

**Review
of
the
Year**

UNITED STATES

United States

National Affairs

DURING THE SECOND HALF of 1996 and through the year 1997 the Jewish community battled to avoid retreat on a number of issues on its traditional agenda, even as new and largely unexpected ones came to the fore. Welfare and immigration, both of great concern to the Jewish community, were the subjects of far-reaching reform laws that many in the community opposed but that were nevertheless enacted in the second half of 1996. Events on the international front also had an impact on the national agenda, chiefly changes in Israeli policy following the election of Benjamin Netanyahu in May 1996, fresh initiatives seeking compensation for Holocaust survivors, and revelations about Swiss actions during World War II.

THE POLITICAL ARENA

The Presidential Election

As the presidential campaign of 1996 moved through the summer conventions and toward its conclusion, there was no real question as to which candidate would garner a majority of the Jewish vote. The historic ties between American Jews and the Democratic Party were not about to be swept aside in 1996 any more than in previous election years. The contest was, instead, for the swing vote. Could enough Jewish voters be brought over to the Republican side of the ballot to make the difference in a close election?

Thus, as the campaign got under way in earnest, beginning with the conventions at which their respective parties formally nominated President Bill Clinton and former senator Bob Dole, Dole set out to woo the Jewish vote. Dole had some resistance to overcome in this regard, both with regard to Jewish concerns that the religious right was calling the agenda of the Republican Party and, more specifically, with the fact that the Republican presidential candidate had something of a mixed record on Israel. On the latter issue, Dole pointed to his recent success in pushing through Congress, over the Clinton administration's objection, legislation that recognized Jerusalem as the capital of Israel. As to the socially

conservative wing of his party, he made efforts that seemed to many (certainly not solely for the benefit of the Jewish community) to create some perception of distance.

The selection of former congressman and cabinet secretary Jack Kemp as Bob Dole's running mate was seen as good news by many in the Jewish community. Apart from his positions on abortion and church-state relations, which were contrary to those of the organized Jewish community, the combination of his strong pro-Israel stance, his historic (if, of late, somewhat compromised) commitment to immigration and civil rights, and — perhaps most importantly — a level of personal familiarity and comfort led many in the Jewish community to regard Kemp as a friend. In September, however, Kemp ran into a contretemps when, on two separate occasions, he spoke favorably of Louis Farrakhan's philosophy of self-help for the black community, even as he called on Farrakhan to renounce anti-Semitism. Kemp's comments provoked criticism not only from the partisan National Jewish Democratic Council (NJDC), which asserted that "you can't separate the message from the messenger," but also from nonpartisan quarters. Even a spokesman for the Republican-affiliated National Jewish Coalition made the wistful comment that he wished Kemp "could find a better example to prove his point."

The Democrats had a much less difficult job of persuasion. The primary message coming out of their convention was a litany of the terrible things that might happen under a Dole presidency (an attack on church-state separation, the barring of abortion, uncertainty as to the future of U.S.-Israeli relations), while reminding Jewish constituents of the common perspective they shared with the president on a slew of domestic policy issues and the strength of his record on Israel. Even on issues where some in the Jewish community had been critical of Clinton, such as his signing of the 1996 welfare reform law, the president's advocates had the advantage of being able to say that Dole would be even worse, and that the president was committed to dealing with some of the problems in that bill.

As the election approached, it appeared that the national race would be no real contest, and even more so with respect to the Jewish vote, of which, polls indicated, Clinton was likely to garner at least 80 percent. Thus, by late October, the research director of a Republican-aligned polling firm was commenting that "both candidates are ignoring the Jewish vote. [Since] this election is not as close as past elections [and the Jewish vote receives more attention in close elections], the Jewish vote will play less of a role in the presidential election." In sharp contrast to 1992, when Clinton had assiduously courted Jewish voters up until Election Day, reports indicated that only the toss-up state of Florida was receiving close attention in the form of a series of rallies set up by the Clinton-Gore Jewish Outreach office. But, commented journalist Matthew Dorf in covering the campaign, "If Clinton is taking the Jewish vote for granted, it appears that the Dole campaign is letting him." There was little attention to Jewish voters from the Dole side, even in states where Dole could not prevail without reducing Jewish support for the Clinton-Gore ticket.

In the end, there were no surprises. President Clinton was reelected with a comfortable plurality of over 49 percent and a margin of victory of approximately 8 percent; if not the majority for which he had hoped, the election results provided the president with the basis on which throughout 1997 he was able to claim support for the centrist, pragmatic approach he had adopted in 1995 and 1996. The Jewish vote was more or less as predicted, overwhelmingly in favor of Clinton. A leading exit poll service showed Jews voting 78 percent for Clinton, 16 percent for Dole, and 3 percent for third-party candidate Ross Perot.

Congressional Elections

If the presidential race saw little attention to the Jewish vote, that was certainly not the case on the congressional side during the 1996 campaign. Republican and Democratic candidates in a number of close races were very much focused on Jewish voters who they thought could make the difference, both in votes and in contributions of time and money. Thus, by some reckoning, New Jersey's Jewish voters—constituting more than 5 percent of the electorate—were likely to be the deciding factor in the race between Rep. Robert Torricelli, Democrat, and Rep. Dick Zimmer, Republican, to replace outgoing Democratic senator Bill Bradley. And neither candidate was shy about looking for ways to appeal to the Jewish constituency. Another race of interest, in Minnesota, featured a rematch between two Jewish candidates as former senator Rudy Boschwitz, a Republican, sought to regain the seat he had lost in 1990 to Democrat Paul Wellstone, now the incumbent. In a state with a small population, the expected closeness of the race nevertheless led the two candidates to vie—as they had in 1990—for the Jewish vote.

In the end, Wellstone and Torricelli were reelected and elected, respectively, by comfortable margins, margins that were even wider among Jewish voters. Jewish observers suggested that in races where neither party could make the case that its candidate was more steadfast in support of Israel, Jewish voters were more likely to look at social issues, such as welfare and immigration policy, in considering how to cast their votes. Wellstone, it was noted, was the only senator facing reelection who voted against the 1996 welfare reform law that so many in the Jewish community had opposed.

On the House side, it was hard to miss the racial acrimony in the race between Rep. Cynthia McKinney, the incumbent African-American Democrat, and John Mitnick, her Jewish Republican challenger. Mitnick accused McKinney of ties to Nation of Islam leader Louis Farrakhan, while McKinney's father—also angry at a U.S. Supreme Court decision that led to the redrawing of the lines for his daughter's district so as to include substantially more whites and Republicans—called Mitnick a "racist Jew." Following these latter comments, McKinney kicked her father off the campaign and denounced his comments and the anti-Semitism and racism of Farrakhan. She went on to win reelection by a comfortable margin. Following the election, American Jewish Committee south-

east area director Sherry Frank commented that McKinney “will need to begin the healing process [with the Jewish community] so that she is able to effectively represent the 7 percent of her population which is Jewish.” In two other House races of interest, both in Texas, former Republican congressman Ron Paul—who had last served in Congress 12 years before and who had written articles in the intervening period that some characterized as racist and anti-Israel—was returned to office. Freshman Republican Steve Stockman, who had come under criticism for his ties to the militia movement, was defeated in his bid for reelection.

When the smoke had cleared, and assorted runoffs, recounts, and challenges were concluded, Republicans continued to control the House, but by a somewhat reduced margin. The Senate, in contrast, saw Republicans strengthen their hold with a net gain of two seats. The changes in numbers and, to some extent, the turnover in seats to new faces, even where the party holding a given seat remained the same, led to the expectation that the House would be somewhat more moderate on issues of concern to the Jewish community, while the Senate would be more conservative and ideological than before.

In terms of Jewish members, Senators Carl Levin (D., Mich.) and Paul Wellstone (D., Minn.) were reelected, leaving the Senate with its *minyán* (prayer quorum) of ten. In the House, 25 Jews were elected to the 105th Congress, the same as at the start of the prior Congress. All 22 Jewish incumbents who sought reelection were successful. Of the remaining three, one retired (Anthony Beilenson of California), one ran for the Senate midterm and won (Ron Wyden of Oregon), and one ran for the Senate at the end of his term and lost (the above-mentioned Dick Zimmer of New Jersey). The three Jewish newcomers, all Democrats, were Steve Rothman of New Jersey, Brad Sherman of California, and Robert Wexler of Florida. Tough reelection fights were won by freshman Republican Jon Fox of Pennsylvania, whose 10-vote election night margin grew to a grand 84 votes by final tabulation, and Democrats Jane Harman of California and Sam Gejdenson of Connecticut.

The congressional voting pattern of the Jewish population, taken overall, was similar to the presidential vote. Exit polls showed Jews favoring Democratic House candidates over Republicans by a margin of 74 to 26.

Following the 1996 election Jewish advocates began to consider how they might cultivate a moderate center of Republicans and Democrats in the 105th Congress, to fend off the drastic budget cuts and conservative social initiatives that had been on the agenda in the 104th. To the surprise of some, 1997 turned out to be relatively uneventful on the legislative front (see below).

Two studies appearing toward the end of 1997 provided a coda for the 1996 elections. First, it was announced in November that a forthcoming issue of *Fortune* magazine would name the American Israel Public Affairs Committee (AIPAC) as the second most powerful interest group in Washington. The ranking was based on a survey of Washington policy analysts and rated AIPAC high for “the votes it can deliver.”

Later that month, the Washington-based Center for Responsive Politics issued a study revealing that pro-Israel donors continued to favor Democrats by a 2-1 margin: some \$4.2 million from pro-Israel PACs going to Democrats as compared to \$1.5 million given to Republicans. However, there was a rise in giving by Jewish donors to Republican candidates compared to the previous congressional election, and a decline in contributions to the Democratic side. The study also showed a 17-percent decline in overall Jewish giving from 1994, perhaps reflecting a general drop in giving by younger Jews to established Jewish organizations as well as a distaste for politics arising out of the ongoing campaign finance scandals.

