was seized last week "for security purposes." A group of Gush settlers rushed to the scene where, protected by the army and provided with earth-moving equipment, tents and prefabricated huts by the World Zionist Organization's settlement department, they proceeded to build an access road and lay the foundations for the settlement. Apart from the controversy over the settlement's security value, the Supreme Court appeared to accept the appellants' complaint that they had not received legal notice of the expropriation of their land. "The proper way to seize land is to notify the landowners before the actual seizure," Justice Landau said.

### Alon Moreh Settlers Counted

Meanwhile, the Military Governor of Nablus visited Alon Moreh today to count the number of settlers. His intention was to ascertain that no more enter the settlement in violation of the Supreme Court's orders. There are presently about 15 families and a number of single males at the site. The Military Governor acted as the Gush Emunim attempted to reinforce the settlement. Several dozen Gush vehicles carrying would-be settlers were stopped by the army and turned back several miles from the site.

Likud hardliners were gravely distressed by the Supreme Court's ruling and a number of them are blaming Defense Minister Weizman. They allege that Weizman had prevailed upon the Chief of Staff not to submit a sworn statement on the alleged security value of Alon Moreh but only a signed letter. That was one of the technicalities that resulted in the Supreme Court's injunction. One Likud MK, Yigael Hurwitz, demanded today that Weizman resign or that Premier Menachem Begin demand his resignation. He charged that Weizman was willfully undermining the government's settlement policy and the Likud Party platform.

### AUTONOMY TALKS ROUND ENDS

By David Landau and Yitzhak Shargil

JERUSALEM, June 20 (JTA) -- Israeli and Egyptian officials trying to hammer out an agenda for the next round of autonomy talks ended two days of discussion at Herzliya this afternoon with no sign that any substantial progress was made. Meir Rosenne, legal advisor to the Foreign Ministry who headed the Israeli team, told a reporter when the meetings ended that "certain progress" had been made and that he and the Egyptian delegates would be reporting back to their respective governments.

It was indicated that further contacts on the "experts" level will be held before the full Israeli, Egyptian and American delegations resume the autonomy negotiations at Herzliya next week. There was no authoritative word on the nature of the obstacles. Observers here speculated that the Egyptians wanted to introduce the questions of Jerusalem and Israeli settlements on the West Bank to the agenda but Israel balked.

In addition to Rosenne, Israel was represented by Prof. Ruth Lapidoth, his designated successor when he takes over his post as Ambassador to France and by Gen. Abraham Tamir, head of the Defense Ministry's planning division. Egypt was represented by Ibrahim Wahabi and Mousa Amir of the Foreign Ministry in Cairo and Col. Muhammad Faid of the

Egyptian Defense Ministry. The American delegation was headed by David Korn, Israel Desk Officer at the State Department.

If the talks produced nothing of substance, the Egyptian visitors nevertheless enjoyed Tel Aviv night life last night as guests of their Israeli hosts. They were taken on a tour of the city capped by a late dinner at the Dan Hotel on the seashore. The Egyptians reportedly were impressed by the crowded streets, cafes and restaurants that were open at a late hour.

### DAYAN TOTALLY REJECTS EEC'S CRITICISM OF ISRAELI POLICY

By David Landau

JERUSALEM, June 20 (JTA) -- Israel has "totally rejected" this week's Mideast statement by the nine European Economic Community (EEC) foreign ministers. A letter sent today by Foreign Minister Moshe Dayan to his European colleagues, which Dayan read out from the Knesset podium, termed the EEC statement "injurious to the entire process of negotiations." The EEC ministers, in their statement, criticized "certain positions and actions" of the Israeli government as detrimental to the peace process and specifically criticized Israeli settlements in the administered areas as illegal.

Dayan's reply, which was handed to the EEC ambassadors at the Foreign Ministry this morning, said "The position taken by the EEC can only discourage the negotiations between the parties on all the various issues involved in autonomy and the future of Judeea, Samaria and the Gaza district. It had been our expectation that the EEC would give its full support to the historic achievement of the Israel-Egypt peace treaty.... I can only ask you to weigh most carefully the grave responsibility and consequences of attempts to prejudice and dictate from without the course of negotiations, strengthening the forces committed to their failure," Dayan's letter said.

