

Vol. LXII - 67th Year

Friday, June 29, 1984

No. 123

SUPREME COURT LIFTS BAN ON KAHANE PARTY, PROGRESSIVE LIST; BOTH CAN NOW CAMPAIGN **By Gil Sedan**

JERUSALEM, June 28 (JTA) — The Supreme Court today reversed the Central Elections Committee's ban on the participation of two political parties in the July 23 Knesset elections.

The five judge panel ruled unanimously that the Progressive List for Peace, a coalition of Israeli Arabs and Jews and Rabbi Meir Kahane's far rightwing Kach party have the right to present their lists to the voters.

Both parties appealed to the high court against the ban, arguing that the Central Elections Committee exceeded its authority by imposing it. The judges did not deal with that charge but ruled that even if the Central Elections Committee had the authority there was no justification to deny the right of the parties to take part in the elections.

The Central Elections Committee, composed of representatives of the various political parties and chaired by Supreme Court Justice Gavriel Bach, voted to ban the Progressive List for Peace because it calls for a Palestinian state and political negotiations with the Palestine Liberation Organization. Kach was banned on grounds that its philosophy threatened democratic institutions.

ISRAEL, SYRIANS COMPLETE POW EXCHANGE AT DESERTED GOLAN TOWN **By Hugh Orgel**

TEL AVIV, June 28 (JTA) — The first prisoner-of-war exchange in 10 years between Israel and Syria took place today in the deserted town of Kuneitra in the Syrian sector of the Golan Heights, under the auspices of the International Red Cross. There was no direct contact between Israelis and Syrians.

Six Israeli prisoners held by the Syrians for up to two years were exchanged for 291 Syrian POWs and 20 others, mostly Golan Heights Druze. In addition, the bodies of five Israeli soldiers, three of them unidentified, were exchanged for the bodies of 72 Syrian soldiers killed in the fighting in Lebanon.

The exchange was the result of many months of quiet negotiations, conducted mainly by the IRC and other international bodies. The Foreign Ministry in Jerusalem expressed its appreciation today to the Red Cross and to United Nations Secretary General Javier Perez de Cuellar whose recent visit to the Middle East is credited with helping to bring the negotiations to a successful conclusion. Israel also thanked the U.S. and France for their roles in arranging the exchange.

Three of the freed Israelis were military prisoners — Air Force pilot Gil Fogel, tank commander Aryeh Liberman and Yohannan Allon, driver of a water tank truck. The others were civilians — Nahum Neshet, Shmuel Roza and Eran Florentin — staff members of the Israeli Liaison Office near Beirut who were captured by the Syrians last May 1 while on a sightseeing trip.

Two of the bodies returned were identified as the remains of Aharon Katz and Zohar Lifshitz. The unidentified dead were said to be Israeli soldiers whose bodies were exhumed from the Jewish cemetery in Damascus.

Four other Israeli soldiers remain in captivity, but not by the Syrians. They are prisoners of two dissident factions of the Palestine Liberation Organization — Nayef Hawatmeh's Democratic Front for the Liberation of Palestine and Ahmed Jibril's Popular Front for the Liberation of Palestine-General Command. A Red Cross spokesman said the IRC has not yet been allowed to visit them.

Arab affairs experts here speculated that Syria agreed to the exchange at the time because of internal problems stemming from the illness of President Hafez Assad. The return of Syrian POWs during the Moslem holy month of Ramadan is expected to strengthen Assad's political position, the experts said.

Deny Link To Election

Israeli officials dismissed claims in some quarters that the exchange was timed to benefit Likud in next month's Knesset elections. They noted that the negotiations had been going on for months and it was not Israel which determined the date of the exchange. Likud leaders said the return of the Israelis would not be used for election campaign purposes.

An IRC spokesman in Geneva, Jean-Jacques Kurtz, confirmed that after months of negotiations "only two weeks ago did it become apparent that the Syrians were at last about to agree to a POW exchange."

The 20 non-Syrians freed by Israel included prisoners who have been serving sentences of up to 10 years for security offenses. Seven of the Druze elected to go to Syria rather than remain in the Golan Heights under Israeli occupation.

The exchange took place on the outskirts of Kuneitra which was largely destroyed during the 1967 Six-Day War and left in ruins after the Yom Kippur War in 1973. It was handed back to Syria under terms of the 1974 disengagement agreement but was not rebuilt and none of its former residents ever returned.

