

**RABBINIC RULING ON SETTLEMENTS  
POSES TEST FOR ZIONIST ORTHODOX**

By David Landau

JERUSALEM, April 4 (JTA) -- Israel's Zionist Orthodox community is in the throes of a major social and political crisis, as the question of removing settlements from the West Bank and Gaza Strip looms large in public debate here.

The settlement question took a heightened profile after the February massacre of Palestinians in Hebron by a settler from nearby Kiryat Arba, and after the 100,000 Arab residents of Hebron were subsequently kept under curfew to protect the safety of the 415 Jewish settlers there.

Prime Minister Yitzhak Rabin said last weekend that while the idea of concentrating the Jews of Hebron into one single residential quarter "has come up, it is not on our agenda at this time."

This did not reassure settlers, particularly those affiliated with the Gush Emunim movement, which has spearheaded settlement in the territories over the past 20 years out of a conviction that it hastens God's redemption of the Jewish people.

Now, as the prospect of undoing that work becomes more real, a conflict is developing for many in the religious Zionist community between their religious commitment to the Land of Israel and their practical loyalty to the State of Israel.

The issue came to the fore recently, when three of the most prominent rabbis of the Orthodox Zionist community ruled that soldiers must disobey orders rather than evict Jewish settlers from their home.

Rabbis Avraham Shapira, Shaul Yisraeli and Moshe Zvi Neria held that the Torah bars doing anything toward evicting a Jew from the Holy Land -- any place in the Holy Land. They explicitly held that both civilians and soldiers are bound by this ruling of halachah, or Jewish law.

Shapira is the former Ashkenazic chief rabbi of Israel and is a leading scholar at the Merkaz Harav Kook Yeshiva in Jerusalem, the ideological birthplace of Gush Emunim and many of the Hebron settlers.

**Outspokenly Strong Reactions**

Yisraeli is a former member of the Rabbinical Supreme Court. Neria is the founder of the Bnei Akiva yeshiva high school network and has served in the Knesset, representing the National Religious Party.

All three are close to the NRP and are considered its foremost sages.

A similar ruling was issued some time earlier by another former Ashkenazic chief rabbi of Israel, Shlomo Goren.

The ruling triggered outspokenly strong reactions from government circles -- led off by Rabin himself, who termed it "irresponsible." The premier said such views undermine the very existence of Israel's government and democratic system.

He noted that he himself had consistently

opposed any form of refusal to obey legitimate military orders -- whether in Lebanon in the early 1980s or in the administered territories during the intifada. By that same standpoint, he now wholly rejects the rabbis' stance.

On the right, too, political leaders -- especially those with military backgrounds -- voiced reservations over the three rabbis' ruling. Here, though, the criticism was laced with demands that the government avoid bringing the situation to one of "a split in the nation," in the words of Benjamin Netanyahu, chairman of the opposition Likud party.

There was also a great deal of tut-tutting within the haredi, or fervently Orthodox, community, which does not accept the authority of the Zionist Orthodox rabbis. This week the premier haredi sage, Rabbi Eliezer Schach, published his own view that to remove Jewish settlers is not necessarily against the halachah. (He added, however, that on political grounds he does not favor removing settlers at this time.)

**Profound And Pervasive Embarrassment**

In NRP circles, however, embarrassment is profound and pervasive.

Party leader Zevulun Hammer openly criticized the ruling, and he was joined by other Knesset members and by the former party leader, Yosef Burg.

"I am a rabbi too," Burg told reporters. "And I say that this is not an halachically justiciable issue."

Burg said he is politically against any evacuation, but that is not the point. He wholly opposes and rejects the tenor of the rabbis' ruling, which could pit soldiers against their officers.

The Chief Rabbinate Council, the highest-ranking body of the state's official rabbinate, has tried diplomatically to sidestep this loaded issue. After a lengthy meeting Monday, the council announced that it will rule only when the question becomes of immediate practical significance.

"When the time comes, we will see," declared Ashkenazic Chief Rabbi Yisrael Lau.

