

## IN THE NEWS

## Israel helps Katrina victims

Israel will send both personnel and supplies to help in Hurricane Katrina rescue efforts.

The first shipments will include military-type food rations, water, tents, generators, diapers and bedding, the Israeli daily Ha'aretz reported.

A team of Israeli medical and mental health workers are arriving in Louisiana to help, as is a U.S. team from the Jewish relief group Zaka.

Meanwhile, Israel's ambassador to Washington said a special U.S. grant to cover the Gaza Strip withdrawal would be put on hold.

But Ambassador Daniel Ayalon said Monday there is no doubt that the aid from Congress — Israel is asking for \$2.2 billion — would eventually come through.

## Mubarak visit to Israel seen

Egyptian President Hosni Mubarak is expected to visit Israel in November.

Israeli Foreign Minister Silvan Shalom said at the Knesset on Monday that Mubarak will hold talks with Prime Minister Ariel Sharon at his Negev ranch.

It would be the first visit to the Jewish state by the Egyptian president in a decade, signaling improved Israeli relations with the Arab world following last month's Gaza Strip withdrawal.

Egyptian officials did not immediately confirm that a trip was planned.

## Israeli military court convicts P.A. lawmaker

An Israeli military court convicted a Palestinian Authority lawmaker on terrorism charges.

Husam Khader, a member of the Palestinian Legislative Council arrested by Israeli troops in 2003, was found guilty Sunday of complicity in attacks planned by a West Bank terrorist group.

His sentencing is due to take place next month.

# WORLD REPORT

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## Justice William Rehnquist's legacy: Redefining church-state separation

By MATTHEW E. BERGER

**W**ASHINGTON (JTA) — William Rehnquist was often the sole dissenter on the separation of church and state after he joined the United States Supreme Court in the early 1970s, arguing that while religion did not deserve extra protection, it merited federal funding.

But now, after leading the court for 19 years, Rehnquist's legacy is a court majority — and the law of the land — much closer to his perspective.

"Initially, he was the person crying in the wilderness," said Steven Green, the former general counsel for the nonpartisan group Americans United for Separation of Church and State. "With time, he was able to get a coalition and move the court in his direction."

Rehnquist, 80, died Saturday after a long battle with thyroid cancer. His death creates the second vacancy on the high court; Justice Sandra Day O'Connor, the first woman on the court and the representative of its moderate core, announced her resignation on July 1.

"He was extremely well respected for his powerful intellect," President Bush said Sunday. "He was respected for his deep commitment to the rule of law and his profound devotion to duty."

Defining the line that separates church and state was one of the hallmarks of the Rehnquist court. The chief justice, joined by two other conservatives and two centrist jurists, consistently allowed government funding of religion, including school vouch-

ers. But the court stopped short of allowing public religious exercises like school prayer, despite Rehnquist's support for the practice.

At the same time, the Rehnquist court will be remembered for limiting special protections for religion and for undoing protections for religious expression that were sanctioned by previous justices.

And while it was not particularly progressive on civil rights issues, the court will likely be remembered for the times that it bucked the political trend in recent decades away from civil liberties, analysts said, notably decriminalizing sodomy and integrating state military academies.

Bush moved quickly to fill Rehnquist's seat. On Monday, he nominated Justice John Roberts, whom he had originally named to replace O'Connor, for the post of chief justice.

Rehnquist's deepest impact may lie in the area of church-state separation. The court set a high bar for proving the government was endorsing religion, ruling in 1989 that a depiction of the Nativity in a county courthouse endorsed religion but saying a menorah and Christmas tree on display outside the court did not.

"As long as it treats all religions equally, he would argue nothing in the establishment clause prevents supporting religion and endorsing religion," said Rabbi David Saperstein, the director of the Religious Action Center of Reform Judaism, who is also a constitutional law professor at Georgetown University.

Rehnquist's dissents in school-funding

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BEHIND  
THE  
HEADLINES

## ■ *Rehnquist will be remembered for redefining church-state issues*

*Continued from page 1*

cases, in which he argued for greater government aid to parochial schools and religious institutions, were at first a lone voice. But as the court became more conservative throughout the 1980s, he persuaded fellow justices to back school vouchers.

They were found constitutional in 2002, two years after the court had allowed state educational equipment and computers to go to religious schools.

Rehnquist backed prayer at football games and graduation ceremonies and the practice of holding a moment of silence in public schools. That's where he lost the center of the court — Justices O'Connor and Anthony Kennedy — who were concerned about the potential for coercion in such school prayer.

