

# JTA daily news bulletin

Contents copyright: Republication only by previous arrangement

Published by Jewish Telegraphic Agency / 165 West 46th Street / New York, N.Y. 10036-2574

Vol. LIX - 64th Year

THE JEWISH DAILY NEWS, September 17, 1981

No. 179

H.U.C.-J.I.R. CINCINNATI

## ISRAELI SUPREME COURT RULES AGAINST THE CHIEF RABBINATE

By Gil Sedan

JERUSALEM, Sept. 16 (JTA) -- In a move that could have far-reaching consequences for the future of state and religious relations in Israel and on the standing of the Chief Rabbinate, the Supreme Court ruled 2-1 yesterday that the rabbinate has no legal right to determine state policy. The ruling stemmed from the controversy between religious and secular groups over the archaeological excavations at the City of David.

Twelve days ago the court issued an interim injunction overturning Education Minister Zevulun Hammer's suspension of the dig. Hammer was accused by some political and academic circles as having capitulated to the Chief Rabbinate, which had demanded that the dig be halted permanently. Hammer ordered the dig be halted for two weeks, pending the outcome of the Supreme Court ruling. Ashkenazic Chief Rabbi Shlomo Goren had warned that unless Hammer ordered a permanent halt to the dig he would be excommunicated.

### Basis For Court Ruling

In making public the basis for the court's ruling yesterday, Supreme Court President, Justice Moshe Landau, said that according to the law of the land and Israel's democratic and non-theocratic character, the halachic rulings of the Chief Rabbinate are not binding in any way regarding state officials fulfilling their legal authority. The court ruled:

"Whatever the importance of a rabbinical halachic ruling to a religious person, the Chief Rabbis and the Supreme Rabbinical Council are not by law empowered to determine facts necessary to the implementation of the law ... nor is the enforcer of that law ... (properly) subordinate to the rabbinical rulings."

The halachic ruling referred to by the three-justice court was handed down by Goren and Sephardic Chief Rabbi Ovadia Yosef Aug. 19. They proclaimed the dig area as the site of an ancient Jewish cemetery and prohibited archaeological excavations there. Their ruling was subsequently reinforced by a resolution issued at a joint session of the Supreme Rabbinical Council and the Supreme Rabbinical Council Court Aug. 26.

### Justices Criticize Hammer

In its decision, the Supreme Court strongly criticized Hammer's suspension of the dig. Religious pressure and "demonstrations by ultra-Orthodox elements who do not recognize the State" should not have been taken into account by Hammer, an observant Jew, in his decision to suspend the dig, the justices said. Hammer is a leader of the National Religious Party.

The justices added, however, that if a halachic ruling is based on proven facts, it could serve as material in the framework of considerations by a government policy maker. But, they said, under no condition should such a ruling serve as a binding guideline for decision making. Although

Hammer did not state that his ruling was influenced by the rabbinate's prohibition, it is apparent that the rabbinate's stand did influence Hammer's consideration, the court said.

The justices pointed to what they said were some of the considerations in Hammer's decision. On July 16 his Ministry's director wrote a letter supporting the continuation of the dig "as it has been clarified that there is no cemetery at the site." But on Sept. 1 Hammer suspended the dig before he even received the opinion of the Attorney General whose view he sought and without consulting the responsible archaeological authorities. Therefore, the court ruled, Hammer had no legitimate basis for suspending the dig.

The court's majority ruling was issued by Justices Landau and Shlomo Levin. Justice Yitzhak Kahan, while supporting the interim injunction overturning Hammer's suspension order, submitted a minority view stating that he "had doubts" about the majority's reasoning. He said that in his view there was room for consideration of the belief of part of the public since this is a subject of special sensitivity in this country.

Goren would not comment on the court's ruling and Hammer was unavailable for comment. But Assistant Attorney General Yoran Bar Sela, who represented the State in this case, was quoted as hailing the court's ruling as an "important precedent for the State." It may serve as a future guideline regarding the legal standing of the chief rabbis in relation to actions and policies of the State, he added.

### MIDEAST STUDY PROGRAMS IN U.S. UNIVERSITIES FOCUS ON ARAB NATIONS AND LANGUAGES AND DOWNPLAY ISRAEL AND HEBREW LANGUAGE, STUDY SHOWS

NEW YORK, Sept. 16 (JTA) -- Middle East studies programs in American universities tend to focus primarily on Arab nations and languages and to downplay Israel and the Hebrew language, according to a specialist in education and international affairs.