He claimed that "The Israeli settlements are in our opinion strictly in accord with international law and we know of no rule of law which could feasibly ban Jews from living in Judeea, Samaria and Gaza." Not a single Arab has been displaced by these settlements. On the contrary, the establishment of the Jewish settlements in these areas has brought with it economic development and additional sources of employment to the Arab inhabitants of these areas."

Officials here said they are especially upset and disturbed by the West German role in the evolution of the EEC statement. From a position of supporting the Camp David accords and the ensuing peace treaty, Germany has steadily veered towards aligning itself behind French opposition to the U.S.-orchestrated Israel-Egypt peace process. Immediately after the issuance of the EEC statement, West Germany's Foreign Minister Hans-Dietrich Genscher left for a visit to Libya.

### SENTENCED FOR AIDING TERRORISTS

TEL AVIV, June 20 (JTA) -- A military court in Lod has imposed a 12-year prison sentence on Nur A-Din Jaabari for aiding El Fatah terrorists, membership in El Fatah and organizing the smuggling of arms, ammunition and sabotage material from Lebanon to Israel. Jaabari, 50, is a son of Sheikh Mohammed Ali al-Jaabari, the former Mayor of Hebron. He had pleaded not guilty.

Jaabari was accused of collaborating with Joseph Nidam, a Bat Yam Jew who received a 10-year prison sentence for smuggling explosives for a terrorist gang that intended to place them in a Jerusalem movie house. The court said the 12-year sentence given Jaabari was lenient in view of his age and state of health. The court apparently also took into consideration Jaabari's claim that El Fatah had threatened to harm his daughter, a resident of Beirut, if he did not cooperate.

### YISRAEL YESHAYAHU DEAD AT 59

TEL AVIV, June 20 (JTA) -- Former Knesset Speaker Yisrael Yeshayahu, a leader of the Yemenite Jewish community in Israel, died today after a long illness. He was 59. His body will lie in state at the Knesset tomorrow before burial later in the day.

The Knesset stood at attention in his honor when news of his death reached it shortly before the end of today's session. Knesset Speaker Yitzhak Shamir said that Yeshayahu had contributed enormously to the growth of the Israeli parliament. Labor Party leader Shimon Peres praised his contributions to the party.

Born in Saana, Yemen April 15, 1920 as Yisrael Yeshayahu Sharabi, he dropped his last name after immigrating to then Palestine at the age of nine. He entered public life in the Histadrut's Department for Oriental and Yemenite Jews which he headed from 1934-48. In 1948, he was named by the Israeli government and the Histadrut to head "Operation Magic Carpet" which brought the Jews of Yemen to Israel. He entered the Knesset in 1951 and during the years was frequently in dispute with the Labor Party leadership over what he termed discriminations against his advancement because he was a Yemenite. In 1967, Premier Levi Eshkol named him Minister of Posts.

In 1971, he was elected secretary general of the Labor Party and in 1972 he became Speaker, a post he held until 1979. He was not selected for the Labor Party's 1979 election list.

During his lifetime, he published numerous articles on the history and folklore of Yemenite Jews and on problems of absorption into Israeli society.

### DAIRY FARMERS ON STRIKE

By Yitzhak Shargil

TEL AVIV, June 20 (JTA) -- Israeli dairy farmers went on strike today creating a severe shortage of milk and its by-products. The purpose is to pressure the government to end its subsidy of imported frozen veal which competes with home-raised poultry. Milk was available, however, for hospitals, the army and infants.

The subsidy has kept the price of veal low, resulting in a sharp drop in the sale of poultry, thousands of tons of which are in cold storage. The farmers want price parity to stimulate poultry sales. The government, however, intends to maintain the subsidy and the farmers are threatening to withhold other produce from the market. In addition to dairy, they have already cut down on potatoes. The Ministry of Commerce supports the government's stand while the Agriculture Ministry is backing the farmers. The public is bearing the hardship.

