



## NEWS AT A GLANCE

■ The FBI is investigating a Detroit-area Jewish man suspected of passing classified military information to Israel over the course of a 10-year period. The FBI searched the home of the man, a religious Jew who reportedly said during a polygraph test that he had inadvertently given secret information to Israeli liaison officers. [Page 1]

■ Israeli Prime Minister Benjamin Netanyahu told coalition and opposition leaders that he would approve the building of Har Homa, a new Jerusalem neighborhood. Netanyahu said a decision on the timing of the construction would be made next week.

■ The Swiss government believes that a humanitarian fund of more than \$100 million for Holocaust victims could be set up by the end of the month. Swiss and Jewish officials are in the process of working out the details of the fund, whose initial infusion came from Switzerland's three largest banks.

■ A Knesset member on trial for corruption categorically denied his former lawyer's claim that he was involved in an alleged backroom political deal. Shas Knesset member Aryeh Deri said he did not push for the appointment of Jerusalem lawyer Roni Bar-On as attorney general. [Page 3]

■ Israeli Foreign Minister David Levy called on the United States to intervene on behalf of Israeli Arab Azam Azam, who was charged with espionage in Cairo. Israel has maintained the innocence of Azam, who worked for an Israeli-owned textile firm in Egypt.

■ Israel's Knesset passed a preliminary reading of a bill that would require a majority of 80 legislators to change the law declaring Jerusalem the capital of Israel. Opposition leaders protested the bill, saying that its passage into law could undermine the peace process.

■ Delegates attending the annual conference of the National Jewish Community Relations Advisory Council voted to change the umbrella body's name to Jewish Council for Public Affairs.

## U.S. Jew probed after saying he passed documents to Israel

By Matthew Dorf

WASHINGTON (JTA) — A decade after Jonathan Pollard was sentenced to life in prison for spying for Israel, a new FBI investigation into the activities of another American Jew has hit a raw nerve among Israeli and Jewish officials.

Federal officials on Saturday searched the home of Army engineer David Tenenbaum, a 39-year-old Detroit-area Jewish resident, after he said that he had inadvertently shared classified documents with Israeli military officials.

Israeli officials here were quick to say that this case is different from that of Pollard, the former Navy analyst whose case rocked U.S.-Israeli relations and whose life sentence became a cause celebre in the American Jewish community.

Israeli officials, who said there has been no official contact with the United States on the matter, warned that Israeli personnel stationed in the United States should only accept classified information through official channels.

According to an affidavit filed by the FBI last Friday at the U.S. District Court for the Eastern District of Michigan, "Tenenbaum admitted to divulging non-releasable classified information to every Israeli Liaison Officer (ILO) assigned to TACOM over the last 10 years."

Tenenbaum worked at TACOM, which refers to the U.S. Army Tank Automotive and Armaments Command, located north of Detroit. It designs and maintains the fleet of vehicles for the U.S. Army.

After a routine polygraph test he took last week as part of a security-clearance upgrade, Tenenbaum told investigators that he gave classified information on Patriot missiles countermeasures, Bradley tanks and various U.S. Army vehicles to Israelis assigned to work with the U.S. Army.

Specifically, Tenenbaum told investigators, he gave classified information to Dr. Reuven Granot, scientific deputy director of the Israeli Ministry of Defense, according to the affidavit.

Jewish organizational officials, unaware of the investigation until informed by a reporter late Wednesday afternoon, expressed concern and caution.

"It's a disturbing story. We're waiting to hear the details," said Malcolm Hoenlein, executive vice chairman of the Conference of Presidents of Major American Jewish Organizations.

"We can't jump to any conclusions," he added.

### 'Full cooperation' pledged

As of Wednesday afternoon, "no Israeli authority has been approached by the U.S. government on this issue," said Gadi Baltiansky, press spokesman at the Israeli Embassy in Washington.

At the same time, Baltiansky pledged "full cooperation on the matter" if the United States seeks Israeli assistance.

"Israeli defense personnel serving in the United States are given the most clear and categorical instructions forbidding them from receiving classified information except through the official channels established between the two countries," Baltiansky said.

The FBI has not filed any criminal charges in the case.

The affidavit, necessary to obtain a search warrant, said Tenenbaum could be charged with gathering and transmitting defense information, gathering and delivering information to aid a foreign government and disclosing classified information. These federal charges carry a maximum penalty of 10 years in prison and a \$25,000 fine.

