

### Legal Authority Rejects Orthodox Objections; WAY SEEMS CLEAR FOR THE MORMON CENTER IN JERUSALEM NOW UNDER CONSTRUCTION By David Landau

JERUSALEM, May 28 (JTA) — A ranking legal authority's point-by-point rejection of objections raised by the Orthodox religious establishment and letters to the 120 members of the Knesset from 150 U.S. Congressmen, including some of Israel's staunchest supporters, appeared to clear the way for the controversial Mormon University Center under construction on Mt. Scopus.

Orthodox Jews in Israel and abroad have been waging a relentless campaign against the project on grounds that it will be a center for missionary activities. The Mormon Center is sponsored by Brigham Young University (BYU) of Provo, Utah, affiliated with the Mormon Church. It was approved by the former Likud-led government and by the Jerusalem municipality. But the Orthodox have been demanding that the building license and all other permits be revoked.

Deputy Attorney General Yoram Bar-Sela was asked by a special ministerial committee to review the project. His findings, published over the weekend appeared to demolish the arguments by religious Jews who have cited the Mormon faith's long record of proselytizing as grounds for their fears. While the Church admits its members are enjoined to seek converts, it maintains that such activities are not undertaken in countries like Israel where they are prohibited.

#### A Form Of Counter-Pressure

But Knesset members, under severe pressure from their Orthodox colleagues and the Chief Rabbinate as well as from Orthodox groups in the U.S., had become nervous. The letters from the U.S. legislators — a form of counter pressure — may have put their doubts to rest.

The signatories included Reps. Lee Hamilton (D. Ind.), chairman of the House Foreign Affairs Committee's Subcommittee on Europe and the Middle East; Tom Lantos (D. Calif.), a member of the Foreign Affairs Committee; Morris Udall (D. Ariz.); and Jack Kemp (R. NY).

They acknowledged that they are "aware of the sensitivity which many Jews feel regarding proselytizing," but added: "It is our understanding that the officials of BYU have signed an undertaking in which (BYU) pledges that the center will not be used for missionary activities."

BYU representatives in Jerusalem hired a prominent public relations firm to help their appeal to local opinion. They took out double page advertisements in the leading dailies over the weekend, reprinting the Congressmen's letter with all 150 signatures attached.

#### Elements In The Legal Findings

Bar-Sela's opinion took care of the legal objections. It stated, in part: "The grant of the site to the BYU accords with the terms of its expropriation from its original owners. The original owners reconciled themselves with the expropriation (for which compensation was paid) and with the use to which the land is to be put. The valuation made at the time of the expropriation by government evaluators was fair and reason-

able. The earthworks and foundation-laying was done under due statutory supervision by archaeologists. No ancient graves or other valuable ruins were found. There is no confusion about the size of the original parcel of land."

All of those points had been contested by Orthodox activists as reasons why the government should revoke its permit. Bar-Sela stated that the university campus itself — adjacent to the Hebrew University campus — is of no cause for concern, given the repeated written and solemn assurances by BYU and Mormon leaders that it will not serve for any missionary activities.

Bar-Sela found the Visitors' Center adjacent to the campus more questionable. But he inclined to the view that adequate assurances from BYU can be included in the land-lease contract with the Israel Lands Authority.

### WEIZMANN SCIENTIST THANKED BY THATCHER FOR ALERTING WEST TO WAYS OF COPING WITH NUKE DISASTERS By David Landau

JERUSALEM, May 28 (JTA) — Dr. Yair Reisner, the Weizmann Institute biophysicist who flew to Moscow to help Soviet doctors treat victims of the Chernobyl nuclear accident earlier this month, received personal and apparently impromptu thanks from visiting British Prime Minister Margaret Thatcher for alerting the West to the kinds of medical preparations needed to cope with similar disasters in the future.

Reisner, an expert on tissue-typing and bone-marrow transplants, said on his return from the USSR that not only the Soviets but the Western nations lacked the necessary facilities and techniques. He expounded in detail on the lessons he learned from his Moscow experience at a luncheon at the Weizmann Institute of Science in Rehovot Monday where Thatcher was guest of honor.

In her after dinner remarks, the British Prime Minister thanked him. She said his report would help her "to see if we (in Britain) have all the contingency plans on the medical side."

Reisner, in his report to the Israeli authorities, and at the luncheon, stressed that people who work in nuclear power stations or at other facilities with a high risk of radiation exposure, should have their tissue group recorded and filed in case of accident. He said potential donors of bone marrow of that same tissue group should be located and listed, so that if an accident occurs, transplant operations can be performed without delay.

