



Daily News Bulletin

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84th Year

TOP NEWS IN BRIEF

Car bomb explodes in Jerusalem

A car bomb exploded in a residential area of Jerusalem, but caused no injuries.

Islamic Jihad claimed responsibility for setting off Monday morning's car bomb, which went off in the neighborhood of Talpote in southern Jerusalem.

Police suspect the assailants might have planned to detonate the bomb closer to Jerusalem's center, but were deterred by the heavy security presence downtown.

High court rules against 'Yale 4'

The U.S. Supreme Court rejected an appeal by four Orthodox Jewish students who claimed Yale University had violated their religious beliefs by requiring them to live in coed dorms.

In its decision Monday, which came without comment or dissent, the high court let stand a U.S. appeals court ruling that dismissed the lawsuit against Yale.

Peres meets Palestinians

Israeli Foreign Minister Shimon Peres met with senior Palestinian officials to discuss the shaky cease-fire.

Later Sunday, regional commanders from both sides met in several parts of the West Bank and Gaza Strip to discuss security matters.

Israeli Arabs mark riots

Israeli Arabs marked the first anniversary of a riot in which 13 members of their community were killed during clashes with police.

During a demonstration Monday, hundreds of youths threw stones at Israeli police on the outskirts of Umm el-Fahm and police responded with two tear-gas canisters.

In Nazareth, the largest Israeli Arab city, some 50 protesters stoned an Israeli police station and blocked a road, according to Israel Radio. Marches or commemorations in at least four other Israeli Arab towns and villages were mostly peaceful.

REMINDER: The JTA DAILY NEWS BULLETIN will not be published Wednesday, Oct. 3 or Thursday, Oct. 4.

BEHIND THE HEADLINES

A Supreme Court voucher ruling could have widespread significance

By Sharon Samber

WASHINGTON (JTA) — The U.S. Supreme Court's long-awaited decision on the constitutionality of school vouchers is expected this term, with the high court apparently ready to tackle one of the more significant church-state rulings in years.

The U.S. Supreme Court, which opened its new term this week, agreed to hear three related cases involving government funds for students to attend parochial or private schools.

A high court ruling is expected by June.

Beyond the issue of vouchers itself, which divides the Jewish community, the ramifications of a Supreme Court decision could extend beyond education to the government financing of other activities, including charitable choice.

School vouchers were an integral part of the Bush administration's original education plan, but the White House abandoned the proposal after it gained little support in Congress.

Many Jewish groups are opposed to vouchers on the grounds that they violate the separation of church and state and drain money from the public school system. Orthodox groups, however, favor the use of vouchers and believe government support to religious schools is acceptable.

A Supreme Court decision in favor of vouchers could jettison vouchers back up to the top of the education policy debate.

But even if vouchers are deemed constitutional, state legislatures will have a final say in whether to allocate money to local voucher programs.

The voucher decision could have a major effect on charitable choice, the expansion of government funding to faith-based groups to provide social services.

The issues are seen as similar because both involve public funding for religious-based programs.

The policy, which had been a top priority in the early months of the Bush administration and is still favored, remains one of the most divisive issues in the Jewish community.

"Charitable choice will turn on this," said Marc Stern, co-director of the American Jewish Congress' legal department.

"If vouchers are upheld, it will be hard to argue that charitable choice is unconstitutional."

Many Jewish groups fear that an expanded partnership between government and faith-based Jewish organizations could break down the constitutional walls separating church and state and infringe on religious liberties.

Orthodox groups favor allowing religious institutions to play a greater role in providing social services.

The high court, often controlled by a 5-4 conservative majority, is closely divided on church-state separation issues.

The justices had several opportunities to rule on the constitutionality of vouchers in the past few years, but chose to sidestep the issue by declining specific cases.

The three cases the court has agreed to hear stem from a Cleveland-based school voucher program that provides tuition to families who want alternatives to public schools.

