



# Daily News Bulletin

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81<sup>st</sup> Year

## TOP NEWS IN BRIEF

### Negotiators voice pessimism

Israeli and Palestinian negotiators held out little hope for any advance in their stalled negotiations as they prepared for separate meetings with American officials this week in Washington.

David Bar-Illan, a spokesman for Israeli Prime Minister Benjamin Netanyahu, said the meetings would focus on security cooperation, a further Israeli redeployment in the West Bank and issues still unresolved from the 1995 Interim Agreement.

### Surprise meeting held in Germany

Israel's defense minister, Yitzhak Mordechai, held a surprise meeting with his American counterpart, William Cohen, in Germany to discuss the crisis over Iraq.

Cohen said last week that Washington would "strongly urge" Israel not to retaliate if Iraq were to launch a missile attack, but Israeli officials have made it clear they are not likely to follow that course.

### Hussein sends \$1 million

Jordan's King Hussein sent Israel \$1 million to give to the families of seven schoolgirls killed last year by a Jordanian soldier, Israeli Prime Minister Benjamin Netanyahu told his Cabinet.

The seven were killed, and seven others wounded, while they were on a field trip near the Israeli-Jordanian border.

### Israeli soldier killed in Lebanon

One Israeli soldier was killed and seven others wounded Saturday when Hezbollah gunmen attacked their patrol in the southern Lebanon security zone.

At least three of the gunmen were killed, the Israeli army said in a statement. The body of the dead soldier, Nikolai Rappaport, 23, is to be flown back to Russia for burial at the request of his family.

### E.U. asked for more balance

American Jewish officials are urging the European Union to take a more balanced approach to the Middle East peace process.

In a meeting with a senior European Union official that was organized in Washington by B'nai B'rith, Jewish officials criticized what they say has been a "tilt" by the European Union over the years toward the Arab and Palestinian side of the conflict. [Page 4]

## California, survivors slap Italian firm with subpoenas, suit

By Tom Tugend

LOS ANGELES (JTA) — One of Europe's largest insurance companies has been hit with subpoenas by the state of California — and with a \$135 million suit by a family — for allegedly stonewalling demands to pay out on policies taken out by Holocaust victims and survivors.

The Italian company, Assicurazioni Generali, was charged at a news conference last week with 50 years of avoiding its responsibilities to Jewish policy-holders and their heirs.

California Insurance Commissioner Chuck Quackenbush said that after inviting Generali representatives to three separate public hearings and not receiving a response, he issued subpoenas to four top officials at Generali's New York headquarters to appear at an investigatory hearing Feb. 19 in San Francisco.

"We're 50 years behind and wasting time, which is why I am ordering Generali to come forward," said Quackenbush.

"I demand a public accounting," he said.

If Generali fails to cooperate, the commissioner warned, he was ready to "pull their license" to do business in California, which currently amounts to \$22 million in the state.

Generali's business totals \$125 million across the United States.

A company spokesman, Dan Leonard, said in a phone interview that the company was ready to meet with Quackenbush in a private session, as it had with insurance commissioners of other states.

Leonard added that Generali could not meet in front of the media because it is a defendant on similar charges in a class-action suit that is pending in a New York federal court.

Dramatic, and at times emotional, testimony was given at the Feb. 4 news conference at the Simon Wiesenthal Center by the descendants of Moshe Stern and his wife, Regina.

Stern, an affluent wine and liquor producer in Hungary, had six sons and one daughter. Between 1929 and 1939, he took out large insurance policies — and a dowry policy for his daughter — through the Prague office of Generali.

He prepaid premiums through 1944 on policies worth about \$1.5 million. That sum, with accrued interest, is now worth \$10 million, his heirs believe.

Moshe Stern, his wife and three sons perished in Auschwitz.

The couple's oldest son, Adolf, was liberated from Buchenwald.

One month after the end of World War II, in June 1945, Adolf Stern made his way to the Generali office in Prague to claim his family's life and annuity insurance proceeds.