TEL AVIV (JTA) -- Slight damage to a construction site at the Country Club in the northern outskirts of Tel Aviv was reported by the police after a bomb exploded there Wednesday. There were no casualties. The bomb exploded 16 feet away from the swimming pool, where many people were swimming. Police rounded up scores of Arabs working in the vicinity of the prestigious Country Club for questioning.

## AIR FRANCE CLEARED OF BLAME FOR 1976 ENTEBBE HIJACKING

By Edwin Eytan

PARIS, June 20 (JTA) -- A French Court of Appeals cleared Air France today of any direct or indirect responsibility for the Entebbe hijacking of June-July 1976 and decided that the French air carrier is not liable to pay damages to the passenger victims. The court's ruling came in reply to a request by an Israeli couple, Joseph and Lisette Haddad, for compensation. The two Israelis were on the plane when it was hijacked to Uganda by terrorists.

The three-man court said "Air France has no police responsibility and no right to check passengers at a foreign airport. The company cannot exclude passengers from boarding the plane on the basis of their physical appearance. It is thus unable to take all necessary measures to prevent such an incident from occurring."

Legal experts noted that, had the court found in favor of the plaintiffs, it would have created a serious precedent which might have influenced the interpretation of the "Warsaw Convention," which prescribes the responsibilities of air carriers.

## CHARGE UNIFIL AIDS TERRORISTS

By Yitzhak Shargil

TEL AVIV, June 20 (JTA) -- Senior Israeli military officers charged today that officers and soldiers of the United Nations Interim Force in Lebanon (UNIFIL) were cooperating fully with Palestinian terrorists in south Lebanon, allowing them, among other things, to retain bases in UNIFIL controlled territory.

Speaking to military correspondents, the officers, who were not identified, claimed that UNIFIL personnel are bribed to help the Palestinians in various ways and, in every instance, surrender to demands by the Palestine Liberation Organization. The officers said that this compliance was in addition to the smuggling of arms by UNIFIL officers to terrorist agents in Israel. Last Friday, Lt. Col. Alfred Gom of the Nigerian contingent, was arrested after two valises crammed with weapons and explosives were found in the trunk of his car as he drove to Jerusalem. A Senegalese Captain was arrested under similar circumstances last February.

Aside from this, the Israeli officers said, UNIFIL officers have been caught filming military positions in the Christian enclaves in south Lebanon. The Christian militia, commanded by Maj. Saad Haddad is supplied and supported by Israel against the terrorists. UNIFIL personnel buy winter clothing in Israel and turn it over to Palestinian terrorists, they said. But most serious, they contended, is the fact that the terrorists have established 15 bases in the UNIFIL zone in south Lebanon surrounded by 500-meter strips that are out of bounds to UNIFIL troops. According to the Israelis, these bases are occupied by some 500-600 terrorists well equipped with mortars, self-propelled rocket grenades and other weapons.

According to Israeli sources, the Tyre region controlled by terrorists, is a heavy arms base equipped with 130 mm. artillery with sufficient range to shell Acre on Haifa Bay.

Meanwhile, exchanges of fire between Israeli artillery and terrorist rockets continued across the border today for the second consecutive day. The terrorists lobbed Katyusha rockets into Upper Galilee this morning, causing some

damage but no casualties among civilians who took to their bomb shelters. Israeli artillery shelled the terrorist bases.

## BEGIN OPPOSES PRICE HIKES

By Gil Sedan

JERUSALEM, June 20 (JTA) -- Premier Menachem Begin rejected today any increase in the price of basic consumption products. "Inflation is a disease that can be cured," he said.

Begin spoke at a closed session of the Likud Knesset faction, in which he urged members to speak openly on their questions of government policy.

Members did not hold back criticism, and some warned that unless the government changed its economic and social policies, Likud would lose the next elections.

Begin said the hikes of basic consumer products should be stopped, because they aggravated the public. But other than that, he strongly defended his government's policy.

