

**TOUVIER TO BE TRIED FOR WAR CRIMES
IN FIRST SUCH TRIAL OF A FRENCHMAN**

By Michel Di Paz

PARIS, June 2 (JTA) -- Paul Touvier, a French Nazi collaborator who headed the wartime Vichy-regime militia in Lyon, will be tried for crimes against humanity, under a ruling this week by a French appeals court.

It will be the first time a French citizen has been tried here for crimes against humanity. Touvier's superior, Klaus Barbie, known as the "butcher of Lyon," was convicted of crimes against humanity in 1987, but he was German.

French Jewish groups lauded the decision by the Versailles Court of Appeals, which reversed a ruling in April 1992 by the Paris Court of Appeals that had drawn fire from French citizens and media throughout the country.

Jean Kahn, head of CRIF, the umbrella body representing French Jewry, hearing of the reversal, told the Jewish Telegraphic Agency: "It is a very good thing that French justice is, for the first time, about to try a Frenchman for crimes against humanity.

"It took a very long time to reach this point, and there is still much to do to expose the whole of Vichy's responsibility in the Final Solution."

The only charge retained against Touvier is the alleged execution of seven Jewish hostages in Rillieux-le-Pape, near Lyon, on June 29, 1944.

The executions were made in retaliation for the murder by Resistance fighters of the collaborationist Vichy regime's propaganda master, Philippe Henriot.

Touvier, 78, has acknowledged he picked the seven to be shot, but also claims he prevented the killing of many more hostages and partisans and was only following orders when he singled out Jews for the executions.

In April 1992, the Paris appeals court decided that Touvier could not be tried for crimes against humanity, because this would imply that the Vichy regime had an "ideologically hegemonic policy" of its own.

What the court actually intended to say was that France was occupied by Germany and that its administration was merely obeying orders.

Mitterrand Says He's 'Glad'

That ruling, now reversed, essentially sought to clear Touvier and the Vichy regime altogether of any guilt in crimes against humanity.

The 1992 decision outraged large sections of the public opinion. In a rather unusual move, the president of France's Supreme Court decided to appeal that ruling.

Historians have noted that the Vichy regime issued racial and anti-Semitic laws well before the Germans even asked the French to do so.

Large-circulation magazines have repeatedly published documents about the "dark years" between 1940 and 1944 that implicated the Vichy regime in carrying out Adolf Hitler's Final Solution.

This week's court ruling means that Touvier may be brought to trial next spring. The trial will probably be held in Versailles.

The court decision is the latest in a roller

coaster of events and legal decisions affecting Touvier.

Touvier was twice condemned to death in absentia for war crimes. He was then hidden and protected by members of the French Catholic clergy until the 1970s, when he obtained a secret dispensation from president Georges Pompidou restoring his personal property.

By then, a blanket pardon had been granted for war crimes, and Touvier and his family emerged from hiding. But Pompidou's action infuriated former Resistance fighters, and new complaints were brought against Touvier for crimes against humanity, a category not covered by the pardon.

Touvier went back into hiding until he was arrested at a convent in Nice in 1989.

On Wednesday, French President Francois Mitterrand, who had earlier been accused of trying to flinch from trials of alleged Vichy war criminals, said he was "glad that the courts could do their job."

It was soothing news for those who lived through this dark period, added the French president.

Two other Frenchmen are still liable to be tried for crimes against humanity.

René Bousquet and Maurice Papon, both over 80, were respectively head of the Vichy police and secretary-general of the Bordeaux district.

No final decision has been taken yet regarding their possible trials.

**GROUPS CONTEST CLAIM BY SYRIA
THAT JEWS DON'T WANT TO LEAVE
By Larry Yudelson**

NEW YORK, June 2 (JTA) -- Responding to American complaints that it is no longer permitting Syrian Jews to travel freely, Damascus has asserted that the 1,400 Jews remaining there no longer seek to leave the country.

The Syrian claim was quickly refuted by Jewish organizations here, who last month went public with their charges that Syria had reneged on its promise to allow Jews to travel freely.

