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81st Year

TOP NEWS IN BRIEF

Sparks fly after prisoner release

Israeli Prime Minister Benjamin Netanyahu said Israel did not violate the provisions of the Wye accord dealing with the release of Palestinian prisoners.

The Palestinian Authority is complaining that the majority of prisoners freed by Israel over the weekend were common criminals and that the U.S.-brokered agreement stated that all 250 of those released should be political prisoners.

A spokesman for the U.S. Embassy in Tel Aviv said in a statement that the United States was unaware of any violation of the accord regarding the releases. [Page 3]

Swiss banks plan payment

Switzerland's two largest banks said they would make an initial payment of \$250 million this week as part of a \$1.25 billion settlement recently reached with Holocaust survivors.

The money, the first of three installments, will go into an escrow account and will not be available to survivors until a final settlement agreement and distribution plan are finalized sometime next year.

Le Pen to appeal

A French far-right leader said he will appeal his conviction for assault to the country's Supreme Court.

An appeals court last week upheld a conviction of Jean-Marie Le Pen, the leader of the National Front, for assaulting a Socialist Party politician during a campaign rally last year.

Le Pen is currently barred from running for office for one year.

But he said that his latest appeal will enable him to run in next year's election for the European Parliament and in France's presidential elections, scheduled for 2002.

AIPAC makes Fortune list

Fortune magazine listed the American Israel Public Affairs Committee as the second most influential lobbying organization in Washington for a second straight year.

The "Power 25" ranking — which is based on a survey of 2,700 political players, including members of Congress and their staffers, White House aides — put the American Association of Retired Persons on top for a second straight year.

FOCUS ON ISSUES

Orthodox groups attack 2 rabbis who set up court to end marriages

By Debra Nussbaum Cohen

NEW YORK (JTA) — The fireworks aren't ending for a 2-year-old religious court that annuls marriages to free Orthodox women whose husbands refuse to grant them a Jewish divorce.

Denunciation of the court, which to date has dissolved the marriages of 216 couples, has come from almost every major Orthodox organization, making it a rare issue uniting the centrists and the fervently Orthodox.

The latest salvo came this week from Agudath Israel of America, whose religious arbiters, the Council of Torah Sages, issued a statement calling the rabbis involved in the new Beit Din "arrogant 'Orthodox rabbis'" who "have utilized spurious 'halachic' reasoning to permit married Jewish women to marry again without benefit of a religious divorce."

The religious court in question — the Beit Din L'Ba'ayot Agunot, or Court for the Problems of Chained Women — was established by Rabbi Emanuel Rackman, a Orthodox elder statesman and chancellor of Israel's Orthodox Bar-Ilan University, and Rabbi Moshe Morgenstern, who is an accountant by trade.

There is another well-known Orthodox rabbi who has been quietly annulling invalid marriages for years — but he utilizes different criteria than Rackman and Morgenstern, and takes issue with their process.

Rackman and Morgenstern, in interviews, said they annul marriages according to halachah, or Jewish law, following formulas employed by great Orthodox rabbis of the past, including Rabbis Isaac Elchanan, Moshe Feinstein and Eliyahu Klotzkin.

They were prompted to act by frustration with what they describe as increasing corruption among rabbis who collude with husbands to extort money from women in need of a get — or Jewish divorce — and with the lack of progress on this issue by rabbinic authorities over the last several decades.

"How long would we wait, until Moshiach comes?" asked Rackman, referring to the Messiah.

Women whom they have freed from punishing marriages credit the new court with being compassionate where other rabbis are not.

Nechama Katan found her way to Morgenstern about a year after her husband demanded \$5 million from her father as the price of her get.

She and her husband, who had been married for four years, were living fervently Orthodox lives in New York. The whole time, she says, her husband was emotionally abusive. When he began beating her so hard her skin was bruised, she left him.

The first rabbi she consulted, a prominent communal leader connected with Yeshiva University, advised her to "stick it out because I would never get a get" even though he knew she was being beaten, she said.

The second rabbi she consulted advised her to pay her husband \$10,000 to convince him to give her the get. Further efforts to reach a settlement led to nothing but frustration. Then a rabbi told her about Morgenstern.

"He was a mensch. He's the only person I know out there doing the right thing," said Katan, now living in Portland, Ore., with her two young daughters. Their father legally relinquished all parental rights last week. Morgenstern annulled her marriage and issued a get.

Annulments like this one have engendered fierce criticism, which has played out

MIDEAST FOCUS

Ne'eman seeking U.S. aid

Israeli Finance Minister Ya'acov Ne'eman flew to Washington to press for U.S. aid to help pay for Israel's latest redeployment in the West Bank. Ne'eman is seeking \$1.2 billion in aid to relocate military bases and build bypass roads for Jewish settlers.

