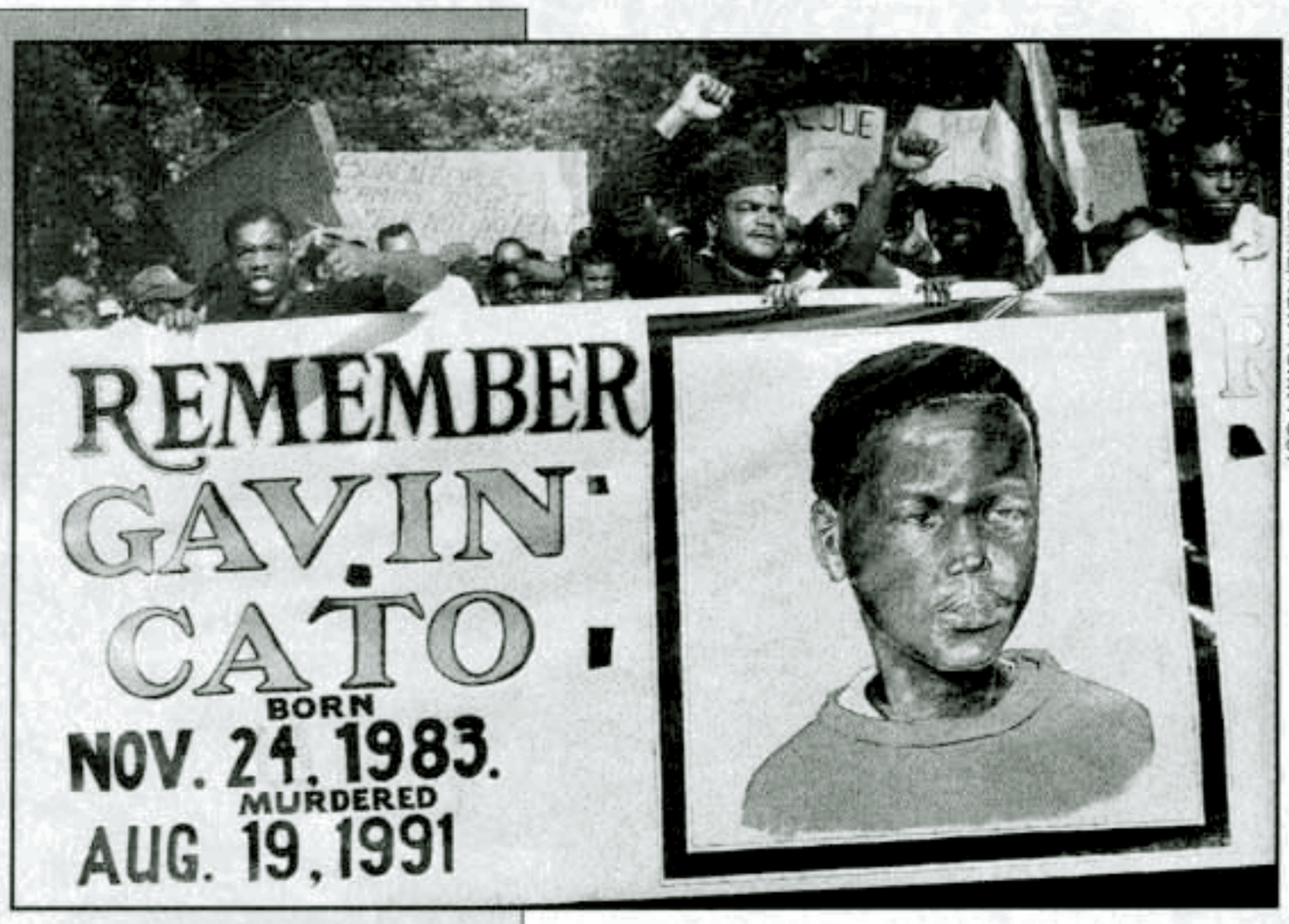
MISSION OF THE HEART

Norman Rosenbaum, haunted by his brother's murder, shuttles between two continents seeking justice—and peace of mind ▪ by Alex Prud'homme

Photographs by Neale Duckworth



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▲ Rage in Brooklyn: race riots and protest marches plagued Crown Heights for days after a car driven by a Hasidic Jew struck and killed Gavin Cato.

