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MITTERRAND: ISRAEL HAS RIGHT TO EXIST BUT PALESTINIANS HAVE RIGHT TO A HOMELAND AND EVENTUALLY A STATE

By Edwin Eytan

PARIS, Dec. 10 (JTA) -- President Francois Mitterrand defined France's dual policy in the Middle East last night. He said it calls for the recognition of Israel and the means to defend itself but also recognition of the Palestinians and their right to a homeland with, eventually, state structures.

Interviewed on television, Mitterrand acknowledged that "we risk (by this policy) being misunderstood by both sides. But there is also a good chance that both sides will understand us and approve France's position," he said.

The French President who is scheduled to go to Israel Feb. 10 -- the first French head of state to visit that country -- declared, "I shall say in Jerusalem what I have said in Riyadh," a reference to his recent trip to Saudi Arabia. "The main thing is that France now invariably says the same" to all parties.

This was seen as meaning that during his forthcoming visit to Israel he will press for Palestinian self-determination, as he did in Amman, Algiers and Riyadh, but will also uphold Israel's right to independence and security.

In his interview last night, Mitterrand said: "Israel has the right to exist... One cannot refuse it the means to that existence. It needs security, secure frontiers. Its rights have to be recognized. But in the same way, I will say to my Israeli friends: You must recognize the right to existence of the Palestinian people."

Mitterrand said the nature of a Palestinian homeland was a matter to be determined by negotiations between the parties concerned and France is not a negotiator. He observed, however, "How can you, without falling into illusion and lies say that there could be a Palestinian homeland but with the Palestinians forbidden to create and defend the state structure of their choice?"

Cheysson Backs Away From Some Of His Remarks

Meanwhile, Foreign Minister Claude Cheysson today backed away from some of his pro-Israeli statements and said that certain of his declarations, made in Jerusalem earlier this week, had been "badly interpreted" and do not accurately reflect French policy in the Middle East.

Cheysson played down his earlier pro-Israeli statements after several Arab states protested against the change in France's policy and indirectly warned that their traditional friendship with France was now at stake.

The French government was also impressed by the violent reaction of most of its European partners. Britain's Foreign Secretary Lord Carrington and the Dutch and Belgian Foreign Ministers all voiced their protests against what they termed France's unilateral change of position without prior consultation with its European

Economic Community (EEC) partners. French newspapers reported that Cheysson was taken to task last night by both Carrington and West German Foreign Minister Hans-Dietrich Genscher with whom he met in Brussels. Both claimed that France cannot speak on Europe's behalf or make any commitments on its own.

Explains Basis For Misunderstanding

Speaking at a press conference in Brussels today, Cheysson said that the Venice declaration of June, 1980, is still valid "and fits us perfectly." Toning down his Jerusalem-made promise that there would be no more European initiatives in the Mideast, the Foreign Minister said the misunderstanding arose from "unclear terminology." According to him, the Venice declaration "is not an initiative" and thus remains valid.

Cheysson said the Venice declaration, which calls for the Palestine Liberation Organization to be associated with the Mideast peace process, "is no longer timely. It has been overtaken in the meantime." He explained that the acceptance by France, Britain, Italy and The Netherlands to participate in the Sinai peacekeeping force after Israel withdraws from the area next April "takes us much further than the Venice declaration."

Government officials in Paris went even further than Cheysson in playing down France's pledges and commitments. Some said the minister's declarations in Israel "were misunderstood." Others tried to interpret them in a less binding manner. Diplomatic circles favorable to Israel are nonetheless optimistic, feeling that the government's lower echelons were still trying to block or slow down the President's policy.

Israeli sources believe that before Mitterrand arrives, the French stand will have been clarified at a high diplomatic level. "By mid-January, we shall know exactly what the French position is and how it involves Europe" an Israeli source said here today.

BRITISH GOVERNMENT STUNNED AND ANGERED BY CHEYSSON'S VIEWS

By Maurice Samuelson

LONDON, Dec. 10 (JTA) -- The British government has been stunned and angered by the attack on Europe's Middle East diplomacy by French Foreign Minister Claude Cheysson.