No one answered the phone Wednesday at Tenenbaum's home in the Detroit suburbs.

Wilbert Simkovitz, a retired engineer from TACOM, told the Detroit Jewish News, "We get intelligence from the Israelis, too. It's not a one-way street."

"If he did anything it was probably inadvertent," Simkovitz said of Tenenbaum.

Alfred Goldstein, also a retired engineer from TACOM, told the

Detroit Jewish News that most of the work done at TACOM is not highly sensitive.

Goldstein, a mechanical engineer who said he did not know Tenenbaum, said there were three to five Israeli representatives at the tank command on a rotating basis.

FBI officials in Detroit would not say whether their search of Tenenbaum's home yielded any results. According to the affidavit, FBI agents were looking for documents and computer files related to classified material. □

### Supreme Court challenge to RFRA generates concern in Jewish world

By Daniel Kurtzman

WASHINGTON (JTA) — The Supreme Court heard arguments this week in a constitutional challenge to a federal law that the Jewish community has heralded as one of the most important developments for religious liberty this century.

The justices began grappling Wednesday with questions of whether Congress exceeded its legislative authority in adopting the Religious Freedom Restoration Act — a law that says government cannot “substantially burden” a person's religious freedom unless there is a compelling government interest.

Jewish groups across the gamut, together with a broad coalition of religious and civil rights organizations, were instrumental in pushing the legislation through Congress in 1993.

With RFRA, as the legislation is commonly known, now under constitutional scrutiny, more than 60 religious groups forming the Coalition for the Free Exercise of Religion have defended legal challenges to RFRA at the state level. They also joined in a friend-of-the-court brief urging the Supreme Court justices to uphold the law.

The case before the court, *City of Boerne vs. Flores*, stems from a historic landmark preservation dispute between Boerne, Texas, and a local Roman Catholic Church. The case arose after city officials denied an application from the church to expand into the city's historic district. The church contended that without enlarging its building, it would be unable to accommodate its members and fulfill its mission.

The Catholic archbishop of San Antonio sued, charging that the city's action violated RFRA. The city responded by arguing that the federal law was unconstitutional. A U.S. district judge agreed, but the ruling was reversed by the 5th U.S. Circuit Court of Appeals.

In taking up the case, the Supreme Court will rule only on RFRA's constitutionality. After that is decided, the case will be sent back to a Texas trial court to rule on the specifics of the case. In her oral arguments before the Supreme Court, attorney Marci Hamilton, representing Boerne, said, “The case is not about religious freedom. This case is about federal power.”

“How far can Congress go to ensure constitutional guarantees?” she said. “Our argument is it certainly can't go to the point where Congress can reinterpret the meaning of the Constitution.”

University of Texas Professor Douglas Laycock, representing the church, defended RFRA, calling its impact “a mile wide and an inch deep.”

Congress, he said, “has always understood it has the right to protect constitutional rights.”

Acting U.S. Solicitor General Walter Dellinger also supported the law, saying that it was needed to protect the rights of minority religious groups.

The law, passed by a near-unanimous margin in Congress and signed into law with strong support from President Clinton, was aimed at encouraging governments to accommodate religious practices.

Under the law, federal, state and local governments must show a “compelling” interest before interfering with the practice of religion. The law, which created a much higher standard for government regulation, was enacted in response to a controversial 1990 ruling by the Supreme Court that said government could interfere in religious practice with impunity provided that religion is not targeted, according to Jewish legal experts.

At issue for the justices is whether Congress overstepped its authority in adopting RFRA by usurping power from state and local governments and from the Supreme Court itself. The law has also been challenged on the grounds that it violates the First Amendment by giving religion exclusive privileges over other expressions of conscience.

During oral arguments, several justices questioned whether the law could be used by religious institutions to free themselves from other government rules.

Other lines of questioning focused on the reaches of the 14th Amendment's guarantee of equal protection under the law, Establishment Clause implications and the separation of powers between the various branches of government.

Representatives from several Jewish organizations attended Wednesday's session.

“What's at play here is the most important law protecting religious freedom since the First Amendment itself — a law that's especially important and dear to minority religions and those who are going to have a more difficult time seeing their rights protected” if it is struck down as unconstitutional, said Mark Pelavin, associate director of the Religious Action Center of Reform Judaism.

In addition to concerns about religious liberty, Marc Stern, co-director of the legal department of the American Jewish Congress, sees other critical issues at stake in the case.

