

## IN THE NEWS

**Jordan's Abdullah warns of new attacks**

Jordan's king warned American Jewish officials that Syria and Hezbollah are planning terrorist attacks in Israel to distract attention from the crisis in Lebanon.

King Abdullah II met Tuesday in Washington with top American Jewish officials, who thanked him for supporting revived Israeli-Palestinian peace talks.

An Arab summit rejected Jordan's proposal this week to make peace with Israel without specific territorial conditions.

Abdullah said Palestinian Authority President Mahmoud Abbas needed support for his peace moves, and that Israel should refrain from immediate retaliatory action against the Palestinians if there is a terrorist attack because the likely source would be Syria and Hezbollah.

**Rabbi expelled from Orthodox group**

The largest association of Orthodox rabbis expelled one of its members after investigating charges of sexual misconduct.

The Rabbinical Council of America announced last Friday that it was expelling Rabbi Mordecai Tendler.

Tendler "has engaged in conduct inappropriate for an Orthodox rabbi," the RCA said in a statement.

A spokesman for Tendler called the RCA's investigative process flawed. [Story, Pg. 3]

**Activists block Israeli junctions**

Right-wing activists opposed to a Gaza Strip withdrawal blocked major Israeli intersections.

Scores of people were arrested Tuesday for staging a sit-down protest at Gilot junction north of Tel Aviv, Poleg junction south of Netanya and Ha'amakim junction in northern Israel. The road leading from Jerusalem to the Dead Sea also was briefly blocked.

Police said that this time they responded quickly because they'd had advance warning. Right-wingers have vowed to step up moves to disrupt public life in Israel as the July date for the withdrawals from Gaza and the northern West Bank nears.



# WORLD REPORT

PUBLISHED WEEKDAYS BY JTA—THE GLOBAL NEWS SERVICE OF THE JEWISH PEOPLE • WWW.JTA.ORG

## As court considers Schiavo case, Jews turn to halachah for guidance

By JOANNE PALMER

**N**EW YORK (JTA) — As a U.S. federal court considers whether to reconnect Terri Schiavo's feeding tube, Jewish scholars are turning to halachah, or Jewish religious law, for guidance on the issue.

Schiavo, the severely brain-damaged Florida woman whose parents and husbands have been battling in state and now federal courts for more than a decade, is the insensate center of a swirl of emotion and legal action. Religious leaders have been involved as well; Terri Schiavo and her parents, Mary and Robert Schindler, are Roman Catholic, and many of their most fervent supporters are fundamentalist Protestants.

The Schindlers want to keep their daughter's feeding tube in; Michael Schiavo wants it removed so his wife can die a natural death.

Jews, like others caught up in the debate, have a range of beliefs, and their understanding of how to apply halachah varies accordingly. Virtually all the rabbis interviewed, though, told JTA that they did not agree with attempts by some conservative Christians to tie Schiavo's case to the public debate about abortion.

At the traditional end of the spectrum, Rabbi Avi Shafran of the fervently Orthodox Agudath Israel of America said the Schiavo case is "straightforward from a Jewish perspective: The most important point from a halachic standpoint is that a compromised life is still a life."

"In the Schiavo case, you're not dealing with a patient in extremis," he said, noting that until her feeding tube was removed, Schiavo was not dying.

In halachah, there is a category for a person at the edge of death; the rules for such a person, called a goses, are complicated.

"There are times when certain medical intervention is halachically contraindicated," Shafran said. "There may be times when it's OK not to shock a heart back into beating, not to administer certain drugs. You do not prolong the act of dying."

But Schiavo was not a goses, Shafran said. Instead, before the tube was removed she "had the exact same halachic status as a baby or a demented person. Like a baby, she was helpless, could not feed herself and was not able to communicate in any meaningful way. But a life is a life."

Rabbi Tzvi Hersh Weinreb, executive vice president of the Orthodox Union, the central arm of modern Orthodoxy, agreed that from a halachic perspective the Schiavo case is straightforward.