Bank makes controversial loan

An arm of the World Bank is planning to lend \$1.8 million to a West Bank company whose newspaper has reportedly run columns supporting violence against Israel. The Al-Ayyam newspaper, which is owned by a Jordanian businessman who lives in Saudi Arabia, has also run columns calling the United States "Satan" and an "evil empire."

Cyprus court charges Israelis

A court in Cyprus charged two Israelis with spying for a foreign country and possessing banned recording equipment.

Officials with the Israeli Mossad were said to be surprised by the decision to press charges after Israel told Cyprus that the two had not been spying on Cyprus or gathering information on behalf of another country.

Israel, Britain sign memo

Israel and Britain signed a security memorandum to cooperate in defense research. Britain's ambassador to Israel said last month's Wye accord provided the impetus for the memorandum.

Israeli parents demand inquiry

The parents of two Israeli naval sea commandos killed in an operation in Lebanon a year ago demanded a state inquiry and criminal investigation into the army for allegedly not informing them that their sons' remains had been returned. The parents of Raz Tebi and Guy Golan said they had to learn about the return from the Hezbollah Web site.



Daily News Bulletin

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publicly in a long-running series of articles and letters to the editor in The Jewish Press, an Orthodox newspaper, and in The New York Jewish Week.

The Orthodox rabbinic committee in Morgenstern's Queens, N.Y., neighborhood, has banned him from area synagogues.

"This is not a fight against me. It's a fight against women," said Morgenstern. "This is the issue of male dominance and chauvinism, and keeping women under the foot."

The Rackman-Morgenstern solution relies in part on the theory that abusive husbands suffer from mental illness, a position that the fervently Orthodox Agudath Israel of America disputes.

"If the wife wants out of the marriage and the husband doesn't, is that evidence that a husband is a nut and always was?" said David Zwiebel, a senior official of Agudath Israel.

"The bias in Judaism is against divorce on demand. In a large majority of cases, even if a couple is not happy, Jewish law will try and tell the couple to stay together," he said. "That bias is inherent in the halachah, and frankly, in our society we ought to say that's a strength of our system, not a weakness."

Some more sympathetic to the new court's goals say that it applies the criteria for annulment too liberally. One of those is Rabbi Mordecai Tendler, a religious leader in the Orthodox enclave of Monsey, N.Y.

He told JTA that he has annulled hundreds of marriages over the last 30 years.

He applies the criteria mapped out by his grandfather, the late Rabbi Moshe Feinstein, who "freed" women whose husbands refused to grant them a Jewish divorce if the wedding itself was not Orthodox or if there had been some technical flaw in the ceremony.

Finding some other halachically legitimate basis to annul a marriage, if one spouse, for example, hides a significant pre-existing condition before the wedding — like homosexuality, a life-threatening disease or serious mental illness that has not been cured or controlled — is much more difficult, Tendler said.

He said he annuls a marriage under these circumstances only a couple of times a year and after months of research.

Tendler, along with other Feinstein descendants, has publicly denounced what Rackman and Morgenstern are doing as a misapplication of his methods. Unlike others, they will dissolve the union if a problem like abusiveness, which was not well established before the wedding, becomes apparent after the marriage.

"We can be much more liberal in our interpretation of conditions that would warrant annulment because of our deeper understanding of the problems of mental health than Rabbi Feinstein could have possessed," Rackman said.

"You don't have to have a Ph.D. in clinical psychology to know that what comes out even 20 years after marriage can show a predisposition to something."

Women have come to Morgenstern's accounting office in Queens, N.Y., where he conducts most of his New York area business, from the Midwest and South, and as far away as Canada, England and France, he said.

Any woman with one of his annulments can remarry, and more than one-quarter of them already have, said Morgenstern. "I have a list of 100 rabbis all over the world willing to do it."

But not every woman freed by the Beit Din is finding that it's made it possible for her to get on with her life.

"Yaffa," who asked that her real name not be used, obtained a get from Morgenstern last year.

But when she recently tried to sign up with an Orthodox singles' matchmaking service, they asked for a copy of her Jewish divorce and said they wouldn't accept one from Morgenstern.

"If it's not acceptable to people, it's almost worthless," Yaffa said. Despite these problems, Rackman says he is getting quiet support from a number of Orthodox rabbis, and vows that the Beit Din will not collapse under the controversy it has generated.

"The Beit Din is going to accomplish at least one thing: That the item will be on the Jewish agenda for a long time to come until a better solution is found or until the solution we have found enjoys wider acceptance." □

JEWISH WORLD

Banks seek suit's dismissal

Two German banks asked a U.S. court to dismiss a class-action suit filed by Holocaust survivors claiming that the banks profited from gold looted from concentration camp victims. Deutsche Bank and Dresdner Bank maintain that the claims brought by the plaintiffs in the \$18 million suit were resolved at the end of World War II.