As 1997 closed, the Jewish community awaited argument before the Supreme Court in a case with substantial political implications. Just about one year earlier, in December 1996, the full U.S. Court of Appeals for the D.C. Circuit had ruled that the American Israel Public Affairs Committee, AIPAC, should be regulated as a political action committee (or "PAC") because it had ostensibly been involved in raising funds for candidates for public office. Notwithstanding its acronym, AIPAC is organized not as a political action committee but as a non-profit organization engaged in lobbying. It strongly denies that it has been involved in activity that should bring it under the jurisdiction of the Federal Election Commission. In June 1997 the U.S. Supreme Court agreed to hear AIPAC's appeal from the ruling.

The Religious Right

Following Election Day 1996, leaders of the religious right—the Republican Party's socially conservative constituency—who had made no secret of their unhappiness over Bob Dole's lack of enthusiasm for their agenda even as he mouthed support, refused to accept any blame for his defeat. Instead, asserted Ralph Reed, executive director of the Christian Coalition, "Conservative evangelicals had provided the fire wall that prevented a Bob Dole defeat from mushrooming into a meltdown all the way down the ballot." On the Sunday prior to the election, the Christian Coalition distributed 46 million voter guides to 125,000 churches covering local races and Congress. This and other similar efforts were said to have made the difference in reelecting a Republican Congress for the first time in 69 years.

Adversaries of the religious right, on the other hand, were quick to point out that the 1996 election was hardly a reaffirmation of the conservatives' agenda, neither in the presidential race (whatever the right's disenchantment with him, Bob Dole was clearly the candidate of preference) nor in congressional races, in which the most conservative candidates had a mixed record, at best. Of the Republican incumbent representatives defeated in 1996, more than half were among those most highly rated by the Christian Coalition. On the other hand, the Senate took on a markedly more socially conservative cast.

However 1996 was interpreted, it remained certain that the religious right

would remain heavily engaged in the political process, with Christian Coalition founder Pat Robertson already promising that religious conservatives would not again accept in 2000 a "peripheral" role in the presidential race. And even before the election Ralph Reed stressed the priority that conservative Christians would continue to place upon local races. "I'd rather have a thousand school board members and 2,000 state legislators than a single president," he said. Commented Mark Melman, a Democratic pollster, "In race after race, they nominated their candidate for Congress, for Senate, for state legislature. That's real power in the political process, and we ignore that power at our peril." Trying hard not to ignore that "peril," the Interfaith Alliance and the National Jewish Democratic Council undertook to distribute their own voter guides in 1996, albeit with a far more modest distribution. But Matthew Brooks, executive director of the Republican-affiliated National Jewish Coalition, asserted that the divergence between the Jewish community and the Christian Coalition had been overstated, commenting that "it's not in the Jewish community's interests to focus on what separates us," but on "ways to cooperate."

No such cooperation was in evidence when, in early February 1997, the Christian Coalition announced its "Samaritan Project," a package of priorities described as a "bold plan that shatters the color line and bridges that gap that has separated us from our African American and Latino brothers and sisters." The package's components included calls for tuition vouchers and church-run drug rehabilitation programs, initiatives that the coalition had long supported. This led Phil Baum, executive director of the American Jewish Congress, to call the project nothing but a "cosmetic rearrangement . . . under the guise of a new preoccupation with the plight of the disadvantaged minorities," and Rabbi David Saperstein, director of the Religious Action Center of Reform Judaism, to say that the Christian Coalition's "real priorities remain changing the Constitution to tear down the wall separating church and state." But Rabbi Yechiel Eckstein, president of the International Fellowship of Christians and Jews, disagreed, calling the project "good for our country and . . . good for the Jews."

At the same time, leaders of a number of "progressive" religious groups conceded at an April 1997 conference convened by the Religious Action Center of Reform Judaism that it was the Christian Coalition and others on the religious right who seemed to have persuaded the public that theirs was the voice of religious authority. Noting that the abolitionist, disarmament, and civil-rights movements all had been strongly associated with "progressive religion," Rabbi Eric Yoffie of the Union of American Hebrew Congregations questioned why today's political left no longer spoke in religious language. "Perhaps liberals are no longer religious. Perhaps we are lost without the towering religious figures we had in the past. Perhaps we've misunderstood church-state separation," he said.

In May 1997, as Ralph Reed announced his departure from the Christian Coalition for the world of private political consulting, it remained clear that neither he nor the socially conservative movement that he had led would remain long

unheard from. The question for some observers was whether, without Reed, the coalition would become more ideologically “pure” and less likely to make the kinds of choices that Reed had made when he swung his support behind Dole in 1996.

The Clinton Administration

During a visit to Poland the first week of July 1996, First Lady Hillary Clinton visited the Auschwitz-Birkenau death camp. Shaken by the mountains of human hair and stacks of eyeglasses, shoes, and children’s clothing displayed there, she condemned Holocaust denial and spoke of the need not to “let up for a minute in your condemning of extremism and intolerance.” She traveled from the camp to Warsaw where she met representatives of the Polish Jewish community; at the other end of the emotional spectrum, she was treated to a serenade of Hebrew songs by children at a Jewish kindergarten.

Just after President Clinton’s reelection in November 1996, Secretary of State Warren Christopher announced that he was resigning his post as of the upcoming second inauguration. The announcement was, by and large, met with praise for Christopher from the Jewish community for his efforts to move the peace process forward. Accolades came from, among others, AIPAC and the Conference of Presidents of Major American Jewish Organizations. But a dissenting voice was heard from the Zionist Organization of America, which pronounced Christopher a “major disappointment” for having “ignored Yasir Arafat’s anti-peace behavior.”

On December 5, 1996, President Clinton announced his new foreign policy team, designating Czech-born Madeleine Albright, the U.S. ambassador to the United Nations, as the next secretary of state. Although she was not Jewish, her parents had fled the Nazi occupation, leaving her with a family history of displacement with which many American Jews were familiar. An already high-ranking Jewish aide, Samuel Berger, was named as national security adviser. Retiring senator William Cohen, named to be secretary of defense, also had a Jewish connection: his father is Jewish, his mother is not; Cohen does not consider himself Jewish. But all of this was secondary to the positive response of most of the Jewish community to these appointments, based on the past performance of the officials and the sense that the administration would maintain continuity in its role in the Middle East.

In a surprising turn of events, the accession of Albright to the post of secretary of state quickly became a “Jewish story” in a very personal sense as she was confronted with evidence—soon after formally assuming the office on January 23, 1997—that at least three of her grandparents were Jewish. Those grandparents, as well as many other relatives, died in the Holocaust. Albright’s parents, who fled Czechoslovakia in 1939 shortly after the Nazi invasion of that country, raised their daughter as a Roman Catholic and never told her about her Jewish

background. Ironically, the story of her past, which came to light as the result of an investigation by the *Washington Post*, was published just as she was about to depart for her first visit to Israel as secretary of state. Later in 1997, she visited the Pinkas Synagogue in Prague where she found the names of her paternal grandparents inscribed on the walls together with the names of more than 77,000 other Czech and Slovak Holocaust victims. Afterward, Albright commented with clear emotion that in earlier tours of Prague she had been at that synagogue, but "I did not know my own family story then. Tonight, I knew to look for those names To the many values and many facets that make up who I am, I now add the knowledge that my grandparents and members of my family perished in the worst catastrophe in human history."

Some other high-ranking appointments during the latter half of 1996 and in the year 1997 had Jewish provenance that was less of a surprise. In January 1997, one-time Democratic Party official Steve Grossman resigned his position as chairman of the American Israel Public Affairs Committee to become national chairman of the Democratic National Committee, taking on the party position at a time when Democrats were wrestling with a host of illegal campaign-contribution issues. The appointment of Grossman, who had earlier served as AIPAC's president, was hailed by party colleagues, Jewish and non-Jewish alike.

A trio of high-ranking appointments of persons well known to the Jewish community were confirmed by the Senate in 1997. The Australian-born Martin Indyk, who had served from April 1995 to the fall of 1997 as the first Jewish U.S. ambassador to Israel, was confirmed in November 1997 to the position of assistant secretary of state for Near Eastern affairs. Daniel Kurtzer, an observant Jew with a long record in the foreign service, including duty with Dennis Ross in the peace process beginning in 1991, was confirmed as U.S. ambassador to Egypt. Kurtzer announced plans to keep the ambassador's residence kosher. And in June 1997 Stuart Eizenstat—who had served every Democratic president since Lyndon Johnson and had been the Clinton administration's point person on Holocaust restitution issues—was sworn in as under secretary of state for economic, business, and agricultural affairs. Kurtzer turned to Eizenstat for advice on keeping a kosher kitchen while on a diplomatic posting since Eizenstat, during his earlier term as U.S. representative to the European Union, had been the first U.S. ambassador to do just that.

In December, with the simultaneous celebration of Christmas and an unusually late Hanukkah, President Clinton, with children from an area day school in attendance, held a menorah lighting ceremony in the Oval Office on the Jewish festival's first night. He noted that the ceremony marked the start of a yearlong celebration of the 50th anniversary of the founding of the Jewish state.

1997 Elections

As usual, there was little electoral activity during an odd-numbered off year. Worthy of note, however, was the strength of the normally Democratic Jewish

vote in New York in support of the reelection of Republican mayor Rudolph Giuliani—72 percent as compared to the 27 percent vote for his Jewish Democratic challenger, Ruth Messinger. In contrast, New Jersey Jewish voters favored State Senator James McGreevey, the Democratic challenger, over Governor Christie Todd Whitman, the Republican incumbent, by a margin of 55.7 percent to 40.2 percent. Governor Whitman squeaked by to win reelection by one percentage point.

Terrorism

In July 1996 Illinois governor Jim Edgar signed into law a state counterterrorism bill imposing criminal penalties for providing funds or other material support to groups engaged in international terrorist activity. There was also a flurry of activity at the federal level at the beginning of August as the House of Representatives passed a bill intended to supplement the omnibus antiterrorism legislation signed into law by President Clinton in April 1996. But that new bill, which included measures to enhance airport security, extend the Racketeer Influenced Corrupt Organizations Act (RICO) to terrorism offenses, and create a bipartisan “blue ribbon” panel on terrorism, was not taken up by the Senate and died with the close of the 104th Congress. Before it adjourned for the election season, Congress did, however, enact the Iran and Libya Sanctions Act, a bill directed at deflecting major foreign investment in those countries because of their support for terrorism.

