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**An ADL Background Report**

**Abu Nidal  
And His  
Palestinian Terrorists**



**Anti-Defamation League of B'nai B'rith  
New York, N.Y.**

**February, 1986**

# ADL BACKGROUND REPORT

a report of the Civil Rights Division of the Anti-Defamation League of B'nai B'rith, 823 United Nations Plaza, New York, N.Y. 10017

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February, 1986

## ABU NIDAL AND HIS PALESTINIAN TERRORISTS

### Introduction

The recent terrorist attacks in Rome and Vienna have placed one man -- Abu Nidal -- and his terrorist organization in the international media spotlight.

In reality, Abu Nidal has been active since 1974 as the leader of his own organization and prior to that as a representative of Yasir Arafat's PLO. His name has been linked with the 1982 assassination attempt on Israel's Ambassador to London, Shlomo Argov, as well as numerous other terrorist incidents against Israelis, Zionists and Jews, as well as Arabs whom he classifies as capitulationists, including PLO representatives.

In light of the recent media attention that has been given to Abu Nidal and his terrorist operations, an historical and political profile follows of the man, his methods, ideology and organization.

### 'Father of Struggle'

Sabri Khalil al-Banna (alias Abu Nidal) was born into a wealthy merchant family in Jaffa under British mandated Palestine. Varying dates of his birth are given as 1935 or 1936 or possibly 1943. In 1948, the Banna family fled Jaffa and lived for varying lengths of time in Ashkelon, Gaza, and Nablus. While living in Nablus, Abu Nidal attended a private school in Jerusalem where he learned both English and French. Shortly after his graduation from high school, Abu Nidal made his way to Cairo, where he acquired a degree in engineering. Afterwards he joined one of his brothers who was employed in construction in Saudi Arabia.

In 1958, Abu Nidal joined an underground cell of the Arab Ba'ath Socialist Party in Saudi Arabia and initiated his Palestinian nationalist activities. Shortly thereafter, he joined Yasir Arafat's Fatah organization, which was founded in 1959. Having been expelled from Saudi Arabia, Banna was sent by Arafat to continue his activities in Khartoum, the Sudan, where he opened a branch office of the Palestine Liberation Organization. About a year later, the Sudanese asked Arafat to remove Abu Nidal from Khartoum because of his efforts to recruit Palestinian students to the Fatah cause.

In 1962, Abu Nidal married a woman from Jaffa, and, in the spirit of Palestinian terrorist ideology, he named his son "Nidal," meaning "struggle," thus the nom de guerre Abu Nidal -- "father of struggle." From 1970 until the present, Abu Nidal made efforts to become the father of his own Palestinian nationalist struggle. His disenchantment and eventual break with the leadership of PLO chairman Yasir Arafat took place between 1970 and 1974. The incident which caused the final break in relations occurred when Banna and four other terrorists revolted against Arafat's leadership of the PLO. Banna was sentenced to death in absentia by a Fatah revolutionary court.

Banna's break came when Arafat and the leadership of the PLO adopted -- in 1974 -- what came to be known as the Transitional Program in which the PLO adopted a resolution that implied the acceptance of Israel in return for a Palestinian state on the "West Bank" (Judea and Samaria).

The true intentions of the PLO in adopting the 1974 Transitional Program were stated in 1977 by Farouk Kaddoumi, the head of the PLO Political Department:

"By moderation we mean we are ready for peace and working toward that end. We are demonstrating this by saying that we are ready to establish a state on a part of our territory. In the past we said no: on all of it, immediately, a democratic state of Palestine. Now we say no, this can be implemented in stages. That's moderation.... There are two initial phases to our return; the first phase is to the 1967 lines, and the second is to the 1948 lines.... The third state is the democratic State of Palestine. So we are fighting for these three stages."

In the final analysis, therefore, the strategic goal of the PLO terrorists -- the destruction of Israel -- remained the same. Their tactics, however, changed in the direction of step-by-step "gradualism."

