

VOL. 71 - 76th YEAR

WEDNESDAY, JULY 21, 1993

NO. 135

**CROWN HEIGHTS JEWS FEEL VINDICATED
BY REPORT CRITICAL OF MAYOR DINKINS**

By Debra Nussbaum Cohen

NEW YORK, July 20 (JTA) -- The Jewish community of Crown Heights has reacted with a sense of vindication to a report prepared by a New York state task force that firmly criticized New York City Mayor David Dinkins' handling of the riots that tore apart that Brooklyn neighborhood in August 1991.

The report, authored by the state's director of criminal justice, Richard Girgenti, at the behest of Gov. Mario Cuomo, lays the blame for the riots squarely at the feet of Dinkins and, secondarily, faults several of his top aides and then-Police Commissioner Lee Brown, who was recently confirmed as President Clinton's new drug czar.

According to the long-awaited, 600-page report, "The Mayor, as the city's Chief Executive, did not act in a timely and decisive manner.

"He must take the ultimate responsibility for all government action," the report continues. "In order to make this responsibility meaningful, he must be fully engaged in the entire process."

The report refers to the three days of rioting as the worst racial unrest in New York in over 20 years. The riots broke out after a Hasidic driver in the Lubavitcher rebbe's motorcade accidentally killed a black child, Gavin Cato.

Blacks reacted violently and a mob of youths that night stabbed to death Yankel Rosenbaum, a Hasidic rabbinical student from Australia.

The only person charged in that crime, Lemrick Nelson Jr., 17, was cleared by a jury last year, sparking anger among Jewish groups.

Since shortly after the riots ended, some in the Jewish community claimed that the mayor gave orders to "hold back" the police.

While the Girgenti report clears Dinkins of that allegation, the mayor is criticized as being so disengaged and remote that he was unaware that the rioting was raging out of control until late in the third day, when he visited Crown Heights and was pelted with bottles and rocks himself.

Mayor's Aides Were Remiss

The report states that Dinkins' aides, including Herbert Block, then chief liaison to the Jewish community, and Bill Lynch and Milton Mollen, then deputy mayors, were remiss in their responsibility to the mayor.

They apparently did not communicate the messages being passed along to them that police were not responding to Crown Heights residents' desperate calls for help, the report says.

Yet, as community leaders point out, Dinkins also had other sources of information, including television and newspaper accounts.

"He must have been blind not to see it. Even blind people could hear it, it was all over the media," one black Crown Heights resident said Tuesday.

Only on the night of Wednesday, Aug. 23, after Dinkins was personally pelted with rocks and bottles when he went to Crown Heights to meet with black community leaders did he order Police Commissioner Brown to take more effective

action to quell the raging violence, says the report.

According to Rabbi Joseph Spielman, chairman of the Crown Heights Jewish Community Council, "The report clearly vindicates our position that the mayor had responsibility that he did not exercise, to the detriment of the Jewish community."

"This has to give a psychological boost to our community," said Jacob Goldstein, chairman for 14 years of Community Board 9, which covers part of Crown Heights.

"The Jews in Crown Heights feel that everything they've been saying is now in print. What they said all along happened did happen. It's the emes (truth)," he added.

But another Jewish communal leader in Crown Heights said the report will not have much of an impact on most neighborhood residents.

"In Crown Heights itself it's been chewed over so much. We've reached a point where our response is more philosophical. We've gone through the motions so many times. The legal work remains," said Rabbi Sholem Ber Hecht, chairman of the executive committee of the National Committee for the Furtherance of Jewish Education.

Want Mayor To 'Take Responsibility'

Hecht was referring to the civil suit against city officials filed by the family of Yankel Rosenbaum and by the Crown Heights Jewish Community Council.

"The people here want the mayor to take the responsibility," said Hecht. During his recent trip to Israel, Dinkins "said he takes it but hasn't said it here, to us," Hecht added.

Another area resident, David Lazerson, called Dinkins' recent reclamation of responsibility "too little, too late.

"The mayor should have owned up to it a year and a half ago," said Lazerson, the Lubavitcher who is director of Project CURE, which brings black and Jewish teen-age boys in Brooklyn together to play basketball and beautify the neighborhood.