"It's not permitted to do anything actively that would stop the process of a person's staying alive," he said. "In this case, that would be withdrawing a feeding tube, which is tantamount to starving a person to death."

Like Shafran, Weinreb said the wishes of the patient or the family are not relevant.

"It might have a bearing on whether new measures are undertaken, but once a person is on a support system, removing it is not possible," Weinreb said.

"Doing something to actively interfere with a person's ability to continue to live technically is murder," he said. "I can't imagine a scenario that would make removing the feeding tube permissible."

Rabbi David Feldman, who had an Or-  
*Continued on page 2*

FOCUS  
ON  
ISSUES

## ■ Rabbis explain what halachah says about the Schiavo case

*Continued from page 1*

thodox ordination and defines himself as "traditional," is rabbi emeritus of the Conservative Jewish Center of Teaneck, N.J.

"There's a dispute here between a husband and parents, but none of that makes any difference as far as halachah is concerned," said Feldman, the author of "Birth Control and Abortion in Jewish Law" and the dean of the Jewish Institute of Bioethics. "You can't hasten death yourself, with your own hands. If death comes, you can thank God because it's a relief, but you can't decide yourself that it has to be done."

The only time it would be acceptable to remove a medical device, Feldman said, would be if "something worse would happen — if leaving it in would cause infection, or more pain.

"You can kill someone pursuing you, you can kill the soldier in the enemy army, maybe very cautiously you can kill if there is a death penalty, but you can't kill an innocent person because of illness," he said.

Rabbi Joel Roth is a member of the Conservative movement's Rabbinical Assembly's law committee. In 1990, when he was the committee's chair, the group studied end-stage medical care and accepted two opposing positions on artificial nutrition and hydration.

One, by Rabbi Elliot Dorff, "would permit withholding and withdrawing" the tube; the other, by Rabbi Avraham Reisner, would not.

The divide comes from how the tube that provides food and water is defined. If it is seen as a medical device, as Dorff does, it may be removed, Roth said. If it is seen as a feeding device, as Reisner does,

it may not be removed.

Dorff puts a person dependent on a feeding tube "in the halachic category of 'treifah,' which, he argues, is a life that does not require our full protection — an animal that is treifah is one that has some kind of physical defect that will prohibit it from having a prolonged life. So he argues that a treifah is a life that does not require our full protection," Roth said.

Reisner, on the other hand, "treats these people as goses," Roth said.

"And even in the end stage," he noted, "there is the value of 'chaya sha'ah,' the life of the hour." In other words, Roth said, even when there is very little life left, that life still matters.

The Conservative movement accepts both decisions, but Roth, a professor of talmud and Jewish law at the Jewish Theological Seminary in New York, sides with Reisner, and with Schiavo's parents.

"She should be kept on the feeding tube," he said. "She's not being medicated and she's breathing on her own."

Rabbi Mark Washofsky teaches rabbinics at the Reform movement's Hebrew Union College-Jewish Institute of Religion in Cincinnati, and he sits on the movement's responsa committee.

The movement does not speak with one voice on the issue, Washofsky said, but in 1994 it issued a responsum on the treatment of terminally ill patients.

Like the Conservative decisors, the

Reform rabbis base their view of whether a feeding tube can be removed on their understanding of the tube's function.

"We cannot claim that Jewish tradition categorically prohibits the removal of food

and water from dying patients," Washofsky said. "But we consider food and water, no matter how they are delivered, the staff of life. So what we ultimately do is express deep reservations about their withdrawal, but in the end we say nonetheless that because we cannot declare that the cessation of artificial nutrition and hydration is categorically forbidden by Jewish moral thought, the

patient and the family must ultimately let their consciences guide them."

Rabbi David Teutsch, director of the Center for Jewish Ethics at the Reconstructionist Rabbinical College in Philadelphia, agrees that the question is how a feeding tube is defined.

"If it were a form of eating, a position held by a number of more traditional halachic authorities, then you're required to feed those who are hungry," Teutsch said. "But if it's medicine — a position held by Conservative authorities like Rabbi Elliott Dorff, and by me as well — then you serve the interests of the patient, which may involve not providing medicine."