The coffins bearing the remains of fallen Israeli and Syrian soldiers were the first to be carried across the 100 meter wide no-mans-land outside the town. They were followed by the six Israelis walking toward their own lines and the Syrians who crossed the no-mans-land in batches of several score at a time.

Some of the Syrian POWs were amputees who had been fitted with artificial limbs in Israeli hospitals.

U.S. WELCOMES POW EXCHANGE **By Helen Silver**

WASHINGTON, June 28 (JTA) — The United States welcomed the prisoner-of-war exchange between Israel and Syria today as a move likely to ease tensions in the region.

State Department deputy spokesman Alan Romberg said "Basically, we welcome this development on humanitarian grounds and also because we believe it will help lower tensions in the area." He said the U.S. has "been concerned about the prisoner issue for some time but this was not something that we worked out."

countries worked it out together, he said. Rombeg refused to reveal the content of yesterday's meeting here between Secretary of State George Shultz and Israeli Defense Minister Moshe Arens. They also met at the State Department late Tuesday.

DULZIN MAINTAINS ZIONISM GAINS BY INCREASED PARTICIPATION OF NON-ZIONISTS IN JEWISH AGENCY, WZO By Gil Sedan

JERUSALEM, June 28 (JTA) — Changes adopted by the Jewish Agency Assembly here this week to raise the level of non-Zionist participation in the Zionist movement were hailed today as a "Zionist victory" by Leon Dulzin, chairman of the Jewish Agency and World Zionist Organization Executives.

In an interview with the Jewish Telegraphic Agency as the Assembly ended its four day session, begun June 24, Dulzin dismissed as "nonsense" fears expressed by some Zionist leaders that they were losing power and influence to the "non-Zionists," specifically the Jewish "fund-raisers" from abroad.

That concern had been expressed publicly by Allick Resnick, president of the Zionist Organization of America and Ivan Novick, past president of the ZOA at a ZOA conference here last week.

But according to Dulzin, "It is a Zionist victory when the non-Zionists accept the Jerusalem program which is a Zionist program." The Jerusalem Program was a compromise hammered out at the 27th World Zionist Congress in 1968 between diaspora and Israeli Zionists. The diaspora leaders accepted the centrality of Israel in Jewish life. The Israelis agreed to eliminate any derogatory implications to the continued existence of a diaspora.

Among the changes introduced and accepted by the Jewish Agency Assembly was the expansion of the WZO Executive from 12 to 18 members. Nine will represent the various Zionist parties, six the American Jewish communities and three Jewish communities in the rest of the world, through the Keren Hayesod.

Non-Zionists To Have 'Practical Influence'

"The idea is to turn the Zionist movement so that it will no longer be under the exclusive rule of the Zionist parties," Dulzin said. "This will give the non-Zionists voting powers and practical influence in the Zionist movement."

Dulzin explained that "The Jewish Agency enters a new period. On top of its tasks in Israel, it also regards itself responsible for the fate of the Jewish people and its existence. In other words, the Agency moves from a pragmatic approach into full cooperation with the Zionist movement to ensure the continued existence of the Jewish people."

Dulzin noted that the three events which put the Jewish Agency in the center of Israel-diaspora relations were the Assembly and the meetings of the Zionist General Council and the World Leadership Conference for Jewish Education which preceded it here last week.

The General Council decided to establish a think tank to reevaluate the present structure and operations of the WZO and make recommendations for a reorganization which would meet the challenges of the new era. Dulzin expressed hope that this body, divided into four regional committees, would come up with operational recommendations when the General Council meets again next year.

5 ISRAELI SAILORS WOUNDED BY PLO BOAT

TEL AVIV, June 28 (JTA) — A military spokesman

confirmed that five Israeli sailors were wounded in an exchange of fire between Israeli naval craft and a "PLO boat" today near Ararat Island, four miles off the northern Lebanese port of Tripoli. The "PLO boat" was sunk, the spokesman said.

The island, the target of heavy Israeli air attacks and naval bombardment yesterday and of a renewed naval attack today, purportedly is a training base and point of departure for terrorists. It is said to be used by an extremist Islamic faction supportive of Palestine Liberation Organization chief Yasser Arafat.

