

JTA daily news bulletin

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

Vol. XII - 66th Year

Tuesday, February 15, 1983

No. 32

ARENS AGREES TO SERVE AS DEFENSE MINISTER; HIS NOMINATION BY BEGIN VIRTUALLY ASSURED OF APPROVAL

By Gil Sedan and Hugh Orgel

JERUSALEM, Feb. 14 (JTA) -- The nomination of Moshe Arens as Defense Minister, replacing Ariel Sharon, appeared virtually certain of approval today. Arens, Israel's Ambassador to the U.S. for the past year, has agreed to serve, Premier Menachem Begin's personal aide, Yehiel Kadishai, told reporters this morning.

The announcement came several hours before the Knesset was to vote on the Cabinet changes arising from Sharon's resignation of the defense portfolio which took effect today. Begin will assume the responsibilities of Defense Minister until Arens returns from Washington and is formally installed.

His confirmation by the Knesset seems assured. Leaders of Likud's Liberal Party wing reportedly told Begin they would back the appointment of Arens without reservations. He has the support of Herut whose hard-line views he shares although he is not associated with any specific trend in the Herut Party.

The opposition Labor Alignment said it would take a "wait-and-see" approach toward Arens, indicating it would not try to block his nomination in the Knesset. Begin's coalition partner, the ultra rightwing Tehiya, which strongly opposed the resignation of Sharon, indicated approval of Arens because as a Knesset member he had voted against the Camp David accords and the peace treaty with Egypt in 1978 and 1979.

Arens Has Well-Earned Reputation

Arens, 58, chaired the Knesset's Foreign Affairs and Defense Committee before he was named Ambassador to the U.S. He had been Begin's first choice for Defense Minister after Ezer Weizman resigned in 1981 but rejected that post at the time because of his stand against the Camp David approach to the peace process. He has since indicated that he regards Camp David as a fait accompli and could serve within its framework.

Although his views on foreign and defense policy are unqualifiably hawkish, Arens does not have the brash and abrasive characteristics of Sharon. He earned a good reputation as a diplomat in Washington and even Labor critics of the government concede that his appointment will introduce "a saner atmosphere" in the Cabinet.

Arens is expected to be a strong Defense Minister who will fight any attempts by others within or outside the government to interfere in his ministry's operations.

Arens was born in Kaunas, Lithuania, in 1925 and received his higher education in the United States. He attended the Massachusetts Institute of Technology and the California Institute of Technology, specializing in aeronautical engineering. For a time he was vice president of Israel Aircraft Industries. He and his wife, Muriel, are the parents of two sons and two daughters.

Sharon Takes Formal Leave

Meanwhile, Sharon took formal leave of the Defense Ministry today with full pomp and military ceremony. Army officers and senior officials invited to the farewell proceedings expressed surprise at the extensive publicity arrangements for what is normally a quiet event attended mainly by the staff of the outgoing minister. The media was present in force to watch Sharon review a military guard of honor accompanied by beating drums, bugle fanfares and much waving of banners.

Sharon left office on a defiant note. He strongly defended his policies during his 19 month tenure as Defense Minister. He said he had been determined to head a powerful deterrent force which he would not hesitate to use under certain circumstances. Among the circumstances he enumerated were the deployment of Iraqi troops in Jordan, an Egyptian violation of the military clauses of the peace treaty which, he said, would trigger Israel's re-occupation of Sinai, or the presence of nuclear weapons in enemy hands.

Sharon told those assembled to bid him farewell that he was not sure such a strong policy of deterrence was still possible, given the prevailing atmosphere in the country. Although he said nothing specific, he was clearly referring to what he regards as the influence of doveish elements in the army and in the country as a whole.

Observers suggested today that if this interpretation of Sharon's remarks is correct, the new Defense Minister may be in for a difficult time should Sharon remain within the Cabinet, as it now seems likely he will.

DEBATE CONTINUES AMONG LEGAL EXPERTS AS TO WHETHER SHARON'S RESIGNATION FULFILLS THE RECOMMENDATION OF THE INQUIRY PANEL By David Landau

JERUSALEM, Feb. 14 (JTA) -- Attorney General Yitzhak Zamir's view, that Ariel Sharon's resignation as Defense Minister was an adequate fulfillment of the recommendation by the commission of inquiry, was criticized today by a number of legal experts and by Israel's two leading independent morning papers, Haaretz and The Jerusalem Post.

Both papers, in editorials written in advance of the Knesset meeting called to act on the Cabinet's decision yesterday that Sharon remain as Minister-Without-Portfolio, attacked the Cabinet's decision and challenged Zamir's view. Academic jurists, including former Supreme Court Justice Zvi Berenson, also contended that Sharon ought to resign from the Cabinet altogether in full compliance with the commission's recommendation.

