

**RABIN WARNS OF 'VERY TOUGH MEASURES' IN AFTERMATH OF POLICEMAN'S MURDER**

By David Landau and Gil Sedan

JERUSALEM, Dec. 16 (JTA) -- Israeli Cabinet ministers convened for a special session Wednesday to discuss the security situation following the brutal murder this week of an Israeli border policeman kidnapped by Moslem fundamentalists.

The ministers declined to divulge what course of action the Cabinet had decided to take. But earlier in the day, Prime Minister Yitzhak Rabin vowed his government would wage a relentless war against Hamas, the militant group that claimed responsibility for the abduction and murder of Sgt. Maj. Nissim Toledano.

"The world should not be surprised if this time we'll have to take very tough measures," Rabin told reporters a day after Toledano's bound body was found on a West Bank road north of Jerusalem. He had been stabbed repeatedly and strangled.

In fact, the crackdown on Hamas had already begun before the Cabinet meeting. Some 1,300 Hamas leaders and activists have been arrested since the kidnapping Sunday, and they are all under interrogation in prisons around the country.

Government officials said Hamas was now "the prime target in Israel's battle against terrorism."

Those under detention included two Hamas leaders from the Gaza Strip: Mahmoud a-Zahar, a lecturer at the Islamic College in Gaza, and Abdul Aziz Ghantisi.

Parallel intelligence work was being carried out in the territories, which remained sealed off from Israel proper Wednesday.

Tension remained high near the Israeli town of Lod, where Toledano was abducted early Sunday on his way to work.

Police units were beefed up after demonstrators, led by right-wing extremists from out of town, sought to attack Arab inhabitants of the town.

Eleven people were arrested on suspicion of incitement to violence against Arabs.

**Kahane Followers Held**

Among those held were the rival leaders of two groups competing for the mantle of Rabbi Meir Kahane, the slain leader of the extremist Kach movement: Baruch Marzel of Kach and Binjamin Kahane of a splinter group called Kahane Chai.

Police reinforcements were also posted in neighboring Ramla, as well as in volatile areas of Jerusalem. But the nationwide stormy weather seemed to be keeping wound-be rowdies off the streets. By nightfall Wednesday, no attacks on Arabs had been reported.

Toledano's funeral took place under pouring rain at the Haifa military cemetery. His family, now living in Lod, previously hailed from Tirat Carmel, near Haifa.

Over the open grave, as family members sobbed, Police Minister Moshe Shahal vowed in the name of the government to pursue the killers "to the ends of the Earth."

Meanwhile, the time of Toledano's death was

become a factor in a brewing controversy over the government's handling of the abduction.

A police pathological report indicates he was killed at least two hours after the expiration of an ultimatum delivered by his kidnapers.

The kidnapers set a deadline of 9 p.m. Sunday for an exchange of their hostage for the imprisoned Hamas leader, Sheikh Ahmed Yassin, who is serving a life sentence for two 1989 murders.

Police, who carried out the autopsy only after the family received rare halachic permission from a former chief rabbi, Ovadia Yosef, fixed the time of death at between 11 p.m. Sunday and 3 a.m. Monday.

Government officials insisted that Rabin had been right to demand proof that Toledano was alive before entering into any negotiations with the kidnapers.

**Did Rabin Wait Too Long?**

But critics say he waited too long to make the offer, letting hours go by without a reaction to the demands by the terrorists.

Although Cabinet ministers refused to divulge details of their meeting Wednesday, they said the decisions made would quickly become apparent.

Indications were that wholesale deportation would probably not be a measure to which the government would resort, despite the urging of Ariel Sharon and other opposition figures.

Sharon, a former Likud defense minister, called for all the detainees to be shipped across the borders "today."

He also urged the creation of a "government of national emergency," under Yitzhak Rabin, for the specific purpose of fighting terrorism. He was seconded in this proposal by Rafael Eitan, leader of the right-wing Tsomet party.

But opposition leader Yitzhak Shamir, in a radio interview from his home, dismissed the idea as unworkable, given the broad policy differences between Labor and Likud.

