



NEWS AT A GLANCE

■ **The U.S. Supreme Court heard oral arguments in *Ronald Rosenberger vs. Rector and Visitors of the University of Virginia*, a case with potentially far-reaching ramifications for the traditional separation of church and state. The court must decide if the University of Virginia, a state school, can deny funds for a student-run Christian magazine. [Page 1]**

■ **Israeli and Syrian officials denied a CNN report that Israel and Syria have reached a breakthrough in deadlocked negotiations. The report said the two countries are negotiating details of an agreement to demilitarize the Golan Heights and exchange ambassadors. Sources in Jerusalem said the story may have been planted by Syria in an effort to create an optimistic atmosphere in advance of U.S. Secretary of State Warren Christopher's visit to the region next week. [Page 4]**

■ **Syria was once against listed as one of five nations not complying with United Nations treaties banning narcotics. The annual International Narcotics Control Strategy Report was released by the Clinton administration. States on the list are immediately cut off from most categories of U.S. assistance, including foreign aid. Syria has unsuccessfully been seeking a waiver.**

■ **An Arab resident of Silwan in eastern Jerusalem was listed in serious condition after being stabbed in the back by a Jewish man in the Old City. A border police patrol apprehended the attacker, a 24-year-old resident of Netanya.**

■ **The president of Lithuania offered a public apology to the Jewish people for the mass murder of Lithuania's Jews by his country's citizens during World War II. Addressing the Knesset on the second day of a state visit, President Algirdas Brazauskas sought forgiveness for his country's role in the murder of more than 200,000 Lithuanian Jews. [Page 2]**

■ **Israel and Burundi resumed diplomatic relations, 22 years after the African country broke ties with Jerusalem in the wake of the Yom Kippur War. Ties were renewed at a signing ceremony in Germany.**

Supreme Court hears arguments in key church-state case from Virginia

By Jennifer Batog

WASHINGTON, March 1 (JTA)— The Supreme Court heard arguments this week in a potentially explosive case that could have serious and far-reaching ramifications for the traditional separation of church and state.

The court must decide if the University of Virginia, a state school, can deny funds for a student-run Christian magazine.

The student editor, Ronald Rosenberger, sued, saying the school violated his right to free speech when it refused his \$5,800 in funding.

The university argued that the magazine falls under the rubric of "religious activity," and funding the publication would lead to an entanglement of church and state.

This is the court's first church-state case this session, and it comes as some justices have indicated they are moving toward a view that would accommodate more religious practices in public venues, according to observers. Still, there was no clear sense of how the justices would rule. A decision is expected by the end of the court's term in June.

Jewish activists have said the case, *Ronald Rosenberger vs. Rector and Visitors of the University of Virginia*, could profoundly affect issues like religious speech, religious freedom, equal access and government involvement in religious issues. The future of the Establishment Clause of the Constitution is at stake, they argue.

Potential to make a revolutionary decision

The court has the potential to make a revolutionary decision depending on what it decides and how broadly it writes its opinion, said Marc Stern, co-director of the Commission on Law and Social Action of the American Jewish Congress.

The case represents "a new horizon" on the church-state front — government funding of religion — added Michael Lieberman, Washington counsel for the Anti-Defamation League.

Stern, Lieberman and Samuel Rabinove, legal director for the American Jewish Committee, filed an amicus brief with the court supporting the university.

The magazine's attorney, Michael McConnell of Chicago, argued in court Wednesday that the university suppressed the students' free speech, and said the magazine was equal to other student publications. "The First Amendment prohibits viewpoint discrimination," McConnell said. "The university cannot use its power to skew the market place of ideas."

McConnell painted the magazine, *Wide Awake*, as an educational tool, and said it was a place where young journalists could learn the trade. That is reason enough to fund it, he said.

"Writing a student paper is an educational activity — not because of its content, but because the activity engaged in is student journalism, [which] is state supported," he said.

Justice Antonin Scalia pointed out that University of Virginia funding guidelines exclude publications that profess a religious belief.

McConnell said those guidelines should not apply in this case because the magazine meets all the criteria of a news, information or opinion media outlet. Such outlets are funded by the university.

Justice Ruth Bader Ginsburg challenged McConnell to find any decision by the court authorizing direct cash contributions to support religious activities.

