

IN THE NEWS

Olmert sees more withdrawals

Ehud Olmert hinted that Israel could carry out further unilateral withdrawals in the West Bank.

In his first formal policy speech since assuming power after Ariel Sharon suffered a stroke Jan. 4, the acting prime minister told the Herzliya strategy conference Tuesday that Israel was committed to the U.S.-led "road map."

But if the Palestinians don't carry out their obligation to crack down on terrorist groups, Olmert said, "we will ensure the security and interests of the Israeli people by all methods necessary."

Olmert said Israel's demographic survival would require further redeployments in the West Bank.

Jewish groups mixed on Alito

Jewish groups gave a mixed response to Judge Samuel Alito's nomination for a seat on the U.S. Supreme Court.

Alito was approved by the Senate Judiciary Committee on Tuesday in a party-line vote, 10-8, and his nomination will be debated on the Senate floor later this week.

The nomination has been opposed by the Union for Reform Judaism, National Council of Jewish Women and the National Jewish Democratic Council.

Agudath Israel of America again endorsed Alito's nomination, which is expected to be voted on by the full Senate by the end of the month.

Israeli team aids Kenya disaster victims

Israel sent a search-and-rescue team to the site of a Kenyan building collapse.

Eighty disaster and medical relief personnel took off early Tuesday from Tel Aviv for Nairobi, where scores of people are believed to be trapped in the rubble of a collapsed multistory building.

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Sentence in Franklin case sends chill on free-speech issue

By RON KAMPEAS

WASHINGTON (JTA) — It was surprising enough that the judge quadrupled the prosecution's recommended sentence for Lawrence Franklin, from three years to more than 12.

But the true bombshell at the sentencing of the former Pentagon analyst, who is at the center of the case involving pro-Israel lobbyists and classified information, came as lawyers were shutting their briefcases last Friday.

That's when U.S. District Judge T.S. Ellis III told the courtroom in Alexandria, Va., that he believed civilians are just as liable as government employees under laws governing the dissemination of classified information.

"Persons who have unauthorized possession, who come into unauthorized possession of classified information, must abide by the law," Ellis said. "That applies to academics, lawyers, journalists, professors, whatever."

It was difficult to assess whether Ellis was thinking out loud or was pronouncing his judicial philosophy. The judge earned a reputation as a voluble off-the-cuff philosopher when he adjudicated the case of John Walker Lindh, the "American Taliban."

But if those are Ellis' jury instructions in April, when two former staffers of the American Israel Public Affairs Committee go on trial, the implications could have major consequences — not just for Steve Rosen and Keith Weissman, but for how Americans consider national security questions.

Defense lawyers for Rosen and Weissman have joined a free speech watchdog in casting

the case as a major First Amendment battle.

"The implications of this prosecution to news gatherers and others who work in First Amendment cases cannot be overstated," lawyers for the former AIPAC staffers wrote in a brief earlier this month supporting an application from the Reporters Committee for the Freedom of the Press to file an amicus brief.

The case is believed to be the first in U.S. history to apply a World War I-era statute that criminalizes the dissemination of classified information by U.S. civilians.

Franklin pleaded guilty to a similar statute barring government employees from leaking classified information. That statute rarely has been prosecuted; before Franklin, the last successful prosecution experts can recall was in the 1980s.

JTA has learned that the defense team for Rosen and Weissman last week filed a brief by Viet Dinh, the former assistant attorney general who was the principal drafter of the USA Patriot Act, arguing that federal prosecutors in this case were interpreting classified information protections much too broadly.

Dinh confirmed to JTA in a brief phone conversation that he had signed the brief, which is classified.

Franklin, a mid-level Iran analyst at the Pentagon, admitted to leaking information to Rosen and Weissman in 2003 because he wanted his concerns about the Iranian threat to reach the White House.

His Pentagon colleagues were focused on Iraq, and Franklin believed AIPAC could get his theories a hearing at the White House's National Security Council. He also leaked information to Naor Gilon, the former chief

Continued on page 2

FOCUS
ON
ISSUES

In some observers' eyes, the AIPAC case becomes a test of free speech

Continued from page 1

political officer at the Israeli Embassy.

By the summer of 2004, government agents co-opted Franklin into setting up Rosen and Weissman. He allegedly leaked classified information to Weissman about purported Iranian plans to kill Israeli and American agents in northern Iraq.

Weissman and Rosen allegedly relayed that information to AIPAC colleagues, the media and Gilon. AIPAC fired the two men in March 2005.

In sentencing Franklin, Ellis described the former Pentagon analyst's motives as "laudable," but said his motives were beside the point.

"It doesn't matter that you think you were really helping," Ellis said. "That arrogates to yourself the decision whether to adhere to a statute passed by Congress, and we can't have that in this country."