That free travel policy, announced in the spring of 1992, reversed a decades-old policy in which the roughly 3,500 Jews of Syria were barred from leaving the country in family groups.

But between last October and January 1993, not a single Jew remaining in Syria was granted travel visas. And in recent months, only a handful of Jews have been given exit papers each week.

Last month, 73 U.S. senators signed a letter urging President Clinton to "press Syria to honor its commitment to allow Jews the right to travel freely."

It was in apparent response to this that the official Syrian newspaper Tishreen blamed the travel slowdown on the problems faced by Syrian Jews who have arrived in the United States, Canada and Venezuela.

The article in Tishreen, as translated and reported by the Reuter news agency, claimed that "there has been no alteration in travel procedures."

"The Jewish migrants were badly frustrated because they did not find work in the United States. Some who had practiced medicine in

Damascus for dozens of years found their credentials were not accepted and were not allowed to practice," the Tishreen article continued.

But Jewish groups say that the Syrians are raising a false issue in discussing the experiences of Jews who have left the country.

"It's a straw man," said Gilbert Kahn, executive director of the Council for the Rescue of Syrian Jews.

Attempt To 'Deceive The World'

Alice Sardell Harary, the president of that group, expressed confidence that "all the Jews in Syria would avail themselves of the opportunity to be reunited with their brothers and sisters in the United States," if Syria resumed issuing travel permits.

"The fact remains that Jews seeking to travel abroad are not permitted to do so as family groups, in violation of the pledge by President (Hafez) Assad to American administration. That is the only reason why Jews are not leaving," said Seymour Reich.

Reich heads the National Task Force on Syrian Jewry, which is convened by the Conference of Presidents of Major American Jewish Organizations with the National Jewish Community Relations Advisory Council.

"We call on Syria to lift the rule that bars family groups from leaving and thus end the separation of husbands and wives, parents and children, brothers and sisters, whom the government policy has cruelly kept apart," Reich said in a statement.

Rep. Charles Schumer (D-N.Y.), chairman of the Congressional Caucus for Syrian Jewry, said, "This blatant lie is just one more attempt by Assad to deceive the world into thinking that Syria has changed its ways."

Schumer, whose district includes the Brooklyn neighborhoods where many Syrian Jews have settled, said Assad's "cynical attempt to play a carrot and stick game with Jewish lives is not going to convince the U.S. of his good intentions."

ISRAEL REVEALS THAT ARMY MAJOR IS DOING JAIL TIME FOR ESPIONAGE By Hugh Orgel

TEL AVIV, June 2 (JTA) -- Israel has revealed for the first time that a former major in its army intelligence corps is serving a prison sentence for spying on behalf of an unnamed country.

There has been speculation that the unidentified country is the United States, but there has been no comment on that possibility from either Israeli or American officials.

The first details of an espionage case involving Maj. Yossi Amit were published Wednesday, after Israel's Supreme Court lifted a secrecy ban that had been in effect since Amit's arrest in 1986.

Amit, a former resident of Haifa, was apparently tried by the Haifa District Court in 1987 and sentenced to a 12-year prison term at a time when the maximum sentence for espionage was only 15 years. The maximum has since been extended to life.

Amit is said to be the most senior Israel Defense Force officer charged with espionage.

Some observers have speculated that Amit was the person written about in some American publications, including Penthouse magazine and

The New York Times, which reported on the trial of an IDF officer in 1987 accused of spying for the United States.

The man was reported to have received payment from the U.S. Embassy in Tel Aviv and was uncovered by the Israelis a short while later.

Offered In A Swap For Pollard?

Israel reportedly had offered to exchange this man for Jonathan Pollard, the former U.S. naval intelligence officer convicted and sentenced to life in prison for spying on behalf of Israel. But Washington reportedly rejected the deal.

In Washington, the State Department would not comment on the case Wednesday.

Amit's lawyer, Shmuel Tzang, denied other reports hinting that his client had been convicted of spying for Syria.

"Amit is an outstanding person and a good Zionist. He was not involved in spying for Syria, or for any Arab country or any enemy of Israel, and he never endangered Israel's interests," Tzang said.