Twenty four hours after Cheysson said in Israel Tuesday that there would be no more European initiatives in the Mideast, indicating that as far as France was concerned the European Economic Community's Venice declaration of June 1980 is dead, the British Foreign Office said that an official record of his remarks was still being awaited. It apparently did not trust the transcript of the remarks made immediately available to it by the BBC's monitoring service.

It was also pointed out that Foreign Secretary Lord Carrington was likely to meet with Cheysson at the NATO Council meeting today or tomorrow, when there is bound to be a sharp exchange of views.

Cheysson's statement came as the British government was still reeling from the collapse of the Arab summit in Fez, Morocco, and from the Israeli rejection of the British-drafted terms for joining the multinational peacekeeping force in Sinai after Israel withdraws from the area next April. Israel last week questioned the participation of Britain, France, Italy and Holland in the force because they based their participation on the Venice declaration which called for the Palestine Liberation Organization to be associated with the Mideast peace process.

Not A Total Surprise

However, Cheysson's statement did not come as a total surprise to British diplomats. The first signs that Britain and France differed acutely in their approach to the Middle East came with the election of President Francois Mitterrand. In stark contrast to President Valery Giscard d'Estaing, Mitterrand quickly distanced himself from the EEC's Venice declaration.

More recently, Mitterrand jumped the gun over the issue of supplying troops to the Sinai peacekeeping and observation force. During his visit to Washington in October, he made it clear that France supported the scheme and the whole Camp David framework. His statement came at the very time that Britain-- in the name of Europe -- was dragging its feet over the Sinai force and declaring Camp David all but dead.

By saying in Israel that it is the Venice declaration, rather than Camp David, that is outdated, Cheysson showed that, despite their joint membership in the EEC, France and Britain have lost none of their traditional rivalry over the Middle East, even though neither of them is a major power in that area.

Punctured Britain's Illusion

The collapse of the Fez conference punctured Britain's illusion that it was possible for the Arab world to formulate a common, if tentative, peace policy. Cheysson's remarks have shown that a viable European policy is also out of reach.

For British Foreign Secretary Lord Carrington, this is a personal as well as diplomatic setback. As the man who had settled the long-running Rhodesian conflict, he had begun his six months presidency of the EEC Council of Ministers in June with high hopes.

Initially, he had hoped that, on behalf of Europe, he could soften the friction between America and the Soviet Union which had flared after the Soviet invasion of Afghanistan. The Russians treated his call for an international conference with disdain. On nuclear disarmament, too, Carrington played no part whatsoever in promoting the latest Big Two negotiations.

From Afghanistan, Carrington turned more hopefully to the Mideast. The Foreign Office, in a welter of press briefings, patronizingly scoffed at the "inconsistency" of American policy, while boasting about Europe's traditional expertise in the Mideast. For the time being at least it has stopped playing this record.

RESOLUTION IN THE SENATE SEEKS TO EXTRADITE TO ISRAEL A TERRORIST

By David Friedman

WASHINGTON, Dec. 10 (JTA) -- Sen. Dan Quayle (R. Ind.) introduced a resolution today calling on Secretary of State Alexander Haig to extradite to Israel a West Bank Arab wanted for a terrorist act.

The resolution, which is expected to be voted on Monday, says: "It is the sense of the Senate that Ziad Abu-Eain should be immediately remanded to the custody of Israeli officials and that the Secretary of State do whatever is necessary to insure that Ziad Abu-Eain is extradited to stand trial for the murders with which he has been charged."

The State Department said earlier this week that Deputy Secretary of State William Clark is studying the legal aspects of Israel's extradition request.

Abu-Eain, 22, from Ramallah, has been charged with murder in the bombing of the Tiberias market place on May 14, 1979 in which two young boys were killed and 36 other persons injured. He was arrested by the FBI in Chicago in August 1979 and has been appealing against extradition. The Supreme Court on Oct. 13 refused to hear his appeal and let stand a lower court order permitting extradition.

Quayle said that the Secretary of State has two calendar months to extradite Abu-Eain or release him. "The State Department is taking an unnecessary risk of Abu-Eain being released on a writ of habeas corpus on Sunday, December 13," the Senator said.