In January 1997 the Anti-Defamation League wrote to Secretary of State Warren Christopher expressing disappointment that no designations had been made of foreign terrorist organizations, pursuant to the authority provided in the 1996 federal antiterrorism law. The naming of groups as foreign terrorist organizations would bar them from raising funds in, or having access to, the United States. In the fall, Secretary of State Madeleine Albright issued the long-awaited list.

Based on a provision of the new antiterrorism law that affords American citizens the right to seek civil damages against states that sponsor terrorists, in February 1997 Stephen Flatow, father of the 20-year-old American victim of an April 1995 suicide bombing in the Gaza Strip, announced that he would bring suit for \$150 million against Iran. Islamic Jihad, a foreign terrorist group that receives considerable support from Iran, claimed responsibility for the fatal attack. Flatow, noting that he was “not a sovereign state” and could not “wage war,” described his action as a way to seek justice. Another family’s quest for justice came to a conclusion later that year when, in August 1997, the PLO settled the lawsuit that had been brought by the family of Leon Klinghoffer after he was murdered by Palestinian terrorists during a 1982 cruise on an Italian ship, the *Achille Lauro*. Even as it settled the case by paying an undisclosed amount to the Klinghoffer family, the PLO admitted no wrongdoing, maintaining as it had ever since the incident that the attack had been carried out by a renegade group.

Another U.S. case, that of Mousa Mohammed Abu Marzook, a Hamas leader

and sometime-U.S. resident, was resolved in 1997. Marzook had been taken into custody when he tried to enter the country in July 1995 because of his suspected involvement in terrorist activity, which made him subject to deportation under domestic immigration law. Before the deportation proceeding could move forward, Israel requested his extradition. For over a year, Marzook, who denied that he had been anything other than a fund-raiser and a political organizer for Hamas, resisted extradition. Then, in January 1997 Marzook surprisingly announced that he would no longer fight extradition; four months later, Israel—fearing that an Israeli trial of Marzook would lead to an upsurge of violence by Palestinians—decided in April to drop its extradition request. As U.S. authorities began once again to prepare deportation proceedings, Jordan agreed to accept Marzook in what one report characterized as “a humanitarian gesture.” An Israeli official was quoted as saying that deportation to Jordan was the “most convenient” way of handling the matter and that Israel trusted Jordan’s King Hussein to “know how to contain Marzook’s activities.”

Left unresolved, probably forever, was the question of whether a 69-year-old Palestinian man’s shooting of seven people (one fatally) and then himself atop the Empire State Building on February 23, 1997, was in any way politically connected. Police officials later reported that they found on Ali Abu Kamal’s person two letters in English and Arabic condemning Zionism and the United States, France, and Great Britain for their supposed role in oppressing the Palestinian people. But Kamal’s family asserted that he had no connection to militant groups, and it seemed likely that distress over financial losses had contributed to his action.

The Jewish community of Jacksonville, Florida, was astounded when, in March 1997, Harry Shapiro, the owner of a recently failed kosher butcher shop, was arrested for making a bomb threat against, and placing a bomb at, a local Conservative synagogue, hours before former Israeli prime minister Shimon Peres was scheduled to speak there. The bomb threat had been made by a caller identifying himself as affiliated with “American friends of Islamic Jihad.” No sign of the bomb was found at the time, and Peres’s speech went ahead on February 13 as scheduled. Nine days later the device was found on the premises by children and was destroyed by the police without harm to anyone. Shapiro, who later turned himself in, was said to be both very angry that his business had recently closed and opposed to Peres’s policies on the peace process. In June Shapiro pleaded guilty to the federal crime of using an explosive to threaten a foreign official and guest of the United States and was sentenced to ten years in prison.

The potential for domestic terrorism hit home on April 24, 1997, during the week of Passover, when an envelope oozing “red liquid” was found in the mailroom at the Washington headquarters of B’nai B’rith International. The building—which also houses offices of the Council of Jewish Federations, the Hebrew Immigrant Aid Society, and the National Council of Soviet Jewry—was sealed, and all of the people inside quarantined for a period of several hours, while investigators and emergency personnel came onto the scene. A five-block radius

was cordoned off, with traffic jams ensuing in downtown Washington into the evening rush hour, and some people trapped in neighboring buildings as well. By 8:30 P.M., authorities had determined that the substance in the envelope was not toxic and allowed everybody to leave. The Jewish Telegraphic Agency later reported that a letter contained in the envelope included a note that was "anti-Jewish" and made threats that were "not specific." For B'nai B'rith, the experience was an unsettling one of *deja vu*. Just over 20 years before, in March 1977, its staff had been held hostage when B'nai B'rith's offices were taken over by Black Muslim extremists.

In August 1997 Ghazi Ibrahim Abu Maizar, a Palestinian who had earlier been apprehended for illegally entering the United States, was arrested in Brooklyn for possession of at least two active suicide bombs in his apartment. Questions were immediately posed as to how he had been allowed to stay in the country, pending deportation, without his background being investigated, and whether he had been acting alone or as part of a conspiracy linking him to Mideast terrorist groups. Although no connection between Abu Maizar and Hamas was demonstrated, law enforcement officials were quoted as saying that the organization had raised tens of millions of dollars in the United States.

The week of Abu Maizar's arrest also saw a trial begin in a New York federal court of Ramzi Ahmed Yousef, charged as the mastermind in the 1993 World Trade Center bombing. A jury convicted Yousef on those charges in November 1997.

Soviet Jewry, Refugees, and Immigration

As the 104th Congress closed for business in October 1996, one of its final actions was the enactment of legislation providing for a major overhaul of federal immigration law. Having earlier succeeded in stripping out of the immigration bill provisions that would have substantially cut back on the number of "family preference" immigrants to be afforded visas, Jewish advocates spent much of July through October working to mitigate some of the remaining problems in the legislation. There were some successes. The bill that the president ultimately signed into law no longer included the so-called Gallegly Amendment, a provision that would have allowed states the option of denying free public education to undocumented children. Nor did it include provisions that would have denied legal immigrants benefits even beyond what had been done in the welfare law enacted earlier that year.

But the new immigration law still included provisions that could be harmful to persons arriving on these shores seeking asylum from persecution. One section subjects people traveling with irregular or no documentation to "expedited exclusion" at all ports of entry unless they can establish a "credible fear of persecution" in an on-the-spot interview with a low-level INS officer; another provision requires asylum seekers to file an asylum application within one year of arriving in the United States, with only very narrow exceptions.

On March 5, 1997, a coalition of ethnic, immigrant advocacy, and civil-rights groups held press conferences in Washington, D.C., New York, and Los Angeles calling on the federal government to make the naturalization process accessible to all immigrants who are eligible to become U.S. citizens. These press conferences—as well as similar events in other cities later that month—took place prior to hearings by the congressional Oversight Committee on Naturalization, which reviewed U.S. naturalization procedures used in recent years. The press conferences stressed the contribution immigrants had made to the United States and the importance of naturalization in binding the nation and immigrants to one another.

In 1997 Jewish advocates were also faced with a proposal by the administration to reduce the number of refugee “slots” to be made available to Jews and others fleeing from persecution in the former Soviet Union. In its initial proposal for fiscal year 1998, the administration announced its intention to allot 21,000 places for refugees from that group of nations, some 9,000 fewer than the previous year. But, as the fiscal year began in early October 1997, the administration indicated that an additional 5,000 slots would be available, for a total of 26,000. “It’s closer to the reality of the total flow,” commented Martin Wenick, executive vice-president of the Hebrew Immigrant Aid Society. Even so, this represented a reduction from the previous year’s figure of 30,000.

As Congress adjourned at the end of 1997, Jewish advocates succeeded (as they had done in 1996 for FY 1997) in extending for one more fiscal year—through September 1998—the so-called Lautenberg Amendment, which affords Jews and Pentecostal Christians from the former Soviet Union, among others, a reduced burden of proof in making the case that they should be granted refugee status by the United States.

Foreign Aid

As in previous years, maintaining U.S. aid to Israel remained a priority of the organized Jewish community. In 1996, \$12 billion in U.S. aid worldwide was folded into the omnibus spending bill that was passed by Congress as it rushed to adjourn for the election season. The bill included \$3 billion for Israel—with crucial provision for early dispersal—as well as \$80 million for refugee resettlement and \$50 million for antiterrorism efforts. It also provided for \$2.1 billion in aid to Egypt, \$75 million for the Palestinians in connection with the peace process, and the last installment on the forgiveness of Jordanian debt.

Final passage of the foreign-aid bill for fiscal year 1998 was also held up until the end of a congressional session, this time passing as part of a marathon session just before Congress adjourned at the end of 1997. As with the bill passed in 1996, the FY98 bill also fully funded Israel’s foreign-aid program. It also included a ban on direct U.S. aid to the Palestinian Authority, an action largely seen as symbolic inasmuch as the \$100 million in annual aid to the Palestinians was largely provided through nongovernmental agencies. Pursuant to an agreement

with the White House, Israel returned \$50 million of its \$3 billion in aid, which was then paid to Jordan; Egypt also contributed \$50 million toward a total U.S. aid package for Jordan of \$225 million.

Sheinbein Extradition Case

A Maryland murder case took on unexpected international ramifications when one of two suspects in the crime, 17-year-old Samuel Sheinbein, fled to Israel in September 1997. Sheinbein's father had been born in British Mandate Palestine and received Israeli citizenship with the founding of the Jewish state in 1948, arguably bestowing Israeli citizenship on his American-born son as well. Israeli law forbids extradition of its citizens, although it does provide that a citizen may be tried in an Israeli court for a crime committed abroad. A furor erupted immediately as claims were made in the United States that Sheinbein might avoid prosecution through this "loophole."