Those views could be bad news for Rosen and Weissman, who hoped to rest part of their defense on an altruistic desire to save lives.

More to the point, it suggests Ellis believes government statutes are sacrosanct, however little they have been used. That's what concerns free-speech advocates.

"These provisions of the Espionage Act are widely recognized in the legal literature as incoherent," said Steven Aftergood, who heads the government secrecy project for the Federation of American Scientists, a nuclear watchdog that relies heavily on leaks for its information.

"We do not arrest and charge every reporter who comes into possession of

classified information. We do not arrest people who receive leaks of classified information, we never have," he said. "For the judge to suggest otherwise is quite shocking."

Lucy Dalglish, the Reporters Committee executive director, described the case as "terribly important."

"If we had a situation where journalists can be punished for receiving information, hello police state," she said.

At the Herzliya Conference in Israel — an annual gathering for top Western security officials that Franklin once attended — participants said the case was a central behind-the-scenes topic of discussion, and they girded themselves for the consequences of the Rosen and Weissman trial.

Malcolm Hoenlein, executive vice chairman of the Conference of Presidents of Major American Jewish Organizations, told the Jerusalem Post that the climate in Washington was "unacceptable."

That "two patriotic American citizens who are working for Jewish organizations who did nothing to violate American security should have to stand trial and be subject to the public scrutiny and public hu-

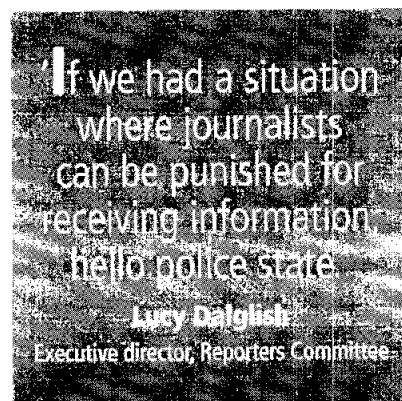
miliation, frankly I find very disturbing, and a matter that we all have to look at in a much more serious way," Hoenlein said.

Franklin's sentence seemed exceptionally tough, given the prosecution's tentative agreement to recommend a three-year sentence if Franklin cooperated in the case against

Rosen and Weissman.

Ellis' sentence — abiding by strict government sentencing guidelines — was mainly a technicality, since Franklin is not going to go to jail until his cooperation with the prosecution is complete. Prosecutors said they would exercise their prerogative to consider freeing Ellis from applying government sentencing guidelines.

In that case, Ellis is likely to apply the three-year deal prosecutors worked out with Plato Cacheris, Franklin's lawyer. ■



Indonesia honors Jewish group for efforts to help tsunami victims

By PETER EPHROSS

NEW YORK (JTA) — Indonesian officials have honored the American Jewish Joint Distribution Committee for its tsunami relief efforts.

The awards were given to JDC by the mayor of Banda Aceh and a regional official in a ceremony Monday.

The JDC has spent \$2 million so far for victims of the December 2004 tsunami in Indonesia, a mostly Muslim country that was hardest hit by the tidal wave that killed more than 200,000 people.

Michael Schneider, the JDC's honorary executive vice president, told JTA by telephone from Indonesia that the JDC has focused its efforts on upgrading refugee camps: providing mattresses, covered playgrounds, school uniforms and equipment, and electricity for 20,000 people.

The group also has worked on increasing and improving the water supply, having drilled to create five deep-water wells.

The group is building a model village of 100 houses, which it hopes will serve as a prototype when the government decides to build new housing.

"We are in Indonesia first and foremost to help people who suffered from the tsunami, but it's also an opportunity to build bridges of friendship and respect between Muslims and Jews," Schneider said.

The JDC raised \$18 million for tsunami relief through its emergency relief mailbox. In addition to Indonesia, the JDC is also working on relief and development efforts in Sri Lanka, India and Thailand.

The group's efforts have been conducted with a local partner group, the Dwiyuna Jaya Foundation.

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Canadian Jews see pro-Israel turn after election

By ADAM MICHAEL SEGAL

TORONTO (JTA) — With Canada's Conservative Party poised to take power for the first time in 12 years, Jewish leaders anticipate that the new government will take a firmer stance against Israel-bashing at the United Nations and play a larger role in fostering Israeli-Palestinian peace.

"There is an expectation that a Conservative government will take a somewhat more aggressive posture in encouraging the kind of reforms that would allow the U.N. to fulfill the objectives it was initially designed to address," said Shimon Fogel, CEO of the Canada-Israel Committee. That includes moves to "end the annual cycle of Israel-bashing at the U.N."

Under the Liberal government, which was defeated in Monday's election, Canada supported some U.N. resolutions unfavorable to Israel, though it had shown a slight change recently.

Statistics on Jewish voting patterns are not available, but the community's customary support for the Liberals is believed to have eroded somewhat in recent years.

