

ISRAEL LEARNS 'KIDNAPPING' OF 11 SLA SOLDIERS CHARADE PLAYED BY SOLDIERS, UNIFIL, AMAL MILITIA

By David Landau

JERUSALEM, June 26 (JTA) — Israel is more than mildly embarrassed by the recent "kidnapping" of 11 soldiers of the South Lebanon Army (SLA) which turned out to be a charade colluded in by the soldiers, the United Nations Interim Force in Lebanon (UNIFIL), the Shiite militia Amal and possibly the SLA itself. Only Israel was unaware of the sham.

The SLA is armed, trained and financed by Israel as its chosen instrument to maintain security and prevent terrorist infiltration of the security belt along Israel's border with Lebanon. On June 7, 11 SLA soldiers were allegedly abducted by a Finnish contingent of UNIFIL following a skirmish near Kantara village in south Lebanon. The Finns turned them over to Amal, a bitter foe of the SLA and hostile to Israel.

Israel protested vigorously to UNIFIL and dismissed out of hand suggestions that the 11 soldiers, all Shiites in the mainly Christian SLA, had deserted. Only a few weeks earlier, 28 SLA men had indeed deserted. But Israel stood by its ally, SLA commander Gen. Antoine Lehad. Israeli diplomats at home and abroad energetically defended the SLA version of the incident.

The Israelis produced logical, if circumstantial evidence that there had been a kidnapping. When Lehad seized 23 Finnish soldiers as hostages for his own men, Israel justified his act though it did not condone it. It fended off the indignation of the Finnish government.

Berri Played Role

Amal leader Nabih Berri entered the scene. Berri, who presently claims he controls the fate of 40 American hostages held by the Shiite extremists who hijacked TWA Flight 847 on June 14, bargained with Israel over the SLA men. He said they would be released if Israel freed 766 Shiite prisoners in the Atlit detention camp. These are the same prisoners the hijackers demand in exchange for the American hostages. Israel rejected the offer.

Foreign journalists invited to the Amal camp, filmed the 11 SLA soldiers sitting on a floor with the helpless, dejected look of prisoners surrounded by heavily armed Amal guards. But all of this was theater.

Soldiers Were Deserters

An internal inquiry into the incident ordered by United Nations Secretary General Javier Perez de Cuellar, disclosed that the 11 SLA soldiers were deserters; that their skirmish with and capture by the Finnish soldiers of UNIFIL was rehearsed — the skirmishers carefully shot over each others heads — and that Amal went along to gain leverage over Israel.

Lehad's seizure of 23 Finnish soldiers was genuine. They were held for several days at SLA headquarters at Marjayoun and freed after Lehad won a long sought concession — defacto recognition of his militia by UNIFIL.

Israel alone remained abashed. The reliability of its ally was placed in serious doubt and its diplomatic exertions on behalf of that ally made the Israelis appear, to say the least, foolish.

HIGH COURT RULES UNCONSTITUTIONAL LAW PROTECTING WORKER WHO OBSERVES SABBATH

By Ben Gallob

NEW YORK, June 26 (JTA) — The Supreme Court ruled today by a 7-2 vote that a Connecticut state law protecting the right of employees to absent themselves from work on their Sabbath is unconstitutional. But a Jewish expert on such laws said here that the ruling seemed unlikely to affect similar laws protecting observant Jews in other states.

Dennis Rapps, executive director of the National Jewish Commission on Law and Public Affairs (COLPA), provided that analysis to the Jewish Telegraphic Agency. COLPA and the American Jewish Congress acted as attorneys for Donald Thornton, then a store manager for one of the Caldor chain stores in Connecticut. The Jewish organizations entered the case when the state Supreme Court ruled it unconstitutional in 1983.

Rapps said the Jewish organizations entered the case at that point, seeking a Supreme Court ruling because, though Thornton was a Presbyterian and had sought to be off work on Sundays, the issue involved similar laws in many states under which Jews have such protection.

The American Jewish Committee participated by filing a friend of the court brief in support of the COLPA-AJCongress action.

Law Did Not Require 'Reasonable Accommodation'

Rapps said the Supreme Court, in its ruling today, focussed on the "absolute nature" of the Connecticut law, meaning that the Connecticut law had no provision, as do all other such state laws, requiring the employer to try to make "reasonable accommodation" to such requests for Sabbath absences. Under that clause, an employer may require a Sabbath observer to work on his or her Sabbath if his or her absence would create severe hardship for the employer's business.