Moreover, declares Dr. Gary Schiff, director for program development and executive assistant to the president of the Academy for Educational Development, patterns of federal funding are in part responsible for these tendencies. The Academy is a non-profit educational research and consulting organization.

Schiff, who recently completed a survey of Middle East studies centers at seven universities -- University of California at Berkeley, University of California at Los Angeles, Columbia University, University of Michigan, University of Pennsylvania, and the Princeton University/New York University Joint Center for Near Eastern Studies -- made his remarks at a news conference today introducing his just-published report on the study.

The Conference was held at the national headquarters of the American Jewish Committee, which supported Schiff's research.

### Some Of The Findings

Noting that the Middle East institutes he examined receive funds from various sources, including the federal government, Schiff stressed that he found a "growing tendency" in these centers to "regard Israel as an entity separate from the rest of the Middle East." Specifically, he said, he found that:



\* The "expanding pattern of funding by Arab governments or pro-Arab corporations" exercised "at least a subliminal influence" on students and faculty in Middle East centers "as well as on the nature, content, and outcome of the programs."

\* Federal funding for the study or teaching of Hebrew was "virtually absent," while federal funds were available for the study of Arabic, Kurdish, Persian, Turkish, and other Middle Eastern languages.

\* With "some notable exceptions," courses on Israel or Zionism were "generally absent" from the curricula of the Middle East centers.

\* Many federally funded "outreach" projects — lectures, literature, and other materials designed by university Middle East centers for use by high schools, business groups, the general public, etc. — "project a decidedly entrepreneurial orientation geared almost exclusively toward the Arab Middle East."

Pointing out that the United States "will need increasing numbers of well-trained scholars and professionals who have an interdisciplinary knowledge" of the Middle East, and that, therefore, "the nation has a vested interest in the continued viability of these area studies programs," Schiff urged that the federal government "reevaluate its priorities for its support of language and area studies."

Furthermore, he declared, universities offering modern Middle East studies "should exercise close oversight of appointments, course content, sources of funding, and outreach programs in the interest of preserving ... scholarly objectivity ..."

#### Situation In The Universities

Among the research findings reported in Schiff's paper:

\* At Berkeley's Center for Middle Eastern Studies, "none of the doctoral candidates doing dissertations in any Middle East-related topic are dealing with ... contemporary Israel, Zionism, or related fields." However, Schiff notes, "Berkeley is one of the few centers to incorporate even a modest sum for the acquisition of Hebrew books in its request" for Federal funds.

\* Columbia's Middle East Institute "has from the very beginning included Israeli studies among its other offerings," and is considered, by both faculty members and graduate students, to be "objective, scholarly, and apolitical." Schiff adds that Columbia is, however, "far less attractive to outside financial support from corporations doing business in the Middle East or from most Middle East governments" than are other Mideast centers.

\* UCLA, which has a relatively small Middle East center, conducts a Jewish studies program and several programs focused on Israel, but none of these offerings are handled through the Near East Center. "Again we see," stressed Schiff, "a trend toward the separation or segregation of Israel and activities related to Israel from the overall Middle East program."

\* Brochures from Michigan's Center for Near Eastern and North African Studies advertise that federally funded graduate fellowships in Arabic, Kurdish, Persian, and Turkish are available, but they do not mention Hebrew. Comments Schiff, "At the undergraduate level ... a large number of (mostly Jewish) students take Hebrew for their own reasons, (but) at the graduate level, where the next generation of Middle East experts is trained, few students are being afforded this opportunity."

\* At NYU, "a pattern which we have observed elsewhere appears (here) as well: Jewish graduate students interested in the Middle East tend to gravitate towards separate formal or informal ... programs of Jewish studies or Hebraica, largely of the noncontemporary periods, while the vast field of the modern Middle East -- often minus Israel -- is left by and large to non-Jewish students."

\* At Princeton, a recent group of Middle East studies doctoral candidates included eight students whose principal research language was Arabic and one who was using Persian. "Not a single student intended to use Hebrew for doctoral level research," remarks Schiff, adding:

"The virtual absence of federal fellowships for those who wish to study or use Hebrew as a principal language of research may well have a distinctly discouraging effect on those who might otherwise have chosen dissertation topics related to Israel."

Explaining AJCommittee's interest in Schiff's study, Melvin Merians, chairman of the human relations agency's national committee on special programs, said: "It is AJC's hope that American universities can provide an atmosphere where Israelis and Arabs -- Jews, Moslems, and Christians -- can learn together and examine their biases and problems."

