

NUDEL EXPECTED TO ARRIVE IN ISRAEL THURSDAY ON HAMMER'S PRIVATE JET

By Susan Birnbaum

NEW YORK, Oct. 12 (JTA) -- Former refugee Ida Nudel is expected to arrive in Israel Thursday night aboard the private jet of industrialist Armand Hammer, and Secretary of State George Shultz will be meeting them at Ben-Gurion Airport, according to Lynn Singer, executive director of the Long Island Committee for Soviet Jewry. Last October, in an unprecedented move, Hammer flew Jewish dissident Prof. David Goldfarb to the United States bypassing the normal exit procedures required of emigrating Soviet citizens.

Singer, who spoke to Nudel on Friday and again Monday, said that Nudel had received this information from the Soviet authorities, but that she had not yet spoken to Hammer himself.

The National Conference on Soviet Jewry told the JTA Sunday that they could "almost certainly confirm this report about Hammer," but that they, too, were awaiting Hammer's statement.

According to associates of Hammer at his offices at the Occidental Petroleum Corporation in Los Angeles, Hammer is on "an extended trip" and could not be reached for comment. (Late Monday, reports from Moscow indicated Hammer had arrived in Kabul, Afghanistan.)

Shultz was scheduled to arrive in Israel at the end of this week for talks with Prime Minister Yitzhak Shamir and Foreign Minister and Vice Premier Shimon Peres. Nudel's arrival will coincide with his visit.

Good News Via Registered Mail

On Monday, Nudel received her official permission to leave the Soviet Union via registered mail. She had been notified on Oct. 2, just hours before the start of Yom Kippur, that she was getting her exit visa after a 16-year wait that included exile to Siberia and the Moldavian city of Bendery.

The 56-year-old Nudel, originally from Moscow, was in the Soviet capital on the eve of Yom Kippur for a hearing on whether she would be permitted to return to live in Moscow when she received the unexpected notification that she would be allowed to emigrate. She returned to Bendery to get all her paperwork in order and returned to Moscow, where she has been staying with another long-time refusenik, Judith Ratner Bialy.

Nudel told Singer Monday to "thank everybody. It's unfortunate it took so many years, but now that my dream of being reunited with my sister and her family is real, it was worth it." Nudel's sister, Elana Fridman, has been living in Israel for 16 years. She resides in Rehovot with her husband, Aryeh, and son, Yakov.

MARGIN OF DEFEAT ONLY QUESTION IN EFFORT TO OUST ISRAEL FROM UN

By Yitzhak Rabi

UNITED NATIONS, Oct. 12 (JTA) -- Nineteen Arab countries and the Palestine Liberation Organization have sent a letter to UN Secretary

General Javier Perez de Cuellar protesting Israel's membership in the world organization. The letter, written by Libya and signed by all the other Arab nations except Egypt and Jordan, was circulated at the world body on the eve of the scheduled Tuesday vote on an Arab-sponsored resolution to deny Israel's credentials to the United Nations 42nd General Assembly.

The letter contended that Israel's "failure" to comply with UN Security Council resolutions on the question of Palestine and the Middle East is grounds for denying the credentials. It also charged that Israel's continued occupation of Arab land "including Jerusalem and the Syrian Arab Golan Heights," is another reason to in effect expel Israel from the UN.

In addition, the letter referred to "violation by Israel of human rights in the Palestinian and other occupied Arab territories"; "Israel's continued aggression against the Arab states and the extension of the area of its aggression to the whole of Lebanon, Iraq and Tunisia"; and "Israel's continued cooperation with the racist regime in southern Africa, specifically in the nuclear and economic fields."

Israeli diplomats said they expect the annual assault on Israel's credentials to be defeated. The vote last year was 86-41, and that majority has grown steadily in recent years.

Israel's Ambassador to the UN, Binyamin Netanyahu, met Monday with the Soviet Ambassador to the UN, Alexander Belonogov, and asked that the Soviet Union change its traditional position in support of the Arab resolution to expel Israel from the UN. Netanyahu reportedly told the Soviet diplomat that Moscow cannot assert that it is interested in improved relations with Jerusalem and call on Israel to agree to an international peace conference under UN sponsorship, while at the same time supporting a move to deny Israel's membership in the UN. Informed sources said that the Soviet Ambassador remained noncommittal to the Israeli request, but promised to forward it to his government.

