

# **'WHAT IS THE ALTERNATIVE?'** **HERZOG ASKS CRITICS OF BEATINGS**

By David Landau

JERUSALEM, Jan. 27 (JTA) -- President Chaim Herzog of Israel offered a resounding challenge this week to American Jewish leaders who have criticized Israel's policy of beatings and curfews to put down rioting in the administered territories.

"The question that I must ask you is, what do you see as the alternative? . . . If you criticize our methods of achieving law and order, as many in Israel do, you should at least advise us what the alternative is," Herzog stated.

"I believe that intellectual honesty requires that anybody who condemns us for what we are doing should suggest a proposal for alternative action."

The president made the remarks in an open letter, published Tuesday, to Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations, the congregational arm of Reform Judaism in America.

Schindler, a staunch supporter of Israel, but also frequently an outspoken critic of some Israeli government policies, wrote to Herzog on Sunday, condemning the Israel Defense Force policy of beating rioters as a violation of human decency unworthy of the Jewish state and a travesty of Zionism. Schindler's letter was published along with Herzog's reply.

The Israeli president, whose office is non-political and chiefly ceremonial, addressed his response to Schindler. But it was clearly intended for all Jewish leaders and spokespersons abroad who have publicly expressed dismay over the IDF's "iron fist" policy.

Concurrently, the English-language Jerusalem Post published a scathing editorial attack Wednesday on American Jewish leaders, not for the content of their criticism, but for what the Post saw as their sudden outspokenness in the face of past acquiescence to the policies of previous Israeli governments that may have set the stage for the present crisis. (See related story.)

## **Fight Against 'Khomeinism'**

Herzog, in his letter to Schindler, made some telling points. He maintained that by standing tough in the current unrest, Israel was holding the line against inflammatory Islamic fundamentalism -- "Khomeinism" -- which threatens not only Israel, but the entire Middle East. His reference was to the "holy war" fervor generated and spread by the Ayatollah Ruhollah Khomeini of Iran.

"The alternative facing us today, and indeed our neighbors such as Jordan and Egypt, is between suppressing these riots or allowing them to develop into a new Teheran or Beirut," he wrote.

"Other countries in the area have reacted decisively to stem the onslaught of this fundamentalist wave," Herzog pointed out. He noted that Israel has been singled out for denunciation, while the brutal suppression of demonstrators and dissenters by Arab governments have received little or no attention in the Western media.

The president asked why American television covered Israeli methods of controlling riots in the

territories, but not similar situations in Fez, Morocco, where three Palestinian students were killed and 80 wounded in a recent student demonstration, or Irbid, Jordan, where eight Palestinian students were killed in another campus protest.

But the president did say that "the instructions issued to our security forces have been clarified following the public discussion which they evoked. There certainly was no order to beat indiscriminately and if there were divergences and irregularities, I am advised that steps have been taken to ensure that they do not occur."

"I am sure that everything possible will be done by all responsible parties in Israel to ensure that the steps taken to preserve law and order are commensurate with the threat, and are legally and morally justifiable," wrote Herzog.

## **CONFERENCE OF PRESIDENTS** **BACKS HANDLING OF THE UNREST**

By Andrew Silow Carroll

NEW YORK, Jan. 27 (JTA) -- The Conference of Presidents of Major American Jewish Organizations gave its support Wednesday to Israel's handling of unrest in the administered territories, based on assurances from Prime Minister Yitzhak Shamir that Israel has not adopted a policy of randomly beating Palestinian troublemakers.

In a statement read at a news conference here by Morris Abram, the conference chairman, the group said that while the "use of force is sometimes indispensable to restore order," Israel "does not have a policy of indiscriminate beatings."

Abram said the statement was based on a message he received from Shamir on Tuesday. In the message, which Abram read aloud, the prime minister affirmed that Israel has not and will not adopt a policy of using beatings to prevent violent disturbances.

"The use of indiscriminate beatings or any kind of excessive force by our security people is not permitted," Shamir was quoted as saying. "The use of force is sanctioned only for the purpose of breaking up violent demonstrations, for self-defense and for those resisting arrest."