He believes that a feeding tube is a medical device, and so it can be removed, Teutsch said.

"It's pretty clear that it's closer to regular intervention than to eating," he said. ■

**You can't hasten death yourself, with your own hands. If death comes, you can thank God because it's a relief, but you can't decide yourself that it has to be done.**

**Rabbi David Feldman**

Dean, Jewish Institute of Bioethics

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JTA WORLD REPORT is published five days a week, except holidays, by the Jewish Telegraphic Agency Inc., 330 Seventh Ave., New York, N.Y. 10001-5010. For more information about how to subscribe by e-mail, fax or regular mail, call (212) 643-1890, or visit our Web site at [www.jta.org](http://www.jta.org).  
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## Minnesota shooter had neo-Nazi views

NEW YORK (JTA) — The teenager who committed multiple murders on a Minnesota Indian reservation Monday apparently held neo-Nazi beliefs.

A person who identified himself as Jeff Weise, who killed nine people before shooting himself, had expressed admiration for Hitler in a chat room hosted by Nazi.org, the Web site of a neo-Nazi party, according to media reports.

Weise reportedly posted messages on the site under the names "NativeNazi" and

"Todesengel," German for "angel of death."

"When I was growing up, I was taught (like others) that Nazi's were (are) evil and that Hitler was a very evil man, ect," Todesengel wrote on the site. "Of course, not for a second did I believe this.

"Upon reading up on his actions, the ideals and issues the German Third Reich addressed, I began to see how much of a lie had been painted about them.

"They truly were doing it for the better." ■

# Orthodox view of rabbinic sexual abuse changing?

By CHANAN TIGAY

NEW YORK (JTA) — The decision of a leading association of centrist Orthodox rabbis to expel one of its members has highlighted for some in the community the difficulties of addressing sexual abuse in the Orthodox world.

Following an investigation into allegations from several women of sexual harassment, the Rabbinical Council of America announced last week that it had expelled Rabbi Mordecai Tendler.

Tendler had “engaged in conduct inappropriate for an Orthodox rabbi” and refused to cooperate with the committee investigating the claims, the RCA said in a statement.

Tendler referred JTA to his spokesman for comment on the case, though he did say that members of his synagogue, Kehillat New Hempstead, located near Monsey, N.Y., have been “very supportive.”

Asked if he plans to remain in his pulpit he replied, “Of course.”

Hank Sheinkopf, Tendler’s spokesman, said the RCA procedure leading to Tendler’s expulsion was “reminiscent of the Salem Witch trials,” referring to fraudulent trials in colonial America.

“A decent man has been smeared, his family damaged irreparably and a community injured after a prolonged witch hunt,” Sheinkopf told JTA.

He complained that Tendler was not permitted to confront his accusers and that information on the case was leaked to the media.

The charges against Tendler include claims that over the last few years he engaged in sexual affairs with several women, among them women who had come to him for rabbinic counseling.

Brian Leggiere, a clinical psychologist in Manhattan whose clientele is comprised largely of Orthodox abuse victims and offenders, said the case highlights the fact that the Orthodox community is beginning to “wake up” to issues of abuse among its leaders, but still has “a ways to go.”

“We imbue our leaders with a great sense of kavod, respect, and usually it’s deserved,” he said. “It’s a wonderful value, but when you have a community that over-idealizes” its leaders at times, “that’s a recipe that allows abuse to occur.”

In the Orthodox world, where marital

matches, or shidduchs, are highly valued commodities, even the victims of abuse often remain silent for fear they will damage their chances to find a husband or wife.

Tendler’s expulsion reportedly went into effect immediately, though expulsion from the RCA does not necessarily entail removal from the pulpit. Some 1,000 ordained rabbis in 128 countries have membership in the RCA.

“Synagogues and institutions are entirely independent entities,” Rabbi Basil Herring, the RCA’s executive vice president, told JTA. “Therefore, it’s up to every synagogue to decide how it will wish to deal with its rabbi or its clergy or employees.”

