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81st Year

TOP NEWS IN BRIEF

Premier: Army to stay in Lebanon

The Israeli army will remain in southern Lebanon until the safety of Israel's northern communities can be assured, Prime Minister Benjamin Netanyahu said.

His comments came amid a renewed debate about Israel's continued presence in Lebanon after seven Israeli soldiers were killed in the security zone during the past two weeks.

Survivors to receive payments

As many as 60,000 needy Holocaust survivors in the United States are expected to begin receiving payments this week of about \$500 each from a humanitarian fund set up last year by Switzerland.

The U.S. distributions from the nearly \$200 million fund will bring the total number of recipients worldwide to about 100,000. The fund is separate from the \$1.25 billion settlement with Swiss banks reached in August, which is not expected to begin making payments until late next year at the earliest.

Prisoner issue unresolved

Israeli and Palestinian officials failed to resolve a dispute over the release of Palestinian prisoners. Cabinet Secretary Danny Naveh reiterated after the talks that Israel would not free any prisoners with blood on their hands.

The issue prompted weekend clashes between Palestinians and Israeli troops in eastern Jerusalem and the outskirts of Bethlehem.

Meanwhile, Israel and the Palestinian Authority faced off in the Gaza Strip in a dispute over construction at a Jewish settlement there. Palestinian police blocked Israeli trucks carrying building materials from reaching the Jewish settlement of Netzarim. Israeli officials said the Palestinians are violating the peace accords, and in a counter-move stopped Palestinian VIPs from crossing into Israel.

Church to seek forgiveness

Pope John Paul II issued an edict declaring the year 2000 a Holy Year during which individual Catholics and the Roman Catholic Church should ask forgiveness for their past failings.

During the Holy Year celebrations, the church is expected to ask forgiveness for specific past errors, including the Inquisition and its treatment of Jews.

FOCUS ON ISSUES

Court case raises questions about rabbinic confidentiality

By Debra Nussbaum Cohen

NEW YORK (JTA) — When is a rabbi supposed to keep as confidential information someone tells him during counseling, and when should it be divulged?

It is a complicated ethical question, Jewishly speaking, according to several experts on Judaism, legal issues and rabbinic practices.

A new, precedent-setting ruling by a New York state court is also highlighting the fact that the question is complicated in terms of the civil legal system.

Issues raised by the case have broad ramifications for the Jewish community — in both legal and congregational settings.

Several Jewish groups — including Agudath Israel of America and the Orthodox Union — are closely following the case and may file briefs in upcoming rounds of the legal battle.

The New York Board of Rabbis said it is considering running a symposium to examine the implications of the case.

A New York State Supreme Court judge recently ruled that Rabbi David Weinberger was wrong to disclose a congregant's confidences by revealing them to her estranged husband and testifying before the court that oversaw their divorce.

Chani Lightman, a 38-year-old Orthodox woman, nurse and mother of four daughters, has been trying to obtain a divorce from her husband since 1995.

She says Hylton Lightman, a prominent pediatrician in the Five Towns region of Long Island, has so far refused to give her a get, the Jewish divorce that only a man can issue according to halachah, or Jewish law.

He is said to have filed a get with Rabbi Motti Wolmark of Monsey, N.Y., who said, through his secretary at Yeshiva Shaarey Torah, that he had no comment on the matter.

Chani Lightman has been given no opportunity to accept the get if there is one, said her attorney, Daniel Schwartz, and "if her husband believes that she has been unchaste, he is obligated to give her one forthwith."

The Lightmans are in the middle of civil divorce proceedings, and the court has awarded Hylton temporary full custody of their children.

Chani Lightman said she went to Weinberger, who was her pulpit rabbi, and another rabbi in the community, Tzvi Flaum, in 1995 to discuss her troubled marriage because she was aware that her husband had also spoken with them.