According to the Israel Defense Force spokesman, Israeli aircraft struck at two buildings and a number of shelters on the island, several firing positions and a boat offshore. All planes returned safely to their bases despite anti-aircraft fire. Reports from Beirut and Tripoli said two Israeli planes carried out the bombardment and two others flew guard.

The Israelis released no details of the naval action today. Reports from Tripoli said two large warships escorting two smaller gunboats opened fire on the island at dawn. (By Hugh Orgel)

KNESSET SETS SPECIAL SESSION TO DEAL WITH ECONOMIC CRISIS By Gil Sedan

JERUSALEM, June 28 (JTA) — The Knesset will interrupt its summer recess Monday for a special session to deal with a series of measures aimed at easing the growing economic crisis.

Runaway inflation, currently at an annual rate of 350-400 percent, the rush to buy black market Dollars, a depleted Treasury, a widening balance of payments gap, dwindling foreign currency reserves and widespread labor unrest in the public sector pose urgent problems that must be dealt with promptly and decisively.

There is strong pressure on Finance Minister Yigal Cohen-Orgad to "do something" about the economy and pressure on the Knesset, most of whose members are standing for re-election. But with election day only four weeks away, the ability to take measures that might anger the public is complicated.

One of the bills on the Knesset agenda for next Monday would protect the assets of the public in a way that some members of the public may not favor. The bill would curb the trend to withdraw bank savings to purchase Dollars on the black market or to stock up on consumer goods before rising prices put them out of reach.

COSTA RICA CONFIRMS JERUSALEM STANCE

NEW YORK, June 28 (JTA) — President Luis Alberto Monge of Costa Rica has affirmed his country's "free and sovereign determination to honor Jerusalem as the capital of Israel."

Monge made that statement in a cable to Edgar Bronfman, president of the World Jewish Congress. It was in response to a cable of encouragement Bronfman sent to the Costa Rican President following the walk-out by Arab delegations at the conference of the International Labor Organization in Geneva earlier this month when Monge rose to address the gathering. The Arabs were protesting Costa Rica's decision to move its embassy in Israel from Tel Aviv to Jerusalem.

Bronfman's message of support stated that in response to the "attempt at political intimidation, six million Jews in America and all their friends in this country as well as Jewish communities in 67 nations throughout the world applaud your courage, your dignity, your resolute behavior as an outstanding leader of the free world who stands his ground in the face of base threats."

SALE OF HEBREW BOOKS BY AUCTION HOUSE IN DISPUTE OVER THEIR RIGHTFUL OWNER By Kevin Freeman

NEW YORK, June 28 (JTA) — Sotheby's maintained today that the 31 Hebrew books and manuscripts auctioned Tuesday night were "free of any moral taint" and that the persons who provided the auction house with the materials did have legal ownership.

The auction of the rare books and manuscripts, dating from the 13th to 19th centuries, and believed to have been smuggled out of Germany from the College of Scientific Study of Judaism after the Nazis closed the rabbinical seminary in 1942, had been the subject of controversy for more than a week.

Whether the controversy has been settled is yet unclear. A court hearing is scheduled for next month to determine whether the purported owners of the materials are in fact the legal owners and thus will be able to legally transfer title of the rare items.

In a last minute attempt to block the sale, the New York State Supreme Court Tuesday rejected a request from the State Attorney General to prevent Sotheby's from completing the sales until the Attorney General was convinced that the ownership of the manuscripts were determined legal.

Thought Nazis Destroyed Items

The controversy began when Sotheby's announced that it would put on sale 33 items that were thought to have been destroyed by the Nazis in World War II. Sotheby's said that the materials were smuggled out of Germany at what Sotheby's described now as "considerable personal risk" in 1939 by a person authorized by officials of the Seminary, according to The New York Times. Sotheby's did not identify this person.

Dr. Ismar Schorsch, provost of the Jewish Theological Seminary in New York, was quoted as saying that the books may have been smuggled out of the college by a historian at the college, Ismar Elbogen. Some of the books had the college's library stamp on the inside cover and others are reported to have belonged to the estate of Abraham Geiger, a prominent Jewish historian who willed his belongings to the college after his death in 1874. Elbogen died in New York City in 1943.