After the dissolution of his ties with Yasir Arafat, Abu Nidal concentrated his efforts on setting up his renegade Fatah Revolutionary Council in Iraq, where he had become PLO representative after his expulsion from the Sudan. With the help of the Iraqi government, Abu Nidal established the Fatah Revolutionary Council as the "true" activist Palestinian nationalist movement.

Until 1980, Abu Nidal and his terrorists enjoyed the protection and assistance of the Iraqi government. At that point, the organization also established a base of operations in Damascus. Later, the Fatah Revolutionary Council set up a base of operations in Libya, and it is believed that many of the organization's operations have originated from there in the last twelve months.

In November 1984, a false report circulated that Abu Nidal had died. It was subsequently disclosed that he had suffered a heart attack and had undergone several operations.

At present, Abu Nidal is reported to be suffering from "some unspecified but serious illness." As the leader of the Fatah Revolutionary Council, however, he successfully trained young proteges who operate through underground cells, and his organization will most probably continue, with or without him.

### Ideology

Abu Nidal and his organization are part of the "Rejectionist Front" -- the Palestinian terrorist factions which reject any compromise by Yasir Arafat with Israel, the "Zionist entity" to Nidal and like-minded Arabs and Palestinians. There is, however, more to Abu Nidal's ideology than is expressed by his association with the "Rejectionist Front."

According to Ehud Ya'ari, the Arab affairs correspondent for Israeli television, "Sabri al-Banna is the self-styled reviver of the Qarmatean movement, a marginal and fleeting episode in Muslim history that dates back a millenium. Qarmateans took their name from an Aramean word meaning "teaching the secret and occult doctrine." For a few decades the group maintained an independent emirate along the Persian Gulf and preached, in the words of one scholar, "communism to the masses and a mystical agnosticism to a select elite," along with "hostile contempt for orthodox ethics to all." The Qarmateans regarded indiscriminate terror "as the means to achieve ultimate happiness."

Ya'ari continued:

"Abu Nidal is convinced that the Qarmatean creed is the only way to effect a true revolution in the Arab world. He regards terror -- or 'armed propaganda,' in his phrase -- as the most effective way to convey the message that 'World War III has already begun.' And because terror alone succeeds at that task, he has no use for a framework like Mr. Arafat's PLO; all he needs are squads of crack assassins."

Thus, although Abu Nidal appears to make common political cause with Marxists, his organization embraces certain elements that are also similar to Islamic fundamentalism. The Qarmatean movement uses terrorism as a quasi-religious mode of expression, similar to the tactics employed by other Islamic religious sects in the Middle East during the past few years. The difference between them, however, is that the Qarmateans may receive aid and encouragement in their military actions against Israeli targets from both Marxist terrorist groups and Islamic fundamentalist groups. Both Abu Nidal and the Islamic fundamentalists strive for the same goal: the unity of the Arab world through revolution. The means toward that revolution is terrorism directed at Western forces -- the United States and Israel in particular, with the regimes of "moderate" Arab states and sheikdoms following close behind.

Their final goals, however, are completely different. Islamic fundamentalists want an Islamic theocratic regime run according to shariya (Muslim law), while Abu Nidal wants to create Arab radical revolutionary regimes such as those which have been his sponsors for the past twelve years in Iraq, Syria and Libya. His ultimate goal is to unite the "clandestine movements throughout the world into a single, albeit subtle, framework," a concept that is close to Marxism. Thus, Abu Nidal wields a double-edged sword of political ideology and Muslim fundamentalism that dovetails with the two categories of radicalism in the Arab world today.

#### Methods

The closed structure of Abu Nidal's organization makes the identification and apprehension of his terrorist agents difficult. As noted, Abu Nidal concentrates his efforts on recruiting young Palestinian students to carry out his operations. Once recruited, they are organized into isolated cells and have no contact with other members of the organization except their trainers. Thus, even if one cell is destroyed, other cells and the "body" of upper-echelon agents and trainers remain.

