Review of the Year

UNITED STATES
For American Jews, the momentous and traumatic happenings in Israel between mid-1995 and mid-1996—particularly the assassination of Prime Minister Yitzhak Rabin—tended to overshadow events on the domestic front. Nevertheless, much that took place at home had enormous implications for American Jews, not the least of which were the developing policy positions of the Republican-controlled Congress on issues of concern to the organized Jewish community. Also significant was the primary season for 1996, with serious questions at midyear about whether either Congress or the White House would change hands in November and the possible implications of change. And once again Nation of Islam leader Louis Farrakhan placed American Jews in a quandary, this time by organizing the October 1995 Million Man March, which won him increased acceptance and a show of unity in mainstream black America as well as in the larger society, without renouncing the anti-Semitic and racist views that form the core of his movement.

The Political Arena

The Presidential Election

Sen. Arlen Specter's (R., Pa.) bid to become the first Jewish president came to an early close with his announcement in November 1995 that he was suspending his campaign for the Republican Party's nomination. No significant support had materialized within the party for a platform that combined support for church-state separation and reproductive rights with fiscal conservatism and a call for a simplified income tax system. Specter's campaign staff reported that the bulk of the contributions to his campaign came from abortion-rights activists and Jewish Republicans, but in relatively modest amounts.

Other contenders for the presidency in both major parties continued to seek Jewish support. The National Jewish Democratic Council (NJDC) held a successful campaign event in November 1995 to bolster President Bill Clinton's bid for reelection. Seven of eight remaining Republican presidential candidates appeared that same month at a Washington presidential forum sponsored by the
National Jewish Coalition (NJC), the Republican equivalent of the NJDC. Haley Barbour, chairman of the Republican National Committee, expressed the desire of his party to do better in attracting traditionally Democratic Jewish voters, saying, “We as a party must—and we as a party will—be more effective and more aggressive in advancing our message in the Jewish community.”

As he and his supporters would at other times during the 1996 primary season, Senate Majority Leader Bob Dole (R., Kan.) sought to put to rest the concern of some—arising from positions he had taken during the 1980s—that he was, at best, a lukewarm supporter of the Jewish state. He spoke at the National Jewish Coalition meeting of the need to strengthen the U.S. relationship with Israel by negotiating a “full-fledged comprehensive alliance” between the two nations, and of his victory just weeks before in pushing through Congress a bill to require that the U.S. embassy in Israel be moved from Tel Aviv to Jerusalem.

Unsurprisingly, in light of the tensions between him and the Jewish community, Pat Buchanan was the sole candidate for the Republican nomination not to appear at the aforementioned NJC event. As in 1992, Buchanan’s candidacy for the Republican presidential nomination was a cause for concern among many in the Jewish community, perhaps for Jewish Republicans most of all. The rhetoric he invoked during the 1996 primary season was somewhat muted compared to 1992, but he remained for many as he had been described in a 1991 report prepared by AJC program specialist Kenneth Stern: “No friend to the Jews, and [one who] has serious problems with ‘Jewish issues.’ ” Thus, during the 1996 primary season, NJC executive director Matthew Brooks commented, “Pat Buchanan’s views are so far out of the mainstream of the Republican Party today that they are practically out of the Republican tent.”

There was cause for some alarm, then, when Buchanan took first place in the February 1996 Louisiana caucus, came in with a surprisingly strong second-place showing a week later in the Iowa caucus, and then narrowly but stunningly defeated Bob Dole in the New Hampshire primary at the end of the month. With these early victories, and as a champion of socially conservative positions, Buchanan quickly became the favorite of many in the religious right who seemed prepared to ignore his borderline anti-Semitism because of agreement on many issues and the momentum of his candidacy. His backers also included a number of anti-Semites and other extremists. He was promoted in far-right publications, and Larry Pratt, president of Gun Owners of America, served as a co-chair for his campaign. Pratt took a “leave of absence” from that position in February 1996 when it was disclosed that, some four years earlier, he had attended a meeting of white supremacists and Christian Identity adherents at which he advocated the formation of armed militia units—but Buchanan never disclaimed Pratt’s support.

A palpable effect of Buchanan’s early success was to move many Jewish Republicans, as well as others within the party, to urge that it was time to coalesce behind Bob Dole because, in the words of prominent Jewish Republican George
Klein, "The soul of the party is at stake." These party faithful viewed Dole as a friend of Israel and a "true moderate" who, in the course of campaigning for the nomination, necessarily had to make certain accommodations to the right wing of the party. Even before the early primaries there was a significant Jewish presence in Dole's campaign. Five of his 15 national campaign co-chairpersons were Jewish, and Max Fisher, an elder statesman of the party, served as honorary chairman of the campaign.

As the primary season moved forward, and Senator Dole clinched the Republican nomination, Jewish Republicans—generally moderate on social issues—turned their attention to the developing party platform, seeking to fend off planks supported by the religious right in what advocates on both sides viewed as a battle for the party's future. The most visible issue was a long-standing platform position of absolute opposition to abortion, but conflicts existed as well over welfare reform, separation of church and state, and gay rights. Moderate Republicans asserted that adopting the religious right's agenda might resuscitate the image of the party as "intolerant" that came out of the 1992 convention, and thus lead to defeat in November. Social conservatives, for their part, contended that the party would not prevail without the energized activist base that was committed to their agenda.

As midyear approached, Bob Dole stunned the nation with his announcement on May 15, 1996, that he was not only stepping down from his leadership position in the Senate, which many had anticipated, but was resigning from the body altogether. As observers contemplated what impact this might have on his campaign, many advocates in the Jewish community also wondered what the implications of Dole's action might be for their agenda. Although Dole had often not been an ally on the organized Jewish community's domestic issues, he had played a role as gatekeeper and consensus builder in keeping the most extreme initiatives of some of his Republican colleagues from going forward. Whether the new Majority Leader, Sen. Trent Lott (R., Miss.), would play a similar role remained to be seen.

Congressional Elections

With Sen. Howard Metzenbaum's (D., Ohio) retirement in 1994, the number of Jews in the Senate dropped to nine. The tenth person was restored by Oregon's special election in January 1996—called in order to select a replacement for Sen. Bob Packwood, who had earlier resigned in the face of an ethics investigation—when Democrat Ron Wyden assumed the seat for the remainder of Packwood's term.

Federal Election Commission filings available early in 1996 showed that during the first half of 1995, GOP candidates for Congress had received—for the first time—the majority (53 percent, close to $340,000) of funds distributed by pro-Israel political action committees. Although not by any means comparable to the
lion's share that Republican candidates received of overall contributions during that period ($23 million as compared to $12 million for Democrats), this represented a monumental change from the 27 percent they received in the first half of 1993. Given the GOP control of both houses of Congress after the election of 1994, this was hardly a surprise. Chuck Brooks, executive director of National PAC (NATPAC), the largest pro-Israel PAC, stated frankly that there were no new policy differences with Democratic candidates that had arisen; rather, the new giving patterns were simply a reflection of "practical realities."

The Religious Right

As the 1996 political season got under way in the fall of 1995, American Jews remained concerned about the increasing influence of the religious right in the Republican Party—and the potential impact of that movement on the general election. These concerns were not alleviated when both Senate Majority Leader Bob Dole and House Speaker Newt Gingrich (R., Ga.) attended a Christian Coalition conference in September 1995, and Senator Dole told the group, "You're going to have a big, big say about what happens in '96." At that conference, coalition founder Pat Robertson announced that it was his organization's intention to take control of the Republican Party in all 50 states. If 1996 was not the year in which the coalition achieved that objective, it certainly was the year in which—at least judging by the results of a number of congressional primaries and the obeisance paid to the group's agenda by nominee-apparent Dole—that influence within the party was solidified.

Their opposition to the goals of the religious right notwithstanding, a number of Jewish leaders cautioned against demonizing the Christian Coalition and like-minded groups and suggested that the successes of those groups reflected, in part, the failures of the "progressive" end of the political spectrum. Thus, Rabbi David Saperstein, director of the Religious Action Center of Reform Judaism, said of the religious right that "they're asking profound questions" about family and community, but "I just disagree with their answers." The conference at which Rabbi Saperstein made these remarks was a three-day "Summit on Ethics and Meaning," convened in Washington in April 1996 by Michael Lerner, publisher of Tikkun, a progressive opinion magazine. Attended by some 1,800 people, the "summit" sought to promote Lerner's vision of a "politics of meaning" premised on concern for spiritual and family values that, in the view of the conference's organizers, had become associated unfairly with the right.

Lerner was far from the only Jewish activist seeking to find ways to rebut the implicit claim of the Christian Coalition and others on the religious right to represent the religious perspective on public policy issues. Individually and as part of communal organizations, American Jews worked with groups such as the Interfaith Alliance to make the case that the values of the progressive end of the political spectrum arose at least as strongly from religious tradition and belief.
The Clinton Administration

Given the sense of shared destiny that binds so many American Jews and the Jewish state, it was no surprise that most American Jews experienced the assassination of Israeli prime minister Yitzhak Rabin on a Saturday evening in November 1995 as a deep personal loss. Less expected was the strong sense of personal and national bereavement—not mere formal expressions of condolence on an ally's loss—shown by an American president and others on the American political scene over the killing. On the evening of the murder, President Clinton announced a period of national mourning and, in an action almost unheard of after the death of a foreign leader, directed that American flags at federal buildings be flown at half-staff. In an emotional farewell, President Clinton spoke the words that quickly became a catch phrase in Israel, "Shalom, haver. Goodbye, friend."

The eulogy delivered by President Clinton the following Monday in Jerusalem, at Rabin's Mount Herzl grave site, referred to the Torah portion scheduled to be read in synagogues the very next Sabbath, the story of God's testing of Abraham by asking him to sacrifice his son Isaac—Yitzhak in Hebrew—only to have an angel restrain Abraham's hand at the last moment. "Now God tests our faith even more terribly," Clinton said, "for he has taken our Yitzhak."