Rapps said the Supreme Court, in its ruling today, had displayed "an unfortunate lack of sympathy" for the protection of the rights of religious minorities.

"We believe that a statute designed to permit conscientious believers to avoid having to choose between their religion and their livelihood is constitutional" he said.

Rapps said that, in focussing on the "absolute nature" of the Connecticut law, the high court left intact the standard of reasonable accommodation for religious observance provided in a 1972 amendment to the 1964 Civil Rights Act. COLPA prepared the amendment, which was passed by Congress and signed by then President Nixon in 1972.

The COLPA official also contended that "from a strictly legal standpoint," the Supreme Court was in error in focussing on the "absolute nature" of the Connecticut law. Rapps said the sole issue the Supreme Court should have considered was whether or not the state law constituted an "impermissible preference" for religion. The state Supreme Court held such an "impermissible preference" was manifested by the state statute and ruled it unconstitutional for that reason.

The COLPA expert said that the ruling of the Supreme Court today should not have any adverse affect on such laws protecting Sabbath observers, Jewish and non-Jewish, from working on their Sabbaths. He said the Supreme Court emphasis on the state law's "absolute nature" might even strengthen the perception of the idea that a Sabbath protection law with an element of "reasonable accommodation was in fact constitutional.

He said the Supreme Court has never ruled on the issue of "reasonable accommodation."

ISRAELI OFFICIALS STRESSING DESIRE TO COOPERATE WITH U.S. ON HIJACKING

By David Landau and Hugh Orgel

JERUSALEM, June 26 (JTA) — Israeli leaders are stressing their desire to "cooperate" with the United States to resolve the Beirut hostage crisis, and are using every public occasion to express their concern and sympathy for the 40 Americans held captive in Beirut by the Shiite Moslem extremists who hijacked TWA Flight 847 12 days ago.

A former Israeli Chief of Staff, Gen. Rafael Eitan, said meanwhile that it would not be difficult for the U.S. to blockade Lebanon if necessary to hasten release of the hostages. And the former U.S. Ambassador to the United Nations, Jeanne Kirkpatrick, who arrived on a visit to Israel today, blasted the UN for what she said was its impotence in acting against international terrorism.

Premier Shimon Peres disclosed yesterday that he has written to President Reagan "about understanding, friendship and cooperation." He told reporters later, during a visit to a Druze village, that "Our concern for the safety of the hostages is no different than if they were our own hostages."

Defense Minister Yitzhak Rabin, who was criticized here last week for saying the hijack crisis was "purely an American problem", spoke yesterday of "Israel's readiness to cooperate with the United States against this terrorism."

Uneasiness Beneath Surface

The remarks by Peres, Rabin and other ranking Israeli policymakers reflected an uneasiness with the beneath-the-surface cooling of relations with the Reagan Administration since the hostage crisis unfolded and worry over the strong U.S. media criticism of Israel. The latter, they believe, creates or reflects a perception by many Americans that the hostages would be released quickly if Israel freed the more than 700 Shiite Moslems it still holds in the Atlit detention camp.

That is the demand of the hijackers, conveyed to the world, but specifically to Washington, by Nabih Berri, leader of the Shiite militia Amal. Berri, seen by the West as a "moderate", has set himself up as go-between in the hostage crisis. He claims he can protect the American captives from the Shiite extremists who hold them, though not indefinitely.

Israel's basic policy is that it will make no concessions to the hijackers whom it considers terrorists and

will not agree to free the Atlit prisoners en-masse unless asked to by the Reagan Administration. But the American signals seem strangely mixed. From the outset Administration leaders, from President Reagan on down, insisted the U.S. would make no concessions and would never ask anyone else to do so. At the same time, Washington reminded the world that it considered Israel's transfer of the 700-odd Shiites captured in Lebanon to a prison camp in Israel to be in violation of international law as embodied in the Geneva Convention.

Vice President George Bush, visiting West Germany yesterday, was asked by reporters about the Shiite prisoners in Israel. He said it was U.S. policy "to welcome the release of people illegally held hostage." He also stressed that the Administration was against "knuckling under" to terrorist demands. But his remarks implied that the Shiites held by Israel are no less hostages than the American captives in Beirut. At the same time, Bush maintained that the terrorists "haven't had any success" in their strategy to drive a wedge between the U.S. and Israel.