His Sephardic counterpart, Eliahu Bakshi-Doron, said that "if, God forbid, the matter comes before us, only then will we address it."

The council heard a lengthy presentation from the deputy defense minister, Mordechai Gur. It included in its official statement a passage expressing its gratification at the information that the government does not, at this stage, plan any eviction or displacement of Jewish settlers in Hebron or elsewhere in the territories.

Within the army, the halachic ruling raised serious doubts as to the reliability of units with a high proportion of religious soldiers, and most especially the "hesder yeshiva" units. These comprise young men who spend five years alternately studying and serving, instead of the regular three straight years in uniform.

Some of these religious soldiers have said openly that they would have a problem if ordered to evacuate settlers.

Gen. Ori Orr, chairman of the Knesset Foreign Affairs and Defense Committee, shocked

the Zionist-Orthodox community when he stated that the army ought to review its relationship to the entire "hesder" system. NRP leaders denounced the comment as offensively anti-religious.

But beneath their rhetoric, they too recognized the explosive situation their rabbis caused and sought, in an NRP executive meeting, to play down the seriousness of the ruling. NRP Knesset member Yigal Bibi said his son was an officer and that he would on no account urge him to disobey an order legally and legitimately given.

In some NRP and settler circles, however, there is a sense of quiet gratification this week. Many people believe that Rabin backed down from his original intention to move the Hebron settlers because of the NRP rabbis.

Government sources labored hard to discount that theory.

But plainly the trying weeks ahead -- weeks in which the army will withdraw from Gaza and Jericho, and the Palestine Liberation Organization will begin to move in -- will be all the more trying and tense in the wake of the three rabbis' ruling and the profound and worrying debates it has stirred up.

#### **LAST REMAINING KACH LEADER IS APPREHENDED AND DETAINED**

By Dvora Getzler

JERUSALEM, April 4 (JTA) -- Three weeks after the militantly anti-Arab Kach organization was declared illegal, Israeli authorities have captured the last of the group's leaders still at large.

Kach leader Baruch Marzel, who was already on the run two weeks before his far-right movement was declared illegal March 13, was caught by police in the early hours of Sunday morning.

On Feb. 27, two days after the massacre of at least 29 Palestinians at a Hebron mosque, the Israeli government issued administrative detention orders against five prominent Kach activists, including Marzel.

The order allows authorities to keep Marzel in custody for three months without trial. Similar orders have already been issued against seven other right-wing militants.

Marzel had taken refuge in the West Bank settlement of Pnei Hever. Police found him at the home of a man previously accused of shooting to death a captured Palestinian.

Marzel, who has repeatedly eluded the police, was caught in the home of Yoram Skolnick. According to the police, Marzel was asleep when the authorities captured him.

Skolnick has been accused of shooting at point-blank range a Palestinian who had been captured and was being held in a settlement just south of Hebron until the arrival of Israeli security authorities. The Palestinian was bound at the time he was shot.

Skolnick wife, Sigalit, told Israel Radio that she knew nothing of Marzel's presence in her home. In her husband's absence, she said, she had been away from home and was spending the Passover holiday with her in-laws.

In Jerusalem, a close associate of Marzel, Tiran Pollak, has begun serving a six-month prison sentence. Pollak had been found guilty in Magistrates Court of creating a disturbance during a demonstration three years ago.

#### **SETTLER RADIO STATION ACCUSED OF INCITING ANTI-ARAB VIOLENCE**

By Dvora Getzler

JERUSALEM, April 4 (JTA) -- Just hours before Baruch Goldstein killed at least 29 Palestinians at a Hebron mosque, a radio station sponsored by the settlers movement broadcast what is being called an incitement to commit acts of violence against Palestinians.

Such was the charge made by Environment Minister Yossi Sarid during Israel's weekly Cabinet meeting Monday.

Sarid presented the transcript of a broadcast aired the night before the Feb. 25 Hebron massacre by Channel 7, a radio station sponsored by the Gush Emunim settlers movement.