Several Crown Heights residents, both Jews and blacks, said they were anxious for the spotlight to be turned off their area so that they can get on with the work of living as neighbors.

"Crown Heights is a wonderful, peaceful community most of the time. We've got problems, but it's not what the media kicks it up to be," said Lazerson.

As if to prove his point, on the day the report came out, it was business as usual in the neighborhood, with the exception of the flurry of reporters who were scouring the streets.

"Personally, I believe the report," said one African American resident, who asked not to be named. "But the point is something has to be done. The problem is not within the community, it is with criminals outside."

This individual was in Crown Heights at the time of the riots and believes that fixing the blame is not the solution to any problem that exists in the neighborhood.

"Some criticize the mayor, but that is not the answer," he said.

Many in the community said the problems

come from the outside. "The blacks are coming to know our religion and there is peace in our neighborhood," said a worker at a store on Kingston Avenue, in the heart of Crown Heights, that sells Jewish religious articles.

"We were here. We saw the blood and terror. It's obvious that people outside of the neighborhood took part in the riot," said the worker, who identified himself only as Aryeh.

Attorney General Receives Copy

In a separate interview, Myrtle Whitmore, a black resident of Crown Heights for 40 years, agreed with Aryeh's assessment.

"To begin with, the violence came from youths outside our neighborhood who came into the community, rampaged and left. We, the decent community, was left unprotected and intimidated," she said.

Whitmore, who is president of the Brooklyn Civic Council and the Crown Heights Taxpayer and Civic Association, said that "in the two years since it happened the only time we've had a disturbance is if someone comes in with a TV camera or comes in from the outside."

A federal inquiry by the Justice Department into the rioting and possible violations of victims' civil rights was initiated last year and has been stalled for months.

U.S. Attorney General Janet Reno was hand-delivered a copy of the Girgenti report Tuesday morning and later in the day pledged to oversee the investigation personally.

According to a statement by Rep. Charles Schumer (D-N.Y.), who met with her Tuesday, Reno said that "several issues raised in today's state report would require additional federal scrutiny."

"The attorney general indicated that a decision regarding possible federal prosecution would be announced within two or three weeks," said Schumer.

Michael Miller, executive director of the New York Jewish Community Relations Council, said, "We're hopeful that Girgenti's report will serve as a catalyst for a full investigation."

"We hope it will ensure that justice will be provided to residents of Crown Heights who were victimized, and we hope it will help to ensure every community as well that nothing of this type will ever befall any community again."

(Contributing to this report was JTA staff intern Kenneth Dancyger.)

GINSBURG CITES JEWISH EXPERIENCE AS SENATE PANEL BEGINS HEARINGS

By Deborah Kalb

WASHINGTON, July 20 (JTA) -- Supreme Court nominee Ruth Bader Ginsburg, who would be the first Jewish woman ever to sit on the high court, invoked her family's religious background as she began her confirmation hearings this week.

In her opening statement Tuesday before the Senate Judiciary Committee, Ginsburg mentioned that her grandparents, like many other Jews in Europe, fled from pogroms and other persecution to the United States.

They "had the foresight to leave the old country when Jewish ancestry and faith meant exposure to pogroms and denigration of one's human worth," she said.

Later, during questioning from the senators, Ginsburg spoke of the discrimination that Jews faced in America several decades ago. Recalling

how some country clubs used to bar admission to "dogs and Jews," she said, "One couldn't help but be sensitive to discrimination, being a Jew in America during World War II."

Ginsburg, currently a judge on the U.S. Court of Appeals here in Washington, is regarded as a moderate. "My approach, I believe, is neither liberal nor conservative," she told the committee.

If the senators' warm greetings and gentle questioning of Ginsburg on the first day of hearings are any indication, she is likely to win easy confirmation by the Senate. If confirmed, she would be the first Jewish justice on the court since Abe Fortas resigned in 1969.

Based on her judicial writings and speeches, Ginsburg has drawn initially favorable reviews from Jewish groups.