Meili gets scholarship

The Swiss bank guard who prevented the shredding of vital Holocaust-era bank records was awarded a full four-year scholarship at a U.S. university. While he studies at Chapman University in California, Christoph Meili and his family will be supported by a group of Holocaust survivors and the Jewish community.

Judge allows suit against rabbis

A U.S. judge ruled that an Orthodox Jewish woman could sue two rabbis for allegedly revealing marital secrets. The woman alleges that the rabbis told the woman's husband that she felt unfulfilled in their marriage and had stopped her monthly trips to the mikvah, or ritual bath. The couple's divorce is pending.

Neo-Nazi sentenced in Germany

A German court sentenced a neo-Nazi to prison for defaming a Jewish leader and threatening to kill a policeman. Gunter Deckert, 58, who called German Jewish leader Ignatz Bubis a "Jewish fuhrer," was sentenced to four years and nine months.

Argentina mulls museum

Argentina is mulling the construction of a Holocaust museum in Buenos Aires. Foreign Minister Guido Di Tella said Argentine officials are planning the move because the country is ashamed of the pro-Nazi sympathies of previous governments.

Book fair held in Poland

More than 300 books were displayed at the first postwar Jewish book fair in Poland. The book fair also included related events, including lectures, readings, and a concert. It is estimated that there are 15,000 to 20,000 Jews in Poland. Thousands of Polish Jews have come forward in the past few years to reclaim their Jewish identities.

Resort owner dies

A man who ran one of the leading resorts in the Catskill Mountains has died. Milton Kutsher, who kept Kutsher's County Club successful even as other spots in upstate New York declined in popularity, was 82.

Steps to implement Wye draw immediate criticism

By Naomi Segal

JERUSALEM (JTA) — Just days after Israel began to implement the Wye agreement, the Jewish state has drawn fire from West Bank settlers and the Palestinian Authority.

The settlers' complaints came after Israel carried out last Friday the first of three further redeployments in the West Bank called for under the accord.

Palestinian officials focused on another Israeli action taken that day — the release of 250 Palestinian prisoners.

On Sunday, settler groups responded to the redeployment by setting up encampments at two West Bank sites.

In one incident, settlers gathered on a hilltop near the settlement of Itamar, saying they wanted to expand the community.

And near the settlement of Sebastia, several dozen people gathered at an abandoned railroad station, saying they would establish a museum and yeshiva at the site. The Israeli army responded by sealing off the area around the station.

Meanwhile, settler leaders complained about the inadequacy of the army's defense plans for Jewish settlements affected by last Friday's redeployment.

The leaders charged that the plans were outdated and that greater emphasis should be placed on security for roads that link the settlements. Army officials responded that they were working in full cooperation with the settlements and that plans were being drawn up for each community affected by the redeployments.

In the redeployment, Israel transferred 2 percent of the West Bank, or some 44 square miles, from sole Israeli control to joint control with the Palestinian Authority. Israel also handed over 7.1 percent of land in the region to sole Palestinian control.

Most of the redeployment was carried out near the West Bank town of Jenin. The second redeployment called for in the Wye accord will be centered around Ramallah and the third around Hebron. All three redeployments, which are linked to Palestinian steps to live up to security commitments, are scheduled to be completed by January.

Along with the redeployment, Israel carried out the prisoner release, which led the Palestinian Authority to complain that 150 of the 250 people freed were common criminals and that the Wye agreement stated all should be political prisoners.

"We did not seek U.S. President Clinton's guarantees in order to secure the release of car thieves," Dr. Ahmed Tibi, an adviser to Palestinian Authority Chairman Yasser Arafat, told Israel Radio.

Israeli Prime Minister Benjamin Netanyahu denied that he had violated the Wye agreement.

His position was upheld by a U.S. Embassy spokesman, who said in a statement that the United States was unaware of any violation of the accord regarding the releases.

Despite the prisoner dispute, celebrations were held over the weekend in the West Bank towns that became part of the self-rule areas.

In a separate development, Israel bulldozed a home near Hebron where two brothers who allegedly planned suicide attacks against Israelis were killed in September by Israeli troops. The killings of Imad and Adel Awadallah, leaders of Hamas' military wing, set off days of unrest in the West Bank and Gaza Strip.

Israel's High Court had reportedly issued an order to stop the demolition of the house, but the razing had already begun. □

Assassin suspect remains in custody

JERUSALEM (JTA) — An Israeli court extended by four days the detention of a Safed resident suspected of plotting to attack Prime Minister Benjamin Netanyahu.

Shabtai Bloch allegedly planned the action to occur when Netanyahu visited the northern Israeli town last week. Police claim Bloch told investigators that Jewish religious law permitted actions beyond political protest in the event of the handing over of any portion of the Land of Israel. Bloch denies the allegations against him. □

Genetic finding on deafness raises host of ethical questions

By Mica Schneider

WASHINGTON (JTA) — A new medical finding regarding a genetic mutation that causes deafness among Ashkenazi Jews is raising several practical — and ethical — implications for the Jewish community.