The commission stated that Sharon should "draw the appropriate personal conclusions arising out of the defects revealed with regard to the manner in which he discharged the duties of his office" at the time of the massacre at the Shatila and Sabra refugee camps in west Beirut. The commission recommended further that should Sharon fail to draw the appropriate conclusions, the Prime Minister should "consider whether" to dismiss him from the Cabinet under the appropriate section of the law.

Zamir held that by relinquishing his defense portfolio, although staying on in the Cabinet, Sharon had drawn the conclusions and thus Premier Menachem Begin was justified in deciding that he need not dismiss Sharon altogether. This was implicit in the latitude the commission gave Begin to "consider whether" to dismiss him, the Attorney General said.

Some Legal Experts Differ With Zamir

But some legal experts differed with Zamir's opinion, claiming that Sharon's resignation did not officially constitute a resignation. They pointed out that resignation from the ministry meant by law resignation from the Cabinet. According to Article 17 of Israel's Basic Law, the Cabinet as a whole decides on the reshuffling of portfolios, not any single minister nor even the Prime Minister.

The legal experts argued that the wording of the commission's recommendation regarding Sharon could be interpreted by strict legalists as providing a loophole to circumvent Article 17 by having the Cabinet accept the recommendation in principle but not acting as a body to decide on the reallocation of the defense portfolio.

Zamir, however, was supported by one of his predecessors, Moshe Ben-Ze'ev, and by a former long-time chairman of the Knesset Law Committee and a former Cabinet minister, Zerah Warhaftig of the National Religious Party. In addition, Justice Minister Moshe Nissim also held that the meaning of the inquiry commission's recommendation was that Sharon should be removed only from his defense post, not from the Cabinet as such.

In support of his interpretation, Nissim cited the panel's use of the phrase, "draw the appropriate personal conclusions." The commission could have stated that Sharon should "resign from the Cabinet," but it did not do so, and its choice of language was deliberate, Nissim pointed out.

Haaretz, Post Assail Cabinet Decision

Haaretz, in a rare step, published its editorial on the front page. Headlined, "They're making a

mockery of the commission's recommendation," the article argued that "... the Cabinet's decision contradicts its claim that it has accepted the commission's recommendations in full, and is implementing them in full, including the most important recommendation ... The Knesset is still free to rebut this contradiction, even if Prof. Yitzhak Zamir has found it proper to give the commission's recommendation regarding the former Defense Minister a far-fetched interpretation which makes it into a mockery."

The Jerusalem Post's headline was "Defying the Commission." The editorial cited Zamir's rationale and asserted baldly, "We think he is dead wrong." The paper said the commission used a circumlocution to call for Sharon's resignation, "but it has every right to expect that its intent would be plain to every right-thinking person."

POLICE IMPOSE BLACKOUT ON PROBE OF GRENADE ATTACK ON PEACE NOW

JERUSALEM, Feb. 14 (JTA) -- The police have imposed a blackout on their investigation of the grenade incident which killed one person and wounded nine others at a Peace Now demonstration here last Thursday. Although several suspects are said to be known, no one has been detained so far.

According to the police, they are marking time on arrests "out of consideration for the investigation." Participants in the Peace Now demonstration, held to demand the dismissal of Defense Minister Ariel Sharon, have reportedly identified photographs of several persons who harassed them during their rally. Supporters of Sharon were holding a counter-demonstration a short distance away at the time.

Meanwhile, the Shin Bet, Israel's general security service, has joined the investigation, providing teams of investigators said to be experienced in "complex cases."

BEGIN RAPS PARLIAMENT OF EUROPE

JERUSALEM, Feb. 14 (JTA) -- Premier Menachem Begin told a group of visiting members of the European Parliament today that their institution's support for President Reagan's Middle East peace initiative was "destructive." He insisted that the Camp David accords are the only framework for peace negotiations.

Begin said the peace process would not be affected by the changes in his Cabinet made necessary by the forced resignation of Defense Minister Ariel Sharon. He also made it clear that the changes would have no effect on his government's policies. He said Israel would never halt settlement activities in the occupied territories, would never agree to a Palestinian state and will never negotiate with the Palestine Liberation Organization "because a people does not talk to those who come to destroy it."

HAIG PRAISES ISRAEL'S DEMOCRACY

PALM BEACH, Fla., Feb. 14 (JTA) -- Former Secretary of State Alexander Haig praised Israel's democratic form of government and declared that the United

States should not interfere in the internal affairs of the country.

