

**IMMIGRATION JUDGE RULES EX-NAZI
CAN STAY IN U.S. BECAUSE OF HEALTH**By Judith S. Antonelli
The Jewish Advocate

BOSTON, July 3 (JTA) -- A U.S. immigration judge has ruled that Albert Ensin, a member of the SS Death's Head Battalion who served at Auschwitz from December 1941 to July 1943, need not be deported and may remain at his home in Stoughton, Mass.

Although Ensin confessed to being a "perimeter guard" at Auschwitz-Birkenau, and Judge Annette Elstein had ordered him deported, the order was suspended last week after a doctor told the judge that moving Ensin could be life-threatening.

The 68-year-old Ensin has had three strokes and kidney failure, and requires a dialysis machine. He is a native of Lithuania and has never become a U.S. citizen.

Joseph O'Neil, Ensin's lawyer, said he is pleased with the verdict. "Ensin did not participate in the persecutions," O'Neil asserted. "He was a perimeter guard -- he guarded the entrance and exit (of the camp). But current immigration law sweeps broadly, and says someone is deportable for assisting in persecutions just because they were in the environs of the camp."

Asked if being a perimeter guard meant Ensin would have shot people who tried to escape the camp, O'Neil replied, "That never happened."

"That's bunk," said Allan Ryan Jr., director of the U.S. Justice Department's Office of Special Investigations from 1980-83.

Ryan, author of "Quiet Neighbors" -- a term which precisely fits the descriptions of Ensin by Stoughton residents who knew him -- is now serving as general counsel at Harvard University.

"Perimeter guard is a common defense," Ryan said. "It's like the bakery defense -- 'I was only baking bread in the bakery at Auschwitz.' We heard that a lot.

"But there is no such thing as a passive observer at Auschwitz-Birkenau," he said. "If you were stationed there, you were part of the process of murder."

"People like Ensin say that they were just doing their duty, that if they had refused they would have been shot. That's crap. Soldiers who didn't want to be (concentration camp) guards were sent off to the front. Nobody was shooting at the soldiers who were camp guards, so their life expectancy was longer than it would have been at the Russian front."

Eli Rosenbaum, OSI's deputy director, agreed that perimeter guards, by stopping prisoners from escaping, were accomplices in murder.

But he defended the court's decision, saying that an OSI doctor "agreed fully" with the ruling that moving Ensin would be life-threatening.

He also defended OSI's decision not to seek deportation at a future date. Ensin "has had a series of strokes," Rosenbaum added.

Rosenbaum said he has "no sympathy" for Ensin, but that he is entitled to due process. "This is constitutional law," he added. "This is one of the things that separates us from the Nazis."

(JTA correspondent Howard Rosenberg in Washington contributed to this report.)

**MOVE TO LET EX-NAZI ENTER CANADA
DRAWS PROTEST FROM JEWISH GROUPS**

By Howard Rosenberg

WASHINGTON, July 3 (JTA) -- Canadian Jewish groups are warning that their government's decision to allow ex-Nazi scientist Arthur Rudolph to visit Canada this week could inflict psychological damage on Canada's Holocaust survivors.

Paul Marcus, national director of the Institute for International Affairs at B'nai Brith Canada, said Rudolph's surprise visit has created a "psychological problem for hundreds of survivors of the Holocaust."

Rudolph, 83, a retired rocket scientist who helped spearhead the U.S. space program, voluntarily left the United States in 1984 rather than face a court review of charges about his Nazi past. He has lived since then in Hamburg, West Germany.

Rudolph arrived in Canada on Sunday night and was detained by immigration authorities for more than nine hours. He was later released on \$500 (Canadian) cash bond, pending an immigration hearing Friday.

Sol Littman, Canadian representative of the Friends of the Simon Wiesenthal Center for Holocaust Studies, said he was "absolutely disgusted that Rudolph was not put on the next plane and sent back to Hamburg."

Frank Dimant, B'nai Brith Canada's executive director, asserted that Prime Minister Brian Mulroney's decision was "really in contravention of everything that he stands for."

The Toronto Globe and Mail reported that Rudolph and his wife, Martha, came to Toronto to see their daughter Marianne, who lives in San Francisco, and to meet with former colleagues.

