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DAILY NEWS BULLETIN

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**WAR CRIMES BILL PROGRESSING
IN CANADIAN PARLIAMENT**

By Michael Solomon

MONTREAL, Aug. 25 (JTA) -- Proposed legislation that would allow for the prosecution of alleged Nazi war criminals in the country is making steady progress through Parliament during the current special session.

The Legislative Committee of the House of Commons is scheduled to take up the proposed amendments to the Criminal Code Monday and may call Holocaust survivors to testify.

Minister of Justice Ray Hnatyshyn spoke in support of the amendments before the full house. "The Canadian people find it necessary to insure that some people do not avoid prosecution by maintaining that the acts of omission they are charged with were legal in their place of commission. In case of 'war crimes' and 'crimes against humanity,' international law must have precedence over domestic law," he said.

Effect Of New Legislation

Besides changing the Criminal Code, the war crimes legislation would also amend the Immigration Act, adding a new class of persons inadmissible to Canada. They would include, the Minister said, "persons who, there are reasonable grounds to believe, have committed a war crime or crime against humanity as these concepts are defined in the amendments to the criminal code."

Under the proposed amendment, the Minister of Immigration could select any willing country as a site of deportation for such an undesirable.

Also speaking in favor of the amendments was Robert Kaplan, a Liberal Member of the House and former Solicitor General of Canada under Premier Pierre Elliott Trudeau. Kaplan said he wished such legislation "had been done by past governments including the government of which I was a part."

He added that not only Nazis and their collaborators would be affected by the new bill. "There are other victims of war crimes and crimes against humanity who are living in our country," he said. "...Atrocities have been committed outside of war, against victims who have found haven in our country." He noted that any individual inside Canada, even a tourist, would be eligible for prosecution as a war criminal or criminal against humanity.

The amendments would alter what Prof. Irwin Cotler has called "a bureaucratization of horror," according to Svend Robinson of the New Democratic Party.

The Criminal Code amendments had been introduced late in the regular Parliamentary session that ended June 30. Supporters couldn't muster the unanimous vote required to circumvent the committee and rapidly pass the bill. Passage is expected soon.

WAITING FOR AN ANSWER FROM MOSCOW

By Judith Colp

WASHINGTON, Aug. 25 (JTA) -- Soviet emigre David Goldfarb and his wife, Cecilia, were left unsure after visiting the Soviet Consulate

here Tuesday whether they will be given a temporary visa to go to Moscow to visit their daughter, Olga.

Consulate officials said the request would be considered, but the decision would have to come from Moscow, the Goldfarbs' son, Alex, told the Jewish Telegraphic Agency after the 15-minute meeting at which he also was present.

"I don't know what will happen," Alex said. "The ball is in their court. We have to sit and wait." He described the Consulate as "noncommittal, formal and polite."

Alex Goldfarb said they stressed to the Soviet Consulate the need for a decision to be made on the visa as soon as possible for medical reasons. Goldfarb suffered a stroke in June. They were informed that the final decision for the visa would be made in Moscow.

Goldfarb, 69, a retired geneticist, came to the U.S. nearly a year ago on board the jet of billionaire industrialist Armand Hammer in a private deal worked out with Soviet officials. A seven-year-refusenik, Goldfarb did not go through the normal procedure in which Soviet emigres must relinquish their citizenship. But as Soviet citizens they still require permission to go in and out of the Soviet Union.

Goldfarb said Monday in New York that he was prepared to risk going to Moscow without the promise that he would be allowed to return to the U.S. But he hopes that Olga and her family, whose emigration is pending, will be allowed to join them in New York. The elder Goldfarbs will remain in Washington a few days visiting relatives. Alex Goldfarb left Tuesday to return to New York.

**BOTHA PLEDGES TO DEFEND SOUTH AFRICAN
JEWS AGAINST ANY NEO-NAZI ATTACKS**

JOHANNESBURG, Aug. 25 (JTA) -- President P.W. Botha promised South Africa's 110,000-member Jewish community that his government would protect them against any neo-Nazi attacks. This statement Tuesday came after an upsurge of neo-Nazi activity prompted by the death of Rudolf Hess last week.

