

JEWISH GROUPS HAIL SUPREME COURT DECISION BANNING SILENT PRAYER IN PUBLIC SCHOOLS AS UNCONSTITUTIONAL
By Kevin Freeman

NEW YORK, June 5 (JTA) — The Supreme Court decision yesterday by a vote of 6-3 striking down an Alabama law authorizing a daily one-minute of silence for prayer or meditation to public schools was hailed today by four American Jewish organizations.

The four-American Jewish Committee, American Jewish Congress, the Anti-Defamation League of B'nai B'rith, and B'nai B'rith International — said they view the court's decision as a major victory in the fight against efforts to establish state-sponsored voluntary prayer in public schools.

The court's ruling is a strong reaffirmation of its historic 1962 decision taken by the Warren Court, that banned officially sponsored vocal prayer and Bible reading in public schools, partly because such activities implied state sponsored support of a religion or of one religion over another.

Other States' Laws May Be O.K.

Nevertheless, while the court ruled yesterday against the Alabama "moment of silence" law, it suggested that such statutes which exist in varying versions in some 25 states, including New York, New Jersey and Connecticut, may be constitutional and not violate the First Amendment's prohibition of an official establishment of religion.

The Alabama law, however, was struck down because it endorsed religion as a "favored practice," the court said, adding that "the legislative intent (of Alabama lawmakers) to return prayer to the public schools is, of course, quite different from merely protecting every student's right to engage in voluntary prayer."

Writing for the majority, Associate Justice John Paul Stevens also said that the Alabama lawmakers' "endorsement" of prayer as a "favored practice" is "not consistent with the established principle that the government must pursue a course of complete neutrality toward religion."

Dissenter Denies Government Must Be 'Neutral'

But Associate Justice William Rehnquist, in his dissenting opinion, declared: "Nothing in the Establishment Clause requires government to be strictly neutral between religion and irreligion. It would come as much to the shock of those who drafted the Bill of Rights as it will to a large number of thoughtful Americans today to learn that the Constitution prohibits the Alabama legislature from 'endorsing' prayer."

The court decision yesterday centered upon a portion in 1981 Alabama law which declared: "At the commencement of the first class of each day in all grades in all public schools, the teacher in charge of the room in which each class is held may announce that a period of silence not to exceed one minute in duration shall be observed for meditation or voluntary prayer, and during such a period no other activities shall be engaged in."

The case against the Alabama law was brought by 41-year-old Ishamel Jaffree, an agnostic who is employed as a lawyer by the Legal Services Corporation of Alabama. He filed suit in 1982 against the Mobile County School Board after his three children complained to him that their teacher had led prayers in school. The suit was expanded to challenge the state law permitting a moment of "meditation or voluntary prayer" and separate statute providing for teacher led prayers.

Teachers Can't Lead Prayers

In the spring of 1984 the supreme court let stand a ruling by the United States Court of Appeals for the 11th circuit in favor of Jaffree's suit except with regard to the meditation and prayer statute, which it agreed to review. The court's ruling in Washington yesterday also declared unconstitutional a companion law that permitted teachers to lead students in a vocal prayer to God as "the Creator and Supreme Judge of the World."

The AJCommittee's legal director, Samuel Rabinove, said the court's decision was in concert with the AJCommittee's view that "organized prayer, whether spoken or silent, constituted an act of worship that has no place in public school classrooms or assembly."

The AJCongress's president, Theodore Mann, called the court's ruling "a major victory in the battle to keep religious activity out of the nation's public schools. Students continue to enjoy a constitutionally protected right to pray silently whenever they choose, but the Supreme Court decision recognizes that it is not the business of government, through its public schools, to encourage or promote such religious activity."

Wall Of Separation Maintained

The ADL's Civil Right Committee chairman Seymour Reich hailed the Court's decision as "a reaffirmation that organized religious activities do not belong in our nation's public schools" and called the court's action "a major decision supporting the fundamental constitutional principle of separation of church and state."

Daniel Thursz, B'nai B'rith executive vice president, said the court's ruling "clearly maintains the wall separating church and state," and that it will prevent public schools from being turned into religious battlegrounds. "Although we may have a question about meditation, which the Supreme Court allows, we believe it is better than offering exercises which can only heighten the differences in religious practice in this country," Thursz said.