The distinguishing characteristics of Abu Nidal tactics include the staging of coordinated attacks and the use of weapons manufactured by Soviet bloc countries that are supplied by Arab states hosting Abu Nidal's group. While Iraq hosted Abu Nidal's organization, the standard weapon employed was the WZ-63 machine pistol, which was used in the attempted assassination of Israel's ambassador to London, Shlomo Argov. Similarly, the weapons used in the December 27, 1985 attacks at the Vienna and Rome airports were Soviet manufactured hand grenades and AK-47 rifles.

According to Ehud Barak, a former Chief of Israeli military intelligence and current Chief of the Central Command, Abu Nidal has had backing and encouragement from West European underground organizations which receive training and materiel from Eastern bloc countries.

By Any Other Name

When Abu Nidal established the Fatah Revolutionary Council in Iraq in 1974 as a dissident Palestinian terrorist organization, the Iraqi regime subsidized his activities and contributed materials and logistics for his terrorist actions in Europe and the Middle East.

Major General Yehoshua Saguy, head of Israeli military intelligence from 1979 to 1983, said two years ago: "During my time, [Iraq] was giving from \$20 million to \$50 million a year to him, usually in cash. I am 100 percent certain that Abu Nidal agents used the Iraqi diplomatic pouch to transfer terrorist material. It happened time and time again. They shipped pistols, explosives, hand grenades; whatever was needed for the mission."

In addition to their shared political ideology, Abu Nidal and the Iraqis had a common enemy in Syria. Iraq's opposition to Syrian involvement in Lebanon and its dispute with Syria over the waters of the Euphrates River made the sponsorship of Abu Nidal a plus in Iraqi actions against Syria.

Similarly, Abu Nidal was content to carry out actions against the Syrians because in June 1976, the Syrian army invaded Lebanon and expelled all the radical Palestinian elements entrenched there. These radical elements escaped to Cyprus, from where they eventually made their way to Iraq. There they established the "Black June" group under Abu Nidal's leadership.

The structure and function of "Black June" was similar to that of the "Black September" group, which was formed in September 1970, when King Hussein expelled the PLO from Jordan and the "Black September" group vowed revenge. In the same vein, "Black June" was created in order to wreak vengeance on the Syrians.

Another pseudonym for the Fatah Revolutionary Council is Al-Asifa, meaning "the hurricane." The name Al-Asifa was originally associated with Yasir Arafat's Al-Fatah organization and the PLO, and was considered to be the "military arm" of Al-Fatah. At one point, there were regular radio broadcasts by "The Voice of Asifa," which originated in Beirut. The declared aim of Al-Asifa was to "operate deep inside the enemy's territory, and far away from the bordering Arab countries, so that Israel will have no pretext to retaliate against those countries in revenge following fedayeen operations."

In practice, this goal was not achieved. Abu Nidal often used his resources to assassinate other Palestinian leaders, perceived as too "moderate." The fear that was supposed to have been released by the mention of the name Al-Asifa among Israelis was being used instead by Abu Nidal for the same purpose among Palestinian terrorists. In one sense, Abu Nidal and his operatives became "the enemy within" to other Palestinians.

In the past few years, Abu Nidal's operatives have employed various organizational names to conceal the origin and the identity of their terrorist operations. This tactic has also been used by mainstream PLO groups, the most notable being that of "Black September," which was linked to Yasir Arafat's Al-Fatah organization and the Popular Front for the Liberation of Palestine. Abu Nidal's group has also used the name of "Black September," even though that group supposedly became defunct in 1975. They have also used the following names: the Arab Revolutionary Brigades, the Revolutionary Organization of Socialist Muslims, and the Palestine Liberation Movement.

Although Abu Nidal's most recent targets have been Jewish or Israeli, his operations are also focused on Western targets and those whom he has branded as "capitulationists." The current wave of terrorism comes on the heels of publicized efforts by King Hussein of Jordan for peace negotiations with Israel; Abu Nidal's next move may be to create further instability in moderate regimes -- such as Egypt -- and ultimately, in Jordan, which Abu Nidal and other rejectionists perceive as a key actor in moves to capitulate to Israel.

Similarly, if the PLO were to make some movement toward negotiations with Israel, Arafat and his closest comrades would become prime targets.