Rehnquist's opinions made uncomfortable the large majority of the American Jewish community that seeks a strong wall separating church and state. Orthodox groups often took the alternative view, seeking increased governmental support and funding for religion.

Even among the Orthodox, however, Rehnquist had a mixed record. He believed religion should not get any special treatment, either positive or negative. Free exercise protections were limited under Rehnquist, requiring religious liberty advocates to seek congressionally mandated protections for areas like prison accommodations and land use.

"You've got this mixed verdict," said Nathan Lewin, the counsel for the National Jewish Coalition on Law and Public Affairs, an Orthodox group. "Jewish groups have been able to operate better in terms of establishment clause constraints, but the harm that the Rehnquist court has done to the free exercise clause is enormous."

Rehnquist wrote the 1986 majority opinion that found an Orthodox rabbi in the Air Force could be denied the right to wear a yarmulke.

"I think he had less sensitivity to the religious needs of minorities than other justices," said Lewin, who argued for the rabbi, Simcha Goldman, in the case.

In 1990, Rehnquist joined Justice Antonin Scalia in a ruling against two Native Americans who sought unemployment compensation after being fired from their jobs for smoking peyote as part of a religious ceremony.

The court found religious beliefs do not excuse people from compliance with a valid law. The majority opinion said allowing exceptions for laws that affect religion would require exemptions for most civic obligations, from compulsory military service to payment of taxes.

"We've been in very different territory since," Saperstein said. "We have a long way to go to get back to where we were."

The ruling was widely criticized in Washington, and Congress passed the Religious Freedom Restoration Act in 1993, with support from Jewish groups. The law said government could not burden religious exercise without a compelling government interest.

The court found the act unconstitutional in 1997, saying Congress could not enact legislation that infringed on states' rights. A narrower law, the Religious Land Use and Institutionalized Persons Act, passed Congress in 2000.

The Supreme Court upheld one aspect of the new law, which allowed for greater religious accommodations for prisons, earlier this year. The second part, requiring a compelling reason for government to deny religious organizations reasonable land use, may also be challenged in the future.

Rehnquist was first nominated to the Supreme Court in 1971 by President Nixon. He was elevated to chief justice in 1986 by President Reagan.

Many expected the Rehnquist court to overturn the legal right to an abortion. That never happened, but Saperstein said Rehnquist "prevailed around the margins" by approving waiting periods and parental notifications for abortion.

"It's done a remarkable amount of what it was

expected to do," Douglas Laycock, a religious liberty scholar at the University of Texas School of Law, said of the court. That includes restricting habeas corpus review for prisoners, upholding the death penalty and creating obstacles to federal civil rights cases.

But, Laycock said, it will likely be best remembered for rulings that bucked the conservative trend. That includes the 2003 rulings that decriminalized sodomy and legalized the concept of affirmative action. Rehnquist himself took positions against both reforms.

He did, however, write the majority opinion in 1993 that found increased penalties for hate crimes constitutional.

The court will also be remembered for its affirmation in 2000 of Bush's win in Florida and of the presidency. Rehnquist wrote that much-analyzed opinion, which seemed to contradict his decades of service to states rights in its quashing of decisions by Florida's Supreme Court. Rehnquist also presided over the Senate impeachment trial of President Clinton, in 1999.

Supreme Court scholars said Rehnquist was not openly devout and that he was not driven by a social agenda. Instead, they said, he was motivated by a belief in states' rights.

"He seemed to be very deferential in religion areas to allowing the government to regulate as it wishes," said Green, a professor at the Willamette University College of Law in Oregon. "Sometimes that means infringing religious liberty, sometimes that means bringing down the wall."

**During Rehnquist's tenure, the Supreme Court consistently allowed government funding of religion.**

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# Ex-Chernobyl workers get computer training

By VLADIMIR MATVEYEV

SLAVUTICH, Ukraine (JTA) — The 1986 Chernobyl nuclear disaster is still haunting the lives of thousands of Ukrainians living in the area near the now-defunct power plant.

In addition to ongoing health and environmental issues, which the Ukrainian government is trying to resolve with the help of the international community, many of those who formerly worked at the plant are now facing a new challenge — economic survival.

To address this issue, an international Jewish group has teamed up with one of the world's leading technology companies to provide computer skills and professional training to those whose livelihoods were dependent on the nuclear plant. The Digital Community Center project was opened last year in the town of Slavutich, with the help of World ORT and the Hewlett-Packard Corporation.

Slavutich, with a population of 25,000, is 125 miles north of Kiev and just 30 miles from Chernobyl.