“If the court writes an opinion narrowing Congress' power to protect civil rights and civil liberties, it's going to be a transforming decision,” said Stern, who authored the religious coalition's brief. Such a move, he added, would undermine the role a “national forum” has long played in “overcoming local prejudices.”

The Supreme Court is expected to issue its decision by the end of its term this summer. □

### Japanese terrorist seized in Lebanon

By Naomi Segal

JERUSALEM (JTA) — Lebanese security agents this week detained at least five people suspected of membership in the Japanese Red Army, including one involved in a 1972 attack at Ben-Gurion Airport.

Lebanese Foreign Minister Faris Bouez confirmed Tuesday that the five were arrested in raids over the weekend. But he would not comment on the reasons behind the timing of the arrests.

The Japanese Red Army, an ultraleftist group sympathetic to Palestinian causes, claimed responsibility for a number of violent attacks and hijackings in the 1970s, including a 1972 shooting attack at Ben-Gurion Airport that claimed 26 lives and left more than 70 people wounded. According to reports Tuesday, one of the detainees was Kozo Okamoto, the sole survivor of the three gunmen who carried out the airport attack.

Okamoto, who was arrested by Israeli forces and sentenced to life in prison, was released from jail in 1985 as part of a prisoner and soldier swap between Israeli and Palestinian forces. A delegation of Japanese officials met with Lebanese diplomats Tuesday. Tokyo was expected to request the extradition of the Red Army members, who are still wanted in Japan. □

**FOCUS ON ISSUES**
**Orthodox feminists no longer see their quest as an 'oxymoron'**

By Debra Nussbaum Cohen

NEW YORK (JTA) — Being an Orthodox Jewish feminist has long meant trying to straddle two worlds based on diametrically opposed values.

The first International Conference on Orthodoxy & Feminism, held here this week, made it clear that Orthodox women and the rabbis who back them feel that they are slowly but surely bridging the chasm between those worlds.

"Ten years ago, we felt on the fringe," said Freda Rosenfeld, a consultant on breastfeeding and childbirth educator who lives in the Flatbush section of Brooklyn.

"Now we are definitely mainstream," she said, looking around the hotel hallway at some of the estimated 700 women and sprinkling of men who had come to the conference. The unexpectedly large turnout included women with uncovered heads wearing pants and those with long skirts and wigs. All of them described themselves as modern or centrist Orthodox. The gathering also drew a few Chasidic women, a few Conservative women and at least one Reconstructionist woman.

Author Cynthia Ozick "once called Orthodox feminism an oxymoron and it long was," Blu Greenberg, who conceived of the conference and chaired the event, said in an interview. "But it isn't anymore."

A feeling of religious ferment and change, excitement and apprehension were almost palpable as was, for many, a sense of relief that they were finally among like-minded people. "It feels good to be here because there aren't that many Orthodox feminists" in Seattle, said Karen Treiger, who came with her sister-in-law.

Letty Cottin Pogrebin, an author and founder of the secular women's movement, said the conference reminded her of the feminist movement's earliest years. "Something really new is happening" for Orthodox women, she said. At the conference, "there were moments of high consciousness that things were happening here that hadn't happened before."

While participants had no illusions that their gains would spread to the fervently Orthodox community, they came away, almost to a woman, feeling that they had accomplished something revolutionary.

**'Hands not tied by distance from Sinai'**

The most important outcome of the conference, said many participants, was that the nine Orthodox rabbis who spoke at various sessions throughout the program said publicly that there is room for change in women's roles within the parameters of Jewish law.

"It's earthshaking that rabbis are saying for the first time that their hands are not tied by distance from Sinai," said Shelley Frier List of Baltimore.

Orthodox women have been expanding their religious roles over the last two decades or so, at first reclaiming traditional women's observances such as Rosh Chodesh, at the start of a new month, by gathering in meetings that have evolved into women's prayer groups.

Innovations have evolved from there. A generation ago, a girl's 12th birthday passed without ceremony and meant only that she was required to fast on Yom Kippur.

Today, a Bat Mitzvah is often celebrated in one of the approximately 40 women's prayer groups that exist around the world with the girl learning the appropriate blessings, reciting her Torah portion and delivering a sermon on its meaning, much as a boy would.

There are also other, quieter changes, such as the fact that a growing number of baby boys, while being named at their circumcision, are described in the blessing

as the son of their mother, as well as their father. And in some Orthodox synagogues, a Torah scroll is passed behind the mechitzah dividing the sexes so that women can touch the Torah after it is read as men have always done.

