

IN THE NEWS

Israeli agency to join Red Cross?

Israel expects its Magen David Adom relief agency to be admitted by the International Committee of the Red Cross.

The Foreign Ministry said Monday it had received Swiss assurances that a resolution for the Red Cross movement to recognize Magen David Adom would be ratified at an international convention in Geneva in December.

Magen David Adom long has been excluded because of Muslim opposition to its Star of David symbol, despite the inclusion of the Muslim Red Crescent.

A Swiss attempt to discuss admitting Magen David Adom in 2000 was abandoned following protests by the Arab League.

Israelis kill bombing planner

Israeli troops killed the Palestinian terrorist responsible for last week's suicide bombing in Hadera.

Commandos raided the West Bank town of Kabatiya on Sunday night, killing the local Islamic Jihad planner and two other gunmen from the group in a firefight.

Palestinian sources confirmed that the planner had dispatched the suicide bomber who killed five Israelis at Hadera's market last week.

Protest made by Israeli Arab athletes

Israeli Arab soccer players protested a refusal by Israel's soccer federation to reschedule soccer games during Ramadan.

Monday's protest came after a mixed Arab-Jewish team played a game Saturday night that began four minutes after sundown.

Muslims do not eat between sunrise and sundown during Ramadan. Seven Muslims ate early to be ready for the game, The Associated Press reported.

An Israeli soccer federation official said the game had to be played at the scheduled time to accommodate television.

WORLD REPORT

PUBLISHED WEEKDAYS BY JTA—THE GLOBAL NEWS SERVICE OF THE JEWISH PEOPLE • WWW.JTA.ORG

As liberals prepare to oppose Alito, Jewish observers see shades of gray

By RON KAMPEAS

WASHINGTON (JTA) — The long paper trail of hard-hitting conservative opinions that Judge Samuel Alito has left in his wake is perfect fodder for the kind of left vs. right, black-and-white confirmation battle that this town relishes.

For Jewish groups, however, the clarity of Alito's record fades to gray.

President Bush's new nominee to the U.S. Supreme Court has upheld religious freedoms that the entire Jewish community cherishes, on one occasion strongly defending the right of a Jewish employee to Sabbath observance. Yet his views on the establishment of religion as well as abortion hew to a tough conservative line that much of the community repudiates.

"He wrote a very important opinion in expanding what little is left of the free-exercise clause," Marc Stern, co-director of the legal department of the American Jewish Congress, said, referring to the constitutional guarantee of free religious practice.

On the other hand, in several cases dealing with the constitutional prohibition against the establishment of a state religion, Alito indicated a leaning in favor of religious speakers "to the exclusion of those who might not want to listen," Stern said.

Stern emphasized that the AJCongress had yet to make a decision on where it stands regarding Alito.

Bush announced the nomination of Alito, 55, on Monday, just days after Harriet Miers, his White House counsel, withdrew her name. Miers' lack of a paper trail was the straw that broke the back of support among

social conservatives, who for years have been clamoring for an unambiguously conservative nominee.

By contrast, Alito's 15 years on the 3rd U.S. Circuit Court of Appeals, based in Philadelphia, establishes a strong constitutional and conservative record. Social conservatives who vigorously opposed Miers' nomination immediately hailed the decision.

"President Bush has hit a home run with this nomination," Roberta Combs, president of the Christian Coalition of America, said in a statement.

Just as predictably, liberal groups mounted an immediate battle.

"The judicial philosophy of Samuel Alito is far to the right," People for the American Way wrote at the start

of a 24-page evisceration of Alito's record, posted on the group's Web site within minutes of his nomination.

"He has demonstrated hostility toward the principles undergirding a woman's constitutionally protected right to govern her own reproductive choices."

Liberals already were making much of a nickname Alito earned among some lawyers, "Scalito" — meaning "little Scalia," a reference to Antonin Scalia, widely regarded as the most conservative judge on the Supreme Court.