His reception by the insurance company's officials, as described in an affidavit, was "less than kind. They mocked me. They were arrogant. They stated that I would have to produce a death certificate and copies of the relevant insurance policies before they would process the claims.

"I explained that Hitler did not pass out death certificates and that all family insurance policy documentation was confiscated by the Third Reich.

"They declined my request to retrieve from Generali's own files the insurance and annuity policies that they sold to my family. The officials said that Generali could not help me and they had me forcibly removed from the premises by a security guard. I was

## MIDEAST FOCUS

### IDF hands out more gas masks

Israeli Prime Minister Benjamin Netanyahu and President Ezer Weizman attempted to assure a jittery Israeli public that an attack by Iraq was not likely.

Meanwhile, the Israel Defense Force opened seven additional gas mask distribution centers to meet public demand. The IDF launched an Internet site, at [www.idf.il](http://www.idf.il), with information about protective measures in case of an attack.

### Report: Netanyahu wrote Hussein

Israeli Prime Minister Benjamin Netanyahu sent Jordan's King Hussein a letter in which he set forward a vision of the Palestinian entity that did not rule out the creation of an independent state, according to the Israeli daily *Ma'ariv*.

The Palestinian "entity will have geographic, economic, demographic and political viability," the newspaper quoted the premier as writing, "on the condition that it does not represent a threat of any kind to its neighbors."

### Troops fire on Bethlehem crowd

Israeli troops fired rubber bullets at Palestinian demonstrators in the West Bank town of Bethlehem. Fourteen people were wounded, including three Palestinian police officers and three journalists.

Some 1,000 Palestinians participated in the demonstration to express their sympathy for Iraq and to attack President Clinton, whom they called a coward.

### Stabbing victim improves

An 18-year-old yeshiva student moderately wounded in a Feb. 5 stabbing attack in Jerusalem's Old City is in better condition, according to hospital officials.

Yosef Lifon was stabbed in the back while jogging in the Old City and had to have a kidney removed. Police are continuing to investigate.

humiliated." During the next five decades, the surviving children of Moshe Stern and his grandchildren, who live on three continents, repeatedly petitioned the Italian-based firm.

They were constantly rebuffed with claims that no records of the policies could be found, that the assets of Generali's Prague branch had been nationalized and that the time limit for claims had expired.

Then, in 1996, the Sterns found a copy of one policy issued to Moshe Stern in 1929 in a large Generali warehouse in the Italian city of Trieste that was jammed with old policies.

A few months earlier, Generali had claimed that no such policy existed.

At the news conference, Alan Stern, a Los Angeles businessman and grandson of Moshe Stern, and his wife Lisa, an attorney, described their family's long legal odyssey, which he termed a battle of "David fighting a corporate Goliath."

Lisa Stern, holding up a piece of stone from an Auschwitz crematorium, described Generali's actions as "the financial crime of the century."

Their attorney, William Shernoff, a well-known expert on insurance consumer rights, said that Generali's behavior "is one of the most abusive in my 25 years of practice."

He also believes that the suit, in which he is seeking \$10 million in actual damages and \$125 million in punitive damages, represents the largest "bad faith" suit filed against any insurance company.

Shernoff said that because of the age and physical condition of some of the plaintiffs, a hearing in the suit could be accelerated under California law.

He hopes that a trial date will be set within four months and the case submitted to a jury within a year.

Generali spokesman Leonard said the company had not received a copy of the Stern suit and that he could therefore not comment on it.

Generali, whose net worth is estimated to be \$4.3 billion, has a long history of involvement with the Jewish community and Israel.

The company was founded in 1831 by a group of Jewish merchants in Trieste.

Generali quickly established branches in the major cities of the old Hapsburg Empire.

It employed thousands of Jewish agents and, according to Quackenbush, wrote 80 percent of all policies taken out by Jews in Central and Eastern Europe.

