

IN THE NEWS
Pullout bill fails in Knesset

Israel's Knesset voted down last-ditch legislation aimed at postponing the Gaza Strip pullout.

Three bills submitted by right-wing factions were rejected Wednesday by votes of 69 against and between 40 to 43 in favor.

Political analysts said the likelihood of further Knesset moves against the withdrawal from Gaza and the northern West Bank, slated for next month, was next to nil.

U.S. to push for restitution

Countries seeking to join the European Union and NATO must compensate Nazi victims, a U.S. official said.

The United States will urge countries seeking membership in the groups to acknowledge their roles in the Holocaust and provide restitution for survivors and their heirs, Nicholas Burns, a U.S. undersecretary of state, told the Claims Conference Wednesday at its annual board meeting in New York, according to a spokeswoman for the group.

Legislators move to bar bank from U.S.

U.S. lawmakers introduced legislation that would bar the Arab Bank from operating in the United States.

Reps. Shelley Berkley (D-Nev.), Joseph Crowley (D-N.Y.), Carolyn Maloney (D-N.Y.), and Anthony Weiner (D-N.Y.) came together to announce the legislation Wednesday, citing a slew of terror-related lawsuits and a series of related investigations.

The Jordanian bank has been accused of helping terrorist groups funnel donations and other money toward terror-related activities in the United States and abroad.

The legislation would force the closure of the bank's New York office, hold its funds for distribution to terror victims, and require the Treasury Department to issue a public report on its investigation into the bank's ties to terrorist activities.

WORLD REPORT

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Jewish groups watching, waiting to see where Bush nominee stands

By MATTHEW E. BERGER

WASHINGTON (JTA) — The nomination of Judge John Roberts to the U.S. Supreme Court may motivate some liberal American Jewish organizations to work against his confirmation, but it will take time for many to determine where Roberts stands on issues such as reproductive rights and the separation of church and state.

President Bush nominated Roberts, a judge on the District of Columbia Circuit Court of Appeals, as a Supreme Court associate justice Tuesday night, saying he "has earned the respect of people from both political parties."

"He has profound respect for the rule of law and for the liberties guaranteed to every citizen," Bush said in a prime-time announcement. "He will strictly apply the Constitution and laws, not legislate from the bench."

While much attention will focus on Roberts' views on abortion, his confirmation also could have a profound effect on church-state issues.

Marc Stern, the general counsel for the American Jewish Congress, said Roberts' writings suggest that coercion is the necessary standard to show a violation of the First Amendment prohibition on government establishment of religion.

If that is indeed the case, Stern said, Roberts likely would vote to allow prayer in public schools and the public display of the Ten Commandments.

"But there are a lot of leaps there," Stern said.

Roberts, 50, is seen as more conservative than several other potential nominees whose

names were floated in recent weeks, including U.S. Attorney General Alberto Gonzales.

At the same time, however, he arrives without a long judicial track record and is not a legal scholar with a hefty body of published work.

Therefore, analysts say, it's hard to gauge whether he will be a strict conservative jurist or move toward the center.

Roberts — who once clerked for Chief Justice William Rehnquist when Rehnquist was an associate justice on the Supreme Court — worked as deputy solicitor general from 1989 to 1993, in the administration of President George H. W. Bush. At the time, he advocated for the overturn of *Roe v. Wade*, the landmark ruling legalizing abortion.

In 1991, Roberts co-authored a brief for the government in *Lee v. Weisman* that supported prayer at public-school graduation ceremonies.

The Supreme Court ruled against the government in that case, outlawing graduation prayer. The court's position was backed by a large number of American Jewish groups but was opposed by several Orthodox organizations.

It's unclear whether those positions represent Roberts' personal views or those of his client at the time, the federal government. But those views are expected to frustrate liberal Jewish groups, who sought a moderate nominee in line with Justice Sandra Day O'Connor, whom Roberts would replace if confirmed.

The National Council of Jewish Women already has announced that it will oppose Roberts' nomination because of his osten-

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**BEHIND
THE
HEADLINES**

■ Jewish groups assess Judge Roberts

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sible views on abortion. The group also opposed Roberts' 2003 nomination to the appeals court.

"We felt his record showed him as someone who failed to defend constitutional rights, including reproductive rights," NCJW President Phyllis Snyder said.

But others want to wait, unsure where Roberts stands. Some suggest that Roberts' boss at the solicitor general's office, Kenneth Starr, may have heavily influenced his writings there.

"It requires a little bit more research to determine whether he was being a lawyer in those cases or to what extent he played a lead role in shaping what the positions were," said David Saperstein, the director of the Religious Action Center for Reform Judaism.

