

**HUGE EXPLOSION KILLS TWO, WOUNDS 45
 AT MUNITIONS PLANT NEAR TEL AVIV**
 By Hugh Orgel

TEL AVIV, July 30 (JTA) -- Two people were killed and some 45 injured in a massive blast at a heavily guarded munitions plant just north of Tel Aviv on Thursday.

The explosion occurred minutes after 8 a.m. at an Israel Military Industries complex at Nof Yam on the coastal road between Tel Aviv and Haifa just outside Herzliya.

It was first reported to have occurred during an experiment in an underground bunker containing what was described as a "very large store" of high explosives.

But later reports said it happened during routine operations.

Twenty-five of the wounded were workers at the plant, and another 20 were residents of nearby houses and passers-by.

Most sustained medium to light injuries and all were treated at a number of hospitals in the area.

The two dead IMI workers have been identified as Gershon Matzliah, 28, and Moshe Raz, 41, both of Herzliya.

It was the second major explosion in a state-owned IMI munitions plant in just over a month. The earlier one, on June 21, also killed two workers and injured nine.

Government officials and local residents have demanded that the government speed up implementation of its decision last year to move IMI installations away from residential areas to more remote sites in the Negev.

Some 500 Houses Damaged

This most recent blast was heard over a wide area as far away as south Tel Aviv, and some 500 houses were damaged, with extensive damage to doors, windows and roof tiles over a radius of several miles. The main damage was in Nof Yam, Rishpon, Kfar Shmaryahu and Herzliya Pituch.

A tall pillar of white dust and smoke could be seen for miles around.

Many nearby residents said they first thought the boom had been caused by a falling Scud missile, fired from Iraq by a desperate Saddam Hussein.

The residents reported rushing out of their damaged homes to find a hail of stones and concrete blocks raining down from the skies.

Vehicles traveling along the main highway were lifted into the air by the blast.

Experts from the Environment Ministry rushed to the scene and declared, after tests, that no trace of poisonous or hazardous elements were found in the air.

The coastal highway, jammed with the usual morning rush hour traffic at the time of the blast, was closed for about two hours as some 50 ambulances raced to the scene.

Scores of army, police, fire brigade and Defense Ministry rescue squads from the recently established Rear Areas Command of the Israel Defense Force converged on the scene to help in rescue work and to begin investigations into the cause of the blast.

The Nof Yam director has ruled out intifada-related sabotage.

He said there had been a series of consecutive explosions at a line of underground bunkers, but was unable to determine yet how they had been connected.

Prime Minister Yitzhak Rabin, who is also defense minister, named a panel to investigate the cause of the explosion.

The decision to move the munitions plants to more remote areas is supported by the Finance and Defense Ministries.

But it is opposed by the thousands of IMI worker who fear they would have to relocate themselves and their families from homes where they have lived for many years to isolated areas in new development regions.

The cost of such a move, estimated at between \$500 million and \$700 million, would be almost completely covered by the sale of the valuable real estate on which the plants are built.

**ONE POLICEMAN KILLED, ONE WOUNDED
 IN ATTACK NEAR WESTERN WALL**
 By Gil Sedan

JERUSALEM, July 30 (JTA) -- One policeman was killed and another wounded in a stabbing attack just outside the Western Wall in East Jerusalem on Thursday.

The Arab assailant was shot dead.

The drama took place near Dung Gate, the southern entrance to the Western Wall compound.

The two traffic policemen, who were on regular patrol, were just about to ticket an illegally parked car when an Arab approached them and stabbed both of them with a large knife.

One policeman began struggling with him and the two were caught in a fierce battle on the floor. The assailant managed to stab the policeman deeply in the stomach before he was hurt himself.

Avi Shapiro, a tour guide who happened to pass by, rushed to help the policeman, who was unable to pull out his pistol.

Shapiro pulled out the policeman's gun and fired at the assailant's hip at close range.

The Arab fell down wounded, but managed to pull out the knife, in an attempt to use it again.

Border Police Sgt. Ronen Arava, who was summoned to the scene, fired his M-16 gun in the direction of the assailant and killed him instantly.