The transcript indicated that two broadcasters drank to the health of Yoram Skolnick and Ami Popper.

Popper opened fire on Palestinian laborers near Rishon le-Zion in May 1990, killing seven and wounding 10 others.

Skolnick is accused of shooting a captured and bound Palestinian who was being held pending the arrival of Israeli soldiers. The episode was filmed and shown on Israel Television to a shocked nation several months ago.

The two men are referred to five times in the course of the broadcast transcript as "tzadikim," or righteous men.

According to Sarid, the transcript records that another person appearing on the broadcast said at the end of the program that Skolnick and Popper had done "what we would all like to do but have not the guts to do."

"If that is not incitement to murder, I don't know what it is," Sarid told Israel Radio.

The station head for Channel 7, asked by Israel Radio for her reaction, refused to comment, saying that she would respond only on her station.

Attorney General Michael Ben-Yair has announced that he will investigate the station's legal status.

#### **AUSTRALIAN PARTY LEADER STUNS JEWS BY COMPARING NAZIS TO ISRAELI ARMY**

By Jeremy Jones

SYDNEY, Australia, April 4 (JTA) -- Comments by the leader of the Federal National Party comparing the Nazi genocide of the Jews with Israeli actions in Lebanon have outraged Israeli and Jewish community spokesmen.

Party leader Tim Fischer, who is the candidate of the Liberal/National Party Coalition for deputy prime minister, said after the Academy Award honors for the Stephen Spielberg film "Schindler's List" that he saw "bitter irony" in the awards for the film while "the Israeli army has killed and wounded schoolchildren in southern Lebanon."

Colin Rubenstein, editorial chairman of Australia/Israel Publications, called the comments "deeply offensive and outrageous."

"To seek to make political capital out of this great human tragedy, to further a narrow and dubious foreign policy agenda, belittles the post of national party leader," he said. "These comments are unworthy of any Australian, let alone an individual occupying senior office."

## JEWISH GROUPS ANGRY AT FAILURE BY ARAB LEAGUE TO LIFT BOYCOTT

By Steven Weiss

WASHINGTON, April 4 (JTA) -- Jewish groups are calling on the Clinton administration to take the League of Arab States to task for refusing to consider ending the economic boycott against Israel at its meeting last week.

The National Jewish Community Relations Advisory Council and the Anti-Defamation League each expressed disappointment at what they called a broken promise by Arab League officials to discuss terminating the boycott at their March 27 meeting in Cairo.

This promise was made to Commerce Secretary Ron Brown by a high-ranking Arab League official in January during Brown's trip to the Middle East.

A source at the State Department said Monday that the administration is "disappointed" that the termination of the boycott was not discussed.

The source said the administration will continue to raise the matter with Arab governments.

At its March 27 meeting, the Arab League's council of foreign ministers agreed not to reach a final decision on lifting the boycott.

Qatar, Oman and Kuwait had apparently been prepared to lift the ban, at least partially, following pressure from the United States and Germany.

But Syrian Foreign Minister Farouk al-Sharaa declared that "the reasons for the imposition of this ban have not yet been removed."

He explained that the boycott is "connected with the state of war between Israel and the Arab states, and Israel's conquest of Arab lands.

"We believe the boycott should be ended (only) with the ending of the occupation of all the Arab lands that Israel has conquered," he said.

Israeli political observers believe the Arab League decision is also partially a function of Arab fears of Israel's economic and technological strength.

### Prince Warns Of 'Economic Holocaust'

Crown Prince Hassan of Jordan is on record as having spoken of an "economic holocaust of the Arab world" if the boycott is lifted without firm controls being in place beforehand.

An Israeli diplomat who requested anonymity told the Jewish Telegraphic Agency that the Israeli government "would like to see concrete steps taken by the Arab League" to end the boycott, which has been in effect since before Israel's founding in 1948.

Secretary Brown announced from Cairo during his trip in January that Arab League Secretary-General Esmat Abdel-Meguid had told him the league would consider rescinding its secondary and tertiary boycotts at its March meeting.

