

IN THE NEWS

P.A. announces security-reform plan

The Palestinian Authority said it would disarm a terrorist group linked to its main political faction.

Under the plan announced Sunday by Palestinian Authority Prime Minister Ahmed Qurei, members of Fatah's Al-Aksa Brigade will be disarmed and incorporated into legitimate police units within weeks.

Israeli officials said Jerusalem would take a "wait-and-see" attitude to the announcement.

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Israel kills 4 in West Bank clashes

Israeli troops killed four Palestinians in West Bank clashes over the weekend. [Story, Pg. 2]

Anti-Semitic books at book fair in Germany

Anti-Semitic tracts are on sale at the Frankfurt Book Fair again this year.

English copies of "The Protocols of the Elders of Zion" and Henry Ford's "The International Jew" were displayed on the shelves of one of the Iranian booksellers at the fair.

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Senate OKs funds for Arrow program

The Senate approved almost double President Bush's requested funding for the Arrow, a joint U.S.-Israeli anti-missile program.

Israel asked the United States for close to \$160 million for further development in 2006 for the Arrow, which has been tested successfully in recent years.

Bush knocked that down to \$78.6 million in his budget request earlier this year, and the House of Representatives reflected that amount by approving \$77.6 million in June.

On Oct. 7, however, the Senate approved \$143.6 million in its version of the Defense Appropriations bill.

The House and Senate bills now go to conference to reconcile their differences in a final version.



WORLD REPORT

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Israel's Supreme Court faces turning point if two justices retire

By GIL SEDAN

JERUSALEM (JTA) — Israel's Supreme Court, which traditionally tackles the most pressing issues in Israeli society, may soon face another serious challenge if the Israel Defense Forces ask Israel's highest court to mind its own business.

Defense Minister Shaul Mofaz wants to appear before the court to ask it to reconsider a recent ruling banning a commonly used practice for confronting Palestinian terrorists.

When Israeli troops are closing in on wanted Palestinians, they often send Palestinian civilians to the terrorists with a message to turn themselves in.

The court ruled recently that the "neighbor practice" conflicts with international law and shouldn't be used. But Mofaz wants the court to leave use of the "neighbor practice" to senior officers' discretion.

Regardless of its outcome, the case reflects growing uneasiness among large sectors of the Israeli public with the powers the high court has acquired. The main argument is that the judicial activism promoted by Chief Justice Aharon Barak often transcends the basic separation of powers in a democracy.

Judicial activism has been the target of criticism in Israel for quite some time. The Knesset House Committee, for example, recently ignored a court ruling waiving the immunity of a Knesset member.

Likud Party legislator Michael Eitan, chairman of the Knesset Law Committee, frequently says the Supreme Court has amassed too much power.

"The Supreme Court adopts an approach of 'judges without borders,'" Eitan charged.

Religious and nationalist circles often accuse the justices of imposing their allegedly liberal and left-wing views under cover of legal arguments.

The problem is magnified since the lower courts have been accused of letting standards lag. Allegations of foot-dragging, double standards in punishment — mostly between Arabs and Jews — and leniency toward politicians and white-collar criminals have become routine.

Barak's judicial philosophy is exemplified by his now famous statement that "everything is tryable," or that the court potentially has a role in almost any issue. With growing crime, corruption and deficiencies in the civil service, more and more Israeli citizens are turning to the courts for help.

The courts can't cope with the burden. The Supreme Court receives some 1,000 new files every month, and it took three years for the court to rule on the "neighbor practice."

A recent Israel Democracy Institute survey on the level of public trust in the Supreme Court shows a drop from 79 percent to 72 percent.

However, no measures have been taken to limit the court's powers. The main reason: immense respect for the legal authority of Barak and his deputy, Mishael Cheshin, both of whom have outstanding international reputations.

Things may change, though, when both Barak and Cheshin turn 70 next year and are expected to retire.