Saperstein, whose group advocates for abortion rights and strict separation of church and state, said Roberts' writings clearly are at odds with the views of a majority of the American Jewish community.

Many Orthodox Jews, however, take a politically more conservative view on separation of church and state and other contentious issues.

Abba Cohen, the Washington director and counsel of the fervently Orthodox Agudath Israel of America, said his organization generally doesn't endorse or oppose nominees but may be forced to publicly back Roberts if he faces ideological attacks.

"To the extent this becomes a largely ideological debate, that may be a factor for us when we decide how involved we will

get in the process itself," Cohen said.

Several other Jewish groups also have expressed a desire not to weigh in unless the candidate is considered extreme. Groups like the American Jewish Committee and the Anti-Defamation League are expected to vet the candidate, but not to take a formal position on his nomination.

Roberts' record would have to rise to the level of concern that those groups had with Robert Bork, a staunchly conservative Supreme Court nominee in 1987, sources told JTA, and there is little to warrant that yet.

Marshall Breger, a professor at Catholic University of America's Columbus School of Law, said Jewish groups should not approach the debate from a political perspective.

"There are a lot of interest groups that have no choice but to throw down the gauntlet and go to battle," said Breger, who served as the White House liaison to the Jewish community during the Reagan administration.

"But it would be a denial of their past" for Jewish groups to "now approach this nomination from a political perspective," he said.

The Republican Jewish Coalition noted that Roberts received support from prominent Jewish Democratic lawyers, including the former White House counsel Lloyd Cutler and the former solicitor general Seth Waxman, when he was nominated for the circuit court in 2003.

The National Jewish Democratic Council circulated an e-mail Tuesday, authored by the Harvard Law School professor Alan Dershowitz, suggesting that Jews' status as a religious minority could be threatened if Bush names a conservative jurist.

Roberts was part of the Bush campaign's legal team during the Florida presidential recount in 2000.

Numerous interfaith groups asked Bush earlier this month to consult Democrats before making his selection. Bush said Tuesday that he met with more than 70 senators before choosing Roberts.

"He clearly had a number of conversa-

tions with members of the Senate, which is good," said Saperstein, whose group organized the interfaith letter. "To what extent he actually

aimed at getting consensus, we shall see."

It's not clear yet how Roberts would change the high court, analysts said. If he becomes a reliable conservative vote, numerous cases that hinged on O'Connor's mod-

erate voice could be altered.

Nathan Lewin, a prominent Orthodox lawyer, said he believed Roberts would be a strong supporter of religious liberty and could move the court further toward placing a higher value on religious activity, compared to other interests.

"I think he is more receptive to religious liberties than other people that might have been appointed," Lewin said.

Analysts said much will hinge on Roberts' view of "stare decisis," the principle of following precedent decisions. If Roberts believes jurists should not revisit issues that already have been decided, the church-state cases that already are law may stand.

"The first question is, does he start from ground zero or does he respect where the court is?" AJCongress' Stern said.

Roberts hinted in his 2003 confirmation hearings that he would support existing precedents.

"There's no role for advocacy with respect to personal beliefs or views on the part of a judge," he said. "The judge is bound to follow the Supreme Court precedent, whether he agrees with it or disagrees with it, and bound to apply the rule of law in cases whether there's applicable Supreme Court precedent or not. Personal views, personal ideology, those have no role to play whatever."

Barring unforeseen developments, analysts largely believe Roberts will be confirmed. Bush wants Roberts confirmed before the court reconvenes in October.

Sen. Joseph Lieberman (D-Conn.) said last week that he viewed Roberts as "in the ballpark" of confirmable nominees.

The Senate Judiciary Committee, led by Sen. Arlen Specter (R-Pa.), is expected to begin hearings later this summer. ■

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Falash Mura aliyah moving slowly

By RACHEL POMERANCE

NEW YORK (JTA) — The fingers may be pointing in different directions, but they signal the same thing — a delay in hastening Ethiopian Jewish immigration to Israel.

The Israeli government has yet to meet its goal of doubling the immigration rate this summer of Falash Mura, Ethiopians who have returned to Judaism after their ancestors converted to Christianity.

The operation, which insiders say should begin in the fall, has the full support of Prime Minister Ariel Sharon, who earlier this year called for doubling Falash Mura immigration to 600 a month, with the aim of bringing the roughly 20,000-strong population to Israel in two-and-a-half years.

But sources close to the process say key legislators have stonewalled the relocation effort, failing to complete the inspection of eligible immigrants, make a deal with the Ethiopian government, or draw up a budget.