The secondary boycott affects companies doing business with Israel; the tertiary boycott is imposed on companies doing business with those firms.

Jewish groups have hoped since last September, when Israel and the Palestine Liberation Organization signed their autonomy blueprint at the White House, that progress would be made

toward ending the boycott, which also includes a primary boycott of Israel itself. Thus far, however, Jewish groups have been disappointed.

In a letter to Brown following last week's Arab League meeting, ADL's leaders wrote of their "serious concern about the failure of the Arab League to take action on ending the secondary boycott.

"The Arab League's failure to address the boycott issue violates commitments made to you and other senior Administration officials," wrote Melvin Salberg, the group's national chairman, and Abraham Foxman, ADL's national director.

Martin Raffel, associate executive vice chair of NJCRAC, told JTA that "for the Arab League not to move" toward ending the boycott "is a disappointment."

More than 60 members of Congress had written to Secretary-General Meguid, seeking assurances that the boycott would be discussed at the Arab League meeting.

The March 25 letter, initiated by Rep. Charles Schumer (D-N.Y.) and Ileana Ros-Lehtinen (R-Fla.), urged the Arab League to end the secondary and tertiary boycotts at its meeting.

"Even though some Arab nations are reportedly relaxing enforcement of the boycott, the League of Arab States must send a clear signal that the boycott has been voted out of existence," read the letter, which was signed by 63 other representatives.

*(Contributing to this report was JTA correspondent Dvora Getzler in Jerusalem.)*

## GERMAN OPPOSITION PARTY TO PROPOSE LEGISLATION BANNING HOLOCAUST DENIAL

By Igal Avidan

BERLIN, April 4 (JTA) -- In the wake of a recent court ruling by Germany's highest appeals court, the country's main opposition party will propose a new law that will make it a crime to deny that the Holocaust ever took place.

The Social Democratic Party announced it will seek the new legislation following a recent ruling by the Federal Court of Justice that repeating the denials of others that the Holocaust ever occurred -- the so-called "Auschwitz lie" -- is not in itself a punishable offense.

The Federation of Jewish Communities in Germany has already called for a change in the law in order to ban Holocaust denial explicitly.

In a newspaper interview, the vice chairwoman of the Social Democrats, Herta Daubler-Gmelin, said her party will put forward "as quickly as possible" an appropriate draft of legislation that will make the spreading of the "Auschwitz lie" a punishable act.

"Someone who denies the Holocaust does not do so out of a harmless stupidity, but knows that Auschwitz is one of the most horrible parts of German history," she said. "It is unbearable that through this lie millions of victims are insulted and survivors are mocked."

On March 15, the Federal Court of Justice reversed a lower court's decision against Gunter Deckert, chairman of the extreme right-wing National Democratic Party. At a 1991 rally, Deckert was a translator for Fred Leuchter, an American Holocaust denier. In addition to translating comments made by Leuchter, Deckert said he supported Leuchter's theories.

## TOUVIER MAINTAINS THAT DEATH OF 7 JEWS SAVED DOZENS OF OTHERS FROM SAME FATE

By Michel Di Paz

VERSAILLES, France, April 4 (JTA) -- About midway through the first trial of a French citizen for crimes against humanity during World War II, the defendant, Paul Touvier, has continued to adhere to his line of defense:

Thanks to his actions, he has maintained, the lives of dozens of Jews were spared in exchange for the lives of seven.

Touvier, former head of the intelligence service of the French pro-Nazi militia in Lyon, has already admitted that on June 29, 1944, he personally picked seven Jewish hostages and had them executed in retaliation for the assassination the previous day of Philippe Henriot, the minister of propaganda of the French Vichy regime.

But Touvier, who turned 79 this week, has maintained during the trial at the Versailles Court of Justice that Werner Knab, the Gestapo commander of the Lyon area, was about to kill 100 Jewish hostages in retaliation for the murder of Henriot.

Touvier testified that after haggling with Knab, the Gestapo official had agreed to lower the figure to 30, and then to seven Jews. But he also said that, ultimately, the Gestapo never ordered the execution of the seven Jews; that, Touvier said, he did on his own.