The court's decision, one of several on matters of religion that the high court is expected to issue before it adjourns later this month or early in July, was viewed as a setback for President Reagan who campaigned last year for a return to school prayer. The Justice Department supported the Alabama law as a "way to accommodate the religious needs of school children."

LU GAR BACKS ARMS FOR JORDAN

By Theo Stone

WASHINGTON -- June 5 (JTA) -- Sen. Richard

Lugar (R. Ind.), chairman of the Senate Foreign Relations Committee, has gone on record in favor of the Reagan Administration's plans to sell advanced weaponry to Jordan without preconditions. Although in the minority on that issue, he is a powerful advocate of the Administration's position in the Republican-controlled Senate.

Lugar has just returned from his first tour of the Middle East as chairman of the Foreign Relations Committee. His name is conspicuously absent from the list of 69 co-sponsors — 43 Democrats and 26 Republicans — of a resolution introduced yesterday by Sen. Edward Kennedy (D. Mass.) and Sen. John Heinz (R. Pa.) opposing arms sales to Jordan until that country enters into direct peace negotiations with Israel.

The non-binding resolution was immediately criticized by the Administration as "a serious mistake" which could jeopardize prospects for advancing the peace process in the Middle East.

Lugar said after a meeting with Republican senators yesterday that he thought the Kennedy-Heinz resolution "was not a good idea." He said he was urging the GOP lawmakers not to support it.

Kennedy Calls Resolution 'Clear Signal'

Kennedy said yesterday that "the introduction of our resolution at this time, sponsored by more than two-thirds of the members of the Senate, is a clear signal to the Administration of our desire to give priority to the Camp David process and to oppose destabilizing arms sales in that volatile region." He added that what is needed is "not more sophisticated arms for Jordan but more sophisticated diplomacy to bring Jordan into the Camp David peace process."

But Secretary of State George Shultz, who left yesterday for a NATO meeting in Lisbon, told reporters on his plane that the resolution was "not a service to the peace process." Shultz, before his departure, urged Senators not to act on the resolution, noting that King Hussein of Jordan "has taken some important initiatives that are positive and move in the direction of direct negotiations."

He said, referring to the resolution, "to meet these moves by the Senate sticking its finger in his eye doesn't seem to me to be a particularly good thing for the United States to do."

Lugar Denies Meeting Arafat

Sen. Robert Dole (R. Kan.), the Majority Leader in the Senate, said that Sen. Heinz has said he did not plan to press for immediate passage of the resolution.

A spokesman for Lugar meanwhile denounced as "disinformation" media reports that the senator met with Palestine Liberation Organization chief Yasir Arafat during his Middle East tour. Lugar's press secretary said he had met with "just about everybody" including Israeli Premier Shimon Peres, Foreign Minister Yitzhak Shamir, President Hosni Mubarak of Egypt and Crown Prince Hassan of Jordan. But he flatly denied meeting Arafat.

BIALKIN WARNS SELLING FIGHTERS TO JORDAN WOULD CREATE IMBALANCE

NEW YORK, June 5 (JTA) — The Conference of Presidents of Major American Jewish Organizations said today that reports of a proposed sale of advanced fighter aircraft to Jordan if true would "seriously imbalance" the military equation in the Middle East and introduce an added measure of instability into the region.

Kenneth Bialkin, chairman of the Presidents Conference, said such an imbalance "would not serve American interests nor Middle East peace" and suggested that the American Jewish community should be "prepared to face again the divisive issue of sophisticated American weapons being sold to so-called moderate Arab states."

The Reagan Administration has indicated that it is ready to provide King Hussein of Jordan with new sophisticated military hardware. Congress has indicated its strong opposition to the proposed arms sales until Jordan engages in direct negotiations with Israel for a peace settlement in the Middle East.

Bialkin, in his statement, declared: "At the very least, such sales will create additional problems for Israel by placing an added financial burden on its economy that could severely threaten the chances of economic recovery. Because its traditional enemies are now heavily armed, Israel would be forced to take necessary steps to maintain its qualitative edge. This means that it must acquire more sufficient additional arms to assure that any weapons sold to hostile Arab states would not jeopardize the qualitative military edge that Israel now enjoys."