Some have inferred from Tzang's remarks that Amit was spying for the United States, passing on information not directly concerning Israel itself -- just as Pollard claims he provided Israel with information gleaned by U.S. intelligence about Israel's enemies, and not about America itself.

Dedi Zucker, chairman of the Knesset Constitutional Committee, reportedly asked Prime Minister Yitzhak Rabin to respond to reports that an undefined number of Israelis are being held as spies in Israeli prisons, without any publication of their identities or the fact of their incarceration.

According to the account, Rabin disclosed that these reports were true.

"We aim to publish shortly some information about the fact of their trial and imprisonment," the prime minister was quoted as saying.

INVESTIGATORY PANEL CAN'T FIND CAUSE OF FRIENDLY FIRE KILLINGS By Hugh Orgel

TEL AVIV, June 2 (JTA) -- An Israeli army investigatory panel has failed to establish the cause of a "friendly fire" incident last month in southern Lebanon that left four soldiers dead and three injured.

The circumstances surrounding the tragic incident two weeks ago will probably never be known, according to a report published Wednesday by an Israel Defense Force commission of investigation appointed by the chief of staff.

The accident occurred when two separate groups of Israeli soldiers mistakenly attacked each other during a search and ambush operation for Hezbollah guerrillas.

The IDF probe, headed by Maj. Gen. Yoram Yair, said that despite the investigation and attempts to reconstruct the incident, it was not possible to establish what led to the shooting between the squads of a paratrooper unit that had split into two.

The report said the accident was probably due to a combination of several factors, and it was impossible to establish who was to blame and what exactly went wrong.

The commission presented its findings the day after State Comptroller Miriam Ben-Porat agreed to an appeal by the Knesset's State Control Committee that she examine IDF training exercises and operations.

**TWO JEWISH GROUPS URGE CLINTON
TO RECONSIDER NOMINEE AT JUSTICE****By Deborah Kalb**
States News Service

WASHINGTON, June 2 (JTA) -- While most Jewish groups have not taken a position on Lani Guinier, President Clinton's controversial nominee to head the Justice Department's Civil Rights Division, at least two Jewish organizations have declared their opposition to her nomination.

Both the National Jewish Coalition, a group supporting closer ties between the Jewish community and the Republican Party, and the Union of Orthodox Jewish Congregations of America have issued statements opposing Guinier, primarily because of her views on voting rights.

On Wednesday, the president appeared to be cautiously backing away from Guinier, telling reporters that he would have to discuss the troubled nomination with concerned senators.

"I have to talk to some of the senators about it because of some of the reservations that have been raised, both publicly and privately," Clinton said.

Influential senators from both parties have expressed concern about Guinier's views, which call, in some cases, for redressing wrongs done to minorities by offering them a form of veto power.

Last month, Jewish groups raised initial concerns about Guinier, a law professor at the University of Pennsylvania, fearing her academic writings on such issues as the Voting Rights Act, if implemented as administration policy, would have a negative impact on Jews and others.

But most Jewish groups, including the three major defense organizations, have refrained from publicly opposing the nominee, preferring instead to wait for a chance to meet with her and ascertain whether she expected to put the ideas from her academic writings into practice.

Other Groups Voiced Concern

Last week, however, the National Jewish Coalition came out in opposition to Guinier.

"Ms. Guinier's professional writings demonstrate an antipathy to the basic principles on which our society is based, including majority rule, one man-one vote, and equality of opportunity for every individual," NJC Chairman Cheryl Halpern said in a statement.

"Given her interpretation of the Voting Rights Act, she is an unacceptable candidate for this position," Halpern added.

And on Wednesday, the Orthodox Union issued a statement urging Guinier's withdrawal.

"The Orthodox Union has been a proud member for many years of a coalition of organizations championing civil rights," the group said.

"It is specifically due to our strong interest in the advancement of civil rights in America that we are constrained to call upon President Clinton to withdraw this nomination," it said.

The Anti-Defamation League and the American Jewish Congress released statements recently expressing concerns about Guinier's writings and asking for a meeting with her.