National Jewish groups at times have been pivotal in joining liberals in opposing judicial candidates; President Reagan's failed nomination of Robert Bork in 1987 stands out as an example. The White House was eager on Monday to get out the message that Alito was safe for the Jews.

"Judge Alito has been a strong defender

Continued on page 2

BEHIND
THE
HEADLINES

■ Alito's judicial record suggests a battle between conservative and liberal Jewish groups

Continued from page 1

of religious liberty as guaranteed by the First Amendment," Jeffrey Berkowitz, White House liaison to the Jewish community, wrote in an e-mail within minutes of the announcement.

Legal scholars say Alito substantially expanded First Amendment rights in 1999, when he ruled that the Newark police department violated the rights of Muslim officers by banning them from wearing beards, though it allowed an exception for health reasons.

Another Alito opinion had a more immediate impact on Jewish observance. In *Abramson v. William Patterson College* in 2001, the court considered the case of Gertrude Abramson, who sued the New Jersey institution in 1995, claiming that it violated an earlier agreement to allow her to take off Jewish holidays. Abramson also alleged a pattern of harassment, including meetings scheduled on the Jewish Sabbath.

The court ruled in Abramson's favor, but Alito's separate concurrence was even stronger, favorably citing an amicus brief filed by the Orthodox Union.

Title VII, the applicable civil rights law, "does not permit an employer to manipulate job requirements for the purpose of putting an employee to the 'cruel choice' between religion and employment," Alito wrote.

Such insights are typical of Alito, his former law clerk, Jeffrey Wasserstein, told JTA.

"He is a Catholic, but his sensitivity to

non-majority religions was quite interesting to watch, not what one would expect from someone being tarred by the press as extraordinarily conservative," said Wasserstein, an observant Jew who served with Alito from 1997-98 and now is a health care attorney.

Despite his tough opinions, Alito has a reputation as a modest, accommodating figure, even among his most strident opponents. People for the American Way noted that — unlike Scalia, whose sarcasm is notorious — Alito's "tone during oral arguments is probing but always polite."

Wasserstein agreed.

"He is very modest and self-effacing," he said.

Alito expressed interest in Wasserstein's own Sabbath observance, and was quite probing when it came to religious cases, he said.

"During the Muslim police case, we spoke about Islam and its precepts," Wasserstein recalled.

Wasserstein insisted that Alito did not come to cases with preconceptions, but liberal groups and their allies in the Jewish community already were fretting at a body of work that suggests otherwise. Of special concern are two cases in which Alito upheld the right of New Jersey towns to display Christmas-season creches.

In the opinion in the creche cases, "he was on the opposite side of much of the Jewish community," said Mark Pelavin, associate director of the Reform movement's Religious Action Center.

Alito's assent in a 1992 abortion-rights decision is perhaps his most controversial. The court upheld a Pennsylvania law that imposed a 24-hour waiting period for women who wanted abortions, required minors to inform their parents and required abortion clinics to publish reports about their operations.

Defeating that case became a rallying cry for pro-choice advocates, and the U.S. Supreme Court struck it down in a landmark decision the same year.

Significantly, however, the appeals court had struck down a portion of the law

that required women seeking abortions to inform their husbands. Alito was the lone dissenter from that part of the decision, saying such notification was not an undue burden for women. His willingness to go a step beyond marked him as an extremist in liberal circles.

The National Council of Jewish Women, which usually takes the lead in abortion-related announcements, has yet to weigh in, but sources said the group is working on a strategy.

Rep. Nancy Pelosi (D-Calif.), the Demo-

crats' leader in the U.S. House of Representatives, already has linked Alito to "the radical conservative right."

Sen. Arlen Specter (R-Pa.), the Jewish chairman of the Senate Judiciary Committee, which must consider Alito's appointment, was more circumspect, but notably held back the enthusiastic endorsement of other Republican senators.