PERES WARNS AGAINST 'NEGATIVISM' IN ISRAEL'S RESPONSE TO U.S. INITIATIVE By David Landau

JERUSALEM, June 5 (JTA) — Premier Shimon Peres admitted today that he is concerned over some aspects of the Reagan Administration's approach to Middle East peace negotiations involving the Palestinians. But he warned that Israel must avoid the image of "instinctive negativism" in response to the current American initiative.

Addressing the Labor Party's Knesset faction, Peres said he was disturbed by Washington's readiness to meet with a joint Jordanian-Palestinian delegation that would include members of the Palestine National Council (PNC) because it could be the first step toward eventual U.S. recognition of the Palestine Liberation Organization. Israel regards the PNC as part of the PLO.

However, while conceding a "drawing together" of the American and Jordanian positions on the Palestinian component of a negotiating team, Peres stressed that the U.S. still solidly opposed an international peace conference as the forum for negotiations proposed by King Hussein of Jordan. Peres said Washington is seeking an alternative international framework, possibly involving the West European nations, to provide the multinational "umbrella" Hussein says he needs to cover a peace dialogue with Israel.

Negotiations Without Preconditions

Israel's position must be a readiness to negotiate without preconditions, Peres told his party colleagues. He barred talks under any circumstances, with the PLO but on the other hand, Israel, he stressed, could not insist prior to negotiations that they be conducted within the framework of the 1978 Camp David accords.

He was referring to the long standing position of Likud, Labor's partner in the unity coalition government, that Camp David has to be the sole basis for advancing the Middle East peace process. Peres noted that the Labor Party never accepted that view. He observed that since Jordan was not a party to the Camp David accords, it is not possible to demand that Hussein subscribe to them as the exclusive basis for new negotiations.

WJC ACCUSES WEST GERMANY OF REFUSING TO TAKE DEPORTED NAZIS

By Kevin Freeman

NEW YORK, June 5 (JTA) — The West German government was today charged with engaging in what the World Jewish Congress said is a deliberate campaign aimed at restricting entry into the Federal Republic of alleged Nazi war criminals deported from the United States.

The WJC revealed that a letter written in 1984 by the West German Consul General in Washington, Elfriede Kruger, to the Justice Department, confirms West Germany's refusal to accept any deportees that are not of German nationality. The letter is included in court documents filed in connection with the case of accused Nazi war criminal Karl Linnas.

The WJC also charged that German authorities are seeking to force the United States to accept the return of Arthur Rudolph, the former NASA official who surrendered his American citizenship and returned to his native Germany last year after the Justice Department revealed that he had participated in persecuting slave laborers at the Nazi V-2 rocket factory during World War II.

W. Germany Issues Statement

The West German Embassy spokesman in Washington told the Jewish Telegraphic Agency today in a formal statement that "we are in contact with the U.S. government in this matter. We examine every individual case which is presented to us by the U.S. government. We have informed the U.S. government in which case and under what conditions we are or are not in a position to allow such persons into Germany. We are not aware of any requests made by the U.S. government at the present time." He would comment no further on the WJC's charges.

The majority of alleged war criminals currently under investigation by the Justice Department's Office of Special Investigations are East Europeans who collaborated with the Nazis, and a West German policy of restricting acceptance of deportees from the United States would presumably prevent these war criminals from being sent there and tried for their war crimes under West German law.

Policy Called 'Unpardonable'

Kalman Sultanik, WJC vice president, called the West German policy of limiting its acceptance of Nazi deportees as an "unpardonable violation of its moral and legal obligations to assist in efforts to bring Nazi war criminals to justice." The decision, he asserted, "makes a mockery of Chancellor Helmut Kohl's insistence that his nation 'cannot and does not wish to evade responsibility for the past'."

According to the WJC, the 1984 Kruger letter contradicts a letter written in 1954 from the German foreign office to the American Embassy in Bonn. The 1954 letter stated that West Germany is "prepared to readmit" to that country "any person who has received a visa from the United States under the refugee act of 1953" or if it is determined that the person received the visa through fraud or misrepresentation.

The Justice Department, in pursuing the deportation of alleged war criminals from the United States, seeks to establish that the individual lied about his

war time activities when he gained admission into the United States and when the individual applied for U.S. citizenship. The Kruger letter is part of public court records from the trial of Linnas, who was ordered deported from the U.S. in 1983 for his participation in the murder of inmates of the Nazi concentration camp at Tartu, Estonia, and for lying about his past war time activities in order to gain entry into the U.S. Linnas has been stripped of his U.S. citizenship.