"The Jewish community is no longer monolithic," said Bernie Farber, CEO of the Canadian Jewish Congress. "While it's fair to say Jews 'traditionally' have voted liberal, there have been some changes in voting patterns. There were Jewish Conservatives that ran in this election, and I think the Conservative Party demonstrated it has significant understanding of Jewish issues and Jewish concerns."

For example, the Conservative's prime minister-elect, Stephen Harper, spoke out emphatically against anti-Israel U.N. resolutions during the campaign.

"A Conservative government will not support resolutions at the United Nations that are aimed specifically at Israel or designed to create a bias in the resolution of the Middle East conflict," he said during a recent meeting hosted by the Canadian Council for Israel and Jewish Advocacy.

Harper, 46, is basking in his victory right now, but he may soon face a contentious political situation: His government is a minority, having won just 36 percent of the popular vote and occupying fewer than half the seats in the House of Commons.

Harper is seen as a social conserva-

tive whose views are closer to those of President Bush. Many observers predict better relations with Canada's southern neighbor, which had hit a rocky patch under Paul Martin, the Liberal prime minister.

Fogel said he believes Harper could push Canada to take a larger role in Mideast peace initiatives.

"The first foreign-policy priority will be to try and reaffirm strong relations with the U.S.," Fogel said. "And I think from that will flow other things, including the potential for a larger role in the Middle East, by virtue of an elevated sense of confidence the Americans will have in Canada for advancing things toward a peace process."

Farber said he believes Harper takes seriously the Iranian threat to Israel and will act accordingly. Iran is believed to be developing nuclear weapons, and its president recently called for Israel to be "wiped off the map."

"I think the government will be more proactive in seeking remedies to ensure the Iranians do not move forward with their nuclear program," agreed Frank Diamant, president of B'nai Brith Canada. "I know that they understand the threat Iran is, not just to Israel, but to Canada, Europe and the U.S."

With Palestinians voting in their own parliamentary election, questions swirl about what contact, if any, the new Canadian government will have with legislators from the terrorist group Hamas. Diamant believes Canada may take a wait-and-see approach based on what Israel decides to do about Hamas.

"If Israel decides to somehow, at some level, begin a process of dialogue 'with Hamas,' I think it would be exceptionally difficult for the Americans, Australians and Canadians" not to do the same, Diamant said. "But I'd be safe in saying this government will" continue to not engage Hamas for the time being.

During his meeting with the council, Harper referred to Hamas as a terrorist group and implied that the election of

Hamas members to the Palestinian Parliament is problematic. But he did not specifically rule out contact.

"On a fundamental level, the advocacy of terrorism and the establishment of stable democratic institutions" are incompatible, he said. "If institutions committed to terrorism are play-

ing a role in the Palestinian state, whether elected or not, that's an indication to me that the road to democracy has not been traveled very far."



BEHIND THE HEADLINES

German leader pressed on dialogue

By TOBY AXELROD

BERLIN (JTA) — Israel Singer wants Germany's new chancellor to take the lead in fostering international dialogue with Muslims.

In a private meeting Tuesday with Chancellor Angela Merkel, the chairman of the World Jewish Congress said recent Holocaust denial and anti-Israel statements by Iranian President Mahmoud Ahmadinejad underscore the urgency of establishing dialogue with Muslim leaders around the world.

The Iranian leader is a "street gangster," Singer told JTA after meeting with Merkel. "I have met Arabs from around the world, and they are embarrassed to hell by what people are doing to their religion. And Chancellor Merkel understands this fully."

Singer said he presented the chancellor with his concept for an international "Dialogue of Religions" that he would like Germany to host.

A spokesman for Merkel told JTA she is sympathetic to the idea but that it was too soon to talk about concrete steps. The conversation took place in "an excellent atmosphere," the spokesman said.

Merkel is due to visit Israel next week and will speak with Israeli and Palestinian leaders, the spokesman said.

NEWS IN BRIEF

NORTH AMERICA

Rice to Lebanon: Disarm Hezbollah

Condoleezza Rice once again urged Lebanon's government to disarm Hezbollah.

The telephone call Tuesday from the U.S. secretary of state to Fouad Siniora, Lebanon's prime minister, came a day after the U.N. Security Council reaffirmed its resolution last year calling for free and fair presidential elections in Lebanon, an end to Syrian interference in Lebanon and the disarming of militias.

Hezbollah is a terrorist group that continues to attack Israel even after Israel's withdrawal from southern Lebanon in May 2000.

Presbyterians urged to shun Hezbollah

A bipartisan slate of eight members of Congress urged the Chicago chapter of the U.S. Presbyterian Church to stop meeting with Hezbollah.