In the absence of any clear cut directive from the U.S., Israel apparently intends to continue its phased release of the Atlit prisoners. It freed 31 of them Monday and transported them to Lebanon, insisting that this was in no way linked to the hostage crisis but part of an ongoing process of repatriating Lebanese nationals detained by Israel.

Officials here said that Washington had welcomed that action in the hope it would elicit a conciliatory response from Berri. It did not and the Americans are said to have signaled that further releases would be unwise if there is no reaction from the other side.

Kirkpatrick Urges UN Action

Israel gave a rousing welcome to Kirkpatrick today. Her week-long visit will include briefings by top government officials and a meeting with former Premier Menachem Begin who has lived in virtual seclusion since his resignation in 1983 and rarely receives visitors.

Kirkpatrick is here to deliver a lecture at Tel Aviv University on the subject of "the delegitimization of Israel at the United Nations." In remarks to reporters at Ben Gurion Airport she lashed out at the world organization to which she was the U.S. envoy for five years.

Any attempt to secure the freedom of the American hostages should be made by the UN, Kirkpatrick said, which should deal with the hijackers and the Lebanese government. But she thought UN action against terrorism was difficult because of the political make-up of the Security Council.

"Very frequently, in the Security Council, there is no consensus on the Middle East, no consensus on terrorism generally, and an unwillingness on the part of all members, specifically including the Soviet Union, to join in even a routine condemnation of acts of terrorism," Kirkpatrick said.

She added: "I always thought there was one issue on which diplomats ought to be able to agree — that diplomats should not become the objects of violence. And yet in more than four years we were never able — working with the French and others — to persuade the Soviets to join with other members of the Security Council in an anodyne statement opposing violence against diplomats."

Meanwhile, former Chief of Staff Eitan, reacting to reports from Washington this week that the Administration was considering a military option to secure the release of the hostages, maintained that a maritime blockade of Lebanon posed no technical difficulties

for the U.S. and would not require assistance from Israel. If the U.S. requested such assistance it should be discussed carefully, he said, but the main responsibility for freeing the hostages rests with Washington.

Eitan Sees Blockade Easy

Eitan, who was Chief of Staff during the war in Lebanon, said the long exposed Lebanese coastline was ideal for a blockade operation. He said modern electronic surveillance equipment made it easy to watch any vessel, large or small, approaching Lebanon. But he thought the announcement alone that the U.S. was considering such measures would have the desired effect.

He suggested Berri's announcement today that one of the hostages will be released immediately was probably a result of the American threat. The hostage in question was said by Berri to be ill with a heart condition. Most observers saw in Berri's announcement a desire by the Amal leader to be perceived as a compassionate man who is in control of the hostage situation.

Eitan seemed to favor a U.S. blockade of Lebanon, the mere threat of which would frighten off many ships, he said. The main trade of that country these days is smuggling contraband, he noted, and a blockade would put considerable pressure on Lebanese government authorities and the heads of the various communities and militias who make their money directly from smuggling, he said.

REFORM RABBIS REJECT PROPOSAL TO DROP FRIDAY NIGHT SERVICES

MINNEAPOLIS, June 26 (JTA) — Delegates to the 96th annual convention of the Central Conference of American Rabbis (CCAR) rejected strongly yesterday by a voice vote a proposal made by the CCAR president, Rabbi W. Gunther Plaut, at the opening convention that the late Friday evening service, long established in Reform Judaism, be eliminated "as the centerpiece of Reform religious expression."

The outgoing CCAR president proposed that Reform rabbis encourage congregants to observe a traditional Sabbath dinner at home on Friday evening and then attend worship services on Saturday morning.

Many of the delegates expressed vigorous objections to the idea in debate following the Plaut address. When the matter came to a vote yesterday, the strength of the opposition shocked Plaut so much that a motion was approved to refer his proposal, without recommendation, to the CCAR Committee on Reform Jewish Practices.

Plaut Points To Low Attendance

In proposing the elimination of Friday evening service, a Reform staple for more than 100 years, Plaut said low attendance at Friday evening services indicated that "our people are telling us something by their very absence." Many of the delegates disputed Plaut's analysis.

