

**PLAN FOR NEW PRISONER RELEASE
REPORTED AMID VIOLENCE IN GAZA**
By Cynthia Mann

JERUSALEM, Nov. 30 (JTA) -- Israeli negotiators have reportedly offered a plan for the phased release of 10,000 Palestinian prisoners as part of the agreement for implementing Palestinian self-rule in the territories.

According to sources familiar with the progress of the Israeli-Palestinian negotiations, the plan calls for the first 3,000 prisoners to be released by Dec. 13, when Israel is scheduled to begin withdrawing its troops from the Gaza Strip and West Bank town of Jericho.

Prime Minister Yitzhak Rabin said earlier this week that there would be no additional prisoner releases before an agreement is reached in the self-rule implementation talks, which entered their eighth round this week in Cairo.

But Rabin had indicated that there would be provisions for the release of prisoners within such an agreement.

He added, however, that the prisoners would be released only in exchange for information about Israeli soldiers who are missing in action.

Israel released more than 600 Palestinian prisoners in October in an effort to build confidence in the self-rule accord that Israel and the Palestine Liberation Organization signed in Washington more than two months ago.

The continued escalation of violence in the Gaza Strip, however, has eroded public support for the accord among Israelis as well as Palestinians.

Thousands of Palestinians protested in Gaza on Tuesday against the continuing crackdown by Israeli security forces against terrorists.

'If We See A Soldier We Will Kill Him'

The Israeli army, attempting to quell the demonstrations, shot and wounded at least 10 protesters.

The protests followed the capture by Israeli troops in Gaza on Monday of Fatah Hawk commander Taisir Bordini, 26, and two other members of the group, which does not support the PLO's accord with Israel.

During the past few days, Israeli troops have killed several Palestinians belonging to Arab rejectionist groups.

The ensuing unrest has been the most serious in the territories since the Israel-PLO accord was signed in September.

On Monday, the Fatah Hawks sent a message to PLO Chairman Yasser Arafat that read, "Now, if we see a soldier, we will kill him because the Israelis didn't keep the agreement and they still kill us."

By Tuesday night, there were reports that the Israeli security officials were cooperating with PLO leaders in Tunis to find a way to ease the tensions.

There were additional reports that Israeli army commanders and Palestinian leaders met in Gaza on Tuesday and reached an agreement they hoped would reduce the violence there.

According to reports, Israeli forces were to lessen their presence on the streets of Gaza starting this week and would also remove some

roadblocks and open some cordoned-off streets.

In return, the Palestinian leaders reportedly offered to meet with members of rejectionist groups, including the Fatah Hawks, and attempt to persuade them not to escalate their struggle against Israeli soldiers.

Rabin said Tuesday that he regretted the escalation of violence.

He acknowledged that it was turning public sentiment against the agreement, but he vowed to continue the current policy of negotiating with the PLO.

Rabin, who was in Paris for meetings with French President Francois Mitterrand and Prime Minister Edouard Balladur, is traveling to several European capitals this week in an effort to increase trade between Israel and the member states of the European Community and to upgrade Israel's association with the E.C.

Since 1975, Israel has had a free-trade agreement with the Common Market countries. Rabin is trying to elevate Israel to associate member, the highest level a non-European country can attain within the E.C.

'Some Palestinians Are A Danger'

A source at Balladur's office told the Jewish Telegraphic Agency that Rabin had acknowledged that the situation in the territories was difficult and that he would do his best to prevent any further violence.

"Some Palestinians are a danger for us and for the rest of the Palestinians," Rabin reportedly told Balladur. "But Israel has ceased to consider the Palestinians (taken) altogether as a threat for our country."

In Israel, members of the Likud opposition are claiming that the violence proves Arafat has lost control in the territories and that the government should rethink its accord with the PLO.

Although details of the progress at the Cairo talks are sketchy, the Israeli-PLO negotiations for implementing the self-rule accord are reported to be moving slowly.

The two sides are trying to reconcile differences on three issues: how to guarantee the security of Jewish settlements in the territories; who will have jurisdiction over the border crossings near Gaza and Jericho; and how to determine the size of the autonomous area of Jericho.