Orthodox rabbis are always consulted before changes are instituted, but the requests are often coming from women who know which rabbis they can turn to for approval. Deference to rabbinic authorities is a deeply inculcated value in the Orthodox community, and modesty has been regarded as one of the most valued traits a woman can possess. But conference participants openly challenged the limits of religious leaders' sway over their lives when they find the rule is oppressive.

For instance, on the issue of agunot, women whose husbands refuse them the divorce that only men can issue, female activists and a handful of Orthodox rabbis have acted to counter the passivity of the rabbinate on the issue. A handful of rabbis led by Emmanuel Rackman, a leading modern Orthodox authority, created a new religious court, or Beit Din, which thus far has freed six women by finding ways within Jewish law to annul their marriages.

Speaker after speaker said Jewish law could be interpreted to allow Orthodox women a more active role in their religious lives. "Where there is a rabbinic will, there is a halachic way," Greenberg said in her opening remarks, reiterating a phrase she has long used. "Part of our task is to generate that halachic will."

Some centrist Orthodox rabbinical authorities are firmly opposed to the changes.

Describing the changes Orthodox women are making as "frivolous and culturally schismatic," Rabbi J. David Bleich, a well-known interpreter of Jewish law and dean of Yeshiva University, said change could come only at the impetus of the rabbinate, not from outside.

"Changing the norms is up to the rabbinate alone," Bleich, who did not attend the conference, said in an interview. "Is medicine up to anyone but the medical profession? Is law up to anyone but a jurist?"

**'Beyond the pale of Orthodoxy'**

Further, he said, women making changes on their own in "the norms" of religious behavior makes them not Orthodox. "You can't change the norms and still claim to be operating within a traditional community. If they are, then they are beyond the pale of Orthodoxy," said Bleich. "It's called Conservatism."

One of the handful of pulpit rabbis who attended the conference disagreed with Bleich.

"There are sources within traditional Judaism" that permit women an expanded role, but "they're not mainstream," said Rabbi Abraham Mandelbaum, spiritual leader of Congregation Ahavat Yisrael in Hewlett, N.Y.

The question of women becoming Orthodox rabbis hung in the air throughout the conference. The Reform, Conservative and Reconstructionist movements all ordain women. A consensus seemed to emerge from many of the speakers that the term "rabbi" would not be the label used and that new labels must be developed. At the same time, however, women are already beginning to work in all the roles of an Orthodox rabbi except as ritual leaders of public worship.

The entire phenomenon of women assuming positions of Orthodox religious leadership is rooted in education. Knowledge is power, speakers said, and Orthodox women today have received better Jewish educations than their foremothers did.

Pam Ehrenkranz Zur, from Stamford, Conn., and the mother of three young girls, said education continues to bring changes to the perspectives of girls today. She said she and her peers did not get to that point as girls, but "our daughters are asking, 'Why can't I do that?'" □

**Police question Netanyahu in inquiry of Bar-On affair***By Naomi Segal*

JERUSALEM (JTA) — Police have questioned Prime Minister Benjamin Netanyahu about allegations of corruption surrounding the appointment of an attorney general.

The four-hour interview took place the same day that the lawyer of a key figure in the probe announced his resignation, charging that his client had sought to push the ill-fated appointment through.

Three senior police investigators arrived Tuesday evening at the premier's Jerusalem office to question him about the factors that led to the naming last month of Jerusalem lawyer Roni Bar-On as attorney general.

Netanyahu also was questioned about the Jan. 10 Cabinet vote approving Bar-On's appointment and about which of his aides were behind naming him for the post.

The appointment of Bar-On, a veteran Likud activist and criminal lawyer, spurred sharp objections in both political and legal spheres. Opponents charged that he lacked the experience to hold Israel's top legal post.

Bar-On stepped down Jan. 12 shortly before his scheduled swearing-in. Two weeks later, the Cabinet unanimously approved District Judge Elyakim Rubinstein to serve as Israel's attorney general.

The police investigation was launched after an Israel Television report alleged that Bar-On was appointed as part of a deal to provide a plea bargain to one of Netanyahu's political allies, Shas Knesset member Aryeh Deri, who is on trial for corruption.

In turn, Deri reportedly promised his party's crucial support for the Hebron agreement, which was coming up for Cabinet approval at the time. Israel Television later reported that Netanyahu was not believed to be directly involved in any alleged deal-making.