During her separate meetings with one of the rabbis, she revealed that she had stopped going to the mikvah, the ritual bath into which observant women immerse themselves after menstruating and before resuming sexual relations with their husbands, because she wanted no further intimacy with her husband.

She also told Flaum, according to the affidavit he submitted to the court, that she had seen another man socially.

The rabbis submitted affidavits on Hylton Lightman's behalf as part of the divorce proceedings, saying that she was not living as an Orthodox woman should.

Chani Lightman took the unusual step of suing the two rabbis because they disclosed private information to her husband and to the court without ever getting her permission to do so.

Hylton Lightman told his wife and her attorney, they each said, that he would give her a get only if she dropped the lawsuit against the rabbis.

On Nov. 18, Justice David Goldstein ruled that Weinberger owes Chani Lightman

MIDEAST FOCUS

Barak rejects unity government

Israel's opposition leader said the Labor Party will not join a national unity government.

Commenting on efforts by some in Prime Minister Benjamin Netanyahu's Cabinet to reach out to Labor in an attempt to maintain Likud's shaky coalition, Labor Party leader Ehud Barak said, "We will not be part of this terrible government."

Arafat expected at conference

Palestinian Authority leader Yasser Arafat is scheduled to travel to Washington for a donors conference this week aimed at supporting a new Israeli-Palestinian peace agreement.

The meeting is expected to boost international aid to the Palestinians beyond the \$2.1 billion delivered over the past five years. Israel is likely to receive an unspecified amount to assist in implementing the partial West Bank withdrawal and security measures under the Wye agreement.

Haredim protest in Beersheba

Some 500 fervently Orthodox Israelis protested outside a building in Beersheba in the wake of reports that it was a center for missionary activities and baptisms of Jewish children. Israeli police appealed to rabbis to help restore order so that members of the Jews for Jesus movement could leave the building.

Strike enters sixth week

A strike by Israeli university students entered its sixth week as disagreement over whether to accept a proposal to lower tuition caused a rift among student negotiators.

The proposal, hammered out with the help of Prime Minister Benjamin Netanyahu, would grant partial scholarships to students involved in community service projects. Opponents of the proposal argued that the students should not waver from their demand for a 50 percent reduction in tuition.



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damages for causing her harm. In his decision, Goldstein called Weinberger's disclosures not only "improper" but "outrageous and most offensive."

No date has yet been set for either his ruling on the amount the rabbi owes his former congregant, or for Flaum's hearing.

The attorney representing them both, Franklyn Snitow, said that he intends to appeal the ruling.

Many Jews turn to their rabbis for pastoral counseling during troubled times. The Lightman case poses several thorny questions, among them, "How private is the information a congregant shares with his or her rabbi?" and "Does a person run the risk of making public the most intimate details of his or her life when they turn to a rabbi for guidance?"

Unlike New York, most states do not have clergy-penitent privilege, which legally protects what someone tells a rabbi or minister.

But according to Rabbi Michael Broyde, many other states have an exception for Roman Catholics, who are required to confess their sins to priests so that clergymen can grant them absolution.

Broyde is acting director of the law and religion program at Emory Law School in Atlanta and is a member of the Beth Din of America, a Jewish religious court.

The New York court ruling has also raised questions about how involved civil law should be in deciding whether a rabbi's judgement is correct.

David Zwiebel, director of government affairs for Agudath Israel of America, a group representing fervently Orthodox interests, is closely following this case. He said he has received a large number of phone calls from concerned rabbis since the ruling was handed down.

It is likely that the group will file a friend-of-the-court brief on behalf of the defendants after they appeal, he said.

"The general rule in secular law and halachah is that things said in confidence must be kept in confidence," he said, adding: "There are times, though, when the general rule must be breached."

The rabbis were "concerned over the mental and spiritual well-being of the children. The rabbis are entitled to make these sorts of judgements," Zwiebel said.

"If a civil court is saying that they are not, it comes awfully close to the kind of entanglement that the First Amendment is designed to prevent."