"We urge you to rethink this policy of continued contact with people responsible for the murder of 258 Americans and the citizens of other members of the United Nations," said the letter, initiated by Rep. Mark Kirk (R-Ill.) and Rep. Robert Andrews (D-N.J.).

The Chicago City Council last month condemned Rev. Bob Reynolds, the Chicago Presbytery executive, who led a group to a meeting with the terrorist group in Lebanon in October.

Reynolds later said he regretted the visit because Hezbollah, which continues to seek Israel's destruction, used it "for political purposes."

Jewish Democrats seeks Robertson rebuke

The National Jewish Democratic Council will ask the Republican Party to disassociate itself from Pat Robertson.

The organization will launch a campaign later this week to send letters to Ken Mehlman, chairman of the Republican National Committee, seeking a condemnation of the Christian leader's "disturbed rhetoric and divisive actions."

Robertson recently said Israeli Prime Minister Ariel Sharon's massive Jan. 4 stroke was divine punishment for last summer's Gaza Strip withdrawal; Robertson later apologized when Israeli officials threatened to cut off contact.

The organization also expressed concern about federal funding of Robertson's church initiatives through the faith-based initiatives program. "The close working relationship between Robertson's group and the Bush administration must end," the petition reads.

A Republican National Committee spokesman noted President Bush's condemnation of Robertson's remarks earlier this month.

Demjanjuk appeals again

Former concentration camp guard John Demjanjuk appealed his deportation.

On Monday, Demjanjuk appealed a recent decision by Chief U.S. Immigration Judge Michael Creppy, who rejected Demjanjuk's contention that he would be tortured in Ukraine.

Demjanjuk, 85, served as a guard at the Sobibor, Majdanek and Flossenburg camps but lied about his past when he applied to enter the United States in 1952. Demjanjuk was acquitted in Israel in 1993 of being "Ivan the Terrible," one of the most notorious Nazi guards.

MIDDLE EAST

Carter leads Palestinian election monitors

Former President Carter is leading a delegation of monitors to the Palestinian elections.

Carter is heading the 80-member joint Carter Center-National

Democratic Institute delegation, which also will include former Swedish Prime Minister Carl Bildt, former Albanian President Rexhep Meidani and former Spanish Foreign Minister Ana Palacio.

Civic leaders from Palestinian American and Jewish American groups also are part of the team monitoring Wednesday's legislative elections, which already have been beset by violence and charges of corruption. Separately, Sen. Joe Biden (D-Del.) is leading a small official U.S. delegation.

Abbas to Syria: Shut down terrorists

Mahmoud Abbas asked Syria to shut down the offices of Palestinian terrorist groups, the U.S. State Department said.

Spokesman Scott McCormack said the refusal of Syrian leader Bashar Assad to heed the Palestinian Authority president was an example of Syrian recalcitrance.

"President Abbas has asked President Assad to close down the offices of those Palestinian rejectionist groups headquartered in Damascus," McCormack said Tuesday. "He hasn't done so. As a matter of fact, he's done just the opposite," McCormack added.

Hamas sees indirect talks with Israel

A senior leader of Hamas said the Palestinian terrorist group one day could hold indirect talks with Israel.

Mahmoud al-Zahar, leader of Hamas in the Gaza Strip and a leading candidate in upcoming Palestinian Authority parliamentary elections, was quoted Monday as saying that negotiations with Israel were not, in principle, "taboo."

He suggested that Hamas could one day hold talks with the Jewish state through a mediator, a method used by Hezbollah for a 2004 prisoner swap. Hamas has resisted pressure to amend its charter, which calls for Israel's destruction.

'Munich' connects actor with slain father

An Israeli actor who played his own father, an athlete slain at the 1972 Olympics, in "Munich" said the experience helped him achieve closure.

"All my life I heard stories about Dad, but it was just words. In acting it out, everything suddenly became real," Guri Weinberg told the Israeli Ynet Web site Tuesday in an interview from Los Angeles.

In "Munich," Weinberg depicts his father, Moshe, a weightlifter who was the first of 11 athletes killed as he tried to fend off Palestinian hostage-takers at the Olympic Village.

"For many years I was angry with him, thinking to myself that had he not put up a struggle, maybe I would still have a dad," Weinberg said. "When we made the film, I understood for the first time that he had to do what he did, and that he didn't have any chance of getting out of there alive."

WORLD

Ireland: Jewish circumcisions OK

An Irish government committee recommended that circumcisions carried out by mohels should be permitted to continue.

All other cultural and religious circumcisions should be performed by trained surgeons under the direction of the health authorities, the commission ruled.

The recommendations appear in a report to the Irish minister for health, who established the committee to address ethical and medical concerns raised by circumcision practices in Ireland after a one-month-old Nigerian boy died following a home circumcision in 2003.

Outside the relatively small Jewish and Muslim communities, elective circumcision is rare in Ireland.