A SHARPLY CONTROVERSIAL ISSUE

By William Saphire

NEW YORK, Oct. 12 (JTA) -- The position of the organized American Jewish leadership on the sharply controversial issue of whether they have the right and obligation to take public positions on matters affecting Israel's security and foreign policy, was made clear in a letter by Morris Abram, chairman of the Conference of Presidents of Major American Jewish Organizations, to Premier Yitzhak Shamir and Foreign Minister Shimon Peres.

In the letter, which Abram released Sunday, he stated that "Restraint in giving public advice to Israel on matters of security has been the tradition of the Conference of Presidents from its very beginning" but at the same time, "membership in the Conference does not restrict constituent organizations from taking their own individual positions subject to their sense of the common good." Last month, the American Jewish Congress, a constituent of the Presidents Conference, released a policy statement supporting an interna-

tional conference for Middle East peace and a compromise solution for the Israel-administered territories, positions favored by Peres and his Labor Party but fiercely opposed by Shamir and Likud.

Some media reports here inferred a rebuke to the AJCongress in Abram's letter. But AJCongress president Theodore Mann, reached by telephone at his Philadelphia office Monday morning, told the Jewish Telegraphic Agency that his organization "approved" Abram's letter and "we think it is correct, absolutely correct."

He stood by the AJCongress' policy statement and predicted that "other major American Jewish organizations will soon essentially be covering the same ground" and will take positions "similar to ours."

In releasing his letter to Shamir and Peres, Abram explained that the latest phase of the debate, which in fact began with the founding of the Jewish State nearly 40 years ago, was touched off by the widely publicized AJCongress statement. It erupted again when Peres, answering questions following an address to the Presidents Conference Sept. 30, appeared to endorse the AJCongress' initiative.

The Israeli Foreign Minister stated that while it is up to Israel's parliament to "decide on matters of life and death" for the nation, he "would be very surprised" if American Jews remained "neutral on the issue of peace."

Shamir's Letter To Abram

Abram released a letter to him from Shamir, dated Oct. 1, in which the Premier stressed that "... all of us, here and abroad, have adhered to the principle that matters of existence and security must be left to those who are called to shed their blood for the country. Thus and only thus has the American Jewish leadership been able to present to the world a united front on the fundamental issues of Israel's existence and help it immeasurably in its struggles ..."

Shamir added, "The regrettable recent attempt to breach this understanding sets a dangerous precedent. There is a shock of disbelief in Israel ... " The Premier seemed to be referring to both Peres' remarks to the Presidents Conference and the AJCongress policy statement.

Abram also released Peres' rejoinder to Shamir, dated Oct. 4, in which he said he was "very surprised to read your reaction to my address" to the Presidents Conference. He took the Premier to task for "criticizing the activities of the Foreign Minister in his absence from the country ..."

Abram's Letter To Shamir And Peres

Abram, in his letter to the two Israeli leaders, dated Oct. 7, stated: "American Jewry has been a partner in the effort to create a sovereign State of Israel. ... None of us would by deed or word, impair the sovereignty or security of this State. The essence of sovereignty is the right and power of a state to decide for itself the great issues of life and destiny. Fortunately, sovereignty in Israel is vested in its people acting through a democratically constituted government.

"Since its establishment as a Jewish state, Israel and its governments have always been receptive to the expressions of the diverse views of Jews abroad ... Internal examination and debate of issues faced by governments of Israel is in the best tradition of American Jewish life, and the channels to Israel have always been open to

communicate divergent views on every political and communal concern. As an individual or representative, I have publicly expressed viewpoints on matters of Jewish communal interest -- at times different from existing Israeli government policy - but not on matters which affected the State's ultimate existence and sovereignty.

"Such restraint in giving public advice to Israel on matters of security has been a tradition of the Conference of Presidents from its very beginning. At the same time, membership in the Conference does not restrict constituent organizations from taking their own individual positions subject to the sense of the common good.