**JEWISH COMMUNITY HAS HIGH REGARD FOR CLINTON'S DOMESTIC TEAM SO FAR**By Cynthia Mann  
States News Service

WASHINGTON, Dec. 16 (JTA) -- Jewish communal professionals have solid praise for the men and women President-elect Bill Clinton has named so far to his domestic policy team.

"These are people who are thoughtful and like public service and want to do good," said Mark Talisman, director of the Council of Jewish Federations' Washington office.

"There is a consensus in the Jewish community that the government needs to play an assertive role in shaping a more just society and intervene to ensure the poorest and least powerful are protected," said Rabbi David Saperstein, director of the Religious Action Center of Reform Judaism.

Several of the appointments represent just such a stepped-up role for the federal government, he said.

"What Clinton has signaled by his appointments is his interest in getting a broad base of

thinkers, some more conservative and some more liberal," said Diana Aviv, associate executive vice chair of the National Jewish Community Relations Advisory Council.

That could make consensus more difficult, she said, "but it depends on how Clinton draws on them and carves out a direction."

"We're encouraged by the fact that he has appointed competent and prominent women to important posts," she added.

Many of the appointees are well known to the Jewish community, including Robert Reich, who has been named secretary of labor; Donna Shalala, named secretary of health and human services; Carol Browner, tapped to head the Environmental Protection Agency; Robert Rubin, who will fill a new top economic policy post; and investment banker Roger Altman, designated to be deputy treasury secretary.

Of these, Reich, Rubin and Altman are Jewish; Shalala is a Lebanese American with close relationships to some Jewish organizations.

#### 'Far More Inclusive' Of Jews

"The fact that so many Jews have been appointed to prominent positions already makes this (incoming) administration feel significantly different from the Bush administration," said Rabbi Saperstein. "It is far more inclusive of the Jewish community."

"The fact that there will be so many Jews sitting around tables" where decisions are being made "ensures there will be voices sensitive to Jewish concerns," he added.

All have high praise for Shalala, who is currently chancellor of the University of Wisconsin. But Talisman of CJF spoke of a special link with her: They were both named teen-ager of the year in 1955 in Cleveland, he noted this week with wry amusement.

"I have followed her career with awe and admiration," said Talisman. "She has very special talents at consensus-building and listening, which are absolutely essential in the tasks ahead of her, namely health and welfare reform."

Her future department, HHS, also has jurisdiction over domestic resettlement of refugees, including Jews from the former Soviet Union, a key part of Talisman's agenda.

Aviv said Shalala enjoys a strong reputation in the Jewish community. She recalled a speech by Shalala on multiculturalism on campus that received an "enthusiastic response" at last year's NJCRAC plenum.

Shalala, 51, was president of Hunter College in New York and an assistant secretary of Housing and Urban Development before she went to the Wisconsin campus, where one of her most notable achievements was defusing racial tensions.

#### Other Appointments Praised

Aviv and others also lauded the selection of Reich, the Harvard political scientist and longtime friend of Clinton's, who is expected to be an activist labor secretary.

Reich, currently head of the transition's economic team, is an ardent believer in government job-training and education programs as a means to increase national productivity.

"Reich is not a conventional economist," said Talisman, who termed the appointment "exciting." He said his commitment to job development "portends well" for the country generally and for Jewish vocational services in particular.

Meanwhile, Saperstein, whose Religious

Action Center works on environmental issues, praised the appointment of Browner to head EPA. Once a legislative director for the vice president-elect, Sen. Al Gore, she is now secretary of Florida's environmental agency.

Saperstein said the pick "sends a signal about the strength of environmental protection" in a Clinton administration.

Jewish leaders also noted the appointment of Rubin, co-chairman of the investment banking firm Goldman Sachs, who is active in New York's UJA-Federation and is a member of the Central Synagogue, a Reform congregation.

A longtime Democratic Party activist and grandson of a Brooklyn party leader, Rubin will fill a new post of top coordinator of economic policies that parallels the national security adviser on foreign affairs. He brings to the post a long-held concern for urban problems and their drain on the nation's economy.