Agudath Israel of America has argued in numerous legal briefs that as long as funds are provided to parents and not directly to schools, such school choice programs, even

MIDEAST FOCUS

Jewish settlements attacked

Palestinians fired two mortar shells toward Jewish settlements in the Gaza Strip and hurled grenades at two army posts there.

In other violence Sunday night, two explosive devices went off near two army posts in the West Bank. No one was injured.

Israel arrests alleged terrorists

Israeli security officials said they recently arrested 20 terrorists after uncovering an extensive Hamas organization in the West Bank.

The cell's members were trained and instructed directly by Hamas headquarters in Syria and other countries, the officials said.

They added that several members of the terrorist group were involved in suicide attacks carried out in Netanya in April and May in which 8 Israelis were killed and more than 100 wounded.

Sharon fund-raising faces probe

Israel's attorney general, Elyakim Rubinstein, was asked to probe Prime Minister Ariel Sharon's 2001 campaign fund-raising tactics.

The prime minister's son and adviser, Omri, may have violated the law by allegedly receiving more than \$1 million funneled to the Likud Party by a company established by Sharon's lawyer.

Captive Israeli visited in Egypt

An Israeli Cabinet minister visited a convicted Israeli spy Sunday in the Egyptian prison where he is serving a 15-year sentence.

Danny Naveh, a minister without portfolio in Prime Minister Ariel Sharon's government, met Azzam Azzam on Sunday for the second time in five months. Israel denies he was a spy, but Egyptian President Hosni Mubarak has rejected Israeli appeals for his release.

when used for religious schools, do not violate the First Amendment's separation of church and state.

"For far too long, the debate over school vouchers has been dominated by legalistic discussions of constitutional concern," said David Zwiebel, the fervently Orthodox Jewish organization's executive vice president for government and public affairs.

"If the Supreme Court upholds the Cleveland program, as we expect it will, perhaps we'll finally get around to focusing on the really important issue: improving education by expanding parental choice."

In contrast, the Anti-Defamation League and other Jewish groups view vouchers as subsidies that essentially provide government funding of religion.

If vouchers are deemed constitutional it will likely trigger a "new series of programs effectively channeling government funds to religious institutions using the voucher schemes," said Steven Freeman, director of legal affairs for the ADL.

The high court's decision could fall to Justice Sandra Day O'Connor, the expected swing vote in the decision. O'Connor has been somewhat cryptic in her assessment of government aid to religious schools and experts are going to be watching her closely.

Last year, O'Connor seemed somewhat at odds with the decision in *Mitchell vs. Helms*, where the court ruled that government aid to religious schools for items such as computers was acceptable and does not have the effect of advancing religion, since the aid is offered without spending directives and is secular in content.

In its 6-3 ruling, the court rejected the distinction between direct and indirect aid, O'Connor noted in her separate concurrence, and held that the diversion of secular aid by a religious school to the advancement of its religious mission is permissible.

O'Connor wrote that the expansive scope of the decision was "troubling" and she felt that the approval of actual diversion of government aid to religious indoctrination "is in tension with this Court's precedents."

O'Connor also tried to nuance her decision. "In terms of public perception, a government program of direct aid to religious schools based on the number of students attending each school differs meaningfully from the government distributing aid directly to individual students who, in turn, decide to use the aid at the same religious schools," she wrote.

In the Jewish community, some have distinguished between their opposition to vouchers and their support for government money for auxiliary services, such as bus transportation or textbooks. This, they say, is not a diversion of funds from the public school system.

Last year, however, the Jewish Council for Public Affairs voted to return to its position that public funding should only go to public schools.

In 1998, the umbrella organization of community relations councils and national agencies had decided to favor exceptions where the public funds are used for court-approved, nonsectarian benefits.

The significant financial burden faced by many parents of children at Jewish day schools will not be eased if the court decides narrowly and applies the voucher system to assist the needy, though some Chasidic schools would likely benefit, according to Stern of the AJCongress.