The dead officer was identified as 39-year-old Sgt. Danny Pinhas of the Jerusalem Police Department.

He leaves a wife and three children.

His funeral was scheduled for Friday and he was expected to be promoted posthumously to staff sergeant.

The wounded officer underwent surgery and his condition was described as stable.

The assailant was described as a 30-year-old resident of the neighboring Arab neighborhood of Silwan.

Silwan captured headlines earlier this year following the settlement of several Jewish families in the heart of the Arab neighborhood.

The stabbing attack ended several weeks of relative quiet in Jerusalem.

LEGAL SCHOLARS BACK HATE CRIMES LAW DESPITE RECENT SUPREME COURT RULING

By Cynthia Mann

States News Service

WASHINGTON, July 30 (JTA) -- Some of the nation's most eminent legal scholars testified this week on Capitol Hill that laws against hate crimes can be constitutional, despite the recent Supreme Court decision striking down a St. Paul, Minn., hate crimes law because it violated free speech.

The testimony will help fight the challenges to existing hate crimes laws that are expected in the wake of the Supreme Court's ruling in R.A.V. vs. St. Paul, observed a lawyer for the Anti-Defamation League.

The constitutional scholars were witnesses at a House Judiciary Subcommittee hearing on proposed federal legislation that would increase penalties for crimes motivated by "hatred, bias or prejudice, based on the actual or perceived race, color, religion, national origin, ethnicity, gender, or sexual orientation of another individual or group of individuals."

Some of the witnesses opposed the legislation, including a lawyer for the American Civil Liberties Union who argued it was "constitutionally flawed."

But the bill has the strong support of the Anti-Defamation League, which has helped states and municipalities draft similar statutes. Also behind it is the American Jewish Congress, which had opposed the St. Paul statute for endangering free speech by being too broad.

The Supreme Court ruling threw the legal community into a tizzy and cast doubt on the legality of dozens of existing laws against hate crimes. That ruling struck down a hate crime statute in St. Paul, claiming it was too broad and violated First Amendment rights to free speech.

Legislation Crafted Narrowly

But proponents of the federal legislation say that, like most of the laws on the books around the country, it passes constitutional muster because it is crafted much more narrowly.

They say that where the St. Paul statute criminalized the expression of hatred, the bill merely increases the penalties for crimes already committed based on the "special" identity of the victim or target of the crime.

AJCongress President Robert Lifton, who submitted testimony to the committee, argued that increased penalties are justified because hate crimes are more serious than "garden variety" criminal acts.

Hate crimes do not only victimize their immediate victim, he said, "but the social fabric of this multicultural, multiethnic religiously diverse society."

"The efforts of the states and the federal government have been thrown into turmoil in the wake of the Supreme Court's recent decision," said subcommittee Chairman Charles Schumer (D-N.Y.), who authored the bill.

The decision "raised almost as many questions as it answered," he said, "and is already having a substantial impact on courts that are attempting to grapple with these questions."

The day after the ruling, the Wisconsin Supreme Court struck down its state hate crimes law, relying in part on the high court decision. Similar challenges are now in the Supreme Courts of Florida and Ohio.

But Laurence Tribe, Bruce Fein, and Floyd

Abrams, all renowned constitutional scholars, said the ruling in R.A.V. should not affect the penalty enhancement bill.

"The trigger for enhanced punishment under the proposed act differs completely from the constitutionally problematic trigger for punishment under the St. Paul ordinance struck down by the Supreme Court in the R.A.V. case," said Tribe, a constitutional law professor at Harvard Law School.

"Whatever else it did, the R.A.V. decision, fairly read, did not spell constitutional doom for all such laws, and it would be a tragedy to construe it as though it did," he said.

Michael Lieberman, assistant director and counsel for the Washington office of ADL, said he was heartened by the heavy hitters who defended the bill and planned to use their testimony in ADL's fight to protect existing statutes.

But he does not predict smooth sailing. "This will be a time (requiring) constant vigilance to make sure not only that the legal challenges are responded to, but that enforcement of the laws is not lax," he said.