The town was built after the deadly April 26, 1986, disaster in which the plant's

reactor exploded, spewing a cloud of radioactive matter across much of Europe. Slavutich is home to former employees of the Chernobyl plant who lived in Pripjat, a town that was hit especially hard by radiation.

In 2000, the Ukrainian government closed the remaining working facilities at the Chernobyl nuclear plant.

Slavutich's economy entirely depended on the plant, so the town faced a serious unemployment problem.

Most of the plant's employees were laid off: Of 14,000 workers, only 4,000 continue to work on the maintenance of the reactor's stone casing, or sarcophagus, which was built to prevent radiation from spreading.

"Many of us now have to look for a temporary or seasonal job in the area or in Kiev," says Nikolai Petrovich, a man in his mid-50s who was a worker at the nuclear plant. "Life is getting harder here. You can see it in the number of intercity bus routes to Slavutich, which goes down every year."

There are few local organizations able to help Slavutich cope with the unemployment issue, and the town administration opened bidding for a technology training center. ORT, which gained a solid reputation in Ukraine in the last decade operating technology centers to benefit the Jewish community, won the contract and now sees its mission in Slavutich as using its expertise to train high school graduates and retrain adults who lost their jobs after the closure of the nuclear plant.

Vlad Lerner, the Kiev-based director general of ORT in the former Soviet Union, said the Slavutich center has proved to be one of the most successful projects his organization helped run in the region.

The local mayor agreed with this assessment.

"The project is very successful, and we want to develop it further," said Vladimir Udovichenko, the mayor of Slavutich. "This project has a great immediate return and helps us to create a

whole new quality of life in our town," he added.

According to Lerner, the HP-ORT Digital Community Center has already provided training in computer technologies to more than 1,500 people, including high school and college students, unemployed people and even the staff of the town administration.

Training at the center is free, with Hewlett-Packard providing the equipment and the \$330,000 budget for the facility's first three years of operation and ORT specialists running the center and developing its programs.

"Before the Chernobyl plant was closed, Slavutich was a mono-profile town," said Yevgeny Antonov, a computer specialist at the center. "Now we have many young people who want to get a good education but cannot afford

to go elsewhere. The center is a good starting point for many of those who want to have a new career or build a better one."

The 3,000-square-foot center includes three classrooms equipped with modern computer and multimedia equipment.

Katya Tugbaeva, 23, a former student at the center, used to be registered as unemployed. After she completed a course in drafting and engineering software, she found a job with the city administration office for residential properties.

"Now that I have this job, I certainly feel more confident about my future," she said.

Valentina Mozhega is another recent graduate of the center. A deputy principal at one of the local public schools, she said she never saw a computer before she took a five-month computer-literacy course.

"I'm not sure today how I could work without a computer before," she said.

Nastya Ryabchenko, 18, is a local college student who speaks fluent English. "Even in Kiev, many schools don't have the level of computer equipment that we have here at this center. I'm sure everyone who comes here appreciates that." ■

## ACROSS THE FORMER SOVIET UNION

**A Jewish group helps a Ukrainian city hit hard by the closing of an infamous nuclear plant.**

## THIS WEEK

### TUESDAY

■ James Wolfensohn, the top Middle East envoy of the Quartet, the body driving the peace process and comprising representatives of the United States, European Union, United Nations and Russia, returns this week to the region to plot funding for the Palestinians now that Israel has evacuated the Gaza Strip.

■ Israel begins building a new transit station next to the Gaza Strip. Israel wants all goods and people who move between Egypt and Gaza to move through Kerem Shalom. Israeli officials want to maintain security control now that Israel has evacuated Gaza. The Palestinian Authority wants to assume control of the existing transit station at Rafah. The sides are to start negotiating border arrangements soon.

### THURSDAY

■ A rally focused on pressing President Bush to help stop the ongoing violence in Sudan takes place in Washington. The American Jewish World Service and the Washington Jewish Task Force on Darfur are among the groups organizing "A Day for Darfur: Stop the Genocide, Protect the People."

# NEWS IN BRIEF

## NORTH AMERICA

### Lawsuits against Arab Bank OK'd

A U.S. judge upheld three lawsuits that accuse the Arab Bank of helping Palestinian suicide bombers by funneling money to their families.

The judge's decision, made last Friday, allows the lawsuits to move forward.

The lawsuits allege the bank administered an insurance plan that funneled money from Swiss bank accounts to the families of suicide bombers.