Regardless of the decision, many in the Jewish community believe more creative methods of raising money from the private sector will be needed to sustain day schools., which are becoming increasingly popular.

Another case of interest to Jewish groups on the court's docket this term is one that addresses how people with disabilities are accommodated in the workplace.

The court's decision in that case could shed light on how it might deal with cases involving religious accommodation in the workplace.

Jewish groups also are watching several cases that the Supreme Court may yet decide to take. One would examine the constitutionality of a moment of silence and another would further delve into the constitutionality of prayer at a graduation ceremony.

The court could also take up one of several cases challenging race as a factor in college admissions policy, an issue that divides Jewish groups.

Also, some terrorism-related cases could find their way to the high court as a result of the Sept. 11 terror attacks in New York and Washington.

These cases could look at issues of interest to the Jewish community such as racial profiling, search and seizure techniques, wiretapping and detention of suspects. □



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JEWISH WORLD

Omissions from terror list blasted

A former speaker of the U.S. House of Representatives said it is "very disturbing" that Hamas and Hezbollah were left off a list of terrorist organizations whose financial assets were frozen by the Bush administration.

In a letter to U.S. Secretary of State Colin Powell, Newt Gingrich said leaving the two Islamic fundamentalist groups off weakens the move's impact and "undermines the moral cause that the president has outlined so strongly."

Croatian Jews threatened

Two Croatian Jewish communities recently received letters calling on Jews to leave the country or be "cleansed." The letters sent to the communities of Zagreb and Osijek read, "You Jews should know that as Zionists and CIA spies you are not welcome in Croatia, so you should leave."

Similar letters have been sent since the spring, according to a Croatian Jewish writer.

'Little Camp' to get memorial

A memorial at a subcamp of Buchenwald will be dedicated in October. The "Little Camp," yards away from the main concentration camp, was used mostly for Jews and ill inmates.

The U.S. Commission for the Preservation of America's Heritage Abroad, which spearheaded the memorial effort, will help unveil the memorial later this month in Germany. The U.S. Holocaust Memorial Museum recently held a ceremony in Washington in advance of the Buchenwald dedication.

Group to rebuild Yugoslav shul

A foundation to restore the partially ruined synagogue in the town of Subotica, Yugoslavia, was established over the weekend.

The board of the foundation, called SOS Synagogue, includes Jewish representatives as well as local political figures.

Built in 1902, the synagogue is considered one of the most important examples of Hungarian art nouveau architecture.

Film chronicles Auschwitz revolt

A film about what is believed to be the only organized uprising ever attempted by the prisoners at Auschwitz-Birkenau is scheduled for release soon. "The Grey Zone" tells the story of the Oct. 7, 1944 uprising by the Sonderkommandos, Jews who were forced to assist in the extermination of their fellow prisoners in the gas chambers.

The prisoners managed to blow up one of the four crematoria, but the SS quelled the attack, and hundreds of Jews involved were executed.

NEWS ANALYSIS

British diplomatic overture may have hardened Iran's stance

By Tim Pulman

LONDON (JTA) — Britain is being criticized for its diplomatic initiative aimed at wooing Iran into a U.S.-led coalition against terror.

Reacting to Foreign Minister Jack Straw's visit last week to Tehran, one U.S. analyst told British television that it had been "absurd" for Britain to court a "terrorist state."

This view is strongly shared by Israel, which is fearful that the new anti-terrorist coalition would include virulently anti-Israeli countries.

Moreover, Israeli officials — including Prime Minister Ariel Sharon — were incensed after Straw was quoted last week by an Iranian newspaper as saying, "One of the factors which helps breed terrorism is the anger which many people in this region feel at events over the years in Palestine."

Straw's visit — during which, according to some reports, he may have carried a message for Iranian leaders from Washington — was the first made by a British foreign secretary to Iran since that nation's 1979 Islamic Revolution.