The gist of the conference statement was hammered out Monday at an emergency meeting of the group's 42 member organizations. The conference decided to issue the statement in response to reports of an Israeli policy of beating Palestinian demonstrators to quell rioting.

The beatings policy was announced last week and defended again Tuesday by Defense Minister Yitzhak Rabin, who said that use of clubs has helped instill Palestinian fear of the Israel Defense Force.

The policy has aroused considerable concern and some sharp reaction among American Jewish organizations.

On Tuesday, following meetings in Israel with Rabin, Shamir and other Israeli leaders, the American Jewish Congress released a strongly-worded statement saying that the beatings had spread beyond the rioters to include the "brutalization of innocents" and "must not only be stopped immediately, but repudiated if Israel is to preserve its good name."

On Sunday, Rabbi Alexander Schindler,

president of the Union of American Hebrew Congregations, the Reform congregational body, sent a cable to President Chaim Herzog calling the beatings policy "an offense to the Jewish spirit" that "violates every principle of human decency" and "betrays the Zionist dream."

Two Orthodox Jewish groups took issue Wednesday with Schindler's criticism. Rabbi Milton Polin, president of the Rabbinical Council of America, said in a statement that "even on matters of Jewish morality, if not international law, Schindler is off the mark. Self-defense, even including the use of a pre-emptive strike, is fully justified in biblical and talmudic tradition."

And in a second statement, the National Council of Young Israel, representing Modern Orthodox synagogues, said it "deplores" the Schindler and AJCongress statements for "hurling damaging invectives against Israel's policy in Judea and Samaria."

At Wednesday's news conference, Abram called the Conference of Presidents "harmonious and unified" and said that even Schindler agreed with the consensus statement.

Reached Wednesday by telephone in California, Schindler concurred that he is "substantially in agreement" with the conference statement and similar assurances from Herzog that "orders given to Israeli soldiers are being clarified."

The conference statement defended Israel's "right and responsibility to protect the security of its people and the integrity of its institutions" and to "restore order as the precondition to any redress of grievances."

But while saying that a policy of beatings would be "wrong and inconsistent" with Israel's historic policy and practice, the statement pointed out that "in every country, including our own, police officers are equipped with weapons, including billy clubs, to maintain order and to protect the lives and property of local residents against mob rule."

#### 'Betrayed By The Arab Nations'

The statement acknowledged that Palestinian Arabs are frustrated with the lack of progress on resolving the future of the administered territories, but pointed out that they "have been abandoned and betrayed by the Arab nations with whom they share a common tradition, language and culture."

Abram referred to an invitation extended on the eve of December's superpower summit in Washington by Secretary of State George Schultz for both Shamir and Jordan's King Hussein to begin direct peace talks with the "blessings" of the United States and the Soviets. Only Hussein refused to take part, Abram said.

The conference statement called for the emergence of "a representative group of non-violent Palestinians" and "responsible Arab leaders, and especially King Hussein," to accept Israel's continuing invitation to negotiate a settlement.

Asked by reporters whether Shamir's message contradicted statements being made by Rabin about the policy, Abram said that "if accurate," Rabin's remarks are counter to the policy set by Shamir and the Cabinet.

Abram said he was "sure some indiscriminate beatings occurred," but that the soldiers taking part would be disciplined.

Rabin promised Tuesday that he would launch full investigations into reported excesses by soldiers.

#### U.S. JEWISH LEADERS' CRITICISM IS HYPOCRITICAL, SAYS ISRAELI PAPER

By David Landau

JERUSALEM, Jan. 27 (JTA) -- The Jerusalem Post charged Wednesday that U.S. Jewish leaders are criticizing Israel's policies in the administered territories not out of concern for Israel, but because of embarrassment at media coverage of events in the territories.

"Morally, they deserve only to be ignored. As troubled diaspora Jews, they deserve sympathy," the English-language daily declared in an editorial that was one of the most scathing attacks on American Jewish leadership ever made by a mainstream Israeli publication.

Condemnation of Israel's beating of Palestinian demonstrators has lately been made publicly by Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations, and Henry Siegman, executive director of the American Jewish Congress.

