

IN THE NEWS

Israeli crackdown hits deep into Gaza

The Palestinian death toll from an Israeli military crackdown on rocket crews in the Gaza Strip passed 50.

At least 24 Palestinians, most of them armed, were killed by Israeli airstrikes and troops in the Jabalya refugee camp and in surrounding Gaza areas over the weekend. [Story, pg. 3]

Christians pray for Israel on Sukkot

The Rev. Pat Robertson led some 4,000 Christian pilgrims in prayer in Jerusalem, vowing to stand by Israel.

The first Sunday of every October will from now on be an annual day of Christian prayer in Jerusalem, it was announced at the event.

"On behalf of millions of Christian evangelicals around the world to the people of Israel, we are with you in your struggle," Robertson said.

He also took a stand against anti-Semitism.

The Christians, representing 80 countries around the world, have come to Israel as part of an annual gathering coinciding with Sukkot sponsored by the International Christian Embassy.

Israel to lodge protest at U.N.

Israel is planning to protest what it says is the use by Palestinian terrorists of a U.N. ambulance to transport rockets.

Israel's ambassador to the United Nations, Dan Gillerman, is expected to lodge a protest about the alleged incident this week to the U.N. secretary-general, Kofi Annan.

Gillerman told Israeli Army Radio over the weekend that the United Nations should set up a commission to look into the matter.

He also implicated Peter Hansen, the director of UNRWA, the U.N. agency that deals with Palestinian refugees, in the matter. UNRWA denied Israel's allegations.

WORLD REPORT

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U.S. Supreme Court likely to tackle issues involving church and state

By MATTHEW E. BERGER

WASHINGTON (JTA)—The U.S. Supreme Court may tackle questions regarding the legal rights of religious prisoners this session, as well as whether the public display of the Ten Commandments violates the separation of church and state.

In what may be the last year of the current makeup of the court, legal experts at several American Jewish organizations are expecting the court to again debate the balance between allowing free expression of religion and preventing governmental establishment of religion.

The court did not announce its schedule for the year until Monday, when it officially opens.

But the fact that lower courts have had contradictory rulings on religious issues increases the chances that they will be heard by the high court.

"The circuits are all over the place," said Jeffrey Sinensky, general counsel for the American Jewish Committee. "When you have a break in the case, it's more likely the court will take it."

The most-watched case in the Jewish community challenges the constitutionality of the Religious Land Use and Institutionalized Persons Act of 2000.

The bill, passed in 2000, requires a compelling governmental interest to prevent religious groups from using land or to prevent free practice of religion by the imprisoned.

It is a more closely tailored version of the Religious Freedom Restoration Act, which the Supreme Court struck down in 1997, claiming Congress did not have the authority to enact such a law infringing on states' rights.

Jewish groups were instrumental in lobbying for Congress to pass both acts.

The Religious Land Use law "is a shield against religious discrimination," said Michael Lieberman, general counsel for the Anti-Defamation League. "It will be important for the court to uphold it."

The case before the court centers around Ira Madison, a Virginia prison inmate who was denied the right to be served kosher food.

Lower courts questioned the sincerity of Madison's claim that he was a member of the "Hebrew Israelites" and suggested that by granting special provisions to the religious, government was encouraging prisoners to become religious.

Jewish groups counter, however, that religious practices should be tolerated unless there is an express, compelling governmental interest in denying them.

Also being watched this year are four cases regarding the public display of religious symbols, including the Ten Commandments, any of which could be taken to the high court.

"There's not much new in the way of law to be made in these cases," said Marc Stern, counsel for the American Jewish Congress. "These are symbolic cases."

The court has a strong record against stand-alone images of religion in the public square, such as the Ten Commandments or nativity scenes.

One of the best-known cases the court could hear this year revolves around Roy Moore, the former chief justice of the Alabama Supreme Court, who was ousted last year because he would not remove a monu-

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BEHIND
THE
HEADLINES

■ Church-state issues could be in play at the Supreme Court

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ment to the Ten Commandments from his courthouse.

However, his case focuses on the legality of his removal from the bench.

Other cases the court could decide to hear focus on the express display of the Ten Commandments. It is unclear whether the court will take the Moore case, or other cases, because the justices are divided on the issue.

■

While Jewish groups have closely watched the Ten Commandments cases, concerned about the display of religious items and the separation of church and state, they have not focused much energy on the issue.

Like the question of the phrase "under God" in the Pledge of Allegiance, some Jewish legal authorities have determined the erection of Judeo-Christian symbols is not a grave offense.

"If it comes up, we will be there urging the unconstitutionality of many or all of these symbols," Stern said. "Is it our druthers about what we should be fighting about in 2004? Not really."

