



## NEWS AT A GLANCE

■ A 120 mm mortar shell hit the Jewish community center in the Bosnian capital of Sarajevo. No one was hurt. Representatives of both the Bosnian Serbs and the Bosnian government called Jewish communal officials, with each blaming the other for the attack. [Page 2]

■ A group of Israeli rabbis issued a controversial ruling instructing soldiers to resist any attempts to evacuate military bases in the West Bank as part of an Israeli army redeployment. The ruling, led by former Ashkenazi Chief Rabbi Avraham Shapira, drew criticism from Israel's political and military leaders. [Page 1]

■ Clashes erupted between hundreds of Israeli settlers and Israeli security forces near Efrat in the West Bank. The settlers blocked the Efrat Junction in an attempt to bring in mobile homes to expand the Efrat settlement. One settler was injured and 42 were detained by police.

■ Five centrist American Orthodox organizations issued a statement condemning "extremist verbal attacks against the elected leadership of the State of Israel." The statement came in the wake of a Brooklyn rabbi's ruling last month that Jewish law permits the assassination of Israeli leaders for their role in advancing the peace process.

■ North American Orthodox rabbis representing a broad spectrum of religious communities ruled that the practice of minor marriage is invalid. [Page 3]

■ Seven Palestinian policemen returned home after a three-month training course with the Philadelphia police department. The Palestinians, who are based in the Palestinian self-rule Jericho enclave in the West Bank, studied community policing and the role of civilian review, in addition to patrolling, forensics and protection for dignitaries.

■ Foreign ministers of the European Union announced that they would decide next week how to implement the E.U.'s role for the upcoming Palestinian elections in the autonomous territories. The 15 E.U. members recently expressed their readiness to monitor the elections.

## BEHIND THE HEADLINES

### Halachic ruling on evacuations poses serious challenge for IDF

By Uriel Masad

TEL AVIV, July 12 (JTA) — The prospect of hundreds of soldiers refusing to obey orders to evacuate military bases in the West Bank poses a serious problem for Israel.

Not only could the development affect redeployment plans by the Israel Defense Force, it could also bring to the fore potential conflicts between the demands of the state and the dictates of religion.

The possibility of such resistance became all the more plausible this week after a group of rabbis instructed soldiers to resist any attempts to evacuate military bases as part of the Israeli army's impending redeployment in the West Bank.

Seven rabbis belonging to the Council of Religious Zionist Rabbis, led by former Ashkenazi Chief Rabbi Avraham Shapira, issued their ruling Wednesday. The rabbinic ruling drew sharp criticism from Israel's political and military leaders, including many in the opposition.

Prime Minister Yitzhak Rabin accused the rabbis of attempting to turn Israel into a "banana republic."

The rabbis' ruling came in response to questions posed recently by hesder soldiers — soldiers who combine yeshiva studies with military service — as well as by Orthodox soldiers who reside in the territories. They questioned whether they should obey army orders calling for an evacuation.

The questions surfaced as Israeli and Palestinian officials appeared to move closer toward concluding an agreement for implementing the next phase of Palestinian self-rule. The two sides are hammering out an agreement that would extend self-rule in the West Bank with a partial redeployment of Israeli forces in the West Bank and Palestinian elections.

### Unequivocal reply to students' questions

After meeting for three hours at Shapira's home to discuss the issue, the rabbis presented the students with an unequivocal reply: The evacuation of military bases in the West Bank that would be handed over to non-Jews would contravene the law of the Torah and therefore must be resisted, including by soldiers who serve at these bases, they ruled.

Rabbi Chaim Druckman, who heads one of the hesder yeshivas, read the ruling to reporters: "We determine that there is a Torah ban on evacuating IDF bases and handing them over to gentiles, as it entails the cancellation of a mitzvah asah (a positive command), and it is also life-endangering and a danger to the existence of the state.

"Therefore, in response to the question, it is clear and simple, that any Jew is forbidden from taking part in any act that will bring about the evacuation of a settlement, a base or a [military] installation.

"As it was decreed by the [12th century Jewish commentator] Rambam, 'Even if the king ordered [one] to disobey the Torah, he should not be listened to.'"

Under the agreement being worked out between Israel and the Palestinians, some IDF bases would be handed over to the Palestinian Authority, while others would serve as bases for IDF units redeploying from Arab population centers in the West Bank.

This week's rabbinic ruling pertained only to those bases that would be handed over to the Palestinian Authority.