The Post did not fault the content of the leaders' criticism, but rather their silence in the face of the policies that the newspaper said has led to the current unrest.

"More than 20 years of government occupation policy lies battered amongst the rock-strewn streets of Gaza and the West Bank. Also in shambles are 20 years of 'policy,' to the degree the term applies, of the organized Jewish community in the U.S.," The Post declared.

It said the U.S. Jewish policy "was based on a handful of fixed premises: Israel knows best. Israel mans the trenches. American Jewry mans the rear lines. American Jewry must speak in one voice."

The editorial cited the unwavering and unquestioning support of Israel government policies.

"When in 1977, the newly installed (Premier) Menachem Begin made 'Greater Israel' official state policy, it was none other than the chairman of the Presidents Conference (Conference of Presidents of Major American Jewish Organizations), Rabbi Alexander Schindler, who came to Jerusalem to endorse the Herut premier," the editorial charged.

(Schindler denied on Wednesday that he ever supported Israel's policy of settlements in the administered territories other than those around East Jerusalem.

(He explained in a telephone interview from San Diego that he did not publicly express an opinion on the settlements as chairman of the Presidents Conference because that organization had not reached a consensus on the issue. However, he criticized the policy in private conversations, he added.

(The Reform rabbi, now president of the Union of American Hebrew Congregations, said The Post was either "misreading the facts or rewriting history.")

The Post editorial further contended that "throughout these long years of what was billed as benign occupation... American Jewry's spokesmen persuaded themselves, in order to better rub shoulders in Washington, that whatever Israel's policy might be, it was in the best interests of the U.S."

The reason American Jewish leaders are speaking out now, according to The Post, was "anguish about footage on their TV screens which embarrasses the American Jewish community for its identification with Israel."

# ISRAEL POSTPONES EXPULSION OF FIVE PALESTINIANS

By Hugh Orgel

TEL AVIV, Jan. 27 (JTA) -- Israel will postpone the deportation of five Palestinian activists in order not to risk new disturbances in the currently calm administered territories, Yediot Achronot reported Wednesday.

The newspaper said the decision was made following consultations between Premier Yitzhak Shamir, Foreign Minister Shimon Peres and Defense Minister Yitzhak Rabin. A second major factor was the Foreign Ministry's warning that deportations beyond the four made Jan. 13 would further harm Israel's image abroad.

Pressure from the United States was another factor, Yediot Achronot said. Deportation orders were issued on Jan. 3 against nine Palestinian activists accused by the military of incitement to riot in the administered territories.

Four, from the West Bank, were expelled to Lebanon. Deportation proceedings were pending against the remaining five -- one from the West Bank and four from the Gaza Strip. The Gazans announced Monday they would waive their right to appeal on grounds they could not expect justice from Israeli courts.

The four deportees also had waived their right to appeal.

## U.N. BODY CONVENES ON UNREST, BUT TAKES NO FURTHER ACTION

By Yitzhak Rabi

UNITED NATIONS, Jan. 27 (JTA) -- The Security Council convened Wednesday for the fifth time since Dec. 22 to discuss the situation in the West Bank and Gaza Strip.

This time the subject was the report by U.N. Undersecretary General Marrack Goulding on his recent nine-day fact-finding mission to the territories and Israel. The report was released Friday by Secretary General Javier Perez de Cuellar, who sent Goulding to the region in compliance with a resolution adopted by the Security Council on Dec. 22.

According to diplomatic sources here, the Arab states and the Palestine Liberation Organization want the Security Council to force Israel to comply with the Fourth Geneva Convention of 1949, which concerns protection of civilians in time of war.

The Arabs are pressing for a new resolution that would empower the Security Council to dispatch U.N. observers to the territories. But no draft resolution has been circulated yet. The diplomatic sources said the current debate will continue until Friday, when a resolution is expected to be adopted.

Israel did not address the council Wednesday. The Israeli ambassador to the United Nations, Benjamin Netanyahu, is scheduled to speak Thursday.

Netanyahu told the Jewish Telegraphic Agency that the Security Council meeting would only "enflame passions" and not contribute to restoring calm in the territories.