The research, published in the Nov. 19 issue of the *New England Journal of Medicine*, shows that a recessive gene found in 4 percent of all Ashkenazi Jews is likely to be a source of hereditary deafness.

Those carrying the mutation in the Connexin 26 gene, which can produce a protein that causes hearing loss, may not suffer hearing loss themselves.

But when paired with another carrier, they could parent a deaf child, researchers said.

The researchers stress the study's findings should not be a cause for alarm in the Jewish community, but rather a step toward understanding more about a condition that affects about 1 in 1,000 Jews, the same as in the general population.

"The frequency of deafness is no higher in the Jewish population than in others," said Dr. Bronya Keats, director of the Molecular and Human Genetic Center at the Louisiana State University Medical Center in New Orleans and research coordinator for the project. "It's just that in the (Ashkenazi) Jewish population, many profound hearing impairments are due to a certain gene mutation."

Despite this fact, some Jews fear that discovery of the gene within their families could lead employers and health insurance companies to deny them medical coverage on the basis of having a pre-existing condition.

Keats cited problems encountered in recent years by women who wished to be screened for the BRCA 1 and BRCA 2 gene mutations, which occur at a higher rate among Ashkenazi Jewish women and can lead to a heightened susceptibility to hereditary breast cancer.

"Women want to be tested, but know their family could lose insurance if they're found with the genes," Keats said.

Indeed, recognizing the possible implications for health insurance, the researchers concealed the cities the families lived in and even altered some subjects' family trees in the journal in an effort to preserve anonymity.

Such anxiety persuaded Hadassah — The Women's Zionist Organization of America to address the National Institute of Health's forum on genetics research in April and again this week.

The study, like others that have focused on Ashkenazi Jews, concentrated on the community because it has married within its cultural borders for centuries, which makes genetic research more valid and traceable.

This fact raises an important question for the sectors of the Orthodox community that engage in matchmaking. Family members worry that if it is known that their relatives possess a genetic mutation, it might be difficult to arrange a marriage for them.

Dor Yeshorim, a group in Brooklyn that offers genetic testing for prospective couples, has already received requests for genetic testing from families in which deafness has occurred.

But the organization's director has been quoted as saying that

he does not know if Dor Yeshorim would offer testing for the deafness gene when it becomes available.

Others worry that expecting parents will have their fetuses tested, which could cause some prospective parents to opt for abortions.

But some hearing-impaired Jews say that would not concern them.

"You'd be more likely to find that issue among hearing parents," said 80-year-old Bess Hyman, whose own hearing deteriorated from birth. "I think most parents would want a child — deaf or not."

Hyman belongs to Temple Beth Solomon in Southern California, a congregation founded in the 1960s by hearing-impaired Jews. □

Official with Israel fund-raiser resigns amid several allegations

By Naomi Segal

JERUSALEM (JTA) — The director general of one of the main fund-raising arms for the Jewish Agency for Israel has stepped down in the wake of corruption allegations against him.

Baruch Gur resigned from Keren Hayesod after a recent article in the Israeli daily *Yediot Achronot* alleged that he had committed a number of improprieties since his appointment to the position a year and a half ago.

The allegations include abuse of power and privileges amounting to tens of thousands of dollars.

Keren Hayesod raises funds for the Jewish Agency outside the United States. Its functions are equivalent to those filled within the United States by the United Jewish Appeal and United Israel Appeal.

The allegations against Gur include his paying for leisure expenses with a credit card issued for business purposes; having the organization pay for his wife when she accompanied him abroad; running a bill of some \$13,000 at a Jerusalem hotel over a period of six months even though he owns an apartment in central Israel; and renting, contrary to procedure, a luxury car that was later purchased for him.

Yediot also reported that Gur appointed personal associates to positions without seeking other applicants.

In the wake of the allegations contained in the newspaper report, Keren Hayesod ordered an internal inquiry, calling on the Jewish Agency's comptroller and legal adviser to investigate.

These developments prompted Gur to submit his resignation, which was accepted by the organization Nov. 17.

"As we expect the highest standard of behavior from both ourselves and Keren Hayesod employees, we have accepted Dr. Gur's resignation, so that there be no misconception about our tolerating any possible deviation from the ethical norms of behavior required in our organization," Avi Pazner, World Chairman of Keren Hayesod, and David Liwernat, chairman of the organization's board of trustees, said in a letter issued last week.

Gur said in a statement that despite the personal pain the investigation caused himself and his family, he had decided to put the interests of Keren Hayesod before his own.

He stressed that his decision did not represent an admission of guilt to any of the offenses. □