The Canadian government had no prior warning of his visit, since West German visitors are not required to obtain Canadian entry visas, explained Ian Sadinsky, adviser to Canada's minister for employment and immigration.

But immigration authorities detained Rudolph, since he is on Canada's "watch list," Sadinsky said in a telephone interview.

Support From U.S. Congressman

If Rudolph is ordered Friday to leave the country, he will have the right to appeal to the federal courts, which could allow him to stay in Canada for a few more weeks, Sadinsky said.

Marcus of B'nai Brith Canada did not challenge the government's legal rationale for letting Rudolph stay in Canada. He agreed, for example, that Rudolph does not constitute a "danger to the public," which would require that he be barred from entering the country.

But Marcus said he opposes in principle the "inherent legitimacy" being conferred on Rudolph by allowing him to enter the country.

Canada's Charter of Rights and Freedoms entitles foreigners to "due process once you reach this country," Sadinsky said. "A Soviet Jew would be entitled to the same type of process."

The World Jewish Congress alleges that slave laborers died under Rudolph's supervision at a V-2 rocket factory at the Dora-Nordhausen concentration camp in Germany.

But in 1988, West Germany concluded there

was no evidence Rudolph committed war crimes.

But Eli Rosenbaum, deputy director of the U.S. Justice Department's Office of Special Investigations, said that Bonn has an unusually strict standard for war crimes, requiring evidence that the crime was the result of "base motives," such as racism or anti-Semitism.

Rudolph entered the United States in 1945, was granted citizenship in 1954 and later headed work on the Saturn 5 rocket project at the Marshall Space Flight Center in Huntsville, Ala.

Rep. James Traficant Jr. (D-Ohio), who in May publicly urged that Rudolph be allowed to return to the United States, was planning to join the former rocket scientist at a news conference Wednesday on the Canadian side of Niagara Falls.

Democratic National Committee Chairman Ron Brown has criticized Traficant for his support of Rudolph. In a May 16 letter to Rabbi Abraham Cooper, associate dean of the Simon Wiesenthal Center in Los Angeles, Brown wrote, "I certainly deplore the statements made by the congressman to the Friends of Arthur Rudolph."

ISRAEL'S AMBASSADOR TO EGYPT RESIGNS, CITING DIFFERENCES WITH LIKUD REGIME By Gil Sedan

JERUSALEM, July 3 (JTA) -- Shimon Shamir, Israel's ambassador to Egypt, resigned Tuesday, citing ideological differences with the new right-wing Likud government.

But he had warm words for Likud Foreign Minister David Levy, whom he predicted would continue the peace process.

Shamir was appointed to the Cairo post in 1988 by Labor Party leader Shimon Peres, who was then foreign minister.

He explained that he was resigning because his personal views were "not in harmony with the present government."

Shamir, a professor, will return to the Hebrew University in Jerusalem, where he has been a senior lecturer on Middle East studies.

He pointed out that in Western countries, it is "almost a matter of procedure" for ambassadors to resign when a new government takes office.

"The present government has a platform which I feel I am not the right person to represent," Shamir said after submitting his resignation to Levy.

His move comes at a time when relations are warming between Cairo and Jerusalem, as both countries struggle to revive the peace process.

Shamir returned to Jerusalem with a message to Levy from his Egyptian counterpart, Foreign Minister Esmat Abdel Meguid, expressing confidence in their future cooperation.

The upbeat message predicted the two foreign ministers would find "common ground" when they meet. Meguid noted that Levy was born in Morocco and is therefore familiar with "Arab thinking." He said he is sure it is still possible "to advance on the road to peace."

Shamir stressed that his resignation had nothing to do with the appointment of Levy, a Likud hard-liner.

"On the contrary, from the short time that I have been working with Mr. Levy, I have reason to believe that his efforts will lead to a continuation of the peace process," the outgoing envoy said. "I also know that the appointment of Mr. David Levy was accepted very favorably in Egypt," he added.

EL AL GETS PERMISSION TO FLY SOVIET JEWS BY WAY OF FINLAND By Allison Kaplan

NEW YORK, July 3 (JTA) -- Finland announced Tuesday that it will permit El Al Airlines to begin flying Soviet Jewish immigrants to Israel from Finnish territory.