The president was but the most visible symbol of the nation's almost unprecedented taking to heart of the tragic death of a foreign leader. Clinton led a delegation of more than 100 Americans to attend Rabin's funeral, a delegation that included Presidents George Bush and Jimmy Carter, secretaries of state from four prior administrations, and dozens of members of Congress (including Senate Majority Leader Dole and House Speaker Gingrich), as well as American Jewish leaders and other civic and religious leaders. Many took special note when one of the American leaders, Sen. Edward Kennedy (D., Mass.), went to the prime minister's grave site after the burial ceremony to leave earth taken from the graves of his slain brothers, President John F. Kennedy and Senator Robert Kennedy. And, from the moment word of the assassination flashed around the globe, the U.S. media followed the story continuously, with live coverage on the three major networks, as well as on CNN and C-SPAN, of the funeral. "Nothing could exceed what they have done," said Hyman Bookbinder, Washington representative emeritus of the American Jewish Committee. "I am absolutely amazed at the extent of tribute to Yitzhak Rabin and Israel."

The death in a plane crash in Croatia of U.S. Secretary of Commerce Ron Brown, on the eve of Passover 1996, was mourned as the loss of a supporter of Israel and friend of the American Jewish community. Officials of Jewish organizations quickly weighed in with recollections of Brown's work, such as his efforts to end the Arab boycott of Israel and his partnership with the American Jewish Committee in the early 1970s when, as counsel to the Urban League, he promoted formation of the National Alliance for Safer Cities. There was a brief strain in his relationship with American Jews when, in 1988, Brown held a prominent role...
in Jesse Jackson's campaign for the presidency—at the nadir of Jackson's own relationship with the Jewish community—but that quickly passed. Steven Grossman, a former president of the American Israel Public Affairs Committee, commented, "Ron Brown's relationship with the Jewish community enriched his life and our community. It's not enough to say that he will be missed."

Later that same month, President Clinton nominated U.S. Trade Representative Mickey Kantor as Ron Brown's successor. Kantor and Brown had worked closely in promoting American trade interests, and for many Kantor seemed an obvious choice. With his appointment as Commerce Secretary, Kantor brought to four the number of Jewish officials in the Clinton cabinet, joining Agriculture Secretary Dan Glickman, Treasury Secretary Robert Rubin, and Labor Secretary Robert Reich—a remarkable representation of the Jewish community at the highest levels of the administration, made even more noteworthy by the little attention that the development evoked.

Terrorism

Debate continued, among American Jews and Americans in general, in the aftermath of the April 1995 bombing in Oklahoma City and the October 1995 deliberate derailment of an Amtrak passenger train, as well as bombings in Israel, about whether, and what kinds of, new legislative and executive responses were required. A key concern for some was how such measures were to be balanced against civil-liberties and due-process protections.

The Anti-Defamation League and the American Jewish Committee were among the most prominent voices in the Jewish community calling for strong legislation to respond to the threat of terrorism. The two organizations diverged, however, in their approaches to the specific legislative packages moving through Congress. While both urged certain changes in response to the constitutional concerns that had been raised, it remained clear that ADL wanted to see the antiterrorism legislation enacted whether or not those changes were made. The AJCommittee more strongly expressed its civil-liberties concerns, noting that while there were many urgently needed provisions in the bills, it could not support other provisions "as written."

In June 1995 the Senate passed a comprehensive antiterrorism bill, shepherded on the Senate floor by Sen. Orrin Hatch (R., Utah), that went some distance in addressing civil-liberties concerns. By the reckoning of some in the Jewish community, it went too far in that direction, creating procedures that would impede enforcement of the bar on fund-raising by or for "designated" organizations. On the other hand, the Senate-passed bill added a habeas corpus "reform" section that would dramatically restrict the ability of federal and state prisoners to challenge the constitutionality of their sentences or convictions.

On the House side, on June 20, 1995, the Judiciary Committee approved a substitute bill prepared by chairman Henry Hyde (R., Ill.) by a vote of 23-12, a tally
that reflected support and opposition from both sides of the aisle. As with the
Senate bill, it made some improvements vis-à-vis civil-liberties concerns but left
others unaddressed. It also set forth “summary exclusion” procedures that would
allow officials to turn back applicants for asylum under certain circumstances,
without a fair hearing of their claims—thus creating the possibility that legiti-
mate refugees could be returned to persecuting countries.

Originally anticipated for a quick floor vote, the House legislation stalled for
months as an unusual right-left coalition, including the National Rifle Associa-
tion (NRA) and the American Civil Liberties Union (ACLU), came together in
opposition to the bill; for the NRA, opposition was focused on the bill’s strength-
ening of weapons control and increased law-enforcement authority, while for the
ACLU, the bill unacceptably compromised civil liberties.

The series of bombings carried out by Hamas terrorists in Jerusalem and Tel
Aviv in a period of one week in February and March 1996, killing 58 and wound-
ing over a hundred in total, broke the House logjam. The antiterrorism bill was
quickly brought to the floor for action, where it passed on March 14 by a vote of
229-191. But it passed only after the House had adopted an amendment offered
by Rep. Bob Barr (R., Ga.)—strongly pushed by the National Rifle Association—
that, in the view of virtually all Jewish groups, eviscerated the core provisions of
the bill. The ADL and AJCommittee, among many other observers, commented
on the irony that the House of Representatives had gutted the antiterrorism bill
even as President Clinton was engaged in a summit with Middle East and other
world leaders, at Sharm el-Sheik in the Sinai, to consider steps to be taken in the
battle against international terrorism.

Defying widespread expectation that developments in the House had effectively
killed the initiative, in April 1996 the House-Senate conference committee re-
ported back a bill that restored some, if not all, of the provisions that Jewish
groups regarded as essential to the fight against terrorism. Thus, among other
terrorism-related sections, the bill prohibited fund-raising on behalf of foreign
groups designated as terrorist organizations by the Secretary of State; estab-
lished a special deportation court for aliens suspected of terrorist activity in
which the government would be able to shield classified information from dis-
losure; expanded federal jurisdiction over terrorism-related offenses; and au-
thorized $1 billion in funding over five years to help federal law-enforcement of-
ficials fight terrorism. And, in doing these things, the bill gave greater regard to
civil liberties and due process than it had earlier, although certainly not to the
satisfaction of the ACLU or of Arab-American groups who viewed the bill as di-
rected at them.

But the bill that emerged from conference, headed for virtually certain passage
in both houses and signature by the president, continued to include those habeas
corpus and summary exclusion provisions that some in the Jewish community
considered repugnant. And so, even as the Anti-Defamation League, B’nai B’rith,
and the Conference of Presidents of Major American Jewish Organizations hailed
the bill's final version and urged its final passage, other Jewish groups concluded that their long battle for a "clean" bill had failed. At the eleventh hour, three organizations—the American Jewish Committee, the American Jewish Congress, and the Union of American Hebrew Congregations—made the hard choice to urge a "no" vote on the conference report. Unsurprisingly, this late protest notwithstanding, the bill was passed by overwhelming margins by both houses of Congress, and was signed into law by the president on April 24, 1996.

In other developments, in July 1995 Muhammad Abu Marzook, a sometime resident of the United States, was arrested at Kennedy Airport on charges of "directing and coordinating" Hamas's terrorist activities from the United States. Upon his arrest, Marzook acknowledged his role as a political leader in Hamas but denied involvement in any terrorist activities. He also later denied that Hamas was doing any fund-raising in the United States at all, a claim quickly dismissed by U.S. authorities. On March 12, 1996, FBI director Louis Freeh testified at a congressional hearing that papers filed by Israel in support of its request (still pending as of midyear 1996) for Marzook's extradition "recount[ed] not just [Marzook's] leadership in Hamas but also ... control of funds and fund-raising and the transfer of assets between the United States and organizations in the Mideast that support terrorist activity." Upon his arrest, Jewish activists noted that the fund-raising provisions of the then-pending antiterrorism package would have made prosecution of Marzook much easier. Those provisions were ultimately included in the law as enacted.

In October 1995, ten Islamic militants were convicted by a New York federal trial court of seditious conspiracy for their role in plotting to blow up a number of New York landmarks, including the United Nations and the George Washington Bridge. Those convicted included Sheik Omar Abdel-Rahman, the blind Egyptian cleric who served as the group's spiritual leader, and El Sayid Nosair, earlier acquitted of murdering Rabbi Meir Kahane but found guilty at that time of related weapons charges. U.S. Attorney Mary Jo White stressed that the case was "not about religious beliefs or ethnicities of people. Indeed," she said, "these crimes are perhaps most offensive to the vast, vast majority of Muslims who speak and live the enlightenment and peacefulness of their religion." Abdel-Rahman, who had also been convicted of plotting to assassinate Egyptian president Hosni Mubarak, and Nosair were each later sentenced to life terms, with the other defendants drawing sentences ranging from 25 to 57 years.

At the state level, in May 1996 both houses of the Illinois legislature passed an antiterrorism bill, an initiative pressed by the Metropolitan Chicago Jewish Community Relations Council (JCRC) after reports circulated that Hamas was raising money in the Chicago area. The bill, expected by all concerned to be signed into law by Gov. Jim Edgar, focused on providing law-enforcement authorities with the tools to interdict domestic fund-raising that supports terrorist activities abroad. "This bill complements the recently enacted federal counterterrorism legislation," said Michael Kotzin, director of the Chicago JCRC.
Militias

With concern over the perils posed by the militia movement heightened by the April 1995 Oklahoma City bombing, Jewish organizations joined with Congressmen Charles Schumer (D., N.Y.) and Peter King (R., N.Y.) in an ongoing call for House Judiciary Committee hearings on the issue. They and supporting Jewish organizations expressed frustration that extensive hearings were being held on government actions at Waco and Ruby Ridge, while fanatic antigovernment agitators, whose beliefs had clearly already been the catalyst for many dozens of deaths, received scant attention. As the summer of 1995 drew on with no House session on the militia movement scheduled, Rep. Schumer convened an informal hearing on Capitol Hill in July 1995 at which the American Jewish Committee, the Anti-Defamation League, and the Simon Wiesenthal Center, among others, presented statements.

