



Daily News Bulletin

Vol. 76, No. 104

Thursday, June 11, 1998

81st Year

TOP NEWS IN BRIEF

Wisconsin court backs vouchers

The Wisconsin Supreme Court ruled that a school voucher program in Milwaukee is constitutional. The 4-2 ruling, which overturned an appeals court decision, allows as many as 15,000 students to attend religious schools at taxpayer expense. [Page 3]

Jewish lawyer may sue CIA

A Jewish lawyer with the CIA is threatening to sue the federal government for stereotyping Jews as security risks. Adam Ciralsky, 28, was placed on administrative leave in October after CIA officials said that he had unauthorized contacts with Israelis.

A member of the CIA's honor program for lawyers, Ciralsky was set to rotate into a White House post to advise Richard Clark, the administration's terrorism expert at the National Security Council, according to a source with direct knowledge of the incident. But when the time came for his security clearance to be renewed, the CIA blocked the appointment.

According to the source, the CIA asked Ciralsky about his parents' contributions to Jewish causes and his contact with Israelis.

Palestinian bomber killed in Gaza

Israeli soldiers killed a Palestinian after he planted two bombs near a Jewish settlement in the Gaza Strip. The man, killed near the settlement of Morag, "was apparently waiting for an Israeli patrol to pass," said an Israeli army spokesman.

A second Palestinian involved in the incident escaped.

Information sought from Iran

Israel sought clarification from Iran regarding reports of the execution of a Jewish community leader there, according to Israel's deputy defense minister.

Silvan Shalom told the Knesset that Israel had appealed to the Red Cross, the United Nations and other international organizations to verify the report and to learn what has happened to other Jews who have been arrested in Iran.

Alleged Hamas funds seized

Federal law enforcement authorities seized from a Chicago-area couple about \$1.4 million in cash and property they said was used in a money-laundering scheme to channel funds to Hamas.

FOCUS ON ISSUES

As Reform rabbis debate issue, female couple readies the chupah

By Debra Nussbaum Cohen

NEW YORK (JTA) — When Sue Levi Elwell and Nurit Shein stand together under a chupah on Sunday in their Philadelphia backyard, they will be sanctifying their six-year relationship as a marriage.

Elwell, a Reform rabbi, and Shein, a retired lieutenant colonel in the Israeli army who serves as the executive director of the Philadelphia AIDS Task Force, will sanctify their commitment to each other before 100 guests and at least 10 rabbis in a ceremony that the female couple is consciously calling a wedding, rather than a commitment ceremony.

Elwell and Shein, both 50, want to make a statement. "It is unabashedly a kiddushin," Elwell said, using the traditional Jewish term for sanctified marriages.

"It's a marriage. The state hasn't recognized it yet, but we have," she said in a telephone interview this week.

But the Reform movement, which Elwell represents as assistant director of the Union of American Hebrew Congregations' Pennsylvania region, hasn't recognized it yet either. While the movement supports civil recognition for same-sex marriages, it has not taken a position on religious recognition for them.

And although the timing is coincidental, Elwell says, the wedding comes shortly before her colleagues gather at the annual meeting of the Central Conference of American Rabbis to discuss this and other issues.

Six hundred Reform rabbis are expected to attend the June 21-24 meeting in Anaheim, Calif. Its Committee on Human Sexuality will present a report recommending that the group endorse religious marriage for same-sex couples.

Other issues on the agenda include:

- How to communicate their concern to Israeli Prime Minister Benjamin Netanyahu regarding his plan to revive legislation that would cement into law Orthodox control over all conversions to Judaism performed in the Jewish state.

- Recommendations from the group's Ethics Committee to strengthen the impact of being suspended from the CCAR if a rabbi breaches sexual ethics.

The new guidelines would require those who have been expelled to demonstrate their repentance clearly before they can be readmitted, said sources who had seen an advance copy of the committee's report.

Rabbi Jack Stern, chairman of the committee, said he did not want to discuss the guidelines before the conference.