Christer Haglund, press attache at Finland's Consulate here, said an El Al plane will be permitted to fly emigres once a week from the eastern city of Lappeenranta to Israel. He said Finland had committed to the flights until Oct. 24.

Soviet Jewry activists here welcomed the decision.

"We certainly applaud the Finns' decision to allow the El Al flights," said Micah Naftalin, national director of the Union of Councils for Soviet Jews.

Shoshana Cardin, chairwoman of the National Conference on Soviet Jewry, said she was "delighted" that lengthy negotiations between Israel and Finland had born fruit.

Finland has already been used as a transit point for emigrating Soviet Jews in the past several months, but on a relatively small scale. For example, 50 Soviet Jews traveled to Israel through Finland last Friday, Haglund said.

A statement released Tuesday in Helsinki by Finnish Foreign Minister Pertti Paasio contained some elements that Israelis may find troubling, though it is not thought that they will be impediments to emigration through Finland.

For one, Soviet Jews traveling through Finland will have the option of reconsidering their destination once they arrive in Finland, the foreign minister said. This opens up the possibility that some Soviet Jews may "drop out" of their aliyah and remain in Europe.

Second, Paasio reaffirmed Finland's opposition to Israeli settlement in the administered territories and stressed that Soviet Jewish immigrants should not be permitted to reside there.

Naftalin said he did not believe the dropout question was "very serious," because "there aren't that many places willing to accept Soviet Jews anyway."

Cardin was of the same opinion. "Soviet Jews have to accept that the doors are not open everywhere," she said.

She added that it has become clear, over the past 16 months, that there is no Israeli policy of settling Soviet Jews in the territories.

GDR HOLDS MORE TALKS WITH ISRAEL By Eli Kohen

COPENHAGEN, July 3 (JTA) -- Israel and the German Democratic Republic seem to be close to agreement on the establishment of diplomatic relations and East Germany's payment of reparations to Holocaust victims.

The two countries began their third round of talks here Monday. The first two rounds were held earlier this year in the Danish capital, the site that both parties chose for the historic talks.

The East German delegation is headed by Ambassador Rainer Neuman, who is in charge of East Germany's dealings with non-European states.

Yosef Govrin, deputy director of the Eastern European department at the Foreign Ministry in Jerusalem, heads the Israeli negotiating team. He is assisted by Robby Sabel, legal adviser to the Foreign Ministry, and Michael Shilo, special adviser on Diaspora affairs.

BOMBING OF JOHANNESBURG SYNAGOGUE RAISES CONCERNS ABOUT SCAPEGOATING

JOHANNESBURG, July 3 (JTA) -- The Jewish community here is deeply disturbed by the bomb blast that damaged a synagogue in the Rosettenville section of Johannesburg on Sunday. It had also been defaced with anti-Semitic graffiti.

The incident occurred two days after an explosion damaged the home of a Jewish City Council member, Clive Gilbert, in another section of the city.

Jewish community leaders ascribed the incidents to right-wing extremists opposed to changes that are altering South Africa's apartheid society. Jews are being made the scapegoats, they said.

"We fear that it signifies a new stage in their anti-Semitic campaign," a spokesman for the South African Zionist Federation told the Jewish Telegraphic Agency.

The target Sunday was the South Eastern Hebrew Center in Rosettenville, a section of southern Johannesburg.

The blast occurred at 1:38 a.m. local time, according to the Citizen, a daily newspaper here. It said the device appeared to have been planted on the side of the synagogue, directly opposite the rear entrance of a nursery school housed in the building.

The attack seemed to be aimed at the synagogue, not the school, but windows and the glass door of the school were cracked.

Spray-painted in black on the synagogue's front wall were two swastikas and several slogans that made reference to Jewish support for the anti-apartheid movement. Last month, Jewish leaders met here with Nelson Mandela, deputy president of the African National Congress and one of the leading opponents of apartheid.

One slogan said, "Jews are the same as Mandela." Another showed a Star of David with an equals sign next to the letters ANC.

Harry Schwarz, a member of Parliament for the Yeoville district and a member of the executive of the South African Jewish Board of Deputies, said the bombing was clearly the work of right-wingers.

"We have witnessed quite a lot of anti-Semitism recently. It is rearing its ugly head in different places, but it seems it is the same small group that is responsible," he told the Citizen.

