

LEO FRANK IS POSTHUMOUSLY PARDONED BY GEORGIA BOARD

ATLANTA, March 11 (JTA) — Leo Frank, the Atlanta Jew lynched in 1915 after being convicted of the murder of a 13-year-old girl who worked in the factory where he was a superintendent, received a posthumous pardon Tuesday from the Georgia Board of Pardons and Paroles.

The pardon, signed by all five members of the board chaired by Wayne Snow, Jr., came over two years after the board had refused such an exoneration because, it then said, "it is impossible to decide conclusively the guilt or innocence of Frank."

The board had re-opened the case after the late Alonzo Mann, then 85, came forward to say that, as an office boy of 14 in the pencil factory where the murder of Mary Phagan took place, he had seen the janitor carry her body to the basement.

The parole board claimed in December, 1983 that Mann's statement did not provide any new evidence. Major American Jewish organizations including the American Jewish Committee, the Anti-Defamation League of B'nai B'rith, and the National Jewish Community Relations Advisory Council — expressed shock at the board's refusal of the posthumous pardon.

The board, in granting the pardon Tuesday, gave an account of the entire case, concluding that finding "conclusive evidence proving beyond any doubt that Frank was innocent" was a standard of proof "almost impossible to satisfy" especially for "a 70-year-old case." The board's statement continued:

"Without attempting to address the question of guilt or innocence and in recognition of the state's failure to protect the person of Leo M. Frank and thereby preserve his opportunity for continued legal appeal of his conviction, and in recognition of the state's failure to bring his killers to justice," the board hereby grants Frank a pardon.

Account Of The Case

The account of the case given by the board in its statement begins with the murder of Phagan on April 26, 1913, which "shocked and outraged" Georgia residents. Frank, it said, was charged with the murder and convicted August 25, 1913 and sentenced to death.

The case came before Governor John Slaton after unsuccessful appeals. "The Governor was under enormous pressure. Many wanted Frank to hang and the emotions of some were fired by prejudice about Frank being Jewish and a factory superintendent from the north."

Slaton commuted Frank's death sentence to life imprisonment on June 21, 1915. "On the night of August 16, 1915, a group of armed men took Frank by force from the state prison at Milledgeville, transported him to Cobb County and early the next morning lynched him," the board's statement continued.

The lynching, according to the board, "resulted from the State of Georgia's failure to protect Frank." It then failed to "prosecute any other (sic) lynchings," thus "compounding the injustice" done Frank.

What the board statement did not relate was that after the lynching, armed mobs roamed the streets of Atlanta, forcing Jewish business firms to close their doors. About 1,500 of Georgia's Jewish population of 3,000 fled, and others were targets of a boycott.

The reactions to the events — the trial where mobs screamed anti-Semitic slogans through the windows — and to the lynching were so intense that they catalyzed the establishment of the Anti-Defamation League. The events also spawned a revival of the Ku Klux Klan. The 1983 refusal of the Board of Pardons and Paroles to grant Frank a posthumous parole revived the traumatic memories and bitterness of the Jews who had lived through the events.

Tuesday's posthumous pardon of Frank was "welcomed with a sense of gratitude" by Gerald Cohen, president of the Atlanta Jewish Federation, at a news conference later in the afternoon, as a "historic decision."

Calling the chapter of history of the Frank case and its aftermath one "that has caused much pain and sorrow for over 60 years," Cohen said the board's decision removed "this tragic stigma from the great State of Georgia, indeed, from the collective conscience of the nation."

"We are confident that, at long last, these wounds of doubt and distrust will now be healed."

ADMINISTRATION NOTIFIES CONGRESS OF ITS PROPOSAL TO SELL ARMS TO SAUDIS

By David Friedman and Judith Kohn

WASHINGTON, March 11 (JTA) — The Reagan Administration made its long-expected notification to Congress Tuesday of its proposal to sell \$354 million in sophisticated missiles to Saudi Arabia.

State Department deputy spokesman Charles Redman said the package would include 671 Sidewinder air-to-air missiles, 995 of the most advanced form of the Sidewinder, 200 Stinger shoulder-held ground-to-air missiles and 100 Harpoon air-to-sea missiles.

Tuesday's announcement to Congress begins a 20-day period of informal notification followed by 30 days of formal notification. The sale will go through in 50 days unless both the House and Senate pass resolutions to reject the sale.