"We are in the process of assembling his opinions," said Specter, a Republican moderate who is pro-choice. "It is estimated that he has been involved in about 3,500 cases and has some 300 opinions which he has written."

That record suggests a clear battle, Pelavin said.

"We're going to have the kind of debate over judicial philosophy in the Senate that has long been brewing," he said.

The Jewish lines already were being drawn.

The Orthodox Union does not endorse judicial candidates, and Alito is no exception, said Nathan Diament, the O.U.'s Washington director.

However, Diament said, Alito is "clearly someone who is sensitive to religious minorities."

Should the left mount an assault on Alito's church-state record, Diament said, "our role will be making his record clear, trying to prevent it from being distorted."

Pelavin suggested the Reform movement also would have a role to play — probably not one particularly sympathetic to Alito.

"It's not just about competence, it's about the court shifting on fundamental issues, including reproductive rights and religious liberty," he said. ■

'He is a Catholic, but his sensitivity to non-majority religions was quite interesting to watch.'

Jeffrey Wasserstein
Judge Alito's former clerk

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JTA WORLD REPORT is published five days a week, except holidays, by the Jewish Telegraphic Agency Inc., 330 Seventh Ave., New York, N.Y. 10001-5010. For more information about how to subscribe by e-mail, fax or regular mail, call (212) 643-1890, or visit our Web site at www.jta.org.
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Anti-Israel day removed from some calendars

By TOBY AXELROD

BERLIN (JTA) — A campaign by Berlin-based activists has resulted in the erasure of “Al Quds Day” from some interfaith calendars in the United States and United Kingdom.

As Iran’s president was calling for Israel to be wiped off the map, members of Together Against Political Islam and Anti-Semitism were busy calling for “Al Quds Day” to be wiped off calendars — and the campaign is paying off.

Institutions on both sides of the Atlantic, from Harvard University to Northumbria University in England, have announced that they are deleting Al Quds Day, or Jerusalem Day — a holiday that focuses on the destruction of Israel — from calendars where it had been listed as a religious holiday. Al Quds Day fell this year last Friday.

The point is not just to clean up calendars, political scientist Arne Behrensen, a co-founder of the activist group, told JTA, but “to engage the political left in confronting Islamism and Islamist anti-Semitism.”

Members of the pro-democracy group include people of Iranian, Kurdish and Turkish background.

Annihilating Israel is the *raison d’être* of the “holiday” that the late Iranian leader Ayatollah Khomeini created after the 1979 Islamic Revolution. It is marked with anti-Israel demonstrations in some Islamic countries, as well as in cities with large Muslim populations outside the Islamic world.

Berlin police have taken increasing interest in defusing the event in recent years, since an incident in which an Al Quds Day demonstrator proudly displayed his small children wrapped in mock suicide bomb belts. All posters and banners at the event now must be submitted for approval, including those in Arabic, and statements calling for Israel’s destruction are banned.

That may be why Berlin’s Al Quds Day demonstrations have declined in numbers, Behrensen said. His group has held counter-

demonstrations for three years running.

That trend held true this year as well. Only some 400 marchers attended this year’s event on Saturday, down from 1,500 in 2004 and 3,000 in 2003, said Anetta Kahane, a co-organizer of a counterdemonstration and a member of the Berlin Jewish community.

The group also succeeded in getting a German organization to remove Al Quds Day from its calendar in 2003. This year, Behrensen

focused on British and American institutions that he found on the Internet.

One recipient of the campaign’s recent e-mail, Debra Dawson of Harvard United Ministries in Cambridge, Mass., told JTA she had checked with her group’s Islamic chaplain “and he assured me that this day is not an Islamic holiday, so I am removing it from the site.”

Spike Ried, president of the Northumbria University Students’ Union in Newcastle, England, told JTA his group had removed the event from its online calendar and issued a written apology. ■

BEHIND THE HEADLINES

Annihilating Israel is the goal of Al Quds Day.