On Tuesday, Dan Avi-Yitzhak, Deri's lawyer, resigned in a letter that was published by the Israeli daily *Ma'ariv*. In the letter, Avi-Yitzhak accused Deri of slandering him and his wife, adding, "I dared out of pure and relevant reasons to oppose your plan to appoint Roni Bar-On as attorney general." Avi-Yitzhak was one of the candidates for attorney general, but was passed over for Bar-On, according to reports.

Deri subsequently denied Avi-Yitzhak's allegations.

The Bar-On affair is the latest scandal to plague the Netanyahu government. The first justice minister to serve in Netanyahu's Cabinet, Ya'acov Ne'eman, is currently on trial for obstructing justice and interfering in Deri's trial. A close Netanyahu ally, Jerusalem Mayor Ehud Olmert, is being tried for financial irregularities dating back to the 1988 elections, when he served as Likud treasurer.

Police also are investigating allegations that the head of the Prime Minister's Office, Avigdor Lieberman, tried to sabotage the Israel Broadcasting Authority by padding the budget it submitted to the Knesset. □

**Israel, China agree to boost trade***By Naomi Segal*

JERUSALEM (JTA) — Israel and China have agreed to boost bilateral trade and economic cooperation.

Israeli Trade and Industry Minister Natan Sharansky met Wednesday with Chinese Vice Premier Li Lanqing, who is on a weeklong visit to Israel.

Their meeting took place the same day that Chinese officials announced the death of their leader, Deng Xiaoping. Observers said that the death of Deng, 93, who had not been seen in public in recent years, would likely have little impact on the Chinese political scene.

During his meeting with Li, Sharansky expressed disappointment with the level of trade between the two countries, according to the Israeli Trade Ministry.

Israel and China formally established diplomatic and trade relations four years ago. Israeli exports to China totaled \$81 million last year. Chinese exports to Israel in 1996 were \$160 million.

The two sides agreed to set up joint committees to explore possible cooperation in agriculture, electronics, medical equipment and telecommunications. □

**Arafat meets with Russian president***By Lev Krichevsky*

MOSCOW (JTA) — Palestinian Authority leader Yasser Arafat met this week with Russian President Boris Yeltsin to discuss Russian-Palestinian relations and the Middle East peace process.

Arafat, who arrived Tuesday in Moscow for a two-day visit, also held two meetings with Russian Foreign Minister Yevgeny Primakov.

When he greeted Arafat, who last visited Moscow three years ago, Yeltsin called him "a friend of the Russian people" and the "legitimately elected leader of the Palestinian people."

During their meeting, Yeltsin told Arafat that Russia, as a co-sponsor of the Middle East peace process, would "continue to energetically work to help solve conflicts" in the region, according to a statement issued by the Kremlin.

When he met with Arafat, Primakov spoke of creating joint business enterprises to help the Palestinian economy.

The Palestinian leader also met with Patriarch Alexey II, the head of the Russian Orthodox Church, and invited him to visit the West Bank town of Bethlehem for the celebration of Christianity's 2,000th anniversary.

Israeli Prime Minister Benjamin Netanyahu is scheduled to visit Moscow on March 10, when he is expected to sign with Yeltsin several agreements aimed at boosting Israeli-Russian economic ties. □

**Russian official faces ouster***By Lev Krichevsky*

MOSCOW (JTA) — The deputy secretary of Russia's National Security Council may be removed from the powerful position in the wake of disclosures that he held dual Russian-Israeli citizenship.

Members of the Duma, the lower house of the Russian Parliament, said this week that they were going to demand that Russian President Boris Yeltsin oust Boris Berezovsky from the Security Council as a result of their investigation into his dual nationality.

Russian law does not allow a person with more than one passport to hold public office, they said.

Berezovsky, a business tycoon recently turned politician, was appointed to the Security Council four months ago.

Two Moscow newspapers subsequently created a furor when they reported that Berezovsky had acquired Israeli citizenship in 1993.

In the wake of those reports, Berezovsky requested that his Israeli passport be annulled.

In an unrelated development, Berezovsky last week sued *Forbes* magazine for libel after the magazine alleged that he had been involved in criminal business dealings.

In its December issue, the business magazine called Berezovsky "the godfather of Russia's godfathers."

The magazine also accused Berezovsky of having close ties with the Chechen mafia. □