Jewish sources also praised the appointment of Rep. Leon Panetta (D-Calif.) as director of the Office of Management and Budget. They say he will bring to the post, which has responsibility for the national budget, a concern for Israel, children, social services and the poor.

Panetta, who is a "deficit hawk," enjoys the trust and admiration of lawmakers and therefore is expected to herald more cooperative relations between the executive and legislative branches when it comes to the budget process.

#### **SWISS UPGRADE PLO'S STATUS**

By Tamar Levy

GENEVA, Dec. 16 (JTA) -- Switzerland has conferred recognition on the Palestine Liberation Organization as an "official interlocutor," a designation that apparently will enable the government to establish a communications channel with the Tunis-based organization.

A Foreign Ministry spokesman said the move will "ease and increase" Swiss contacts with the PLO, which until now was accredited to the United Nations in Geneva, but not recognized by the Swiss government.

Analysts say the move comes against the background of Swiss eagerness to host future sessions of ongoing Middle East peace talks.

PLO chief Yasir Arafat expressed satisfaction with the Swiss move, according to a statement issued by the group here.

#### **ANNIVERSARY OF U.N. REPEAL MARKED**

NEW YORK, Dec. 16 (JTA) -- The first anniversary of the U.N. General Assembly's repeal of its infamous 1975 resolution branding Zionism as racism was marked at a reception here this week hosted by B'nai B'rith.

The U.S. ambassador to the United Nations, Edward Perkins, hailed the repeal for removing a slur against not only Jews but also the charter of the international body itself. He said the move made people all over the world stand taller.

Israel's ambassador to the world body, Gad Yacobi, spoke of a new resurgence of racism in Europe, which today has more than 1,000 organizations with an anti-Semitic bias.

In a statement marking the occasion, the representative of the World Zionist Organization in North America, Uzi Narkiss, said popular support for rescinding the resolution had been "unprecedented" and helped bring to an end a "long and ugly chapter" in international affairs.

## COURT ORDER ON SHAS MINISTER POTENTIAL THREAT TO COALITION

By David Landau

JERUSALEM, Dec. 16 (JTA) -- A new threat hangs over Yitzhak Rabin's government following a ruling Wednesday by the High Court of Justice requiring the attorney general to explain how Interior Minister Arye Deri can remain in office despite an ongoing police investigation of him.

Attorney General Yosef Harish was given 60 days to plead the government's case after the court issued its order at the request of Knesset member Shaul Yahalom of the National Religious Party.

Political observers said the order would surely strain the delicate fabric of the Rabin coalition, which comprises the Labor Party, the left-wing Meretz bloc and the fervently Orthodox Shas party, which Deri heads.

In his petition to the court, Yahalom cited Deri's refusal to cooperate with police investigators and argued that while every man has the right to remain silent, a minister who resorts to that right, in an inquiry related to ministry business, should have to step down for the duration of the inquiry.

Deri has been under investigation for more than two years. Suspicions focus both on his ministry's alleged irregular funding of Shas-linked religious and educational institutions, and on alleged personal financial improprieties.

Officials had undertaken to wind up the inquiry one way or the other by the end of November. But now informed sources say more time is needed by police and the state attorney's office to complete their investigation.

Deri frequently complains that the case is dragging on needlessly. Last week, he said he would "open up and embarrass a lot of people" if the inquiry did not end soon.

### A Move To Embarrass Government

Police Minister Moshe Shahal and his Likud predecessor, Ronni Milo, have both repeatedly said part of the reason for the delay in concluding the inquiry is Deri's steadfast refusal to answer investigators' questions.

Deri himself contends the questions and the questioners are tendentious. Last week saw the opening in the Tel Aviv District Court of his libel action against the daily Yediot Achronot over publication of the allegations against him.

Yahalom's petition to the court is clearly intended to embarrass the government, of which his party is not a member. He apparently did not feel the need for such a court challenge while the NRP and Shas were coalition allies in the previous Likud administration.

Justice Aharon Barak, heading the court bench Wednesday, directed that the attorney general address the question of whether there is an irreconcilable conflict of interest in the fact that Deri remains in office as minister of interior, while suspicions involving his activities in that very capacity are under investigation.