Chief Palestinian negotiator Nabil Sha'ath has accused Israel of stalling to put pressure on the Palestinians.

Rabin has said he does not believe that Dec. 13, the scheduled date for the start of Israeli military withdrawals, must be strictly adhered to.

More importantly, said Rabin, he is committed to completing the withdrawals by April 13, the deadline set forth in the self-rule accord.

The prime minister said it could be beneficial now to wait a few weeks "in order to reach a clear, defined, formulated, well-written and signed agreement so that the number of possible misunderstandings that will crop up in the implementation will be as few as possible."

But Arafat insists the Dec. 13 date must be honored or else "the whole peace process will be affected."

(Contributing to this report was JTA correspondent Michel Di Paz in Paris.)

SOME SOLDIERS REFUSING TO SERVE IN TERRITORIES AFTER WITHDRAWALS

By Michele Chabin

JERUSALEM, Nov. 30 (JTA) -- If all goes as planned, the Israeli army will begin withdrawing from much of the Gaza Strip and the West Bank town of Jericho on Dec. 13.

This fact has deeply upset Jewish residents of the territories, who fear that the Israel Defense Force's withdrawal, and the simultaneous mobilization of a Palestinian police force, will jeopardize the security of the settlements.

Now it is being reported that a significant number of Israeli soldiers do not want to serve in the territories once the Palestinian self-rule accord goes into effect. A handful have reportedly asked their commanding officers to relieve them from duty in the territories come mid-December.

A military source said there have been "only a few cases" where soldiers have refused to obey such orders and that "they cannot be seen as a phenomenon in the IDF."

Since the IDF makes no provisions for conscientious objectors, those soldiers who refuse to dismantle army bases in Jericho will likely receive the same punishment as those who refuse to patrol refugee camps in Gaza: imprisonment.

Amid reports that settlers groups are urging Israelis to refuse to serve in the territories, the IDF took the offensive.

On Tuesday, the army spokesman stated, "The IDF, as a people's army, is subject to the decisions of the elected government and accordingly carries out its directives."

"The IDF will not allow any refusal to carry out orders. The IDF does not accept conscientious objection," the spokesman said.

'Rabin Will Have No Army'

But several settler groups are asking Israeli soldiers to disregard the premier's directives. These groups have been distributing letters, leaflets and petitions to Israelis on both sides of the Green Line, the unmarked border between Israel proper and the territories, asking for support in their fight against the peace plan.

One group, the Action Committee for the Abolition of the Autonomy Plan sent hundreds of letters to soldiers, police and Shin Bet members.

Drafted by West Bank settler leader Elyakim Haetzni, the letters said, "Orders that lead to the uprooting of Jewish villages are illegal and therefore such orders must not be obeyed."

Haetzni said, "We appealed to these people as Jews, as human beings, as Zionists, and asked them to disobey such an order if they are placed in such a circumstance. If we succeed, Rabin will have no army to commit his crime."

Yehiel Leiter, spokesman for the Yesha Council, the largest settlers group, said, "We are in favor of continuous service in the army, both for new recruits and reservists."

"At the same time, when it comes to specific orders which involve facilitating the Palestinian police force or withdrawal from either Jewish communities or army bases, we suggest that each person tap his own conscience."

Personally, he said he would not "participate in either scenario."

"I believe that these orders are unjust and immoral, whether it's to aid and abet terrorists or to take Jews from their homeland."

"I'd rather go to prison as a conscientious objector," he said.

PRIVATE 'BUILDERS' SETTING AN ECONOMIC PLAN FOR PEACE

By Deborah Kalb

WASHINGTON, Nov. 30 (JTA) -- Along with the more-prominent political negotiations, the Middle East peace process has its economic component.

And this week, one important part of that economic component began to take shape.

On Tuesday, Vice President Al Gore announced the long-awaited formation of Builders for Peace, a private-sector organization composed of Jewish and Arab Americans interested in investment in the West Bank and Gaza Strip.

The idea behind Builders for Peace is that the economy in the West Bank and Gaza is sorely in need of stimulation, and that the stimulation would create better economic conditions that would in turn foster progress in the peace process.