With parties as diverse as the U.S. government and the Anti-Defamation League agreeing that a way should be found for Israel to extradite Sheinbein, Rep. Robert Livingstone (R., La.), chairman of the House Appropriations Committee, took a more extreme position. In a statement issued in October 1997 he indicated he would take steps to reduce the aid to Israel then pending in a bill over which his committee had jurisdiction if Israel did not extradite Sheinbein. Both the National Jewish Democratic Council and the Republican-affiliated National Jewish Coalition urged Livingstone not to link the Sheinbein affair to Israel's foreign aid, noting that Israel's hands might be tied by its own law. The crisis was defused somewhat when, later that month, Israel announced that it was rejecting Sheinbein's claim to dual citizenship and that it was, accordingly, prepared to extradite him to the United States, leading Livingstone to say that he intended to take no action with respect to aid to Israel. But, with an announcement that Sheinbein intended to challenge the Israeli government's decision and fight extradition, the expectation was that a U.S. trial might be years off.

Communal Implications of the Budget Process

On August 22, 1996, President Clinton signed the welfare reform bill into law, effectively dismantling the 60-year-old federal guarantee of assistance to any eligible poor American and placing the responsibility on the states to create and maintain their own welfare and work programs. Along with lifetime limits and work requirements that many in the Jewish community found problematic because they were not sufficiently flexible, the community devoted the greatest attention—and concern—to the law's implications for permanent legal residents who had not become citizens. Most legal immigrants, including those already in the country, were barred from Supplemental Security Income (SSI) and Food Stamps, and those arriving after the date of the law's enactment faced even more stringent cutbacks. In so doing, the welfare reform law stripped legal immigrants

of benefits for which they had long been eligible on virtually the same terms as citizens and threatened to impose a harsh burden on social-service providers as they attempted to cope.

Jewish community workers strove to prepare their organizations and the populations they served for the conditions they would face as the new, state-based system went into effect, even as they advocated for restoration of those benefits. Jewish advocates in Washington and around the country, working with similarly minded communities, urged that states implementing the new system maintain the safety net—and urged Congress and the president to mitigate the unintended consequences of the welfare law on legal immigrants. These coalition efforts were spearheaded within the Jewish community by the Council of Jewish Federations.

Tens of thousands of Jewish immigrants were among those who lost nutrition benefits when food stamps were cut off on April 1 and faced the prospect of losing SSI benefits as of August 1. In a reprise of the Soviet Jewry rallies of the 1980s, thousands gathered on the steps of the U.S. Capitol in April 1997 to urge “Don’t abandon our elderly and sick.” Following up on the promise he had made at the reform law’s signing—that he would seek to undo the provisions denying benefits to legal immigrants—President Clinton’s 1998 budget proposed restoration of a portion of the benefits taken from legal immigrants. After a consensus emerged in Congress that there be at least some relief for legal immigrants, the budget finalized in the summer of 1997 included a substantial restoration of access to SSI benefits for legal immigrants.

The welfare reform “fix” failed, however, to restore food stamps for legal immigrants and refugees. Thus, as 1997 ended, the Council of Jewish Federations—working together with Jewish and non-Jewish coalition partners—was campaigning to have the administration include restoration of those benefits in the budget to be issued in January 1998. Speaking of Jewish elderly immigrants who had lost federal benefits, Diana Aviv, director of the CJF Washington office, said, “In our community, we’re going to have death or starvation or serious crises in our emergency rooms.”

In a related development, Jewish organizations applauded the Senate’s defeat of the Balanced Budget Amendment in March 1997, a measure that they contended would have led to cuts in foreign aid and social programs.

ANTI-SEMITISM AND EXTREMISM

Assessing Anti-Semitism

In November 1996 the Federal Bureau of Investigation unveiled its annual report on hate crimes, in which it revealed that American Jews had overwhelmingly been the most frequent victims of hate crimes based on religion for 1995—some 1,085 incidents or 83 percent of all religion-motivated attacks. This figure also

constituted some 13 percent of all hate crimes for the year. As is always the case, however, these reports were subject to the caveat that, because neither state nor local law enforcement reporting is obligatory, the absolute numbers of offenses and even their proportions provide only a partial picture.

The Anti-Defamation League's annual audit of anti-Semitic incidents released in February 1997 indicated a decline in incidents for the second year in a row: 1,722 incidents were reported to the ADL in 1996, a drop of about 7 percent from 1995. The report reflected the lowest figures since 1990 and stood in contrast to 1994's record high of 2,004 incidents. While incidents involving harassment or threat of assault dropped by about 15 percent as compared to the previous year, incidents of anti-Semitic vandalism in fact increased from 727 incidents to 781, a 7-percent rise. Despite this, the ADL greeted the results of its report as good news. "It tells us that the combination of law enforcement action and educational outreach is an effective one-two counterpunch that is reaping results in the traditional arenas where anti-Semites are active," said ADL national director Abraham Foxman.

The American Jewish Committee cautioned against reading too much into the relative decline of incidents as reported in the ADL audit. "Anti-Semitic incidents are only part of the package," said Kenneth Stern, AJCommittee's program specialist on anti-Semitism and extremism, noting that hate and antigovernment groups continued to present a threat to the "security of Jews and the vibrancy of American democracy." And both ADL and the Simon Wiesenthal Center viewed with alarm what Rabbi Abraham Cooper, the center's associate dean, described as an "absolute explosion of hate sites on the Internet." "We're looking at the emergence of a subculture of hate on the Internet," he added, "and that unfortunately means that the potential pool of young people into these particular groups is much broader."

In light of the ADL's reported decline in number of incidents, the American Jewish Committee's 1997 Annual Survey of American Jewish Opinion, released in May, held particular interest. It showed that American Jews continued to have an "ongoing sense of anxiety" about anti-Semitism, considering it a greater threat to Jewish life in the United States than intermarriage. This finding, asserted AJCommittee's director of research David Singer, reflected a "significant gulf between mass Jewish opinion" and findings in studies of the general population that do not reflect anti-Semitism to be as widespread as the Jewish perception. The AJCommittee study also found that American Jews who were intermarried were far more likely than those who were not to consider anti-Semitism to be a greater threat than intermarriage.

Acts of Violence

In the early morning of September 14, 1997, an Atlanta synagogue and cars in front of a senior citizens' facility at an Atlanta Jewish community center were

spray-painted with anti-Semitic graffiti, including swastikas in red paint. It was not known whether the incidents were connected. Non-Jewish clergy and political leaders quickly rallied to condemn the actions, and a \$4,000 reward for information leading to the arrest and conviction of the perpetrators was posted by area churches, a local homeowners' association, and the local Republican Party.

As the year closed, a task force of federal and local officials was at work in Los Angeles investigating two fires that broke out on December 28 at synagogues in the city's Fairfax district, both apparent arsons. The task force, set up following the 1996 burnings of black churches in the South, was charged with carrying out a preliminary investigation to be followed by a decision in Washington as to whether a formal civil-rights inquiry was appropriate. That same week also saw the vandalization of a publicly displayed menorah in Scarsdale, New York (three of the menorah's arms were torn off) and the spray-painting of a swastika on an Islamic star-and-crescent that was part of the seasonal display at the White House ellipse.

CROWN HEIGHTS RIOTS

On February 10, 1997, over five years after the anti-Jewish riots in the Brooklyn neighborhood of Crown Heights that claimed the life of Talmud scholar Yankel Rosenbaum, a federal jury convicted Lemrick Nelson, Jr., and Charles Price of violating Rosenbaum's civil rights in connection with that killing. Jewish leaders, who had been critical of an earlier state court verdict in which Nelson was acquitted of murder charges, hailed the federal verdict. "Justice at last has been done," said Howard Teich, president of the American Jewish Congress's Metropolitan New York Region. But Rabbi Avi Weiss, president of the Coalition for Jewish Concerns-Amcha, noted that "there was an entire mob that surrounded [Rosenbaum]" and called for further prosecutions.

As of year's end, sentencing of Nelson and Price had not yet taken place. Also still pending was a civil case brought against the City of New York alleging that the civil rights of Jews in Crown Heights had been violated because the city had not taken sufficient steps to protect them from the riots.

Other Anti-Semitic Incidents

In March 1997 *USA Today* reported on allegations that the Avis car rental company had an informal policy of discrimination against Jews in its rental practices. The matter emerged after one former employee provided an affidavit in a racial discrimination case against Avis asserting that Avis employees had been directed to avoid renting to "yeshivas," a code word for Hassidic Jews. Other former employees were quoted as saying that while at Avis they were on guard for customers with Jewish-sounding accents or names. Avis officials responded that the company had a strict policy against discrimination and that they intended to investi-

gate the charges. In its report on the matter, the Jewish Telegraphic Agency noted that discrimination cases filed with the Equal Employment Opportunity Commission had risen to 319 in 1996, up sharply from 195 in 1990.

In September 1997, six Illinois Department of Public Health officials were directed by a U.S. district court to pay \$250,000 to Sherwin Manor, a Jewish nursing home located in Chicago, for submitting false findings of federal and state violations by the facility during a routine certification survey. The district court's action followed a 1994 decision by the U.S. Court of Appeals for the Seventh Circuit, based on testimony about anti-Semitic remarks by the inspectors and substantial evidence refuting their charges against the nursing home, that Sherwin Manor's right to equal protection under the law had been violated by "verbal abuse accompanied by the imposition of a special administrative burden." In addition to falsely charging that the nursing home lacked no-smoking signs and that residents were not given a program of activities, the inspectors had assessed a violation against Sherman Manor because it failed to serve its residents pork, even though a varied diet of beef, chicken, and fish was available.

Legislative Activity

In June 1997 President Clinton announced a major initiative on race expected to take the form of a number of hearings and forums across the nation. In his announcement the president noted that the "classic American dilemma" of racism had become many dilemmas of race and ethnicity, and referred to "a resurgent anti-Semitism" that was present "even on some college campuses."