But the rabbis in Anaheim won't be voting on the Human Sexuality Committee's recommendation supporting Jewish gay and lesbian marriage.

A scheduled vote was withdrawn after another CCAR subgroup, the Responsa Committee, published an opinion against sanctifying same-sex partnerships.

The vote was postponed for three reasons: Some Reform rabbis were concerned that establishing a position in favor of gay and lesbian Jewish marriages would create more of a problem for their colleagues in Israel, who are grappling with an Orthodox establishment that already considers them outside the pale of Judaism.

For many Reform rabbis, the postponement was important because of the deep divisions among colleagues over the issue.

But for others, including eight of the 10 members of the Responsa Committee, it was an ideological matter. In their opinion, they cited the Torah's classification of male

MIDEAST FOCUS

Pakistan assures Israel

Pakistan promised Israeli officials that it would not transfer any nuclear technology to Iran, according to the Israeli daily Yediot Achronot.

The paper said secret contacts were held between Israeli and Pakistani officials after Israel voiced concerns that Pakistan might sell its nuclear know-how to Tehran.

Palestinian worker slain

A Palestinian worker was stabbed to death in the West Bank settlement of Ma'aleh Ephraim, allegedly by an Israeli co-worker.

Police said the motive for the killing is not yet clear.

The two worked for an Israeli truck driver, who told police that when he returned to the truck after being away a few minutes, he found the Palestinian bleeding from a stomach wound and the Israeli worker with a knife in his hand.

Peretz wins Histadrut vote

The chairman of Israel's Histadrut labor federation, Amir Peretz, won re-election by a landslide victory over opponent Maxim Levy.

Observers said that the ultimate strength of the Histadrut, which is the umbrella organization for the Jewish state's labor unions, will depend less on who won than on the outcome of government plans to privatize key industries that were once trade union strongholds.

Jordan bars Hamas founder

Jordan refused entry for a second time to Hamas founder Sheik Ahmed Yassin. Yassin, who has been on a tour of Middle East countries to drum up financial support for Hamas, is slated to return to the Gaza Strip on Saturday.

Israeli officials, who have debated whether to allow his return, are now expected to do so.

impossibility of including gay relationships under the rubric of those considered "kid-dushin" because the Torah includes them in the same category as incest and adultery.

Instead, the CCAR's approximately 1,800 members will study the matter for at least another year before voting on an official position.

Nonetheless, numerous discussions of the issue, formal and informal, are expected to take place at the convention.

In reality, the absence of an official policy doesn't stop any member from officiating at a same-sex wedding, and many Reform rabbis have done so, rabbis in the movement say.

But even among those who believe there is value to extending the discussion to include gay Jewish marriage, there are some who say that the absence of any official stance sends a troubling message.

Without a position, "we're saying to gay people, 'Either go someplace else, or hide. Be in our midst but hide your orientation or hide your family,' and that doesn't strike me as a moral choice," said Rabbi Dayle Friedman, a CCAR member who favors official sanction of such unions.

Friedman has personal experience with what can happen when gay people are not open about their sexual orientation.

Friedman was married for three years and had a daughter with her former husband before he came to terms with being gay.

"I really believe that for him and for other people, if they feel they could live a whole life as a gay person, including having a family and a committed and sanctified partnership, then a lot of people would be spared a lot of pain," said Friedman, who works as director of the geriatric chaplaincy program at the Reconstructionist Rabbinical College outside of Philadelphia.

In many ways, Elwell and Shein's wedding will be just like other traditional Jewish nuptial rites — the partners will both sip from the traditional two cups of wine, and the officiants and other guests will sing the seven blessings offered to a marrying couple.

The pair will exchange wedding rings that were worn by Elwell's great-grandparents for the five decades that followed their nuptials in 1880. Elwell's two children, ages 16 and 21, who were born during an earlier, 20-year marriage, will be among those holding the chupah poles, and Shein's father is coming from his home in Israel to participate.

But in many ways, it will be different.