"By bringing the benefits of improved relations directly into the lives of the people affected by it, the success of this effort will help strengthen the overall peace process and contribute to one of America's top foreign policy objectives," Gore said at a news conference Tuesday announcing the group's formation.

The administration has been pushing for the formation of such a group since the Sept. 13 signing of the Israeli-Palestinian accord.

Following that accord, the administration organized an international donors conference that raised at least \$2 billion for the Palestinians from governments around the world.

'We Got Off To A Good Start'

Builders for Peace, although it will receive cooperation from the administration, will involve private funds.

The group will serve as a clearinghouse of information for people wishing to invest in the West Bank and Gaza, and probably elsewhere in the region as well.

The group's co-presidents are former California Rep. Mel Levine, a staunch supporter of Israel, and Arab American Institute head James Zogby, a top Arab American leader.

Both Levine and Zogby spoke Tuesday of the pleasure they felt in working together on a Middle East issue after being on opposite sides for so long.

There will be between 20 and 25 people on the group's board of directors.

And there will be between 50 and 60 people on the group's board of advisers.

Almost all of the people involved are either Jewish or Arab American, and they include businesspeople and community leaders.

Top administration officials from the departments of State and Commerce, the Overseas Private Investment Corp. and other agencies briefed the boards.

Elmer Winter, a member of the board of advisers, said, "We got off to a good start."

But he also observed that there are "many unmet problems" surrounding the enterprise.

Also Tuesday, representatives of the United States, Israel and Jordan held a trilateral meeting at the State Department to discuss economic issues.

The three-way group was established in October when Israeli Foreign Minister Shimon Peres and Jordan's Crown Prince Hassan met with President Clinton at the White House.

JEWISH GROUPS TAKE OPPOSING SIDES IN VALUE, FATE OF THE 'LEMON TEST'

By Steven Weiss

WASHINGTON, Nov. 30 (JTA) -- The Supreme Court's decision this week to review a case involving a New York Chasidic school raises the possibility of changing the legal doctrine that has governed the separation of church and state for 23 years.

Most Jewish organizations support the existing doctrine, named the "Lemon Test" after a 1971 case, which courts have used to determine to what extent state governments can accommodate religious practices without violating the Constitution. These groups see the doctrine as a protection from excessive government involvement with religion.

By agreeing to consider a New York court ruling based directly on the Lemon Test, the Supreme Court justices left open the chance that the standard could be altered, thus changing the way government interest in religion is judged.

Most say the doctrine is not endangered.

"It's highly unlikely" the Supreme Court will change the Lemon Test, said Robert Peck, counsel for the American Civil Liberties Union.

The court left the doctrine intact last year in a case that also relied on that test and is likely to do the same in this instance, Peck said.

The present case involves a legislatively created school district for disabled students of a Chasidic community in Orange County, about 40 miles from New York City. The New York Legislature agreed to form the Kiryas Joel school district in 1989 to accommodate disabled students who did not attend other schools because of inadequate facilities and religious differences.

A New York court ruled in July against the district, saying it violated the constitutionally mandated separation of church and state.

Judges Dissatisfied By Lemon Test

Nathan Lewin, attorney for the Satmar Chasidim of the Kiryas Joel district, said Tuesday that his first argument before the Supreme Court will be that the formation of the school district satisfies the Lemon Test.

Lewin said that if the justices decide the test was not met, he will argue to change it.

The Lemon Test, derived from the 1971 Supreme Court case *Lemon vs. Kurtzman*, states that a government action dealing with religion must have a secular purpose; its effect must neither enhance nor inhibit religion; and it must not involve excessive entanglement with religion.

The doctrine has long been criticized as vague, hard to apply and fostering inconsistency. Orthodox Jewish groups have called for the doctrine's reversal, contending it is too strict.

The mainstream Jewish community has defended it, saying that no viable alternative exists.

"The Lemon Test has worked fairly effectively in maintaining neutrality between government and religion to the benefit of all, particularly those in the religious minority," said Steven Freeman, legal director of the Anti-Defamation League.