White extremists, who view Botha as too liberal towards Blacks and are overtly anti-Semitic, enraged South African Jews by eulogizing Hess. A memorial service, complete with Nazi salutes, was held by a neo-Nazi group last week at Pretoria's cenotaph.

Other neo-Nazi activity included the laying of a wreath commemorating Hess in the Indian Ocean city of Durban, and in north Johannesburg, a businessman raised a huge swastika at his plush home and distributed T-shirts displaying pictures of Hitler to his family.

The extreme right-wing Afrikaner Resistance Movement (AWB), which has attracted mounting support this year, warned Jewish critics. Its leader, Eugene Terreblanche, said if Jews complained about AWB tributes to Hess they "would make life very difficult for themselves."

In reaction to these events, Botha made a special statement to Parliament saying: "As long as this government is in power, there will be no hesitation to act against any elements which

threaten or defame any of our communities or minority groups. For this purpose, existing measures will be applied strictly." He added, "If that does not prove sufficient, additional measures will be submitted to Parliament for approval."

In the past, Botha's ruling National Party itself used anti-Semitic propaganda. In the 1940's they portrayed Dutch-descent Afrikaner whites as victims of exploitation by the Jewish business community.

In addressing the Parliament Tuesday, Botha said: "I want to tell the Jewish community of South Africa: We appreciate your contribution to the economic, cultural and technological achievements of our fatherland." He stressed, "We reject racial superiority. We reject religious coercion."

ISRAELI ENVOY RIPS GLASNOST

By Tamar Levy

GENEVA, Aug. 25 (JTA) -- The new Soviet policies of "glasnost" (openness) and "perestroika" (renewal) have meant little to Soviet Jews, Israeli Ambassador to the UN Pinchas Eliav stated at a recent meeting of the Subcommittee on Prevention of Discrimination and Protection of Minorities.

He deplored the prohibitions against Jewish expression and education. "Jews are not even allowed to attend Hebrew courses given in Soviet universities for Christian theological students," he declared. "No Hebrew books can be published and no printed material on Jewish subjects is available in any language apart from the 7,000 copies of the monthly Soviet Homeland."

He said 400,000 Jews have expressed the desire to go to Israel, but that in recent years their emigration has been limited to about 1,000 annually. He welcomed the increase this year to about 4,000, but noted that the current rate would mean another 700 months (58-plus years) for the 400,000 to leave.

WORKERS RELEASE PLANT MANAGERS THEY HOLD HOSTAGE FOR 38 HOURS

By Hugh Orgel

TEL AVIV, Aug. 25 (JTA) -- Some 1,300 employees of the Soltam arms and munitions factory in the Jezreel Valley town of Yokneam released three managers they held hostage in the factory for 38 hours because the managers refused to bargain with the workers.

The three Histadrut and plant managers, Yeshayahu Gavish, general manager of the Histadrut's giant Koor industrial complex, Arnon Gafny, board chairman of the Koor complex which owns Soltam, and Elazar Barak, Soltam general manager, had been held within the main building.

Histadrut Secretary General Yisrael Kessar finally persuaded the workers to release managers by pledging to begin immediate negotiations on alternatives to save the Soltam plant from complete shutdown. The details of this plan have not been disclosed, as a number of points are still being hammered out.

The dispute began Sunday morning when workers who had been on a five-week enforced vacation all returned to work although there was not sufficient work for all.

Gavish and Gafny arrived at the factory for a meeting with Barak to outline to the workers the various plans being considered by the plant. The employees then locked the managers in the main building and refused to listen to the plans.

Upon their release, the three said they were not treated badly but would not negotiate under duress.

Plant Has Fallen On Hard Times

Observers said the downfall of the Soltam plant, once one of the country's major heavy equipment and armaments producers, began more than a decade ago with the fall of the Shah of Iran. The Shah was a major purchaser of Soltam products, including heavy artillery. But the revolutionary regime which deposed the Shah did not continue the contracts. For a short while, sales continued to other countries but as the market dried up, Soltam's orders declined.

Koor and Soltam management has been criticized for failing to cut back production years ago when the decline became apparent. Instead, management continued full production and amassed a tremendous stockpile of equipment and weapons.

A year ago, the Israel Defense Force also cut back its orders to Soltam after a reduction in the defense budget. It then became evident that many workers would have to be laid off.