Like other interest groups here, the Jewish organizations have been busily combing through Ginsburg's legal past, attempting to decipher her views on a host of issues. Because she does not tend to write lengthy concurrences or dissents, it is often difficult to pinpoint what she really thinks.

Ginsburg is known as a pioneer in the field of women's rights legislation, and won praise from Jewish groups for her work on discrimination-related issues.

Ruled On Pollard Appeal

On church-state issues, another major concern of the Jewish community, Ginsburg's record is less clear. Overall, though, most Jewish groups think she will be an improvement over retired Justice Byron White, whom she would replace on the court.

White was often on the other side of many church-state issues from the Jewish community.

In one possible indication of her leanings, Ginsburg dissented in a 1984 case involving a Jewish member of the U.S. armed forces who was banned from wearing a yarmulka while on duty. Ginsburg wanted the full appeals court to hear the case, but the majority of the court ruled the other way.

While Ginsburg's dissent did not necessarily show that she would have supported the man had the court heard the case, some in the Jewish community felt it showed she had an expansive understanding of a person's constitutional right to practice religion freely.

Ginsburg was also involved in the controversial case of Jonathan Pollard, convicted of spying on behalf of Israel. She was one of the judges who, last year, rejected Pollard's appeal of his life sentence.

Because the Pollard case sharply divided the Jewish community, most Jewish groups have not wanted to take a position on how Ginsburg's ruling bears on her nomination.

Another controversial issue is Ginsburg's stand on abortion. Unlike other recent court nominees, whose views on abortion were closely guarded mysteries, Ginsburg has written and spoken on the issue.

She has criticized the court's landmark 1973 *Roe vs. Wade* decision, which provided a constitutional basis for legalizing abortion.

But her criticisms are seen as well within the range of pro-choice thinking. She has argued that instead of finding a basis for legalizing abortion in some vague constitutional right to privacy, the court should have used other grounds, such as the 14th Amendment's Equal Protection Clause.

NEWS ANALYSIS: CHRISTOPHER EXPECTED TO FOCUS ON ISRAELI-SYRIAN NEGOTIATIONS

By David Landau

JERUSALEM, July 20 (JTA) -- When U.S. Secretary of State Warren Christopher arrives in the Middle East next week, he may turn his attention first to the Israeli-Syrian talks rather than the troubled Israeli-Palestinian talks.

Christopher is said to be more optimistic about making progress on the Syrian front than on the Palestinian front, which has become mired in so far futile efforts to produce a joint Israeli-Palestinian declaration of principles.

The secretary's opening assessment, on the eve of what may be the first in a series of Middle East shuttles, appears to be based on the outcome of talks held in the region earlier this month by a group of his key Middle East aides, led by Dennis Ross, the U.S. coordinator for the peace talks.

The team led by Ross is said to have been impressed by the depth and intensity of the Syrian regime's commitment to making peace with Israel.

Despite that optimism, though, Ross was unable to announce any new Syrian position defining the nature of the peace it is willing to establish with Israel or clarifying how an Israeli-Syrian agreement would relate to progress on other tracks of the peace process.

The Israeli-Syrian relationship, which has been more or less "on hold" during the course of the peace negotiations themselves, faces a delicate and possibly dangerous challenge in view of the escalating border tension in southern Lebanon.

No Direct Talks With PLO

Syria has warned Israel that an attack on Lebanon would be seen in Damascus as an attack on Syria, and top Syrian officials have held pointedly public consultations with Lebanon's President Elias Hrawi.

By the same token, successful containment and eventual reduction of the recent flare-up in southern Lebanon could provide an atmosphere conducive to new progress in the Israeli-Syrian negotiations -- an atmosphere that the U.S. secretary of state could nurture during his trip here.

Some Middle East observers feel that the very imminence of Christopher's visit itself is serving as a restraining factor on military action in Lebanon.

While Israel has not kept as a secret its military buildup in southern Lebanon -- a response to attacks that claimed five Israeli soldiers' lives earlier this month -- Jerusalem is plainly reluctant to order the forces into action.

With regard to the stalled Israeli-Palestinian talks, Prime Minister Yitzhak Rabin repeated his assertions, during an address to the Labor Knesset caucus Tuesday, that there had not been and would be no direct negotiation between the government and the Palestine Liberation Organization.