But groups opposing the test are encouraged that most justices now on the bench have written of their dissatisfaction with the Lemon Test.

"There are enough votes now to change the test" if the justices decide to do so, said David Zwiebel, general counsel of the fervently Orthodox Agudath Israel.

CLINTON, RELIGIOUS GROUPS HOLD MEETING ON AIDS CRISIS

By Deborah Kalb

WASHINGTON, Nov. 30 (JTA) -- In advance of World AIDS Day Wednesday, a dozen religious leaders met with President Clinton at the White House to discuss spirituality and the AIDS crisis.

Rabbi Joseph Edelheit of Temple Israel in Minneapolis, the co-chair of the Union of American Hebrew Congregations' committee on AIDS, participated in the Monday morning meeting that brought together religious leaders from around the country.

Edelheit said Tuesday that the president was committed to bringing the AIDS issue "up to the front burner," and he praised Clinton for holding the meeting.

"For the first time, the president brought religious leaders together to discuss people living and dying with AIDS," Edelheit said.

The rabbi said he told Clinton about the importance of AIDS education.

"The issue of AIDS education is as important today as it has ever been," Edelheit said. "Because we've had AIDS 101, we can't assume everyone knows" everything they must know about the disease.

Edelheit said that while many rabbis do "some significant work" in dealing with the AIDS issue, he is disheartened by the overall Jewish community's response.

The rabbi told the Jewish Telegraphic Agency that he has been asked why AIDS should be seen as a Jewish issue.

"I've buried 23 people" who have died from AIDS, Edelheit said.

Clinton's spokeswoman, Dee Dee Myers, said the president thought the meeting "was a warm and open discussion and very useful for him to find out what was going on" in each community.

Catholic, Lutheran, Methodist and evangelical leaders were also present at the meeting.

ISRAEL, HUNGARY DISCUSS MILITARY TECH

By Agnes Bohm

BUDAPEST, Nov. 30 (JTA) -- Israeli Deputy Defense Minister Mordechai Gur just completed a six-day official visit here during which cooperation between the two countries, notably in the sphere of military technology, formed the agenda of his meetings with high-level Hungarian officials.

During the visit, which ended Sunday, Gur and Defense Minister Lajos Fur discussed Israel's offer to help modernize Hungary's Russian-made military hardware.

Israeli firms have expressed interest in the past in helping modernize Hungary's fleet of Russian-made MIG-21 and MIG-23 fighter planes.

Senior Hungarian Defense Ministry officials told the Jewish Telegraphic Agency that Hungary's defense budget, which was curtailed after the Communist regime here ended, prevented the country from buying advanced military technology from Israel.

Gur came to Budapest from Prague, where he visited the 1,000-year-old Jewish Quarter in the Czech capital.

On his last day here, Gur visited the Jewish Community Center and the old Jewish Quarter, where he expressed pleasure at finding that a Jewish community still thrived. There are at least 85,000 Jews living in Hungary.

EX-MAYOR OF TEL AVIV FLOATED AS NEXT HEAD OF JEWISH AGENCY

By Cynthia Mann

JERUSALEM, Nov. 30 (JTA) -- Shlomo Lahat, the popular former Likud mayor of Tel Aviv, is apparently in the running to succeed Simcha Dinitz as chairman of the Jewish Agency for Israel.

The Israeli daily newspaper Ma'ariv reported Tuesday that Lahat is the preferred candidate of Prime Minister Yitzhak Rabin and Likud party leader Benjamin Netanyahu to succeed Dinitz, who has been under investigation for alleged financial improprieties.

Israel's state attorney reportedly has recommended that Dinitz be indicted for fraud. But the final decision rests with the attorney general, who is expected to act on the case soon.

If indicted, Dinitz is expected to take a leave of absence, in accordance with an agreement he made with the Jewish Agency leadership. But in any case, the former ambassador and Labor Party politician is expected to leave his post by the end of 1994.

The reported reaching of a political deal over Dinitz's successor highlights the uneasy alliance among the Israeli politicians, Diaspora philanthropists and Zionist activists who comprise the Jewish Agency, which is the principal recipient of charitable dollars raised for Israel by the United Jewish Appeal.