Four months later, a formal hearing was at last held before the House Judiciary subcommittee on crime, at which the aforementioned Jewish organizations were among the groups and individuals testifying as to the dangers posed by paramilitary groups. The Jewish representatives took the occasion to express support for bills directed at the violent activities of paramilitary groups introduced by Congressmen Schumer and Jerrold Nadler (D., N.Y.). Not all those present at the hearing were so enthusiastic. Rep. Bob Barr (R., Ga.) termed himself "flabbergasted" to hear Jewish groups, which he noted had a reputation for concern about civil liberties, in "such a pell-mell rush to outlaw more activity" when "we already have very, very extensive criminal laws in this country that do protect us against acts of violence or conspiracy to commit acts of violence." Kenneth Stern, AJCommittee's program specialist on anti-Semitism and extremism, disagreed with the notion that the proposed legislation constituted a threat to civil liberties, asserting that the formation of paramilitary units by the militia groups endangered lives and posed a threat to surrounding communities.

Although the Jewish groups were among the most outspoken on the dangers posed by the militia movement, the rhetoric—and the actions—of that movement were directed against government, in particular federal officials, and not against Jews or blacks, the traditional targets of extreme right-wing militants. Nevertheless, there were ties between a number of the militias and neo-Nazi groups and a widely shared worldview that saw Jews as "Satan's seed" and the FBI as "agents of ZOG—the Zionist Occupied Government."

Nor did the militia movement's focus on government officials mean that Jews and their communal organizations had nothing to worry about. In April 1996 a federal jury in Oklahoma convicted three defendants on charges of plotting to blow up several targets, including the Houston office of the Anti-Defamation League. The conspirators, headed by the leader of the Oklahoma Constitutional Militia, were arrested in November 1995 for possession of the ingredients for explosives to be used against the ADL as well as other civil-rights groups, welfare
offices, and abortion clinics. Also the Jewish members of Congress most vocal in their assessment of the threat posed by militias and other far-right groups, such as Congressmen Schumer, Nadler, and Eliot Engel (D., N.Y.), regularly received virulent—sometimes threatening—anti-Semitic hate mail.

**Soviet Jewry, Refugees, and Immigration**

From midyear 1995 through midyear 1996, officials of Jewish organizations traditionally supportive of "fair and generous" immigration policies, together with coalition partners at various other ethnic, religious, and civic groups, sought to prevent the omnibus immigration reform bills introduced in both houses of Congress in 1995 from becoming law. In addition to general humanitarian concerns about the treatment of immigrants, Jewish federations faced the possibility of overwhelming cuts in government funding of their programs if public benefits for legal immigrants were curtailed. A major concern for Jewish groups was the way in which the immigration bills linked proposals to reduce the numbers and kinds of legal immigrants admitted into the United States each year with steps to curtail illegal immigration. But for many the most crucial concern of all was posed by the House bill's provision intended to sharply cap the number of refugees eligible to be granted asylum in the United States, an issue that brought to mind the closing of America's doors in the 1930s and '40s to Jews fleeing the furnaces of Hitler's Europe. The House bill would cap refugee admissions at 50,000—down some 60 percent from the 110,000 refugees (including some 22,000 Jewish refugees from the former Soviet Union) allowed into the United States in 1995.

Another ongoing issue for the Jewish community was the skepticism in some quarters that Jews from the former Soviet Union (FSU) remained sufficiently in danger to be treated as refugees. Diana Aviv, director of the Washington Action Office of the Council of Jewish Federations, spoke of the challenge in persuading Congress "that Soviet Jews are still at risk. People seem to think that because elements of democracy have sprung up in different parts of the former Soviet Union that therefore we no longer need to worry about groups that have traditionally and historically been discriminated against." That educational task was furthered somewhat by a hearing held before a House International Relations subcommittee on February 27, 1996, at which witnesses stressed that Jews of the FSU—as well as elsewhere in the world—remained under the threat of "open mass anti-Jewish pogroms" and other violence.

On May 2, 1996, in a surprise victory for pro-immigrant groups, the full Senate passed only the illegal immigration portion of a bill that had earlier been "split" so as to divide legal and illegal immigration into two distinct initiatives. On March 21 the full House also voted to "split the bill," as well as adopting an amendment that removed the refugee caps that had so alarmed Jewish advocates. However, concern remained about the legislation's final form. Though characterized now as illegal immigration legislation, both the House- and Senate-passed
versions retained provisions that Jewish groups viewed as designed to discourage legal immigration. Two of these would make it more difficult for American citizens to sponsor relatives to immigrate to the United States and would deny public benefits to legal immigrants. As of midyear 1996, the immigration legislation had not moved beyond the conference committee stage.

Bosnia

Jewish members of Congress and Jewish organizations by and large remained strong advocates of steps to end the years-long embargo that prevented arms from flowing to the Muslim forces in Bosnia. On July 27, 1995, the Senate's nine Jewish members all joined in a 69-29 vote in favor of a bill cosponsored by Senate Majority Leader Bob Dole and Sen. Joseph Lieberman (D., Conn.) to end U.S. participation in the UN arms embargo of Bosnia. President Clinton warned that he would veto the initiative if passed by Congress. The president's opposition notwithstanding, the Senate action was welcomed by a number of Jewish groups as a necessary response to a failed policy; Dole read a statement of support from the American Jewish Congress on the Senate floor. The American Jewish Committee, however, opposed the Senate action as a possible "prescription for a bloodbath," given the likelihood that the Bosnian Serbs would overrun the positions of the Bosnian Muslims before any arms were actually delivered.

At the end of 1995, substantial portions of the Jewish community swung behind President Clinton as he deployed U.S. troops in Bosnia in order to enforce the Balkan peace agreement that had just recently been brokered by his administration in Dayton, Ohio. Weighing in in support of the president, even as the Congress was debating whether to do the same, Holocaust survivor Elie Wiesel asserted in December 1995 that the U.S. peacekeeping role was "an act of morality" that "will be remembered in history."

Foreign Aid

The bipartisan tradition of support for Israel and for its partners for peace in the Middle East continued in the 104th Congress. But the downward trend in overall levels of foreign aid also continued, a disturbing development for Jewish advocates, who viewed foreign aid for developing countries as in the national interest and were also concerned that any general reduction in aid would eventually lead to pressure to reduce aid to the Middle East partners. Thus, Jewish groups were united in expressing appreciation for the bipartisan support for aid to Israel in the foreign aid package passed by the House in July 1995 (AIPAC executive director Neal Sher said that his organization was "extremely pleased" with the level of aid for Israel). Some, however, were dismayed by the substantial overall reduction in foreign aid, particularly for developing areas such as Africa. Jason Isaacson, director of government and national affairs for the American Jewish Committee, as-
asserted that it provided the "bare minimum necessary." During the month before the House vote, AJCommittee had run an advertisement in major newspapers and magazines urging support for foreign aid as being in the national interest.

It was against this backdrop that the Foreign Aid Operations Bill for Fiscal Year 1996—delayed well past the October 1, 1995 start of the fiscal year by a standoff between the president and Congress over other budget issues—passed on January 26, 1996, as part of a Continuing Resolution. In addition to $3 billion in aid for Israel and $2.1 billion for Egypt, the bill contained a number of other pro-Israel provisions. But overall foreign aid did not do as well, falling from $13 billion in fiscal 1995 to $12.2 billion for fiscal 1996.

The Continuing Resolution also included a renewal through mid-1997 of the Middle East Peace Facilitation Act (MEPFA), which would enable the Palestinians to receive aid of $500 million over five years, conditioned upon certification by the president of their compliance with the peace accords, in particular their undertaking to repudiate violence against Israel and to combat terrorism. MEPFA also provided for a current $30-million aid package for Jordan. But following the series of Hamas terror attacks within Israel in February, culminating with the Purim eve (March 4) suicide bombing at Tel Aviv's Dizengoff Center, Rep. Benjamin Gilman (R., N.Y.), chairman of the House International Relations Committee, made public his decision to place a hold on a portion—$13 million—of the aid to the Palestinians contemplated by MEPFA. "The hold on these funds will remain until the PLO responds to congressional concerns about its assets, and fulfills its written obligations to root out terrorist groups in its midst," he said. The Clinton administration protested this action as not likely to help PLO chairman Yasir Arafat's efforts to crack down on Hamas.

On June 11 the House passed the Foreign Appropriations Act of 1996 by a vote of 366-57, with a total foreign aid package of $11.95 billion for Fiscal Year 1997, down from the previous year but not by as much as had been proposed by the subcommittee on foreign operations. The Senate bill that was still awaiting floor action was $300 million more generous than the House version, mostly in aid to developing African nations. (The Senate bill also included a clause stating that "beginning in FY 97, all official U.S. publications shall refer to Jerusalem as Israel's capital.")

Arab Boycott

Although the ongoing peace process made it tempting to assume that the days of enforcing American laws against compliance with the Arab boycott were over, a U.S. Commerce Department action in August 1995 demonstrated that the messianic era had not yet arrived. The department imposed a $1.4-million fine, the second largest ever in the 25-year history of the antiboycott law, against American affiliates of L'Oréal, a French cosmetics company. The U.S. firms allegedly supplied information to the parent company about their commercial dealings with Israel for purposes of satisfying Arab boycott authorities. Although they paid
Communal Implications of the Budget Process

As the Republican majority in Congress passed its nonbinding budget plan in mid-1995, a plan that contemplated a balanced budget in seven years, Jewish social-service agencies attempted to come to grips with the implications of that plan for communal programs that assist the elderly, poor, and disadvantaged. According to a study released in June 1995 by the Independent Sector, a coalition of some 800 nonprofit organizations, charities would face a huge shortfall in funding by the year 2002 under the Republican plan because the contemplated savings were based largely on reductions in social-services spending.

For Jewish social-service providers the shortfalls were even more imminent. A large portion of the $82 billion in cuts over seven years contemplated by Republican welfare-reform proposals were premised on curtailment of benefits for legal immigrants, not to mention additional cuts in benefits for that population to be found in the pending immigration reform bills. Legal immigrants are a larger portion of the population served by Jewish agencies than is the norm for many other providers. Jewish service providers and other advocates also strongly opposed other aspects of the proposed welfare reforms, such as strict time limits on benefits and the end of welfare's status as a federal entitlement. It was no surprise, then, that, as the welfare reform bill moved toward conference (only to be ultimately rolled into one huge budget package), Jewish activists urged the president to veto the law if enacted by Congress. They voiced their strong support for President Clinton when he twice vetoed welfare reform bills, once in December 1995 as part of a larger budget package and once in January 1996 as a free-standing welfare initiative.