In a similar labor dispute, the Haifa area police have begun questioning the 120 employees of the Rom Carmel factory who have locked themselves in the factory at Tirat Hacarmel for nearly two weeks. Rom Carmel's parent company, Ordan, complained to police that the workers were violating a court order to vacate the factory.

SIX IDF SOLDIERS WOUNDED

TEL AVIV, Aug. 25 (JTA) -- Six IDF soldiers were wounded in the south Lebanon security zone Tuesday when their patrol inadvertently entered a South Lebanon Army (SLA) minefield. The injured men were evacuated to a hospital in Haifa.

In another incident Tuesday, a Nepalese UNIFIL soldier was killed near Yaater village in the security zone and three others were wounded when they were shot in an ambush. They were attacked by six men dressed in civilian clothes, UNIFIL sources said.

GANG OF TERRORISTS DISCOVERED

TEL AVIV, Aug. 25 (JTA) -- A gang of West Bank terrorists was recently discovered before it carried out planned attacks against Israel. Israel Radio reported that the gang members were from Tulkarm, Kalkiya, Nablus and Bethlehem, who acted under orders from Amman.

The gang included a man trained in Afghanistan by Afghan rebels in the use of remote-controlled explosives, and a 25-year-old woman who had been instructed to serve as a suicide bomber, driving an explosive-laden car and detonating it with herself in it in a crowded Israeli center.

MAJOR UJA DONORS FIND THEMSELVES ON A BUMPY RIDE IN JERUSALEM HILLS

By David Landau

JERUSALEM, Aug. 25 (JTA) -- One-hundred-and-fifty major United Jewish Appeal donors are in Israel on the three-day annual Prime Minister's Mission.

The group was transported to Jerusalem Monday at the start of the visit in unconventional style, aboard command cars on the unpaved "Burma Road." The road was carved out of the

hills in 1948 to circumvent the marauding Arab bands who had prevented supplies from reaching Jerusalem. The group's somewhat uncomfortable journey served to illustrate one of the main themes of the Mission -- Israel's struggle for independence.

The Mission members, who were taken straight from a supersonic Concord to their spruced-up command cars at the nearby former British police Fortress at Latrun, will be visiting modern military installations as well. But, according to UJA president Stanley Horowitz, a large part of the program will entail visiting UJA funded projects run by the Jewish Agency and the American Jewish Joint Distribution Committee.

JEWISH JOURNALIST TAPPED AS NEXT U.S. ENVOY TO AUSTRIA

By Judith Colp

WASHINGTON, Aug. 25 (JTA) -- Henry Grunwald was a teenager when he fled his native Vienna in 1940 to escape Nazi occupation. Twenty-eight years later, he is expected to return to Vienna next year as the next U.S. Ambassador.

Although Grunwald, editor-in-chief of Time magazine, will not be the first Jewish ambassador to Austria -- the current ambassador Ronald Lauder is also Jewish -- his background and the current political situation in Austria makes Grunwald's nomination particularly significant. Last year the Austrians elected as President Kurt Waldheim, the former Secretary General of the United Nations, who has been accused of involvement in atrocities while serving in the Germany Army from 1942 to 1945. Earlier this year the Department of Justice placed Waldheim on its "Watch List" of undesirable persons which bars him from entry into the U.S.

Grunwald, who was scheduled to retire from Time at the end of the year, reportedly apparently resigned from Time last week. He could not be reached for comment.

Rabbi Marc Tanenbaum, director of international relations for the American Jewish Committee, praised Grunwald as a "world-class act, a man of first-rate intellect. To appoint him as Ambassador to Vienna is a sign that our government is both concerned to what is happening to Austria-U.S. relations and the extent of our desire to try to heal the relations so strained because of the Waldheim business," he said.

Tanenbaum said the real issue is what Grunwald does with the Austrian people, not what he does with Waldheim, who as President has only ceremonial functions. Grunwald could be a source of moral confidence and support to the small Austrian Jewish community. He could also help Austrians deal with repression and denial of their Nazi past, he noted.

"A Henry Grunwald who comes into the scene with skill and sensitivity can help advance that whole movement of facing the past and dealing with it," Tanenbaum said. "There's an enormous amount of work that can be done by very diplomatic, statesmanlike building of bridges there and mobilizing constructive democratic forces in the society and helping bring the weight of American democracy behind that of the democratic forces in Austrians."