The AJCommittee, he reported, plans to follow up Schiff's report by:

Continuing to monitor the activities of the centers covered by Schiff's survey as well as other Middle East programs around the country; collecting and evaluating outreach materials in cooperation with local community groups, teachers and professors; and meeting with university officials to discuss oversight mechanisms and review procedures in case problems arise.

#### 22-MEMBER CALIF. HOUSE DEMOCRATIC DELEGATION OPPOSED TO AWACS SALE

By David Friedman

WASHINGTON, Sept. 16 (JTA) -- The 22-member California House Democratic Delegation, the largest in Congress today, declared that it was unanimously opposed to the sale of AWACS and the F-15 enhancement package to Saudi Arabia and urged the House Foreign Affairs Committee to hold hearings on the proposed sale "as soon as feasible."

The delegation sent a letter to President Reagan saying it believed the sale of AWACS to the Saudis "would be profoundly contrary to the interests of the United States." Another letter was sent to Rep. Clement Zablocki, (D. Wis.), chairman of the House Foreign Affairs Committee, urging him to schedule the meetings.

Both letters were signed by all 22 California Democrats in the House and initiated by Reps. Tom Lantos, Don Edwards and Mervyn Dymally. Edwards is chairman of the Democratic group and Lantos and Dymally are members of the Foreign Relations Committee.

At a press conference today, the first of weekly sessions the delegation plans to hold on issues facing Congress, Lantos stressed that although the fight appears to be concentrating in the Senate he believes that it is close in both chambers of Congress. He conceded that there is a better chance that the sale will be blocked in the Democratic-controlled House than in the Republican-controlled Senate.

But Lantos stressed that if the House acts first to reject the sale, it would be "a very critical strategic move," since "some of the weak sisters in the Senate" might fall into line and vote against the sale to the Saudis.

The letter to Zablocki noted that when the 62 F-15s were sold to Saudi Arabia in 1978, "early Senate action rendered irrelevant the position of the House of



Representatives on that important question. We believe it is vital to the institutional role of the House in the field of foreign affairs that both the Committee and the House act promptly so that their voices will be heard throughout the nation and the world."

Lantos told the press conference that although the threat the sale poses to Israel has been stressed, the major reason for the "united, firm unequivocal opposition" of the California group to the sale was their belief that the "national interests of the United States is adversely affected by this ill advised proposal" because the sale would put the most sophisticated weapons the U.S. has in the hands of an "unstable regime." Lantos stressed that the Saudis do not need to buy the five AWACS in order to guard their oilfields because they are now guarded 24 hours a day by the four U.S. AWACS which have been there for the last year.

### ELECTION OF IRAQI AS UN ASSEMBLY PRESIDENT IS DENOUNCED BY ISRAEL

By Yitzhak Rabi

UNITED NATIONS, Sept. 16 (JTA) -- The election of an Iraqi diplomat, Ismat Kittani, as President of the 36th session of the General Assembly was sharply denounced by Israel last night. Kittani, Iraq's Undersecretary for Foreign Affairs, was selected by lottery after two secret ballots failed to produce the required majority for any one of the three candidates for the office.

In a statement issued immediately after the election, Yehuda Blum, Israel's Ambassador to the United Nations, declared: "It is a measure of the regrettable decline of the United Nations' standards that the UN General Assembly should have elected as its President the representative of a country which, as a result of multiple and ongoing acts of aggression, is in a state of war with a number of countries in the Middle East." Iraq is actively engaged in war with Iran and remains officially in a state of war with Israel.

Blum added: "It is inconceivable that the League of Nations would have rewarded Italian aggression against Ethiopia by the election of the representative of Mussolini as president of its assembly in 1936 and now, strangely enough, the aggression of Saddam Hussein (President of Iraq) is being rewarded with the election of his representative to the presidency of the General Assembly of the United Nations."

Kittani, a Kurd, said in his inaugural speech immediately after the election that the General Assembly must implement its resolutions of past years, including those on the rights of the Palestinian people to self-determination and statehood.

### ADMINISTRATION RENEWS HINT THAT REJECTION OF AWACS SALE MIGHT AFFECT NEW U.S.-ISRAELI RELATIONS

By David Friedman

WASHINGTON, Sept. 16 (JTA) -- The Reagan Administration continued to imply today that Congressional rejection of its proposal to sell Saudi Arabia AWACS and other sophisticated weapons might affect the new strategic cooperation agreement between Israel and the United States worked out during Premier Menachem Begin's visit to Washington last week.

