



NEWS AT A GLANCE

■ Jewish groups universally hailed the conviction of two black men for violating the civil rights of a Jewish scholar. The federal jury decision came nearly six years after Yankel Rosenbaum was killed during the 1991 riots in the Crown Heights section of Brooklyn. [Page 2]

■ A new survey of 700 American Jews found that 64 percent "strongly or somewhat" support the recent agreement on Israeli redeployment in Hebron. Thirty-eight percent said their opinion of Palestinian leader Yasser Arafat was somewhat or very favorable, while 68 percent said the same of Israeli Prime Minister Benjamin Netanyahu. The survey, commissioned by the Israel Policy Forum, had a margin of error of 3.7 percent.

■ The war crimes retrial of former SS Capt. Erich Priebke will be held before a military, not a civilian, court, Italy's highest court ruled. [Page 3]

■ French Jews warned of a danger to the republic after France's extreme-right, anti-immigrant National Front Party won municipal elections in a runoff vote in the southern town of Vitrolles. [Page 3]

■ Swiss Christian groups are collecting contributions for Holocaust survivors as a goodwill gesture aimed in part to atone for Switzerland's treatment of Jews during World War II. Meanwhile, Swiss business leaders say they are ready to contribute to a memorial fund being set up by the nation's three largest banks.

■ The German government agreed to expand its eligibility criteria in compensating an additional group of Nazi victims, according to the Conference on Jewish Material Claims Against Germany. Now, victims of Nazi persecution who had received a one-time compensation payment of more than 10,000 deutsche marks can apply as of July 1 for monthly payments under what is known as the Article 2 Fund.

■ Rabbi Moshe Ze'ev Feldman, chairman of the fervently Orthodox Agudat Yisrael Party, died in Bnei Brak at 67.

FOCUS ON ISSUES

Jewish debate over vouchers comes as Congress presses issue

By Daniel Kurtzman

WASHINGTON (JTA) — The pledge by Republican leaders to make school voucher legislation a top priority in the 105th Congress comes as the organized Jewish community is re-examining its approach to the controversial issue.

At its annual conference here this month, the National Jewish Community Relations Advisory Council, an umbrella organization of local and national Jewish groups, will debate the notion of providing federally funded tuition vouchers for use at private and parochial schools.

NJCRC has long opposed voucher initiatives — also known as "school choice" — on both constitutional and policy grounds.

But increasing disillusionment with the state of public education, coupled with concerns about the often prohibitive cost of Jewish day school education, has prompted many in the community to take a new look at the issue.

Jews on both sides of the debate see a pressing need to bolster Jewish education, particularly in light of the "continuity" crisis. Sharp differences, however, persist over how to balance that imperative against church-state concerns.

Most in the organized Jewish community steadfastly assert that the idea of handing out federal funds to pay for education at a religious school runs headlong into the wall separating church and state.

For their part, voucher advocates, led by the Orthodox community, remain confident of their constitutional footing. They argue that because vouchers would go directly to families, which can then decide how to use them, the practice does not translate into government endorsement of religion.

They also point to school choice as the best bet for improving access to a quality Jewish education.

"The Jewish community should be looking at the issue in terms of its long-range interests of Jewish survival in the United States, which argues in favor of programs that would support secular education in Jewish schools," said Nathan Lewin, a Washington attorney specializing in First Amendment law who has argued dozens of cases for the Orthodox community.

Voucher opponents agree that Jewish education needs a boost, but they do not see federally funded vouchers as an appropriate response.

'Too valuable to be left to anybody else'

Robert Rifkind, president of the American Jewish Committee, believes that ensuring access to a quality Jewish education is a task best taken up by the Jewish community, not government.

Jewish continuity "is too valuable to be left to anybody else," said Rifkind, who along with Lewin, will debate the issue at the NJCRC plenum.

"I don't understand why it is that the most affluent, the most successful, best-educated Jewish community in the history of the world" cannot continue the tradition of Jews looking "after the Jewish education of their own kids," he said.

In addition to constitutional concerns, opponents also assert that school choice initiatives threaten to undermine the public education system by tapping an already inadequate pool of resources.

