JTA
DAILY NEWS BULLETIN

PUBLISHED BY JEWISH TELEGRAPHIC AGENCY · 330 SEVENTH AVENUE · NEW YORK, NY 10001-5010 · (212) 643-1890

VOL. 69 - 74th YEAR TUESDAY, DECEMBER 10, 1991 NO. 230

PALESTINIANS INSIST ON NEGOTIATING WITH ISRAEL AS SEPARATE DELEGATION

By David Friedman

WASHINGTON, Dec. 9 (JTA) -- On the eve of the second round of bilateral Middle East peace talks, a new stumbling block appeared, as Palestinians insisted on negotiating with Israel separately from Jordan.

In Jerusalem, Prime Minister Yitzhak Shamir warned Monday that the talks could be derailed if the Palestinians refuse to negotiate as part of a joint delegation with Jordan.

It is "inconceivable" the Palestinians would maintain this position, since agreements reached prior to the peace conference in Madrid are "entirely clear," Shamir said after briefing the Knesset Foreign Affairs and Defense Committee.

"Israel is prepared to negotiate with a Jordanian- Palestinian delegation," he said.

Here in Washington, State Department spokeswoman Margaret Tutwiler seemed to agree with Shamir. She said that "under the terms of reference" for the talks, the Palestinians and Jordanians are to negotiate with Israel as part of a joint delegation.

She said the State Department has made available one room for these talks. Separate rooms also will be available for the negotiations Israel is to conduct separately with Syria and Lebanon.

There are also separate entrances at the State Department for the delegations to the three sets of negotiations, which were due to begin at 10 a.m. Tuesday.

But Tutwiler said the United States would have no objections if Israel, the Palestinians and Jordan agreed among themselves to split up the talks.

Soviets Still A Co-Sponsor?

There was one report that Elyakim Rubinstein, head of the Israeli delegation for the talks with the Jordanian-Palestinian delegation, had suggested that the joint delegation meet with Israel for a short procedural session.

The delegates would then split up into two subcommittees, one dealing with Palestinian autonomy and the other Israeli-Jordanian bilateral issues.

One suggestion offered in order to please both sides would have one Palestinian sit with the Jordanian delegation and a Jordanian sit with the Palestinian delegation. This would enable Israel to maintain that the joint delegation continued to exist, while the Palestinians could point to a separate delegation.

But one Israeli spokesman suggested Monday that the Palestinians were raising the issue as a last chance to score public relations points before the talks actually got under way.

In his Knesset testimony, Shamir said that the Israeli negotiators were empowered to deal not only with procedural matters but also other matters as they arose. This was a denial of reports that the negotiators could only deal with Israel's demands that the next stage in the talks be held in the Middle East.

The negotiators could advance the many ideas Israel had prepared prior to the talks, Shamir said.

Meanwhile, Tutwiler said the Bush administration is continuing to consider the Soviet Union an active co-sponsor for the Middle East negotiators, despite the rapid changes in that country, including the apparent disintegration of the central authority.

The Soviets "have been extremely helpful" over the last eight months in bringing about the peace talks, she said.

Tutwiler also indicated that despite the decision of Russia, Ukraine and Byelorussia to create a Commonwealth of Independent States, the Bush administration believes the third stage of the peace process, a multilateral conference on regional issues, will open, as scheduled, in Moscow on Jan. 28.

Tutwiler said the chief U.S. concern with the creation of the commonwealth is that the Soviet Union's nuclear weapon remain under a single unified control. The United States also wants to ensure that nuclear technology will not be exported to countries like Iraq and Libya, she said.

(JTA correspondent David Landau in Jerusalem contributed to this report.)

SETTLERS RAMPAGE THROUGH RAMALLAH, BUT INTIFADA ANNIVERSARY MAINLY QUIET

By Gil Sedan

JERUSALEM, Dec. 9 (JTA) -- Jewish settlers rampaged through Ramallah on Monday, reportedly causing extensive property damage in the West Bank Arab town.

But other than that and a stone-throwing incident in Hebron, the fourth anniversary of the start of the Palestinian intifada passed without serious incident in the administered territories, though the Israel Defense Force and other security services were kept on high alert.