The ruling drew sharp criticism from Israeli leaders.

"It is inconceivable that the democratically elected government will be restricted by rabbis and their halachic rulings that call upon soldiers to disobey orders," Rabin said.

"And I can say that this is one of the gravest things — that a group of rabbis, who are not all the rabbis in the State of Israel, would make such a decision. It is inconceivable that we shall turn Israel into a banana republic," he added.

Police Minister Moshe Shahal called the ruling illegal and said he had asked Attorney General Michael Ben-Yair to investigate whether the rabbis could be charged with inciting a rebellion.

Shulamit Aloni and Yossi Sarid, government ministers belonging to

the dovish Meretz Party, called for the closure of the Hesder Yeshivas. But Rabin, making a distinction between the rabbis and their soldier-students, said such measures were premature.

Other government ministers said the ruling undermines the foundation of democratic rule in Israel and that it could cause a breakdown in Israeli society.

Benjamin Netanyahu, leader of the opposition Likud Party, said he strongly opposed the idea of soldiers refusing to obey orders. But he stopped short of criticizing the rabbis, blaming instead the Rabin government for tearing apart the nation. A formal Likud statement said what it termed "the bad policy" of the current government must be opposed only by legitimate means.

Among the members of Knesset, only Shaul Gutman of the right-wing Moledet and Hanan Porat of the National Religious Party immediately endorsed the rabbis' ruling.

The ruling provoked varying responses from Israel's rabbis, most of whom are well aware of the far-reaching ramifications such rulings could have.

#### Lau to convene rabbinical council

Ashkenazi Chief Rabbi Yisrael Meir Lau called for an immediate freeze of government policies in the West Bank until the fate of the territories is determined by either new elections or by a referendum.

But if, "God forbid," evacuation orders were given to soldiers, they must be obeyed, he said.

Lau also said he would soon convene the Supreme Rabbinical Council — made up of state-employed rabbis — to discuss the controversial ruling.

But Rabbi Yehuda Amital, who heads the Hesder Yeshiva Har Etzion in Gush Etzion in the West Bank, disagreed with the ruling.

"I have already expressed my and some of my colleagues' opinion that there is no halachic basis for a ruling that instructs a soldier to refuse to obey orders in this case," Amital, who leads the moderate Orthodox Maimad movement, told Army Radio.

Even before this week's explosive ruling, the possibility of soldiers disobeying orders for religious reasons has haunted the IDF, as well as Israeli society at large.

Last week, the Headquarters for the Struggle to Abolish the Autonomy Plan, a militant settlers organization, issued a set of guidelines on how to resist any Israeli evacuation of Jewish settlements in the West Bank.

The code, which provided guidelines in case of forced evacuation from the territories by the IDF, was signed by 150 public figures, academics, legal experts and retired military officers, all identified with the settlers movement.

The code dealt primarily with the legal status of evacuation orders, but did not call upon IDF soldiers to disobey those orders. Instead, the code advised soldiers to try to leave their post in case such orders are issued.

Even among the rabbis, the issue has surfaced before. Two years ago, Rabbi Shlomo Goren, who is now deceased, issued a halachic ruling forbidding Jews to evacuate any settlement in the biblical land of Israel, which includes Judea, Samaria and Gaza.

Goren, who served as the IDF's chief rabbi during the 1967 Six-Day War and later as Israel's Ashkenazi chief rabbi, stated in his ruling that "a command to evacuate settlements has no obligatory stature, and soldiers ought to disobey such an order."

For their part, military officials have made clear their position on the matter.

Even before this week's ruling came down, high-ranking IDF officers said any refusal to obey orders would

be met with regular IDF disciplinary measures — namely a court-martial followed by a jail sentence.

Maj. Gen. Ilan Biran, commander of the Israeli army's central command, which includes the West Bank, said this week that any soldier who disobeys orders "will end up in prison." □

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

#### **Jewish center in Sarajevo hit by 120 mm mortar shell**

*By Edward Serotta*

BERLIN, July 12 (JTA) — For the first time in the three-year-old war in Bosnia, the Jewish community's headquarters in Sarajevo has taken a direct hit.

A 120 mm mortar shell hit the Jewish community center in the Bosnian capital about 3 p.m. Monday.

According to Jacob Finci, president of La Benevolencija, the Jewish community's nonsectarian aid agency, no one was hurt.