These vetoes were seen by all concerned, however, as only a reprieve, as Congress continued to consider in what form to bring a welfare reform measure before the president once again. Although opposed to many aspects of the still-pending proposals, through the first half of 1996 the Council of Jewish Federations chose to focus on persuading Congress to alter the provisions curtailing benefits for legal immigrants. But there was no indication by midyear 1996 that the Republican majority was inclined to make such a change, if and when a new welfare package was sent to the president.

ANTI-SEMITISM AND EXTREMISM

Assessing Anti-Semitism

Reversing a three-year trend of increases, the Anti-Defamation League's annual audit of anti-Semitic incidents for 1995—released in February 1996—showed
a decline over the previous year. The ADL reported that there had been 1,843 incidents in 1995. The figure, which reflects an 11-percent decline from 1994, includes acts of violence such as vandalism or assault, but also includes many acts which are not crimes, such as racial slurs or the dissemination of hate literature. Reports of anti-Semitic incidents on college campuses declined for the first time in seven years, down to 118 from 143 in 1994. ADL national director Abraham Foxman said: "Through the intensified efforts of law enforcement and continued educational outreach, we hope this is the beginning of a trend away from anti-Semitic acts. But, we must remain vigilant." Kenneth Stern, program specialist on anti-Semitism and extremism at the American Jewish Committee, cautioned that it is "dangerous to jump to conclusions based on statistics from one year to the next," and called for continued "monitoring, surveying, education, political activism, and long-term research."

The fifth annual *Anti-Semitism World Report*, issued by the American Jewish Committee and the London-based Institute for Jewish Policy Research, identified a negative trend in the United States in 1995, namely a breakdown in the taboo on expressions of anti-Semitism. American Jews are more likely, the report found, to be exposed "to expressions of hostility that were unlikely to come to the surface at an earlier period." The report pointed to the phenomenon of Jews being challenged "to 'prove' that Louis Farrakhan is an anti-Semite," despite his frequent references to Jews as "bloodsuckers."

Finally, according to a November 1995 report issued by the U.S. Department of Justice, under the mandate of the Hate Crime Statistics Act, 5,852 hate-crime incidents had been reported to the FBI by local law enforcement authorities during 1994. Given the low rate of compliance—participating agencies covered only 58 percent of the U.S. population and some reporting agencies indicated incredibly low numbers of incidents in the areas for which they were responsible—the development of an authoritative statement of the numbers and types of hate crimes in the United States remained a work in progress. Nevertheless, there were significant—and disturbing—bits of information to be gleaned. From the perspective of the Jewish community it was especially troubling that of the 1,051 hate-crime incidents motivated by religious bias (18 percent), some 908 were characterized as "anti-Jewish." In contrast, there were 15 anti-Catholic incidents, 28 anti-Protestant incidents, and 16 anti-Islamic incidents reported for 1994.

**Acts of Violence**

Seven non-Jews died in an anti-Semitic incident on December 8, 1995, in a massacre at Freddy's Fashion Mart, a Jewish-owned store in the Harlem section of New York City. Both the landlord—a black church—and Freddy's wanted the store to expand, taking space that had been sublet to a black-owned record store, but the record store did not want to see its sublease terminated. There were protests in front of Freddy's, with the Reverend Al Sharpton much at the forefront, in the
course of which picketers regularly engaged in anti-Semitic rhetoric, calling the owner of Freddy's a "bloodsucking Jew" and threatening to "burn the Jew store." On December 8, Roland Smith, one of the protesters, entered the store with a gun and lighter fluid, chased African-Americans out of the store, but made others remain as he doused the store and set it on fire. Smith died along with his victims.

Michael Miller, executive director of the Jewish Community Relations Council of New York, later commented that "a landlord-tenant dispute between a black church and a black-owned business was crudely distorted through the prism of anti-Semitism into a black-Jewish issue." He also noted that "more can be done by the leadership of the African-American community to root out anti-Semitism and racism in their ranks." In the week after the incident, New York mayor Rudolph Giuliani announced a special grand jury investigation into whether any of the protesters had incited or otherwise been criminally complicit in the violence. In the meantime, black and Jewish local and national leaders engaged in efforts to contain the racial tensions spawned by the event, including a joint ADL-National Urban League press conference held later that month at which the two organizations proposed an "agenda of work" to deal with bigotry and bias-motivated crimes.

As 1996 unfolded, the nation was shocked to hear reports of a nationwide epidemic of at least 34 church burnings. These seeming arsons disproportionately affected black churches in the South, but there were many incidents at white churches and some burnings as far afield as Washington state. The American Jewish community, reminded by the images of burning churches of the synagogues destroyed in Germany on Kristallnacht, expressed its solidarity with the affected parishioners both with public statements and with more substantial endeavors. In addition to working for passage of legislation to punish church arson as a hate crime (see below), several drives were put in place by Jewish groups, often in collaboration with non-Jewish charities, to raise funds for the devastated congregations. Thus, the American Jewish Committee joined with the National Council of Churches and the National Conference of Catholic Bishops in a fund-raising effort, as did the New York Board of Rabbis and the Foundation for Ethnic Understanding, and the Anti-Defamation League set up its own fund to which contributions could be made.

CROWN HEIGHTS

On March 22, 1996, federal district judge David Trager ruled that Lemrick Nelson, earlier acquitted of the murder of Yankel Rosenbaum during the 1991 Crown Heights riots, would be tried as an adult on charges of violating Rosenbaum's civil rights. Reflecting the views of many in the Jewish community, Rep. Charles Schumer said that the decision was "the logical one and the right one. It's tragic that five years after the Crown Heights riot and the murder of Yankel Rosenbaum, justice has still not been served."
Holocaust Denial

The use of the Internet by purveyors of hate and Holocaust denial to reach potentially vast new audiences presented a dilemma for the Jewish community. By the count of the Simon Wiesenthal Center, there were more than 200 "Web sites" dedicated to racial supremacy and Holocaust denial, as well as other forms of racism and anti-Semitism. The question for those concerned with the issue was whether legal avenues should be sought to cut off this use of the new technology, or whether there should be continued reliance on the old First Amendment verity that the most effective response to hate speech and disinformation is corrective speech and education. Many watched with interest as Congress and the courts wrestled with a comparable predicament: whether and to what extent material that is "indecent" should be regulated or even forbidden when disseminated on the Internet.

A particularly troubling aspect of the problem of hate on the Internet was highlighted by a case in which Holocaust denial material was transmitted wholesale to a group of people who clearly had no desire to receive it. An on-line discussion group of Holocaust survivors and their families, educators, writers, and others, logged on to their computers one day in August 1995 to find what one recipient described as "a flood of Nazi propaganda," deposited there by the editor of a California-based Holocaust denial magazine. The intrusive nature of this action distinguished it, for some, from the longtime use by Holocaust deniers of other Internet channels, such as computer bulletin boards, which viewers access by their own choice.

In another case, the University of Massachusetts took steps in early 1996 to prevent a graduate student from posting Holocaust denial messages on the university's World Wide Web site, messages that had originated with Canadian Holocaust denier Ernst Zundel. This action was commended by Rabbi Abraham Cooper of the Wiesenthal Center, who asserted that "while bigots may have the right to put their ideas in cyberspace, institutions of higher learning supported by taxpayers and public grants have no obligation to provide them with access and legitimacy."

Another use of the Internet was to create global links of a kind previously impracticable. A report issued by the ADL at midyear 1995 documented the use by neo-Nazi skinhead groups of computer bulletin boards and the Internet, along with more low-tech means, such as the sale and trade of publications, to spread and share their ideology of white supremacy, anti-Semitism, and other neo-Nazi beliefs. The report asserted that there were some 70,000 neo-Nazi skinheads (as opposed to those who share the skinhead "look" but not necessarily the neo-Nazi ideology) worldwide, in 33 countries on six continents, and urged that police create responding international networks that are just as extensive.

Holocaust denier David Irving was barred from further spreading his message, at least under the imprint of a major publisher, when in April 1996 St. Martin's...
Press announced that it would not, after all, publish Irving’s biography of Holocaust architect Joseph Goebbels. The publisher’s first response to calls from the ADL, the AJCommittee, and others to cancel the book’s planned publication was to reject these as comparable to Nazi and fascist censorship. But as staffers of the publisher also began to protest, and the company’s editorial director became aware of Irving’s extensive Holocaust-denial activity, St. Martin’s Press changed its position. AJC program specialist Kenneth Stern observed that St. Martin’s was not the only company that had been beguiled into treating Irving as a credible expert: “Sometimes people aren’t aware of what he’s about and will treat him as a historian rather than someone falsifying history for an anti-Semitic agenda.”

Another mainstream publisher was, in contrast, not dissuaded from publishing an anti-Semitic tract. First published in 1978 but not generally available until 1995, The Turner Diaries, a novel by neo-Nazi William Pierce, had become a “bible” of the extreme right. The book promotes a violent white-supremacist revolution in which, among many horrendous events, a federal facility is destroyed by a truck bomb. A copy of the book was found following the Oklahoma City bombing among suspect Timothy McVeigh’s possessions. The AJCommittee and the Simon Wiesenthal Center protested the book’s release by Barricade Books in April 1995 and urged that booksellers not carry it. AJCommittee’s Stern noted that “the distribution of this book will help finance one of the main organizations for promoting hatred and violence against innocent Americans,” and expressed shock that its publication by Barricade was announced “on the first anniversary of the Oklahoma City massacre.” Barricade Books’ publisher Lyle Stuart defended his company’s action by invoking the need to protect free speech. In addition, in Stuart’s introduction to the publication, the publisher refers to the novel as a “dreadful” and “bigoted book.”