Rabin described as "nonsense" reports in the Hadashot newspaper that he had appointed a mediator to carry messages back and forth between Jerusalem and PLO headquarters in Tunis.

The prime minister also said he stood firmly against any discussion on the status of Jerusalem in the negotiations with the Palestinians on a transitional period of self-rule.

NEWSMAKERS BECOME NEWSCASTERS AS PALESTINIANS TRY HAND AT TV

By Gil Sedan

JERUSALEM, July 20 (JTA) -- Tired of being the constant subject of television news shows broadcast by others, Palestinians this week produced an experimental newscast of their own that they hope will be a forerunner of Palestinian television.

"This is the first step in the birth of the national Palestinian television," Hanan Ashrawi, spokeswoman for the Palestinian delegation to the peace talks with Israel, said at the end of a closed-circuit broadcast shown Tuesday to an audience in eastern Jerusalem's Hakawati Theater.

With two Palestinian newspapers in the eastern part of Jerusalem having closed down this year for financial reasons, Palestinian leaders have recognized the need for more extensive Palestinian media.

Although the half-hour Palestinian "Experimental Television News" was greeted with cheers by the crowd at the Hakawati, the idea remains only a hope at this point, since Israel has consistently denied broadcast licenses to Palestinians.

The experimental news broadcast, prepared by a team of 44 Palestinians over the past two weeks, was funded by a Swedish government grant.

The newscast was also organized with the help of a communications team affiliated with the Palestinian delegation to the Middle East peace talks.

Among those in the packed hall during the presentation were prominent Palestinians, including Ashrawi and Riad al-Malki, a member of the hard-line Popular Front for the Liberation of Palestine.

Would Accept Israeli Terms

The anchorman was Bassem Abu-Sumaya, well-known among Palestinians for his reports from the territories on behalf of Radio Monte Carlo, which broadcasts from Paris in Arabic with extensive coverage of the Arab world.

At Abu-Sumaya's side were two students, one from the West Bank town of Ramallah and the other from Khan Yunis, in the Gaza Strip.

The broadcast included reports from the territories, including an interview with Dr. Haider Abdel-Shafi, head of the Palestinian negotiating delegation, and a studio debate on a proposed Palestinian-Jordanian confederation.

Abdel-Shafi said the Americans were exerting heavy pressure on the Palestinians to soften their stand in the negotiations.

The broadcast did not include even one report on events in Israel proper.

Daoud Kuttab, a Palestinian journalist who directed the production of the newscast, expressed the hope that the Israeli authorities would give the Palestinian television station the necessary permits to go on the air.

He said that as long as there was no Palestinian institution with the authority to grant broadcast licenses, the Palestinians would accept Israeli terms for the broadcast, including restrictions of military censorship.

Knesset member Yael Dayan of the Labor Party said she had already discussed the matter with officials and Knesset members and saw no reason why the authorities would not grant a permit to a Palestinian television station if it meets the necessary requirements.

NEW RUSSIAN LAW COULD INTERFERE WITH ACTIVITIES OF JEWISH GROUPS

By Larry Yudelson

NEW YORK, July 20 (JTA) -- A bill adopted by the Russian parliament last week could interfere with the activities of groups trying to revitalize Jewish life in the former Soviet Union.

The legislation, reportedly introduced at the urging of the Russian Orthodox Church, would require all foreign religious organizations to work under the authority of local groups and to be registered by the government.

President Boris Yeltsin has until July 28 to veto the bill, which was adopted July 14.

Sen. Richard Lugar (R-Ind.) has written Yeltsin, expressing concern that the bill would be a "setback for religious freedom." As of midweek, more than 20 other members of Congress had signed the letter, which was only beginning to circulate on Capitol Hill.

The National Conference on Soviet Jewry has expressed concern about the bill to the State Department and to the Russian Embassy in Washington.

"This is clearly another action by a conservative parliament that doesn't bode well for the future well-being of their country or their citizens," said Mark Levin, executive director of the National Conference.

The bill amends Russia's landmark 1990 law on freedom of conscience and religious organizations.