Kruger, in his letter, advised the U.S. government that West Germany "is not in a position to receive Karl Linnas" because West Germany, according to the letter, "is only willing to receive deportees of German nationality," Linnas, born in Estonia and who immigrated to the U.S. from West Germany in 1951, never obtained German citizenship.

Germany Refused To Take Trifa

Another similar case involves Archbishop Valerian Trifa who has been stripped of his U.S. citizenship and deported from the U.S. for his activities as a leader of the anti-Semitic Iron Guard in Rumania in 1941 which incited anti-Jewish riots in Bucharest. Hundreds of Jews were killed there.

The West German authorities, according to the WJC, balked when the U.S. requested that they accept Trifa in 1982. Trifa has since left the U.S. and is reportedly living "at liberty" in Portugal. "These individuals were full participants in Nazi Germany's brutal plans for conquest and annihilation, were protected by the German Nazi regime and were openly aided by it. Yet the present day West German government seeks to find legal loopholes so as to avoid the responsibility of accepting these deportees," Sultanik said.

Germany Protests Rudolph Return

Meanwhile, Sultanik said the WJC has learned that West German officials here issued a formal protest to the State Department for allowing Rudolph to go to West Germany. Sultanik asserted that the West German protest, filed by an unidentified West German official in Washington, included a demand that Rudolph be admitted to the U.S.

Rudolph has strongly denied that he persecuted slave laborers when he directed production of the V-2 rockets at an underground factory attached to the Dora-Nordhausen camp in 1943-1945. It is estimated that a third to one half of Dora's 60,000 prisoners died. Rudolph, at NASA, was responsible for developing the rocket that carried Americans to the moon and received high awards from NASA for his work.

JERUSALEM, June 5 (JTA) — Harvey Krueger, chairman of Hebrew University of Jerusalem, Executive Committee, was elected chairman of the Board of Governors. Krueger of Shearson Lehman Brothers, was instrumental in founding the United Jewish Community in Bergen County, N.J. He is a member of the board and executive committee of the American Jewish Joint Distribution Committee as well as being active in the board of the Wurzwiler School of Social Work of Yeshiva University. In 1980, Krueger was voted in as National President of the American Friends of the Hebrew University and served until his recent appointment. He also spent time as the National Chairman of the Founders Program which is an endowment organization affiliated with the university.

DEMONSTRATION OUTSIDE UN URGES SYRIA TO RELEASE 4 ISRAELI SOLDIERS

By Yitzhak Rabi

NEW YORK, June 5 (JTA) -- More than 200 people demonstrated yesterday at Dag Hammarskjöld Plaza, across from the United Nations, calling on the Syrian government to release four Israeli soldiers, who are believed to have been in Syrian custody for the past three years.

The demonstrators, carried picture-posters of Zachary Baumel, Zvi Feldman, Yehuda Katz, and Samir Assad. Three have been missing since June 11, 1982 when the Israel Defense Force invaded Lebanon. Assad has been missing since April, 1983.

New York City officials, among them Carol Bellamy, the City Council President, and City Clerk David Dinkins, and Christian and Jewish religious leaders took part in the demonstration, urging Syrian authorities to follow the Geneva Convention and allow the Red Cross to visit the missing Israeli prisoners.

Syria so far has not acknowledged holding the Israelis but the three Israeli soldiers who were captured on June 11, 1982 were paraded that day in the streets of Damascus. Naif Hawatmeh, the Palestinian terrorist leader, admitted in 1984 that he is holding Assad. Later, however, his group claimed that Assad had been killed.

Sens. Daniel Moynihan (D. NY) and Alfonse D'Amato (R. NY), in statements read at the demonstration in their behalf, called on the Syrian government to follow international law and release the Israeli prisoners. The parents of one of the prisoners, Miriam and Jona Baumel, arrived from Israel to take part in the demonstration.

In a short speech, the parents, who emigrated 15 years ago from New York to Israel, called on the Syrian government to show compassion and to acknowledge the fact that the Israeli soldiers are in Syrian custody and to release them.