A spokesman for Sen. Alan Cranston (D. Calif.), who had earlier gathered some 60 signatures for a resolution opposing what was expected to be a much more comprehensive package, told the Jewish Telegraphic Agency that Cranston expects to get most of the same Senators to support a resolution rejecting Tuesday's proposal.

A proposed \$1.9 billion arms sale to Jordan, submitted to Congress last October, was withdrawn by Reagan in January when it became clear to the Administration that Congress would reject it.

But Richard Murphy, Assistant Secretary of State for Near Eastern and South Asian Affairs, said at a White House briefing for the Conference of Presidents of Major American Jewish Organizations last week that he believed there would be less opposition to the Saudi sale.

The Administration is expected to make a strong argument that Saudi Arabia needs the missiles to protect it from an increasingly threatening Iran. Redman said Tuesday that it was "a valid security requirement."

Last year, the Administration indicated it was preparing to sell the Saudis F-15 fighters, M-1 tanks and helicopter gunships in addition to the missiles. But the package was scaled down because of the Congressional opposition. Meanwhile, the Saudis have ordered Tornado jet fighters from Britain.

Cranston's spokesman said that the Administration's pursuit of the sale "would seem to be an imprudent use of political capital." He said he doubted it would work since after sounding out many of the signatories of the earlier resolution there was "no evidence of any erosion" in support of a resolution of disapproval.

He said that even though Israel is down-playing its opposition to the sale since the Saudis already have many of the missiles being sold, Cranston believes it is a matter of principle that goes beyond the danger posed to Israel.

"It's not the technology that's the issue," the spokesman said. "It's the principle of reflexively arming a state that thumbs its nose at U.S. national security interests." He said if the Saudis were to endorse peace talks between Jordan and Israel, "we would have a whole new ball game."

Sen. Majority leader Robert Dole (R. Kan.) told the United Jewish Appeal's National Young Leadership Conference last week that he had urged the White House to go slow on the Saudi sale. But Capitol Hill sources said Tuesday that Sen. Richard Lugar (R. Ind.), chairman of the Foreign Relations Committee, had reportedly recommended that the proposal be sent to Congress at this time.

ISRAELIS CONTINUE TO BE TROUBLED BY POSSIBLE SYRIAN AGGRESSION

By David Landau, Gil Sedan and Hugh Orgel

JERUSALEM, March 11 (JTA) -- The possibility of aggressive action by Syria continues to trouble Israeli political and military leaders. Premier Shimon Peres warned Tuesday, with reference to Syria, that "we must not be blinded by our desire for peace." If Israel is attacked, it will fight back but will use its military might only in self-defense, he said.

Peres was addressing students in Ashdod. Defense Minister Yitzhak Rabin told the Knesset's Foreign Affairs and Security Committee Tuesday that recent "aggressive statements" by Syrian President Hafez Assad required Israel to be on the alert to "prevent an undesired war."

Speaking to reporters Monday, Rabin accused Syria of "encouraging and aiding terrorism in general." Damascus Radio retorted by accusing Israel of waging psychological warfare against Syria.

The preoccupation with Syria as a potential menace to peace in the region was noted earlier this month when Peres, briefing the same Knesset committee, referred to that country's severe economic crisis. He implied it posed a danger to Israel should Damascus try to divert public attention to mounting hardships at home by military adventurism abroad.

At the same time, Peres said, the economic crisis could impel Syria to abandon its traditional hard-line policy and possibly even participate in the Middle East peace process. Peres noted Tuesday that Damascus continues to honor the separation of forces agreements on the Golan Heights, which was arranged with Israel after the Yom Kippur War in 1973. He urged Syria to go all the way and make peace with Israel.

But recent remarks by Rabin, Chief of Staff Gen. Moshe Levy and Maj. Gen. Yossi Peled, who will shortly succeed Gen. Uri Orr as commander of the northern region, pointed to Syria as the primary military threat to Israel at this time.

Rabin also warned that recent events in Egypt could jeopardize peace in the region, a reference to the two days of rioting by police conscripts in Cairo which has caused many political pundits here and abroad to voice concern for the future of President Hosni Mubarak's regime.

Levy told an Israel Television interviewer that it was irrelevant whether or not Syria actually orders terrorist groups to try to infiltrate into Israel. It is sufficient that the Syrians shelter Palestinian rejectionist groups and provide them with an infrastructure. He noted that Lebanese Shiite extremists nurtured by Iran have their headquarters in Damascus, train terrorists there and receive the wherewithal to attack Israel.

"It is very comfortable for the Syrians to keep us busy (in south Lebanon) and if they want to attack us they just have to make sure there is no quiet there," Levy said. He said the same applied to the various terrorist splinter groups active in recent weeks.