But Rabbi Marvin Hier, dean of the Simon Wiesenthal Center, said Grunwald will have to walk a "tight rope" by minimizing contact with Waldheim. "He can't be known as a trailblazer in bringing about Waldheim's rehabilitation. He has a

dilemma in accepting the job. He has to be clever enough to signal to those people in the Jewish community that he is not appeasing Waldheim," Hier said. "Mr. Grunwald has a lot of work to do. He has to minimize contact. So long as he's a shadow, he can't act as a broker."

Elan Steinberg, executive director of the World Jewish Congress, agreed that "his objective is to walk that thin line which distinguishes Austria from Waldheim."

But he added: "It is symbolic that not only do we have an Ambassador who is a Jew, but in addition, an Ambassador who is a refugee. The symbolism of that will not be lost on the Austrians nor should it be. I think America is saying to Austria that there are dark shadows of your past that have recently seen the light of day. Mr. Grunwald will be the living remainder of that shadow."

COURT ORDERS COMMENCEMENT MOVED FROM SATURDAY FOR OBSERVANT JEW

NEW YORK, Aug. 25 (JTA) -- A federal court in New York ruled last week that a school board must reschedule its 1988 high school graduation so that a Sabbath-observing student can attend without violating his religious beliefs.

The lawsuit was filed by the American Jewish Congress on behalf of David Smith, 17, who alleged that the North Babylon (NY) School Board's decision to hold graduation exercises on a Saturday violated Smith's First Amendment right to free exercise of religion.

Smith, an observant Jew, will be a senior at North Babylon Senior High School this fall. With the help of his father, Rabbi Richard Smith, David Smith had requested that the school board move the 1988 graduation to a day other than Saturday. When the North Babylon School Board unanimously refused Smith's request, AJCongress filed the suit.

In a 38-page opinion issued August 11, District Judge Jacob Mishler of the United States District Court for the Eastern District of New York ruled that in refusing Smith's request to move the graduation day, the school board placed "an unconstitutional burden" on Smith's "First Amendment right to the free exercise of his religious beliefs not to engage in secular activities on the Sabbath."

Court Rejects The Main Arguments

The court rejected all three of the main arguments that the School Board raised in defense of its decision not to move the Saturday graduation.

The court ruled that because Smith's inability to attend a Saturday graduation is rooted in his religious belief, his request triggered the protection of the First Amendment's Free Exercise Clause. The court also ruled that graduation exercise was an "important benefit" that Smith would be deprived of if held on a Saturday, so the Saturday graduation imposed an "unconstitutional burden" on Smith's free exercise.

Mishler distinguished a graduation from sporting events, dances and stage productions because it is "conducted as part of and as an extension of the education program."

Finally, the court held that the school board did not prove that it had a "compelling interest" to justify retaining Saturday as a graduation day. Under current law, proof of a "compelling interest" would be sufficient to overcome a claimed burden on free exercise rights.

JEWIS MOURN BAYARD RUSTIN

By Susan Birnbaum

NEW YORK, Aug. 24 (JTA) -- Leaders of Jewish organizations joined in mourning the passing of Bayard Rustin, chairman of the A. Philip Randolph Institute and one of the foremost civil rights and labor leaders in this country. Rustin, 75, died at Lenox Hill Hospital Monday of a heart attack following surgery Friday for a ruptured appendix.

Rustin's long-time ties to the Jewish people and Israel and his unflagging support of the labor movement and the civil rights movement earned him profound respect among Jews as well as Blacks. But his advocacy of Black-Jewish cooperation and his condemnation of increasing anti-Semitism among Blacks earned him criticism in some Black quarters.

The apex of his long career as a radical, union and civil rights organizer was in 1963 when he organized the historic civil rights March on Washington. In discussing the need for Black-Jewish unity, he told a conference of the Anti-Defamation League of B'nai B'rith in the late 1960's that "I request the understanding, the cooperation and aid of Jews. I do so knowing that there is Negro anti-Semitism and knowing how Jews must feel when they hear some Negro extremists talk." But, he added, "The issue can never be simply a problem of Jew and Gentile or Black and white. The problem is man's inhumanity to man."