On November 10, 1997, more than 350 victims of hate crimes, law enforcement officials, educators, and representatives of advocacy groups participated in the daylong White House Conference on Hate Crimes at George Washington University, followed by an evening reception at the United States Holocaust Memorial Museum. Speaking at the conference, President Clinton termed hate crimes the "antithesis of the values that define us as a nation" and announced a number of new initiatives directed at hate-based violence, including plans to create hate-crimes working groups to be organized by the Attorney General at the national level and within the offices of the various U.S. Attorneys locally.

The president also took the occasion to endorse legislation introduced by Senators Edward Kennedy (D., Mass.) and Arlen Specter (R., Pa.), and with bipartisan support on the House side, that would extend the coverage of existing criminal civil-rights legislation. The legislation would encompass crimes based on gender, sexual orientation, and disability (crimes motivated by racial, religious, or national-origin animus being already covered) and expand the jurisdictional basis for such crimes to be prosecuted. Jewish groups, notably the ADL and the American Jewish Committee, had worked together with non-Jewish groups in helping to promote and craft the legislation as well as with the White House in planning the hate-crimes conference.

On the state scene, in February 1997 the New York State Assembly passed a state “hate crimes” law intended to heighten the degree of offense when acts of violence are motivated by bias and prejudice. The bill was defeated, however, in the New York State Senate.

INTERGROUP RELATIONS

Black-Jewish Relations

LOUIS FARRAKHAN AND THE NATION OF ISLAM

Louis Farrakhan and the Nation of Islam commemorated the one-year anniversary of the 1995 “Day of Atonement” in Washington, D.C., with a “World’s Day of Atonement” rally in October 1996 in New York in which more than 30,000 people participated. Although some attending stressed that they were there to hear Farrakhan’s message of black unity and not because of agreement with his anti-Jewish statements, his remarks—although critical of whites, the United Nations, and the United States—singled out only one ethnic group, the Jews. The Jewish Telegraphic Agency reported that “the minister’s anti-Jewish rhetoric was . . . ardent and plentiful.”

The 1996-97 period saw the Jewish community still in a quandary about how to respond to a racist and anti-Semitic movement that many respectable groups and government officials treated as legitimate. Following disclosure that a Nation of Islam representative had been designated by Washington, D.C., mayor Marion Barry as a member of the planning committee for a January 1997 D.C. “Day of Dialogue” on racial polarization, the ADL, the American Jewish Committee, and the American Jewish Congress announced that they would not participate in the event. Guila Franklin, director of the AJCongress’s Washington area chapter, said that her organization’s decision was made because “this was a day of dialogue that included a group that does not accept Jewish people and does not have respect for Jewish people.”

In contrast, Operation Understanding, a Washington-based group dedicated to fostering communication between Jewish and black teenagers, and the National Conference (formerly National Conference of Christians and Jews) both indicated they would still participate. “I want to eradicate racism,” said Cheryl Kravitz, executive director of the Washington office of the National Conference. “I’ll do whatever it takes.” In a similar vein, Philadelphia mayor Ed Rendell, a Jewish Democrat, invited—and then shared a podium with—Farrakhan at a local rally, with predictable adverse response from many Jewish agencies. The National Jewish Democratic Council commented that it was “saddened” by Rendell’s action.

In July 1997 a federal district court ruled that a Nation of Islam-affiliated security firm would be allowed to proceed with its lawsuit against U.S. Representative Peter King (D., N.Y.) and New York State Assemblyman Jules Polonetsky, charging that they had conspired to deprive the company of its constitutional rights. The firm lost its contract to patrol a federally funded housing project in 1996, some two years after King and Polonetsky began urging termination of that contract on the grounds that the Nation of Islam was engaged in racial discrimination and that NOI security firm employees were using their positions to proselytize. The court's opinion reasoned, without reaching a conclusion on the merits, that the allegations as to King and Polonetsky's actions were, if true, sufficient to allow a judge or jury to find that the security firm was "retaliated against based on [its] association with the Nation of Islam and Farrakhan" or that the firm had been treated "selectively" on the basis of religion. American Jewish Congress legal counsel Marc Stern described the decision as "problematic" because government officials might be persuaded to "just lay off"—it's too expensive and burdensome to bother with Farrakhan."

In another matter, the Nation of Islam was on the losing side when the Clinton administration announced in August 1996 that it would deny Farrakhan permission to receive a promised \$1 billion in "humanitarian aid" from Libya. U.S. citizens may not engage in transactions of this nature with a state that has been found to support international terrorism, such as Libya, absent permission from the U.S. Treasury's Office of Foreign Assets Control. Officials of the Nation promised to seek redress in court, even as Jewish leaders hailed the decision.

A Farrakhan world tour at the end of 1997, including Israel and a planned meeting with Palestinian Authority chairman Yasir Arafat, posed some problems for Israeli officials. Initial consultations with American Jewish groups revealed a consensus that Israel should not bar Farrakhan from entering the country, because, in the words of Phil Baum, executive director of the American Jewish Congress, "it would appear that they fear him if they don't let him in." The American groups did, however, urge Israeli officials not to accord Farrakhan the respectability of an official visit with government officials, notwithstanding his expressed desire to discuss the Israeli-Palestinian peace process.

Although he had not been expected to arrive in Israel before mid-January, Farrakhan surprised Israeli officials when he crossed the border from Jordan to the West Bank in December. He left Israel after staying only one day, during which he met with officials of the Palestinian Authority, rather than going ahead with a visit to the Al-Aksa Mosque in Jerusalem. He cited security concerns, even though he had been assured by Israeli officials that they would see to his safety. Israeli officials had also made clear that they would not participate in any meeting with Farrakhan until he issued an apology for his anti-Semitic and anti-Zionist statements.

MAINSTREAM CIVIL-RIGHTS ORGANIZATIONS

The headlines garnered by the usual Jewish confrontations with the Nation of Islam hid to some extent the long-standing alliance between Jewish and black civil-rights organizations in the common cause of fighting hatred and combating discrimination. Jewish groups such as the ADL and the American Jewish Committee worked during 1996 and 1997 with the NAACP and the NAACP Legal Defense Fund, under the aegis of the Leadership Conference on Civil Rights (LCCR), to develop and promote new federal legislation directed at hate crimes (see above). And a number of Jewish organizations, such as AJCommittee, the National Council of Jewish Women, and the Union of American Hebrew Congregations, continued their work as members of the LCCR steering committee organized to defeat federal bills and state initiatives intended to prohibit the use of racial preferences in education and employment affirmative-action programs.

Jewish groups also became involved over the nomination of Bill Lann Lee, former director of an NAACP regional office, to the position of assistant attorney general for civil rights. When the nomination stalled in the Senate Judiciary Committee toward the end of 1997, they urged that the nomination be allowed to come to a Senate floor vote.

The makings of a fresh coalition effort began to emerge over an issue that had long been at the core of Jewish concerns—school vouchers. During 1997, as polls began to reveal increasing support for the voucher concept among African Americans, proponents of vouchers began to reach out to the black community for support. Thus, a press conference held by the Christian Coalition in February 1997 at the unveiling of its Samaritan Project (see “Religious Right,” above) included a show of support by several black ministers. In a similar vein, representatives of the Union of Orthodox Jewish Congregations and Torah U’Mesorah: The National Society for Hebrew Day Schools came together with black advocates of vouchers, including Howard Fuller, professor of education at Marquette University and former superintendent of the Milwaukee public schools, at a July 1997 Capitol Hill press conference to announce the formation of a pro-vouchers coalition. “Once again,” said Nathan Diament, director of the Orthodox Union’s Institute of Public Affairs, “blacks and Jews are uniting in a common cause to secure hope and opportunity for all our children through excellent education.” These efforts notwithstanding, mainstream organizations in both the Jewish and African-American communities remained adamantly opposed to vouchers, as reaffirmed in a resolution adopted by the NAACP at its annual convention that same month.

CIVIL-RIGHTS ISSUES

Even as several Jewish organizations joined with other civil-rights groups to turn back the assault on affirmative action taking place in Washington, they

were also part of efforts to turn back state- and local-based initiatives to do the same thing. Thus, Jewish groups were part of the coalition that worked, unsuccessfully, to defeat the California ballot initiative, Proposition 209, barring government programs that include preferences based on race or gender. Exit polls following the November 1996 referendum showed Jewish voters opposing the initiative by a margin of 58-42, a sharp variance from the overall white vote favoring the proposition 63-37. (Blacks, Latinos, and Asians joined with Jews in opposing the initiative—by even wider margins.) One year later, the coalition formed to defeat an initiative to bar affirmative action in the city of Houston (with the active involvement of the Houston chapter of the American Jewish Committee) was more successful. Unlike Proposition 209, the Houston ballot proposition went down to defeat in November 1997.

In contrast to these efforts, Jewish and black groups differed in their responses to the case of *Piscataway Board of Education v. Piscataway*. That case, which was scheduled to be argued before the U.S. Supreme Court toward the end of 1997, involved a challenge to the laying off of a white schoolteacher by a New Jersey school board, while a black teacher with virtually identical credentials and seniority was kept on, in order to promote diversity. The school board, supported by a number of civil-rights groups in briefs *amici curiae*, defended its action as an appropriate application of affirmative action principles. Several Jewish organizations argued in a brief that the school board's action in *Piscataway* was a tenuous application of affirmative action principles. They joined others in the civil-rights community in welcoming the announcement in November 1997 that the New Jersey school board had settled the case out of court shortly before the Supreme Court was to hear argument. This resolution was made possible when a coalition of civil-rights groups agreed to pay 70 percent of the settlement fund rather than face the Court's determination of what they felt, agreeing on this point at least with the Jewish organizations, was a poor vehicle for the consideration of affirmative action principles.