Four different people will officiate at the wedding — one from each of the non-Orthodox movements in Judaism: Rabbi Leonard Gordon, a Conservative rabbi; Rabbi Rebecca Alpert, a Reconstructionist rabbi; Phyllis Berman, a leader of the Jewish Renewal movement; and Rabbi Richard Address, a Reform rabbi who is director of the UAHC's Pennsylvania office.

And instead of the ketubah, the marriage contract, Elwell and Shein will sign a "Brit Ahuvot," or "Covenant of Love," that they composed. It focuses, Elwell said, on the mutual responsibilities of partners. And in a departure from usual practice, they will have each of the guests sign the back of the covenant.

Having everyone sign it "is a reflection of the affirmation of the community that we are indeed being married in the eyes of the people of Israel," Elwell said. □

Dana rejects Spice Girls offer

JERUSALEM (JTA) — Israel's most famous transsexual has turned down an offer to become a member of one of the world's most popular musical groups, according to an Israeli news report.

Ma'ariv reported that Dana International, the Israeli singer who won this year's Eurovision song contest, has turned down an offer to replace the recently departed Ginger Spice as part of the British pop group Spice Girls.

The newspaper quoted the singer's manager, Ofer Nissim, as saying that while his client was flattered by the proposition, "Dana has other plans."

Dana International, whose winning performance at Eurovision prompted celebrations from many secular Israelis and jeers from fervently Orthodox politicians, appeared in court this week to deny that she pushed one waitress and threw a bottle of water at another during a November 1995 cafe performance. □



Daily News Bulletin

Caryn Rosen Adelman, President
Mark J. Joffe, Executive Editor and Publisher
Lisa Hostein, Editor
Kenneth Bandler, Managing Editor
Lenore A. Silverstein, Business Manager

JTA DAILY NEWS BULLETIN is published five days a week, except holidays, by the Jewish Telegraphic Agency Inc., 330 Seventh Ave., New York, N.Y. 10001-5010. For information about how to subscribe by e-mail, fax or regular mail, call (212) 643-1890, or visit our Web site at www.jta.org.
© JTA Reproduction only by previous arrangement.

JEWISH WORLD

Missile-transfer bill passes

The U.S. House of Representatives gave final approval to legislation aimed at forcing Russia to stop exporting ballistic missile technology to Iran.

The House approved the measure by far more than the two-thirds majority required to override a presidential veto, as the Senate did late last month.

The move sets up a confrontation with the Clinton administration, which has argued that the bill would undermine efforts to address the issue with Russia through diplomatic channels.

Most Jewish activists are backing the measure.

More time needed for Swiss audit

Auditors investigating accounts in Swiss banks that have remained dormant since the end of World War II will need the rest of the year to complete their work, according to the independent committee overseeing the search.

The delay comes as a result of the "widely disbursed and incomplete documentary record" remaining from the war years, said the Volcker committee, named for its chairman, former Federal Reserve Chairman Paul Volcker.

Ambassador: Many Nazis at large

Israel's ambassador to Argentina said the Andean resort town of Bariloche is full of Nazis.

"Erich Priebke was not the last one. There are more war criminals, Nazis and anti-Semites here," said Itzhak Aviran.

He was referring to the Italian war criminal who was extradited to Italy from Argentina and sentenced earlier this year to life imprisonment by a Rome appeals court for his role in Italy's worst wartime massacre.

Aviran was in Bariloche to open an exhibition of photographs from the Warsaw Ghetto.

Herzog receives Jewish prize

The president of Germany called on his country to support its Jewish community and the principle of multiculturalism in the face of rising right-wing extremism.

Germany should display openness "to the chance for symbiosis," Roman Herzog said while accepting the Leo Baeck Prize, the German Jewish community's highest honor.

Italy rounds up terror suspects

Italy issued arrest warrants for 25 suspected Islamic terrorists.

The move comes as part of a roundup of suspected terrorists in Europe prior to the World Cup soccer championships, which begin Wednesday in France.

Closely watched voucher case could make way to Supreme Court

By Daniel Kurtzman

WASHINGTON (JTA) — The debate over school vouchers, the controversial idea of giving families taxpayer dollars to use at private or parochial schools, has moved a step closer to an inevitable U.S. Supreme Court date.