"The Conference itself has used its channels to communicate to Israeli officials views and opinions representing consensus, near consensus and dissent on the range of Israeli policies. Restraint by the Conference on the public airing of contrary views on matters of the safety of the State rests not solely on abstract theory but on a practical reality. ..."

Primary Emphasis Of The AJC

Mann told the JTA that the primary emphasis of the AJCongress policy statement was not support for an international peace conference but a "correction of the status quo" which itself is the subject of vigorous debate in the Israeli media.

He observed that many in Israel critical of the AJCongress' stand did not read its policy statement. In order to make its position clear, the AJCongress is publishing in Hebrew the text of its policy statement in advertisements in five major Israeli daily newspapers, appearing Monday and Tuesday.

The Debate Continues

Meanwhile, the debate continued to boil over the AJCongress policy statement and Peres' strong advocacy of an international conference during his visit to the U.S. last month.

Bernice Tannenbaum, chairperson of the World Zionist Organization-American Section, declared that "It is unfortunate that an important American-Jewish organization has taken a public stand concerning an issue which is clearly to be decided in the Israeli political process ... American Jews and their responsible organizations, have the right and even the obligation to contribute their views on issues and events concerning Israeli society ... However, our comments and interventions transgress the obligation of responsibility when they trespass into issues of Israel's security and political future," Tannenbaum said.

An opposite view was taken by Isak Arbus, president, and John Ranz, executive secretary, of the Holocaust Survivors Association U.S.A. who stated in a letter to the AJCongress: "We strongly believe that it is in the best interests of the State of Israel to adhere to the democratic ideals of its founders. We commend you therefore for the courageous stand you have taken on two vital issues to the Jewish state and the Jewish people: The central one of the West Bank and the need for an international conference on Middle East peace."

Gloria Elbling, national president of NA'AMAT USA (formerly Pioneer Women-NA'AMAT) stated that "Our 50,000-member organization strongly backs the position forthrightly expressed by Israeli Foreign Minister Peres in his speech to the United Nations General Assembly and to the Conference of Presidents of Major American

Jewish Organizations of which NA'AMAT USA is a member." Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations (UAHC), stated, "The current debate on the peace conference is a focal issue, as is the issue of religious pluralism (in Israel) on which it is our obligation to make ourselves heard. I see nothing inappropriate about Foreign Minister Peres' call to involve ourselves in the current debate on the peace process."

ISRAELI STUDENT KILLED IN OLD CITY

By Gil Sedan

JERUSALEM, Oct. 12 (JTA) -- Funeral services were held here Sunday for an Israeli student and newlywed who was fatally shot Saturday evening in the Old City. Yigal Shahaf, 24, an electronics student who worked as a guard at night, was shot at close range near the Via Dolorosa while strolling with his wife of four months and a couple of friends from Netanya.

Jerusalem police are holding seven suspects in the murder, but there is no indication that any of them was directly linked to the shooting.

The funeral for Shahaf took place barely 24 hours after the attack. He died of his wounds Sunday in a Jerusalem hospital.

Shahaf's wife, Ronit, seemed unable to grasp the tragedy. She mumbled, "We were so happy together," as Shahaf was laid to rest. Among those attending the funeral were Jerusalem Mayor Teddy Kollek and Deputy Minister Ronni Milo.

Shahaf had only recently been discharged from lengthy service in the air force, where he worked as a technician.

Police and general security services are continuing their investigations into the murder.

Premier Yitzhak Shamir told Israel Radio after the murder that Israel should consider introducing the death penalty in face of the attack against Shahaf and other terrorists attacks. "I think we should soon reopen the discussion of this utmost penalty in particularly heinous and inhuman cases," Shamir said Sunday.

Tension Continues In The Old City

In the meantime, tension continued Sunday in the Old City following a declaration by the "Temple Mount Faithful," a Jewish nationalist group, of their intentions to pray on the Temple Mount. The site of the First and Second Temples is presently the location of the Dome of the Rock (the Mosque of Omar) and the El Aksa Mosque. The Dome of the Rock is the third most holy site in Islam, after Mecca and Medina.

Police used tear gas Sunday attempting to disperse hundreds of Arab protesters on the Temple Mount. The Arabs demonstrated and threw rocks and bottles at the police. Three policemen were wounded by rocks, and 12 Arabs were arrested.