He said he opposed having the rabbis expend their energy "on the self-defeating enterprise of organizing Friday night services measured not by its intensity of prayer but by the number who come to attend it."

He proposed also that the synagogue should be redirected into a "bet midrash" (house of study) where Jews go to study. He emphasized that Jews

should lead a life of good deeds and thus the chief good deed (mitzvah) is not "come to the synagogue" but rather to "lead a Jewish life."

UJA REPORTS 25 PERCENT INCREASE IN PLEDGES By Gil Sedan

JERUSALEM, June 26 (JTA) — The United Jewish Appeal has recorded a 23 percent increase in pledges toward its 1986 target of \$745 million, the largest ever for a single year, UJA chairman Alex Grass told the Jewish Agency Assembly meeting here today.

Grass said about \$48 million has already been raised to fund "Operation Moses", the immigration of Ethiopian Jews to Israel.

Leon Dulzin, chairman of the Jewish Agency and World Zionist Organization Executives, reported that Project Renewal, the rehabilitation of slum neighborhoods, should be completed in this decade. He said the Jewish Agency would allocate about \$1 million this year for the vocational training of youngsters in development towns.

Jewish Agency Treasurer Akiva Lewinsky told the Assembly that in the last five years the Agency has invested about \$300 million in welfare and educational projects. He said a special effort was made to improve the quality of life in Galilee settlements. The Agency allocations were supplemented by government funds. Lewinsky said that this year the Jewish Agency would put more stress on developing existing settlements than building new ones.

SUPPORT FOR ISRAEL APPEARS LESSENING

WASHINGTON, June 26 (JTA) — A Washington Post-ABC News poll, conducted in three stages, indicated a small, but steady increase in the number of respondents who supported the statement that "the United States should reduce its ties to Israel in order to lessen the acts of terrorism against us in the Middle East."

In interviews with 508 people on Monday, June 17, 31 percent agreed and 53 percent disagreed with that statement. A poll of another 508 people two days later, on June 19, showed 33 percent agreeing and 53 percent disagreeing. Then in additional interviews with 555 people last Thursday through Saturday, 42 percent said they agreed and 41 percent disagreed.

The question was tied in with the hostage crisis unfolding in Beirut. Because the poll stopped Saturday night, it does not show the effect of Israel's decision to release a first group of 31 Lebanese Moslem prisoners, announced Saturday, or effects of other events of the last three days, the Post acknowledged.

The Post noted in an article on the survey results that the results of the poll last Saturday — 42 percent favoring the statement — produced nearly the same results as a poll taken after the massacre of Palestinians in Beirut refugee camps in September, 1982. At the time, 42 percent in a national poll said that because of the massacres, the United States ties with Israel should be reduced; 47 percent disagreed.

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JERUSALEM (JTA) — Justice Minister Moshe Nissim announced Wednesday that Israel will wait on drawing a formal conclusion on the identity of the body exhumed and examined this month in Brazil and believed to be that of Josef Mengele until Israeli experts have examined all the data. Meanwhile, the New York based American Gathering of Jewish Holocaust Survivors urged West Germany not to allow Mengele's remains to be buried in Germany.

JEWISH GROUP UNHAPPY WITH VATICAN DOCUMENT THAT FAILS TO CONSIDER RELIGIOUS SIGNIFICANCE OF ISRAEL

By Ben Gallob

NEW YORK, June 26 (JTA) -- A Jewish ecumenical group has vented serious criticism of a new Vatican document on Catholic-Jewish relations published in Rome Monday which it considers a retrogression from the historic "Nostra Aetate" (Our Times) that emerged from Vatican Council II in 1964 and the December 1, 1974 "Guidelines and Suggestions for the Application of the Declaration Nostra Aetate."

The criticism by the International Jewish Committee on Interreligious Consultations (IJCIC) was more in regret than anger. It referred to a document, "Notes on the Correct Way to Present the Jews and Judaism in Preaching and Catechesis in the Roman Catholic Church." The Notes, three years in preparation, are the work of the Vatican Commission on Religious Relations With the Jews, headed by Johannes Cardinal Willebrands.

They were presented at a Vatican press conference by the Rev. Father Pierre Duprey and Mgr. Jorge Mejia, vice president and secretary respectively of the Commission, and appeared in the Vatican organ, L'Osservatore Romano. According to a statement by the IJCIC yesterday, the Notes fail to acknowledge the religious significance of the State of Israel to the Jewish people and refer only briefly and superficially to the Holocaust.