The two judges are quite different in nature. Barak is considered a man of compromises, while Cheshin is seen as more rigid.

Unlike Barak, Cheshin believes there are issues in society that should stay out of the courtroom. At a symposium following the

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FOCUS
ON
ISSUES

■ Israel's Supreme Court could be transformed if two justices retire

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publication of Barak's new book, "A Judge in a Democratic Society," Cheshin said the legal system indeed can intervene in almost any public issue, but "it's undesirable that it should take over all walks of life. Law is the minimum needed for the existence of a society, not the maximum."

Barak responded that he had never argued that "everything is tryable in the judicial sense," but rather that "every corner of life" has a legal aspect.

In the past, Barak was not shy about implementing his legal philosophy. One of his most famous decisions, when he was attorney general in 1977, was to press charges against Leah Rabin, the wife of Prime Minister Yitzhak Rabin, on foreign currency violations, a decision that led to Rabin's resignation and eventually to the Labor Party's fall from power.

Barak was appointed to the Supreme Court in 1978, and has served as its president for the past 10 years. He has advanced enforcement of basic laws on human rights, enacted in 1992, that grant courts the power to overturn "unconstitutional" laws, although Israel still has no constitution.

Regardless of the difference in judicial temper between Barak and Cheshin, both will be missed on Israel's highest court, leaving behind a group of justices that lacks the stature and judicial leadership of Barak and Cheshin.

The catch is that to continue Barak's legacy as one of the molders of Israeli democracy, the court will need another justice like him, and there are few in sight.

In the near future, the Judicial Appointment Committee will appoint three new judges to the Supreme Court. Traditionally, most new justices come from lower courts.

This time around, Justice Minister Tzipi Livni, who chairs the appointment committee, endorses Hebrew University's Ruth Gavison, a human rights activists and one of the most brilliant jurists in the country, but someone with no judicial record.

Others suggest Mordechai Kremnitzer, also of Hebrew University, who has served as a prosecutor and judge in the IDF but has never served in the civilian judicial system.

The main opponent to Gavison's candidacy in the appointment committee is Barak himself, apparently because of Gavison's vocal opposition to Barak's judicial activism. ■

P.A. pledges to reform security

By DAN BARON

JERUSALEM (JTA) — The Palestinian Authority appears to be on the verge of a long-awaited security reform in the West Bank and Gaza Strip.

But Sunday's announcement of a plan to incorporate the Al-Aksa Brigade into the Palestinian Authority police still falls far short of the comprehensive crackdown on terrorism required by the U.S.-led "road map" for peace.

And with four Palestinians killed over the weekend by Israeli forces in the West Bank, hopes of Israel's Gaza pullout spurring peacemaking could prove short-lived.

"We have agreed today to establish five new camps for training and hosting the 'stragglers,'" Palestinian Authority Prime Minister Ahmed Qurei told reporters, referring to the fragmented forces of the Al-Aksa Brigade.

Qurei said the effort would begin in Ramallah and in Nablus, one of the most volatile West Bank cities.

Palestinian Authority officials said the brigade, a terrorist group linked to the P.A.'s dominant Fatah faction, would be reined in within weeks.

But it was unclear whether Abbas will be able to carry out this plan, which makes no provision for disarming and dismantling far more powerful Islamist terrorist groups led by Hamas.

Israel took a wait-and-see attitude.

"We have heard this sort of declaration before. The time has come for action," said one Jerusalem official.

Palestinian security forces have been

weakened by Israeli attacks and by internal divisions, and militias such as Al-Aksa have stepped in to fill much of the void.

With Hamas set on taking part in Palestinian Authority parliamentary elections in January, an armed confrontation between its gunmen and Fatah is increasingly unlikely.

There is quiet hope building that Palestinian moderates will win out over the Islamist extremists in the landmark poll.

Israeli officials have backed off from the suggestion, made last month by Prime Minister Ariel Sharon, that the election might be hindered to block Hamas' participation.

participation.