Other Allegations of Anti-Semitism

In January 1995 Christina Jeffrey—dismissed by House Speaker Newt Gingrich from her new position as historian for the House of Representatives because of earlier remarks about a high-school Holocaust course that were described as anti-Semitic—immediately began to seek to clear her name. By year’s end Ms. Jeffrey’s tenacity had been rewarded, at least in part. The first step in her exoneration was Anti-Defamation League president Abraham Foxman’s action in writing to her in August that “ADL is satisfied that any characterization of you as anti-Semitic or sympathetic to Nazism is entirely unfounded and unfair”; this amounted to a retraction of statements made by ADL in January when it praised Gingrich for firing Jeffrey. There followed a private meeting in November between Jeffrey, Foxman, and Gingrich, following which Gingrich told reporters, “I think she deserves some vindication.” There was talk of hiring Jeffrey as a consultant to the House of Representatives, although not for the House historian position because that position had been eliminated after Jeffrey’s dismissal.
In January 1996 the U.S. Department of Defense repudiated an internal memorandum, prepared by its security agency, cautioning government contractors that the “strong ethnic ties” of American Jews to Israel posed a danger that military and industrial secrets might be stolen. The memo’s existence was first revealed in Moment magazine, and a subsequent letter from the ADL to the department expressed dismay at “a distressing charge which impugns American Jews and borders on anti-Semitism.” In his response, Assistant Secretary of Defense Emmett Paige, Jr., asserted that “singling out ethnicity as a matter of counterintelligence vulnerability is particularly repugnant to the department,” and that the memo “does not reflect the official position of the Department of Defense.”

It was déjà vu all over again as Michael Jackson issued a video in early 1996 for his song “They Don’t Care About Us” that included the words “Jew me, sue me,” and “kick me, kike me”—lyrics for which he had apologized when the song met with strong protests upon its release in the summer of 1995. At the time, Jackson promised to rerecord the song so that it would appear with revised lyrics in later issuings. An outraged ADL national director Abraham Foxman wrote to Jackson after release of the video, asserting, “With the release of such a video, instead of remaining a spokesman against hate and prejudice, you have made a decision that reinforces intolerance.”

Another brouhaha erupted when, during an appearance on television’s Larry King Show in April 1996, Marlon Brando asserted that Jews “run” and “own” Hollywood, and that this was why many films present negative stereotypes of other ethnic minorities, but “we never saw the kike, because they [film producers] know perfectly well that’s where you draw the wagons around.” As Jewish groups responded with outrage, Brando reportedly called Rabbi Marvin Hier of the Simon Wiesenthal Center to express remorse for his comments. Brando failed to appear, however, at a press conference scheduled by Hier at which it was announced that Brando would apologize. Instead Hier, joined by Brando’s attorney, released a communiqué announcing Brando’s “intent in the near future... to clarify what he feels is a misunderstanding of a statement made in an unfortunate and incorrect manner due to the pressures” associated with appearing on King’s show.

Legislative Activity

The Congressional Black Caucus held hearings on the church arsons in June 1996, following which the Senate Judiciary Committee, the Senate, and the House, with the backing of the organized Jewish community, quickly and unanimously passed the Church Arson Prevention Act of 1996. The omnibus bill, which at midyear still awaited signature by the president, amended the 1988 Religious Vandalism Act (legislation that the AJCommittee had played a significant role in conceptualizing and promoting) so as to expand the kinds of offenses to which it applies, increased resources for federal prosecution of hate crimes, extended an
existing mandate for collection of hate-crimes statistics, and allowed the federal government to provide loan guarantees for the rebuilding of nonprofit institutions affected by arson or terror.

INTERGROUP RELATIONS

Black-Jewish Relations

LOUIS FARRAKHAN AND THE NATION OF ISLAM

The organized Jewish community continued to wrestle with the issue of how to respond to a man it regarded as a dangerous exponent of hate, even as many in the African-American community continue to extend him respectability and even honor. This dilemma became acute when Minister Louis Farrakhan, head of the Nation of Islam, announced in July 1995 that on October 16 of that year he would lead a million black men in a march on Washington as a “Day of Atonement,” in which those men would be called upon to take more responsibility for themselves and for their communities.

Almost immediately, Washington mayor Marion Barry and Rep. Donald Payne (D., N.J.), chairman of the Congressional Black Caucus, announced that they would support the march, while representatives of Jewish groups expressed their belief that any event in which Farrakhan played a leadership role—no matter how serious the crisis of black America to which it was addressed, and no matter how well-intentioned the endorsers—would mainstream the Nation of Islam’s message of hate. As the date of the march approached, an increasing number of African-American community leaders and national organizations endorsed the march, but with some notable abstentions. The NAACP, newly headed by Myrlie Evers-Williams, declined to lend its name to the event.

Jewish groups had differing views on how best to respond to the gathering’s broad support. Asserting that the Jewish community could not remain silent as anti-Semitism moved “into the mainstream of a very significant segment of our society,” the Anti-Defamation League ran critical ads in major newspapers some two weeks before the event; “no matter what the cause,” the ads said, no one should ignore “that a hatemonger is the driving force behind the march.” The American Jewish Congress had earlier issued a statement expressing similar sentiments and, responding to the ADL ad’s appearance, expressed concern only as to the ad’s timing and the fact that it had not been carried out in concert with other Jewish organizations. The National Jewish Community Relations Advisory Council, on the other hand, had earlier advised its member agencies that Jewish groups should not respond to the march in a way that would “allow Farrakhan or the media to distort or make Jewish reaction an issue.”
The peaceful showing of more than 400,000 black men on the National Mall, taken together with the march's broad acceptance among mainstream black leadership and the enthusiastic support for it in the larger community, initially appeared to provide Farrakhan with the place at the forefront of African-American leadership to which he had long aspired. Nevertheless, even among those who endorsed, or even appeared at, the march, there were those who took pains to distinguish the march from Farrakhan himself. Then-congressman Kweisi Mfume (D., Md.) asserted that unless Farrakhan has "a million legs, it is not his march," and polls were later cited as showing that a substantial number of those attending were not there because they supported Farrakhan or his agenda. But Farrakhan and his supporters dismissed the notion that the message could be separated from the messenger.

The almost universal aversion of the Jewish community to any dealings with Farrakhan was exemplified when, just one month before the Million Man March, two Jewish members of Washington, D.C. mayor Marion Barry's religious advisory council resigned because a representative of the Nation of Islam had been invited to sit on that body. After the march, as before, Jewish leaders presented a united front in rejecting requests from Farrakhan for a "dialogue" in the absence of any apology and denunciation on Farrakhan's part of the Nation of Islam's teachings of anti-Semitism and racism. Lawrence Rubin, NJCRAC executive vice-chairman, warned: "Should Louis Farrakhan emerge as a leader of the black community, that would be a problem that cannot be understated. It would be impossible for members of the Jewish community to sit down with members of the black community if Farrakhan were included." Jewish leaders expressed their dismay when, at a black leadership conference held in Washington in November, Urban League president Hugo Price—a critic of Farrakhan who had not participated in the Million Man March—praised the event as a "family values" rally and commended Farrakhan for his "overture" to Jewish leaders at the event in seeking a "dialogue." "That overture is a sham," said ADL director Foxman.

In January and February 1996, Farrakhan once again drew national—and international—attention when he went on a tour of close to 20 nations, including Libya, Iran, Iraq, and Sudan, countries that the United States had declared to be state sponsors of international terrorism. While Farrakhan was in Tripoli, Libyan leader Muammar Qaddafi pledged $1 billion to the Nation of Islam to enable it, in the words of a Libyan press statement, "to mobilize the oppressed minorities" so that they could "play a significant role in American political life," and Farrakhan praised Qaddafi for his work in liberating oppressed peoples around the world. Thereafter, while in Iraq, he was quoted as referring to the United States as the "Great Satan" and stating that "God will destroy America at the hands of Muslims."

After Farrakhan's return to the United States, a Justice Department spokesperson announced that the transfer of money from Libya to the Nation of Islam
could possibly violate the requirement that foreign agents register with federal authorities. In addition, the Treasury Department indicated that it was looking into whether Farrakhan had violated U.S. law by spending American currency while in that country, Iraq, or Iran. Rep. Peter King (R., N.Y.), an outspoken critic of Farrakhan, called for investigation not only of Farrakhan but also of the administration’s “inaction,” inasmuch as U.S. citizens are prohibited from even visiting these nations without the State Department’s permission.

A hearing was held in March before the House International Relations subcommittee on international operations and human rights, ostensibly for the purpose of investigating outlaw regimes and their attempts to influence U.S. policy. However, the inquiries of the panel’s members, including those of congressmen King, Christopher Smith (R., N.J.), chairman of the subcommittee, and Tom Lantos (D., Calif.), were clearly focused on the issues raised by what Lantos labeled Farrakhan’s “terror tour,” which demonstrated for him that Farrakhan was not only “a vicious racist and hatemonger” but also “a potential national security threat.” Congressional Black Caucus chairman Donald Payne and Rep. Cynthia McKinney (D., Ga.) criticized the hearing, the latter commenting that it was “a thinly veiled attempt to do a little Farrakhan bashing.” Neither Farrakhan nor any of his supporters were asked to testify, although scores of his supporters filled the hearing room and an additional room into which the proceedings were piped. Although no action was taken by the administration with respect to travel to interdicted countries, it was subsequently announced that the administration would not waive the applicable law barring receipt of funds from Libya, thereby thwarting the Nation of Islam-Libya partnership.

Following all of these events, it seemed to some observers that Farrakhan’s trafficking with regimes viewed by most Americans as dictatorships and supporters of terrorism had, by his own hand, stalled his aspirations to mainstream leadership within the African-American community. But it was difficult to reconcile that perspective with his receiving an award after the “terror tour” as “Newsmaker of the Year” from the National Newspaper Publishers Association, an organization of black newspaper publishers, a move that drew sharp expressions of dismay from Jewish leaders.

In the meantime, a number of Jewish groups continued their efforts to terminate government-funded contracts with security companies affiliated with the Nation of Islam, premised on the belief that such companies were violating the equal employment opportunity laws applicable to businesses that receive such contracts. The groups achieved a modicum of success when, in November 1995, Housing and Urban Development secretary Henry Cisneros directed the Baltimore Housing Authority to terminate a $4.6-million contract with one such company because of the its failure to comply with federal procurement standards. Jewish groups responded by writing letters to Cisneros hailing his action; for its part, the security company indicated its intent to seek an injunction against implementation of the HUD order.
The early months of Myrlie Evers-Williams's tenure as board chairwoman of the National Association for the Advancement of Colored People (NAACP) saw an immediate movement to reinvigorate that organization's relationship with the Jewish community, a relationship that had been sorely tested during Benjamin Chavis's executive directorship. In an interview during a World Jewish Congress meeting in October 1995, Evers-Williams asserted that "Jewish Americans have played prominent roles in our history. There is appreciation in our community for the solidarity and support from Jewish Americans over the years."