"The shell hit the top floor and destroyed an unused room. Since it was after our regular lunch time, almost no one was in the building," he said, speaking by telephone from his Sarajevo apartment.

Finci said he and Ivan Ceresnjes, community president, received telephone calls from both the Bosnian Serbs and the Bosnian government.

Each blamed the other side for the attack.

Finci, who maintains a strictly apolitical stance in the ongoing conflict between the Bosnian government and rebel Serbs, refused to speculate on which group was responsible for the assault.

"We're still feeding people every day, whether they are Jews, Croats, Serbs or Muslims," he said when asked to comment about the telephone calls.

Aided by supplies from the American Jewish Joint Distribution Committee, England's World Jewish Relief and a network of ad hoc organizations operating throughout Europe, La Benevolencija has become one of the most effective humanitarian aid agencies operating in the war zone today, distributing food, mail and medicine.

But because of recent heavy shelling, less than half of the 320 daily visitors to La Benevolencija's soup kitchen have come there during the past month. And with all access routes into Sarajevo blocked and nearly 100 tons of food waiting in rented warehouses outside the city, La Benevolencija no longer has food packages to give out.

"We've asked for cash wire transfers to be made," Finci said, "and we hope to be able to provide all community members with around \$30 per month. That should help them buy necessities."

Officials of the Joint sent a message of support to the Jewish community's leadership after the bombing.

"We reconfirm our unwavering support and admiration for the work you and the community continue to do in the face of such conditions, and our hearts are with you during this trying time," the message read.

The attack came amid an increasingly tense situation in Bosnia. Bosnia Serb forces overtook a U.N. safe haven in Srebrenica this week, as NATO forces conducted some air attacks and were considering their next move. Military observers believe this will be a dangerous, if not decisive summer for the warring armies.

Yet while many Sarajevans are too afraid to go outside, Jewish life goes on. The Jewish community has launched a summer program of Jewish culture. Twice weekly, about 20 Jews, Muslims, Croats and Serbs gather in the community center to learn about and discuss Jewish history, to watch videos on Israel — on a television with a gasoline-driven generator — and to study Hebrew. □

## Orthodox rabbis join forces to invalidate minor marriages

By Debra Nussbaum Cohen

NEW YORK, July 12 (JTA) — In an unusual show of unity within the often-fractional Orthodox world, a group of rabbis representing a broad spectrum of religious communities has ruled that the practice of minor marriage is invalid.

Seventeen rabbis, all judges on religious courts in 10 Orthodox communities across the United States, met Monday at a Manhattan synagogue to consider Jewish legal responses to the problem of minor marriage.

The rabbis considered several religious responses addressing the question of whether minor marriage is legitimate and concluded that the practice, called *kedusha ketana* in Hebrew, is invalid because the father who marries off his daughter as an act of vengeance against his wife is to be regarded as an evil person whose testimony is not legally binding according to Jewish law, said Carmi Schwartz, director of the Beth Din of America.

The Beth Din of America is the religious court connected to the Rabbinical Council of America, an organization of about 1,000 Orthodox rabbis.

The Beth Din held the meeting and is organizing the broad-based response, which Schwartz expected would have the support of some 40 leading Orthodox rabbis. Schwartz said the rabbis represent the Orthodox spectrum, from centrist to *haredi*, or the fervently Orthodox.

The position adopted by consensus, Schwartz said, is the position backed by Rabbi Shlomo Zalman Auerbach, the renowned Jerusalem authority who died several months ago. But he had ruled on the matter in August 1994.

That position was not made public, however, until recent weeks, after the practice of *kedusha ketana* was first reported by the Jewish Telegraphic Agency.

### 'Know this device does not work'

Although there were concerns in the Orthodox community that several cases of minor marriage had taken place, only one has since been confirmed by a religious court.

That case involved Israel Goldstein, who announced to a religious court in the Borough Park section of Brooklyn, N.Y., in September 1993 that he had married off his daughter Sarah Leah.

Goldstein's act revived a long-unused practice and was believed to be the first time that anyone used *kedusha ketana* in a malevolent way.

He was apparently trying to punish his estranged wife, Gita, who had been trying to obtain a *get*, or Jewish divorce decree, from Goldstein for five years.

Goldstein's case has now been invalidated by the rabbinic rulings.

At the meeting this week, the rabbinic judges were making clear that fathers who may want to be vengeful to their wives by marrying off their daughters "should know this device does not work," said Schwartz.