"What a terrible precedent would be set," he added. "On the one hand, we are tracking Libyan terrorists all over the western hemisphere while on the other we are playing an appeasement game with the Arabs over a man accused of killing two children with a bomb." Arab Ambassadors to the U.S. have been appealing to the State Department on Abu-Eain's behalf.

REUBEN AINSZTEIN DEAD AT 63

LONDON, Dec. 10 (JTA) -- Reuben Ainsztein, one of the foremost British writers on the Holocaust, has died after a long illness. He was 63 years old. Born in Vilno, he studied before World War II in Belgium and, after the outbreak of war, made his way to England after an epic journey through France to Spain where he spent 14 months in an internment camp.

After a struggle with the British authorities, he succeeded in joining the Royal Air Force as an air gunner. During a bombing mission he had to parachute into Belgium and returned to Britain to convalesce.

After the war Ainsztein spent 11 years working for Reuters news agency and researching his mammoth book on Jewish resistance in Nazi occupied Eastern Europe which set out to dispel the belief that Jews had gone as sheep to the slaughter. The book contains detailed accounts of the uprising in the Warsaw and Lodz ghettos and in the Auschwitz and Sobibor concentration camps.

The son of Yiddish-speaking parents, his first languages were Yiddish, Polish and Russian, and he eventually became fluent in 11 languages, including Hebrew.

Several of the sections of Ainsztein's book had been published earlier in the now defunct weekly, "Jewish Observer and Middle East Review," of which he was also a frequent commentator on Soviet Politics and cultural trends. After leaving Reuters, Ainsztein was a researcher for The Sunday Times. He remained aloof from Jewish communal organizations in Britain but, nevertheless, enriched Jewish self-awareness by his painstaking and original writings on the Holocaust.

JEWISH GROUPS ASSESS COURT DECISION By Ben Gallob

NEW YORK, Dec. 10 (JTA) -- The Supreme Court decision Tuesday that a public university

which permits student groups to meet for secular activities must also allow student religious groups to meet for worship and religious study was lauded today by a Jewish legal service organization as appearing to establish "the general principle in law that religion is not to be viewed as pariah-like by government."

That evaluation of the Supreme Court ruling striking down a University of Missouri ban on the use of university property "for purposes of religious worship or religious teaching" was made by Howard Zuckerman, president of the National Jewish Commission on Law and Public Affairs (COLPA), which submitted a friend of the court brief in support of the affected student group. Nathan Dershowitz, director of the Commission on Law and Social Action of the American Jewish Congress, submitted a brief in support of the university, written by Marc Stern, an AJCongress staff attorney.

The university regulation was challenged by an evangelical Christian student group called Cornerstone, one of more than 100 recognized student organizations at the university's Kansas City campus. The rule banned Cornerstone from use of a room on campus for its weekly Saturday night meetings.

Basis For Court Ruling

The Supreme Court based its ruling on the students' constitutional rights of free speech and association, rather than on the their right to freely exercise their religion. Emphasizing that "the basis for our decision is narrow," Associate Justice Lewis Powell, Jr., writing the majority opinion, said the ruling applied only to voluntary religious practices at state-supported universities, thus indicating no change in the long-established Supreme Court position that the Constitution bans officially sponsored prayer in the public schools.

The university had contended that facilitating student religious practice, in providing facilities for Cornerstone, would amount to a breach in the Constitutionally-mandated separation of church and state.

Significance Of The Ruling

Zuckerman, in explaining the significance of the ruling for Jews, told the Jewish Telegraphic Agency that "unfortunately, many courts and public officials have in the past taken the position that the tradition of separation of church and state, embodied in the First Amendment, required that government could not make available to religious adherents those benefits freely available to secular groups, solely on the contention that it would thus be facilitating religious activity. In the absence of real entanglement between government and religion," he said, "arbitrary exclusions on such grounds will hopefully no longer be sustained by the courts."

Dershowitz, commenting on the ruling, told the JTA that "now that the Supreme Court has ruled that such types of religious activities are permissible on campuses of public universities, it is imperative that the Jewish community formulate new programs and reinforce existing ones designed to strengthen the resistance of Jewish college students to the approaches to them of missionaries, whose efforts at conversion are sure to be strengthened by the ruling."