Reisner told the Jewish Telegraphic Agency later that he believed these precautions were not anymore adequately taken in the U.S. and other countries than in the Soviet Union.

#### NEW DOCUMENTS ABOUT WALDHEIM

NEW YORK, May 28 (JTA) — The World Jewish Congress released captured German war documents Wednesday showing that Kurt Waldheim personally gave intelligence briefings to the chief of the General Staff of Army Group E in the Balkans during World War II on the "effective" use of hostages and civilian slave labor and on the notorious "Operation Viper," the wholesale execution of partisans and destruction

of villages that was the subject of a lengthy presentation by the U.S. prosecutor at the Nuremberg war crimes trials in 1947.

The documents, discovered at the National Archives in Washington and stamped "secret" are the latest in the growing body of evidence produced by the WJC linking the Austrian Presidential candidate and former United Nations Secretary General to war crimes when he was a Wehrmacht intelligence officer.

According to the WJC, they demonstrate Waldheim's importance at Army Group E's headquarters. He is identified by name as one of only three men present at the high level briefings. The others were Gen. Erich Schmidt-Richberg, Chief of the General Staff and a First Lieutenant identified as Frey.

The documents dated between May and August, 1944, show that Waldheim briefed Schmidt-Richberg on the use of Greek civilian hostages to discourage resistance fighters from attacking or sabotaging German trains. The civilians would be placed in large cages attached to the front of the trains, thereby exposing them to gunfire and explosives aimed at the trains by anti-Nazi partisans. Waldheim also gave briefings on the use of slave labor in Greece, the documents show. The WJC observed that they have "a shattering effect on his oft-repeated assertions that he was simply a low-level soldier."

**AUSTRIAN F.M. SAYS THAT SHAMIR'S ATTACKS ON WALDHEIM ARE 'IMPERTINENT'**  
By Reinhard Engel

VIENNA, May 28 (JTA) -- Foreign Minister Leopold Gratz instructed Austria's Ambassador to Israel Tuesday to ascertain from the government in Jerusalem whether Foreign Minister Yitzhak Shamir spoke as its representative or simply as a politician in his attacks on Austrian Presidential candidate Kurt Waldheim.

Gratz, whose Socialist Party candidate Kurt Steyrer is opposing Waldheim in the June 8 run-off elections, nevertheless deplored Shamir's exhortations to defeat Waldheim as unseemly meddling in Austria's internal affairs. He added that he considered Shamir's remarks "impertinent."

There has been a long-running verbal battle between Austrian politicians and some prominent Israelis since the World Jewish Congress last winter produced documents indicating that Waldheim was fully aware of and possibly implicated in atrocities against Yugoslavian partisans and the deportation of Greek Jews when he served as a Wehrmacht intelligence officer in the Balkans in World War II.

Waldheim, a former United Nations Secretary General, was forced to admit to his military service after 1941 -- a matter he falsified in his memoirs and managed to conceal for 40 years. But he vehemently denies personal involvement in war crimes.

#### Socialists Deplore Attack On Waldheim

Socialists deplore the attacks on Waldheim because they divert public attention from the issues in the Presidential campaign. The conservative People's Party, whose candidate Waldheim is, has also expressed outrage over Shamir's attacks.

Its chairman, Alois Mock, said Tuesday that Shamir was an insult to Israel's President Chaim Herzog who, while disturbed by the allegations against Waldheim, has cautioned Israelis not to pass judgement until all the evidence is in.

Mock observed that Israel's positive image in Austria remains intact because of men like Herzog.

**HEALTH MINISTRY GIVES HADASSAH HOSPITAL PERMISSION TO PERFORM HEART TRANSPLANT SURGERY; HALACHIC PROBLEM ON THIS ISSUE IS STILL TO BE RESOLVED**  
By David Landau

JERUSALEM, May 28 (JTA) -- The Health Ministry announced Tuesday that the government has given permission to the Hadassah Medical Center here to perform heart transplant surgery. According to unofficial sources, permission will also be given to the Rambam Hospital in Haifa which considers itself fully equipped to perform the operation.

But, Dr. Sami Penhas, director of the Hadassah Medical Center said Wednesday that halachic problems surrounding heart transplants are still unresolved. He said he would meet shortly with the two Chief Rabbis and hopes to reach an agreement based on the principle of "pikuah nefesh" -- saving of life.