Referring to the Israeli inquiry commission report that led to the resignation of Israeli Defense Minister Ariel Sharon, Haig told a meeting here of the Anti-Defamation League of B'nai B'rith that "we have learned a lesson-- Israel is indeed a democracy." He added:

"That means American and even members of the American diaspora (the U.S. Jewish community) have no right to comment on the internal affairs of the State of Israel."

The former Administration official also told a dinner opening the ADL's national executive committee at The Breakers Hotel last Thursday night that the United States "must insist on the withdrawal of all foreign forces from Lebanon-- not just Israeli forces."

Honored at the dinner was New Jersey Senator Frank Lautenberg, who received the ADL's Haym Salomon Award for his contributions to "his state and nation and his sense of responsibility for the rights and privileges of his fellow men."

In his comments on the current situation, Haig said that what happens in Israel "must be a reflection of the choice of the people of Israel in the exercise of their franchise." "Why is this so?" he went on. Because, he declared, in the process of criticizing from abroad, "we deprive the opposition in Israel of its platform."

Calling for a "spirit of partnership and cooperation" with Israel, the former Secretary of State said that "some say our obligation to Israel is purely moral." But, he went on, Israel represents "geopolitical and strategic values to the United States-- a country with a stable regime, militarily capable and of crucial importance to the United States in the region."

The dinner meeting marked the beginning of ADL's observance of the League's 70th anniversary during 1983.

BEHIND THE HEADLINES

APRIL 6, 1944 IS STILL REMEMBERED

By Edwin Eytan

PARIS, Feb. 14 (JTA) -- In the small village of Izieu, people still remember the day, close to 40 years ago, when German police and SS men rounded up 41 Jewish children who had been there in hiding.

One of the village inhabitants, Jeanne Colomb, used to live right next door to the war-time home for Jewish children. She still lives only a few hundred yards away from the white villa which Klaus Barbie ordered raided on April 6, 1944.

"It must have been 8:30 in the morning when I saw several cars drive up," she recalled. "Some of the men wore civilian clothes, others wore German uniforms. Some surrounded the house, others barged in. The children were having breakfast but were kicked out before they had a chance to finish their meal. The small ones, maybe 3 or 4, did not know

was happening and boarded the waiting truck with out complaining. The older children shouted out for help or burst into tears."

Klaus Barbie, who according to documentary evidence ordered the raid and the arrest of the children, who were all deported to Auschwitz, is now in a French jail waiting for his trial on charges of "crimes against humanity." The office of the investigating magistrate dealing with the case says none of the arrested children survived their Auschwitz ordeal.

The woman who organized the Izieu home, Esther Slatin, is still alive. She was away at the time of the Nazi raid but today, aged 80, she intends to testify at the trial of the man known as "the butcher of Lyon."

The villa which housed the children's home was bought by a non-Jewish couple shortly after the war. Mr. and Mrs. Georges Thibaudier did not know at the time the sinister story of the building and its flowery garden. After moving into the house and learning its sinister history they opposed a plaque recalling the April raid. Mrs. Slatin used to come every year on Remembrance Day. Now, too old to undertake the journey, she sends a bouquet of flowers.

In spite of the tragic events in which Barbie played a central role during his two years in Lyons, 1942-44, as gestapo chief, his case is rapidly turning into a French fratricidal war marked by charges and counter-charges of cowardice, collaboration or just plain indifference.

Simone Veil, a former President of the European Parliament and herself an Auschwitz death camp survivor, warned today against this development. "We should not try ourselves or even Barbie the man. The trial should concentrate on the systematic analysis of an ideology which made such things possible."

U.S. CONCERNED ABOUT KILLINGS OF PALESTINIANS IN SIDON AREA

WASHINGTON, Feb. 14 (JTA) -- The State Department said today that reports of Palestinians being killed in the Sidon area in south Lebanon "concerns us greatly."

State Department deputy spokesman Alan Romberg said the U.S. cannot confirm or deny the reports. He added that in the last several days the U.S. has urged Lebanon, Israel and others "to fulfill their responsibility for protecting the lives of the inhabitants of Lebanon."

The United Nations Relief and Works Agency said last Saturday that 15 bodies were found near the Ayn Hulweh Palestinian refugee camp outside Sidon. The UN agency also reportedly said that notices were found in mosques in the area calling on each Lebanese to kill a Palestinian.

LATE BULLETIN: JERUSALEM (JTA) -- The Knesset Monday night voted 61-56 to approve the Cabinet's decision to make Ariel Sharon Minister-Without-Portfolio. Dror Zeigerman (Likud - Liberal) abstained, arguing that Sharon should be removed from the Cabinet entirely.