In the 1930s, Generali helped found Migdal, now the largest insurance company in Israel, and last year General paid \$320 million to buy a controlling interest in that company.

At the time of the Migdal takeover, Generali announced the establishment of a \$12 million philanthropic fund, "in honor of Generali policy holders who perished in the Holocaust."

The company publicized the fund through large ads in Jewish newspapers and also established an information center for claimants.

However, speakers at the news conference observed that even this gesture is suspect.

For one, said Alan Stern, the only money disbursed so far has been \$1 million for advertisements.

In addition, attorney Shernoff stated in his brief, in making future disbursements from the fund, Generali specifically denies any legal or moral obligation to do so and requires recipients to forgo any future claims against the company.

In the separate class action suit pending in New York, Generali is among 15 German, Swiss, French and Italian insurance companies named.

Most of the companies have operations and subsidiaries in the United States and thus may be subject to American law.

The subpoenas issued for Generali officials may not be the last.

At last month's public hearing in California, only one of 10 companies asked to attend sent a spokesman — Germany's Alliance AG, which owns the Fireman's Fund insurance company.

Quackenbush said at the hearing that he would subpoena officials from the other companies. □



## Daily News Bulletin

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## JEWISH WORLD

### Charges filed against Lileikis

Lithuanian prosecutors filed charges of genocide against a suspected war criminal. Aleksandras Lileikis, 90, is suspected of having handed Jews over to death squads in the capital of Vilnius during World War II.

Because of his age and poor health, it is unlikely the "court will give him a long punishment" if he is convicted, a prosecutor was reported as saying.

### E.U. president visits Israel

The president of the European Union's executive body said Europe would not attempt to replace the United States as the leading broker in efforts to revive the deadlocked Middle East peace process.

"The United States has to be the leading power in this region," Jacques Santer said during a visit to Israel, adding that Europe will try to "play a more major role as coordinator of all the economic actions taking place here in the region."

### Pale of Settlement urged

A Russian ultranationalist legislator called for the restoration of the Pale of Settlement.

Retired Gen. Albert Makashov, known for his anti-Semitic remarks, made the statement about the swath of land where Jews were required to live in late-tsarist Russia at a session of the State Duma, Russia's lower house of parliament.

### Germans protest neo-Nazism

About 1,000 leftist teen-agers marched in the eastern German city of Magdeburg to protest neo-Nazi violence.

But their protest turned violent when they began throwing rocks at police, who tried to prevent the marchers from entering a right-wing neighborhood where a youth was killed by neo-Nazis exactly one year ago.

### Siberian synagogue dedicated

More than 200 Siberian Jews attended a dedication ceremony for a synagogue in Krasnoyarsk.

The aluminum-domed synagogue opened its doors to serve a community numbering 6,000 Jews, many of whom are the descendants of czarist and Stalinist exiles to Siberia.

Four years ago, local authorities gave a building to the Jewish community of Krasnoyarsk, an industrial city of 1 million located about 2,300 miles east of Moscow.

The building then underwent a \$250,000 renovation, much of which was funded by Anatoly Brakov, a local, non-Jewish businessman who has also helped finance the construction of a Russian Orthodox church and a mosque in the city.

## Italian film on Holocaust draws crowds, controversy

By Ruth E. Gruber

ROME (JTA) — The current film hit by one of Italy's favorite comic actors is a moving — and, at times, hilarious — fable about love, suffering and survival that is largely set in a Nazi death camp.

Since opening a week before Christmas, "La Vita e' Bella" ("Life is Beautiful") has packed cinemas across Italy and taken in more than \$20 million.

At the same time, it has sparked widespread debate among Jews and non-Jews alike about the manner in which the Holocaust can — or should — be portrayed on film.

Jewish actor Moni Ovadia liked it so much that he declared non-Jewish comedian Roberto Benigni, who directed, co-wrote and starred in the movie, "an honorary Jew."