"School choice gets packaged in a way that on the surface appeals to inner city people and suggests innovation in education, but unfortunately results in a diversion of limited federal resources from public education to the private and religious school sector," said Jess Hordes, director of the Anti-Defamation League's Washington office.

Proponents counter that voucher programs would actually improve public schools by forcing them to become more competitive with private institutions.

Some voucher advocates in the Jewish community concede, however, that the voucher system's impact on the public school system is not their principal concern.

David Zwiebel, general counsel and director of government affairs for

the fervently Orthodox Agudath Israel of America, said his organization supports voucher initiatives partly out of its own "parochial concern" of making Jewish education more affordable.

But, he added, "it's a smart idea generally to allow parents maximal choice in an issue as important as the education of their children."

Some of those in the field of Jewish education, meanwhile, doubt that vouchers will amount to a panacea.

Rabbi Philip Field, head of the Akiba Hebrew Academy in Philadelphia, does not believe that voucher plans are "aggressive enough" to make much of a dent in day school tuition costs, which at his school stands at just over \$10,000 per year.

"Plus you deal with the other issue of crossing the church-state line," said Field, whose school is hosting a national conference next month on the challenges facing Jewish secondary education.

In taking up what has proved to be one of the nation's most contentious education issues — and one of the most divisive among Jews — NJCRAC said it wants the Jewish community to become actively involved not just in the debate over vouchers, but in the larger national dialogue about fixing the education system.

NJCRAC will debate the issue in Washington this month and will look to sharpen its policy on vouchers over the course of the coming year. No vote is expected at the conference.

"Our decision to revisit this issue this year is an attempt to make our policies as relevant as possible and to confirm that the community still feels as strongly" opposed to vouchers "as it has in the past," said Craig Sumberg, the organization's director of public information and legal affairs.

NJCRAC, he added, decided to revisit its traditional position "in light of the not insubstantial support in parts of the community for policies like vouchers."

For his part, Lewin said he hopes NJCRAC's decision to re-examine the issue "reflects some willingness to modify positions."

But Hordes of ADL said Jews need to be careful "in ensuring that the solutions we come up with for the real problems that are there don't undermine our commitment to the principles upon which our religious liberty has been built."

Congress gearing up

NJCRAC isn't the only Jewish organization that plans to weigh in on the issue.

The Jewish Policy Center, a think tank affiliated with the Republican-aligned National Jewish Coalition, is launching a campaign to promote school vouchers.

Republicans in Congress, meanwhile, are gearing up for what promises to be the most concerted push ever mounted for voucher legislation.

GOP leaders last month identified school choice as one of their top 10 legislative priorities. A bill called the "Safe and Affordable Schools Act" has emerged as the leading vehicle.

Sponsored by Sen. Paul Coverdell (R-Ga.), the bill would create a \$50 million five-year pilot program offering vouchers to low-income parents whose children attend an "unsafe school."

The outlook for passage of the bill remains unclear. In the last Congress, debate over a school voucher plan for the District of Columbia died in the Senate when Republicans were unable to override a Democrat-led filibuster.

The Senate has since taken on a more conservative face, but enacting voucher legislation remains a particularly daunting task given President Clinton's stated opposition to the idea.

As Washington mulls the issue, debate over school choice continues in many states. In Ohio and Wisconsin — the only two states that have implemented voucher plans — court decisions have so far produced mixed results.

Voucher advocates were dealt a legal setback last month when a Wisconsin state judge struck down a Milwaukee plan to use taxpayer money to send poor children to religious schools. A similar plan in Cleveland was upheld in an Ohio state court last year. Both decisions are being appealed.

The two plans have been advanced as possible national models. Legal observers say either case could reach the Supreme Court within the next year or two. □

Jewish groups hail verdict in Crown Heights civil trial

By Cynthia Mann

NEW YORK (JTA) — Jewish groups are hailing the federal jury conviction of Lemrick Nelson Jr. in the killing of a Chasidic scholar during the Crown Heights riots in 1991.

They also called for greater racial tolerance.

Nelson, 21, had earlier been acquitted in state court of killing Yankel Rosenbaum, prompting demands for a federal inquiry which led to the new trial.