Herring declined to comment directly on the case, as did several other RCA members complying with official RCA policy.

One Orthodox rabbi who requested anonymity said it was the first time the RCA had expelled a member following sexual abuse allegations.

The expulsion was based on protocols, instituted in April 2004, for addressing accusations of sexual impropriety against RCA members. The new protocols followed the highly publicized conviction of Rabbi Baruch Lanner, an Orthodox Union official

who is serving seven years in prison for sexually abusing a student when he was principal of Hillel Yeshiva High School in New Jersey.

The Lanner case, in which allegations emerged that victims’ complaints had gone unheeded, has been seen as a watershed in the way the Orthodox community addresses sexual abuse.

Tendler’s expulsion is a particularly sensitive issue for the RCA, Orthodox insiders said, because he comes from an important family of respected rabbis. His father

is the well-known bioethicist and Yeshiva University teacher Rabbi Moses Tendler. His grandfather was the late Rabbi Moshe Feinstein, who was among the Orthodox world’s leading experts in Jewish religious law.

Orthodox movement insiders said Tendler gained respect for his work on women’s issues within Judaism, particularly his approach to helping agunot, women unable to secure divorces from their husbands.

“As painful as it has been” for the community to start coming to terms with abuse issues, “I think it’s helpful when it comes to the fore because it helps people respond,” Leggiere said. “Generally people aren’t going to respond to a situation until you get past a level of denial.”

‘Generally people aren’t going to respond to a situation until you get past a level of denial.’

Brian Leggiere  
Clinical psychologist

BEHIND  
THE  
HEADLINES

## French Jewish groups urge action

By LAUREN ELKIN

PARIS (JTA) — Jewish groups in France are unsurprised, but concerned, by a report stating that anti-Semitic and racist attacks in France have doubled over the last year.

Reacting to the report, CRIF, the umbrella group of secular French Jewish organizations, emphasized the importance of combating the increased hate.

In a statement, the group acknowledged that the French government has effectively mobilized local police to fight anti-Semitism and racism, but added: “Anti-Semitic and racist violence, which is expressed in the streets, the schools, the public trans-

portation system, and the workplace, must also be prevented through education and a fight against discrimination.”

The statistics, gathered by the office of the interior minister, Dominique de Villepin, reveal recorded incidents of anti-Semitism unequaled since 1990, when the commission conducted its first study.

The study, the group’s annual report, described the levels reached as “exceptional and disturbing.”

The report was submitted on Monday to Prime Minister Jean-Pierre Raffarin.

“Our Republican system and even the very identity of France is today threatened by racism and anti-Semitism,” Raffarin stated after receiving the report.

# NEWS IN BRIEF

## MIDDLE EAST

### Israel: Palestinians curbing terror

An Israeli intelligence expert praised Palestinian Authority efforts to fight terrorism.

"Palestinian security forces are preventing attacks at the same rate as our forces," Brig. Gen. Yossi Kuperwasser, deputy head of military intelligence, was quoted as telling the Knesset Foreign Affairs and Defense Committee on Tuesday.

Violence has dropped off dramatically in the West Bank and Gaza Strip since Mahmoud Abbas became P.A. president and declared a cease-fire with Israeli Prime Minister Ariel Sharon last month.

The London-based newspaper Al-Quds al-Arabi said the Palestinian Authority has begun requiring gunmen to register their weapons or give them up.

The moves fall short of the *Palestinian commitment under the "road map"* peace plan to dismantle terrorist groups, but Israel has welcomed Abbas' efforts.

### Israel imposes Purim closures

Israel is closing the West Bank and Gaza Strip during the Purim holiday.

The closure will go into effect Wednesday morning and last through Sunday.

This year Purim runs from sundown Thursday through sundown Friday.

### Pupils in protest

Dozens of conscientious objectors demonstrated outside Israel's military induction center.

The Tel Aviv high schoolers flocked to the Bakum base Tuesday to support two students who were called in to be drafted but refused, saying they would not serve in an "army of occupation."