"It is not in Israel's interest," Justice Minister Tzipi Livni told Israel Radio.

Meanwhile, the sporadic violence that has plagued the West Bank since Israel's withdrawal from the Gaza Strip continued. Undercover commandos killed a wanted terrorist in an exchange of fire at his Tulkarm hideout Sunday.

The death came after soldiers shot dead a Palestinian suspected of planting a mine on a road outside Ramallah on Saturday.

Although it turned out that his bag contained only rocks, security sources said the Palestinian put it by the roadside to test the army's alertness ahead of a planned bomb attack. Last Friday, soldiers killed two Palestinians who attacked their units.

One was a fire-bomber shot near Bethlehem, the other, a gunman from Tulkarm. ■

Israeli officials
are skeptical
that the plan will
reduce violence.

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Book fair in German city features anti-Semitic texts

By **TOBY AXELROD**

BERLIN (JTA) — Anti-Semitic tracts are on sale at the Frankfurt Book Fair again this year.

English-language copies of "The Protocols of the Elders of Zion" and Henry Ford's "The International Jew" were dis-

THIS WEEK

MONDAY

■ Judge T.S. Ellis rules on whether the government may withhold phone tap recordings from the defense in the trial of two former staffers of the American Israel Public Affairs Committee on charges of communicating classified information.

■ The United Nations will run a film commemorating the role of the Holocaust in its founding. The seven-minute film will be shown on a continuous loop in the visitors lobby of U.N. headquarters in New York starting Monday, according to the Ad Hoc Committee for an Effective U.N. Response to Anti-Semitism, which previewed the film. U.N. officials say a permanent exhibit on the Holocaust will be built once renovations are completed at U.N. headquarters.

TUESDAY

■ The Senate's Judiciary Committee meets to consider the distribution in U.S. mosques of hate material published in Saudi Arabia.

FRIDAY

■ B'nai B'rith International hosts its first policy conference in Washington through Sunday. Issues covered include stem cell research, U.N. reform and Latin America.

■ The B'nai B'rith Center for Senior Services holds a briefing at Washington's National Press Club on the ethics of stem cell research.

SATURDAY

■ Scholars for Peace in the Middle East, a pro-Israel group of academics, begins a three-day conference at Case Western Reserve University in Cleveland. The conference, titled "Postcolonial Theory and the Middle East," is sponsored by the university's Samuel Rosenthal Center for Judaic Studies.

SATURDAY

■ A Living Memorial to the Holocaust and the Tribeca Film Institute in New York present The Daniel Pearl Dialogue for Muslim-Jewish Understanding, featuring Akbar Ahmed and Daniel Pearl's father, Judea. Guided by shared values and inspired by Daniel Pearl's legacy, the two professors will discuss Muslim-Jewish relations.

■ The American Sephardi Federation, Leo Baeck Institute and Centro Primo Levi present daylong festivities at New York's Center for Jewish History marking the centennial year of Jewish writer and Nobel laureate Elias Canetti.

played on the shelves of one of the Iranian booksellers at the fair, according to German political scientist Matthias Kuentzel, who purchased the books there last Friday.

Last year, the book fair, one of the world's largest gatherings of publishers, was criticized for allowing Arabic book publishers to display Arabic versions of Holocaust denial books and other anti-Semitic texts.

Kuentzel, an author and educator specializing in anti-Semitism and Islam, told JTA that this year the books were available in English.

He found at one Iranian booth the "Protocols," in an edition published by the Islamic Propaganda Organization of the Islamic Republic of Iran; Ford's book, published by the Department of Translation and Publication, Islamic Culture and Relations Organization of the Islamic Republic of Iran; and "Tale of the 'Chosen People' and the Legend of 'Historical Right'" by Mohammad Taqi Taqipour, who writes that a global Islamic movement will soon destroy Israel.

The "Protocols," the most famous of these books, outline a supposed Jewish plan for world domination.