The university's lawyer, John Jeffries Jr. of Virginia, did not explicitly focus on the Establishment Clause in his argument. Instead, he tried to show that the university's regulations excluded *Wide Awake* from funding because it constituted a religious activity. Public education cannot fund religious activities, he said.

"There is a long tradition of financially disengaging church and state, and it is reasonable for us to adhere to that," Jeffries said. The magazine is a religious activity because it manifests belief about a deity and spreads those beliefs through the magazine, Jeffries said.

The university funds two other religious affiliated groups, the Jewish

Law Association and a Muslim magazine, Al-Salam, but says their activities are cultural.

Justice Anthony Kennedy, the most vocal in challenging Jeffries' arguments, pointed out that the magazine constituted religious speech, and may be different from religious activity.

Jeffries countered by arguing that the magazine was a religious activity that promoted religious speech.

Kennedy said the idea of withholding funds from a discussion of abstract ideas "doesn't follow." He also badgered Jeffries into agreeing that a campus newspaper with a religious column would probably get funding.

Observers pointed out that Jeffries took pains to distinguish between access for religious groups, which was allowed, and funding for those groups, which he argued should not be allowed.

"We should be pleased because that was well presented," the ADL's Lieberman said. □

Separatists in Quebec target English speakers

By Bram D. Eisenthal

MONTREAL, March 1 (JTA) — The campaign to separate Quebec from Canada has taken a nasty turn, with separatist leaders targeting ethnic immigrants and English-speaking Quebecers, including the region's Jewish population.

Fearful that they may lose an upcoming referendum on the fate of the province, separatist leaders have gone on the offensive, accusing those opposed to secession of being racist. The referendum is scheduled to occur before the end of the year.

The charges have led the Canadian Jewish Congress to enter the fray as part of a coalition of groups bent on preventing the already overheated campaign from taking an even nastier turn.

Recent polls, which show that a large majority of Quebecers do not wish the province to secede from Canada, are placing die-hard separatists on the offensive.

One leader, longtime separatist hardliner Pierre Bourgault, recently leveled a charge of racism against the province's English-speaking and ethnic voters.

Both groups are expected to vote overwhelmingly against separation, an idea backed predominantly by the region's French-speaking residents.

At a political gathering, Bourgault said an overwhelming English-speaking vote against separatism would be a "straight racist" vote.

Bourgault also accused the English-speaking media's "odious propaganda" for encouraging English speakers to vote against separation.

A month earlier, Bourgault warned of violent reprisals against Anglophones in Quebec if they voted against separation. He issued a similar warning prior to a similar referendum in 1980. The separatists lost that vote by nearly 60 percent.

In the wake of a controversy that erupted over his words, Prime Minister Jacques Parizeau, the leader of Quebec's provincial government, dismissed Bourgault as his adviser.

Another separatist leader, Philippe Pare, a member of the federal Parliament, caused a stir when he recently suggested that Quebec's immigrant population step aside "just for once" and let old-stock Quebecers decide their own fate in the referendum.

The separatists' remarks prompted officials from Quebec's three largest ethnic groups to issue a joint statement decrying the turn of events.

In the statement, the Quebec chapters of the three groups — the Canadian Jewish Congress, the National

Congress of Italian Canadians and the Hellenic Congress — condemned Pare's "inflammatory words that imperil the principle that all citizens are equal before the law."

They said it was unacceptable for an elected representative to recommend depriving a large number of Quebecers of their right to vote based on their ethnic origins.

The groups asked for Pare's resignation as a member of Parliament, saying that his apology was not sufficient.

The statement also branded Bourgault as a demagogue: "Mr. Bourgault is directly attacking the political and social fabric on which our society is based."

Jack Jedwab, director of CJC's Quebec region, said in an interview he was confident that the majority of French Quebecers are "tolerant and democratic."

"I think the burden right now is on the people who support the separation option to prevent the atmosphere from getting any more poisoned," Jedwab said.

Regarding Bourgault, he said, "I've always felt people should be more cautious to the degree in which they take his remarks seriously."

The leader of the opposition Bloc Quebecois, Lucien Bouchard, recently issued a public condemnation of the comments made by both Bourgault and Pare.