OTHER MATTERS

With a keen eye to the parallel with the burning of synagogues in Germany in 1938, Jewish organizations quickly rallied in solidarity with some 40 black congregations whose churches had burned down in 1995 and 1996, many suspected to be racially motivated arsons. By July 1996 many agencies, both national and local, and synagogues were engaged in fund-raising drives—often in coordination with other faith groups—to rebuild the churches. By year's end, the Anti-Defamation League and the Urban League had presented more than a quarter-million dollars to the National Baptist Convention, representing black churches in the South, for this purpose. And the American Jewish Committee worked in partnership with the National Council of Churches and the National Conference of Catholic Bishops to administer an \$8-million fund representing contributions

from foundations and individuals as well as in-kind contributions. In other cases, Jewish youngsters and adults took a more direct hand, such as a group of black and Jewish teenagers who traveled from Washington, D.C., to Boligee, Alabama, to spend a July 4th holiday rebuilding that town's Mount Zion Baptist Church. Both Jewish and black leaders noted the silver lining in an otherwise troubling cloud, that these joint efforts allowed for strengthening of bonds between their communities that had been frayed by differences on other issues.

In a painful ending to these efforts, allegations began to surface in September 1997 that much of the money that had been paid to the National Baptist Convention to rebuild the burned churches never made its way to the affected communities. This followed reports that the Reverend Henry Lyons, president of the convention, had mishandled church money, a controversy that nearly led to his ouster. After an exchange of letters between Lyons's attorney and ADL, a portion of the money raised by ADL that had not yet been used to restore victimized churches, some \$189,500, was returned to the Jewish group. In the meantime Florida prosecutors were looking into whether the handling of money by the National Baptist Convention violated the law. Lyons maintained throughout that he was innocent of any wrongdoing.

Other Ethnic-Jewish Relations

A matter that had been a minor irritant in Jewish-ethnic relations was resolved in September 1996, when the Anti-Defamation League settled a federal-class action suit that had been brought against it by a dozen ethnic organizations over alleged improprieties in ADL's information-gathering operation. The suit, which had been filed some three-and-a-half years earlier by Arab American, black, and Native American groups, as well as individuals, claimed that ADL's California offices had illegally spied on them and their members. While continuing to deny any wrongdoing, ADL agreed to pay \$175,000 toward the plaintiffs' legal fees and to establish a \$25,000 community relations fund. ADL also consented to a court-ordered limitation on certain information-gathering practices. Plaintiffs' attorney Peter Schey of the Center for Human Rights and Constitutional Law pronounced the settlement "fair," even as the ADL hailed it as "an appropriate way to put an end to what has been a particularly draining litigation."

The still tentative, but warming, relations between the Jewish American and Arab American communities that developed in the wake of Oslo and the peace process began to unravel almost as soon as the Netanyahu government was elected in May 1996. Approximately one month after the election, James Zogby, president of the Arab American Institute, was already asserting that Jewish Americans had "rolled over" in failing to protest changes from Labor policies. At an Arab summit held in Cairo in June, Khalil Jahsan, executive director of the National Association of Arab Americans—a group that had been engaged in dialogue and cooperative activity with the American Jewish Committee and the Na-

tional Jewish Community Relations Advisory Council (NJCRAC)—called for a “freeze” in the normalization of relations with Israel. In a response typical of others in the Jewish community, Jess Hordes, Washington representative of the Anti-Defamation League, pronounced these statements “disturbing,” calling them a reversion to “the old style of propaganda.” NJCRAC associate executive vice chairman Martin Raffel called on Arab American leaders not to “prejudge” the new government. Nevertheless, Jahsan predicted that, given the difficulty American Jews would have in opposing Likud policies, “we will probably see a pulling away from these types of encounters where we have cooperative efforts.”

Interreligious Relations

MAINLINE PROTESTANTS

In December 1996 and January 1997, Churches for Middle East Peace, a coalition of 15 liberal church groups that includes the National Council of Churches (an umbrella organization encompassing some 52 million people belonging to 33 mainline Protestant and Orthodox communions) ran ads in the *New York Times* and *Roll Call*, a Washington political newspaper, calling for shared control of Jerusalem by Israelis and Palestinians. The effort to influence U.S. policy toward Israel reflected by these ads was viewed by many in the Jewish community as part of a pattern of one-sided criticisms of Israel. And for some they reflected something more. The “constant criticism of the State of Israel,” said Rabbi Leon Klenicki, interfaith affairs director of the Anti-Defamation League, “is the new way of theological anti-Judaism, of the teaching of contempt. Before they denied us a role in God’s plan and now they want to deny us a place in history.” The ADL issued an “open letter” condemning the ads, while the American Jewish Committee sent a letter to the ads’ signatories—17 leaders of Christian communions and religious orders—elaborating on that organization’s concerns.

Nevertheless, the mainline churches’ perspective on Israel stood, as it had done for many years, in stark contrast to the cooperative relationship between those churches and Jewish organizations on such domestic policy matters as church-state separation and social-justice issues. And, it was announced in January 1997, Jewish leaders and national Protestant leaders had come together earlier that month to find at least some common ground on the Middle East by developing a joint statement supporting the Middle East peace process and the Oslo accords.

EVANGELICAL CHRISTIANS

The positions of evangelical Christians on the organized Jewish community’s chief concerns presented a mirror image of the positions taken by the mainline Protestant churches. Thus, at a conference jointly convened in February 1997 by

Fuller Theological Seminary, a prominent Los Angeles evangelical school, and the American Jewish Committee, it was quite clear that evangelicals held differing views from their Jewish interlocutors on such domestic concerns as church-state separation and social policy—even as the ongoing evangelical Christian support for Israel was much in evidence. But more than policy disputes were on the agenda.

Some Jews at the conference questioned the purpose of dialogue when evangelicals believe they hold the only path to God's grace and make conversion of Jews a priority; conversely, some evangelical Christians questioned whether sharing a platform with Jews might not compromise their "position on evangelicism." Nevertheless, the Committee's interreligious affairs director, Rabbi A. James Rudin, stressed that the conference was a necessary step in the long-range effort to convince evangelicals that they should cease supporting "deceptive missionary activity." And, in a statement published later in 1997 in *Christianity Today*, Fuller president Richard Mouw asserted that while he had "a nonnegotiable commitment to evangelicism," he opposed "treating Jews as if they were only 'targets' for evangelism" and that evangelical Christians "must cooperate with Jews in working for the health of society."

The tensions between Jews and evangelical Christians on the issue of singling out Jews for missionary work had arisen earlier at the 15th National Workshop on Christian-Jewish Relations, held in November 1996 in Stamford, Connecticut, and attended by over one hundred leading Jewish and Christian clergy, including representatives of all four Jewish movements, Catholics, and Protestants (as well as at least one Muslim). This event was the first time that a high-ranking official of the Southern Baptist Convention was to meet with Jews since the convention's adoption earlier that year of a resolution explicitly making the missionizing of Jews a priority. A panel discussion featuring Philip Roberts, director of the convention's Interfaith Witness Department, and Jewish and Catholic clergy, extended to nearly three hours in what one observer called a "tumultuous" discussion as both Christians and Jews spoke out against the theology and the strategy represented by the resolution. AJCommittee's Rudin said that the Christian critique of the Southern Baptist position as being "a misreading of Christianity" was "heartening and validating."

At the same time, there was ample evidence during 1997 of the strong support for Israel to be found among many in the evangelical community. Thus, Israeli prime minister Benjamin Netanyahu was warmly received by some 3,000 people, mostly evangelical Christians, during an April 1997 visit to Washington. The conference was convened by Voices United for Israel, a group of "pro-Israel Jewish and Christian organizations" that seeks to build support for "a safe and secure Israel." Among those attending were Pat Robertson, Ralph Reed, and Jerry Falwell, who also met privately with Netanyahu. Responding to the criticism that Jews should not legitimize a group largely composed of organizations committed to proselytizing Jews, Voices United founder Esther Levens asserted, "The fact

that the Prime Minister came and spoke is validation enough for what we are trying to accomplish, which is to have a very broad grass-roots support for the State of Israel.”

And later that year, in September, the International Fellowship of Christians and Jews announced that it expected to be contributing some \$5 million from 60,000 individual donors, mostly evangelical Christians, to the United Jewish Appeal—nearly doubling the contribution made by the fellowship the previous year. The funds would be designated mostly for costs associated with absorbing the large numbers of Jews from the former Soviet Union who immigrated to Israel, reflecting the contributors’ belief that they were helping to fulfill biblical prophecies that the ingathering of Jews to Israel would precede the Second Coming. The growth in support by evangelical Christians was met with no little ambivalence by UJA officials, with the leadership directing that fund-raisers not be “proactive” in seeking funds from the evangelical community, even while “we say ‘thank you’ for what they are doing.” Bernie Moscovitz, executive vice-president of UJA, explained, “Some of our leadership think it is perfectly all right to accept money even if their motivation is not identical to our own, and others think that it is better for Jews to take care of themselves.”

CHURCH-STATE MATTERS

The period from midyear 1996 through the end of 1997 saw a confluence of issues and events relating to the proper relationship of church and state in a pluralistic and avowedly secular (but not secularist) state, an issue at the forefront of American Jews’ concerns.

Judicial Action

In June 1997 the Supreme Court made two significant church-state decisions. One struck down the Religious Freedom Restoration Act; the second was in *Agostini v. Felton*, when, by a 5-4 vote, it overturned a 1985 ruling that barred public-school teachers from providing remedial instruction on-site at parochial schools. The decision dealt with a narrowly proscribed issue and was itself narrowly reasoned; nevertheless, it immediately opened the door to debate as to whether other types of public aid to parochial schools would now be able to win the Court’s sanction. Within a month of the decision the Department of Education issued guidelines for public-school administrators as to how to carry out remedial programs in parochial schools while avoiding church-state entanglement. The guidelines—which are not binding—provided that parochial-school classrooms should be free of religious symbols when public-school teachers were providing instruction, and that those teachers should neither be engaged in “team teaching” with parochial-school teachers nor become involved in the parochial school’s religious activities.

Both sides of the vouchers debate found ground for comfort in the *Agostini* decision, but it was far from clear how the Supreme Court would rule on the constitutionality of vouchers. During 1997, appeals courts in both Wisconsin and Ohio struck down local voucher programs as violating state constitutional provisions barring the use of state funds to support religious institutions. Both decisions were subject to further appeal to the high courts of the respective states in which they were rendered.