Counterprotesters in Prague shout down a neo-Nazi rally

By DINAH A. SPRITZER

PRAGUE (JTA) — Holidays in the Czech Republic are a time for getting away to the country with the family.

But 150 Prague residents, including many well-known Czech personalities, sacrificed last Friday, Czechoslovak Independence Day, to rally against a neo-Nazi demonstration.

Some 60 neo-Nazis gathered in front of the German Embassy to protest the incarceration in Germany of Holocaust denier Ernst Zundel, deported from Canada to his native Germany in March and charged with inciting hatred by sending materials over the Internet.

Before they assembled, a crowd, barricaded by police for their own protection, had already assembled to prevent the neo-Nazis from being heard.

Ivona Novomestska, a 22-year-old student at Charles University, said she felt obligated to protest against the neo-Nazi demonstration because “although their numbers are very small, if we all ignore them, they could get a lot bigger.”

The counterprotesters carried banners with slogans such as “he who hasn’t learned from history is forced to repeat it.”

Ludmila Hellerova, 77, a Holocaust survivor who was carrying an Israeli flag, walked into the neo-Nazi throng, saying neo-Nazism leads to Nazism and Nazism leads to the Holocaust.

The extremists turned their backs to Hellerova and shouted at her to shut up.

There was unprecedented media coverage discussing the

planned neo-Nazi demonstration on all three national television stations and in the leading daily newspapers, which carried editorials denouncing what they called the misuse of freedom-of-speech advocacy.

Johana Lomova, spokesman for the League Against Anti-Semitism in Prague, says the counterprotest was “the first time that the public, the common people said, openly without any problem, that they disagree” with neo-Nazis. “It is something very new. Also the police showed they can be proactive,” she added.

Following a dramatic increase in the number of neo-Nazi concerts in the Czech Republic this year, the police have faced harsh criticism from politicians and even the foreign minister for failing to prevent the gatherings or make arrests. The rally was led by the National Resistance, the country’s most visible neo-Nazi organization.

In response to a letter by the Federation of Jewish Communities stating that the neo-Nazis should not be allowed to demonstrate, Prague city officials said they could not prevent the neo-Nazis from gathering, but the police, who were out in force, did make two arrests.

Holocaust denial is illegal in the Czech Republic, as it is in Germany, and the mostly young and male protesters were careful to emphasize that they were demonstrating “solely in the name of freedom of speech, a freedom Zundel has been denied,” said a neo-Nazi supporter. He refused to give his name but said he was a 22-year-old university student from Prague.

Asked repeatedly by JTA if he thought the Holocaust had not occurred, he refused to answer. ■

NEWS IN BRIEF

MIDDLE EAST

Sharon postpones key Knesset vote

Ariel Sharon postponed a Knesset vote at which opponents in his Likud Party had sought a showdown.

In its first session since the High Holidays, the Israeli Parliament was expected to vote Monday on the appointment of Sharon loyalists as immigration and trade ministers, but several Likud Party members still angry at the Gaza Strip withdrawal threatened to vote against the nominees.

The prime minister put the vote off by at least a week.

Rocket experts nabbed en route to West Bank

Palestinians with expertise in making short-range rockets were caught trying to reach the West Bank from the Gaza Strip.

The three terrorists were caught in the Negev earlier this month and told investigators they had intended to reach Jenin, Israel's Shin Bet security service said Sunday.

They had infiltrated from Gaza into Egypt's Sinai, and from there crossed into Israel's desert.

According to Channel Two television, the group was accosted by Egyptian police en route but bribed its way through.

Prime Minister Ariel Sharon, in an apparent reference to the captured men, told his Cabinet that Israel would not tolerate any rocket fire on its territory from the West Bank.

Settlement rubble to be used for roads

Rubble from Israel's former settlements in the Gaza Strip likely will be used to pave Palestinian roads, a U.N. official said.