After the announcement by Sotheby's that it would auction off the items, several Jewish groups protested the sale, questioning the legality of the sale. A central question remained: Did the individuals who claimed ownership legally have title to the items? There was also the question of how the items survived the war and who had kept them for the past 40 years.

The Jewish Restitution Successor Organization, which was empowered by the United States Military Government in postwar Germany to receive heirless Jewish property, requested along with other groups that Sotheby's release the owners' names in order to determine whether the books and manuscripts were held legally.

This would provide the basis of the legal ownership. If the books had been ever stolen or confiscated by the Nazis, their present ownership might be called into question, although this was still unclear. There was also the question whether the Successor Organization still retains the power granted it in 1948 by the U.S. Military Government to act as

legal recipient of such property. This question remains unresolved. Nevertheless, Sotheby's balked at the request from the Jewish groups, although the auction house remained steadfast in its assertion that it had deemed the present owners the legal owners of the property. Sotheby's cited its policy of not releasing the names of persons who wish to remain anonymous when putting property up for auction. Sotheby's also said that the owners had been Jewish.

By midweek, the Central Conference of American Rabbis (CCAR) stepped into the fray. They adopted a resolution at their meeting in Liberty, N.Y. saying: the group would "take all necessary steps to stop this sale until the ownership of these books and manuscripts is clearly established."

Then the city's Consumer Affairs Department told the auction house it could not proceed with the planned sale until it showed that those who wish to sell the items are the legal owners. When the Department requested a list of names of the owners of the 33 items, Sotheby's again refused.

At the same time of the city's action, the Jewish Theological Seminary announced that it had obtained two of the most valuable of the 33 items. In a private arrangement with the Seminary, Sotheby's sold two items — a 15th century Bible from Prague, estimated to be worth \$500,000 and a 14th century prayer book from Spain, with an estimated value of \$200,000.

2 Major Items Bought

A donor had provided the funds for the Seminary to obtain the two rare items. The donor's identity has not been disclosed nor would the Seminary say how much the two items cost. The sale to the Seminary of the two items was made by the Seminary's Board of Trustees, B'nai B'rith to back down on its objections to the sale.

As the final hours before the sale approached, at which time it could not be determined for certain whether the sale would take place, meetings took place between the auction house, the Consumer Affairs Department and the Attorney General's office.

The Consumer Affairs Department, which had threatened to block the sale, apparently received sufficient information from Sotheby's that the items were legally owned, according to reports on Wednesday. The information was provided in confidence and the identities of the owners were not disclosed.

The Attorney General did not receive that information because it said it would not guarantee to protect the confidentiality of the ownership information, as the Consumer Affairs Department had told Sotheby's it would do with the information.

A late afternoon bid by the Attorney General to block the sale was rebuffed by a judge who refused to sign an injunction barring the sale. The sale proceeded as scheduled with the auction house filled with nearly 500 persons. The Times reported that "in the audience were people from around the world: dealers and collectors from Israel, the United States, South America; scholars from Israel, Hasidim from Brooklyn and those who were just curious."

Auctioneer Rejects 'Moral Problem'

Included in the items auctioned Tuesday was a 15th century book of philosophy by the Hebrew scholar Maimonides that sold for \$132,000, and 13th and 15th century "Commentaries on the Pentateuch" which sold for \$121,000 and \$82,250, respectively. Sotheby's confirmed Wednesday. The identities of the buyers of the items were not released by the auction house.

Prior to the auction, a statement released by the auction house said it would "not have been involved

In the sale if there was any type of moral problem" or legal problem with the sale. Sotheby's reported that their legal council had worked "diligently to determine that ownership was clear and that title could be passed on to another person or institution."

Despite the apparent sale of the items Tuesday, the CCAR indicated that the Attorney General was still going ahead with a court action to determine the legality of the ownership. There remained a wait and see attitude by the CCAR as to whether the sale Tuesday night is the end of the controversy, or the beginning of a running court battle.

YIGAEI YADIN DEAD AT 67

TEL AVIV, June 28 (JTA) — Yigael Yadin, a world famous archaeologist who also achieved prominence in Israeli military and political affairs, died suddenly today at his home in Michmoret, north of Netanya. He was 67.

Yadin served as Chief of Staff of the Israel Defense Force from 1949-52 and was a Deputy Premier in the government of former Premier Menachem Begin from 1977-81.