The bank had claimed that the lawsuits should be thrown out because it did not intend to promote terror and because the connection was impossible to prove.

### Israelis missing after Katrina

Three Israelis who were on the Gulf Coast during Hurricane Katrina remain unaccounted for.

The Foreign Ministry in Jerusalem said Monday that an Israeli went missing in New Orleans when the disaster struck last week.

Another two Israelis who were in the Houston area at the time are also unaccounted for.

### Police chief's trip to Israel OK'd

A Canadian police board rejected a complaint that a police chief's visit to Israel made him more likely to engage in racial profiling of Arabs and Muslims.

The York Regional Police Services Board in Ontario rejected the complaint late last week.

York Regional Police Chief Armand LaBarge helped organize a trip to Israel in March for 30 law-enforcement officials from southern Ontario for the purpose of learning about security and anti-terrorism techniques.

"We are in favor of professional development and any opportunities where we can go and learn from anywhere in the world how we can better provide safety and security to our citizens," said the board's chairman, David Barrow, after the 90-minute hearing regarding the complaint from Khaled Moammar and eight other representatives from local Muslim groups.

## MIDDLE EAST

### Court: P.A. not protecting Gaza synagogues

The Palestinian Authority refused to safeguard synagogues in the Gaza Strip.

Leading rabbis asked Israel's High Court of Justice on Sunday to stop the Israeli government from razing 25 synagogues in evacuated Gaza settlements as planned.

In its response the state said that the Palestinian Authority had rejected two requests to guarantee that the Jewish houses of worship will not be desecrated by mobs once Israeli troops withdraw later this month.

The rabbis argued that it would be preferable for the synagogues to be vandalized than for Jews to demolish them.

A ruling on the matter is expected by the end of this week.

### Israeli soccer team stays alive

Israel's national soccer team stayed alive in its bid for a spot in next year's World Cup.

The Israeli team tied Switzerland 1-1 on Saturday night, leaving the team only a point behind the top three teams in its qualifying group.

The top two teams in each group have a chance to move on, and Israel's next two matches are against the Faroe Islands, the weakest team in the group.

## Barenboim defends actions

Conductor Daniel Barenboim defended his refusal to answer a question from an Israeli Army Radio reporter.

Barenboim said he refused to answer the question from the reporter at the Sept. 1 event in Jerusalem because the reporter showed insensitivity by wearing an army uniform at an event attended by Palestinians.

The event celebrated the publication of a book on music that Barenboim wrote with the late Palestinian intellectual Edward Said.

Some Cabinet ministers have called for a boycott of music conducted by Barenboim because of his actions.

## WORLD

### Bomber blames British policy for attacks

One of the suicide attackers who carried out the London bombings said in a video message that Britain was a legitimate target because of its Middle East policy.

In a message broadcast Sept. 1 on Al-Jazeera, the Arabic news channel, Mohammad Sidique Khan said the attacks, which killed 52 people, were to protect and avenge "my Muslim brothers and sisters."

His message was followed by a 15-minute video featuring an Al-Qaida leader, Ayman Al-Zawahiri, who promised more attacks.

"The lands and interests of the states that took part in the aggression on Palestine, Iraq and Afghanistan are considered targets for us, so anybody who seeks peace should stay away from these states," he said.

### Croatian president blasts firing of rabbi

Croatia's president compared the firing of Zagreb's rabbi with the Nazi deportation of Jews during World War II.

According to local media reports, President Stipe Mesic called the Jewish community's decision not to renew the contract of Rabbi Kotel Dadon "harassment."

The president was quoted Monday by the Jutarnji list daily paper as saying that a "group of people in the Zagreb Jewish community act as Nazis did in World War II."

They are expelling the rabbi out of the country according to the same principle by which the Nazis drove away Jews to concentration camps."

A Jewish community spokesman called Mesic's comments "over the top."

At a meeting May 31, Croatia's Jewish Community Council voted 13-11 not to renew the Israeli-born Dadon's annual contract.

The decision split the community.

Last week, in a secret ballot, the council confirmed its decision by a 14-5 vote, with one abstention and one voided ballot.

### More British Jews move to Israel

More British Jews moved to Israel last month than in any other month since the beginning of the Palestinian intifada in 2000.

More than 100 British Jews moved to Israel during August, most of them single, bringing the number for the year so far up to 324, the Israeli daily Ha'aretz reported.

More than half of the new arrivals are Orthodox, with some 10 percent describing themselves as fervently Orthodox; the town of Ra'anana has overtaken the capital, Jerusalem, as the most favored place for British immigrants to live.