Alabama was a notable battlefield in the church-state debate. Thus, during 1997, a federal court struck down a 1993 state law that permitted student-initiated prayer; this followed a lawsuit by a public-school vice-principal who had unsuccessfully tried to stop the practice of prayer before sporting events and the handing out of Bibles in the classroom. The federal court also issued an order barring vocal prayers at school sporting events and Bible readings on school grounds. One of the counties affected by this ruling refused, with the support of Governor Fob James, to comply with the ruling. The Alabama attorney general asked that there be a delay in enforcing the decision pending appeal, claiming that the order violated students' free-speech rights.

In February 1997 Alabama state judge Roy Moore was directed by a superior court to remove a wooden carving of the Ten Commandments from his courtroom. At the time of the order, Alabama governor James announced that he would call out the National Guard and state troopers to prevent removal of the plaque. "The display of the Ten Commandments in Judge Moore's courtroom, in context and intent," said the American Jewish Committee in a statement that reflected the sentiment of many in the Jewish community, "clearly promotes religion. It is wrong for a court to suggest that people who might subscribe to a particular code, as represented by the tablets, may receive preferential treatment and those who do not might be looked upon with disfavor."

The controversy was compounded when, in early March, the U.S. House of Representatives voted 295-125 to adopt a "sense of Congress" resolution affirming that the Ten Commandments represent a "cornerstone of Western civilization and the basis of the legal system here in the United States" and supporting the placement of the Ten Commandments in courtrooms and government offices. The House resolution, although it was without binding effect and made no mention of the Alabama case, was seen as disturbing by many Jewish groups, not only on religious liberty grounds but also because it implicitly supported defiance of a court order.

And in August 1997 the American Civil Liberties Union filed a federal lawsuit on behalf of a Jewish family who alleged that their three school-age children, the only Jewish children in a rural Alabama school district, had been the target for several years of anti-Semitic slurs, proselytizing, and ridicule, often by school officials. In one instance, the suit claimed, a child's head was physically forced down during a school prayer service. Another child was said to have been directed to write an essay on "why Jesus loves me." Governor James acknowledged in a

statement that “if any part of what is alleged in this lawsuit is correct, it is absolutely unacceptable.”

In a case that could set important guideposts as to how courts should handle custodial disputes involving the religious upbringing of the children of divorce, the Massachusetts high court ruled in December 1997 that a lower court had acted within the law when it forbade a fundamentalist Christian father from taking his three children to church or enrolling them in Sunday school. Their mother, from whom he is divorced and who has custody of the children, is an Orthodox Jew. An appeal to the U.S. Supreme Court may be in the offing.

In May 1997 New York State’s highest court struck down as unconstitutional the New York State legislature’s second effort to provide a special school district for the Hassidic community of Kiryas Joel, an area in Rockland County that had earlier been designated as a separately incorporated suburban village, as a way to provide state-funded remedial education to Hassidic children outside of the usual public-school venue. An earlier effort to create this district had been struck down by the U.S. Supreme Court in 1994 as unconstitutional, immediately following which a new law was enacted purporting to create a more neutral basis upon which such a district could be established. But the New York high court’s May ruling upheld the determination of an intermediate appellate court that the new law was a “subterfuge” designed to benefit Kiryas Joel. The Supreme Court’s *Agostini* decision in June 1997 (see above) led some to speculate that the Kiryas Joel dispute was now moot because the state would be able to send public-school teachers into the Jewish schools to provide remedial services. But that did not happen. In August 1997—post-*Agostini*—New York State created a separate Kiryas Joel school district for the third time.

And in July 1996 a federal appellate court sitting in California ruled that the city of Beverly Hills had engaged in an unconstitutional establishment of religion when it allowed Chabad to erect a menorah in a public park while denying other groups permission to place religious symbols at the site. While not questioning the city’s right to set a uniform policy of not permitting the placement of large unattended objects on public property, the court found that Beverly Hills had erred in this case by affording special treatment to one particular religious group. The suit challenging the city’s action had been filed by a local chapter of the American Jewish Congress.

Finally, in December 1997, the federal court of appeals for the Tenth Circuit upheld a lower court’s dismissal of the lawsuit brought by Rachel Bauchman, a Jewish high-school student in Salt Lake City who claimed that her constitutional rights had been violated when she was required to sing religious devotionals in her choir class and perform at churches and religious gatherings. She also claimed that her objections to these practices were ignored and led to harassment and death threats, and that the school made no attempt to stop these actions. Bauchman had been supported in her appeal by an array of Jewish and Christian groups, including the American Jewish Congress, the American Jewish Commit-

tee, the Anti-Defamation League, and the Union of American Hebrew Congregations. In the *amicus* brief filed on her behalf in 1996, several of these groups argued that the lower court's imposition of extraordinary procedural obstacles merely to get into court "clearly signals that those who would seek to preserve their religious liberties . . . will receive an unwelcome reception in the courts within [the Tenth Circuit]." A further appeal to the U.S. Supreme Court was expected.

Legislative Activity

To nobody's surprise, the 105th Congress saw a reprise of earlier initiatives to provide public funding for low-income families to be used toward tuition at private sectarian and nonsectarian schools. Perhaps more surprising, 1997 closed without any of these voucher initiatives having been passed by the Congress.

Proposals for a "religious freedom" constitutional amendment were not quick to emerge in the 105th Congress, reportedly because of disagreements that had emerged among pro-amendment factions in the previous Congress. Hearings had been held on proposals for such an amendment in July 1996 before the House Judiciary subcommittee on the Constitution. In the end, amendment proponents did not resolve their differences. There was no vote, either in committee or on the floor, before Congress recessed for the 1996 election.

The logjam showed some sign of breaking when it was revealed in May 1997 that the National Association of Evangelicals (NAE) had decided to endorse a new version of the amendment unveiled by Rep. Ernest Istook (R., Okla.). Hearings on the revised Istook proposal were held before the subcommittee on the Constitution in September 1997. (The hearings were delayed for several days after Rep. Jerrold Nadler (D., N.Y.) and several Jewish groups alerted the chairman that he had inadvertently set the hearings for the Jewish holiday of Shemini Atzeret.) In November the initiative was sent on to the full committee by a strictly party-line vote. Notwithstanding that vote, along with endorsement by the House leadership and an impressive list of 150 cosponsors, there remained a strong sense that the bill was unlikely to achieve the two-thirds majority of the House, much less the entire Congress, necessary to send it on to the states for ratification.

Most Jewish groups remained adamant in their opposition, attacking the initiative as unnecessary and dangerous. "It's a catch-all problematic initiative that would mean vouchers and prayer in school with teacher participation and religious symbols in the heart of government," said Michael Lieberman, assistant director and counsel in the Anti-Defamation League's Washington office. There was some fall-off, however, as the initiative began to move forward. The Union of Orthodox Jewish Congregations (O.U.), despite its support for vouchers, had earlier joined a coalition that formed to oppose a constitutional amendment, based on a fundamental concern with any tampering with the First Amendment. But in 1997 the O.U. pulled out of the coalition, taking no position on the newest

manifestation of the measure. "We're sort of caught in the middle," Nathan Diment, director of the union's Institute for Public Affairs told the Jewish Telegraphic Agency. "While we don't like the concept of constitutional, organized school prayer, we are in favor of the concept of school vouchers or other government programs being available on an equal basis to religious institutions and individuals."

The 1996 welfare reform law included a provision intended to direct tax dollars to religious institutions that, as with vouchers, highlighted a split in the Jewish community. That provision, termed "charitable choice" by its chief advocate, Sen. John Ashcroft (R., Mo.), allows religious institutions to provide the social services funded by the welfare law. The Orthodox supported the measure, but many in the Jewish community objected to the lack of appropriate safeguards against religious discrimination and to the use of public money for sectarian purposes. During the rest of 1996 and through 1997, Senator Ashcroft continued efforts to include similar provisions in other social-service legislation pending in Congress.

"Free-Exercise" Developments

Advocates of religious liberty suffered a severe setback when, on June 25, 1997, the U.S. Supreme Court issued a 6-3 ruling in *City of Boerne v. Flores*, striking down the Religious Freedom Restoration Act (RFRA) as unconstitutional, at least as applied to the states. The measure was enacted in 1993 to protect religious practice from government interference, and the Court's new decision left Jews and practitioners of other minority religions vulnerable to legislators and government officials who might sometimes be oblivious to the impact of their actions on religious observance. "Neutral laws regarding the drinking age and medical procedures could be enforced against Christian communion and Jewish circumcision rituals," the Anti-Defamation League commented. Almost immediately members of Congress began to consider, in consultation with legal scholars and advocates, what options might be available to reinstate at least some of the provisions of the RFRA, but by year's end, no revised version had been introduced in Congress.

There was some better news on other free-exercise fronts. On August 14, 1997, President Clinton formally issued Guidelines on Religious Exercise and Religious Expression in the Federal Workplace, a document that had been developed in consultation with a broad-based assemblage of religious and civil-rights groups including the American Jewish Congress, the Christian Legal Society, and People for the American Way. The guidelines, applicable only to federal employees, allow for a broad range of religious expression while recognizing that coercive proselytizing and religious harassment of employees on the job is not to be countenanced. The guidelines also establish a workable standard for accommodation of religious practice, such as Sabbath and holy day observance and the wearing of religiously required garb, in the workplace.

Progress was made, as well, in an ongoing effort to enact legislation that would expand workplace protections for religious employees in the private sector and at the state and local government level. The Workplace Religious Freedom Act (WRFA) was introduced in the Senate by John Kerry (D., Mass.) and in the House by Bill Goodling (R., Pa.), with Sen. Dan Coats (R., Ind.) and Rep. Jerrold Nadler (D., N.Y.), who had long promoted the need for this legislation, as the chief cosponsors in their respective houses. This reflected the first significant bipartisan support for the initiative. In another first, a hearing on workplace religious accommodation was held before the Senate Labor and Human Relations Committee on October 21, 1997, chaired by Senator Coats, a senior member of that committee. Witnesses included American Jewish Committee legislative director and counsel Richard Foltin, who chairs a coalition of over 30 religious and civil-rights groups that support WRFA, and John Kalwitz, an Orthodox Jewish resident of Indiana who lost his job when his employer refused to allow him to be excused from working on Saturdays.