"This legislation is not primarily aimed at the Jewish community," said Rabbi Arthur Schneier, president of the Appeal of Conscience Foundation, an ecumenical group that promotes religious freedom.

'A Cause For Apprehension'

Nonetheless, he added, "any statute that restricts religious freedom -- so long denied to the Russian people under Communist rule -- is a setback and cause for apprehension."

The bill is a reflection of the Russian Orthodox Church's mounting concern over the inroads made by foreign evangelists and missionary groups, from Billy Graham to Hari Krishna. There has also been concern about the ascendancy of Muslim fundamentalists.

A broad array of foreign Jewish groups operate in Russia, sponsoring various religious, cultural, educational and humanitarian activities. The impact of the bill on these groups would depend on how the regulations were enforced.

Some of the most prominent Jewish religious groups active in Russia operate in conjunction with Russian affiliates. Others are officially registered with the Russian government. It is not clear how the law would impact these groups.

But one provision of the bill reportedly would require foreign religious teachers to be accredited by bodies which would have seemingly wide discretion in approving applications.

That could affect people such as Rabbi Pinchas Goldschmidt, Moscow's chief rabbi, who is from Israel and Switzerland.

Under the law, "his serving" would have to "be approved by the apparatchiks" said Leonid Stonov, international director of the Moscow human rights bureau of the Union of Councils, formerly called the Union of Councils for Soviet Jews.

"This amendment is absolutely unacceptable and unbelievably bad," he said.

MANNING APPEARS BEFORE U.S. COURT, WILL PLEAD NOT GUILTY TO MAIL BOMB

By Tom Tugend

LOS ANGELES, July 20 (JTA) -- Robert Manning made his initial appearance in a U.S. federal courtroom Monday to face charges that he sent a mail bomb 13 years ago that killed the secretary of a Los Angeles computer firm.

Manning was flown from Israel to Los Angeles on Sunday, following two years of legal appeals in Israel to prevent his extradition to the United States.

The American-born resident of the West Bank settlement of Kiryat Arba did not enter a formal plea to the charge of "mailing an explosive device with intent to kill."

However, his attorney, Richard Sherman, said that Manning will plead not guilty.

Manning seemed relaxed and cheerful during his brief court appearance, wearing a black yarmulka and blue shirt and pants.

Federal authorities have also identified Manning as a suspect in a 1985 bombing that killed a local Arab-American activist, Alex Odeh, as well as in three other bombings on the East Coast, involving an Arab-American group and two alleged Nazis.

"What this is all about is they (the prosecutors) want to punish him for Odeh," defense attorney Richard Sherman told the Los Angeles Times.

"But they can't make a case on Odeh, so they charged him with this," Sherman said.

Under the terms of the extradition agreement between Israel and the United States, Manning cannot be tried for the killing by bomb of Odeh or other bombings.

Bobby Pins Could Be Weapons

Sherman said his client has been allowed to wear his yarmulka and tallit in jail and to receive kosher food, a concern that Manning and his supporters raised repeatedly in Israel as argument against his extradition.

But Manning told a local rabbi that he had been kept apart from other prisoners at the detention center, on grounds that the bobby pins he uses to fasten the yarmulka to his head might be used as weapons by other prisoners.

The charges against Manning stem from a 1980 incident in which a booby-trapped device was mailed to a local computer firm. The company's secretary, Patricia Wilkerson, 32, opened the package and, following attached instructions, plugged the device into an electrical outlet.

The device exploded, killing Wilkerson.

Authorities allege that Manning's fingerprints were found on the parcel and the fingerprints of his wife, Rochelle, on the letter of instructions.

The intended target, say authorities, was the secretary's employer, who was embroiled in a business dispute with a man befriended by the Mannings at meetings of the Jewish Defense League.

In 1989, Rochelle Manning was tried in Los Angeles in the same matter, but was released after the jury deadlocked. She remains in Kiryat Arba while American officials seek her extradition to the United States for a retrial.

Robert Manning, meanwhile, remains in jail pending a hearing on whether he should be released on bail.

The Mannings immigrated to Israel in 1973 but returned frequently to the United States.