The announcement in December 1995 that Kweisi Mfume would resign from his seat in the House of Representatives to become president and chief executive of the NAACP was regarded by Jewish groups as further good news. While Mfume had a history of reaching out to Farrakhan and the Nation of Islam, he had also attempted to keep some distance from the Nation, and there was no question for Jewish leadership but that Mfume did not share the Nation's racist and anti-Semitic views. More crucially, Mfume's skills at coalition building and his longtime friendship with leaders of the Baltimore Jewish community led Rabbi David Saperstein, a member of the NAACP's board of directors, to hail the appointment as "a very positive step."

Following close upon his July 1995 statement of position on church-state separation (see "Church-State Matters," below), President Clinton issued a similar declaration on affirmative action in a speech given at the National Archives later that month. Acknowledging the need to eliminate or reform any program that "creates quotas, creates preferences for unqualified individuals, creates reverse discrimination or continues after its equal opportunity purposes have been achieved,"
the president urged, nevertheless, that the time had not come to end race- and sex-based preference programs as a means for attempting to achieve equal opportunity. "When affirmative action is done right," the president said, "it is flexible, it is fair and it works."

This "mend it, don't end it" approach seemed to incorporate the views of many in the organized Jewish community. "The President struck the right balance," said Lawrence Rubin, of the National Jewish Community Relations Advisory Council. "We believe affirmative action is essential and important in opening opportunities." At least one agency, however, was more guarded in its response. An Anti-Defamation League statement spoke favorably of the general thrust of the president's speech, but cautioned that "the devil is in the details," and that care had to be taken that "race or gender not become the predominant factor in employment or other decisions."

A more distinct split between much of the organized Jewish community and
the black community emerged in the wake of the U.S. Supreme Court's rulings in June 1996 striking down race-based congressional districts in North Carolina as unconstitutional. Representatives of civil-rights groups saw these decisions as ineluctably leading to an erosion of the black representation in Congress and elsewhere that had been won only with great difficulty. Jewish groups either praised the decision or offered qualified statements of commendation (the American Jewish Congress asserted that there was a need to "devise political methods that do not induce the electorate to make its judgments along racial lines" even as it acknowledged that minorities were likely to feel threatened by the rulings), or, like the Religious Action Center of Reform Judaism, they simply withheld comment. Some among traditional black allies of the Jewish community spoke out about this nearly universal lack of support; Theodore Shaw, associate director and counsel for the NAACP Legal and Educational Defense Fund, commented that he "would have hoped" that the Jewish groups "would have found a way to take another position."

BLACK-JEWISH RELATIONS ON CAMPUS

Once again Howard University, the nation's leading traditionally black university, was the focus of an episode of black-Jewish tension—fortunately short-lived. In its March 8, 1996, issue, The Hilltop, a student newspaper, carried an editorial sharply critical of the Anti-Defamation League and of a university department chairperson for having worked together with the ADL. Among its charges against ADL, the newspaper claimed that the Jewish organization had spied on black leaders, including Martin Luther King, Jr., and sought to interfere with former NAACP head Benjamin Chavis's attempts "to unite with" Louis Farrakhan. An accompanying cartoon portrayed the ADL as a devil. University president Patrick Swygert quickly wrote to the newspaper to protest its impugning of "an esteemed member of the faculty" and its "demonizing" of a particular group of "American citizens." But to the disappointment of the ADL, Swygert declined to defend that organization, saying only that disagreement with ADL should have been carried out "without resorting to symbols and language that are offensive."

Two months after this event, Howard University was involved in a significant example of ongoing cooperation between the two communities. At its 1996 annual meeting, the American Jewish Committee unveiled a new thrice-yearly periodical, CommonQuest: The Magazine of Black-Jewish Relations, intended as a vehicle to facilitate dialogue between African Americans and Jewish Americans. Co-edited by Russell Adams, chairman of Howard University's Afro-American Studies Department, and Jonathan Rieder, a Barnard College professor and author who had written on black-Jewish relations following the Crown Heights riots, the magazine's first issue contained essays on the Million Man March by prominent blacks and Jews, an excerpt from a current book on the 1958 bombing of
an Atlanta synagogue, and other pieces. "I see the publication as a conversation," said Jeff Weintraub, AJCommittee Washington area director, "and it's a conversation between the people in both communities, "and beyond, who are trying to look for ways to resolve some of the obvious tensions between the communities and also to bring the communities together for a more constructive interaction."

**Ethnic-Jewish Relations**

The historically wary relations between Jewish Americans and Arab Americans, which had bettered somewhat in the light of the Arab-Israeli peace process, came under strain again in the wake of Israel's April 1996 military operation in Lebanon and, some two months later, Benjamin Netanyahu's electoral victory in the Jewish state. A conference of the American-Arab Anti-Discrimination Committee (ADC), reportedly the nation's largest Arab-American membership organization, became the forum for intense anti-Israel rhetoric, with one speaker referring to Israel as "a cancer on the Middle East." The forum took place, as it happened, on the same day as the Israeli shelling of a UN compound in Lebanon that killed 100 civilians (inadvertent, according to the Israelis). Some suggested that the attacks on Israel at the ADC conference had to be taken in context, given the ongoing events in Lebanon and that the ADC had been more lukewarm with respect to the peace process than most other Arab-American groups. ADL national director Abraham Foxman, on the other hand, suggested that the sentiments expressed at the conference were, by and large, those of the organized Arab-American community.

Critical comments by Arab-American leaders directed at Israel became more the norm after the Israeli election, with many also directing criticism at Jewish groups for not speaking out against Prime Minister Netanyahu's stated intention to alter the course of the peace process. "It would be sad," said Khalil Jahshan, executive director of the National Association of Arab Americans, a group that had established relations with the National Jewish Community Relations Advisory Council and the American Jewish Committee, "if the change in government in Israel produces a retrenchment on the part of the mainstream Jewish community in the United States, the signs of which are already visible to us. That could derail whatever little progress we have achieved between the two communities." Martin Raffel, NJCRAC's associate executive vice-chairman, urged that the Israeli government be given more time to "play out [its policies] in the real world of diplomacy," but conceded that the new Israeli government could well "complicate relationships between American Jews and Arabs. This is a relatively new relationship and, in that sense, it's somewhat tentative."

A long-standing ethnic partnership was severed in May 1996 when the American Jewish Committee publicly broke with the Chicago-based Polish American Congress (PAC), an umbrella organization representing one million Polish Americans, over a letter written by the latter group's president, Edward Moskal, which
AJCommittee asserted had "the unmistakable ring of old-style anti-Semitism." The letter in question, sent by Moskal to Alexander Kwasniewski, the then-president of Poland, and subsequently published in an American Polish-language newspaper, criticized Polish authorities for, among other things, "submissiveness . . . with respect to demands raised by Jews" and for granting "preferential treatment . . . to Jews who are seeking the return of their property in Poland." Responding angrily to the letter's "highly bigoted tenor and style," AJCommittee executive director David Harris terminated his organization's joint sponsorship with PAC of the National Polish American-Jewish American Council, a Polish-Jewish dialogue group.

PAC executive director Les Kuczynski was conciliatory after the Harris action, asserting that his organization desired to continue its dialogue with the AJCommittee, "whether officially or unofficially, so that our mutual concerns can better be understood." Poland's president Kwasniewski, for his part, wrote to Moskal rejecting the latter's comments and stating that "there should be no place for harmful stereotypes, xenophobia, religious, racial or ethnic prejudices." And Rev. John Pawlikowski, co-president of the dialogue group, weighed in with a comment that he understood how "AJCommittee, given the intemperate nature of [Moskal's] letter, found it difficult to continue a relationship that publicly linked them to PAC." At midyear, AJCommittee was engaged in discussions with Polish-American leaders to find some way to maintain the dialogue between their two communities.

Interreligious Relations

Despite the steady support for Israel given by Protestant evangelicals, the Jewish community's relations with their leadership had been strained, at best, over their advocacy of a domestic agenda that Jews by and large saw as inimical to their own fundamental interests. The mainline churches, in contrast, remained close and steady partners of Jewish organizations on a host of domestic matters, this notwithstanding what most Jewish leaders saw as a marked bias against Israel in the pronouncements of those institutions.

Perhaps the divergent relations of American Jews to these two broad Christian movements can be explained in part by the contrast between the actions taken at the Southern Baptist Convention in June 1996 (see Evangelical Christians below) and that taken by the Methodists two months earlier.

Mainline Protestants

At its April 1996 conference, the United Methodist Church's General Conference adopted a statement recognizing that "God has continued—and continues today—to work through Judaism and the Jewish people," and asserting that the biblical covenant between God and the Jewish people is "eternally valid."
This expression of goodwill notwithstanding, the tension in Jewish communal relations with the mainline Protestant churches came to the fore once again after the election of Benjamin Netanyahu as Israeli prime minister. The ballots seemed barely counted before a coalition of 14 Christian groups representing some 45 million Christians came together as “Churches for Middle East Peace,” in order to articulate their concern that the Netanyahu government continue “on the road to peace that both Rabin and Peres so well established.” In a June 11, 1996, letter to President Clinton, the coalition asked that the president bear in mind President Bush’s actions in using American loan guarantees as means to pressure Israel to curtail its settlement activity on the West Bank. The member organizations of the coalition included Protestant and Catholic bodies such as the National Council of Churches, the United Methodist Church, the American Baptist Church in the USA, and the Roman Catholic Conference of Major Superiors of Men, as well as Mennonite and Quaker denominations.

Despite kind words about Prime Ministers Yitzhak Rabin and Shimon Peres in the June 11 letter, Churches for Middle East Peace had earlier protested to the American government about Israel’s closing off entry from the West Bank and Gaza after a suicide bombing—the first of what would turn out to be a series—in February 1996. Rabbi A. James Rudin, the American Jewish Committee’s director of interreligious affairs, characterized the coalition as consisting of organizations that “basically take an anti-Israel position and historically have had a double standard for Israel and Palestinians.” “You don’t find them making similar demands on the Palestinian Authority or Syria,” Rabbi Rudin said, as he criticized the coalition’s call for U.S. pressure on the Netanyahu government so soon after its election.