The Palestinian population throughout the territories observed a general strike to commemorate the beginning of the uprising against the Israeli presence on Dec. 9, 1987.

But many towns and villages were already under strict curfew.

The twin towns of Ramallah and El-Bireh, north of Jerusalem, have been under curfew since the evening of Dec. 1, when a Jewish settler, Zvi Klein, was wounded fatally while driving through El-Bireh.

The IDF, still searching for the perpetrators, indicated that the curfew in the area would continue until the end of the week.

Peace Now sent a telegram Monday to Defense Minister Moshe Arens, protesting that the continuing curfew amounted to collective punishment.

With the 100,000 residents of the two towns confined to their homes, Jewish settlers went Monday to the site of the shooting in El-Bireh to end the shiva, the seven-day mourning period for Klein.

According to Ramallah residents, when the prayers ended, Jews poured through the streets, smashing windshields and the windows of shops and homes.

They plastered walls with flyers saying "Jewish blood will not be spilled."

Tension also ran high in Jerusalem, following

the Cabinet's decision Sunday to allow Jewish settlers to remain in the Arab village of Silwan, which is within Jerusalem's municipal boundaries, if they could prove ownership of real estate there.

When Jewish squatters took over several Arab houses in Silwan on Oct. 9, claiming their legal purchase, local Arab residents threatened violence.

U.S. Criticizes 'Unilateral Acts'

In the wake of Sunday's Cabinet ruling, the police took preventive measures. Security was reinforced in Arab neighborhoods in Jerusalem, especially Silwan, and West Bank Arabs were prohibited from entering Jerusalem.

In Washington, the State Department issued a statement Monday on the Cabinet's decision, calling on "all sides to avoid unilateral acts that might exacerbate local tension or make it more difficult to make progress in the peace process.

"All people in Jerusalem ought to uphold and promote harmony in the city by not acting in ways that would prejudice prospects for the peace process," said the department's spokeswoman, Margaret Tutwiler.

Meanwhile, Aharon Domb, a leader of Jewish settlers in Hebron, said his car was stoned Monday. He said he opened fire on the attackers and "probably hit" one of them.

Domb was summoned to the Hebron police station for questioning. Security forces made several arrests and are holding one youth on suspicion of rock-throwing.

Prime Minister Yitzhak Shamir told the Knesset on Monday that the Palestinians have gained nothing from the intifada and will suffer even greater losses if it continues. He also warned that violence would have a negative affect on the peace process.

ISRAEL AIRS INTERVIEW WITH SHEIK AS CONCERN MOUNTS ABOUT MIA'S FATE

By David Landau

JERUSALEM, Dec. 9 (JTA) -- Israel Television broadcast Monday night a videotaped interview with Sheik Abdel Karim Obeid, the Shi'ite religious leader from southern Lebanon held captive in Israel for more than two years.

The purpose of the broadcast was to emphasize that Obeid's freedom depends upon the fate of Ron Arad, an Israel air force navigator shot down over Lebanon in 1986.

Arad is the only one of seven Israeli servicemen missing in Lebanon who is believed to be alive. But concern has grown recently because of the lack of information as to his whereabouts.

Israel discounted recent British television reports that he is in Syrian hands.

Israelis are worried because outgoing U.N. Secretary-General Javier Perez de Cuellar, who has successfully brokered hostage-for-prisoner exchanges, has been unable to learn where Arad is or who is holding him.

The secretary-general, who leaves office at the end of the year, has said he hopes that all hostages will be freed by then, including captive Israelis.

Israel is reported ready to swap Obeid for Arad. The sheik was a spiritual leader of the Islamic fundamentalist Hezbollah, which Israel believed might be holding the airman or know who is.

But Hezbollah has denied any knowledge of Arad's whereabouts. A spokesman said Monday that the only Israelis it holds are the bodies of two soldiers. They are believed to be Yossi Fink and Rachamim Alsheikh, whose deaths in captivity have been confirmed.

The Sheik Obeid interview was recorded two weeks ago by the Israel Broadcasting Authority's Arabic language service. A copy was sent to Shi'ite groups in southern Lebanon before it was aired here.

Obeid seemed aware that his fate is linked with Arad's. He said he hoped to be exchanged for the Israeli navigator and that hundreds of his "brothers" held by Israel or its allied South Lebanon Army would also be set free.