In the film, Benigni, with his trademark wild hair, receding chin and manic style, plays Guido, an Italian Jew in the town of Arezzo. In the late 1930s, Guido falls in love with and marries Dora, a non-Jewish woman. They have a son whom they name Giosue.

Suddenly, without warning, on the boy's fifth birthday, Guido and Giosue are deported by German occupiers to a Nazi death camp. Dora demands — and is allowed — to be deported with them. Dora and Giosue come through the ordeal alive. Guido becomes one of the 6 million.

Benigni's account of how Guido ensures his son's survival is the crux of the film — and of the controversy surrounding it.

From the beginning, Guido decides to protect Giosue by convincing him that the deportation, the death camp and all the horrors around them are obstacles in a strange, exciting game.

Benigni's antics in maintaining this make-believe are sometimes hilarious. But a clearly conveyed sense of desperation permeates the gags. It is clear that Guido is walking a tightrope — one false step and all will be lost. It is a powerful demonstration of the love of a father for his child — and the trust of a child in his father.

The first half of the movie is a screwball comedy that sets up Guido's character as a romantic jokester and also presents him as a perfectly integrated Italian everyman, no different from anyone else. In one hilarious scene, he impersonates a fascist bureaucrat and uses himself as an example of the Aryan ideal.

There is no indication that Guido is Jewish until halfway into the film, when an anti-Semitic slogan suddenly — and shockingly — appears.

"I wanted to portray a Jew who was not recognized by precise signs, but who was the same as I am," Benigni told the Rome Jewish monthly *Shalom*. "I wanted the audience to ask themselves, why are they deporting Benigni, how could they take even him? [Guido] is a Jew who lives his life, who is not involved in politics, who does his job and then suddenly down comes this ax that smashes his life, just as it really happened."

Italy's leading research center on the Holocaust and anti-Semitism was an adviser on the film, as were several Holocaust survivors. Response to the movie within the 30,000-strong Italian Jewish community has been warm, but divided.

"I found it a very moving film," political scientist Franco Pavoncello said in an interview after the film was shown to Rome's Jews. "It is an allegorical fable about basic human sentiments that exist even in the face of the tragedy of the Holocaust."

But Daniel Vogelmann, who runs an Italian Jewish publishing house, asked, "Can you write fables about Auschwitz?" Vogelmann, the son of an Auschwitz survivor, criticized the film for not portraying the death camp and its conditions — or the prewar fascist climate — realistically enough.

Shlomo Venezia, who spent 10 months in Auschwitz and consulted on the film, said this critique missed the point of the film.

"The film as a whole works, particularly for the Italian mind," Venezia said in an interview after the screening for Rome's Jewish community. "You could never show on film just what Auschwitz was really like. For someone who didn't live through it, I think that the Benigni film can have a greater effect than 'Schindler's List.' For me, 'Schindler's List' seemed impossible." □

## U.S. Jewish groups press E.U. on Middle East policy

By Daniel Kurtzman

WASHINGTON (JTA) — American Jewish officials are urging the European Union to take a more balanced approach to the Middle East peace process.

In a meeting with a senior European Union official organized by B'nai B'rith, Jewish officials criticized what they say has been a "tilt" by the European Union over the years toward the Arab side of the conflict. Specifically, they took umbrage with a report recently released by European Commission Vice President Manuel Marin which demands that the 15-nation European Union take on a larger, more active role in the peace process.

The 23-page document, approved by the European Commission — which serves as the E.U.'s highest decision-making body — blames Palestinian economic misfortune exclusively on measures that have been taken by Israel, particularly the closures it imposes on the self-rule areas after each terror attack.

The European Union has been the largest donor to the Palestinian Authority, but the E.U. document speaks of "international donor fatigue" brought on by a lack of progress and warns that "regional cooperation and integration cannot make headway unless there is real progress toward a solution of the Arab-Israeli conflict."