Orthodox groups would likely oppose striking down displays of the Ten Commandments if it meant public displays of menorahs and other Jewish symbols would also be forbidden, say officials at Orthodox groups.

Jewish groups are also watching to see if the court takes any additional cases on the restitution of money and property of Holocaust survivors.

The court ruled in June that foreign

governments can be sued in U.S. courts over looted art, stolen property and war crimes from the Holocaust era.

Some analysts are hoping the court this season will hear cases on the constitutionality of some of President Bush's faith-based initiatives, but others believe it may take more time for the challenges to reach the high court.

Specifically, some Jewish groups believe the programs challenge the separation of church and state because of the potential for proselytizing at government-funded religious social service programs, and because these programs could discriminate against the hiring of people of other faiths.

■

Much of the court's work this year could be mired in the politics of the day.

It is also significant that the court is expected to see a change in justices by the end of the term.

The nine members of the court have served together for 10 years, a stretch not seen since the 1820s, and several aging justices have reportedly been mulling retirement. Many court analysts were surprised when no justice retired at the end of the 2003 session.

With vacancies come the opportunity for the next president to choose justices who might tip the balance of the court in either direction.

The court has often sided, by narrow margins, against the majority Jewish opinion on matters of church and state. It found the use of vouchers for private or parochial school education legal, and approved the use of government-funded instructional material for such schools.

But it has drawn a line in the sand. It found prayers at school-sponsored graduation ceremonies and football games to be

unconstitutional.

It also slowly moved with the social climate of the time, supporting some types of affirmative action and decriminalizing sodomy. Recently, it has also curtailed at times the administration's assertion of broadly unfettered executive power in fighting the war on terrorism.

"This court has been less than receptive to challenges we've brought," Sinsensky said. "We're looking for justices that would look with a closer eye toward bolstering the concerns we have on how the establishment clause has been interpreted."

Lieberman, of the ADL, added that because of the political split within the current court, many of the arguments Jewish groups and other civil rights organizations have made were based on swaying one or two moderate court members, rather than the whole panel.

Any changes on the court could affect rulings on a wide range of issues that have been decided in recent years by narrow majorities.

Several significant cases of interest to the Jewish community are in the pipeline and could come before a new court in the next few years.

They include cases on the legality of so-called partial-birth abortion, gay marriage and federal criminal sentencing guidelines.

The future makeup of the court has become an issue this political season beyond the presidential race.

President Bush has had problems pushing through his federal court nominees, and any new justices, selected by the next president, would likely face a tough challenge for Senate confirmation, if the Senate remains as closely divided as it is today.

Potential vacancies on the court would allow the next president to choose justices who could tip the balance.

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Palestinian economy up in 2003

JERUSALEM (JTA) — The Palestinian economy grew by 4.5 percent last year.

But the Palestinian economy is still far from what it was before the intifada broke out in the fall of 2000, U.N. officials said.

"The fact that there was growth in 2003

is really a matter of bottoming out, not a rebound," U.N. official Raja Khalidi told The Associated Press.

The statistics were released as part of the U.N.'s annual report on the economic impact of the Israeli-Palestinian conflict. ■

Gaza incursion strikes terrorists before pullout

By DAN BARON

TEL AVIV (JTA) — Yom Kippur may have passed, but the Days of Reckoning between Israel and the Palestinians over the fate of the Gaza Strip are far from over.

The punitive overtones of the code name given to Israel's deepest military thrust into Gaza in four years of conflict are no accident.

Ordered after a Hamas-fired Kassam rocket killed two infants in an Israeli border town Sept. 29, the mission's stated aim is to deter the terrorists from escalating violence ahead of the Gaza withdrawal slated for next year.

"There will be no 'Kassam party' after the pullout," Prime Minister Ariel Sha-

ron told the Ma'ariv daily newspaper on Sunday.

With more than 50 Palestinians dead in Gaza — most of them combatants — Yasser Arafat's government issued repeated appeals for foreign intervention.

But there was little serious response as the spiraling violence in Iraq and impending U.S. elections dominated headlines.

International media also noted the grim incident that provoked the operation — two Ethiopian-born toddlers killed by a rocket as they played on the streets of the hard-scrabble town of Sderot on Sukkot eve.

"One feels a general understanding that this operation was retaliatory, and the story is pretty much consigned to the back pages" of European newspapers, Zvi Heifetz, Israel's ambassador to the United Kingdom, told Army Radio.

Israeli security sources voiced satisfaction at the tactical achievements of an operation that saw a 5-mile-wide swath of northern Gaza reoccupied by troops — although two soldiers and a female settler were killed at the same time in separate Palestinian attacks nearby.