Levy noted that the main problem in the north is that Israel has a border with a country (Lebanon) whose government has no control and there are many elements which exploit that fact.

Peled warned that Syria is preparing for an all-out military confrontation with Israel. They now have long-range weapons that enable them to strike further inside Israel than ever before, he said, and an Israeli counterattack would have to overcome minefields, anti-tank ditches and other dug-in emplacements not encountered in previous conflicts.

NEW SHEKEL NOTE TO APPEAR SOON

JERUSALEM, March 11 (JTA) -- The Cabinet, yielding to public pressure, ordered the printing of a new one Shekel note as companion to the new one Shekel coin which has been disparaged by Israelis because of its small size.

The Cabinet acted Sunday because many people find it hard to take the coin seriously as "real money." It is referred to as "the button" because it is so much smaller than coins of less value. The new Shekel, note or coin, equals 1,000 old Shekels and has a value of 66 cents, American.

The new note, like the coin, will bear a likeness of Maimonides (Rambam), the 12th century Jewish philosopher and physician. The Cabinet also approved the printing of a 100 Shekel note which will carry a portrait of the late Yitzhak Ben Zvi, the second President of Israel. It will be the highest denomination banknote in circulation. Until now the highest is a 50 Shekel note.

EL AL HAS PLAN TO RECOUP LOSSES

By Hugh Orgel

TEL AVIV, March 11 (JTA) -- El Al, Israel's national airline, has come up with a way to recoup part of the severe losses it has sustained since a ban on Sababath flights was imposed by the government several years ago under intense pressure from the Orthodox religious establishment.

Rafi Har-Lev, president of El Al, has proposed leasing its Boeing 747s from sundown Friday to sundown Saturdays to charter companies not affected by the ban. Saturday is the favored day of the week for many European tourists to start their vacations. The enforced idleness of the giant aircraft means that traffic is lost to El Al.

Har-Lev made the offer Monday at a reception inaugurating charter service between Israel and Hamburg and Cologne in West Germany. It is operated jointly by Arkia, Israel's privately owned domestic airline, and Sun D'Or, the El Al-owned charter company.

Har-Lev said his proposal would help the two charter carriers by increasing their capacity, would bring additional tourist revenue into the Treasury and would provide income for El Al. The equipment would have to be returned in time for El Al's Sunday morning flights.

An Israeli air cargo service, Cal, already operates Boeings leased from El Al to carry agricultural and industrial products to Europe on Saturdays.

SHAMIR FORCES WIN FIRST ROUND AT HERUT CONVENTION

By David Landau

TEL AVIV, March 11 (JTA) -- The Herut convention voted 940-900 at dawn Tuesday to elect Moshe Katzav, Minister of Labor and Social Welfare, to be chairman of its Presidium. The narrow vote represented an important victory for the supporters of Foreign Minister Yitzhak Shamir, who is opposed by David Levy and Ariel Sharon for the office of party chairman.

Eliahu Ben-Elissar, whom Katzav defeated, is a leading member of the Levy-Sharon camp. Katzav and Ben-Elissar demonstratively shook hands later Tuesday morning as Katzav assumed his duties. But the cordial gesture belied the bitter atmosphere that enshrouds the convention at the Tel Aviv fairgrounds.

Violence At The Convention

It flared into violence Monday when Gaston Malka, an avid supporter of Minister of Commerce and Industry Sharon, attacked Deputy Foreign Minister Ronnie Milo, a Shamir man. Malka punched the slightly built Milo, knocking him from the podium and upsetting a bank of microphones and the table supporting them. Ushers wrestled Malka out of the hall.

Katzav's first official act as Presidium chairman was to suspend Malka, a Petach Tikva delegate from the convention. This was greeted by a strong round of applause from the nearly 2,000 delegates.

But tension prevailed as the agenda unwound toward other crucial votes. Levy, who is Minister of Housing and, like Shamir, a Deputy Premier, was chagrined by the election of Shamir's supporter to preside over the convention. He vowed to fight on for the office of party chairman.

He and Sharon later spurned an offer by Shamir for the three to meet privately to resolve their differences, which Shamir characterized as personal and procedural rather than ideological. They had met before the festive opening of the convention in Jerusalem Sunday night but settled nothing. Shamir told reporters Tuesday he would not repeat his offer to his rivals.