"Most of the concrete could be used for a variety of uses, and probably it would be turned over to the Palestinian Authority," Timothy Rothermel, special representative for the United Nations Development Program, told Reuters on Monday. "A base coat for roads is probably the primary interest."

The rest of the debris is expected to be buried in the Egyptian Sinai, though an agreement on the deal has yet to be finalized.

Sharon: No peace before terror ends

Ariel Sharon said the Palestinian Authority cannot evade its responsibility to crack down on terrorism.

"The demand for the Palestinians to wage a real war against terror cannot be circumvented," the Israeli prime minister said in a policy speech Monday opening the Knesset's winter session. "The international community is united in its demand for the Palestinian Authority to carry out all of its commitments, chief among them the disarming of terrorist organizations and prevention of attacks against Israel."

Sharon vowed that Israeli forces will continue operations against terrorists in the West Bank and Gaza Strip in parallel to efforts to restart diplomatic talks.

He also said the West Bank security fence would be completed as quickly as possible, with no limit on budgets.

Assassin wants retrial

Yitzhak Rabin's assassin, who is serving a life prison sentence, wants a retrial.

Relatives of Yigal Amir said this week that the convicted murderer will ask the Justice Ministry to grant him a new trial, citing what he calls new evidence suggesting that someone else fired the shot that killed the Israeli prime minister at a November 1995 peace rally.

The ministry had no immediate comment, but legal sources said Amir's request was unlikely to be granted.

The former law student is on record as having admitted to assassinating Rabin during open court sessions, but conspiracy theorists have argued that he thought he was firing blank bullets.

WORLD

Israeli mystic arrested

The head of an Israeli Kabbalah center was arrested for allegedly extracting money from a dying woman.

Shaul Youdkevitch was arrested Sunday on suspicion of convincing a cancer patient that donating tens of thousands of dollars to his Tel Aviv Kabbalah center would aid in her recovery, Yediot Achronot's Ynet Web site reported.

Youdkevitch was arrested after the late woman's husband filed a complaint.

According to the police, Youdkevitch says the Kabbalah Center recommended the donations but did not force the woman, a kabbalah devotee, to make them.

She first contributed \$36,000 to the organization.

When her illness took a turn for the worse, members of the center suggested that she donate a further \$25,000 and that she buy expensive holy water to help her condition, Ynet said.

Once the couple ran out of money, the report continued, rabbis recommended that the husband quit his job to work at the center.

He did not do so.

Jewish official to be made papal knight

Pope Benedict XVI is honoring a Jewish official as a papal knight.

Rabbi David Rosen, the American Jewish Committee's international director of interreligious affairs, will formally receive the honor later this week.

Rosen, who heads the International Jewish Committee for Interreligious Consultation, is a former chief rabbi of Ireland and a longtime activist in Catholic-Jewish dialogue.

There have been seven other Jewish papal knights, including a Conservative rabbi — the late Mordechai Waxman — and a Reform rabbi, Walter Jacob.

Extremist rally in Germany cut short

More than 3,000 people demonstrated against a neo-Nazi march in Germany.

Saturday's counterprotest in Gottingen forced some 350 members of the extremist National Democratic Party to cut short their event.

Local churches and mainstream politicians had urged citizens to demonstrate against the extremists.

Some 600 counterprotesters set fire to garbage containers, blocking the neo-Nazis' route.

Italians to protest Iranian's comments

Prominent Italians said they would join Italian Jews at a demonstration to protest the Iranian president's call to destroy Israel.

The initiative for the protest at the Iranian Embassy, to be held Thursday, came from a leading journalist and TV personality, Giuliano Ferrara, editor of the newspaper Il Foglio.

NORTH AMERICA

Memorial going up in Toronto

A groundbreaking was held in Toronto for a memorial to Canadian Jewish war veterans.

The memorial designed by Daniel Libeskind is slated to open next summer.