The council was addressed Wednesday by Ambassador Abdullah Salah of Jordan. He said the Security Council must seek a solution of the Middle East conflict on the basis of Resolutions 242 of 1967 and 338 of 1973 "by convening an international peace conference on the Middle East" with the participation of the PLO.

# MUBARAK DISCUSSING PEACE PLAN WITH U.S. OFFICIALS

By Howard Rosenberg

WASHINGTON, Jan. 27 (JTA) -- Washington is abuzz with visitors from the Middle East.

Egyptian President Hosni Mubarak met Wednesday with Secretary of State George Shultz, after arriving here Tuesday afternoon for three days of talks with Reagan administration officials.

A top aide to Israeli Premier Yitzhak Shamir, Cabinet Secretary Eli Rubinstein, is also in Washington, for meetings with Shultz's executive assistant, Charles Hill, and other U.S. officials. Yossi Beilin, a top aide to Foreign Minister Shimon Peres, visited here last week.

In another development, the State Department announced that Undersecretary of State for Political Affairs Michael Armacost will visit the Middle East in mid-February.

Mubarak's U.S. visit -- his first since September 1985 -- comes one week after he unveiled a formula for stopping the rioting in the Gaza Strip and West Bank.

The proposal calls for a six-month Israeli freeze on new Jewish settlements in the territories and for the Palestinians to cease rioting.

In addition to conferring with Shultz, the Egyptian president met Wednesday with Defense Secretary Frank Carlucci and had meetings scheduled with Agriculture Secretary Richard Lyng, Treasury Secretary James Baker III and M. Alan Woods, administrator of the State Department Agency for International Development.

Mubarak was scheduled to meet with President Reagan on Thursday morning and with leaders of the Senate and House that afternoon.

Earlier this week, he met with West German Chancellor Helmut Kohl and British Prime Minister Margaret Thatcher. After his U.S. meetings, Mubarak is scheduled to visit France, Morocco and Italy.

## SENIORA URGES INTERNATIONAL CONFERENCE INCLUDING PLO

By Howard Rosenberg

WASHINGTON, Jan. 27 (JTA) -- Visiting Palestinian journalist Hanna Seniora said he told Secretary of State George Shultz on Wednesday that the Palestine Liberation Organization is the "sole legitimate representative" of the Palestinians and must be involved in any negotiations for Mideast peace.

Seniora, editor of the East Jerusalem newspaper Al Fajr, delivered his comments outside the State Department following a half-hour meeting with Shultz.

Seniora and Fayez Abu Rahme, who heads an association of Palestinian lawyers in the Gaza Strip, also met separately with Under Secretary of State for Near Eastern and South Asian Affairs Richard Murphy.

The pair reportedly was denied Israeli permission last week to visit the United States.

Seniora said Shultz "promised that the United States will work hard to bring peace to the region. He is keen on trying to get involved personally in the situation and trying to resolve the Palestinian-Israeli conflict."

Seniora said he called for the convening of an international peace conference including the PLO and "a solution based on respect of the right of self-determination for both parties."

He said Shultz responded by pointing out the

PLO's record of terrorism and reiterated that the United States will not recognize the PLO unless it agrees to U.N. Resolutions 242 and 338, which note Israel's right to secure borders and call for the return of territory for peace.

#### Says Arafat Wants Peace

Seniara told the news conference that "I believe that (PLO Chairman Yasir) Arafat has endorsed a peaceful way out of the situation. They have said that they agree to negotiations -- direct ones -- with the State of Israel under an international conference."

He also asserted that the concept of an international conference "is at the present moment not being discussed and not being endorsed by the Israeli government."

While Foreign Minister Shimon Peres has endorsed the idea, so long as it does not have the power to impose a solution, Premier Yitzhak Shamir instead calls for direct negotiations between Arab countries and Israel.

Seniara commented on visiting Egyptian President Hosni Mubarak's proposed Israeli six-month freeze on new West Bank settlements in return for an end to rioting by Palestinians by saying "it's meant to make the international conference possible."