The fiercest fighting was in Jabalya, a refugee camp of 100,000 inhabitants that Israeli forces had previously avoided out of concern that the camp's alleyways would put soldiers at a disadvantage.

Relying on precision air strikes, Israel managed to kill several rocket crews in Jabalya with little damage to the surround-

ing area. One guided missile felled two Hamas terrorists as they sped through Jabalya on a motorbike.

"We hope this will give the Palestinians a taste of the sort of military technology we can bring to bear, if needed, even after the disengagement," a security source said, referring to the planned pullout from Gaza and four West Bank settlements in 2005.

Signaling the efficacy of the crackdown, Hamas offered Israel a "truce," in which it would halt Kassam launches if troops were withdrawn from Palestinian areas.

The proposal was rejected out of hand by Jerusalem, consistent with its long-held policy of not negotiating with

terrorists.

But Sharon, who is still fighting right-wing Israeli ire at the disengagement plan — even from partners in his own coalition — is under pressure to prove that Palestinian terrorists can be quelled long before the first soldier or settler leaves Gaza.

Last week, Finance Minister Benjamin Netanyahu, a longtime Sharon rival, said the disengagement could be derailed if there is a catastrophe such as a major terrorist strike or Israeli infighting at the prospect of seeing over 8,000 settlers uprooted from their homes.

But Sharon remained defiant. "Evacuating the Gaza Strip is a plan that will be carried out and all orders have been given to ensure that there will be no fire at the time of the evacuation and I believe not after that either," he told Army Radio. ■

'There will be no Kassam party after the pullout.'

Ariel Sharon
Israeli Prime Minister

THIS WEEK

MONDAY

■ The U.S. Supreme Court opens its session. The court is expected to review the constitutionality of legislation requiring a compelling governmental interest to prevent religious groups from using land or to prevent free practice of religion by the imprisoned. Similar legislation was rejected by the court in 1997, and Jewish groups have been advocating for the new provisions. The court may also look into the public display of the Ten Commandments.

TUESDAY

■ Vice President Dick Cheney will debate the man who wants his job, Sen. John Edwards (D-N.C.), in Cleveland. Middle East policy issues are likely to be broached. President Bush and Sen. John Kerry (D-Mass.) will debate in a town-hall format Friday.

■ Madeleine Albright, the former Secretary of State, addresses the influential Middle East Institute's annual conference in Washington. Albright has led criticism of President Bush's Middle East peace efforts. She's likely to sharpen her attacks a month ahead of the election.

■ A sukkah dedication ceremony will take place in the courtyard of the Pentagon in Washington. The sukkah was donated by a Washington-area congregation.

■ Lt. Col. Mitchell Ackerson, the top Jewish chaplain in Iraq and Afghanistan this past year, speaks to a Washington-area Jewish audience.

THURSDAY

■ The Middle East Institute hosts "Jerusalem Women Speak" in Washington. The group operates a tour bringing the views of Jewish, Muslim and Christian peace activists to audiences around the world.

Alleged Mossad spies released

SYDNEY, Australia (JTA) — Two alleged Mossad spies, jailed in New Zealand in July, have been released from prison and deported.

Eli Cara and Uri Kelman were freed after serving two months of six-month sentences for fraudulently attempting to obtain a New Zealand passport. They were released early for good behavior.

Cara and Kelman were released from Mt. Eden prison just before dawn on Sept. 29 and turned over to waiting New Zealand immigration officials.

They were then sent home to Israel.

The case has heightened diplomatic tensions between Israel and New Zealand, with New Zealand's prime minister, Helen Clark, imposing visa restrictions on visiting Israeli diplomats and banning communication with Israel's honorary consul.

New Zealand has further demanded an apology from Israel for the flap involving the two men, who Clark has described as "intelligence agents."

Both of the men have appealed their convictions. ■

NEWS IN BRIEF

WORLD

Controversial nun beatified

The Catholic Church beatified a 19th-century German nun who inspired Mel Gibson in making "The Passion."

After the death of Anna Katharina Emmerick in 1824, grisly visions of the torturing of Jesus were attributed to her in a book, "The Dolorous Passion of Our Lord Jesus Christ."

According to a 1976 biography, Emmerick described one vision of an "old Jewess" who admitted "that Jews in our country and elsewhere strangled Christian children and used their blood for all sorts of suspicious and diabolical practices."

Emmerick was honored for her virtuous life and the visions had nothing to do with the honor.

But the Anti-Defamation League, which accused "The Passion" of fostering anti-Semitism, expressed "deep distress" and said the beatification could "harm Christian-Jewish relations."