CABINET MINISTER TO VISIT WASHINGTON TO SEEK COMPROMISE IN DOTAN CASE

By Hugh Orgel

TEL AVIV, July 30 (JTA) -- A member of the Israeli Cabinet will soon be leaving for Washington to hold talks with American officials about Israel's stance in a fraud and bribery case involving General Electric Co. and a former Israeli general.

Justice Minister David Libai has said that he will be leaving for Washington "in the very near future." He will lead an official Israeli delegation that will be seeking a compromise to a standoff between the two governments that has developed in the wake of the bribery scandal.

American officials want to question Rami Dotan, the former Israel Defense Force brigadier general who is now serving a 13-year prison term here for accepting bribes of some \$11 million from a high-level G.E. executive. Dotan took the bribes in return for securing Israeli contracts for G.E.'s jet engines.

G.E. pleaded guilty last week to four criminal charges and agreed to pay fines totaling \$69 million in connection with the scandal.

The illegal transactions between G.E. officials and Dotan are currently the subject of hearings before a U.S. congressional subcommittee.

At a hearing Wednesday, Rep. John Dingell (D-Mich.), chairman of the House Subcommittee on Oversight and Investigations, repeatedly referred to Israel's lack of cooperation with American officials' investigations. He noted that cooperation in cases of suspected fraud is a requirement of the aid agreements that provide Israel with \$1.8 billion in U.S. foreign military assistance annually.

American investigators want the right to question Dotan directly. But Israel fears that such face-to-face investigations may divulge other secret Israeli material.

Libai is expected to seek a compromise that will enable American investigators to question Dotan along with Herbert Steindler, the former G.E. executive who was named as a participant in the bribery case.

Both Dotan and Steindler are held responsible for diverting some \$40 million in U.S. military aid originally earmarked for Israel.

**DEMJEANJUK LAWYERS TELL COURT
JUSTICE WITHHELD INFORMATION**
By Jamie Kahn
The American Israelite

CINCINNATI, July 30 (JTA) -- Lawyers for John Demjanjuk argued before an appeals court here that the Justice Department withheld crucial evidence that would have prevented their client from being extradited in 1986 on charges that he was "Ivan the Terrible," the Nazi death camp guard.

In a 41-page brief submitted to the U.S. Court of Appeals for the 6th Circuit in Cincinnati, the defense lawyers claimed that the federal government, while seeking to deport Demjanjuk to Israel, had knowledge of statements from former Soviet guards and other evidence that would have cleared their client.

A key part of that evidence is the 1951 confession of Nikolai Shalayev, who identified himself and another man named Ivan Marchenko as the only two gas chamber operators at the Treblinka death camp during 1942 and 1943.

Demjanjuk, who was deported after the 6th Circuit denied his appeal of the extradition order, was convicted in Israel as "Ivan the Terrible," the sadistic guard who operated the gas chambers at Treblinka, Poland, where 900,000 Jews died.

The 72-year-old former Cleveland-area autoworker is appealing his 1988 death sentence to Israel's High Court of Justice.

His lawyers claim that he is a victim of mistaken identity and that the real "Ivan" was a guard named Marchenko whose whereabouts today are unknown.

Hearing Set For Aug. 11

In addition to several witnesses interviewed by Soviet authorities who identified Marchenko in a photograph shown to them and asserted that he was one of the two gas chamber operators, one guard pointed to Marchenko as the man Jews in the work crews called "Ivan the Terrible."

"He exhibited special savagery in dealing with people in the killing process. He killed people with an obvious satisfaction and beat them with whatever was at hand and however he fancied," the former guard described.

The documents filed by the defense lawyers came in response to a request by the 6th Circuit, which is reconsidering its 1986 extradition warrant.

In an unusual move, the Cincinnati court on its own ordered the Justice Department last month to provide all the evidence it had that could have exculpated Demjanjuk and to indicate when they first learned of each item of evidence.

A hearing has been set for Aug. 11.

In response to the court order, Justice Department lawyers argued two weeks ago that the Cincinnati court does not have the jurisdiction to reopen the case and that the extradition was not based on erroneous information.