Appearing in court for the government, Deputy State Attorney Nili Arad maintained Deri was not compelled to step down in the absence of formal charges.

She submitted a copy of a letter written by Deri to Rabin during negotiations to set up a new government in July, in which the interior minister pledged to suspend himself from his post if and when formal charges are brought against him.

## POLLS SHOWING ANTI-ARAB SENTIMENT AMONG JEWS IN ISRAEL CREATE A STIR

By David Landau

JERUSALEM, Dec. 16 (JTA) -- Two polls that purport to show anti-Arab racist tendencies among a significant percentage of Israeli Jews have kindled a fierce public and political controversy here.

Charges of demagoguery and deception have been leveled at the chairman of the Knesset Education Committee, Avraham Burg of Labor, who released one of the polls and, in comments on it, drew an analogy between Israeli racism and the current wave of violent hatred in Germany against foreigners.

Burg himself backed off Sunday from the German analogy, but remained firm in his contention that the polls uncover a real problem that he, as a public figure, has the right and duty to raise on the public agenda.

"Forget about Germany, about France, about the U.S. or any other place," he said. "What we have here is a major problem."

The poll Burg released, at the end of last week, was taken among 500 Israeli Jews, interviewed over the telephone by the Tel Aviv polling firm Teleseker. It showed that some 40 percent of the respondents condone violence against Arabs and favor activities designed to induce Arabs to leave the country.

This poll came under severe professional attack over the weekend by a group of leading sociologists and pollsters. In a joint statement, they noted critically that the poll had comprised only three questions, which, they said, is not enough to test opinions on "a very complex issue."

The group also faulted Burg for making "unprofessional use" of the purported findings.

The group included academics like Arik Carmon of the Hebrew University and Charles Liebman of Bar-Ilan University, as well as commercial pollsters, such as Mina Tsemach of the Dahaf polling concern.

### Some Knesset Members Outraged

But on Sunday, Israel Radio disclosed that an even more damning poll -- this one taken among 5,000 teen-agers -- had been commissioned four years ago by the Education Ministry, which never published the findings.

According to the report, that study, too, found a high proportion of respondents condoning violence and discrimination against Arabs, though less than a majority. The poll reportedly found higher levels of hatred in the state-run religious schools than in the state-run secular schools. It was lowest in kibbutz schools.

The issue has provoked controversy in the Knesset. Knesset Member Yehoshua Matza of the opposition Likud bloc has demanded that Burg reveal "who paid for the so-called poll." He suggested that either the Israeli human rights group B'tselem or a Palestinian group was behind it.

Another Likud Knesset member, Limor Livnat, who is a member of Burg's Education Committee, said the committee members had no knowledge of the poll that had ostensibly been commissioned by them.

Burg himself said he welcomes the vigorous debate that his release of the poll has triggered, because this means the issue of racism is now firmly in the public arena.

## SHOPPING MALL WILL BE BUILT OVER HAMBURG JEWISH CEMETERY

BONN, Dec. 16 (JTA) -- A controversial shopping mall whose planned construction had been the target of large-scale protests by Orthodox Jews, will be built, after all, over the remains of Jews long buried in an old cemetery in suburban Hamburg.

Hamburg authorities said last week that the chief rabbi of Jerusalem, Yitzhak Kolitz, and the developer, Bull & Liedtke, have reached a compromise that will enable the mall to be built without desecrating the remains of the individuals buried there.

Representatives of the rabbi will supervise the construction work to ensure that the agreement is implemented.

According to the Hamburg authorities, construction plans have been significantly altered in conformity with Jewish religious requirements.

During the Nazi era, the cemetery, which dates from 1683, was desecrated and almost destroyed. But some gravestones and human remains are still to be found in the area.

Bull & Liedtke legally bought the land from German Jews after the war, not knowing it had been a cemetery.

Construction had originally been scheduled to begin in March, but was repeatedly postponed because of demonstrations by members of Athra Kadisha, the Society for the Preservation of Jewish Sites. They came from different countries to protest.

Kolitz visited the site in May. He issued a statement saying the cemetery remains the property of the Jewish community since no Jew has the authority to sell a cemetery.