## LAMM ATTACKS FRAGMENTIZATION AMONG ORTHODOX JEWS IN U.S.

FALLSBURG, N.Y., June 20 (JTA) -- Dr. Norman Lamm, president of Yeshiva University, decried last night the "intolerant fragmentization which endangers the continued vitality and creativity of the Orthodox Jewish community in the United States."

Lamm made his comments in an address to 400 delegates at the annual convention of the Rabbinical Council of America here. He said, "a monistic approach within Orthodoxy which imposes a homogenized sameness in thought and practice is both religiously inauthentic and socially destructive. It has the virtue of consistency but it lacks a communal conscience. Unity is confused with uniformity and a divisive intolerance is rampant within our ranks."

"Diversity within the discipline of Jewish law," Lamm explained, "is a reflection of the dynamics of our faith. The sages of the Talmud offered varying opinions but a harmonious unity emerged to guide Jewish practice. In philosophic thought a variety of systems coexisted, each reflecting one of the 70 faces of the Torah. A mutual respect of each other's singularity in interpretation and style generally prevailed."

Lamm also said "one can even respect the dissenting views of the Shtetl Hasidim in their anti-Zionism but one must utterly reject their going public, thereby giving encouragement and strength to the enemies of our people. One campflow for the good intentions and integrity of the so-called doves. In Israel who argue for greater concessions to the Arabs but it is irresponsible and indefensible to express these views through the columns of the anti-Zionist press. Within Orthodoxy, pluralism is to be welcomed as a healthy phenomenon. A narrow authoritarianism which assigns perjorative labels to contrary views must be resisted as totally destructive."

At the same session, Julius Berman, president of the Union of Orthodox Jewish Congregations of America, declared "there are urgent immediate problems facing the Orthodox Jewish world which require the cooperation of all groups, regardless of their differing ideologies and emphases, if we are to survive the dangers which threaten us all. The competitive intolerance and divisive parochialism within Orthodoxy drain our strength and dilute our effectiveness. The common enemy is secularism and religious ignorance, and it is imperative that we find a common ground on which to cooperate in the preservation of our Torah way of life."

## HELMS ASKS SENATE TO URGE PARAGUAY TO EXTRADITE MENGELE

By Joseph Polakoff

WASHINGTON, June 20 (JTA) -- Sen. Jesse Helms (R. NC), acting on requests from Jewish leaders associated with tracing Nazi war criminals, has asked the Senate to help bring about the extradition of Josef Mengele, the "Angel of Death," from Paraguay to West Germany to stand trial for the killing of more than 200,000 children.

Helms introduced a sense of the Senate resolution asking the government of Paraguay to apprehend and extradite Mengele. The resolution was referred to the Senate Foreign Relations Committee, of which Helms is a member. It says that Mengele, while resident doctor at the Auschwitz concentration camp "was responsible for the torture and death of more than 200,000 children" and "conducted cruel and inhuman surgery and experiments upon children to develop ways to manipulate the genetic structure of human beings." In addition, the Helms resolution said, Mengele "worked to develop new methods of sterilization to promote acts of genocide against Jews, Slavs and other European peoples."

The fact that Josef Mengele should remain today in freedom, never having been brought to trial, "makes him a living symbol of the Holocaust we cannot continue to tolerate," Helms said.

### Paraguay Denies Mengele There

The Jewish Telegraphic Agency asked the Paraguayan Embassy about Mengele and Minister Gilberto Caniza responded that Mengele "is not in Paraguay." Caniza said that "We hear from time to time that he is in Paraguay" but he insisted he is not in that country.

"It would be very difficult for a person to hide in Paraguay," he said, noting its small population. "If Mengele were in Paraguay," he added, "his presence would be denounced not only by the Paraguayan people as a whole but by the Jewish community there." He acknowledged that Mengele received Paraguayan citizenship along with other Germans who arrived there after 1945.