Zwiebel said the decision is already having a chilling effect on the ability of rabbis to counsel their congregants because they fear that if they learn anything they feel compelled to report, they might be sued.

But what constitutes that point at which a rabbi should feel compelled to divulge private information learned during counseling?

According to Rabbi Joel Meyers, director of the Conservative movement's Rabbinical Assembly, "the rules of confidentiality are rather vague."

"Every situation has to be weighed carefully as to whether confidentiality is maintained or not," he said. "There is a tendency for confidentiality to be maintained, but there are times when it becomes clear that harm will be done if it is not."

In Jewish terms that is the bottom line: Will someone be hurt if the rabbi does not intercede?

If people declare their intention to physically harm themselves or others, the rabbi is obligated to do whatever it takes to stop them, said several experts.

But that law of lashon harah, guiding potentially damaging speech, "can be used and interpreted very subjectively so therefore needs a lot of thought," said Michael Rothschild, director of the Chofetz Chaim Heritage Foundation, an Orthodox group that, among other things, teaches about Judaism's guidance on the impact of words.

The reality of rabbinic life is that these issues only come to the fore in the context of a divorce or fight for custody of children, said Meyers.

Snitow, the defendants' attorney, maintains that "there was never any expectation of privacy" when Chani Lightman went to talk to them. "It was never intended as pastoral counseling or a penitent's confession," he said in an interview.

That, said Lightman's attorney, is simply untrue.

The impact of what the rabbis did, said Chani Lightman, has "been like a nightmare. I've lost custody of my children and I've been obliterated" in the community, she said. "Other women should not be bamboozled by the rabbis and turned into a pariah." □

JEWISH WORLD

WJC accuses French museums

The World Jewish Congress said that during the past 50 years French museums have been routinely sending artwork looted by the Nazis abroad for exhibition.

Citing a study of exhibition catalogs, the WJC said pieces by artists such as Picasso and Matisse had been displayed in Berlin, London, New York and even Israel without any indication of the artworks' true provenance.

The WJC said the chairman of its commission on art recovery, Ronald Lauder, plans at this week's Washington Conference on Holocaust-era Assets to urge France and other European nations retaining looted artworks to sell them at auction and give the proceeds to Holocaust survivors.

Czechs to move on restitution

The Czech government established a committee to help return Jewish property confiscated during World War II.

The commission will include members of the government and Czech Jewish leaders.

Some 20 percent of property confiscated from Czech Jews reportedly remains in the federal government's hands.

Report: Slave labor fund near

German firms are close to a plan for a fund that would compensate World War II-era slave laborers, according to the German news magazine *Der Spiegel*. Leading German industrialists recently met with German Chancellor Gerhard Schroeder, who supports such a fund.

War crimes suspect charged

German prosecutors charged a Ukrainian-born man with participating in the murders of 17,000 Jews at the Majdanek death camp in Poland. Alfons Goetzfried has admitted to personally shooting 500 people in the camp in November 1943.

Goetzfried, who was imprisoned in a Siberian labor camp for 13 years after World War II, moved to Germany in 1991. No date has been set for the trial.

Wiesenthal Center expands

The Simon Wiesenthal Center purchased a three-story building to house its extensive tolerance education programs for law enforcement officers, teachers, students and corporations.

A total of 20,000 policemen and sheriff's deputies and 7,000 educators have graduated from the programs; last year, 6,000 students from 117 schools also participated in the center's seminars. The \$6.6 million facility is across the street from the center's Museum of Tolerance in Los Angeles.

Paris denies role in Vichy looting of Jewish property

By Lee Yanowitch

PARIS (JTA) — The city of Paris has apparently quieted a two-year controversy regarding the looting of Jewish-owned real estate during the Nazi occupation of France.