On Rosh Hashanah, Norman Rosenbaum (left) lays commemorative stones on the Melbourne grave of his brother, Yankel (above), who was 29 at his death. "I'm still in a state of numbness," says Norman. "I haven't shed many tears, but I cry inside."

NORMAN ROSENBAUM SWINGS OPEN the door of his suburban Melbourne home, revealing a typical Sunday morning jumble of Coco Pops, Bugs Bunny and papers. It is the eve of Rosh Hashanah, the Jewish New Year, and Norman, 35, one of Australia's top tax lawyers, has flown in from New York City to be with his family for the first time in weeks. As his wife, Ettie, 34, and their four children clamber delightedly over the toys he's brought, Norman picks through his luggage. Among the clothes and Australian law books, lie copies of New York newspapers, thick sheafs of American legal documents and a poster for a rally at city hall, which reads, KILL THE JEW!

Standing over the pile, Norman says, "My life is a matter of balancing my clients, my family, and *this*."

"*This*" is the case of Lemrick Nelson Jr, who is charged with stabbing Norman's brother, Yankel Rosenbaum, on the night of Aug. 19, 1991, in Brooklyn, New York. Yankel, a 29-year-old scholar, had been walking through Crown Heights—a working-class community which is home to more than 30,000 Hasidic Jews and 100,000 blacks— to visit an Australian friend when he was suddenly set upon by a group of about 20 black youths. Earlier that evening a car driven by a Hasidic Jew had accidentally hit and killed 7-year-old Gavin Cato. The angry crowd, chanting, "Kill the Jew!" cornered and beat Yankel. During the melee, someone stabbed him in the side and the back. Policemen quickly collared 16-year-old Nelson, who they say was wearing a blood-stained red shirt and carrying a bloody knife. Rushed to Kings County Hospital, Yankel died later that night after doctors inadvertently allowed him to bleed to death. (State investigators later concluded that Yankel died unnecessarily because doctors had failed to notice one of Yankel's two stab wounds.)

The two killings, which helped ignite three days of race riots in New York City, have remained very much

◀ At home in suburban Melbourne, Norman, his wife Ettie, and their four children share breakfast and discuss Yankel. "If not for the support of my family I couldn't go back [to New York]," says Norman. "The only regret I have is that my brother is dead. We were very close, always had been."

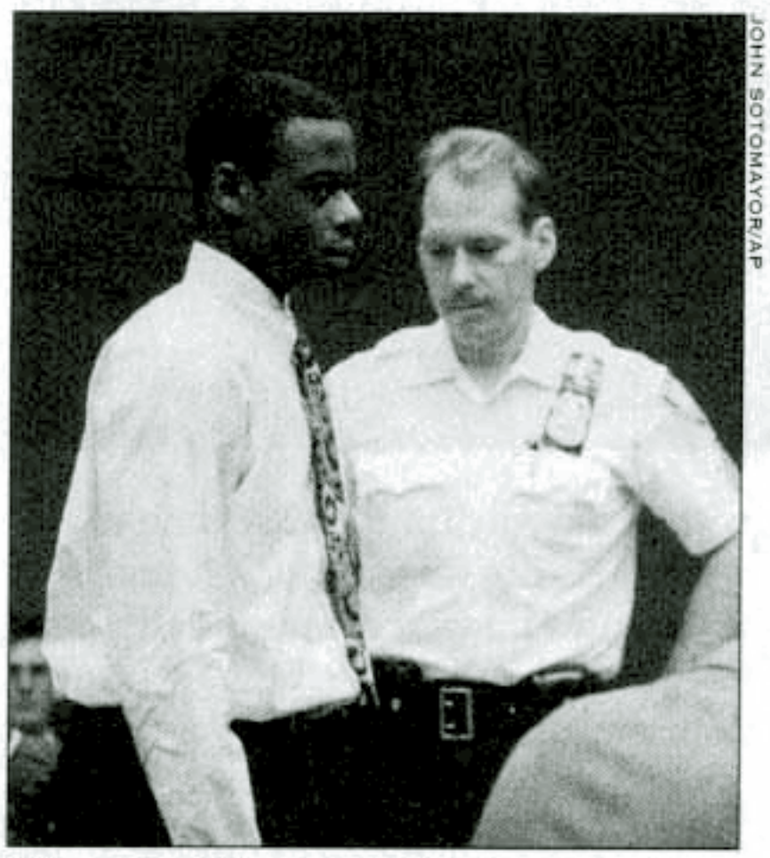
in the public eye, partly due to the efforts of Norman Rosenbaum. "The death of Gavin Cato—an innocent child—is a *tragedy*," says Norman, who has flown to New York eight times since his brother died. "I feel for his family. But it is a distortion of the grossest magnitude to equate that accident with the cold-blooded murder of my brother." Norman is now pushing for a federal investigation of Yankel's stabbing and subsequent death. "I've set myself two goals," he says. "First, to bring to justice all those responsible for my brother's murder, irrespective of who they are. Second, anything positive that could come out of this tragic set of circumstances will be extracted to ensure that it doesn't happen again."