They maintained that Ukrainian-born Demjanjuk entered the United States unlawfully because he "concealed and misrepresented his SS service" when he applied for immigration in 1952.

Demjanjuk's lawyers concluded in their brief to the 6th Circuit that the court does have the jurisdiction to reopen the extradition proceedings and that evidence that could have undermined earlier judicial findings existed "prior to the Soviet Union's disclosures of 1991," released from archives as that country disintegrated.

His lawyers state that they were not given access to "foreign government information, except through the Department of Justice," and the department was reluctant or refused to release exculpatory information.

Israel's High Court justices, now considering the new evidence provided from the archives of the former Soviet Union, stated that Demjanjuk would have to be released if the prosecution could not prove beyond a reasonable doubt that Demjanjuk is "Ivan."

In a recent development, Demjanjuk's photograph was identified as "Ivan" by a witness who contradicted himself by saying another man was the infamous Nazi guard, the World Jewish Congress reported.

Last year, the WJC reported, Israel's High Court of Justice admitted as evidence accounts from a Polish couple, Kazimierz and Maria Dudek, who identified the brutal Treblinka guard as Ivan Marchenko.

But, the WJC said, it received material earlier this month from the Justice Department indicating that Kazimierz Dudek, in 1986, had picked out Demjanjuk's photograph as the man he knew as Marchenko.

**AUSTRALIAN COURT DROPS CHARGES
AGAINST ALLEGED NAZI KILLER**
By Jeremy Jones

SYDNEY, Australia, July 30 (JTA) -- An Adelaide magistrate has dropped the charges against alleged war criminal Mikolay Berezowsky, saying there was "no case to answer."

Berezowsky, 78, wept openly on hearing that the charges had been dropped. He later told reporters that he was "relieved at the outcome."

He was charged with knowing involvement in the mass murder of the 102 Jewish villagers of the Ukrainian village of Gnivan between March and July of 1942.

The defense acknowledged that the government prosecutors had proven that Berezowsky was a leading member of the Schutzmannschaft, the local police recruited by the Nazis, which took part in the roundup of Jewish children and adults from the village before they were murdered. The defense also admitted that Berezowsky had "generally" collaborated with the Nazis and that he had escaped with them as they retreated.

The ruling by the magistrate, David Gurry, was based on the absence of eyewitness testimony that Berezowsky took part in the mass murder and on the possibility that Berezowsky was not in the village on the day of the massacre.

The magistrate had previously denied the request of war crimes prosecutors to take testimony in Ukraine from two elderly women who reportedly were eyewitnesses to the events.

The prosecution had argued that the two Ukrainian women, who are too ill to travel to Australia, were vital to the case against Berezowsky. But after several days of consideration, Gurry said in a written statement that it was "neither necessary nor expedient" to grant the application.

He said the trip to Ukraine would delay the hearing by at least six weeks and that because of the defendant's poor health, he would not be able to come face-to-face with his accusers.

Although the result is a setback for the prosecuting unit, the director, Michael Rozenes, has the authority to refile the charges or to take the matter directly to the Supreme Court.

DELEGATES TO ZIONIST CONGRESS GET ZIONIST 'SHOT IN THE ARM'

By Michele Chablin

JERUSALEM, July 30 (JTA) -- The 2,000 participants in the 32nd World Zionist Congress are returning home this week, many of them happily invigorated with a renewed Zionist motivation.

But the Zionism they are returning with may have a different tone than that which built the Jewish state and rallied political support behind it.

For nearly a century, the followers of Theodor Herzl have debated the disciples of Ahad Ha'am. Is the goal of Zionism to establish a Jewish state and gather all the Jews there, as Herzl preached? Or should the Jewish state serve as a spiritual center to renew the Jewish people who remain in the Diaspora, as Ahad Ha'am advocated?

Conversations in the hallways and conference rooms of the Binyanei Ha'uma Convention Center here indicate that delegates are generally looking for Zionism to educate, not evacuate, the Diaspora.

Reflecting on what she called an "exhausting but exciting" series of meetings, Deborah Kaplan, national president of Hadassah, noted a presentation she attended concerning the difficulties of Jewish education in the Diaspora.