State Department spokesman Dean Fischer said that the Administration's "operative" policy is a statement Secretary of State Alexander Haig made to reporters on his plane while returning home from Europe Monday.

This statement, according to Fischer, is that "the failure of the Senate to sustain the AWACS sale would be a major setback to U.S. policy in the Middle East." He added that "it would have serious implications for overall policy in the area."

But Fischer denied there was any "linkage" between the AWACS sale and the strategic agreement. He said the Haig statement did not contradict a statement by State Department Deputy spokesman Alan Romberg Monday that there was "no strict conditionality" between approval of the AWACS sale and implementation of the strategic cooperation agreement. However, Fischer noted that rejection of the AWACS sale would have implications for a "good many strategic considerations" in the Middle East.

### Haig-Begin Meeting

Fischer said Haig discussed the AWACS and the strategic cooperation with Begin when the two held a surprise meeting in New York shortly before the Premier left the country last night to return to Israel. But he said he could not divulge any details about the meeting. Haig asked for the meeting, postponing until today a scheduled State Department reception for West Berlin Mayor Richard von Weizsaecker.

The Department spokesman said the meeting was held to "review the results" of Begin's 10-day visit to the U.S. and Haig's four-day trip to Europe, including his meeting in Spain last Saturday with Crown Prince Fahd of Saudi Arabia. (Begin, who returned to Israel today, declined to discuss his meeting with Haig last night.)

### Explains Reaction By Fahd

At the same time Fischer denied that he had told reporters while briefing them in Europe that Fahd had raised no objections to the U.S.-Israeli strategic cooperation agreement. The Saudis had denounced this report.

Fischer said that he told reporters that Fahd had expressed support when Haig discussed U.S. efforts to enhance regional security in the Middle East. He said that Haig had also talked about the complementary Saudi efforts and the U.S.-Israeli agreement in the context of meeting the Soviet threat to the region.

Haig is expected to be closely questioned about these issues when he testifies before the Senate Foreign Relations Committee tomorrow morning on general U.S. foreign policy. He is expected to make a strong statement in support of the AWACS sale, although the Committee's official hearings on that issue are not expected till later this month. Haig is scheduled to address the United Nations General Assembly in New York Sept. 21.

### BRAILOVSKY FLOWN INTO EXILE

NEW YORK, Sept. 16 (JTA) -- Dr. Viktor Brailovsky, held in a Moscow prison since his June trial for "anti-Soviet defamation," has been flown out to internal exile in an area notorious in Czarist times as a place where political prisoners were sent to expire by slow death, according to the Student Struggle for Soviet Jewry and Union of Councils for Soviet Jews. The 46-year-old unofficial Jewish cultural leader and cyberneticist was taken to the town of Beindinen Gosdinisa, in Kazakhstan, near the Iranian border on the Caspian Sea.

The unusual fact that Brailovsky was flown into exile, rather than taken by very slow prisoner railway convoy, may indicate a serious deterioration in his health, the SSSJ and UCSJ said. Before his arrest last November, he was suffering from a serious liver ailment, and his wife was forbidden to bring him medication in prison.



### JEWS AND UKRAINIANS RALLY TO DEMAND THE RELEASE OF THREE SOVIET POCS

SAN FRANCISCO, Sept. 16 (JTA) -- More than 100 Jews and Ukrainians assembled in an unprecedented joint human rights rally outside the Soviet Consulate here Monday to demand the release of three prisoners of conscience serving long sentences in Soviet jails -- Anatoly Shcharansky, Yuri Federoz and Oulsiy Murzhenko, the latter two non-Jews.

The demonstration, organized by the Bay Area Council on Soviet Jewry and the northern California branch of the Ukrainian Congress Committee of America was the first in which the two groups joined forces to protest the violation of human rights in the USSR. According to its sponsors, the two-fold purpose was to press for the release of the prisoners and to overcome cultural barriers between the Jewish and Ukrainian communities.

Federoz, a Ukrainian, and Murzhenko, a Russian Orthodox Christian, were the two non-Jews involved in the 1970 attempt to escape from the Soviet Union in a hijacked plane, which led to the famous Leningrad trials. The Jewish defendants have been released after serving all or part of their sentences and are now in Israel. Federoz and Murzhenko remain in prison. Shcharansky, a leading Soviet Jewish activist, is in the fourth year of a 13-year sentence for alleged treason. All three have been reported seriously ill in recent months.

Morey Schapira, president of the Bay Area Council, called for an immediate cut-off of all U.S. technology sales to the Soviet Union if the prisoners are not released. He was seconded by Oleh Weres, president of the Ukrainian group. Weres called for continued close relations between Ukrainians and Jews.