It hasn't been a simple quest.

Indeed, Yankel's death has left the Rosenbaum family on an emotional roller coaster. "My wife and my parents keep me on an even keel," says Norman, who has no other siblings. "It's very easy to become obsessed with something, and I believe that I'm *not* obsessed." Norman's parents, Maxwell, 65, and Fay, 59, don't sleep well when he is in New York. "It's been a traumatic time for them," he says, "but they are fully behind what I have been trying to achieve in New York." Adds Ettie: "He won't be able to rest until he's done what he can. [Norman and Yankel] were very close—I understand what he's trying to do and wouldn't ever try to stop him."

Yankel arrived in New York in February 1991 to research his doctorate on life in the Jewish *shtetlach* of pre-Holocaust Poland. Outgoing, he was devoted to his family and studies, and faxed or called home almost every day. "He had friends from all walks of life," says Norman. "He really didn't care about the colour of your skin or the size of your bank account." A rangy 1.9m, Yankel was a black belt in karate and a voracious reader who liked to complement his traditional skullcap with Ray Ban sunglasses and Levi jeans. "My brother was very aware of the realities of living in New York," says Norman. "He liked the city, but he was cautious. He would never have gone out that night if he knew there was danger."

In the last 14 months, the case of



JOHN SOTOMAYOR/AP

▲ Lemrick Nelson, now 17, faces murder charges for the stabbing of Yankel.

Yankel Rosenbaum has been highly publicised and increasingly politicised. Every day since the trial began on Sept. 23, the Brooklyn courtroom fills with Hasidim on one side and Nelson's supporters on the other. Although community leaders have made efforts to bring the two groups together, each side remains suspicious and views this case as a litmus test of the justice system.

In contentious cross-examination, 10 policemen have described the night of Aug. 19, 1991. Officer Mark Hoppe testified that he chased and caught Lemrick Nelson, discovered a bloody knife in his pocket, and walked him over to Yankel, who lay slumped across the hood of a car. "[Yankel] stared at the defendant and said, 'The red shirt, the red shirt—that's him!' " recalled Det Steven Litwin. "He kept staring at him and said, 'Why did you do this to me?' " But defence lawyer Arthur Lewis Jr has attacked inconsistencies in the officers' testimony and depicted their work as incompetent. Lewis has argued that, although Nelson was part of the mob, he did not stab Yankel and was framed by the police.

While monitoring the trial in New York, Norman keeps constantly busy. During the day he devises strategy with three sets of lawyers, holds press conferences, and labours at his international tax practice from pay phones. At night he calls his family, then works the phones and faxes to all hours, trying to stay on top of the graduate law courses he teaches at Melbourne University. In the end, though, nothing can dull the pain of the loss of his brother.

"Make no mistake about it," Norman says, "I'm here until justice has been done." Then, gazing out a courthouse window overlooking Brooklyn's rooftops, he adds softly, "What gets lost in all the noise is that Yankel was a *real* person. . . . I just wish it didn't happen."

■ **ALAN ATTWOOD** *in Melbourne*