Bouchard rebuked Pare and stripped him of his post as referendum strategist for Quebec's Saguenay-Lac St. Jean region.

Bouchard also criticized Bourgault's comments, saying, "For me, it's not racist to show a manifestation of solidarity. When people decide to vote for the federation of Canada, for me they are not racist, they simply believe in Canada more than in Quebec and they would like to stay in Canada."

Bouchard met last week with President Clinton during his official visit to Canada. If Bouchard had hoped for a pledge of support from Clinton on the separatist option, or at least a promise of non-interference, he was left sorely disappointed.

Clinton made it clear during an address before Canada's Parliament that he supported a united Canada. Lawmakers gave Clinton a standing ovation for his words of support for Canadian federalism. □

Lithuanian leader apologizes to Jews during Knesset speech

By Naomi Segal

JERUSALEM, March 1 (JTA) — The president of Lithuania has offered a public apology to the Jewish people for the mass murder of Lithuania's Jews by his country's citizens during World War II.

Addressing the Knesset on Wednesday, the second day of a state visit, President Algirdas Brazauskas sought forgiveness for the role his people played in the murder of more than 200,000 Lithuanian Jews.

He said the Lithuanians have had a difficult time coming to terms with their past, but promised that war criminals would be brought to justice.

Several Lithuanian survivors were present during the speech.

One of them, former Knesset member Gustav Badyan, was overcome by emotion and was taken to the hospital with chest pains, Israel Television said.

Prime Minister Yitzhak Rabin told the Knesset that Israel would hold Brazauskas to his pledge to repeal a blanket pardon given to Nazi criminals in 1991, when Lithuania became independent.

An estimated 5,000 Lithuanians involved in the murder of Jews are among those who were rehabilitated by the government. □

To Israel's chagrin, U.N. debates issue of settlements in West Bank*By Larry Yudelson*

NEW YORK, March 1 (JTA) — To Israel's chagrin, the U.N. Security Council this week debated the issue of Israeli settlements in the West Bank.

The issue was raised by the Palestine Liberation Organization in the wake of controversy late last year about the expansion of the settlement of Efrat.

Addressing the Security Council, Israeli Ambassador Gad Ya'acobi attacked the PLO for raising the issue at the United Nations. Ya'acobi then labeled the move as "incompatible with its signed commitments vis-a-vis Israel."

The debate Tuesday concluded without any resolution being introduced.

The PLO's U.N. observer, Nasser al-Kidwa, insisted that "any settlement activity in the occupied Palestinian territory, including Jerusalem," was a violation of the Declaration of Principles signed by the PLO and Israel in 1993.

He also said activity was a violation of international law and past Security Council resolutions.

Peace process can be 'seriously' undermined

Unless there is an "immediate and total cessation of any settlement activity, regardless of the type and volume," he said, the peace process can be "seriously" undermined.

But Ya'acobi cited Israeli-PLO agreements and Israeli government decisions to dismiss the issue.

"Israel and the PLO agreed that the issue of settlements would be dealt with in the permanent-status negotiations — not at the present time," said Ya'acobi, noting Article V, Paragraph 3 of the Declaration of Principles.

Ya'acobi further criticized the PLO for failing to address its concerns "through the agreed mechanism for settling differences and disputes that were specified in Article XV of the Declaration of Principles, as well as in Article XVII of the Gaza-Jericho Agreement," referring to the document signed in Cairo in May 1994.

Defending the Israeli government, Ya'acobi said, "No new settlements have been established in the territories" since Prime Minister Yitzhak Rabin formed his government in July 1992.

"No land has been or will be confiscated to establish new settlements," he said.

Building in Jerusalem, he said, will continue among both Jews and Arabs.

"They have not stopped building, and this is their right. We have not stopped building, and this is our right," he said.

Rather than debating settlements, Ya'acobi said, supporters of peace should "credibly address the growing sense in Israeli public opinion that the Palestinians are either unwilling or unable to meet their commitments to fight terrorism."

Ya'acobi said, "The Palestinian Authority can and should do more to respect its commitment 'to prevent acts of terrorism, crime and hostilities,' " as agreed upon in the Gaza-Jericho Agreement.

While the United States echoed the Israeli argument that the U.N. debate was counterproductive, diplomats from Arab countries and Britain joined in the Palestinian criticism of the settlements.