In June, Hamburg city officials and representatives of the developer flew to Israel to consult further with the rabbi on the matter.

Athra Kadisha had staged protests and sat down in front of bulldozers to prevent the cemetery from being desecrated.

In New York, Rabbi Hertz Frankel, a spokesperson for Athra Kadisha, said Wednesday that if the contractors are "amenable to our requirements, if Rabbi Kolitz has supported this with the understanding of people around him, and it's done according to halachah (traditional Jewish law), then we would not be opposed."

He added, "We made it clear that we would not oppose it as long as there would be no disturbance of the graves."

*(Contributing to this report was JTA staff writer Susan Birnbaum in New York.)*

## JERUSALEM'S CHIEF RABBI RULES THE OLD BONES MAY NOT BE MOVED

By David Landau

JERUSALEM, Dec. 16 (JTA) -- An Orthodox-secular standoff over ancient Jewish graves found at a road-building site in northern Jerusalem has worsened after the city's chief rabbi issued a halachic ruling forbidding the graves to be moved.

The decision by Rabbi Yitzhak Kolitz to move the road rather than the 2,000-year-old graves disappointed people on both sides of the controversy who were hoping the rabbi would provide an acceptable solution sanctioned by religious law.

Partly because of bad weather, authorities have halted road-building at the site where a projected interchange is intended to relieve major

traffic bottlenecks at the northern entrance to the city.

In the wake of Kolitz's ruling, a deputy mayor of Jerusalem, Ornan Yekutieli of the secularist Meretz bloc has called for resumption of work on the road without delay.

Behind him, government archaeologists voiced their own determination to carry out a legally mandated rescue dig of the Second Temple period burial caves.

A spokesman for the Israel Antiquities Authority pointed to a statutory requirement that sites threatened with ruin by modern development be examined by archaeologists.

It was in just such a routine dig that burial caves were unearthed last month along the route of an interchange designed to spare commuters from Neveh Ya'acov and Pisgat Ze'ev one-hour traffic holdups in the morning.

Riots in the Hasidic neighborhood of Mea Shearim prompted a decision to rebury the ancient bones at Har Hamenuhot cemetery in Jerusalem together with the 16 stone caskets in which they were found.

Kolitz is now proposing that authorities solve the traffic problem by speeding up work on a planned overpass nearby. But he said the road could not be built where planned, as this would entail moving the graves.

"These dear Jews lived to see our Holy Temple," he wrote. "Why should we disturb their eternal repose?"

Objecting, Deputy Mayor Yekutieli said construction of the overpass will take years, whereas the road can be built right away.

The controversy triggered violent demonstrations not only in Jerusalem but, more recently, in London, where 200 fervently Orthodox Jews demonstrated last week as Prime Minister Yitzhak Rabin held a news conference at the conclusion of an official visit to the British capital.

## MOROCCANS WHO DROWNED IN '61 ARE REBURIED ON MOUNT HERZL

By David Landau

JERUSALEM, Dec. 14 (JTA) -- Three decades after 22 Moroccan Jews drowned in an immigrant boat off Gibraltar, their remains were reinterred Monday in Jerusalem's Mount Herzl cemetery.

"They have come to their final repose on this silent hill," Prime Minister Yitzhak Rabin said in a eulogy at the state funeral for the 22, whose Israel-bound ship, the Egoz, capsized under unexplained circumstances in 1961.

"We have no more tears," Rabin said. "Years have passed and our tears have dried. But our hearts go out to the families, and to the glorious community of Moroccan Jewry, which has fulfilled, almost in its entirety, the duty of the return to Zion," the prime minister said.

Also present were relatives of the 22 whose remains were washed ashore and of others whose bodies were never found after the Egoz went down.

Representing the families, Gila Azulai-Gutman said a bond now exists with the families of soldiers buried in the Mount Herzl military cemetery.

"Our paths have met in bereavement," said Azulai-Gutman, who lost her mother and five siblings aboard the Egoz.

Among the mourners was a delegation of Jewish leaders from Morocco, led by Robert Asraf, who is also an adviser to the Royal Court.