Following a calming of the crowd, police allowed five members of the Temple Mount Faithful to tour the site.

A number of Jerusalem merchants closed their shops because of the unrest, and also in solidarity with a commercial strike this weekend in the Gaza Strip, following the fatal shooting of four terrorists there last week.

The unrest continued Sunday in the Gaza Strip. In the morning, a Molotov cocktail was thrown at an army patrol touring the Shati refugee camp in Gaza. A gasoline bomb exploded, but there were no casualties from it. Security forces

detained one suspect. In other instances there, security forces opened fire and used clubs to disperse demonstrators. Spirits were cooled by early afternoon, however, and shops reopened.

Despite the tension, hundreds of Israelis spent the Succoth holiday at the Katif region, a Jewish resort area along the sandy beaches of the Gaza Strip. Others attended an annual march in the area.

MISPRINT IN SUCCOTH PRAYERBOOK IS REPORTED BY THE PUBLISHER

NEW YORK, Oct. 12 (JTA) -- A nationwide alert to four misprinted lines in its latest prayerbook has been issued by Mesorah Publications of Brooklyn. Mesorah, which publishes the ArtScroll series of English translations of Judaica classics, says that four lines in its new Succoth machzor went unnoticed until two days before the holiday, too late to be recalled.

The four misprinted lines appear at a critical place in the "Amidah" silent prayer, the "Shmoneh Esray," to be said during the holiday's intermediate days of Chol HaMoed. The mistaken lines in the "Yaale VeYavo" section of the prayer refer to the end of the holiday, Shmini Atzereth, instead of the intermediate days of Succoth, as they should.

Jewish law requires that if these four lines are not recited correctly they must be repeated.

Mesorah says the nationwide alert was deemed necessary because the errors are subtle and thus likely to be overlooked by many readers.

In addition, several other errors, described as "minor flaws," were also discovered in the machzor, including the inadvertent printing of two pages twice in one of the several repetitions of the "Hallel" prayer. This error, say the publishers, would be obvious to the worshipper. The correct text of the prayer appears elsewhere in the machzor.

Several thousand copies of the 1,300-page machzor were distributed in advance of the holiday by Jewish schools, as well as in bookstore sales. Because ArtScroll books are considered to be authoritative by many traditional homes, synagogues and institutions, the publishers felt compelled to launch an immediate notification campaign as soon as the errors were discovered, on Oct. 5, which was only two days before the Succoth holiday began.

On Oct. 5, Mesorah sent pressure-sensitive labels with appropriate replacement text for the misprinted lines via air express to Jewish bookstores throughout the country. In addition, paid advertisements were placed in a national Anglo-Jewish newspaper (The Jewish Press) to notify the public of the errors.

ArtScroll publishers say they were advised by some people in the publishing business to delay public notification of the errors until after the holiday, but that they chose to ignore this advice. Rabbis Meir Zlotowitz and Nosson Scherman, general editors of the ArtScroll series, said, "We could not break faith with the many tens of thousands who rely on our prayerbooks to enrich the holiday's spiritual experience. These printing errors are doubly embarrassing because ArtScroll has taken great pride in the high level of printing and graphic quality of its books. They are the most serious printing errors that we have ever encountered in 10 years of publications, and will inspire us to increase our quality control efforts in the future."

SPECIAL INTERVIEW WAITING FOR A CONSTITUTION

By David Friedman

(Part One Of A Two-Part Series)

WASHINGTON, Oct. 12 (JTA) -- Israel has begun a year-long celebration of its 40th anniversary with a special emphasis on the Declaration of Independence proclaimed when the Jewish State was established.

But one major promise of the Declaration has not yet been realized -- a constitution.

"The promise of the Declaration of Independence should be fulfilled with a constitution for Israel in order to safeguard the humanistic and democratic values upon which Zionism was founded and to provide Israel with an efficient government which will enable us to face the very difficult problems ahead," Uriel Reichman, dean of the Tel Aviv University Law Faculty, said in an interview with the Jewish Telegraphic Agency here.