The Health Ministry said it expects Hadassah Hospital to perform about a dozen heart transplants a year. The head of the hospital's cardiothoracic department, Dr. Yosef Borman, believes 100 lives could be saved annually in Israel by transplant surgery.

#### Consequences Of Rabbinate's Ban

It has been banned until now because of the Rabbinate's objections. The halachic definition of death differs from the medical definition. The medical definition is cessation of cerebral activity. Many rabbis refuse to acknowledge death until the heart has ceased beating. Medical science requires the donor heart to still be beating when it is removed for transplant.

The ban has forced patients requiring heart transplants to seek them abroad. Newspapers carry advertisements from ad hoc ad committees set up to raise funds for Israelis to have the operation abroad where the costs can exceed \$200,000.

The Hadassah and Rambam hospitals are also working toward the capacity to perform the more complex liver transplant surgery. An experimental liver transplant performed on a dog at Rambam Hospital last week was witnessed by Health Minister Mordechai Gur.

**25 U.S. LAWMAKERS APPEAL TO ISRAEL TO ALLOW THE SPCA THERE TO IMPORT DUTY-FREE AMBULANCES TO MOVE SICK ANIMALS TO VETERINARY CLINICS**

WASHINGTON, May 28 (JTA) -- Twenty-five American legislators have appealed for the second time to the Israeli government to allow the country's SPCA's to import duty-free animal ambulances needed to pick up injured, sick and abandoned animals and transport them to veterinary care facilities.

The legislators acted following the rejection of their first appeal to the Finance Ministry at the time it was headed by Yitzhak Moda'i. The new appeal was delivered personally by Nina Natelson, director of CHAI, Concern for Helping Animals in Israel, which had alerted the legislators to the problem.

Natelson was in Israel to speak at the awards ceremony of the first Humane Education Contest for school children sponsored by CHAI at (POB 3341, Alexandria, Va. 22302), which provides support for animal welfare work in Israel. The contest was administered by the Ministry of Education.

CHAI's involvement with the animal ambulance issue was initiated after a truck to be used in this

capacity was donated by an American dealer to the new SPCA in Ashkelon, said Natelson. The \$20,000 import duty demanded by the government was beyond the means of the new SPCA -- as well as the others in Israel, which are small-volunteer operations receiving no government funds. In the absence of such vehicles, most municipalities "control" the stray over-population problem by putting out strychnine poison, which causes a lingering and painful death, said Natelson.

The effort by the U.S. Senators and Representatives on behalf of Israel's SPCA's was spearheaded by Reps. Tom Lantos (D. Cal.) and Lawrence Smith (D. Fla.). They appealed to Eliahu Speiser, chairman of the Knesset Commerce Committee, to extend to the animal ambulances the exemption from customs duty granted to ambulances for humans. The Union of Orthodox Jewish Congregations added its voice to this appeal, its executive vice president, Rabbi Pinchas Stolper, stating that he felt "duty bound to support the mitzvah of preventing cruelty to animals."

After these appeals won Speiser's support, he approached Modai with a proposal to amend the customs rules accordingly. The Finance Ministry rejected the appeal. Its letter, signed by Meir Shavit, Assistant Minister of Finance, stated that "exemption from tax implies elevating the object of exemption to a higher priority level" than that accorded government expenditures on defense, education, health and unemployment which customs duties help defray.

#### GOVERNMENT DEFEATS FOUR NON-CONFIDENCE MOTIONS ARISING FROM SCANDAL OVER A 'SENIOR OFFICIAL'

By Hugh Orgel

JERUSALEM, May 28 (JTA) -- The government easily defeated four non-confidence motions in the Knesset Tuesday arising from the growing scandal over a "senior official" Attorney General Yitzhak Zamir wants to prosecute for obstruction of justice.

But the acrimonious five-hour debate that preceded the show of hands voting, cast no light on the affair which has been described by Zamir and other legal authorities as a confrontation between the rule of law and those who would bend the law out of consideration for national security.

The "senior official" in question has not been identified publicly and no name was mentioned in the course of the debate. But knowledgeable sources here have confirmed overseas press reports that he is Avraham Shalom, head of Shabak or Shin Bet, Israel's internal security service.

It is also generally acknowledged that Zamir wants the police to investigate evidence that Shalom blocked an investigation into the unexplained deaths of two Arab bus hijackers after they were captured alive by the Israel Defense Force in the Gaza Strip in 1984.