But it apparently backfired when, hours after Straw left Tehran, Iran's supreme leader, Ayatollah Ali Khamenei, launched a bitter attack on the American-led anti-terror coalition. "We do not believe America is sincere enough to lead an international move against terrorism," Khamenei said Sept. 26. "America has its hands deep in blood for all the crimes committed by the Zionist regime."

Khamenei spoke two days after U.S. Secretary of State Colin Powell said Iran should halt its support for terrorism if it wanted to be a part of the international anti-terror coalition.

Speaking on British television Sept. 27, U.S. defense strategist Richard Perle said it was "absurd" to court Iran, which he described as a state sponsor of terrorism.

Iran is "part of the problem, not part of the solution," said Perle, who served as an assistant secretary of defense under President Reagan.

"I don't know what Blair was trying to do," Perle added, implying that Straw's visit did not have Washington's blessing.

"I don't think there's anything Iran can do to help us," Perle said. "It's a grave mistake to compromise the moral high ground by inviting terrorists to join with us."

Far from leading to moderation from Iran's leaders, Straw's visit appears only to have bolstered their hard line.

Britain has been eager to be seen as the main U.S. ally in the newly formed coalition, but its eagerness to draw in certain Arab states has raised the hackles of the Israeli leadership. As far as Israel was concerned, the comments Straw made in the Iranian media appeared to indicate a shift in British policy.

In London meanwhile, the ruling Labor Party's Friends of Israel group — which includes a number of members of Parliament — called for an urgent meeting with Straw over the "shift of policy" toward Israel.

A spokesman for the group complained that "it seems Arabists are in full control of the Foreign Office."

There has traditionally been a pro-Arab slant at the Foreign Office ever since British rule in Palestine ended in 1948. Successive British prime ministers have taken a more pro-Israeli line than the Foreign Office has recommended.

Meanwhile, Straw's controversial comment is provoking responses from British Jewish leaders as well.

Last Friday, the vice chairman of Labor Friends of Israel, Jon Mendelsohn, criticized Straw for "bad policy" and insisted that it reflected "Foreign Office attitudes not shared by Mr. Blair." Mendelsohn used to be an aide to Blair.

In another development, the Board of Deputies, the umbrella organization that represents most British Jews, sent a letter to Straw complaining that his remarks had given "credence to anti-Israel and anti-Jewish propaganda."

Jo Wagerman, the board's president, wrote: "It is difficult for me to underline sufficiently the damaging consequences of such statements within the context of British Jewry." □

NEWS ANALYSIS

**Cease-fire hangs by a thread,
with each side doubting other***By Gil Sedan*

JERUSALEM (JTA) — It's not much of a cease-fire, but it's all that the Israelis and Palestinians have.

Even when Foreign Minister Shimon Peres and Palestinian Authority President Yasser Arafat met last week at the Gaza airport to discuss a series of steps aimed at bolstering the truce, heavy exchanges of gunfire could be heard nearby.

And after the two announced the steps each side would take following their Sept. 26 meeting, the situation escalated.

Within days, the Palestinians took to the streets to mark the first anniversary of their ongoing uprising.

On Sunday, Israeli troops clashed with Palestinian gunmen and rock-throwers in the West Bank and Gaza Strip for a fourth day in a row.

During the day's clashes, at least two Palestinians were killed, leaving at least 17 Palestinians killed since the two sides agreed last week to bolster the cease-fire.

Israeli officials, who say the Palestinian victims were involved in attacks on Israel's soldiers, are now questioning whether Arafat was genuine about a cease-fire.

As far as his negotiating partner, Peres, is concerned, the problem is not with Arafat, but with the continued anger of the Palestinian people.

"The conflict is not with Arafat personally," Peres said. "It is a conflict between two peoples."

Roni Shaked, the Palestinian affairs analyst for the Israeli daily Yediot Achronot, agrees with Peres' analysis.

"The Palestinian street wants riots," he said. "There is a gap between what Arafat wants at this stage and what the Palestinian public wants."