The hour-long demonstration was organized by the Jewish Community Relations Council of New York in cooperation with Baumel's parents.

INDIA'S PRESIDENT ATTENDS CEREMONY FOR CENTENARY OF SYNAGOGUE IN BOMBAY

BOMBAY, June 5 (JTA) -- President Zail Singh of India, opening the centenary celebrations of the Knesset Eliyahoo Synagogue here, kindled a menorah and lauded the contributions of India's Jewish community to the nation in business, industry, civil service, the armed forces and scholarship.

The Jewish community will continue to receive the government's support and the nation would always acknowledge and respect the rich contribution made by Jews to India's heritage, the chief of State told the members of the 100 year-old congregation, the World Jewish Congress reported.

Mrs. Sophy Kelly, president of the synagogue, noted that the President of India "was with us for two solid hours and expressed great interest in Jews, Judaism and the State of Israel." She added that the function was covered by the major media and "the publicity created great sympathy for the Jewish religion, the Jewish people and the State of Israel."

Singh's remarks were in sharp contrast to those of India's Prime Minister Rajiv Gandhi, in an interview published in the Paris daily *Le Monde* yesterday, in which he called Israelis "too belligerent" and said India would not establish diplomatic ties with the Jewish State until "it will change its atti-

tude on a number of issues." Gandhi is due in France Thursday on an official visit. The Knesset Eliyahoo Synagogue was built in 1884 by Jacob Sasson to commemorate the name of Elias David Sasson who fled to India from Iraq to escape persecution. The Jews who came to India from Baghdad are known as "Baghdadis" and have two synagogues. Jews who immigrated earlier are known as Bnei Israel and have five synagogues in Bombay.

The commemoration ceremonies attended by Singh included the singing of the Indian and Israeli national anthems.

TEKOAHS WARNS PALESTINIAN ENTITY WOULD CREATE 'LEBANON SITUATION' ON WEST BANK

NEW YORK, June 5 (JTA) -- An Israeli diplomat warned here that to create "a confederate connection between a Palestinian entity and Jordan" would amount to "creating the Lebanon situation on the West Bank."

Yosef Tekoah, who was Israel's Ambassador to the United Nations from 1968-1975 and is now Chancellor of Ben-Gurion University of the Negev in Beersheba, spoke at the Founders Dinner of the American Associates, Ben-Gurion University of the Negev at the Grand Hyatt hotel Tuesday night. He made no reference however to President Reagan's September 1, 1982 Middle East initiative which favors a Palestinian entity in the West Bank and Gaza Strip in federation with Jordan.

Tekoah, who also served as Israel's Ambassador to Brazil and the Soviet Union during his diplomatic career, was sharply critical of the latest ideas advanced by King Hussein of Jordan and apparently acceptable to the Administration in Washington. This is for a joint Jordanian-Palestinian delegation to negotiate an Arab-Israeli peace settlement, an approach Hussein said was agreed to by Palestine Liberation Organization chief Yasser Arafat.

Wonders Why PLO Being Boosted

But Tekoah said he has "no explanation why King Hussein should feel that he who exiled Yasser Arafat and the PLO 15 years ago in order to insure his own personal future, the future of his regime and his throne, should now become the spokesman for Yasser Arafat and the PLO, to try to build him up once again."

"No less disconcerting," he said, is "that our great friends and allies in the United States of America are still probing, as if the problems of the Middle East were not clear after almost 37 years of continuous preoccupation with them. As if it were not clear that to boost the PLO and Yasser Arafat today, when there might once again be a chance to move in the direction of peace between Israel and another neighboring Arab state, is completely wrong."

He added: "Why should our friends, who for so many years have been working together with us for peace in the Middle East, not understand that to try to receive a Jordanian and Palestinian delegation in which Yasser Arafat's friends, supporters -- even if they do not wear the formal badge of membership in the PLO -- would participate, and if what they are demanding today, a confederate connection between a Palestinian entity and Jordan were in fact created, this would mean -- let us have no illusions about it -- creating the Lebanon situation on the West Bank."

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NEW YORK (JTA) -- Haifa University Professor Gabriel Warburg, head of the Israel Academic Center in Cairo, reports that some 1000 Egyptian students are studying Hebrew and Jewish studies at three Cairo universities.