"The holdup is due to conscious or unconscious inefficiency in the Ministry of Interior," said Stephen Hoffman, the president of the Jewish Community Federation of Cleveland and a past president of the United Jewish Communities, the umbrella group of the North American Jewish federation system.

"The government has been reluctant to do this altogether, and it's only because the prime minister is so clear in his belief that it's the right thing to do that it's moving forward," Hoffman said.

The Falash Mura have found champions in the UJC and its overseas partner, the Jewish Agency for Israel, which runs Zionist-education programs worldwide and handles immigration and absorption in Israel.

The UJC's board of trustees voted last month to raise \$160 million over three years for Falash Mura aliyah and the continued integration of Ethiopians already in Israel.

Some board members expressed concern about raising the money, but the group committed to make its "best efforts" to fund the project.

The Israeli government is estimating

that it will cost some \$700 million to absorb the new immigrants.

While the Jewish Agency is planning for 20,000 new immigrants, the Interior Ministry anticipates only 13,000.

"There is an argument between the government and the Jewish Agency," said Gilad Heimann, the media adviser to Interior Minister Ophir Pines-Paz, who heads the interministerial committee on the Falash Mura.

Heimann told JTA that thousands of Falash Mura have already made aliyah, which accounts for the discrepancy between the two numbers.

In any case, Heimann said, the current delay stems from an Ethiopian government request to postpone the plan because of unrest surrounding local elections in May.

"The situation there is unstable, and they asked us to wait. We don't have any choice but to do what they asked us to do, because without their cooperation we can do nothing," Heimann said.

Joseph Feit, a past president of the North American Conference on Ethiopian Jewry, rejected that rationale.

"If after six months Ethiopia has yet to receive Israel's written proposal, how can Ethiopia reasonably be blamed?" he said.

Heimann said Pines-Paz is scheduled to go to Ethiopia on Aug. 8. He will be joined by representatives from the Immigration and Absorption Ministry and the Jewish Agency to sign a deal with the Ethiopian government to double the rate of Falash Mura immigration.

Heimann was optimistic that immigration would speed up beginning in September. With more than 2,000 Falash Mura already cleared for relocation, the process is ready to begin. The funding needed for the project in 2005 isn't substantial, he says.

But Mike Rosenberg, the Jewish Agency's director general for immigration and absorption, thinks it won't be so simple.

For example, checking immigrants' eligibility is a painstaking process, he said.

"You're talking about a country that has no documents, and these people have to prove that they are who they say they are," Rosenberg said. That requires formal interviews with friends and neighbors of a prospective immigrant family.

Additionally, "most of the ministers in the gov-

ernment are pretty much opposed to this," he said, since they suspect there will be no end to the number of Ethiopians who want to move to Israel.

Many ministers also feel that the federation system and the North American Conference on Ethiopian Jewry have burdened Israel with a tremendous task and aren't raising enough funds for the effort, he said.

If the action of UJC's leadership is any indication, Israel might not have to worry.

The UJC chairman, Robert Goldberg of Cleveland, is matching his annual campaign gift of \$900,000 with a donation of equal size to the Falash Mura operation, and he is asking others to do so as well.

Goldberg said the UJC is just beginning to roll out fund-raising plans for the program but that he has faith in Israel's ability to follow through.

If Israel needs time to get "all the ministries onboard, then great. But the prime minister is committed" to bringing the Falash Mura to Israel, he said.

The UJC leaders were in Israel for the Jewish Agency's board of governors meetings last month with Sharon, who described how the Falash Mura operation would finish the job begun by earlier mass Ethiopian immigrations, Goldberg said.

"As long as the prime minister is out front on this and is a primary mover — and the federations feel it's something important — we're more than happy to support the prime minister," he said. ■

'If after six months Ethiopia has yet to receive Israel's written proposal, how can Ethiopia reasonably be blamed?'

Joseph Feit

Past president of North American Conference on Ethiopian Jewry

**FOCUS
ON
ISSUES**

NEWS IN BRIEF

WORLD

Security Council to discuss fence

The U.N. Security Council scheduled a debate on Israel's West Bank security fence.

Pressed by the Palestinian Authority and the Arab League, the Security Council agreed to discuss the controversial project Thursday.

London bomb victim buried

An Israeli killed in the London terror bombings was laid to rest in Jerusalem. Anat Rosenberg was aboard a bus blown up by a suicide bomber in the British capital on July 7.

Israeli Prime Minister Ariel Sharon sent a condolence letter to Rosenberg's parents, which was read out loud at the ceremony.

Rosenberg, 39, moved to London eight years ago to study ballet.

Relatives said she avoided visiting Israel for fear of Palestinian suicide bombers.