The gathering of religious judges this week was the first time that so many in North America had convened to consider a particular point of Jewish law, said Schwartz.

When Schwartz has finished gathering the signatures of the 35 or 40 rabbis expected to sign on to the principles, "we will make the whole world aware" of the Orthodox rabbis' position on minor marriage, he said, possibly by advertising it in Jewish newspapers.

The judges who participated in the meeting represented these communities: Boston; the Borough Park section of Brooklyn; Chicago; Detroit; Elizabeth, N.J.; Long Island, N.Y.; Monsey, N.Y.; Philadelphia and St. Louis. □

## House foreign aid bill preserves current levels for Israel, Egypt

By Jennifer Batog

WASHINGTON, July 12 (JTA) — Despite a budget-cutting climate on Capitol Hill, foreign aid for Israel, Egypt and the Palestinian Authority will be kept intact if the House of Representatives has its way.

The House passed a \$12 billion foreign aid package on Tuesday. Known as the Foreign Operations Appropriations Bill for Fiscal Year 1996, the legislation is 11 percent below current foreign aid levels and 20 percent less than what the Clinton administration had proposed.

The House passage was applauded by several Jewish groups, though some expressed concern about the overall reduction in foreign assistance.

The Senate is expected to take up the bill in the next few weeks. The legislation will then go to a Senate-House conference committee for final retooling.

The bill, which actually sets spending for the next fiscal year, includes \$3 billion for Israel, \$2.1 billion for Egypt and \$100 million for the Palestinians.

Of the \$3 billion designated for Israel, \$1.2 billion is for economic assistance and \$1.8 billion is for security measures. The bill includes a provision, also included in last year's foreign aid package, that stipulates that the Palestinians cannot receive the designated aid unless the president certifies that they are complying with their peace accords with Israel.

The measure also contains \$595 million in aid to the 12 former Soviet Union republics, most of which will go to Russia. The figure represents a significant drop from the current \$842 million in aid and \$2.2 billion in 1994.

The American Israel Public Affairs Committee, the pro-Israel lobby, one of whose main issues is foreign aid, was "extremely pleased" with the House's strong bipartisan vote, said Neal Sher, AIPAC's executive director.

"Full funding for Israel is particularly significant in light of the budget-cutting climate on the Hill," he said in a statement.

The aid for Israel and Egypt alone comprises about 40 percent of the \$12 billion package.

### 'Bare minimum necessary'

Malcolm Hoenlein, executive vice chairman of the Conference of Presidents of Major American Jewish Organizations, also lauded the bill's passage: "We're very pleased that it passed. It contains many provisions which are of great importance to Israel and the peace process."

Other Jewish organizational officials welcomed the legislation, which passed 333-89, but were not fully satisfied with the overall reduction in foreign aid. Some said they had particularly hoped for further assistance to Africa. The House bill includes \$528 million for African projects, down from \$802 million in the last bill.

This was the "bare minimum necessary" to meet America's obligations overseas, said Jason Isaacson, government and international affairs director at the American Jewish Committee. But a trimmed aid budget is better than no appropriations bill at all, he added.

AJCommittee had launched a media campaign to muster support for foreign aid. "American leadership in world affairs is expensive. Until you consider the alternative," read an advertisement sponsored by AJCommittee that has run in major newspapers and magazines over the past month.

Others were pleased that financial and technical assistance would still go to the former Soviet Union. The aid is needed as those nations "continue their long march toward democratic societies," said Mark Levin, National Conference on Soviet Jewry executive director. □

**Settler leaders talk to Rabin, describe meeting as a failure***By Uriel Masad*

TEL AVIV, July 12 (JTA) — Settler leaders called a meeting they had this week with Prime Minister Yitzhak Rabin a total failure, describing the sharply differing positions presented at the meeting as two speeding trains on their way to a head-on collision.

"This was a very difficult meeting for us. We feel that citizens are being abandoned. I don't recall a similarly difficult meeting," Uri Ariel, secretary-general of the Yesha Council, said at a news conference Monday night.

The Yesha Council is the council of Jewish settlements in Judea, Samaria and Gaza.

"We are now considering several options, including a campaign of civil disobedience, refusal to obey orders, blocking roads in and outside Yesha, and more," he said.

In reaction, Rabin said on Army Radio, "They used scare tactics when the Oslo Agreement was signed.