Reichman and three of his colleagues at the law school have drafted a proposed constitution which includes a Bill of Rights and wide changes in the government of Israel. He said the draft was written after consultation with constitutional scholars and political scientists in Israel, the United States and Western Europe.

Widespread Support In Israel

Since the proposed constitution was released at Tel Aviv University last August, there has been "an explosion of Israeli opinion" in favor of a constitution, Reichman said.

Israelis have volunteered to support the campaign for a constitution and a committee has been formed to press the government to act. "People have shown up in my office to support the campaign" and donate funds, Reichman said.

He said Israeli newspapers have offered free advertisement space, a major ad agency is undertaking the campaign free of charge and buses carry free ads urging a constitution.

Support has also come from business and financial leaders, and the mayors of 30 cities throughout Israel have issued a proclamation urging the Knesset to act, Reichman said.

President Chaim Herzog in his Rosh Hashanah message also lent his support. "This is the time to hold a thorough, non-political national discussion, to be based on a new national consent, on the issue of formulation of a constitution for Israel," Herzog said.

He defined such a constitution as one "which will anchor the fundamentals of living in the State and will strengthen Israel's democracy, a constitution which will mirror our qualities of unity and uniqueness as a nation, which will be based on the Declaration of Independence, as well as on the realities of life in Israel after 40 years of sovereignty." Reichman said he has received support from Knesset members of all parties. Premier Yitzhak Shamir has praised the effort of the law professors and said Israel was "mature" enough now to have a constitution.

While Foreign Minister Shimon Peres has not made any public statements yet, Reichman, who is scheduled to meet with him, said he believes Peres will also support the effort.

Reichman said he knows there are many difficulties ahead, but he believes that this is the "opportune moment, providing that the public pressure will be kept on very strongly" and the issue can be kept nonpartisan.

"We are trying hard to finalize the matter before the end of May 1988," when the next election campaign for the Knesset is scheduled to begin, Reichman said.

He said he would like to see representatives of all the parties meet in a closed convention to approve the constitution and submit it to the Knesset. Although it is not required, Reichman believes that if the Knesset approves a constitution it should be submitted to a referendum so that all Israelis can take part in creating a new "social covenant."

Reichman said that he and his colleagues engaged in their effort because of a fear that the current situation endangers Israel's democratic structure and the humanistic values on which Zionism was established.

That is why a Bill of Rights was considered mandatory. "The most sacred human rights can be amended by a simple majority of the Knesset," he said.

He noted particularly the religious laws which are subject to pressure from the small religious parties which are needed to form a government by Labor and Likud. He said the rightwing political element might find they need the support of Rabbi Meir Kahane to form a government and adopt a law to impose a curfew on Israeli Arabs, or the left wing might need the Communists and agree to nationalize major industries.

"In order to preserve individual freedom, the State should be run for the benefit of its citizens, rather than the politicians," Reichman said.

Aspects Of Proposed Bill Of Rights

The proposed Bill of Rights would preserve religious freedom, but it would also protect secular Israelis, allowing civil marriage, divorce and burial, Reichman said. But, he stressed, there would be no "wall of separation" as in the U.S. Constitution, and the State would still support religious services.

Reichman rejected the long-held common view that David Ben Gurion, Israel's first Prime Minister, did not push for a constitution because of the religious issue. He noted that the National Religious Party was ready to support a constitution in 1949-50 and that one of its leaders would have chaired the committee drafting the document.

"Ben Gurion simply did not want a situation in which his hands would be tied by a binding document," Reichman said.

In addition to the guarantees contained in other democratic constitutions, Reichman said the proposed Bill of Rights would also contain the right of citizens to a humane standard of living. He explained in the Jewish tradition of each Jew being responsible for the other, citizens who were starving or homeless would have a claim on the government. Reichman said he did not fear that Israel could end up with a constitution in which Israelis would lose some of the rights they now have. This is the concern of many in the U.S., including the Jewish community, about the proposals for a constitutional convention to force an amendment requiring a balanced budget.

While there is always the danger of this happening, Reichman conceded, he believes the Bill of Rights is too ingrained in the American tradition for this to happen in the U.S., and polls have shown that two-thirds of Israelis want their country to be a Western-style democracy.

(Tomorrow: Part Two)