The distinction is an important one. Touvier is trying to distance himself from any direct involvement with the Nazis. For Touvier to be found guilty of crimes against humanity, it must be shown that he took his orders from the Nazi occupiers, who had elimination of the Jews as its policy.

Since France has never officially sanctioned the notion that the Vichy government had an anti-Semitic policy in line with that of the Nazis, the Vichy regime and all its related organizations can be found guilty only of war crimes, not crimes against humanity.

Thus, if it is shown that Touvier, a member of the Vichy militia, acted on his own, he could only be found guilty of war crimes. The statute of limitations for war crimes, however, has already expired.

### Trial Pays Scant Attention To Vichy

The trial has so far focused almost exclusively on Touvier's actions, with little attention paid to the role the collaborationist Vichy regime played during the war.

Only one witness, Columbia University historian Robert Paxton, has so far taken the stand to charge the Vichy government with collusion with the Nazis.

But Touvier's lawyer, Jacques Tremolet de Villers, attempted to undercut Paxton's testimony by stating that a historian, who often relies on documents stored in archives, is not the same as a witness to actual events.

Touvier was condemned to death twice in 1946 and 1947 for war crimes, but he managed to elude French authorities. He subsequently took shelter in various French convents and monasteries until then President Georges Pompidou pardoned him in November 1972.

Touvier emerged from hiding, but Jewish and French veterans groups initiated charges against

him of crimes against humanity, a charge that is not subject to the statute of limitations and for which pardons do not apply.

Touvier went into hiding again, but was arrested when he was discovered in May 1989 hiding out in a Nice monastery.

The only person brought to trial in France before now for crimes against humanity was Klaus Barbie, the German Gestapo police chief in Lyon. Barbie was sentenced to life imprisonment in 1987. He died in jail of cancer in 1991.

During the trial, Touvier has insisted that he was not anti-Semitic and knew nothing about the deportation of Jews from France.

But last week, the presiding judge at the trial, Henri Boulard, read from a notebook kept by Touvier in the 1980s in which he described two prominent French women as "Jewish garbage" and a French writer as a "sinister Jewish merchant."

In response, Touvier said he had kept the notebook "for amusement." He also said that a collection of Vichy documents and Nazi paraphernalia found among his possessions in 1989 were just items he had gathered to resell to collectors.

## LEON DEGRELLE DEAD AT 87; LED BELGIAN NAZIS DURING WAR

By Joseph Kopel

BRUSSELS, April 4 (JTA) -- Leon Degrelle, an unrepentant Belgian Nazi who found haven in Spain after World War II, died in the southern Spanish city of Malaga on March 31. He was 87 and died of heart failure spurred by a pulmonary ailment.

Degrelle, who headed the fascist movement in Belgium from the 1930s to the end of the war, was responsible for the deportations and deaths of about 25,000 Jews in Belgium between 1941 and 1944.

In the 1930s, Degrelle created a fascist movement called Rex, which collaborated with the German Nazis and which succeeded in placing several members in Parliament.

The Nazi SS used Degrelle's group of collaborators to search out and deport Jews to the death camps, recalled Belgian historian Maxime Steinberg.

Degrelle also founded and commanded the German army's Walloon Legion in 1941.

Degrelle, who became an SS general, was known to have met with Adolf Hitler several times and was called "the Nazis' man in Belgium." Hitler once praised Degrelle as the son he would have liked to have had.

Degrelle also fought with the Nazis on the Eastern Front and was awarded the Iron Cross. In 1944, Hitler personally bestowed on him the coveted Knight's Cross.

Historian Steinberg expressed regret that "justice could not be done before a Belgian court."

Degrelle was condemned to death by his own country after the war, but he fled to Spain, where he found haven among the followers of fascist leader Francisco Franco. Degrelle was given Spanish citizenship, effectively removing any chance of being extradited to Belgium.

Although Belgium asked the Spanish government for his extradition several times, the Spaniards would not comply.