An Israeli diplomat said the debate on the issue at this time reflected both the publicity given to Israeli activities in the settlements, and Palestinian frustration with the slow pace of the peace process. □

German bank's Nazi past documented in new book*By Miriam Widman*

BERLIN, March 1 (JTA) — Germany's largest and most powerful bank aided in the expropriation of Jewish possessions during World War II and offered little resistance to Nazi pressures to remove Jews from the bank's board, according to a soon-to-be-released history commissioned by the bank.

Deutsche Bank contracted five well-known historians to research and write "Die Deutsche Bank 1870-1995," which will be published this month to coincide with the bank's 125th anniversary.

Deutsche Bank is one of a growing number of German companies that have begun to deal with their Nazi past.

Last year, automobile manufacturer Daimler Benz funded the publication of a book about prison laborers at the company's factories during the war. Another book is now being written about Volkswagen's use of forced labor under the Third Reich.

Research on the Deutsche Bank history was greatly aided by the fall of the Berlin Wall in 1989. Some 12,000 documents on the bank had been stored in the former East German city of Potsdam, making them inaccessible during the Cold War years.

Harold James, a British professor who teaches at Princeton University, wrote the chapter covering the Hitler period, from 1933 to 1945.

An 80-page excerpt of the chapter written by James was made available to the Jewish Telegraphic Agency.

It details the fate of Deutsche Bank's Jewish executives and the bank's involvement in the expropriation of Jewish property.

James wrote that the Deutsche Bank played a mixed role in the expropriation of Jewish property under the Nazis, but that the bank has a "deep moral guilt" as a result of its ties to the Third Reich.

The chapter includes a section about Oscar Wassermann, a Jewish member of Deutsche's board of directors in the 1920s and early 1930s who was incorrectly blamed for a bank crisis in 1931. Two non-Jewish board members were actually responsible for the problem, James wrote.

Attacked as a Jew and a Zionist

Wassermann was attacked by government officials as a Jew and a Zionist. In May 1933, bowing to the new Nazi government, Wassermann, 64, and Theodor Frank, 62, another Jewish board member, were forced off the board. The bank tried to cover up the expulsions by saying the two left due to their age.

The Princeton professor also recounted how several lower-ranking employees of the bank seized the Nazi ideology as a way for them to advance their careers.

But he also recorded cases of resistance. A branch director in Frankenthal refused to turn over a list of Jewish accounts to the Nazi authorities. Deutsche's personnel director also refused to allow the director of the Bochum branch, a strong Nazi supporter, to include passages of "Mein Kampf" in the bank's list of work conditions.

The chapter also includes a letter written by Georg Solmssen, the son of a practicing Jew who sat on the bank's supervisory board.

Solmssen, in a letter dated April 9, 1933, expressed prescient views of what was to come during the years of the Third Reich: "I'm afraid that we are at the beginning of a goal-oriented, well-thought-out plan directed at destroying economically and morally and completely indiscriminately all those living members of the Jewish race in Germany." □

Israel and Syria quickly deny reported breakthrough in talks*By Naomi Segal*

JERUSALEM, March 1 (JTA) — Officials in Jerusalem and Damascus are denying a media report that Israel and Syria have reached a behind-the-scenes breakthrough in deadlocked negotiations.

The officials were responding to a CNN report, which said that Israel and Syria are negotiating details of an agreement to demilitarize the Golan Heights and exchange ambassadors.

Sources in Jerusalem said the story may have been planted by Syria in an effort to create an optimistic atmosphere in advance of U.S. Secretary of State Warren Christopher's visit to the region next week.

The report, citing unnamed diplomatic sources, said the two sides are near agreement on a proposal.

That proposal, according to the report, would establish a 6.2 mile-wide demilitarized zone straddling the border line, with partially demilitarized zones close to two miles on either side.

The report said Syria had also agreed to a staged withdrawal of the Israel Defense Force from the Golan Heights, and was willing to discuss the exchange of ambassadors.

In addition, the report said early warning devices would be installed on the Golan Heights and staffed by international monitors.

The United States would then supply each side with satellite data, according to the report.