The cause of death was not immediately announced. His brother, the actor Yossi Yadin, said Yigael telephoned him to say he was feeling ill and wanted to be driven to the Hadera hospital. "I told him to get dressed while I went to get the car. But I was then told he had collapsed on the lawn. We called a doctor and rushed him to the hospital where doctors made every attempt to save his life, but in vain," his brother told the press.

Yigael Yadin won international fame for his work on the Dead Sea Scrolls, which his father, the late Elazar Sukenik purchased from an Arab goatherd following the discovery in the Qumran Caves shortly after World War II. He was also acclaimed for reconstructing Herod's fortress at Masada and his digs at Hazor.

Yadin was born in Jerusalem in 1917. He earned his Masters degree at the Hebrew University in 1945 and a Ph.D. in 1955 and, between archaeological expeditions, was a professor of archaeology at the Hebrew University since 1959.

He was a member of Haganah, the underground defense force of the Jewish community in Palestine from 1932 until the founding of the State in 1948. He served as chief of staff, chief of the planning section and chief of operations of Haganah between 1940-1947. Before his promotion to Chief of Staff of the IDF, he served as its chief of operations and was a delegate to the Israeli-Arab armistice negotiations in Rhodes in 1949.

Yadin left the army in 1952 to devote his career to archaeology and writing. He entered politics shortly before the 1977 Knesset elections as leader of a new party, the Democratic Movement for Change (DMC) which took a dovish position on many issues. The fledgling party won 15 Knesset seats in 1977 and seemed, for a time, destined to become a significant force in Israeli politics.

Although Yadin's philosophy differed sharply with Begin's hard line, he agreed to join the Likud-led coalition on condition that members of his party be allowed to vote their conscience on issues involving the occupied territories and the status of religion. He accepted the office of

Deputy Prime Minister. Despite this, the DMC proved to have little influence on government policies. Members became disenchanted, the party split and by the next elections in 1981, it had ceased to exist.

Yadin, a secular Jew, believed firmly that the Bible, on the whole, was an accurate historical account. He told Hershel Shanks, editor of the Biblical Archaeological Review, that assertions which claim archaeology disproves the Bible are absolutely untrue.

On the other hand, Yadin was a vigorous opponent of religious coercion. Last April he announced the formation of a new public body, the Public Committee for the Freedom of Science, Religion and Culture in Israel dedicated to fighting "the ever-recurring attempts at religious coercion by those who pretend to be guardians of halacha."

JEWISH ELDERLY HOLD FIRST CONFERENCE ON PROBLEMS OF AGED

WASHINGTON, June 28 (JTA) — Jewish senior citizens held their first national conference here this week to discuss the multitude of problems affecting the elderly, and specifically the Jewish aged, and how they might be solved.

The National Conference of Jewish Community Senior Advocacy Groups convened June 24-25. Its cosponsors included the Jewish Association for Services for the Aged (JASA) of New York; its subsidiary, the Joint Public Affairs Committee (JPAC) for Older Adults; the Council of Jewish Federations; the Jewish Welfare Board; and the Federation of Jewish Philanthropies of New York. All maintain or finance programs for the aged.

Sam Sadin, who chaired the conference, noted that it represented "the first attempt by Jewish community groups throughout the country to meet together on issues concerning the elderly." He urged Jewish groups nationwide to devote more of their resources to services for the aged, pointing out that Jews have a higher percentage of elderly than any other ethnic group in the country.

Nevertheless, there are "major Jewish communities that do not have aging services," he said. He added that private philanthropy can meet social needs only in partnership with the government.

The delegates, representing 19 Jewish-sponsored senior citizen programs in 11 states focussed on the problem of health care in the U.S. Eric Shulman of the National Council of Senior Citizens told a workshop session that health care costs have increased 1,000 percent in the past 20 years. He criticized recent legislation calling for higher Medicare premiums. They "blame the beneficiary" and built inflation into the system, he said.

Jack Christy, of the American Association of Retired Persons (AARP) said the solution lies in limiting those costs and restructuring the system. Dr. Arthur Flemming, former Secretary of Health, Education and Welfare, said "We can't move forward on any health issue unless we tackle the issue of cost containment."

Participants in the conference proposed at its close the formation of an on-going steering committee to serve as a clearing house for information about legislative issues and methods of social action that will serve Jewish senior citizen advocacy groups.