And the American Jewish Committee, while not issuing a statement, is also concerned and interested in meeting with the nominee, Washington representative Jason Isaacson said Wednesday.

The National Jewish Democratic Council, a group promoting grass-roots Democratic political activity, has reviewed her writings and is awaiting a meeting between Guinier and Jewish officials.

**CARTOON IN ITALIAN TAX GUIDE
SEEN BY SOME AS ANTI-SEMITIC**
By Ruth E. Gruber

ROME, June 2 (JTA) -- A caricature of a Jew that appears in an Italian government guidebook to filling out income tax forms has been criticized by the local media and Jewish community for being anti-Semitic.

The drawing is just one of many cartoons filling the book, including exaggerated pictures of taxpayers about to commit suicide, having payments squeezed out of them by a large press, and other drawings meant to be amusing.

The picture that has raised controversy appears in a section of the guide explaining how taxpayers should treat contributions to Jewish organizations.

It shows a Jew in a skullcap and beard, with glasses perched on his long nose, hunched over a table containing a stack of money, coins and a menorah. The Jew is drooling greedily as he licks his thumb to count another stack of money in his hand.

In the section on contributions to Christian churches, the book features an irreverent cartoon of four jolly monks in knee-length habits.

The cartoon illustrating "contributions to the Jewish community," however, "is a shocking image, even if the context is undoubtedly satirical," wrote the Turin daily *La Stampa*.

"Was it a gaffe? An innocuous oversight? Or the signal of an anti-Semitism that is both more dangerous and more unconsciously indebted to the most obsolete stereotypes embroidered around the figure of the Jew?" the paper queried.

Adriana Goldstaub of the Center for Contemporary Jewish Documentation in Milan said the only possible explanation for this caricature is that other cartoons in the book, including the irreverent drawing of the four monks, are very broadly satirical.

"Still, there is no doubt that the cartoon of the Jew drooling over money surpasses any acceptable limit," she told *La Stampa*.

ADMITTED SS GUARD LEAVES U.S.

WASHINGTON, June 2 (JTA) -- An Ohio man charged with war crimes while serving as an SS guard at the Auschwitz death camp has voluntarily left the United States, ending deportation proceedings the U.S. Justice Department initiated in 1991.

The department announced Wednesday that Johann Hahner, 72, a German citizen who lived in the Cleveland suburb of North Olmstead, went to Germany.

In an agreement he signed with the Justice Department, Hahner said he would not contest the government's charges that his "presence at Auschwitz" renders him "deportable" and agreed to leave this country permanently.

In an earlier sworn interview with the department's Office of Special Investigations, Hahner admitted he had served as an armed SS guard at Auschwitz in 1942.

The OSI filed court papers in August 1991 to deport him.

OSI Director Neal Sher said Hahner wilfully concealed his service as a concentration camp guard and his membership in the Nazi SS Death's Camp Battalion when he applied to immigrate to the United States in 1956 and again when he actually immigrated in 1958.

CONTROVERSIAL JESUS PLAY TO RESUME, WITH MODIFICATIONS BY JEWISH GROUPS
 By Debra Nussbaum Cohen

NEW YORK, June 2 (JTA) -- After negotiations involving producers, the American Jewish Committee and the Anti-Defamation League, a play about the life of Jesus will open in New York on June 5, after a temporary delay in its schedule.

The negotiations took place after Protestant and Jewish leaders protested the way the play portrayed Jews and Judaism, which prompted the producers to suspend its New York debut.

The New York performances were scheduled midway through the show's 32-city North American tour.

"Jesus Was His Name," a \$24 million spectacle, will change in several ways before another audience sees it, according to the ADL.

Critics said that the play's visual effects, rather than the script itself, contain grotesquely anti-Semitic images of Jews and Judaism.

As a result of negotiations, the characters representing the Jewish Sanhedrin will no longer wear black robes and death masks, the ADL said in a statement.

An announcement will also be made before each performance to "reinforce the ADL statement in the program which stressed that virtually all Christian denominations reject the accusation of deicide against the Jewish people," according to the ADL.