Obeid observed, in response to questions, that he and Arad shared the tragedy of having young daughters who do not know their own father. Obeid is the father of five.

He said his captors gave him no news about his family because, as they explained, Arad's family has had no recent news of him.

BONN DENIES IT WILL FREE HAMADIS IN A DEAL TO WIN GERMANS' FREEDOM

By David Kantor

BONN, Dec. 9 (JTA) -- The German government is continuing to deny persistent reports that it has agreed to free two Arab terrorists serving prison sentences here, in exchange for the release of two German hostages held in Lebanon.

A government spokesman said Monday he had no knowledge of such a deal and that Germany would stick to its policy of not releasing convicted terrorists.

But the German news agency DPA reported that the hostages would be freed in the next few days and the terrorists would be released about a month thereafter. The deal would also involve Israel's release of 300 Palestinian and Shi'ite prisoners held in southern Lebanon.

The captive Germans, Heinrich Struebig and Thomas Kemptner, were kidnapped May 16, 1989, in Beirut, where both worked for a relief organization.

That was a day before a Frankfurt court delivered a verdict against Mohammad Ali Hamadi for the 1985 hijacking of a TWA airliner and the murder of an American passenger.

Hamadi, a Lebanese, was sentenced to life imprisonment for air piracy and murder. His brother, Abbas Hamadi, arrested in Germany in 1988, is also serving time for kidnapping two German businessmen who were subsequently released.

The group holding Struebig and Kemptner says they will not be released until the brothers are pardoned or, in any event, freed.

Bonn has publicly rejected the demands. But German officials have been holding talks on the subject with Syrian officials in Damascus. And the Iranian deputy foreign minister was expected to visit Bonn in the next few days.

Any deal involving the Hamadi brothers' release would be strongly opposed by the United States, which had sought Mohammad Hamadi's extradition after his arrest at Frankfurt airport more than two years ago.

The Germans refused because their law forbids extradition of prisoners to countries where they would face the death penalty. But Bonn promised that if found guilty, Hamadi would receive the severest punishment allowed by German law.

MA'ARIV AGAIN GOING UP FOR SALE AS MAXWELL MEIDA EMPIRE CRUMBLES

By Hugh Orgel

TEL AVIV, Dec. 9 (JTA) -- Israel's second-largest daily newspaper, Ma'ariv, is again up for sale, following the collapse of Robert Maxwell's media empire.

But according to a London-based auditing firm, Maxwell's holdings in Israel are in good order, despite the scandal surrounding his financial dealings that has emerged since his mysterious death at sea Nov. 5.

Maxwell, a Czechoslovak-born Jewish war orphan who adopted Britain as his homeland and became a billionaire, fell, jumped or was pushed from his yacht while cruising in the Canary Islands. He was buried Nov. 10 on the Mount of Olives in Jerusalem, as requested in his will.

Alan Katz, who heads a four-man team sent by the Arthur Anderson accounting firm in London to examine Maxwell's Israeli assets, said over the weekend that everything was found in order.

Maxwell bought a controlling 80 percent interest in the Modi'in Publishing House a year ago, which brought not only Ma'ariv but also the Keter publishing house and the Teva Pharmaceutical Co. under his wing.

He also acquired Scitex, a media imaging company, which he sold, reportedly at a profit, several months before his death.

The auditors reported that up to the time of his death, Maxwell had discharged all of the financial obligations he undertook in Israel.

The report is important because of rapidly mounting evidence that Maxwell engaged in questionable and possibly illegal financial manipulations to keep afloat the vast international media and industrial empire he acquired by going heavily into debt.

VIOLENT STORM STRIKES ISRAEL FOR THE SECOND TIME IN A WEEK

By Hugh Orgel

TEL AVIV, Dec. 9 (JTA) -- After a two-day respite, a violent storm struck Israel for the second time in a week.

It swept in Sunday night, just as the meteorologists had forecast, and worsened Monday.

This time, the northern region of the country was hardest hit. But the fierce winds and lashing rain are expected to spread to the south, where the earlier storm did much damage.

Streets in the Haifa Bay area were awash under two feet of water in some places. Many roads were blocked by fallen trees and downed utility lines.