Beatification is the last step before Catholic sainthood. Emmerick was one of five people beatified by the pope on Sunday.

Hungarian-born Jew honored

A man who helped Hungarian Jews get compensation from the Claims Conference was recently honored by Hungary's president.

Hungarian-born Moshe Sanbar received the highest order of merit from Hungary's president, Ferenc Madl.

Sanbar moved to Israel in 1948. Sanbar was also honored for activity in rebuilding Hungarian-Israeli political and economic ties following the fall of communism in Hungary.

Sanbar, who is currently the president of the board of directors of the Claims Conference, is a Holocaust survivor whose whole family was deported by the Hungarians and killed during the Holocaust.

British official worried about anti-Semitism

A British Cabinet minister told British Jewish leaders of his concern over reports of a steep rise in anti-Semitism.

In a meeting with the Board of Deputies, the representative body of British Jews, British Home Secretary David Blunkett said it is important for all such incidents to be reported.

He added that his department was investigating ways to combat incitement by exploring the possibility of outlawing hate material on the Internet.

The talks followed the submission of evidence by the board and the Community Security Trust, a body dedicated to the protection of U.K. Jewry, to a parliamentary inquiry into terrorism and community relations.

While emphasizing that ordinary Muslims should not be stigmatized by the actions of a few extremists, the delegation expressed concerns over an ambiguous view held by some Muslim groups in regard to terrorism.

MIDDLE EAST

Too little, too late

Israel rejected a Hamas "truce" offer.

The Islamic terrorist group said over the weekend it would halt rocket attacks from the Gaza Strip, such as one that killed two toddlers in the southern Israeli town of Sderot last week, if Israel pulls back troops from Palestinian areas.

The proposal, made as Israeli troops reoccupied much of northern Gaza in what security chiefs called a successful crackdown on rocket crews, was rejected by Jerusalem.

Israel is No. 3

Israel was ranked third among 25 emerging markets in an economic survey.

The Jewish state's gross domestic product per capita is third, trailing only Hong Kong and Singapore, according to The Economist magazine.

Israel's per capita GDP is almost \$20,000, the magazine said.

Champion of Sephardim dies at 64

Shaul Amor, an Israeli politician who was a champion of Sephardi immigrants in the Jewish state, died Saturday at 64.

Amor was the mayor of the Israeli city of Migdal Ha'emek for 20 years, was a member of the Israeli Knesset for three sessions and served as a minister without portfolio when Benjamin Netanyahu was prime minister.

Oz wins German prize

Israeli writer Amos Oz won a German literary prize. Oz, 65, a perpetual Nobel nominee, won the Welt prize awarded by the daily Die Welt newspaper, the jury said last Friday.

Oz won the prize for his entire oeuvre, but the jury especially cited his most recent work, "A Tale of Love and Darkness," believed by critics to be his most autobiographical work.

Prostitutes posing as immigrants?

Israeli police suspect a Ukrainian crime ring of smuggling prostitutes into Israel by arranging bogus Jewish immigration papers for them.

Forty people, including 20 women of foreign origin, are in custody in Israel on suspicion of defrauding the government and receiving immigrant subsidies worth tens of millions of shekels, police said Sept. 27.

The women, many of whom now work as prostitutes, are believed to have been dispatched by Ukrainian criminals who forged Jewish identity papers or arranged fictitious marriages for them with Ukrainian Jews, who then moved to Israel.

Ad nauseam

An Israeli dating agency's ad campaign drew protests from feminists.

"Wife pushing 50? Dump the old lady and get yourself a young Russian!" reads the roadside poster put up this month in Ramat Gan by the New Page agency, whose answering machine carries similar slogans.

Israeli feminists, who have long deplored domestic violence and a local sex industry that sees heavy trafficking in foreign women, cried foul.

"This is cheap titillation which, in the short term, harms women's status but in the long term could lead to domestic violence," an official with the Women's Lobby told the Yediot Achronot newspaper on Sept. 27.

NORTH AMERICA

Poll: Israeli issues less of a concern

Fewer Americans see the Israeli-Arab conflict as a threat to U.S. interests, a new poll says.

Some 39 percent of people surveyed by the Chicago Council on Foreign Relations in a poll released last week see the conflict as a threat, a drop of 24 percent from a similar survey in 2002.

Some 64 percent of respondents said the United States should try to be evenhanded in its approach to Israel and the Palestinians.

In a separate question, 17 percent of those surveyed said the United States should take Israel's side in the conflict; 74 percent said the United States should not take a side.

The poll of 1,195 people was taken between July 6 and July 12.