Ukrainian shuls vandalized

Two synagogues were vandalized Tuesday in the Ukrainian city Dnepropetrovsk.

Anti-Semitic graffiti was painted on the walls of the Small and Central Synagogues and on a building next to one of the shuls.

Bulgarian Jews lose case

Bulgaria's top civil appeals court rejected the Jewish community's claim to land on which a downtown Sofia hotel now stands.

The news agency Novinite reported the Supreme Cassation Court had ruled against Shalom, a Bulgarian Jewish communal organization, which had sought compensation or joint ownership of the Rila Hotel.

The hotel, worth an estimated \$34 million, was built on land where a Jewish school stood before World War II.

A Bulgarian court ruled in 1992 that Shalom was the legal owner of nearly 50 percent of the property, and it ordered that portion of the hotel's property to be returned. Shalom never received the compensation, however, and in 2000 the hotel was privatized.

New Holocaust studies institute in Germany

Touro College Berlin announced plans to open a Holocaust studies program at the end of the year.

Bernard Lander, the founder and director of the New York-based Touro College, said Monday that the Institute for Communication about the Holocaust and Tolerance would stress archival and on-site research and would offer programs to the community at large.

NORTH AMERICA

Conservatives seek 'sunshiny day'

The Conservative movement expressed concern about a proposed two-month extension of Daylight Savings Time.

In a letter Wednesday to members of Congress, the United Synagogue of Conservative Judaism said that the extension proposed in the 2005 Energy Policy Act — which would establish March through November as daylight-savings months — may make it impossible for observant Jews to get to work by 9 a.m. if they want to recite morning prayers.

Mass. proposes Shabbat-friendly holiday

The Massachusetts State Senate proposed making a sales-tax holiday two days long to enable observant Jews to participate.

The State House passed a bill earlier this month that would have set Saturday, Aug. 13 as this year's sales-tax-free shopping day, but the Senate instead proposed a tax-free weekend, enabling Orthodox

Jewish vendors and consumers to benefit as well.

Alan Ronkin, the deputy director of the Jewish Community Relations Council of Greater Boston, welcomed the proposal.

MIDDLE EAST

First female refuseniks

Two Israeli female soldiers face jail time for refusing Sunday to help the army seal off Gaza Strip settlements to outsiders.

Security sources said Wednesday that the Education Corps conscripts, both residents of West Bank settlements, likely would receive three weeks in the stockade for insubordination.

They are the first women to join more than 40 male soldiers who have refused orders connected to the pullout.

Settlers accused of stabbing

West Bank settlers were accused of fatally stabbing a Palestinian boy.

The 12-year-old was found stabbed to death Wednesday in a village outside Nablus. Palestinians said he was ambushed by settlers from the nearby settlement of Shiloh.

Israeli police launched an investigation.

Hoops star urges aliyah

A former Israeli basketball star urged athletes at the Maccabiah Games to make aliyah, as he did years earlier.

At halftime of the women's basketball final between Israel and the United States — which the U.S. team won in a rout — the former Maccabi Tel Aviv star, Tal Brody, presented a letter at the request of the Jewish Agency for Israel's chairman, Zeev Bielski, titled "We did it. How about you? Hope to meet you soon in Israel." Brody, who made aliyah after the 1965 Maccabiah Games, became a star in Israel's professional basketball league.

Israeli athletes benched

Organizers of the Maccabiah Games barred most Israeli athletes from the closing ceremonies due to limited space.

Only 100 spots are available for some 2,000 Israeli athletes, Ha'aretz reported.

The Games' public relations director, Yoram Malka, issued a statement saying, "The decision is based on closing ceremonies from previous Maccabiah Games, in which the turnout of Israeli athletes was low. Therefore, 100 tickets was an ample amount."

Spies like us?

Israel's security chief denied settler accusations that agents-provocateurs have been planted among far-right political groups.

After several demonstrations against Israel's upcoming withdrawal from the Gaza Strip and northern West Bank turned violent, settler officials speculated that the disturbances were the work of Shin Bet agents intent on discrediting the right-wing.

Iraqis take heart — from Israel

Five Iraqi children with defective hearts received treatment in Israel thanks to the Save A Child's Heart foundation, and were treated at the Wolfson Medical Center in Holon.

Terrorist condemns London bombings

The head of Islamic Jihad condemned the London bombings but said his group has the right to attack Israeli civilians.

Ramadan Shalah, whose group killed five Israelis in a recent suicide bombing, was interviewed by Dubai-based Al-Arabiya television this week and was asked about attacks by Al-Qaida.

"I condemn the killing of civilians in London and New York," he said. "But I do not condemn the killing of civilians in Netanya, because the people in Netanya live on my land."