In expressing enthusiasm for Israel, Rustin once remarked: "Since Israel is a democratic state surrounded by essentially undemocratic states which have sworn her destruction, those interested in democracy everywhere must support Israel's existence."

Supported Holocaust Memorial Museum

Rustin was a member of the U.S. Holocaust Memorial Council. In that position, he spoke out strongly on behalf of the planned memorial museum because, as he wrote in a letter to The New York Times in May 1984, Americans need "dramatic reminders of the horrors of World War II, and especially a firm resolve to use our strength and wisdom to assure that the outrages of the Nazi era are never repeated against any people."

A Holocaust memorial museum "is not only for Jews...Blacks cannot forget Hitler's pernicious doctrines of racial superiority, or his treatment of Jesse Owens at the 1936 Berlin Olympics. Christians who forget his ultimate plans for all organized religions do so at their own peril." The museum, he said, "will stand as a warning against hatred and dehumanization whoever is the victim."

Rustin wrote a report of his travels in Israel and Lebanon in August 1982 after the Israeli invasion of that country. His first conclusion was that "Israel did indeed receive an unfairly bad press." He wrote that "by standards of international law, the Israeli advance into Lebanon was not an act of aggression. No nation in the world will passively accept continuous attacks from forces based in a neighboring country, and international law recognizes that when such a neighboring country is incapable of halting such attacks, the injured country has every right to undertake that task itself."

Continuing, he scored the world's "double standard with respect to the PLO and Israel...The nations of the world, while prepared to use violence to further their own interests, seem to

demand pacifist behavior from Israel. It is immoral for such nations to denounce Israel's use of force in achieving its objectives, while finding ample rationalization for their own violence...The irony of this double standard is that Israel itself accepts it, holding itself to a higher standard of conduct than the rest of the world."

Rustin met frequently with Israeli leaders, both in Israel and the U.S. During the visit of Premier Shimon Peres to the U.S. in October 1984, Rustin was among the highest American notables he saw.

When Black Muslim leader Louis Farrakhan referred to Judaism as "a gutter religion" during Jesse Jackson's campaign for the Presidency, Rustin admonished Jackson to repudiate Farrakhan in a New York Times Op Ed article. He wrote that "Farrakhan racism and anti-Semitism are unconscionable."

Rustin believed in Blacks working for equality and jobs within the American system. In the editorial, he urged that Blacks heed the mainstream Black organizations such as the Urban League, National Association for the Advancement of Colored People and the Leadership Conference on Civil Rights, and elected Black leaders who recognize "a coalition of Black, Hispanics, women, Christians, Jews and other ethnics."

Statements By Jewish Officials

Seymour Reich, president of B'nai B'rith International, recalled that Rustin was "an inveterate and tireless supporter of Jewish humanitarian causes -- from Israel to Soviet Jewry." Reich added that Rustin also was "an eloquent voice of reason at a time when some Black leaders had turned their backs on their Jewish ally."

Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations, said Rustin "was a 'lamed vavnik,' a man of righteousness whose life expressed the prophetic injunction, 'Justice, justice shalt thou pursue.' The people of Israel and Jews the whole world over mourn his passing."

Burton Levinson, national chairman of the ADL, said Rustin "will go down in history as a pioneer in the civil rights movement who dedicated his life to ending racial segregation and achieving fair treatment for all people alike. He was a good friend and esteemed colleague in the long battle for human rights."

Theodore Ellenoff, president of the American Jewish Committee, recalled that his organization had conferred on Rustin its American Liberties Medallion and that Rustin had said upon receiving it: "The principle factors which influenced my life are non-violent tactics, constitutional means, democratic procedures, respect for human personality, a belief that all people are one."

In 1978, Rustin was the recipient of the American Jewish Congress' annual Stephen Wise Award for "illustrious leadership in the cause of racial justice, world peace and human understanding." Herb Magidson, president of the Jewish Labor Committee, said that Rustin, who was a member of the Committee's National Executive Board, fought tirelessly throughout his life "for human and civil rights, in this country and abroad, for peoples of all races, nationalities and creeds."

Lester Pollack, president of the Jewish Community Relations Council of New York, and Alan Pesky, chairman of the coalition to Free Soviet Jews, both recalled Rustin's commitment to the cause of Soviet Jewish freedom.