SWISS CITY HIT BY CAMPAIGN OF VIRULENT ANTI-SEMITISM

By Tamar Levy

GENEVA, Feb. 14 (JTA) -- Swiss police are investigating the recent emergence of what appears to be a well organized campaign of virulent anti-Semitism in the city of Basel near the German border. Its targets are not only Jews but non-Jewish families who have Jewish friends. The campaign is aimed particularly against faculty and students of the medical school in Basel, Jewish and non-Jewish.

Vicious anti-Semitic slogans have been daubed on the walls of the local synagogue, the Jewish cemetery, public telephone booths and on the walls of underpasses near the university. Several prominent members of the Jewish community and their non-Jewish friends have received anonymous letters or telephoned death threats or anonymous calls telling them that their sons or daughters were dead.

Some of the slogans read, "Jews Out"; "Jews are Swine"; "Auschwitz was invented by the Jews." On the bulletin board of the medical school faculty, someone wrote: "Jews, sons of prostitutes, out of here."

Campaign Termed Unprecedented

The campaign has been described as without precedent in Switzerland and the Jewish community is deeply concerned. There was a bomb scare at the medical school. Jewish students have been advised not to attend a faculty party next week because their lives may be in danger.

Simon Dreifus, president of the Jewish community in Basel, said there have been a few anti-Semitic incidents in the city since Israel's invasion of Lebanon last summer, but they were primitive. This time, the campaign is well organized and unrestrained in its viciousness. He suggested that there might be a connection between this outburst and the 50th anniversary of the Nazis' ascension to power in Germany. Police conducting the investigation have released no information so far.

DAIA OFFICIAL SAYS THAT A SERIOUS PROBLEM FACING ARGENTINE JEWRY IS PRO-ARAB PROPAGANDA

NEW YORK, Feb. 14 (JTA) -- Pro-Arab propaganda is "one of Argentine Jewry's most serious problems," according to Luis Comisarenco, the acting president of DAIA, the Jewish community's umbrella organization in that country.

Comisarenco, a vice president of the DAIA responsible for Christian-Jewish relations, told leaders of the Anti-Defamation League of B'nai B'rith that the propaganda falls on receptive ears because of "endemic anti-Semitism among 30 percent of Argentines."

Speaking in Spanish to a meeting of ADL's Committee on Interfaith Affairs here, Comisarenco said that DAIA's educational efforts to counteract Arab propaganda are proving effective. He asserted that greater understanding of Israel's policies and actions was being developed among Jews as well as Christians.

His remarks were translated by Rabbi Leon Klenicki, co-director of ADL's Department of Interfaith Affairs and consultant to DAIA on inter-religious concerns.

Comisarenco cited examples of progress in Christian-Jewish relations. He said that for the first time in the nation's history rabbis are beginning to serve as chaplains in the Argentine armed forces. Another significant portent, he continued, is increasing acceptance of material prepared by Jewish organizations on Christianity's Jewish heritage.

He described as "a breakthrough" the distribution in Catholic churches and schools of a Spanish version of a booklet, "Abraham Our Father in Faith," which was prepared by the Archdiocese of Philadelphia in cooperation with ADL.

Comisarenco emphasized, however, that the situation in Argentina remains "difficult and complex" because of a reluctance among some Jews and Christians to establish interfaith relationships. He added that "the dialogue" cannot be compared with developments in the United States "since the Catholic church in Argentina has not advanced as far beyond Vatican II" as has the Catholic church in America.

UJA MISSION GENERATES ALMOST \$2 M. IN 1983 REGULAR CAMPAIGN PLEDGES

NEW YORK, Feb. 14 (JTA) -- Responding to a stirring plea for unity by Israel's Prime Minister Menachem Begin at the concluding session of the January 31-February 4 United Jewish Appeal Winter President's Mission, 150 American Jewish leaders announced 1983 pledges of \$1,953,800 for the Regular Campaign, \$450,250 for the Israel Special Fund and \$374,450 for Project Renewal.

The Regular Campaign total represents a 26.4 percent increase over commitments from the same donors for the 1982 campaign.

Begin's call for unity at the final session projected an enduring partnership between the American Jewish community and Israel's people: "Stand together with us in the days to come. We are one. Let us believe in the future here in the land of our forefathers which we have together made so green and beautiful. Our dream is that our children will grow up with no more killing and the Jewish people and the State of Israel will go on and on for all generations to come."

The leadership action followed four days of intensive person-to-person contacts with Israel's people.