Rabbi A. James Rudin, national interreligious affairs director of the AJCommittee, saw the play with Catholic, Protestant and Jewish clergy when it was performed in Cincinnati.

He described it this way: "The most negative anti-Jewish elements of 'Jesus Was His Name' are visual, not verbal.

"The priests wear large ominous black turbans that are without historical basis. Giant grotesque death masks, accompanied by a frightening death rattle, are projected on the enormous screen, easily identifying the 'bad guys' of the play: the ghoulish and wicked Jewish priests," Rudin said in a statement.

Jews Are 'Menacingly Portrayed'

"The followers of Jesus wear viewer-friendly pastel 'humble tunics' while 'the powerful, insolent and violent' Jewish religious leaders are menacingly portrayed in colors of black and gold replete with velvet, satin and lush jewelry," he wrote in the statement.

"A false and dangerous dichotomy runs through the entire production: Jesus and his followers are good, true and rapturous while the Jewish religious and political leaders are villainous, cruel and corrupt," Rudin wrote.

In the play, Jews are isolated as the villains, say those who saw the play.

The Pharisees are portrayed as the enemies of Jesus and in negative medieval stereotypes.

A Jewish scribe is played by a dwarf and the Jewish leaders are dressed in black hoods with death heads that make snake-like hissing sounds, say those who have seen the production.

According to Eugene Fisher, director of Catholic-Jewish relations for the National Conference of Catholic Bishops, "It is hard to imagine a more negative portrayal of Jews and Judaism than equating the people and their faith with death itself."

Fisher saw the play in Baltimore on May 6th

in the company of five Jewish, Catholic and Protestant members of the clergy.

Cardinal John O'Connor, the prominent and influential Catholic leader of the New York archdiocese, read the script, though he did not see the production.

But on the basis of the script, he put out a statement in which he said that it does not "lend itself to the charge (of blaming the Jews for Jesus' death) or encourage hostility against the Jewish people."

In response to requests for comment before postponing the New York run, the producers of the tour, Radio City Music Hall Productions, released a statement saying the organization had "a dialogue with a wide range of responsible religious organizations in order to hear their views about the performance of 'Jesus Was His Name.'"

"Religious organizations of many faiths, Christian and Jewish alike -- along with the show's director, Robert Hossein, and Radio City Music Hall Productions -- have said that nothing in this show should be interpreted in any way that is anti-Jewish," the statement said.

The statement also referred to the program notes that are given to every member of the audience.

Program Notes Include ADL Statement

The notes include a statement by the ADL, which says that the producers were "sensitive" to issues involving the portrayal of Jews and "actively initiated meetings to seek the advice and judgment of responsible agencies within the Jewish community."

But Rabbi Leon Klenicki, director of ADL's interfaith affairs department, who was involved in writing the statement, said in an interview before the latest round of negotiations that it was "not our intention to endorse" the play.

"I am not happy with the production. Such a presentation does not contribute to peace," he said.

The new modifications of the play include an oral announcement before each performance to reinforce the ADL program note, which stresses that virtually all Christian denominations reject the accusation of deicide against the Jewish people, the ADL said in a statement Wednesday.

The show is now in the middle of its tour across North America. It has already been seen in Worcester, Mass.; Cincinnati; Milwaukee; and Minneapolis.

After a two-week New York run, the show will continue to wend its way across the continent, playing in El Paso, Texas; Indianapolis; Mexico City; Philadelphia; Albany, N.Y.; and Cleveland. It winds up in Montreal and Quebec.

It is a multimedia presentation, which combines film projected on an 80-ft.-wide screen, combined with powerful sound effects and a live cast of 58.

Jewish and Christian critics alike noted that as a commercial production, the show is not linked to any church group.

And the nearly unanimous reaction against the anti-Jewish images, according to Rudin, is the result of two decades' worth of work between Christians and Jews.

"Jews and Christians are aware that this isn't just a Sunday school production, but that the potency of these images can be damaging," he said. "This is a tribute to interreligious efforts. This shows that the relationship works."