Dershowitz added that while "we are naturally disappointed by the ruling one of our key con-

cerns is that the ruling not be misinterpreted to imply that religious practices are generally permissible in all types of schools."

He said, "we expect many individuals will start appearing before public school boards, citing the Supreme Court ruling as one supporting prayers in the public schools, despite the fact that, by its terms, the ruling does not extend to public schools, for which the Supreme Court has repeatedly ruled that any and all forms of prayer during school hours are unconstitutional."

The COLPA brief was prepared by Nathan Lewin, a COLPA vice president, and joined in by Agudath Israel of America, the Rabbinical Council of America, the National Council of Young Israel, and the Union of Orthodox Jewish Congregations of America. Joining in the brief was Daniel Chazin, a COLPA volunteer attorney.

Lewin argued in the brief that the establishment clause of the First Amendment prevents government from "preferring religion over non-religion" and from "placing its power and prestige behind one religious faith in preference over another."

The brief said upholding the university's ban would amount to reducing the legal "status and entitlement" of religion "below that of any and all other forms of communication." The brief also referred to prior Supreme Court decisions granting special protection to religious activity in such areas as protection of the religious rights of workers, adding that the university ban relegated religion to an "ignominiously low status."

Justice Powell said "religious worship and discussion are forms of speech and association protected by the First Amendment."

SOVIET JEWRY GROUP RAPS HIAS DECISION ON JEWISH AGENCY PLAN

WASHINGTON, Dec. 10 (JTA) -- The Union of Councils for Soviet Jews (UCSJ) today said it was disappointed by the decision of HIAS to cooperate with the Jewish Agency's resettlement policy for Soviet Jews arriving in Vienna. Under the Jewish Agency plan, HIAS will assist Soviet Jewish emigrants only if they have first degree relatives in the U.S., or other Western countries. (Full story in Dec. 10 Bulletin.)

"The HIAS decision is disturbing to those who advocate freedom of choice for Soviet Jewish emigrants," Lynn Singer, president of the UCSJ said. "The record of Jewish emigration since the Jewish Agency policy was announced in August has been one of consistent decline to record lows. It is difficult to account for the Jewish Agency statement that this policy will help to increase emigration."

The UCSJ at its annual meeting in September adopted a resolution saying that "although we actively encourage all Soviet Jews to choose Israel as their final destination, they should be free to resettle in the country of their choice."

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MEXICO CITY (JTA) -- Four prominent Mexican intellectuals and writers were the recipients of the 1981 Rene Cassin Award for their contributions to better human understanding and the struggle for human rights. The winners of the award given by the Comité de Tribuna Israelita of the Central Jewish Committee are: Andreas Serra Rojas, Bernardo Ponce, Fernando Meraz and Jose Antonio Llamasa. The award was established last year to honor Cassin the French Jewish jurist and 1968 Nobel Peace Prize.

HOUSE FOREIGN AID BILL AUTHORIZES \$1.4 BILLION IN MILITARY AID TO ISRAEL, \$785 MILLION IN ECONOMIC AID

By David Friedman

WASHINGTON, Dec. 10 (JTA) -- The House adopted by a 222-184 vote last night a bill authorizing \$5.7 billion in foreign aid of which one half goes to the Middle East.

The bill provides for Israel, in the current fiscal year that began Oct. 1 and for 1983, the same amount it received last year -- \$1.4 billion in military assistance and \$785 million in economic aid. All of the economic aid is a grant and \$500 million of the military assistance is a direct credit, meaning it is forgiven.

Egypt's appropriations will be the same in the next two years as in the 1981 fiscal year. This includes \$900 million in military assistance, of which \$100 million is forgiven, and \$750 million in economic assistance, all of it a grant.

The bill deleted all appropriations for Syria. An amendment adopted yesterday provided up to \$7 million to aid in the rehabilitation of Lebanon. The bill also specified that \$11 million in each year can be used for special requirements in the Middle East, such as regional cooperative agricultural, health, energy and educational projects. Of this amount, \$4 million can be used for projects that would promote regional cooperation between Israel and Egypt with other Middle Eastern countries.