### STARS OUT FOR ISRAEL BONDS

WASHINGTON, June 20 (JTA) -- Some of the brightest stars in the entertainment galaxy, leading members of the Carter Administration and Congress and other distinguished guests joined more than 1,000 members of Washington's Jewish community at a gala Independence Ball at the Washington-Hilton Hotel this week to celebrate Israel's 31st anniversary. The affair Sunday night, sponsored by the Israel Bond Organization, was highlighted by the presentation of separate awards by the Israel government to actors Joel Grey and Herschel Bernardi and songsmith Sammy Cahn.

The presentations were made by the Israeli Ambassador to the U.S., Ephraim Evron. Grey, who won an Oscar for his performance in "Cabaret," was given Israel's Humanitarian Award in recognition of his artistry which has "captured the hearts and minds of men and women in every corner of the earth." Cahn, a five-time Oscar winner, was recipient of Israel's Cultural Award and Bernardi, star of "Zorba the Greek" and an essayer of the role of Tevye the milkman in "Fiddler on the Roof" was given Israel's Friendship Award.

Vice President Walter Mondale was chairman

of the honorary committee for the affair which included House Speaker Thomas O'Neill, seven members of President Carter's Cabinet, leaders of both major parties in Congress and Mayor Marion Barry of Washington. More than a dozen diplomats, nearly all of them ambassadors, attended the celebration. Alexandro Orfila, executive head of the Organization of American States, and Mrs. Orfila were among the guests. The chairman of the ball were Melvyn and Suelle Estrin. Herbert Haft and his wife Gloria were chairman of the ball's patrons.

A souvenir program, created by Washington artist Phillip Ralner, consisted of paintings of Biblical themes. The theme of peace dominated the affair. Each table was decorated with a centerpiece of doves on live branches and a huge mobile of flying doves was suspended from the ceiling.

In his brief remarks, Evron referred to the Israeli-Egyptian peace treaty. "The road ahead is still bumpy," he said, adding, "Your support is as badly or goodly needed in the future as in the past."

### New York Celebration

At an Independence Ball held at the Waldorf Astoria Hotel in New York just a week earlier, the coveted American-Israel Arts, Sciences and Humanities Award for distinguished service to Israel was presented to five show business personalities and one architect. They were Metropolitan Opera star Robert Merrill; entertainer Sammy Davis Jr.; playwright Arthur Miller; choreographer Jerome Robbins; actress Elizabeth Taylor; and R. Buckminster Fuller. All were cited for their outstanding contributions to the cultural and material development of Israel.

The keynote speaker of the evening, Israel's Ambassador to the United Nations Yehuda Blum who was patron of the ball, spoke of the "great steps initiated towards peace" and expressed hope for a "long-lasting cessation of hostilities." Maxwell M. Rabb, a prominent attorney who served as Presidential assistant and Cabinet secretary in the Eisenhower Administration was chairman of the ball. Howard Samuels, general campaign chairman of the Israel Bond Organization in New York, presented Israel Peace Citations to eight prominent New Yorkers. (By Joseph Polakoff)

### ISRAELI WINNERS OF UJA CONTEST

NEW YORK, June 20 (JTA) -- Irwin S. Field, national chairman of the United Jewish Appeal, announced today the names of the three Israeli UJA 40th Anniversary Essay Contest winners. They are: Yosef Zaguri, 17, third year high school student from Tel Aviv; Galia Bernfeld, 16, second year high school student from Arad; and Moshe Blockenkovski, 17, fourth year high school student from Kiryat Bialik. Field said the essays "demonstrated the success of the contest as a way of introducing a new generation into the process of understanding and awareness of Jewish communal life which creates a continuity of UJA leadership," and said that the 10 American winners will visit Israel this coming August and be hosted by the three Israeli winners.

Dr. Eliezer Shmueli, the director general of Israel's Ministry of Education and Culture, who served as the chairman of the UJA 40th Anniversary Public Committee in Israel, said that while the American part of the contest, which produced 10 winners was aimed to make today's youth aware of ongoing Jewish humanitarian and philanthropic efforts throughout the world, the Israeli contest emphasized the Talmudic injunction of Jewish unity. -- "All Jews are responsible one for each other."