Another Major Vote Scheduled

The next major vote, possibly Tuesday night, will be for chairman of the Mandates Committee which, among other things, rules on the eligibility of delegates and the validity of votes. Here Sharon is pitted directly against Binyamin Zeev Begin, son of former Premier Menachem Begin.

The younger Begin, like his father, who is still nominally Herut chairman but is not attending the convention, is staunchly in the Shamir camp. He was not active politically until some months ago when he registered as a convention delegate. According to informed sources, his purpose is to block Sharon's bid for the Herut chairmanship. He told the convention Tuesday that he should not be denied the right to serve "just because my family name is Begin."

SYNAGOGUE DECIDING WHETHER TO CONTEST COURT RULING THAT WOULD DENY CIVIL RIGHTS LAWS TO JEWS

By Judith Kohn

WASHINGTON, March 11 (JTA) -- A Washington suburban synagogue is deciding whether to challenge an appellate court ruling that would in effect deny Jewish groups the protection of U.S. civil rights laws.

In a 2 to 1 ruling Monday, the 4th District Court of Appeals found that the civil rights statutes enacted following the American Civil War for the protection of Black Americans could not be applied to Jews because they do not constitute a race.

The decision confirmed an earlier ruling on the case about a year ago by a federal district court in Maryland that attacks on the property of Jewish groups do not fall within the scope of the civil rights laws.

The suit was filed by the 500-member Conservative Shaare Tefila Congregation of Silver Spring, Maryland, some two years after members found the outside of their temple spray-painted with swastikas, Klu Klux Klan symbols, a skull and crossbones and an array of anti-Semitic slogans.

Charges were pressed in criminal court against eight men, one of whom was convicted of destroying property. But the synagogue decided to pursue the case further by filing for damages under two federal civil rights statutes enacted in the last century.

One of the laws prohibits any attempt to interfere with the lawful activity of another person or to deny someone the benefits of law on account of race. The other affords protection of property rights "as is enjoyed by white citizens."

According to George Mernick, an attorney with Hogan & Hartson, the firm representing Shaare Tefila, the suit had rested on the argument that whether or not Jews constitute a distinct race is irrelevant as long as those who violate their right are motivated by racial prejudice.

A brief prepared by Hogan and Hartson together with an attorney from the Jewish Advocacy Center, formed several years ago to press cases involving anti-Semitic incidents, drew on precedents in which the statutes were found applicable for Hispanic citizens, Mernick said.

But he added that other courts have ruled differently in similar cases, and that Monday's decision was consistent with those.

While expressing sympathy with the synagogue's case, the judges rejected in their ruling "a claim of racial discrimination solely on the basis of defendant's (the person convicted for the crime) perception of a racially distinct group."

"To do otherwise would permit charges of racial discrimination to arise out of nothing more than the subjective, irrational perceptions of defendants," the decision stated.

Attorneys will be meeting this week with members of the Congregation to decide whether to petition the same court for another hearing by a full panel of judges or seek a hearing in the Supreme Court.

JERUSALEM (JTA) -- An "Anthology of Hasidic Music," incorporating 104 melodies some of which have never before appeared in print, has been published by the Jewish Music Research Center of the Hebrew University. The anthology, which is based on the musical legacy of the late Elhjo Vinaver and edited by Dr. Eliahu Schleifer, is meant to be used by both scholars and performers.

MAIMONIDES IS SUBJECT OF WORLDWIDE STAMP SALUTE

NEW YORK, March 11 (JTA) -- Nine postal agencies around the world issued special postage stamps and souvenir sheets in the past year to commemorate the 850th anniversary of the birth of the famous Jewish philosopher and physician, Maimonides (1135-1204). Post Offices in South America, Africa and the Caribbean have all participated in the recent philatelic salute in honor of Maimonides. Maimonides, whose real name was Rabbi Moses ben Maimon (or the Rambam), was born in Cordoba on the day before Passover in 1135.

Throughout the world, his reputation as an outstanding religious leader, physician, philosopher and scholar is now recognized. He is best known as the author of "Guide for the Perplexed," a major work not just in Jewish writing but, in world literature and religion influencing the philosophy of Judaism, Islam and Christianity.

Nations Honoring The Rambam

The first to issue a series of stamps for the Rambam was Antigua and Barbuda, a former British colony in the Leeward chain of the West Indies. The Caribbean nation issued a \$2 stamp and \$5 souvenir sheet featuring Maimonides' portrait on June 17, 1985.