Presenting its report after 18 months of research, a commission of experts told a news conference at the Paris city hall that none of the buildings or apartments owned by the municipality had been seized from Jews under the collaborationist Vichy regime's plan to stamp out Jewish influence in the economy during World War II.

Mayor Jean Tiberi had ordered the report in 1996 amid an uproar over a book, "Private Estate," which accused the city of continuing to own and manage buildings it had confiscated from Jews deported to death camps.

"It's clear. There is no longer any problem."

"The city of Paris has been absolved of guilt," Tiberi said, breathing an almost audible sigh of relief.

Most of these buildings were in the Marais district, a run-down neighborhood inhabited mostly by poor Eastern European Jewish immigrants who rented — and did not own — their apartments.

The Marais was drained of its population during World War II — dropping from 25,000 to 5,000 as Jews were deported to concentration camps or fled. In all, 76,000 Jews were deported from France, representing a quarter of the country's Jewish population.

Henri Hajdenberg, president of CRIF, France's umbrella group for secular Jewish organizations, praised the commission's work in a newspaper editorial as a "remarkable case-by-case study" that disproved the accusations against the city.

The commission, made up of historians and representatives of the Jewish community, said it had scoured state and city archives as well as those of the wartime General Commission for Jewish Questions, which was in charge of administering property and assets stolen from Jews.

"The city of Paris did not appear to have a discriminatory policy of an anti-Semitic nature. There were only very rare examples of buildings being seized outright," said Noel Chahid Nourai, president of the commission.

He added that although the city had paid its debts, in some 50 cases it was not sure whether the money ended up in the owners' hands.

In such cases, the funds would have been deposited in accounts turned over to the state savings institution.

That institution is currently searching its own archives for clues but will need two more years before announcing its conclusions.

In 20 cases, said Nourai, the owners or their heirs never claimed their compensation.

This money was turned over to the Treasury after 30 years, in accordance with French law.

The report on the city was issued as another commission continued its investigation into whether banks, insurance companies or other state agencies are still holding assets plundered from Jews.

CRIF has criticized that panel, known as the Matteoli Commission, for including too few independent experts to carry out the research, leaving it to the banks and government agencies to probe their own archives. □

Report: Artwork in Israel Museum a fake

JERUSALEM (JTA) — One of the prized pieces in the Israel Museum's art collection could be a fake, according to a French newspaper report.

An editorial in *Le Monde*, written by an expert on French painting, suggested that Vincent Van Gogh's "The Harvesters" was the work of a friend of Van Gogh's. The head of public information at the Israel Museum countered that the work has a carefully documented history. □

BEHIND THE HEADLINES

Birthright project's challenge is getting more Jews to Israel*By Julia Goldman*

NEW YORK (JTA) — Charles Bronfman has unwrapped plans for “a gift from the Jewish people” that has given a major boost to those in the business of sending young Jews to Israel.

The Birthright Israel initiative, announced during the UJA Federations of North America's General Assembly in Jerusalem, would create a \$300 million fund to provide a first visit to Israel to every Jew aged 15 to 26.

“It's an opportunity for many Jews to find themselves, to identify with the State of Israel and to live meaningful Jewish lives,” Bronfman said at a news conference announcing the project, which will be sponsored by a coalition of Jewish philanthropists, the Israeli government and local communities around the world.

The question for many Israel trip providers is whether the new campaign — spearheaded by Bronfman, a Seagram's executive, and Wall Street mogul Michael Steinhardt — will succeed in reaching new constituencies of young Jews who until now have opted out of the Israel experience in droves.

Of the total of 350,000 North American Jews in that age range, only about 3 percent go to Israel. And during the past decade, the numbers have remained fairly flat, according to Israel Experience, Inc., an umbrella service for Israel programs that will serve as the Birthright Israel's “franchise” in North America.

Promotional literature for Birthright Israel, printed on thick, parchment-colored paper, quotes Bronfman as saying, “Regardless of nationality, economic status or denomination, every Jewish youth will be eligible to participate in a trip that will change their lives. This is a gift from our generation to our children and grandchildren.”