"Having spent the past few days with the other delegates, I believe more than ever in the need to get our children more involved in Zionist activities.

'100,000 Jewish Youths Should Visit Israel'

"I agree with (Jewish Agency-World Zionist Organization Chairman) Simcha Dinitz, who says that 100,000 Jewish youths should be visiting Israel each year. As it stands now, only 10,000 young people visit," said Kaplan, who was elected a member of the Zionist Executive. Many of these, she noted, are involved in Young Judea, which is under the auspices of Hadassah.

Seymour Reich also expressed what he called the challenge of making "the Zionist movement meaningful in today's Jewish world" in terms of enlivening, rather than liquidating, the Diaspora.

A top priority, he said, "is slowing down the rate of assimilation and intermarriage. The problem is that many Diaspora Jews do not think the Zionist Movement is relevant. Sadly, many Jews find the threat of anti-Semitism more dramatic than the issues of Jewish youth, education and culture.

"Let's face it: It's easier to fight anti-Semitism than to fight the problems of the Jewish family," Reich said.

This point was highlighted by a session given by one of Israel's top demographers, Professor Sergio Della Pergola of Hebrew University.

The world Jewish population is in decline, partly due to the effects of the Holocaust and partly due to intermarriage, he told the Congress.

He projected a worldwide Jewish population of 12 million by the end of the century, dropping to 11 million by 2020.

Della Pergola also said some 50 percent of Jewry is becoming assimilated through mixed marriages.

But he stressed that these downward trends do not affect the Jewish population of Israel, where there is now a modest increase in the average birthrate. He said Israel's Jewish popula-

tion was growing naturally, even apart from the effects of large-scale immigration.

Reich's own presence at the congress may reflect the broadening of the Zionist movement beyond political issues. Reich, a former chairman of the Conference of Presidents of Major Jewish Organizations, attended on behalf of B'nai B'rith International, which for the first time was participating in a Zionist Congress.

At least one Israeli delegate, however, wondered whether the Zionist organizations, originally formed along political lines before the formation of the state, were the most suitable representatives when it came to discussing issues of Jewish concern.

Ron Werber, a former emissary for the Zionist movement, criticized the fact that "many important Jewish organizations and bodies were not represented at the congress. As it stands now, Israelis are asked to come and sit with members of mostly minor Jewish organizations while the American Jewish federations, for example, have been excluded.

"The only good thing I can say for the gathering is that the logistics and organization have been top-notch. But, as in other congresses, there's very little substance," he said.

But Adi, a student from Boston, said that despite his confusion over the intricate voting rules and some of the obscure organizational matters up for discussion, he felt "exhilarated by the week."

"The congress has been informative and lively," he said. "It was a real Zionist shot in the arm."

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

ORTHODOX JEWS HARASS DERI AS HE TRIES TO PRAY IN HEBRON

By Gil Sedan

JERUSALEM, July 30 (JTA) -- Jewish worshippers at the Tomb of the Patriarchs in Hebron harassed Interior Minister Arye Deri and his wife during morning prayers on Thursday, disrupting his reading from the Torah.

Deri came to the Tomb of the Patriarchs on the eve of the 1st of Av, as he does at the beginning of every Jewish month.

When the Torah scrolls were taken out, several worshippers, Jewish residents of Hebron and neighboring Kiryat Arba, began shouting and demanding that he be prevented from reading the Torah.

They hurled epithets at him and accused him of having enabled the outspoken left-wing Meretz leader Shulamit Aloni to become minister of education.

Deri, leader of the Sephardi ultra-Orthodox Shas Party, said he was especially bitter about the incident since it was he who had raised the funds to purchase a Sephardi Torah scroll for the synagogue at the tomb.

Deri has been the subject of widespread criticism among the haredi community since he and Shas spiritual leader, Rabbi Ovadia Yosef, defied the order of Rabbi Eliezer Schach and joined the new government led by Labor Party head Yitzhak Rabin.

The criticism has become more pungent because he is now aligned with Aloni, who is reviled by a broad spectrum of Orthodox Jews for her liberal Judaism and frequent statements against the religious establishment.