The Republic of Guinea, a former French colony in West Africa, released a 7 Syli stamp and 7 Syli souvenir sheet. They pictured Maimonides at the age of 13, being forced to flee with the other Jews of Cordoba in the aftermath of the town's conquest by a band of fanatical Moslems.

In the foreground of the stamp is another portrait of the famed Jewish philosopher as he appeared in later life. At the bottom of the souvenir sheet is an illustration of a rabbi reading from a Torah scroll to a group of young Jewish orphans in the State of Israel today.

Five other nations -- Dominica, Grenada, the Grenada Grenadines, Lesotho and Sierra Leone -- have issued single stamps bearing a portrait of the Rambam and highlighting his important contributions in the field of medicine.

Two more countries to honor the legacy of Maimonides are Paraguay and Bolivia. Both issued special souvenir sheets in rather limited editions of just 5,000 copies.

In an attempt to satisfy the strong interest of both stamp and Judaica collectors, the Atlas Stamp Company, 48 West 48th Street, New York, N.Y. 10036 has designed a special stamp album to house the new Maimonides stamp issues. In addition to the sets released this past year, the stamp album also includes spaces for earlier stamps and souvenir sheets issued in honor of the Rambam by Israel (1953), Spain (1967) and Grenada (1971).

RAV YAAKOV KAMENETZKY DEAD AT 95

NEW YORK, March 11 (JTA) -- Twenty thousand mourners converged in the streets in front of Mesivta Torah Vodaath in Brooklyn Monday afternoon to express their grief and sorrow at the passing of Rabbi Yaakov Kamenetzky, the dean of Mesivta Torah Vodaath, a senior member of the Moetzes Gedolei HaTorah (Council of Torah Sages) of Agudath Israel of America, and one of the foremost authorities on Jewish law and practice.

Kamenetzky, 95, died in Baltimore early Monday morning, and word of his passing quickly spread among the broad masses of Orthodox Jewry who looked to him as a beacon of Torah scholarship, authority and wisdom.

Kamenetzky was born in the small town of Dolhinov, near Minsk, Poland, in 1891. While yet a young child he gained a reputation as an illui (genius) in Torah learning. He studied in the world famous Slobodka Yeshiva, in the suburbs of Kovno. He remained in Slobodka close to 30 years, many of them spent in the Kovno Kollel (advanced Talmudic institute), which at the time included some of the greatest young Torah scholars in Europe.

Subsequently, Kamenetzky became the rabbi of Tzitzivyan in Poland, where he brought up his young family. Seeing, however, the storm clouds of World War II beginning to gather, he decided to move to America. After a brief period in Seattle, he became Chief Rabbi in Toronto, where he remained for several years. In 1945, Kamenetzky became dean of Mesivta Torah Vodaath in New York, where he remained affiliated until his death.

Besides his formal and informal counsel to thousands, Kamenetzky was long active as a prime rabbinic authority and supporter of the work of Agudath Israel of America, having served several decades on the movement's Presidium and many years as a member of its Moetzes Gedolei HaTorah.

Kamenetzky became seriously ill some two years ago, and succumbed Monday as a result of heart complications. He was buried in the Mt. Judah Cemetery in Ridgewood, Queens, New York.

BODY OF JUDITH RESNICK TO BE CREMATED

By David Landau

JERUSALEM, March 11 (JTA) -- The body of Judith Resnick, one of the seven astronauts who died when the space shuttle Challenger exploded on January 28, will be cremated, her father, Dr. Marvin Resnick, told the Army Radio Tuesday in an interview from Akron, Ohio. He spoke in Hebrew and English.

The interview followed discovery of the shuttle's crew compartment on the ocean floor off the Florida coast last week with the remains of the five men and two women aboard. Although the remains were said not to be intact, Resnick, a medical doctor, was quoted in the American media as saying officials of the National Aeronautics and Space Administration (NASA) believe some of the bodies could be identified.

Resnick told the Army Radio that efforts to raise the crew compartment have been delayed by bad weather. But once it is brought to the surface, forensic experts will examine the bodies, he said.

"She achieved something in her life but her life was too short," Resnick said of his daughter who, at 35, held a Ph.D. in electrical engineering and had completed one successful flight in the space shuttle. She was the second woman astronaut to go into space and the first Jewish woman astronaut.

Media reports in the U.S. said the families of the astronauts greeted news of the discovery of their remains with mixed feelings. There was relief but also concern that their ordeal would be prolonged while the painful process of identification proceeds. Judith Resnick's stepister, Linda Reppert, said, "I wouldn't say it (discovery of the remains) was a very pleasant surprise. It just never ends."