**EVANGELICAL CHRISTIANS**

The Washington-based Center for Jewish and Christian Values—formed in 1996 to serve as a coalitional vehicle for conservative Jews and Christians—held its leadership inaugural conference in May of that year. As explained by president and founder Rabbi Yechiel Eckstein, the new organization intended to seek ways in which the shared religious values of Christians and Jews can be placed “at the heart and center of American life and public policy.” Unlike its more Israel-oriented affiliate, the Chicago-based International Fellowship of Christians and Jews—also headed by Rabbi Eckstein—the center would focus on domestic policy issues.

Speaking at the inaugural session, Sen. Joseph Lieberman, who, together with Sen. Dan Coats (R., Ind.), served as cochairman of the center, spoke of the “hunger” of the American people “for a leadership that is prepared to talk about morality in terms of faith.” Ralph Reed, executive director of the Christian Coalition and a member of the center’s advisory board, was also among those speaking at the conference. Rabbi Eckstein apparently desired to have the center
serve not only as an anchor for conservative Christians and Jews, but also as a coalition that would enable mainstream, secular Jewish organizations to work together with conservative groups on certain issues, such as opposition to physician-assisted suicide or support for the traditional two-parent family.

A furor erupted within the Jewish community in the wake of the Southern Baptist Convention's June 1996 convocation. In back-to-back actions, the Southern Baptists—at 15.7 million members, the nation's largest Protestant denomination—appointed a minister to take charge of its mission to evangelize to Jews, and then adopted a resolution specifically targeting Jews for Christian evangelism. The American Jewish Committee's James Rudin declared the latter action "spiritual arrogance of the highest order," in effect declaring "theological open hunting season on Jews." Other Jewish organizations, including the Conservative and Reform movements and Agudath Israel of America, also registered their alarm over the Southern Baptists' action, one that reminded many of the 1980 comment by Bailey Smith, the then-president of the convention, that "God doesn't hear the prayer of Jews." Others in the Jewish community, however, found nothing new or exciting in the latest pronouncement. "We are not exactly losing sleep over this," said Philip Baum, executive director of the American Jewish Congress. And Rabbi Yechiel Eckstein, president of the International Fellowship of Christians and Jews, pointed out that the $100,000 budgeted for evangelizing to Jews did not "within a budget of millions . . . indicate anything very serious."

CATHOLICS

Efforts continued to make the teachings of "Nostra Aetate" part of everyday life at the grass-roots level. In the 1965 document, the Roman Catholic Church dramatically restated its theology to assert that Jews "remain most dear to God" and disowned charges of deicide against the Jewish people. To be sure, the one-time Good Friday "Prayer for Perfidious Jews," pleading for the salvation of Jews through conversion, was no longer part of Catholic liturgy. But many churches and schools still enacted Passion plays, portrayals of the crucifixion in which Jews are often portrayed negatively, and the post-Vatican Council teaching that the Church does not blame Jews for the death of Jesus was still seldom expressed in Holy Week sermons.

The American Jewish Committee and the Anti-Defamation League worked with Catholic institutions to teach Catholic clergy and laity about Jews and Judaism in the modern era. Along with other joint efforts, AJCommittee and the Los Angeles archdiocese continued an ongoing program under which a rabbi regularly taught at local Catholic high schools about Jewish theology, history, and culture. A similar program was planned for New York schools beginning in September 1996. And the ADL continued its work with such prominent Catholic institutions as the Boston archdiocese and Seton Hall University to bring pro-
grams about Judaism into Catholic elementary and secondary schools and universities.

CHURCH-STATE MATTERS

Judicial Action

Apart from allowing lower-court decisions to stand, the U.S. Supreme Court took no action during its 1995-1996 term in the area of church-state relations—except on a not insignificant matter having to do with the Court's schedule. In 1995, Yom Kippur fell on October 4, a day on which the Court was scheduled to be in session. As the day approached, speculation was in the air. Would the Court recess for that day, following the practice of Congress? If in session, would either or both of the Court's Jewish members, Justices Stephen Breyer and Ruth Bader Ginsburg, attend? As the Day of Atonement approached, Justice Breyer indicated that he would attend services on that day, but Justice Ginsburg made no announcement of her plans. Then, with approximately one week to go—following word that, in any event, Chief Justice William Rehnquist would miss at least a week of sessions because of surgery—the Court announced, without comment or explanation, that it would not hold session on October 4.

There were significant church-state developments in the lower courts. In October 1995, a U.S. Court of Appeals struck down as unconstitutional a Baltimore law that prohibited the sale of nonkosher foods as kosher and created a system of kosher inspectors. This ruling followed by two years a judicial determination that New Jersey's kosher law violated the principle of separation of church and state. Although the decision on the Baltimore law was formally binding only in the five states of the Fourth Circuit, it—taken together with the earlier New Jersey decision—was quickly seen as a threat to kosher laws across the country. Nathan Lewin, attorney for the National Jewish Commission on Law and Public Affairs, commented that the ruling was likely to "generate challenges in other states." Advocates of kosher legislation indicated their intent to take a fresh look at existing laws to see if a model could be developed that would withstand constitutional challenge.

Within a period of one week, federal district judges in two states rendered decisions in two church-state cases that Jewish organizations had followed with rapt attention. During the last week of May 1996, a Utah federal judge issued a crucial ruling against 17-year-old Rachel Bauchman, a Jewish high-school student who claimed that her constitutional rights had been violated by a choir teacher's proselytizing in class and the inclusion of religious devotional music at her high school's graduation ceremony. The judge dismissed a number of Bauchman's claims as "speculative" or unsupported, a ruling that caused Lisa Thurau, executive director of the national Committee for Public Education and Religious
Liberty, to charge that the judge was “affirming the right to have climates in public schools that are hostile to children that are in the minority.” The case had earlier garnered considerable attention when, at a preliminary stage in the matter, Bauchman had obtained a temporary restraining order directing the school not to include devotional songs as part of its commencement ceremony, only to have the student choir do so anyway.

In the other district court decision, handed down the first week of June 1996, a judge in Mississippi ruled that a county school district had violated the constitutional principle of separation of church and state when it allowed students to recite prayers over the school intercom and included the Bible, taught from a religious perspective, as part of the school’s curriculum. The case was brought by Lisa Herdahl, a Lutheran, who reported that she and her five children were vilified and physically threatened—including a bomb threat—after she first voiced objection to the school’s practices.

Legislative Activity

In November 1994 Newt Gingrich, the then-incoming House Speaker, promised a floor vote on a “school prayer” constitutional amendment by July 4, 1995. But no such vote occurred by that date, nor had a proposed amendment that bore the blessing of congressional leadership even been introduced. Nevertheless, by mid-1995 not one, but two, pitched battles were under way on this issue.

The first battle was between those who wanted to see some sort of constitutional amendment addressed to church-state issues—conceptually reformulated early in 1995 from the earlier notion of a school prayer amendment into a broader “religious equality” amendment—and those opposed to any such initiative. The Christian Coalition and a number of allied groups on the religious right had made passage of a “religious equality” amendment a prominent part of their agenda, leaving vague the specific content of the amendment. Opponents of the amendment were organized in a broad coalition of religious and civic groups that included a Jewish community almost unanimous in the view that the initiative was unnecessary and a substantial threat to religious liberty. Thus, even though it stood apart from much of the rest of the Jewish community in its support for school vouchers, the Union of Orthodox Jewish Congregations joined with its coreligionists as part of the coalition. And the Agudath Israel of America, which did not join in the coalition, took a “wait-and-see” attitude. The second battle—and this was the front which explained why no definitive bill had yet emerged—was of a more internecine nature. Advocates of the amendment were at loggerheads over what the final language of the amendment should be and even, to a large extent, over just which aspects of existing church-state law should be revisited.

Both conflicts played out at a June 1995 Washington hearing before the House Judiciary subcommittee on the Constitution, and then in a series of subcommit-
tee field hearings over the summer, held in Harrisonburg (Virginia), Tampa, New York City, and Oklahoma City. The field hearings proved far from decorous, with subcommittee chairman Charles Canady (R., Fla.) frequently calling for order and, by all reports, taken aback at the amount of opposition to the notion of a constitutional amendment manifested at the hearing in Tampa, his own backyard. In addition, Congressman Canady came in for criticism for scheduling the Harrisonburg hearing on a Saturday. At the New York hearing, Orthodox Jewish rabbis Mayer Schiller and Yehuda Levin expressed their support for the amendment, but their appearance was in stark contrast to the large number of Jews who showed up to express their opposition.

Opponents of a constitutional amendment received welcome support when, on July 12, 1995, President Clinton gave a landmark speech at James Madison High School in Vienna, Virginia, reaffirming the central importance of church-state separation. In his speech the president rejected the notion, espoused by amendment proponents, that judicial interpretation of the First Amendment had turned public schools into “religion-free zones.” He announced the issuance of guidelines for local school districts as to what forms of religious expression are protected, and directed the Departments of Education and Justice to circulate the guidelines to every school district in the country. The guidelines, the president acknowledged in his speech, “borrow[ed] heavily” from a joint statement of 35 religious and civic groups, chaired by the American Jewish Congress and including organizations on both sides of the constitutional amendment debate, as to what forms of religious expression were already protected in public schools under current law.

Even as Jewish and other groups expressed support for the president’s constructive approach, a number of those groups joined AJCongress counsel Marc Stern in expressing concern that the guidelines “did not state unequivocally what is prohibited,” so as to protect children of minority faiths. American Jewish Committee president Robert Rifkind urged that the guidelines should clarify not only which forms of religious expression are protected, but also the limits on school action that in any way promotes such expression or otherwise conveys the message that a school endorses a particular religious perspective. The Education Department’s cover letter accompanying the guidelines, circulated to more than 15,000 school districts in August 1995, spelled out that point—and was printed on the same page as the beginning of the guidelines so as to assure that the letter and the text were read together.