#### Inner Cabinet Rejects Probe

Premier Shimon Peres convened his 10-man Inner Cabinet (five Labor and five Likud Ministers) Tuesday morning to discuss the matter. The Inner Cabinet reportedly was almost unanimous in rejecting a probe of the "senior official" on grounds of overriding security considerations.

The only dissenter from that position strongly supported by Premier Shimon Peres and Foreign Minister Yitzhak Shamir, was Ezer Weizman, Minister-Without-Portfolio. He reportedly backed Zamir's desire to prosecute.

With the affair shrouded in official secrecy, the media are raising questions and demanding answers. One question is whether Shamir, who was Prime Minister at the time of the bus hijack had knowledge of actions by Avraham Shalom and his senior aides at the time, and if not, why, inasmuch as the Prime Minister has direct responsibility for Shin Bet. If he did know, why did he take no action at the time, the press is asking.

It also asks whether Peres had information when he took office nearly two years ago and, if he did, why he did not order an investigation. It has been speculated that the captured terrorists were beaten to death by Israeli security men before they could be transferred to jail.

The IDF testified at a hearing that it handed the two over alive to the border police and the latter say they were alive when turned over to Shabak operatives for interrogation. Shabak claims it received two corpses.

Another question raised is whether pressure was put on Zamir by the government to drop his probe. Zamir says it was. Peres denies it. Justice Minister Yitzhak Zamir observed Tuesday that there is only a "very thin line" between "active persuasion" and the "pressure" of which the Attorney General complains.

#### MARJORIE OLSTER IS JTA INTERN

NEW YORK, May 28 (JTA) -- Marjorie Olster began a summer internship at JTA's New York bureau this week. Olster, 23, is completing a Masters in Journalism at the University of Florida in Gainesville.

Olster received her undergraduate degree from the Hebrew University of Jerusalem in political science in 1984.

While living in Israel, she learned fluent Hebrew and worked as a correspondent for the South Dade Jewish News, a Miami-based publication. She also worked for one year at The Jerusalem Post.

During the past year-and-a-half, Olster covered courts and other daily beats for the Independent Florida Alligator, the student run daily at the University of Florida.

The Gainesville Hillel elected Olster as one of the student Board members for the 1985-86 school year and she was active in Jewish leadership on campus, including the American Zionist Youth Foundation, HaMagshimim, and Israel culture festivals.

#### TREES TO BE ROOTED IN THE AIR

JERUSALEM, May 28 (JTA) -- Trees growing out of thin air instead of the ground enable botanists at the newly opened Sarah Racine Laboratory in Tel Aviv University's Botanical Garden to observe the structure and development of roots.

According to Yoav Waisel, director of the Garden, this is important because root physiology is a neglected field. It is neglected apparently because it is hard to study roots without up-ending the tree.

The two-story lab, which resembles an ordinary greenhouse, has a variety of trees -- olive, avocado, palms, cottonwood -- and some vegetable plants growing out of holes in the floor. Their roots hang freely inside an aeroponic chamber. They are sprayed for 10 seconds each minute with water and nutrients.

The chamber's dark but has two observation windows for public viewing. The laboratory was donated by Emmanuel and Sarah Racine.

# BEHIND THE HEADLINES THE JEWS OF BELGIUM By Milton Jacoby

BRUSSELS, May 28 (JTA) -- Two matters are agitating the Jews of Belgium currently. One is temporal, the other timeless; one is mundane and the other spiritual; one concerns the community in one city, the other deeply affects the entire Jewish populace.

The bustling harbor-city of Antwerp has, for generations, also harbored the legendary "diamond-taires" (diamond-dealers) who had made Belgium a world center for cutters, polishers, and traders of precious stones.

When Antwerp Jews, half of whom work in the diamond trade, returned after World War II to resume their lives and their highly specialized businesses, they were promised certain privileges, they say, by government leaders, including Paul-Henri Spaak. One of these concessions apparently was freedom from tax worries, and a certain indulgence in the reporting of income.

This past February, the axe fell when police seized the records of Antwerp's prominent money exchange firm, Roger Kirschen & Company, and accused it of tax fraud relating to its dealings on behalf of 800 diamond dealers.

The affair, which involves more than a billion dollars in transactions, is considered among the country's largest fraud cases since World War II. The dealers are threatening to leave Antwerp in response to the furor but the likelihood of such an exodus seems slim. There is really no other place for them to go, according to community members.