Crops were damaged throughout Galilee, and many buildings sustained damage from rain, wind and snow that fell at higher elevations.

Over 30 inches of snow was reported on the Mount Hermon ski slopes.

High seas struck without warning Sunday in Eilat, Israel's Red Sea resort, where the waters are usually calm.

A large sightseeing yacht was disabled and had to be towed to port by a tug. European tourists aboard smaller craft were also rescued.

Meanwhile, searches continued in the Tel Aviv-Lod area for the body of Sgt. Maj. Matan Rosso, one of two soldiers drowned when their truck was caught in a flash flood Dec. 3.

His companion, Cpl. Amir Shabbi, was buried at a military cemetery Sunday.

CHIEF RABBI ORDERS DIASPORA COUPLES TO TAKE THE AIDS TEST BEFORE MARRIAGE

By Hugh Orgel

TEL AVIV, Dec. 9 (JTA) -- Israel's Sephardic chief rabbi has ordered every Jewish couple in the Diaspora to be tested before marriage for infection with the virus that causes AIDS.

But the halachic ruling, issued by Sephardic Chief Rabbi Mordechai Eliahu, exempts Israelis for the time being, on the grounds that the sexually-transmitted disease is less prevalent here than elsewhere.

"If, God forbid, the disease increases to worrisome proportions here, the Chief Rabbinate will mandate that couples undergo AIDS testing before marriage" in Israel, Eliahu said.

Meanwhile, Tel Aviv's safe-sex education campaign suffered a setback when the municipal board that approves outdoor advertising bowed to religious pressure to remove a poster featuring a condom with a smiling face at its tip.

The board acted on a complaint by Rabbi Yona Metzger of North Tel Aviv.

The panel was established several months ago after the Agudat Yisrael and other Orthodox parties complained in the Knesset about "lewd advertising" on bus shelters and other billboards that offend the sensibilities of pious Jews.

Chief Rabbi Mordechai issued his decree after an unidentified rabbi from a Diaspora community asked him if testing for HIV, the virus that causes AIDS, should be made compulsory, considering the rapid spread of the virus.

He ruled that religious marriage registrars must not allow a couple to marry unless they have been tested.

Decrees by Israel's Chief Rabbinate are not binding on Jewish communities anywhere, the majority of which are not Orthodox. But it could affect Israeli couples who have no recourse to civil marriage.

CZECH TOWN THAT DEPORTED JEWS INVITES JEWS BACK 50 YEARS LATER

By Josef Klansky

PRAGUE, Dec. 9 (JTA) -- The Czech town of Kolin, in central Bohemia, will salute its 600-year-old Jewish community, which was almost obliterated when the Nazis rounded up virtually every Jew for deportation to death camps on June 13, 1942.

The town council has decided to mark the 50th anniversary of the mass deportation. It occurred three days after the Nazis razed the village of Lidice, killing its entire male population in reprisal for the assassination of Reinhard Heydrich, the Nazi governor of Bohemia and Moravia who helped plan the Final Solution.

A memorial plaque will be unveiled and schoolchildren will be asked to write essays about the contributions of Jews to the development of their town and the suffering they endured.

In addition, Kolin's ancient synagogue will be restored and turned into a Jewish museum. Jews have lived in Kolin since 1376.

The commemoration was arranged by Mayor Jiri Burs and Hanah Greenfield, a survivor of the deportation who now lives in Israel.

Invitations to attend the memorial next June have gone out to members of Jewish congregations in the United States, Britain, Australia and Israel, which have Torah scrolls originally from the Kolin synagogue.

BEHIND THE HEADLINES: HEALTH-CARE LAW PROMPTS GROUPS TO OFFER GUIDANCE ON LIVING WILLS

By Debra Nussbaum Cohen

NEW YORK, Dec. 9 (JTA) -- A new U.S. law giving patients a greater say in the type of medical treatment they may accept or refuse has prompted Jewish religious groups to prepare a range of guidance materials to help their members face such decisions.

The law, which went into effect Dec. 1, enables patients to refuse specific medical treatments, even if they are incapacitated, by putting their wishes in writing while they are able.

Patients can also designate family members or friends as proxies to make decisions on their behalf if they become too ill to make them themselves.