"We are thankful that finally justice has been served," said Dr. Mandell Ganchrow, president of the Orthodox Union.

"Justice at last has been done," echoed Howard Teich, president of the American Jewish Congress Metropolitan New York Region.

"Our common task in light of this verdict remains that of building a more racially tolerant community."

The Anti-Defamation League also applauded the jury ruling. "Today's decision puts an end to five years of injustice," said an ADL statement. The riots "in which cries of 'Kill the Jews' rang through the streets of Brooklyn, resonated in the hearts of all of us."

The convictions "begin to put closure on these events."

The jury in the nationally publicized case, which included two Jews and three blacks, found Nelson guilty of violating Rosenbaum's civil rights. He reportedly buried his head in his hands and wept when he heard the verdict.

A co-defendant, Charles Price, 43, was charged with aiding and abetting the civil rights violation by inciting mobs to exact revenge on Jews for the accidental death of a 7-year-old black boy by a Chasidic driver.

The incident sparked four days of rioting, and the most serious outbreak of ethnic violence in New York in years.

Both men could face life sentences, though that is unlikely. Their lawyers argued they had been framed and set up as scapegoats.

One of the lawyers for Norman Rosenbaum, the slain man's brother, and for his family, joined the chorus of those welcoming the verdict.

"We are gratified at least a small measure of justice was done," Roger Adler said.

"All Americans, not just Jewish Americans, owe a debt of gratitude" to the justice system, he added. "We hope the government's efforts will continue to bring the others involved to justice."

Adler was not alone in seeking more prosecutions.

Rabbi Avi Weiss, president of the Coalition for Jewish Concerns-Amcha, issued a statement saying the verdict "was just the beginning."

"There was an entire mob which surrounded him," Weiss said, referring to Rosenbaum. "We will not be silent until all those responsible will be brought to justice." □

French Jews: National Front poses dangers to the republic

By Lee Yanowitch

PARIS (JTA) — French Jewish leaders are warning that the right-wing National Front Party is “endangering the foundations of the republic.”

The warning came after the party won control of the southern French town of Vitrolles.

Catherine Megret, 37, beat Socialist incumbent Jean-Jacques Anglade by 52.5 percent to 47.5 percent in Sunday’s mayoral run-off contest.

Megret’s victory came as a shock to the political establishment, which had called for a general mobilization against the extreme-right, anti-immigrant party.

National Front leader Jean-Marie Le Pen, who has made anti-Semitic remarks in the past, won 15 percent of the vote in the 1995 presidential elections.

CRIF, France’s umbrella group for secular Jewish organizations, called on “all of our country’s democrats to bar the way to Le Pen and his party.”

CRIF warned that France was being “contaminated by the National Front’s neo-Pétainist ideas.”

Philippe Pétain was head of France’s wartime Vichy regime, which collaborated with the Nazis.

Riots broke out outside the town hall shortly after the election results became official.

Police intervened, using tear gas to disperse the protesters.

Pierre Aidenbaum, president of the League Against Racism and Anti-Semitism, said France “is the only country in Europe where big cities are run by a neo-fascist party that recalls the darkest years of our history.”

The Front, which advocates sending home France’s 3 million mostly North African immigrants and reserving jobs and welfare benefits for French nationals, won control of three other southern cities in 1995 — Orange, Marignan and Toulon. □

Priebke will face retrial in Italian military court

By Ruth E. Gruber

ROME (JTA) — The war crimes retrial of former SS Capt. Erich Priebke will be held before a military, not a civilian, court.

Italy’s highest court, the Court of Cassation, made the ruling on court jurisdiction Monday, ending months of judicial limbo on the matter and paving the way for the trial to go ahead.

The trial date is yet to be set.

Last August, a Rome military court found Priebke, 83, guilty of participation in the March 24, 1944 Nazi massacre of 335 Roman men and boys in the Ardeatine Caves south of Rome.

The victims included 75 Jews.

But the court freed him, ruling that he could not be punished because the statute of limitations had run out and because of other extenuating circumstances.

That verdict triggered protests by family members of the victims.