Reversal Of Party Positions

The voting yesterday saw a reversal of the party positions that characterized previous votes on foreign aid in which Republican opposition had prevented adoption of a foreign aid bill since 1979. Rep. Peter Peyser (D. NY), noting that he has voted for all previous foreign aid bills, said yesterday that he opposed this bill in protest against the Reagan Administration's cuts in domestic programs.

He noted, however, that even if the bill had been defeated yesterday, countries such as Israel would receive their appropriations in the continuing budget resolution.

The Democrats, who waited for the Republicans to cast their votes before voting themselves, supported the bill by 125-98 but for many Democrats, it was the first time they had cast votes against foreign aid. The Republicans, traditionally opposed to foreign aid and able, with the help of conservative Democrats, to defeat such measures in past Congresses, supported the authorization bill yesterday by a vote of 97-86.

The Republican reversal came after President Reagan sent House Republicans a special appeal Monday and Secretary of State Alexander Haig met with them Monday morning before leaving for Europe. The House bill was worked out by the Administration and the Democratic-controlled Foreign Affairs Committee.

A House-Senate conference committee will have to work out differences between the House measure and an earlier Senate bill which authorizes \$5.8 billion in foreign aid. The funds for Israel, Egypt and other Middle Eastern countries are not expected to be effected.

B'NAI B'RITH APPEALS TO ETHIOPIAN GOVERNMENT TO SAVE ITS NATION'S JEWS FROM A REIGN OF TERROR

WASHINGTON, Dec. 10 (JTA) -- B'nai

B'rith International today appealed to the government of Ethiopia to save that nation's Jewish population from a reign of terror conducted by the governor of the Province of Gondar.

Noting that today is the 33rd anniversary of the adoption of the Universal Declaration of Human Rights, Philip Lax, chairman of the International Council of B'nai B'rith, charged in a letter to Tesfaye Demeke, the Ethiopian Ambassador to the United States that the governor "has lawlessly imprisoned, tortured and killed Ethiopian Jews. He has failed to enforce the government's land reform program, thus permitting Jewish peasants who seek to gain control of the land that is now lawfully theirs to be shot and killed by their vengeful former landlords."

The B'nai B'rith leader charged also that the governor of Gondar has refused to allow visits to the province's Jews by their co-religionists from other countries. "On this day consecrated to the equality of all individuals and peoples, we ask the government of Ethiopia to move swiftly to ensure that the rights of Ethiopian Jewry, guaranteed by the Ethiopian revolution, are respected by all its officials ... and urge the government permit, on humanitarian grounds, the universally sanctioned reunification of families," Lax said.

He pointed out that B'nai B'rith's concern has been heightened by reports in recent months from observers returning from Ethiopia as well as from press reports about conditions of Jews there. He asked Demeke to pass on the request to officials in Addis Ababa.

DOCTORS DENY THAT BEGIN IS SUFFERING FROM BLOOD CLOTTING

JERUSALEM, Dec. 10 (JTA) -- Hadassah Hospital doctors denied today reports in the local press that Premier Menachem Begin was suffering from blood clotting. A hospital communique stated that Begin was recovering from his injury, a broken hip from slipping in his bathroom. He feels better, has less pain and will be released from the hospital within a week, the communique added.

Speculation regarding a possible deterioration in Begin's health arose after doctors ordered the Premier to refrain from receiving visitors from abroad. However, it is expected that Begin will receive U.S. Secretary of State Alexander Haig who is scheduled to visit Israel for a few hours Sunday.

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PARIS (JTA) -- Palestine Liberation Organization leader Yasir Arafat is scheduled to pay a three-day visit to Greece beginning Monday, according to reports from Athens. According to an official statement issued in the Greek capital, Prime Minister Andreas Papandreu invited Arafat shortly after being elected in October. In his invitation, Papandreu said he wanted to discuss with Arafat the upgrading of the present PLO information office in Athens to diplomatic status.

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CORRECTION

Charlotte Jacobson, who was elected president of the Jewish National Fund, will continue as chairman of the World Zionist Organization-American Section through December 1982 when the next World Zionist Congress is held. A story in the Dec. 7 Bulletin said Mrs. Jacobson was chairman of the WZO-American Section prior to her election as JNF president.