BEHIND THE HEADLINES: DEATH OF MEECH LAKE TRIGGERS DOUBT, BUT NOT PANIC, AMONG QUEBEC'S JEWS

By Bram D. Eisenthal

MONTREAL, July 3 (JTA) -- In the aftermath of the death of Canada's Meech Lake accord, Quebec's Jewish community has questions about its place in a potentially new Quebec society.

The accord, designed to bring Quebec into the federal system after it refused in 1982 to sign the new Canadian constitution, died when the governments of Manitoba and Newfoundland failed to meet the June 23 midnight deadline for ratification by Canada's 10 provinces.

The two provinces objected to key language in the accord that guaranteed Quebec would be treated as a "distinct society."

The accord's collapse means that Quebec remains technically outside the Canadian federal system. Moreover, Quebec's failure to win special

status for its French culture could reignite the secessionist passions that flared in the 1970s.

It is that prospect which worries Quebec's Jews, most of whom are in the English-speaking minority that stands to lose from separatist tendencies.

Voices Of Moderation

But Michael Crelinsten, director of the Quebec region of Canadian Jewish Congress, feels that the community need not panic.

The congress, which is the representative body of Canadian Jewish organizations, feels that the failure of Meech Lake "may have profound ramifications for the future of the country," said Crelinsten, "but that it has no negative ramifications for the Jewish community, as such."

"Without a doubt," said Crelinsten, "the constitutional relationship between Quebec and Canada will be changed -- and changed dramatically. But it was the feeling of many that, pass or fail, the Meech Lake accord would change this relationship considerably."

Voices of moderation were heard in the days after the accord failed. The leader of the opposition Parti Quebecois, Jacques Parizeau, an active campaigner for Quebec's separation from Canada, called for a calm approach to a new era in Quebec politics.

Steven Scheinberg, a professor of history at Concordia University here, was quick to point out that the methods of achieving political change in Quebec have changed over the years, resulting in more security for people who are not native French-speakers.

"Generally speaking, today's nationalism is of a moderate sort and not the violence we saw 20 years ago," he said, adding that "for the most part, it appears to be on a positive course."

In the early 1970s, the FLQ terrorist organization, advocates of independence for Quebec at all costs, kidnapped British High Commissioner James Cross and federal Minister Pierre Laporte.

Canadian Prime Minister Pierre Trudeau invoked the War Measures Act, and martial law reigned on the streets of Montreal, in what has become known as the October Crisis.

Calmer Atmosphere Today

Today the atmosphere is considerably calmer, Scheinberg pointed out.

Immediately after Meech Lake failed, Quebec celebrated St. Jean Baptiste Day, normally a spirited holiday honoring Quebec's patron saint. Hordes of separatists had been expected to flood the streets of Quebec's major cities and rub English noses in dust reeking of independence.

But events did not transpire as expected. There were celebrations, but they were polite, fun-filled affairs. All minorities were invited to join in the revelry as a new age dawned on Quebec. Panic was nowhere in evidence.

The Jewish community does not appear to be posed for an exodus like the one in 1976, when the Parti Quebecois came into power and made sweeping changes in the language laws.

While an unusual number of "For Sale" signs can be spotted on the streets of Montreal's heavily Jewish neighborhoods, most of Quebec's Jews are weighing their options, waiting to see what the new Canada will bring.

REMINDER: The JTA Daily News Bulletin will not be published on Thursday, July 5.

**MORE THAN SALARIES AT STAKE
IN STRIKE BY ISRAELI DOCTORS**
By Hugh Orgel

TEL AVIV, July 3 (JTA) -- Israel's Likud-led government, after little more than a month in office, squared off this week for its first major confrontation with the powerful Labor-dominated trade union movement.

The issue is the Finance Ministry's cancellation of overtime pay for doctors who work a second shift in operating rooms.

Some 12,000 physicians employed by Kupat Holim, Histadrut's health care agency, began an open-ended protest strike Sunday. They were joined in a one-day sympathy strike Tuesday by another 12,000 doctors who work for government hospitals or public health clinics.

The public service doctors announced later that they would continue their job action with "rolling sanctions." The tactic is to shut down public health services in different geographical regions of the country on different days.