The protesters barricaded the courthouse for eight hours until Priebke was re-arrested pending an extradition request from Germany.

Three months later, the verdict was annulled by an appeals court, which ruled that the judges had been openly biased in Priebke’s favor.

A new trial was ordered, but confusion over whether military or civil authorities had jurisdiction over a retrial stalled the process.

Priebke’s defense had sought another military trial.

The former Nazi has been held in a military prison in Rome since August.

Another ex-Nazi, 84-year-old former SS Maj. Karl Hass, will be tried along with Priebke.

Hass, who was a prosecution witness in the first trial, was also charged after he admitted taking part in the massacre. □

German envoy claims majority of Russian refugees not Jews

By Daniel Dagan

BONN (JTA) — Some 60 percent of the Jewish refugees from the former Soviet Union who have settled in Germany are not Jewish, according to a German diplomat.

Alexander Arnot, the German ambassador to Ukraine until last year, said that among the 30,000 to 40,000 refugees were large numbers of high officials of the former Communist regime as well as young men who were seeking to avoid the draft.

“All these people have nothing to do with Judaism,” Arnot told the Munich-based news magazine Focus. “For them, it’s just an opportunity to leave their respective countries and come to the West.”

A spokesman for the Jewish community in Germany rejected Arnot’s allegations.

Under an agreement with the Jewish community in Germany, Bonn committed after the collapse of the Soviet Union in 1991 to generous arrangements for Jewish refugees who wanted to settle in Germany.

The refugees receive housing, cash assistance, access to language courses and help in getting jobs or starting businesses.

They also can become German citizens if they wish.

Israel has criticized the generous practice, which resulted in doubling the number of Jews in Germany to some 60,000 over the past five years.

But German Jewish officials have welcomed the influx of Jews as an opportunity to revive a small and aging community. □

Australian premier defends citizen’s investment in Hebron

By Jeremy Jones

SYDNEY, Australia (JTA) — Australia’s prime minister has defended the right of Australian mining magnate Joseph Gutnick to invest in Hebron.

The premier spoke out after the Palestine Liberation Organization’s office in the capital of Canberra protested against Gutnick’s activities.

“A private citizen has every right to do with his money as he wishes,” said Premier John Howard.

Gutnick, a Lubavitch rabbi who was an active campaign supporter of Israeli Prime Minister Benjamin Netanyahu, explained his commitment to assisting the Jewish community in Hebron during a profile on the influential public affairs television program “Sunday.”

He outlined his plans to develop property within the Jewish enclave, saying that he had the Israeli government’s support for his project.

A PLO spokesman interviewed on the program said the development proposal was criminally provocative and “it’s the responsibility of the Australian government to exert pressure on him to stop such irresponsible funding and projects.” The prime minister, when challenged to respond to the PLO protest, told “Sunday” that “we have a very close relationship with Israel and I am very proud of my own personal association with Israel’s cause over a very long period of time.” □

NEWS ANALYSIS

French Jews unlikely to seek payment for seized property

By Lee Yanowitch

PARIS (JTA) — France's decision to name a body to probe wartime seizures of Jewish-owned property is likely to prompt further revelations about art treasures, apartments and cash that had once belonged to Jews.

But it appears that some prominent Jewish leaders are not seeking compensation for property looted by the Nazis and the French wartime Vichy collaborationist regime. They say their sole desire is to have the truth about what was done to the Jews of France brought out in the open.

"This is not a question of monetary compensation," said Henri Hajdenberg, president of CRIF, France's umbrella group for secular Jewish organizations. "It's a moral issue where the truth must be made known so that we can make peace with the past."

Jean Kahn, president of the Consistoire, which oversees the religious needs of France's 700,000-strong Jewish community, said he was satisfied that "the French government wanted to shed light on the past."

Although some members of the community may differ, these Jewish leaders believe that, having finally obtained President Jacques Chirac's landmark 1995 acknowledgment of the French state's involvement in the Final Solution, accounts have been settled and it would be difficult to demand financial compensation.

Commentators say the community's low-profile stance on the restitution issue stems in part from the fear of feeding a knee-jerk anti-Semitic reaction associating Jews with money, particularly at a time when the French extreme-right is gaining power.