"They used scare tactics when we said 'Gaza and Jericho first.' And they are using scare tactics today as well.

"I think that the reality will prove that things will be different. I made it clear to them that there is no danger in our security plan that there will be any encounters between armed Palestinian policemen and armed settlers."

In response to the settlers' threat of disobeying orders issued by the Israel Defense Force, Rabin said the IDF is the people's army.

Refusing to obey orders of any kind is not a viable option, he also said.

Rabin met Monday afternoon with representatives of the settlers to discuss government policies in light of the still-evolving negotiations with the Palestinians for extending self-rule to the West Bank.

At the meeting, which lasted for 90 minutes, the settler leaders expressed concern for the safety — once the next phase of Palestinian self-rule goes into effect — of the more than 100,000 settlers living in the West Bank among about 1 million Palestinians.

The settlers used the meeting to express their opposition to IDF redeployment plans in the West Bank and plans to hand over state lands there to the Palestinian Authority.

These moves are expected to be implemented as part of the second phase of the Israeli-Palestinian interim agreement.

**Settlers upset about armed Palestinian police**

The settlers reported that Rabin was adamant, uncompromising and quite harsh in his words when describing the Israeli position in the negotiations with the Palestinians and when discussing the irreversibility of the peace process.

During the meeting, the prime minister told the settlers that he is doing his best to provide them with maximum security.

But he reminded them that Israelis have never enjoyed full personal security.

The settlers were particularly upset that the Palestinians would have an armed police force in the West Bank once the next phase of autonomy is implemented.

In the past, the settlers movement has said any encounter between settlers and armed Palestinian security personnel will inevitably lead to an exchange of gunfire. Settlers are always armed when traveling in the West Bank.

Israeli and Palestinian negotiators are attempting to meet a July 25 deadline for signing an agreement that will launch the next phase of Palestinian self-rule.

Security issues and conflicting demands regarding water rights in the West Bank are reportedly holding up the reaching of a final agreement.

Negotiators meeting in Cairo on Tuesday reached agreements for the transfer of eight areas of responsibility in the West Bank to the Palestinians: commerce and industry, gas and petroleum, postal services, statistics, agriculture, insurance, labor and municipal authority.

The two sides also agreed to the opening of 18 Palestinian police stations in West Bank villages.

In addition, Palestinians will assume responsibility for the Tomb of Rachel in Bethel and the Tomb of Joseph in Nablus.

Israelis will be free to continue to worship at these sites. □

**Mexican man confesses to murder of WZO emissary***By Uriel Masad*

TEL AVIV, July 12 (JTA) — A Mexican man has confessed to last week's murder of a World Zionist Organization emissary in Mexico City.

Jose Hill Hernandez Sanchez turned himself in to Mexican police Monday night.

He reconstructed his murder of Shlomo Biran, calling it a "crime of passion."

Hernandez was the superintendent of the building where Biran lived.

He told police that he went to Biran's apartment on July 6 "once again to fix the water pipes, which had been improperly repaired the day before."

Biran complained about his sloppy work, Hernandez told police.

Hernandez said he then struck Biran on the head with a wrench. Hernandez said that after falling to the ground, Biran got up, intending to fight.

During interrogation, Hernandez admitted that he strangled Biran to death with a cord he found in the apartment.

Hernandez said that after the murder, he left the apartment and locked the door.

Hernandez said he also told the building's security guard that he was leaving his job as superintendent and would not return.

He told police that he took Biran's keys and money from the apartment.

Biran, 59, had worked for a year as a music teacher at the Magen David school for WZO's Department of Education and Culture in the Diaspora.

He was scheduled to leave Mexico for a vacation last Friday and was supposed to arrive in Israel on Saturday.

But when he failed to arrive, another WZO emissary went to Biran's apartment and noticed a strong odor.

The police entered the apartment Sunday and found Biran's body.

During his time in Mexico City, Biran's family — his wife, Yael; a 27-year-old son, Tzli; and two daughters, Shiri, 23, and Inbal, 21 — remained in Israel.

Biran's body was due to arrive in Israel Tuesday night for burial the next day.

This is the second murder of a WZO-Jewish Agency for Israel emissary this year.

In March, Shimon Feingold, a 49-year-old married father of two, was killed during a fight with drunken neighbors in Kiev, Ukraine.

Feingold, who was serving a two-year stint, was representative of the Youth Department of the Jewish Agency. □