Dan Mariaschin, director of B'nai B'rith's Center for Public Policy, called the report "one example of many over the years of this insensitivity to the Israeli concerns," noting that "the security concerns of Israel were given short shrift."

At last Friday's meeting with Javier Prats, a senior aide to Marin, Jewish officials sought to explain why the European Union will find it difficult to attain greater political clout in Middle East peacemaking.

"Some of the complaints they voice about being at the periphery of the process are self-inflicted," said Jess Hordes, Washington director of the Anti-Defamation League, who also took part in the meeting.

"If you don't have credibility with both of the parties, you're not going to be invited to the table to play the kind of role that you want to play."

Jewish officials said the meeting gave them an opportunity to convey their concerns to the European Union but conceded it did little to narrow the gap in their views.

The meeting came just weeks after B'nai B'rith opened up an office in Brussels, the headquarters of the European Union.

Mariaschin said B'nai B'rith intends to use that new channel to continue to make its views known about European involvement in the peace process. □

## Court rejects bid to invoke Jewish law in murder case

By Marilyn Silverstein  
Jewish Exponent

PHILADELPHIA (JTA) — An effort to invoke Jewish law has failed to shield the parents of accused baby-killer Amy Grossberg from giving testimony that may incriminate their daughter.

The Delaware Superior Court has ruled that Alan and Sonye Grossberg of Wyckoff, N.J., must appear before the state's attorney general to answer questions about their private conversations with their daughter.

This ruling came despite the fact that such testimony would not be permitted in a Jewish court.

Grossberg and her boyfriend, Brian Peterson, both 19, have been charged with first-degree murder in the November 1996 death of their newborn son.

The pair stand accused of dumping their infant's body in a trash bin behind a motel in the Delaware city of Newark, where Grossberg was attending her first year at the University of Delaware.

In July, her parents were served with subpoenas summoning them before the Delaware attorney general to disclose what their daughter has revealed to them about the incident.

In November, the family's attorneys filed a motion in the Delaware Superior Court in an attempt to quash the subpoenas on religious grounds.

They argued that the Grossbergs are Conservative Jews and, as such, are protected by halachah — Jewish law — from having to give testimony against their child in any legal proceeding.

Their brief included an affidavit from Rabbi Joel Roth, Finkelstein Professor of Talmud and Jewish Law at the Conservative movement's Jewish Theological Seminary of America.

"Under Jewish law, a mother and/or father are not allowed to give testimony against their child in any legal proceeding," wrote Roth, a former chair of the movement's Committee on Jewish Law and Standards.

To force the Grossbergs to testify against their daughter, the attorneys argued, would thus infringe upon the parents' First Amendment right to the free exercise of their religion.

However, on Jan. 23, Superior Court President Judge Henry duPont Ridgely denied the motion.

"While the specific issue raised here has not been addressed before in Delaware," Ridgely wrote in his 13-page opinion, "the preference for using neutral principles of law rather than religious doctrine to decide matters before the courts is clear."

The judge cited a 1978 New Jersey case, *United States vs. Braunstein*, in which the court rejected an argument similar to the Grossbergs.

"'Compliance with secular law in a secular court does not infringe [upon] the free exercise of his religion,'" Ridgely wrote, quoting the *Braunstein* decision. "It does not oblige him to alter his beliefs, even though it may compel him to do an act contrary to those beliefs."

"In this case, because it is the Grossbergs' freedom to act, not their freedom to believe, which is implicated by any testimony about their daughter," the judge wrote, "this Court finds that the Grossbergs' freedom to act must yield to the compelling state interest in hearing everyone's evidence."

Ridgely's ruling also rejected the Grossbergs' claims that testifying about private conversations with their daughter — or about what they had told their attorneys about those conversations — would violate a parent-child privilege or attorney-client privilege.

Asked to respond to the ruling, Philadelphia attorney Jack Gruenstein, one of three attorneys representing the Grossberg family, citing the gag order, declined to comment. □