A government spokesman accused Histadrut of "cynical use of salary demands for political purposes."

Finance Minister Yitzhak Moda'i said they were being used for "extraneous and non-economic purposes."

Histadrut countered that the government was using wage issues to break the backs of the unions.

Health Minister Ehud Olmert justified his cutback of overtime by contending the extra payments to physicians are illegal, because they violate national wage guidelines.

Olmert argued that the second shifts had already achieved their purpose, which was to reduce the severe backlog of patients who had to wait as long as a year for elective surgery.

The doctors retorted that the lines would now return.

Undermining Public Health?

The overtime pay accounts for about 30 percent of their wages. The Treasury opposed it as a drain on the public purse and a pretext for wage demands in other sectors of the economy.

The workers committees of Israel's 13 largest enterprises already have warned of strike action if the government continues its "assault" on the country's wage structure.

"If they use court orders to withdraw salary increases against doctors, they can use court orders against us," a spokesman for the workers coordinating committee said.

Salaried physicians also accused the Likud government of trying to undermine the entire concept of public health. They cited the recent offer to sell a government hospital without consulting its medical staff.

Another example was the recent granting of licenses to open private hospitals where the well-to-do can have elective surgery for a high price without waiting.

Histadrut charged that Likud has long sought to reduce membership in Kupat Holim, the country's largest health care agency, which provides free medical care to Histadrut members, who comprise some 80 percent of the work force.

But all physicians fear for their economic future if general health care salaries are reduced. In fact, Likud's own Leumi sick fund, along with the independent Maccabi and Meuhedet funds, joined the government hospital walk-out Tuesday.

GERMAN FIRM LINKED TO IRAQ SHIPMENTS
By David Kantor

BONN, July 3 (JTA) -- A West German prosecutor accused a company in the western city of Essen on Monday of illegally shipping giant gun barrels to Iraq.

A spokesperson for the prosecutor's office confirmed that an investigation has been opened to determine whether managers of the Ferrostaal Co. violated export laws. The firm has refused to comment.

The gun barrels allegedly supplied by Ferrostaal are said to be part of a huge cannon the Iraqis are assembling, capable of hurling missiles as far as Israel or Iran.

Large metal tubing, said to be part of a gun barrel manufactured in Britain, was being trucked to Iraq when it was confiscated recently at the Greek port of Patras.

SUSPECTED SICARII LEADER HOSPITALIZED
By Hugh Orgel

TEL AVIV, July 3 (JTA) -- The suspected leader of a Jewish underground group called Sicarii collapsed after questioning by police Sunday and was sent to a hospital for psychiatric evaluation.

Yoel Adler, 46, was arrested June 3 on suspicion of directing a wave of violence against Arabs and prominent left-wing Israelis.

He was formally charged on June 26 and released on \$25,000 bail. But the court ordered him held under house arrest, pending completion of the police investigation.

Adler, a Jerusalem contractor, was taken to Tel Aviv for questioning by police last Friday and again on Sunday, said his attorney, Yair Golan.

He collapsed upon returning home Sunday and was taken to Shaare Zedek Hospital in Jerusalem. He subsequently was transferred to the Talbivah mental hospital for tests.

HERZOG SENDS JULY 4 MESSAGE TO U.S.
By Cathrine Gerson

JERUSALEM, July 3 (JTA) -- Israeli President Chaim Herzog sent a telegram Monday to President Bush, on the occasion of U.S. Independence Day, expressing confidence that the peace process would move forward.

However slow the peace process may be now, "it will move forward inexorably because of our mutual national and moral values and commitment to peace," Herzog wrote.

He expressed "heartiest greetings and best wishes" to the American people on behalf of the people of Israel.

BEGIN HOSPITALIZED FOR BROKEN HIP
By Gil Sedan

JERUSALEM, July 3 (JTA) -- Former Prime Minister Menachem Begin broke his hip in a fall at his home Tuesday and underwent successful surgery at nearby Shaare Zedek Hospital.

Dr. Yonatan Halevy, the hospital's director, described the outcome of the two-hour surgery as "very good."

He said the type of fracture suffered by the 76-year-old Begin was common among patients of his age. Barring complications, such patients usually leave the hospital walking within 14 to 21 days, the doctor said.