HOLOCAUST-RELATED MATTERS

Holocaust Reparations

Allegations that Holocaust victims and their survivors had been wrongly denied access to money deposited in Swiss banks prior to and during World War II were very much at the fore at the end of 1996 and throughout 1997—and with a marked U.S. involvement. Following closely upon a call by the World Jewish Congress for Switzerland to establish a \$250-million fund to provide compensation for misappropriated Jewish assets, Senate Banking Committee chairman Alfonse D'Amato (R., N.Y.) led the charge on the American political scene, holding hearings of his committee on the issue in December 1996. Shortly thereafter, outgoing Swiss president Jean-Pascal Delamuraz aroused accusations of “shocking insensitivity” from Jewish critics when, on New Year’s Eve, he asserted that demands for such a fund in advance of the close of an internal investigation were “nothing less than extortion and blackmail.” By mid-January 1997, Delamuraz—now Switzerland’s economics minister—had apologized for offending the feelings “of the Jewish community at large,” and negotiations between Swiss officials and Jewish representatives were said to be back “on track.”

Another controversy emerged almost simultaneously. Christopher Meili, a security guard at a Swiss bank, rescued two binfuls of World War II-era documents from destruction and turned them over to the Zurich Jewish community organization, the Cultusgemeinde. The bank acknowledged that it had made a “deplorable mistake” in slating the documents for shredding, but nevertheless suspended—and then fired—Meili from his job, because turning bank papers over to a third party was said to violate Swiss bank secrecy laws. Meili received

financial help from Swiss and American Jewish organizations, and in August 1997 he was granted asylum by the United States. As the Meili story was breaking, reports surfaced of a newly declassified 1946 American intelligence report that revealed that Switzerland had been actively involved in shipping looted gold for Nazi Germany.

During the rest of 1997, the Swiss government swung back and forth between efforts to put the best face on its earlier actions and present response, and defensive statements reflecting irritation at the way in which it was being depicted. Thus, in February the Swiss government announced that it would create a Holocaust Memorial Fund to benefit needy Holocaust survivors, not necessarily including those who were entitled to the proceeds of Swiss bank accounts, to be set up in cooperation with Swiss banks and insurance companies. In February the government also announced the creation of a foundation, subject to approval in a national referendum and by the nation's Parliament, to assist victims of the Holocaust and other catastrophes. But neither the Swiss government nor, for that matter, the United States or virtually any other of the World War II allies and neutrals was spared the harsh light of a U.S. government report, issued in May 1997, on the wartime role of those nations in dealing with gold looted by the Nazis. The report was prepared under the direction of Stuart Eizenstat, an American Jew who during the course of the report's preparation had been confirmed by Congress as under secretary of state for economic affairs.

A high point came in July when Swiss banks began to publish the names of titleholders to dormant accounts, welcoming those with a possible claim to those accounts to file applications. But even while the Jewish community continued its negotiations with Switzerland and the Swiss banks at year's end, matters were complicated by a class-action lawsuit brought against the banks by Holocaust survivors in a New York court and by the threat of American sanctions by state and local government actions directed at the Swiss. In December the United States, joined by the Swiss banks as well as by the World Jewish Congress and Israel, agreed on the need for a global settlement of all Holocaust-era claims, a move that up to that point the Swiss government had resisted. Edgar Bronfman, president of the WJC, had earlier suggested that a payment by Switzerland of billions of dollars would be required to close all of the pending matters, including claims having to do with dormant bank accounts and the Swiss purchase of looted gold from the Nazis.

In an effort to provide an example to other countries singled out by the Eizenstat report, in October 1997 Rep. James Leach (R., Iowa) introduced legislation authorizing the United States to pay \$25 million in contributions to organizations serving Holocaust survivors residing in this country and calling for the return of art works looted by the Nazis to survivors of the original owners.

The U.S. Congress weighed in during 1997 in support of the efforts of the Conference on Jewish Material Claims Against Germany to have Germany pay reparations to Holocaust survivors living in Eastern Europe and the former Soviet

Union who had received little or no compensation (compared to survivors residing in the West who had received more than \$54 billion since World War II). In August, 82 senators signed a letter to German chancellor Helmut Kohl, circulated by Senators Christopher Dodd (D., Conn.) and Kay Bailey Hutchison (R., Tex.), calling on Germany to make immediate payments to the survivors in the former Eastern bloc. This followed on the Senate's action the prior year in passing a resolution, sponsored by Senators Alfonse D'Amato and Daniel Inouye (D., Hawaii), to significantly expand eligibility for Holocaust survivor compensation. The August 1997 letter was placed in advertisements taken out in a range of national and international publications by the American Jewish Committee.

The matter received increased attention with the revelation that Germany was paying pensions to thousands of former SS and Nazi police veterans residing outside of Germany, even as it declined to pay reparations to a large group of Holocaust survivors. President Clinton raised the question with Chancellor Kohl earlier in 1997 during a visit by Kohl to the United States. Discussions between Jewish and German officials followed, giving rise to hope of a successful resolution. But as the year ended it was still unclear that the German government was prepared to make a financial contribution to those called by Rabbi Andrew Baker, director of European affairs for the American Jewish Committee, "the forgotten survivors." German officials cited concerns that any such payment would open the door to claims by hundreds of thousands of non-Jewish survivors of Nazi persecution still living in Eastern Europe. Negotiations were still under way at year's end to obtain compensation for about 27,000 survivors in Western countries, including the United States, who were not eligible because they did not meet the criteria of an annual income of less than \$14,000 combined with having spent at least six months in a concentration camp or 18 months in a ghetto.

A federal class-action lawsuit filed in New York in April 1997 accused European insurance companies of failing to honor life and property insurance policies purchased prior to World War II by Jews, many of whom later perished in the Holocaust. The companies had offered a number of justifications for refusing to pay under the policies: that beneficiaries had not provided proof of death of the insured; that they (the companies) could not locate the policies or that they had expired when the insureds failed to make premium payments; or that Nazi-controlled or postwar Communist governments had compelled the companies to turn over the insurance holdings. Plaintiffs' attorney Edward Fagan asserted that the insurance companies "did not have the right to turn over the property of foreign nationals to those governments." And, referring to the issue of the lack of proof of death, another plaintiffs' attorney commented, "They knew full well that Auschwitz didn't issue death certificates." By one estimate the class action would involve more than 10,000 claims which, with average claims in excess of \$75,000, would total in the billions of dollars. Shortly after the lawsuit was filed, one German insurance company — Allianz A.G., Europe's largest — announced its in-

tion to investigate any claims and to honor its obligations under the wartime policies.

OSI ACTIONS

The Justice Department's Office of Special Investigations continued its work in seeking to identify, denaturalize, and deport Nazi war criminals who had entered the United States in the years following World War II. Thus, as 1996 wound down, OSI moved to revoke the American citizenship of Kansas City resident Michael Kolnhofer, accused of serving as an SS guard at the Sachsenhausen and Buchenwald concentration camps. That proceeding ended abruptly when the 80-year-old Kolnhofer died in March 1997, following a December 31 shoot-out with police that ensued after reporters had gathered at his house in the wake of OSI's filing.

At the end of January 1997—following the trial in a denaturalization proceeding in Cleveland—a federal judge directed that Algimantas Dailide be stripped of his citizenship because of his role in the persecution of Jews while serving as a member of the Nazi-linked Lithuanian security police force. In December 1997 a federal judge ordered the deportation of Johann Breyer, a resident of Philadelphia and a native of Slovakia, following his admission that he had served as an SS guard at Buchenwald and Auschwitz.

OTHER HOLOCAUST-RELATED MATTERS

In December 1997 the Canadian government—which had been criticized for not diligently tracking down suspected Nazi-era war criminals who made their way to that country—announced that former OSI director Neal Sher had been appointed as a consultant to Canada's war-crimes unit. Noting Sher's impressive record during his 12 years as head of OSI, Prof. Irving Abella, chairman of the Canadian Jewish Congress's war-crimes committee, hailed the development. "It is a sign," he said, "that the government does indeed realize that time is running out and that they must take whatever measures necessary to bring to justice the perpetrators of heinous crimes committed during World War II."

Jonathan Pollard

Jonathan Pollard, with the support of many American Jews and Israelis (including Israeli prime minister Benjamin Netanyahu), continued to seek early release from prison after serving ten years of a life sentence for spying on the United States on behalf of Israel. As the second half of 1996 began, President Clinton announced his decision to reject Pollard's pending clemency appeal, asserting through his press spokesperson that the "enormity of Mr. Pollard's of-

fenses, his lack of remorse, the damage done to our national security, the need for general deterrence and the continuing threat to national security" had warranted the original life sentence, and that any shortening of that sentence would be "unwarranted." Proponents of the pardon were quick to express strong disappointment in the decision.

But this was far from the end of advocacy for Pollard's release. In May 1997 an unusual joint letter from Rabbi Eric Yoffie, head of the Union of American Hebrew Congregations, and Rabbi Raphael Pollard, head of the Union of Orthodox Jewish Congregations, called on President Clinton "to show mercy to Jonathan Pollard and commute his prison sentence." On October 29, 1997, Pollard petitioned Israel's High Court of Justice to direct the Israeli government to acknowledge that he had acted on behalf of the state, a petition still pending as of the end of 1997. In December 1997 the Knesset passed a resolution calling for his release. Also during the last weeks of 1997, Israel's absorption minister, Yuli Edelstein, and its communications minister, Limor Livnat, made visits to Pollard in prison, with Livnat delivering a message from Prime Minister Netanyahu expressing hope for Pollard's early release. During the latter visit, in remarks broadcast on Israeli television, Pollard apologized for his actions. "I am extremely sorry for what happened," he said. "My motives may have been well and good, but they only serve to explain why I did what I did. They certainly do not serve as an excuse for breaking the law."

RICHARD T. FOLTIN