The two students, among 250 Israeli teenagers who wrote to Prime Minister Ariel Sharon and Defense Minister Shaul Mofaz last week saying they would not enlist, have voiced interest in doing civilian national service instead of military service.

### Settler status debated

Israel's top court heard a claim that the upcoming Gaza Strip withdrawal violates settlers' human rights.

The government argued that the petition, lodged in the High Court of Justice by lawyers representing settlers in Gaza and the northern West Bank, was baseless.

"When the petitioners and others settled in the Gaza Strip and northern Samaria, they did so knowing they were settling an area held by Israel in belligerent occupation," state attorneys wrote Tuesday, countering the argument that the evacuees have the same legal status and protections as residents of Israel proper.

"There are thus no grounds for claiming today that they thought they were going to live within the boundaries of the State of Israel."

The court decision is pending.

### Tuesday the rabbi was convicted

An Israeli court convicted a U.S.-born rabbi who tried to block Israeli bulldozers from demolishing Palestinian homes.

But prosecutors asked the court to give Arik Ascherman, head of Rabbis for Human Rights, community service and no criminal record.

Ascherman did not deny that he blocked the bulldozers, which were demolishing illegally built homes, but says it was his obligation to stop what he views as an illegal policy.

### Egypt students rally against compromise

Thousands of Egyptian students rallied against compromise with Israel.

The demonstration at Al-Azhar University in Cairo marked the first anniversary of Israel's assassination of Hamas leader Sheik Ahmed Yassin and his successor, Abdel Aziz Rantissi, the Associated Press reported.

At the rally, which came as an Arab League meeting opened in Algeria, protesters burned American and Israeli flags.

Elsewhere, thousands of people marched through the West Bank city of Nablus to mark the killing of Yassin.

## NORTH AMERICA

### Reform Jews back Rice

The Reform movement praised comments by Condoleezza Rice supporting religious freedom in China.

In a letter to the U.S. secretary of state, David Saperstein, director of the Religious Action Center for Reform Judaism, said her decision to attend church services in China was an act of "bold leadership."

"The Jewish community too often has been the victim of religious persecution over millennia," Saperstein said in the letter, sent Tuesday, adding, "It is our duty as beneficiaries of this great liberty and citizens of this great nation to ensure that nowhere in the world is one imprisoned, tortured, killed, or silenced because of his or her religious beliefs."

### Group calls for civil marriage in Israel

The National Council for Jewish Women called on the Israeli government to allow civil marriage and divorce.

As part of the Fourth International Agunot Day, the organization is seeking a resolution for agunot, women who are unable to remarry because their husbands refuse to grant them divorces.

"The inability of Jewish women to obtain a civil divorce in Israel and liberate themselves from an oppressive marriage denies legal equality to women and is a very serious violation of human rights," NCJW's president, Phyllis Snyder, said in a statement.

"The situation affects not only Jewish women in Israel, but Jewish women worldwide who seek termination of their marriages that are sanctioned by rabbinical courts."

## WORLD

### Argentine chaplain suspended

Argentina's head army chaplain was suspended after comments that angered the local Jewish community, among others.

Bishop Antonio Baseotto, a Roman Catholic, had angered the government with negative comments about the country's health ministry.

A journalist also found some inflammatory statements that Baseotto had made on a television show a number of years ago that angered local Jewish community leaders.

"If pornography is a good business, the Hebrews will sell pornography," Baseotto said at the time, stressing Jews' alleged attachment to money. "And if it's drugs, they'll sell drugs."

### Russian Jewish group protests skinheads

A Russian Jewish group asked prosecutors to investigate the publication of school notebooks with a picture of skinheads on the cover.

The notebooks reportedly have been sold for at least two years in a number of Russian towns, part of a series of notebooks showing members of various youth movements.

Some schools reportedly have banned the notebooks. In a statement released Monday, the Federation of Jewish Communities of Russia said the notebooks damage Russian schoolchildren by making role models of skinheads.