'As far as I know,' report was leaked

Reacting to the report, Israeli Prime Minister Yitzhak Rabin said there had been no direct contacts between the two sides since December, when the chiefs-of-staff of Israel and Syria met in Washington.

He said he did not know of any progress in indirect contacts — a reference to messages sent through the American peace team.

"As far as I know, [the report] was leaked from sources close to the Syrians," Rabin, who turned 73 on Wednesday, told reporters.

"There have been no direct contacts in two months."

However, U.S. State Department officials said Tuesday that Syria and Israel had resumed negotiations in Washington this week.

Meetings were scheduled between Itamar Rabinovich, Israel's ambassador to the United States, and his Syrian counterpart, Walid Muallem.

Dennis Ross, the State Department's special Middle East coordinator, participated in the meetings, a State Department official said.

Foreign Minister Shimon Peres told Israel Radio that the report could be a "trial balloon" being sent by Syria in advance of Christopher's visit.

"Nothing is happening since the last meetings that took place between the chiefs-of-staff," Peres said.

"We welcome the visit of the secretary. We think it's timely and positive."

Peres said Syria has not moved on its demand that Israel commit to a full withdrawal from the Golan Heights as a prerequisite to making peace.

"The Syrians demand that we shall accept their opening position as our own," Peres said. "We say no."

A spokesman from the Syrian Foreign Ministry also denied the report.

He said Syria's position had not changed and that it was demanding equal security arrangements for both sides. □

Hussein to receive peace prizes named after Wiesenthal, Waldheim*By Tom Tugend*

LOS ANGELES, March 1 (JTA) — In an odd twist on the Middle East peace process, King Hussein of Jordan has been named the recipient of two peace awards: one named for the Simon Wiesenthal Center and its Museum of Tolerance, the other named after controversial U.N. and Austrian leader Kurt Waldheim.

The king has accepted an invitation to visit the Los Angeles-based Wiesenthal Center and accept the award this year, possibly as early as May. Rabbi Marvin Hier, dean of the center, extended the invitation to Hussein and his wife, Queen Noor, on Tuesday at the royal palace in Amman.

Hier paid tribute to the king's commitment to peace, as exemplified by the peace treaty he signed with Israel last fall.

While offering the invitation, Hier spoke to fears that an increasingly isolationist U.S. Congress would make the "tragic error" of slashing aid to those "who have taken the greatest risks for peace" in the Middle East. A congressional committee last week cut a proposed White House aid package of \$275 million to Jordan next year down to \$50 million.

During his visit to Los Angeles, Hussein will give a major address and receive the Museum of Tolerance Peace Award. This is the first time an Arab leader will receive the honor.

Hussein was scheduled to receive another award this Friday: the Waldheim peace prize. The king was reportedly nominated for the prize for his efforts to bring peace to the Middle East, capped by Jordan's peace treaty with Israel.

However, organizers said Wednesday that the king was too ill to go to the former imperial Hofburg palace in Vienna to receive the award. Hussein spoke to Waldheim by telephone, and reportedly asked for the ceremony to be delayed. The nature of his illness was not disclosed.

During his campaign for the Austrian presidency in 1986, it was revealed that Waldheim, who served as U.N. secretary-general from 1972 to 1981, had concealed facts about his activities during World War II.

As a Nazi intelligence officer stationed in the Balkans, Waldheim has been implicated in the deportations of Jews to forced labor camps and reprisal killings of Yugoslav partisans.

The Friends of Waldheim Institute founded the peace prize "for the solution of conflict" after Waldheim ended his six-year term as Austria's president in 1992. □

Economy in Gaza and Jericho slides since self-rule accord*By Naomi Segal*

JERUSALEM, March 1 (JTA) — Economic conditions in the Gaza Strip and West Bank Jericho district are worse than they were before the areas fell under Palestinian self-rule last May, said the U.N. official monitoring the state of affairs in the Palestinian self-rule areas.

U.N. official Terje Larssen made the assessment after attending a meeting Tuesday in Jericho between Palestinian officials and representatives from international donor countries. The donor nations had pledged about \$700 million in aid to the Palestinian Authority last year. But only some \$250 million of those pledges has actually been handed over.

As a result, said Larssen, it is unclear whether the Palestinian Authority will be able to pay the salaries of 22,000 civil servants working in the self-rule areas. □