'A double danger'

Meir Weintrater, editor in chief of the monthly Jewish review *Arche*, warned of the risk of an anti-Semitic backlash. He also stressed the importance of preventing the examination of the country's wartime past from generating accusations against the entire French nation of collaborating with the Nazis.

"There is a double danger," Weintrater said in an interview. "If an accent is put on the financial aspect, there is a danger that people will start saying the Jews want to snatch money away from the French."

"Above and beyond the financial aspect, there is also the danger of blaming all of France, which risks creating resentment," he said.

"We must be careful now not to focus on all the 'little collaborators,' because there were also tens of thousands of 'little Resistants' — French people who did things like let a Jewish family spend the night in their attic," he said.

On the matter of compensation, however, there is some discord within the Jewish community.

Nazi hunter Serge Klarsfeld, head of an organization representing the children of deportees, has asked President Chirac that a \$600 monthly pension be granted to the French-born children of Jews from other countries who were deported from France during the war. Many of these children were hidden in France during the war.

When Germany paid France some \$100 million in 1960 as compensation for Holocaust victims, Paris did not give any of that money to the children of deportees.

Although Klarsfeld says the request, made more than a year ago, is an entirely separate issue from the newly launched probe, there is discussion that such a pension could be drawn from any money the investigation unearths.

On Jan. 25, Prime Minister Alain Juppe pledged to the leaders of CRIF that the government would form an investigative commission to look into the wartime seizures of Jewish property.

Ever since, the shadow of Vichy has particularly hung heavy over a nation that long believed its people were united unanimously against the German occupiers.

"This dark part of history was systematically cut out of the picture to preserve the image of a France that fought [the Nazis] and resisted," said Hajdenberg.

The commission's most important task will be to explore the contents of some 5,500 as-yet unopened cartons of records from Vichy's Commissary for Jewish Questions. The records have been gathering dust in the National Archives since the end of the war.

These boxes are believed to hold the key to the extent of wartime seizures of Jewish assets and the zeal with which the Vichy administration helped the Nazis loot Jewish property.

"There has been a terrible failure to recognize the function of the Commissary for Jewish Questions and the role it played in stripping Jews of their possessions, plunging many into poverty, which made them easy prey for deportation," Hajdenberg said.

The commission will also look into the origins of a treasure trove of works of art, some of them looted from Jews, that have hung in France's state museums for 50 years.

Hector Feliciano, who first revealed the existence of the looted paintings in his 1995 book "The Lost Museum," said the commission's efficiency would "depend on how much pressure is put on the government."

The museums "don't really want to open these files because it means talking about the collaboration," he said.

Juppe's office last week announced the appointment of Jean Matteoli, a non-Jewish Resistance fighter and concentration camp survivor, to head the investigation.

A spokeswoman for the prime minister said in an interview that the commission would include "four or five people whose job will be to mobilize the various administrations concerned" to explore the contents of their own archives. The commission members will not conduct the research themselves.

Efforts to locate stolen money

Juppe's pledge of a state probe has also pushed the Caisse des Depots, a holding bank for administrative funds, to try to locate stolen money that was deposited in its coffers both during and after the war.

Its search is focusing on some \$2.4 million seized from Jews as they entered the Drancy transit camp, and another \$20 million in proceeds from the sale of confiscated Jewish property — including furniture, jewels and bonds — that was not claimed after the war.

Of the 76,000 Jews deported from France during the war, 67,000 passed through Drancy, where they boarded trains to Auschwitz.

Another controversial issue will be the hundreds of apartments Vichy seized in the Paris' Marais district, the capital's Jewish quarter.

Today, Marais is one of Paris's most fashionable districts, and the apartments, some of which were Jewish-owned, are still in the hands of the municipality.

When "Domaine Privee," a book by journalist Brigitte Vital-Durand documenting the seizures of Jewish apartments, was released in October, it pushed the Paris municipality to freeze the sale of all apartments acquired after 1940 until their historical ownership could be determined. A research committee is due to present its findings in April, but critics say the work is moving slowly. □