### HERZOG WARNS THAT OFFENSIVE CAPABILITY OF ENHANCED F-15s IN SAUDI HANDS IS MORE DANGEROUS THAN THE AWACS

KIAMESHA LAKE, Sept. 16 (JTA) -- The offensive capability of the enhanced F-15 fighter planes makes them even more of a threat to Israel than the AWACS involved in the Reagan Administration's proposed arms sale to Saudi Arabia, according to Chaim Herzog, former Israeli Ambassador to the United Nations, and one-time director of Israel's military intelligence.

Herzog, now a Labor Party member of the Knesset, expressed this view in a speech here before 700 delegates to the 27th biennial convention of Pioneer Women.

He placed the proposed arms sale in the context of "widespread instability, warfare and enmity toward Israel among Arab nations and the fact that Saudi Arabia, with a population of six million, has on order \$30 billion worth of weapons, not counting the \$8.5 billion U.S. arms package.

"This developing arsenal is enough to arm all of Africa and six European countries, including France and Germany," Herzog said. "This vast and sinister influx of arms raises two fears. One is that Saudi Arabia would make them available to other Arab nations, who could simultaneously use them against Israel. The other is that the weapons will find their way to the USSR."

In a ceremony preceding Herzog's speech, Sister Ann Gillen, executive director of the National Interreligious Task Force on Soviet Jewry, was presented with the Pioneer Women's Golda Meir Human Rights Award for her outstanding contributions to

Jewry. The award, a statue of Mrs. Meir holding a child, was presented by Edythe Rosenfield, of Trumbull, Conn. One of the leading human rights activities in the United States, Sister Ann in recent years has been mobilizing support for Soviet Jews seeking to emigrate.

### RIVKA GUBER DEAD AT 79

TEL AVIV, Sept. 16 (JTA) -- Funeral services were held Sunday for Rivka Guber who died last Thursday at the age of 79. Known as the "mother of the sons" in memory of her two children who died in the War of Independence, and famous throughout Israel for her pioneering work and personal example she showed in volunteer work for the absorption and integration of new immigrants, she plunged to her death from the 12th floor of the old age home in which she was residing in Ramat Aviv. Mrs. Guber was buried in Kfar Warburg cemetery in a state funeral.

School children in Kfar Warburg, the Lachish region and other areas where she and her late husband had moved to help new immigrants, were given the day off from school to attend the funeral. In a brief eulogy, President Yitzhak Navon described Mrs. Guber as a "symbol of the suffering and courage of the Jewish people."

He added that in this period, of ethnic and religious polarization in Israel, the public should learn from the example of people like Rivka Guber. As the mother of two young children she had volunteered for service with Palestine units of the British army in World War II.

### GEORGE HAAS DEAD AT 76

JERUSALEM, Sept. 16 (JTA) -- Prof. George Haas, Hebrew University Professor Emeritus of zoology and one of Israel's leading scientists and scholars, died here Monday at the age of 76. Born in Vienna where he received his PhD at the age of 23, Haas joined the Hebrew University in 1932. During the next four decades he influenced several generations of young Israeli scientists.

Haas was regarded as the pioneer in zoological research in Israel and one of the country's leading experts in the fields of biology, cytology, histology, comparative anatomy, zoogeography and the evolution of chordates and other groups of invertebrates. Haas, who had a broad classic education, was also an expert on Greek literature and history and the Roman period.

### ISRAEL PLAYS MAJOR ROLE AT CONCLAVE

By David Markus

RIO DE JANEIRO, Sept. 16 (JTA) -- For the first time in many years, Israel was not attacked by Arab delegations at an international gathering, this one the 10th Congress of International Law in Sao Paulo.

By unanimous vote of the 97 participating countries, some 4,000 delegates, resolutions offered by the Israel delegation were adopted. Among them, that oil should not be a tool of international pressure; that terrorist groups must be fought; that human rights must be respected, and free emigration guaranteed from all countries. The Arab delegations, including that of Egypt, did not participate in the voting. Their delegations disappeared from the meeting before the voting.

Jerusalem attorney Yitzhak Menner, president of the Israel Bar Association's council and leader of the Israeli delegation to the congress, was one of the nine members of the resolutions committee. Prof. Amos Shapiro, dean of Tel Aviv University's Law School, was chairman of the panel on human rights. Meir Gabai, Director General of Israel's Ministry of Justice, was the chairman of the technological and economic committees.