In a closely watched case, the Wisconsin Supreme Court ruled Wednesday that a school voucher program in Milwaukee is constitutional.

The decision on Wisconsin's program, one of only five such pilot programs around the country, marks the first time a state supreme court has ruled on the issue. It also marks the highest-level court decision to date on vouchers.

Reaction was predictably mixed in the Jewish community, which remains deeply divided over school voucher initiatives, also known as "school choice."

Orthodox and politically conservative Jewish groups hailed it as a historic development in efforts to expand educational opportunities. Most other mainstream Jewish groups viewed it as a blow to public schools and the separation of church and state. Voucher opponents said the decision would likely be appealed to the U.S. Supreme Court.

A Supreme Court ruling on vouchers, legal observers said, could have implications for a range of church-state questions, including the tax-exempt status of religious institutions, the permissibility of prayers at high school graduation ceremonies and the constitutionality of programs that allow churches to receive government money for anti-poverty programs.

It has the potential to be "one of those monumental decisions that come along once in a generation," said Marc Stern, a lawyer with the American Jewish Congress.

The 4-2 ruling in Wisconsin, which overturned an appeals court decision, allows for the expansion of a program already in place in Milwaukee that lets economically disadvantaged children attend religious schools at taxpayer expense.

Prior to the ruling, participation in the program was limited to fewer than 2,000 children attending non-religious private schools.

But the court cleared the way for as many as 15,000 students to go to the private school of their choice, including religious schools, because it said the program did not violate the constitutional separation of church and state.

The court said it upheld the program "because it has a secular purpose" and "it will not have the primary effect of advancing religion."

"This is a break in the dike," said Marshall Breger, a law professor at Catholic University's Columbia School of Law.

"We're now going to have a full-scale voucher program in Wisconsin, and we'll be able to see what it looks like."

Breger, who also serves as vice chairman of the Jewish Policy Center, a think tank that promotes school choice, added that if the Supreme Court does take the case, "this is a very strong opinion from which to defend vouchers."

Stern, who opposes school vouchers, said that if the high court hears an appeal, it will be forced to address an issue it has dodged for some time — the extent to which the Constitution does or does not allow for special treatment of religion.

Steve Freeman, director of legal affairs for the Anti-Defamation League, called the ruling "very disappointing, particularly in light of a number of other court decisions, which have struck down voucher plans," including an earlier ruling in Wisconsin.

"I think it's a misreading of the Constitution," Freeman said of this week's decision.

Voucher supporters, meanwhile, said they hoped that the Wisconsin ruling would breathe new life into efforts to create voucher programs in other states and even at the national level.

"The momentum is building," said Nathan Diament, director of the Orthodox Union's Institute for Public Affairs.

"It's a long road but we're committed to it, and the law is on our side and ultimately most people are on our side." □

BEHIND THE HEADLINES**Swiss talks reach 'critical' stage as unofficial deadline approaches***By Daniel Kurtzman*

WASHINGTON (JTA) — As negotiations to settle Holocaust-era claims against Switzerland reach a critical stage, there is no clear indication that efforts to reach an agreement will succeed.

Despite an unofficial June 30 deadline, a key player in the negotiations said there was unlikely to be any agreement soon.

At the same time, the negotiator, Michael Hausfeld, a lawyer representing Holocaust victims, cautioned against both "false hopes" and "undue pessimism."

It is against this backdrop that conflicting reports have emerged about whether Switzerland's three largest private banks have made a firm offer to Jewish negotiators.

One source familiar with the negotiations said the Swiss banks — Union Bank of Switzerland, Credit Suisse and Swiss Bank Corp. — offered a settlement totaling more than \$1 billion to resolve claims brought by Holocaust survivors who charge that the banks failed to return their assets after World War II.

The banks denied that an offer had been put forward, as did a reliable source, who characterized the negotiations as "tenuous." Another source said a "chasm" of differences remained between the two sides.