According to Shaked, Arafat is trying to maneuver between the demands of Palestinian radicals and U.S. pressure for a halt to the Israeli-Palestinian conflict.

Washington views such a halt as necessary if it is to line up Arab support for the international anti-terror coalition it wants to create following the Sept. 11 terror attacks against the World Trade Center and Pentagon.

Even if Arafat genuinely wants to enforce the cease-fire, it is now much more difficult for him to do so than it was prior to the outbreak of the intifada, because power is now divided between him and the Palestinian militias.

Moreover, the job of enforcement will be difficult because of the widespread support the intifada still has among the Palestinian public.

According to a recent poll, 85 percent of Palestinians want the uprising to continue.

Despite such sobering statistics, Peres is asking for patience.

"There are no more suicide bombers, and there is a considerable drop in violence" since he met last week with Arafat, Peres said.

He also drew a line between those, like the Islamic fundamentalist Hamas and Islamic Jihad movements, who "want to annihilate Israel" and "the Palestinians who want dialogue."

According to Peres, Arafat belongs to the second group.

Peres may be correct about Arafat, but with officials from Hamas, Islamic Jihad and the Palestinian militias vowing to

continue fighting Israel, it may not make much difference where the already shaky cease-fire is concerned.

This became clear Monday, when a car bomb exploded in the Talpiot neighborhood of Jerusalem.

No one was injured in the attack — for which Islamic Jihad claimed responsibility — but had there been fatalities, the bombing could have put a quick end to the cease-fire.

The difficulty of enforcing the truce was made clear in the Rafah region in southern Gaza, the site of continued clashes between Israeli troops and Palestinian gunmen.

In recent days, Arafat dispatched a force of several hundred Palestinian policemen to the area to try to restore peace.

But, he told Peres in a late-night telephone conversation, the police were encountering fire from Palestinians militias in the region that were refusing to lay down their arms.

Hours before the Peres-Arafat meeting last week, Palestinian militants detonated a large bomb beneath an Israeli base near the Rafah crossing that separates Gaza and Egypt.

For weeks before the attack, Palestinians had dug a tunnel from the town of Rafah to a point underneath the base.

As it was, only three Israeli soldiers were lightly injured when a wall collapsed on them.

The attack could have ended with scores of Israeli soldiers dead — and the end of the cease-fire even before it began.

Instead, Israeli and Palestinian officials are now trading blame for the continued violence.

Arafat said Sunday that Israel was guilty of a "deliberate escalation."

Prime Minister Ariel Sharon's spokesman, Ra'anana Gissin, said Arafat was taking "no real action" to enforce the cease-fire.

The Israeli army says Palestinians have carried out more than 100 gun, grenade and mortar attacks since the truce was reached.

Most Israeli analysts are saying that the fate of the cease-fire depends on Arafat and the Palestinian commanders in the field.

However, some Israelis, including Peres himself, suggest that perhaps the Israel Defense Force is not doing enough to decrease the violence.

A fatal incident Sunday morning provided such critics with a case in point.

A Palestinian taxi carrying Palestinian workers on their way to Israel approached an army roadblock in the West Bank. When the driver failed to halt at the soldiers' command, the soldiers fired at the cab, killing two workers, wounding six.

"What do you call this?" asked Ha'aretz commentator Gideon Levy.

"Is this not a violation of the cease-fire? Is this not terror?"

In a mirror version of the debate among Israelis regarding Arafat's intentions, Palestinian officials are charging that Israeli leaders, including Sharon, want to jeopardize the cease-fire agreement.

Meanwhile, on the other side of the divide, Peres suggested over the weekend that Arafat be given more time to live up to the truce.

On Sunday, Israel's Inner Cabinet decided to give Arafat at least another 48 hours. The ministers also decided Sunday to lift a blockade of the West Bank city of Jericho and open the border crossing at Rafah.

Despite these moves, the mood among top Israeli officials was one of deep skepticism.

"One suicide bomber, and it's all over," an official in the Foreign Ministry said. □