Although a number of proponents of a constitutional amendment—including Rev. Louis Sheldon, chairman of the Traditional Values Coalition—spoke of the president’s initiative in at least guardedly positive terms, the drive to enact the amendment continued. Thus, in the last weeks of November 1995, Rep. Henry Hyde, chairman of the House Judiciary Committee, and Rep. Ernest Istook (R., Okla.) introduced their respective versions of a proposed constitutional amendment.
The thrust of the Istook "religious liberties" amendment was to allow "student-sponsored" prayer in the public schools and to explicitly permit public acknowledgments of "the religious heritage, beliefs, or traditions of the [American] people." The Hyde "religious equality" amendment—introduced in the Senate, as well, by Sen. Orrin Hatch—was more directly intended to allow funding of religious institutions by authorizing, if not requiring, the government to subsidize churches, synagogues, and parochial schools to the same extent it subsidized secular entities that provide equivalent services. From the perspective of many Jewish groups and other opponents, however, the proposals amounted to the same thing, since each contained additional, vague language that left the door open for the primary aim of the other to be achieved. Those groups quickly weighed in, asserting that either amendment would undo the delicate constitutional balance that both protects religious expression and guards against religious coercion in favor of (or against) religion.

Despite initial indications that Congressman Hyde would hold hearings in the House Judiciary Committee on both initiatives in December 1995, by midyear 1996 no such hearings had been held, or even scheduled, nor had any votes taken place. Reports continued to filter out that the respective proponents of the two measures were unable to reconcile their differences—which they apparently viewed as turning on matters of high principle—and that the House leadership did not want to move forward with these internal disputes unresolved.

On other church-state fronts, as of midyear 1996 "separationist" Jewish groups and their allies had succeeded in preventing passage in the 104th Congress of two other initiatives to which they were opposed: vouchers and "charitable choice." Unlike the virtually united front presented by the Jewish community in opposing proposals for a constitutional amendment, these were issues on which the community had been split. Orthodox Jewish organizations remained committed, in particular, to voucher legislation as an important source of additional support for parochial schools.

Free-standing bills to create pilot school-voucher programs that would use public funds, introduced in the Senate by Senators Joseph Lieberman and Dan Coats and in the House of Representatives by Dave Weldon (R., Fla.) and Frank Riggs (R., Calif.) did not move out of committee. And an attempt to include a voucher provision in the D.C. appropriations bill failed, but only after the dispute over this issue stalled passage of that bill for many months.

The "charitable choice" issue was posed most prominently in the welfare reform bill vetoed by President Clinton in January 1996. That bill would have allowed religious organizations to become state contractors for the provision of block-granted, public-assistance programs. In the view of most Jewish groups, however, the bill did not provide for the kinds of safeguards necessary to insure that direct-service providers were hired on a nondiscriminatory basis and that government funds were not used for sectarian purposes. But the president's veto message did not refer to this issue as one of the reasons for his veto, giving rise
to concern that, were the president and Congress to resolve their differences on the bill, those objectionable provisions would become part of the law to be enacted.

Speaking of these and other initiatives that, although short of a constitutional amendment, would nevertheless significantly alter the church-state landscape, B’nai B’rith official Reva Price told the Jewish Telegraphic Agency, “It’s very smart politics. Instead of going for big, broad change like the religious equality amendment,” she said, they are attempting to enact “little pieces that chip away” at the constitutional prohibition on government establishment of religion.

The U.S. Congress was far from the only church-state arena. The vouchers issue continued to play out on a number of state and local battlegrounds. The Florida state legislature passed a school-prayer bill by strong margins—only to see the bill vetoed in May 1996 by Gov. Lawton Chiles. The Florida governor’s action followed his office’s receipt of some 20,000 letters and phone calls urging a veto, the result of a grass-roots campaign in which the Florida Jewish community played a significant part. No attempt to override had been made by midyear. The vetoed bill would have afforded local school boards the authority to allow student-led prayers at secondary-school graduation ceremonies and other school events. The battle over the Florida bill, suggested an official of the National Jewish Democratic Council, was “a precursor of battle lines to come.”

On another church-state front, the U.S. Postal Service announced in March 1996 that it would issue later that year the first-ever U.S. Hanukkah commemorative stamp, an abstract image of a hanukkiah (candelabrum) with all nine candles lit—with Israel to issue a stamp with the same design simultaneously. The Postal Service had issued Christmas commemorative stamps for many years. At least initially, no words of protest were heard that the Hanukkah stamp constituted a breach of “no establishment” principles.

“Free-Exercise” Developments

Throughout the year decisions were rendered by a number of courts on the constitutionality of the Religious Freedom Restoration Act (RFRA), the law enacted in 1993 to undo a 1990 Supreme Court decision that had drastically cut back on the protections afforded to the free exercise of religion by the First Amendment. RFRA had been supported by an unusually broad coalition of religious and civil-liberties groups, including a virtually unanimous Jewish community.

A number of states contended that the law was unconstitutional, variously claiming that it was an overextension of congressional authority or violated the ban on governmental establishment of religion. Although there were conflicting decisions at the trial-court level, every appellate court to consider the question upheld the law as constitutional. In one crucial decision, handed down in January 1996, Flores v. City of Boerne, a U.S. Court of Appeals overturned the ruling of a Texas federal court that Congress had exceeded its authority in enacting
RFRA and that the law was therefore unconstitutional. The City of Boerne, which attacked RFRA in order to sustain its reliance on a historic preservation law to halt the expansion of a Catholic church, subsequently filed an appeal with the U.S. Supreme Court from the appellate court's decision. As of midyear there was no word as to whether the high court would consider the case.

In another free-exercise development, a U.S. Court of appeals ruled in September 1995 that the town of Airmont, New York had violated the Fair Housing Act and the First Amendment in enacting zoning laws that effectively prohibited Orthodox Jews from gathering and praying in "stiebels." Stiebels are small synagogues typically located in homes—at least in suburban settings—which enable Jews who observe the ban on driving on the Sabbath to pray close to home. Agudath Israel general counsel David Zwiebel applauded the decision, observing that the use of strict zoning laws to insure "preservation of neighborhoods" was "often a byword of the racist."

OTHER DEVELOPMENTS

Holocaust-Related Matters

The Justice Department's Office of Special Investigation (OSI) and the courts continued to deal with Nazi war criminals who gained entry into the United States after World War II by concealing their history of involvement in atrocities. Thus, in July 1995 a U.S. district court in Chicago revoked the citizenship of Wiatscheslaw "Chester" Rydlinskis of Bloomingdale, Illinois, a former Waffen SS member who had served as a guard and dog handler at various concentration camps. He fled to Germany in 1994 after learning that the Justice Department had begun to take steps to have him denaturalized.

And, in its most noteworthy action of the 1995-96 period, OSI successfully concluded its 15-year effort to deport Aleksandras Lileikis, the former head of the Lithuanian secret police, for his role in allegedly signing orders that led to the extermination of at least 40,000 Vilnius Jews. On May 24, 1996, a Boston federal district court stripped the 88-year-old Lileikis of his U.S. citizenship after finding that the Justice Department had demonstrated that his activities constituted personal participation in the killings. Lileikis returned to Lithuania in June, where he was interrogated by the government and was reported at midyear 1996 to be "under investigation."

The 40-year struggle of Hugo Princz to receive reparations from Germany for his internment at Auschwitz at a time when the Germans knew him to be an American citizen finally came to a successful conclusion. Germany had refused compensation to Princz after the war on the grounds that he was not a "stateless refugee." A lawsuit filed by Princz in U.S. federal court was dismissed on the grounds that, as a foreign government, Germany could not be sued in an
American court. A bill subsequently introduced in Congress to allow Americans to bring such suits failed to pass in 1994 but continued to enjoy strong congressional support in 1995. In September 1995, however, the issue became moot when Germany signed an agreement with the 72-year-old Princz and ten other Holocaust survivors enabling them to share in a $2.1-million settlement. Also as a result of the Princz case, other survivors of concentration camps, U.S. citizens at the time, were afforded until September 30, 1996 (later extended to February 1997) to file claims against the German government with the U.S. Department of Justice.

There were other domestic developments related to the now half-century-old struggle to achieve justice for surviving victims of the Holocaust. The World Jewish Congress, joined by other Jewish groups, sought to have Swiss banks set aside their traditional strict secrecy about accounts to allow for identification of assets left with the banks by Jews who ultimately perished at the hands of the Nazis. In March 1996 the WJCongress announced that it was contemplating a boycott against the banks after the latter reneged on a promised cooperative effort to investigate unclaimed accounts. The Senate Banking Committee, chaired by Sen. Alfonse D'Amato (R., N.Y.), began its own inquiry into the issue. In May, following hearings before the Senate committee, Swiss banking officials and representatives of several Jewish organizations agreed to create an independent commission to oversee the search for accounts of Holocaust victims, a step hailed by Jewish Agency chairman Avraham Burg as "a breakthrough" and "a historic event."

A hero of the Holocaust, Raoul Wallenberg, was memorialized in the Capitol Rotunda in November 1995, the eighth non-American to be so honored. A bust of the Swedish diplomat, who saved tens of thousands of Hungarian Jews from extermination by the Nazis, was unveiled at a ceremony attended by more than 800 people—including California congressman Tom Lantos, whose life was spared because of Wallenberg's actions. And evidence came to light a half-year later, thanks to a study of newly declassified CIA documents by U.S. News and World Report, that Wallenberg may have been "a valued U.S. intelligence asset," i.e., a spy, for the CIA's predecessor, the Office of Strategic Services. Commenting on this development, Lantos asserted of Wallenberg, "His was a humanitarian mission, but he may have provided some intelligence information. Clearly he was not a spy who just happened to save lives." The U.S. News article also asserted that the newly released documents, as well as other evidence, strongly suggested that Wallenberg's ties to U.S. intelligence were known to Soviet authorities and that he survived long after 1947, the year claimed by Soviet authorities to be the time of his demise.

The effort to deport Ivan Demjanjuk remained mired in the legal system. A new district court judge was assigned the case, but it was still pending by mid-1996.
Jonathan Pollard

On January 24, 1996, Israel granted citizenship to Jonathan Pollard, the American Jew who was serving a life sentence in federal prison following his 1986 conviction for spying on the United States on behalf of the State of Israel. "Baruch haShem, I'm no longer an orphan," Pollard is reported to have said on hearing the news in November 1995 that the Israeli government had reversed its earlier position. Pollard's change of status to that of a dual national did not, however, make the U.S. government any more willing to support his early release. Notwithstanding earlier pleas for clemency by Israeli prime ministers Rabin and, after his assassination, Peres, White House chief of staff Leon Panetta stated in March 1996 that President Clinton did not believe that a pardon for Pollard was "justified."

Richard T. Foltin