On the status of Jerusalem, Seniara said, "It has to be negotiated also. . . I agree that Jerusalem should be an open, undivided city, but I would not accept unilateral annexation of Jerusalem."

The editor continued, saying Israel's "occupation cannot be permanent" in the territories. He termed the plight of the Palestinian people "unbearable" and said "they are revolting against the practices of the occupation."

He warned that "neglect of the area means more hatred, violence and deaths."

Rahme said Shultz did not ask for Palestinians in the territories to exercise restraint.

While it was not clear whether Shultz said Israel should exercise moderation, State Department officials have regularly called for restraint by both sides.

#### 14 Suggestions

In a hand-delivered letter to Shultz, the Palestinians listed 14 measures for Israel to take to end "the violence and bloodshed," including:

- Abiding by the Geneva Convention of 1949 pertaining to the protection of civilians under military occupation.

- Releasing all prisoners arrested during the uprising, and rescinding all proceedings and indictments against them.

- Allowing the four Palestinians deported to Lebanon to return.

- Withdrawing the Israel Defense Force from population centers in the territories.

- Conducting a formal inquiry into "the behavior of soldiers and settlers in the West Bank and Gaza."

- Ceasing development of new Jewish settlements and harassments of the Arab population, including "the provocative activities in the Old City of Jerusalem by Ariel Sharon and the ultra-religious settlers of Shuvu Banim and Ateret Kohanim."

- Instituting political freedoms such as municipal elections and Palestinian contact with the PLO.

- Rescinding various economic measures that they say discriminate against Palestinians.

#### **EAST GERMANY AGREES IN PRINCIPLE TO REPARATIONS FOR VICTIMS OF NAZIS**

NEW YORK, Jan. 27 (JTA) -- East Germany has agreed in principle to pay reparations to victims of the Nazis during World War II, Elan Steinberg, executive director of the World Jewish Congress, confirmed Wednesday.

Steinberg said East German officials have told congress representatives that after nearly 40 years of refusal, "they no longer have any objection in principle to reparations to Nazi victims."

However, it was not clear whether only Jews or all victims would receive the payment, reportedly to be made in both currency and commodities.

Reparation talks are underway between East Germany and interested organizations in the United States, Frank Mader, press officer of East German embassy in Washington, was quoted as saying.

The reparations announcement, declared Steinberg, represents "a major policy shift after East Germany's long-standing refusal to make reparations."

Steinberg admitted that "We are not talking about any specifics at the moment, but they've publicly acknowledged acceptance of the principle."

The executive director said that the stated reparations policy of both East and West Germany "stands in stark contrast to Austria, which has adamantly refused to make reparations payments."

Jewish sources say that congress president Edgar Bronfman may meet with East German chief Erich Honecker to discuss the whole range of concerns relating to Jews and Eastern Europe.

#### **DOUBT CAST ON WITNESS' DIARY IN DEMJANJUK TRIAL** By David Landau

JERUSALEM, Jan. 27 (JTA) -- The credibility of a key prosecution witness in the trial of accused war criminal John Demjanjuk was challenged in Jerusalem district court Wednesday.

The witness, Eliyahu Rosenberg, a Holocaust survivor who earlier in the trial identified Demjanjuk as the Treblinka death camp guard known as "Ivan the Terrible," was questioned about an entry in his diary in December 1945 that "Ivan" had been clubbed to death by escaping Jewish prisoners.

This followed his recall to the witness stand during the summation by state prosecutor Michael Shaked, a rare but not unprecedented procedure in Israeli courts.

But the defense seized on the opportunity to stress the discrepancy between Rosenberg's diary and his identification of the defendant. Rosenberg was forced to explain that portions of his diary were based on hearsay.

The defense stressed that the diary, written in Yiddish in Rosenberg's hand, gave no indication of what was an eyewitness account and what was hearsay.

#### **IDF REBUFFS HEZBOLLAH GUNMEN**

TEL AVIV, Jan. 27 (JTA) -- An Israel Defense Force patrol engaged in a long-range fire-fight with Hezbollah gunmen in the southern Lebanon security zone shortly before midnight Monday. Three of the gunmen were killed. There were no Israeli casualties.