The Patient Self-Determination Act, as the federal law is known, requires hospitals, nursing homes and other medical institutions receiving federal funding to inform patients of their rights. But it does not require patients to fill out a living will or list a health-care proxy.

For Jews, the law means that they can direct doctors to consult with their rabbis before beginning or ending treatment. And it means they can be explicit about keeping their treatment in line with Jewish tradition and values.

Twenty-four percent of Americans presently have a living will, proxy or both, according to Joel Roselin, a spokesman for Choice in Dying, a New York-based patient-advocacy group.

Every state but Nebraska and Pennsylvania has passed laws requiring medical care-givers to abide by advance directives; 45 honor living wills and 43 honor the appointment of health-care proxies.

Cruzan Case Set A Precedent

But Roselin believes every American should have a living will, even those in states without laws requiring medical care-givers to abide by advance directives.

That is because in the wake of the Supreme Court's ruling last year in the Nancy Cruzan case, the courts are now likely to rule in the patients' favor if they provide clear and convincing evidence of their wishes.

Cruzan was the Missouri woman who survived in a vegetative state for seven years after an auto accident.

Missouri would not allow her parents to remove a feeding tube, because she had never explicitly told her friends or family that she would not want to be fed through a tube.

The Supreme Court ruled that medical care may be refused if clear and convincing evidence of the patient's wishes is provided.

In response to the new law, the various Jewish religious movements are now in the process of designing and distributing living wills that conform to their legal and ethical standards.

For its members and other interested parties, the Reform movement has put together a 44-page booklet called "A Time to Prepare."

In the view of the Reform movement, each individual has the ethical, moral and legal right to make his or her own health-care decisions.

"A Time to Prepare" includes a detailed health-care directive and space to designate a proxy and detail instructions for organ donation.

But the booklet is more than instructions for death -- it is a life-cycle guidebook.

It provides space to detail a personal history and to list specific people to notify immediately after death, including relatives and close friends, a rabbi, a funeral director, even a bank trust officer and pall bearers.

On several pages, space is provided for specific instructions to a rabbi and to a funeral director about what kind of burial the person would like.

Inclusion Of Ethical Wills

There are also chapters on the Jewish view of the dignity and sanctity of life, on ethical wills and one with a suggested ritual for saying goodbye when a patient is near death.

Ethical wills are a way for someone to leave an explicit version of his or her spiritual and moral legacy, according to Rabbi Richard Address, the editor of the guide.

They are a way "to pass on guidelines and advice on how to live an ethical and decent life," said Address, who is staff representative for the Union of American Hebrew Congregations on its committees on Bio-Medical Ethics and the Synagogue as a Caring Community.

The Conservative and Reconstructionist movements plan to make their own versions of a living will available shortly.

The Union for Traditional Judaism, an organization of traditional Conservative and modern Orthodox Jews, has been disseminating its version of a living will since 1989, when the Cruzan case was in the headlines.

The Rabbinical Council of America, a centrist Orthodox rabbinic organization, is putting the finishing touches on two living wills -- one general and the other more detailed -- which it plans to make available later this month.

The general directive has room for the designation of a health-care agent and instructions directing the agent to consult with an Orthodox halachic authority before making decisions.

The detailed version lists several possible medical scenarios involving brain damage and the treatments that the person filling it out would want to accept or refuse.

The person filling out the detailed directive can check off "I want" or "I do not want" for several levels of treatment, including antibiotics, invasive diagnostic tests, chemotherapy, kidney dialysis, major surgery, mechanical breathing and cardiopulmonary resuscitation.

'Halachic Will' Is More General

The "Halachic Living Will" being distributed by Agudath Israel of America, a more traditionalist Orthodox organization, is very general and was created that way specifically, according to Rabbi David Zwiebel, the group's director of government affairs.

A detailed directive "doesn't allow for the intensive case-by-case analysis that most halachic authorities seem to desire," he said.

Agudath Israel's living will is a simple form with room to designate a health-care proxy.

It states, "I am Jewish. It is my desire, and I hereby direct, that all health-care decisions made for me be made pursuant to Jewish law and custom as determined in accordance with strict Orthodox interpretation and tradition."

It provides room to list the Orthodox rabbi and organizations with which the proxy should consult when making decisions on the patient's behalf.