The World Jewish Congress, lawyers representing Holocaust victims and the Swiss banks have been holding settlement talks in recent weeks under the aegis of the U.S. State Department. The negotiations are being held under rules of strict confidentiality.

A key sticking point in the talks involves the question of what exactly an agreement with the banks would cover.

The WJC, which has spearheaded international efforts to pressure Switzerland to confront its wartime past, has been pushing Switzerland to reach a global settlement that would resolve all claims stemming from Swiss actions during World War II.

Such a settlement would presumably address the claims being pursued in a multibillion dollar class-action suit brought by Holocaust survivors.

The banks, however, have so far refused to negotiate any claims not directly related to the banks themselves.

And the Swiss government, together with its central bank, the Swiss National Bank, has ruled out using taxpayers' money to pay into any settlement.

"Switzerland will not participate in such settlements," Swiss President Flavio Cotti said over the weekend.

In a move that could increase pressure on the Swiss government to reach a settlement, lawyers representing Holocaust victims are planning to sue the Swiss National Bank for its role in accepting the vast majority of gold looted by the Nazis, including gold stolen directly from Holocaust victims.

The suit was postponed earlier this month amid attempts to first reach a settlement with the private banks.

A spokesman for the Swiss National Bank, Werner Abegg, said, "We believe that there are no grounds for class action suits against us, and we will use every legal option to defend ourselves from such unjustified claims."

One source said the disconnect between what some Jewish negotiators are seeking and what the banks are willing to negotiate

has further complicated matters. There are some who feel that if the Swiss National Bank doesn't join in with the other banks in a global resolution, "they don't want any resolution," the source said.

Another source said, however, that such an assessment is "flat-out wrong."

The reported settlement offer from the banks was said to have come just days before the New York State Banking Department decided to approve a merger between Union Bank of Switzerland and Swiss Bank Corp. The U.S. Federal Reserve gave final approval to the deal this week, which will form the world's third largest bank.

The WJC made no objection to the move, which some took as a sign that progress had been made with Swiss banks toward reaching a settlement of Holocaust-era claims.

On a related front, lawyers involved in the negotiations met this week with an advisory group of Jewish organizations to consult them about the current status of the negotiations.

Like the participants in the settlement talks, those who took part in the advisory group signed strict confidentiality agreements and declined to discuss the meeting.

The June 30 date was set by U.S. public finance officers, who want a progress report on the negotiations to avert the threat of sanctions against the banks.

"A lot of time has been spent with almost no progress, and the need for progress has certainly telescope itself," one source said.

"It's got to get done and the longer it doesn't get done, the greater the potential it will never get done." □

(JTA correspondent Fredy Rom in Bern contributed to this report.)

Adviser sounds out idea of papal trip to Israel, Iraq*By Ruth E. Gruber*

ROME (JTA) — Pope John Paul II may soon be walking in the footsteps of Abraham.

An aide to the pope is in Iraq to discuss the possibility of the pope's visiting that country as part of a long anticipated papal tour of Middle East states to mark the start of the new millennium.

The first stop on his trip could be the Iraqi town of Ur, the birthplace of Abraham, who is revered by Christians and Muslims as well as by Jews.

Cardinal Roger Etchegaray is spending five days in Iraq as part of a mission that also takes him to Israel and Jordan, where he will hold similar discussion about a papal tour to the Middle East.

Etchegaray himself is to visit Ur on Thursday.

The pope has long expressed his dream of making a pilgrimage to the Holy Land to mark the year 2000.

Such a trip would take him to Syria, Lebanon, Jordan, Israel, Egypt as well as the Palestinian self-rule areas.

In an interview in Baghdad published in the Rome daily *La Repubblica*, Etchegaray confirmed that the pope would like to convene a meeting of Jews, Christians and Muslims on Mt. Sinai.

While in Iraq, Etchegaray attended a conference of Iraqi Christians in Baghdad. Between 500,000 and 800,000 Christians live in Iraq. At the meeting he reiterated the pope's long-standing criticism of the sanctions imposed against Iraq after the Gulf War, saying they harmed innocent people. □