German law prohibits the sale of some books, including the "Protocols" and Hitler's "Mein Kampf," but organizers of

the fair, which ended Sunday, told JTA they could take no action unless an official complaint was lodged.

"I could not imagine it," said Kuentzel, author of the 2002 book "Djihad und Judenhass," or "Jihad and Jew-hatred." He added, "It astonished me to see these books in an Iranian stand, in English."

A spokesman for the book fair, Holger Ehling, told JTA about the procedure for complaints.

If a visitor to the fair spots books that may be illegal, the police are called. Last year, they took no action when called about the books in Arabic, he said.

"We will not enter into any arguments," Ehling said. "It is not our right to judge and we are not able to judge," adding, "I have things I feel very strongly about, but this cannot be the basis on which I am allowed to let books in or not."

He said there are 380,000 titles on display at the fair and publishers are not required to submit lists to the fair organizers.

Kuentzel said it is important that the issue be dealt with differently next year.

"I think the German public should press the point: Either you can't invite a country that wants to destroy another country" to take part in the Frankfurt fair, "or you have tighter controls so that this does not happen again." ■

'The Protocols of the Elders of Zion' makes an appearance at the Frankfurt Book Fair.

Russian city hit by anti-Semitism

By **YASHA LEVINE**

ST. PETERSBURG, Russia (JTA) — A wave of vandalism, coinciding with the start of the Jewish New Year, has hit the Jewish community of St. Petersburg, Russia.

On the morning of Oct. 6, approximately 70 freshly destroyed gravestones were discovered in the St. Petersburg Jewish cemetery. Nine days later, 50 more headstones were destroyed. The headstones were pushed over and in many cases, broke upon impact.

The cemetery has a fence running along three of its four sides, but its southern side is open. It was there, furthest away from the watchman positioned near the entrance to the cemetery, that most of the damage took place.

Also, on the night of Oct. 7, two bricks were thrown at the windows of Shalom, a kosher restaurant. According to the restaurant's guard, who asked not to be identified, the bricks pierced posters attached to the windows, but failed to shatter the windows. He believes the incident to be a random act of violence not connected with the incidents at the cemetery.

The second wave of vandalism in the cemetery came only days after a communal cleaning and repair effort carried out by Jewish groups. The Russian Union of Jewish Students, Hillel, the Israeli Cultural Center and the Jewish community joined together to remove debris from the cemetery and raise fallen headstones. ■

NEWS IN BRIEF

MIDDLE EAST

Foes help at sea

Syrian sailors rescued two Israelis whose boat sank off Cyprus. An Israeli drowned early Sunday when the catamaran he was on went down during a storm 5 miles away from Limassol. The other two Israelis aboard were hauled onto a passing Syrian ship and taken to shore.

The survivors told reporters they were well treated by the Syrians, but noted that their boat had flown a Canadian flag.

Mofaz to Pentagon

Israel's defense minister will visit Washington next month. Shaul Mofaz will arrive Nov. 2 to meet with Pentagon counterparts and discuss relaunching a strategic dialogue and a joint political-military group.

The United States suspended these relationships in recent years because of anger over Israeli arms sale to China.

A memorandum of understanding this year resolved most outstanding issues.

NORTH AMERICA

U.S., P.A. approve \$2 million in road projects

Two U.S.-funded projects in the Gaza Strip were approved.

The U.S. Agency for International Development and the Palestinian Authority have budgeted more than \$2.24 for two roads, one in Jabalya, north of Gaza City and one in Nuseirat, south of Gaza City, the U.S. State Department announced last Friday.

The money comes out of \$50 million promised by President Bush this spring and transferred to the Palestinian Authority in August. The agency must approve all expenditures.

The State Department said the projects will create 30,000 work days and have a "positive impact" on the lives of about 240,000 people.

Another \$250 million in U.S. money is in the pipeline for the Palestinians, aimed at improving governance following Israel's withdrawal from Gaza.