The Jewish Agency's half-billion-dollar annual budget is funded largely by American philanthropists, whose donations make possible the agency's efforts to rescue and absorb immigrants to Israel.

These philanthropists have increasingly questioned the political aspects of the agency's governance.

Resignation Would Look Like Confession

Senior appointments at the agency, such as any replacement for Dinitz, need separate approval from both its political and philanthropic components.

Complaints over the political nature of the agency escalated when the Dinitz scandal erupted. The American philanthropists argued that Dinitz should resign immediately, saying they would demand no less of a director of an American philanthropy who showed signs of impropriety.

Dinitz, for his part, argued that he should be judged by the standards of Israeli politicians, who view resignation in the face of allegations as tantamount to confession.

Under a compromise reached by the different Jewish Agency factions, Dinitz has agreed to resign if he is convicted, or if his legal case is not concluded by Dec. 31, 1994. If he is exonerated before then, Dinitz has reserved the right to remain in office, but he has said he plans to retire.

The refusal of Dinitz to resign outright has greatly complicated the struggle for succession, since it is unclear whether an interim appointment is possible.

Within agency circles, the generally accepted interpretation of the bylaws is that the organization's treasurer would assume the powers of the chairman if and when Dinitz goes on leave.

While the current treasurer, Hanan Ben-Yehuda, is said to want the job of acting chairman, he is a member of the opposition Likud party. Dinitz represents the ruling Labor Party.

Lahat, too, is a Likudnik. But he has veered well to the left of his party's political line on issues such as the peace process, and he is said to be a close friend of Rabin's.

His appointment would likely infuriate the candidates within the Labor Party, who are said to include former Knesset Speaker Shlomo Hillel, as well as two current heads of Jewish Agency's departments, Uri Gordon and Yehiel Leket.

But it could well meet with the approval of Treasurer Ben-Yehuda, who for a decade worked under Lahat as head of the Tel Aviv Foundation.

Any successor could not be formally appointed until next June. If Dinitz takes a leave, an interim appointment is expected.

The Ma'ariv article was confirmed by an Israeli Cabinet source, but Jewish Agency officials refused to comment on it.

One agency official said it was premature to discuss any candidacy and said agency bylaws call for an elaborate advise and consent process with constituency groups before a chief executive is approved.

(Contributing to this report was JTA staff writer Larry Yudelson in New York.)

DUTCH BILL WILL PARE SURVIVOR PAYMENTS

AMSTERDAM, Nov. 30 (JTA) -- The Dutch Parliament has passed a measure that will prevent the children of those who suffered persecution during World War II from seeking monthly payments from the government.

The measure, which was passed last week, was enacted at the urging of Culture and Welfare Minister Hedy D'Ancona, who stressed the need to cut back on government expenditures.

Under the terms of the Law for Payments to Victims of Persecution, Jews who suffered under the Nazis in Holland and people who suffered at the hands of the Japanese in the Dutch East Indies were eligible for the government payments.

The law was originally intended to help first-generation victims only. But in recent years, some children of the victims successfully claimed payments on the grounds that their physical or mental illnesses had been caused by the traumatic experiences of their parents.

Under the new legislation, second-generation claimants already receiving government assistance will continue to receive the monthly payments, but no new claims will be allowed.

The government left open the possibility, however, that second-generation victims will be able to receive psychiatric or social-service assistance at the government's expense.

ANCIENT REMAINS ALL FROM ONE FAMILY

TEL AVIV, Nov. 30 (JTA) -- Thirty-eight skeletons found in a cave in the Judean wilderness above Jericho six years ago have proved to be members of a single family.

Archaeologists and anthropologists who carried out minute biochemical examinations of the bones found a common genetic defect in all of them, proving that the male and female adults and children were of the same family.

Parchment scraps found disclosed that Yehoya Bar-Levy and his family took refuge in the cave at the time of the Bar-Kochba revolt nearly 2,000 years ago.

They had apparently died of asphyxiation when the Romans built fires at the entrance to the cave.