The IJCIC member organizations are the American Jewish Committee, the Anti-Defamation League of B'nai B'rith, the Israel Interfaith Committee, the World Jewish Congress and the Synagogue Council of America, the umbrella organization of Reform, Conservative and Orthodox Judaism in the U.S.

Disappointed By Views On Jews, Judaism

The statement expressed the IJCIC's "disappointment over what we perceive to be the repressive spirit and formulation about Jews, Judaism, the Nazi Holocaust and the meaning of Israel." The Notes gave "little recognition of how the Jews conceive of themselves," the statement said.

It warned that the Notes "may undermine the gains we have achieved through dialogue, joint study and joint action in recent years. For this reason, we are all the more dismayed that unlike 'Nostra Aetate' itself and the '1975 Guidelines' which affirmed the duty of Catholics to consider the Jews a living people," the Notes were published "without prior consultation with the Jewish community."

Waxman Asks For Clarification

Rabbi Mordecai Waxman, IJCIC president, said he has sent a cable to Cardinal Willebrands asking for clarification and consultation on the Notes. The IJCIC statement said the Notes were "totally inadequate in providing Catholics with sufficient guidelines on how to teach, preach and understand" the Holocaust and the creation of Israel, the two events that have "decisively shaped the way Jews define themselves."

The statement cited as an example Paragraph 25 of the Notes which states that "The existence of the State of Israel and its political options should be envisaged not in a perspective which is in itself religious, but in their reference to the common principles of international law." The IJCIC statement observed that "even within this narrow frame of ref-

erence, nothing is said about Israel's right to exist or in the justice of her cause." The statement said that in the context of the Vatican's Notes, "Modern Israel is emptied of any religious significance for Christians" and "even Israel's profound religious significance for Jews" is mentioned "in such a recondite fashion as to be unrecognizable."

Absence Of Strong Statement On Holocaust

The statement found that "equally grievous is the vague, passing and almost gratuitous reference" to the Holocaust and observed that "the absence of a strong statement on the Holocaust is particularly painful."

The passage referred to says that "Catechesis should ... help in understanding the meaning for the Jews of the extermination during the years 1939-1945 and its consequences."

The IJCIC declared that the Notes aimed at remedying "a painful ignorance" among Catholics "of the history and traditions of Judaism" but the text of the Notes does not remedy that "painful ignorance" because "neither Jewish history nor Jewish traditions are explored in the Notes or even referred to as having an independent value. Indeed, the history and traditions of Judaism are appropriated by the Church."

The Notes allude to the "negative" relations between Jews and Christians "for two millenia but offer nothing of this history. How can Jews and Judaism be presented in Catholic teaching and preaching without some acknowledgement of the historical expressions of Christian animosity?" the statement asked.

Reform Leader Also Criticizes Statement

The Notes were also the subject of comment yesterday by Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations, the association of Reform synagogues. The UAHC is not a constituent of the IJCIC.

Schindler observed that this latest Vatican document "reintroduces a note of religious triumphalism." He added that "Any effort to improve understanding between the two faiths requires, above all, mutual respect. Each faith must learn to see the other as it defines itself."

Schindler said little progress could be made toward better relations "if one sees the other as being denied the means of salvation, and as somewhat lesser in the eyes of God. It is equally disappointing that the new Vatican document makes such short shrift of the Holocaust, and that it ignores the religious significance of the rebirth of the State of Israel."

The Reform leader added that it was "a pity" that the 20th anniversary of Nostra Aetate "should be marked by this apparent retreat from the historic step forward taken by the Second Vatican Council." Nostra Aetate declared specifically that the Jewish people must not be held responsible for the crucifixion of Jesus.

TEENAGERS RALLY FOR SOVIET JEWRY

By Theo Stone

WASHINGTON, June 26 (JTA) -- Some 150 Jewish youths -- teenagers who recently came of bar and bat mitzvah age -- demonstrated today in support of Soviet Jewry, first outside the National Press Building and then at the Soviet Embassy where they joined in the regularly scheduled daily Soviet Jewry vigil there.

The teenagers, who sang Hebrew songs and chanted anti-Soviet slogans and waved placards which demanded freedom for Soviet Jews, all came from the Jewish Community Centers of Greater Washington and of Northern Virginia.