AIPAC prosecutor promoted

President Bush nominated the prosecutor in the AIPAC classified documents case to be deputy attorney general.

Paul McNulty, the U.S. attorney for the Eastern District of Virginia, obtained indictments this year against a former Pentagon analyst and two former senior staffers at the American Israel Public Affairs Committee.

The Pentagon analyst, Lawrence Franklin, pleaded guilty earlier this month and the two AIPAC staffers, Steve Rosen and Keith Weissman, go to trial on Jan. 2.

McNulty is also well known for handling a number of terrorism-related cases in his district. Bush nominated McNulty for the post last Friday after another nominee, Timothy Flanigan, withdrew because of questions over Flanigan's ties with scandal-tinged lobbyist Jack Abramoff.

McNulty, 47, will begin serving immediately as acting deputy attorney general pending his approval by the Senate and will also continue for the time being as U.S. attorney in eastern Virginia.

U.S. blocks Israeli arms sales to Venezuela

The United States blocked the sale of Israeli military technology to Venezuela, Israel TV reported.

The technology was to update Venezuelan fighter jets, said the report, broadcast Oct. 20. Israel and the United States recently resolved a dispute over Israeli military sales to China.

Tensions between Venezuela and the United States have increased in recent years because of Venezuela's close relations with Cuba.

Bills would fund displaced parochial students

Legislators introduced bipartisan bills that would compensate parochial schools for taking in students displaced by Hurricane Katrina.

The Orthodox Union welcomed the bills, presented in both houses of Congress, but suggested a preference for the U.S. House of Representatives version.

The Senate version allocates \$6,000 per student and includes provisions to ensure that the money is not spent directly on religious studies.

The House version allocates \$6,700 per student with no such restriction. The O.U. called the House version "most efficient."

WORLD

Diamond dealer found dead

An Israeli businessman who went missing in Greece was found to have been murdered.

The body of diamond dealer Shmuel Levy was discovered Saturday buried in a coastal town 30 miles from Athens, two weeks after he disappeared.

Local police said several Greeks were under arrest on suspicion of abducting and killing Levy, 66, in a bid to steal his haul of diamonds.

Earlier assessments had been that Levy had been abducted by terrorists, as valuables were left behind in his rented apartment.

Anti-Semitic graffiti plagues Berlin

Anti-Semitic graffiti has appeared across Berlin. A Soviet war memorial in Treptow, in former East Berlin, was the latest site defaced when police found a spray-painted Star of David there Tuesday.

The incidents apparently began Oct. 14, when stars were found painted on the Anne Frank Center and on the gravesites of Bertolt Brecht, Heinrich Mann and Johannes Becher, among other locations.

On Oct. 16 police discovered graffiti on a memorial to the deportation of Jews from Berlin.

The following day, four stars were daubed on City Hall.

Observers of the right-wing extremist and radical Muslim scenes suggested the graffiti is the work of neo-Nazis.

There have been 147 anti-Semitic crimes reported in 2005, up from 120 last year.

Holocaust denial earns fine in Germany

A lawyer in Germany was fined \$2,700 for questioning the Holocaust.

While defending a neo-Nazi client, the 36-year-old attorney had claimed in court that it was "not possible to refer to the genocide of the Jews as something obvious."

The attorney, who was not named in news reports, also questioned the constitutionality of a German law banning Holocaust denial.

As for his client, the neo-Nazi was found guilty of incitement to hatred and slander against the state, but he went into hiding before his jail sentence of two years and nine months was delivered.

Interfaith parley in Rome

A daylong event in Rome aimed at promoting understanding between Jews and Muslims took place on Sukkot.

"Sukkah Shalom," a series of debates, roundtable discussions and music, was held Sunday in a sukkah in Rome's historic Jewish neighborhood.

Participants included Rome's chief rabbi as well as writers, translators and academics.