## A Disturbing Religious And Moral Issue

While this severe financial problem was upsetting the Antwerp community, a more profound religious and moral issue disturbed the peace of all of Belgian Jewry. It relates to the Carmelite convent established by the Polish Catholic church, and in operation within the campsite of Auschwitz for well over a year. The creation of this nunnery in this special place has evoked a universal outcry and nowhere stronger than in Belgium.

According to David Susskind, president of the CCLJ (Centre Communautaire Laic Juif) of Brussels, most Belgian Jews met their deaths in Auschwitz, including his own mother who died there at the age of 42.

The idea of the nunnery, he declared, had originated with the present Pope John Paul II, when he was Cardinal of Cracow. The church entered into negotiations with the Polish government in 1984, and shortly thereafter, the nuns (now 12 in number) began their work in the old "theater" at Auschwitz.

Susskind and the other Belgian Jews this past February met in Cracow with Cardinal F. Marchanski and later with the Polish Minister of Religion to protest vehemently "this affront to the memory of the vast majority of victims of the Holocaust."

Susskind reported that both the Cardinal and the Minister expressed surprise that this "holy" enterprise should evoke international indignation and a condemnatory resolution of numerous Jewish organizations. They both promised to reconsider the matter, but Susskind insists that only pressure in the form of continuous protest may make a difference.

There are prominent Catholics as well who view the situation with concern. Cardinal Decourtray of Lyon, France, stated last September that "Nazi bar-

barism was inflicted primarily on the Jewish people, even if there were victims of other faiths at Auschwitz. For world opinion and for myself, Auschwitz is the very symbol of 'Shoah', of the attempt at the total extermination of Jewry. To build a Carmelite convent here is still another attack on the specific dignity that belongs only to the Jewish Martyrs."

## Loss Of Jewish Identity

Some 5,000 Belgian Jews "disappeared" in the last 10 years, Susskind disclosed; not in the haunting sense of the "desaparecidos" in Argentina, but simply through a merging with the over-all population, and the resultant loss of Jewish identity. What remains are almost 35,000 Jews in the nation; 15,000 each in Brussels and Antwerp and the rest in Liege, Ghent and other cities.

But even this relatively small number makes a considerable impact on current international social and moral issues as they relate to Judaism. It will be recalled that Brussels was the scene of the two extraordinary World Conferences on Soviet Jewry, in 1971 and 1976. Most of the excellent cultural programs and intellectual ferment is in Brussels where Jews tend to be secular and rarely attend the three or four synagogues.

The opposite is true in Antwerp which has a strong Orthodox and Hasidic influence. Attitudes toward Israel are in sharp contrast as well, with Antwerp Jews totally supportive of Israel no matter what the issue, while their fellow-Jews in the capital are much more divided. There are several leftist groups in Brussels, and even the CCLJ formerly espoused the rights of Palestinians within the Jewish state. Today, it remains Zionist, but still critical of Israeli policy, and its ties with the Peace Now movement are strong.

## Excellent Belgium-Israeli Relations

Relations between Belgium and Israel are excellent, states Israel Ambassador Joseph Hadass. He points out that the Flemish half of the country is more positive toward Israel than the French. The Ambassador minimized the role of the PLO, which has an office in Brussels, and described its representative there as very moderate. He found less anti-Semitism in Belgium than anywhere else in Europe, and during his two years in office had discovered no manifestations of this world-wide disease.

Hadass pointed with pride to the fact that he had managed to arrange for the first time a united Israel Independence Day celebration this year, considering this a giant stride forward in bringing together and coordinating the many disparate elements, rightist, centrist and leftists, of Belgian Jewry.

Concerning the media, Hadass finds the press to be "rather provincial" in view of the fact that Brussels is considered the capital of Europe, housing as it does the European Economic Community and NATO. He estimates the leading daily, *Le Soir*, to be quite negative about Israel, but finds *La Demiere Heure* and the Flemish press to be more sympathetic.

Jewish leaders feel that Belgian TV is much more pro-Palestinian than the press and more influential in molding opinion. The bi-weekly journal *Regards*, published by the CCLJ is held in high esteem by most Jews and many non-Jews for its intensive and wide-ranging exploration of Jewish issues the world over.

In politics, the Jewish community plays no role at all. Their pipeline to the government is almost nonexistent; with the one notable exception of Jean Gol, the Minister of Finance.