Currently that gift is estimated at about \$1,500 per child, an amount that would cover round-trip airfare and what it now costs for a 10-day educational program in Israel.

Birthright Israel is by no means the first such opportunity offered to Jewish youth. Synagogues, youth movements, local federations and the United Jewish Appeal have for years offered scholarships to put an Israel trip within the grasp of many interested young Jews.

“There are more scholarships than there are takers,” said Sam Fisher, international director of B'nai Brith Youth Organization, which offers a variety of Israel experience programs that average about 500 teen-age participants each summer.

That number has not increased significantly in recent years, despite the communal push to send more youths to Israel.

Money is not the issue, said Fisher.

Rather, he and other Israel trip providers say, parents and young people must see an Israel experience as a priority in a world of travel possibilities.

“Some people are clearly not interested,” said Karen Benyoseph, director of Youth to Israel Programs at the Jewish Federation of the North Shore in Salem, Mass. “Their kids are going to France, not to Israel.”

But Benyoseph said her organization has succeeded in nearly tripling attendance in summer Israel trips in an effort that Birthright Israel might encourage other communities to use as a model.

Over the past four years, the North Shore federation has been

“investing in kids,” Benyoseph explained, by providing full scholarships for approved four-week trips targeted at Jewish high school sophomores.

Each trip is accompanied by a year-round schedule of orientation and follow-up for participants and their parents — a component of Birthright Israel's planning that would be the responsibility of local communities.

Benyoseph said the \$4,000 subsidy, supported by the federation and matching funds from a local philanthropist, made the trips more attractive to parents — even those who could afford it — and put more decision-making power in the teens' hands.

Many Israel trip providers see appealing to the participants, rather than parents, as one of Birthright Israel's most promising aspects.

“From our perspective, Birthright Israel is going to enable us to reach a constituency we haven't been able to reach until now — college students,” said Rabbi Allan Smith, director of the Reform movement's youth division, which sends between 1,000 and 1,200 high school students to Israel each summer.

“Next spring break we've got an offer you can't refuse,” Smith said in a mock pitch to prospective participants. “How about going to Israel? We'll pay the bill.”

In fact, because most high school summer Israel tours are four to six weeks long, college students on spring or winter break might best be able to take advantage of the 10-day subsidy offered by Birthright Israel.

Hillel: The Foundation for Jewish Campus Life last year inaugurated its own Birthright Israel Initiative, which organizes first-time educational vacations to Israel for New York-area college students at a cost to them of only \$500.

Hillel's director of development for international program, Keith Krivitzky, said the hefty subsidy helped the group attract its first crop of 90 students. This year, when the program is being replicated in other cities, such as San Diego, Denver and Philadelphia, Krivitzky says there are waiting lists and a roster of 190 participants.

But more than the money, Krivitzky points to a new attitude as a key factor in the fledgling program's initial success.

The increase in interest indicates that the program did indeed “generate excitement” among groups of students from the same campus.

Krivitzky hopes such excitement will reverberate among the trips' participants by bringing students previously unaffiliated with Jewish campus life into sustained contact with Hillel.

Generating a buzz is one thing that the kind of funding Birthright Israel promises can do.

For “some parents and college students, the apathy is so great, Israel is not even on the radar screen,” said Birthright Israel's executive vice president, Michael Papo.

A new marketing campaign would send out the signal that going to Israel is “a cool thing, a neat thing, a fun thing, a moving thing, an educational thing, a Jewish thing,” Papo said.

Merav Yaron, program director of the Israel Center of San Francisco, said that if advertised well in schools and universities, and by rabbis and educators, Birthright Israel “will be an amazing program.”

In the meantime, she has already begun a promotional campaign on a small scale.

When people call her office, she said, she tells them: “In two years, you can fly for free!” □