The escalating level of violent activity by Abu Nidal's Palestinian Liberation Movement signifies a new and more dangerous brand of terrorism. It is terrorism not for political goals but as an end in itself -- "as the means to achieve ultimate happiness," in the Qarmatean doctrine.

#### Terrorist Attacks Attributed to Abu Nidal

##### 1976:

27 September -- Four killed and 34 wounded in an attack on the Semiramis Hotel in Damascus.

17 November -- Jordan: Nine killed in an attack on the Amman Intercontinental Hotel.

##### 1978:

4 January -- England: PLO representative to London, Said Hammami, is assassinated.

18 February -- Cyprus: Egyptian newspaper editor, Yussef Sabai, is assassinated.

15 June -- Kuwait: The PLO newspaper representative to Kuwait, Ali Nasser Yassin, is killed in his home.

3 August -- France: Two representatives of the PLO, Izzidin Qalaq and Hadad Adnon, are assassinated in an attack on the PLO office in Paris.

5 August -- Pakistan: Four killed in machine-gun and grenade attack on the PLO office in Islamabad.

##### 1981:

1 May -- Vienna: Heinz Nittel, head of the Austria-Israel Society, is assassinated.

1 June -- PLO representative Naim Khader is assassinated.

30 August -- Austria: Two killed and 20 wounded in a machine-gun and grenade attack on a Vienna synagogue.

##### 1982:

3 June -- Shlomo Argov, Israeli ambassador to London, is seriously wounded.



17 September -- Spain: Najeed Sayed Hashem al-Rifai, First Secretary of the Kuwaiti embassy, is assassinated in Madrid.

18 September -- Austria: Four wounded in a machine-gun attack on a Vienna synagogue.

1983:

10 April -- Portugal: Issam Sartawi, PLO representative to Western Europe, is assassinated in the lobby of his hotel.

25 October -- India: Muhammad Ali Khurme, Jordanian Ambassador in New Delhi, is assassinated.

26 October -- Rome: Tayseer Alaeddin Taqan, Jordanian Ambassador to Italy, is assassinated.

2 November -- Athens: A Jordanian Embassy security agent is killed.

29 December -- Spain: An aide in the Jordanian Embassy in Madrid, Walid Kamal Balkiz, is killed and another aide injured in an attack on their car.

1984:

December -- Former West Bank Mayor Fahd Kawasmeh is assassinated shortly after his election to the PLO Executive Council.

1985:

April -- Greece: A rocket fired at a Jordanian airliner taking off from Athens Airport hit the plane but did not explode. Hundreds would have died had the attack been successful.

July -- Spain: Offices of Alia, the Jordanian airline, are attacked in Madrid. Turkey: A Jordanian diplomat is assassinated in Ankara. Kuwait: Two restaurants are bombed, leaving eight dead and nine wounded.

September -- Greece: A Jordanian publisher is murdered in Athens. Greece: A bomb set off in an Athens hotel kills 19, mostly British tourists. Italy: The British Air Office in Rome is bombed, injuring 15 people. Italy: Grenades are thrown at a Rome cafe, injuring 38 tourists.

November -- An Egypt Air plane is hijacked to Malta is stormed by Egyptian troops. The final toll: 59 dead.

3 December -- Israel: Aziz Shehadeh, a celebrated Palestinian lawyer, was found stabbed to death near his home in Ramallah. A press statement released in Damascus said that the killing was "an execution of the people's fair sentence against the traitor for all his crimes" because Shehadeh had advocated "capitulation, humiliating co-existence and the liquidation of the Palestinian cause."

28 December -- Rome and Vienna: Simultaneous attacks are carried out at El Al check-in counters leaving 14 dead, including five Americans, and 120 wounded.

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file

February 14, 1986

Mr. Max Green  
Special Assistant to the President  
for Public Liaison  
The White House  
Washington, D.C. 20500

Dear Mr. Green:

First, let me extend my appreciation to you for speaking about Jewish concerns at our Regional Board Meeting on February 12th. Despite the obvious differences in our philosophies, I feel that equally obvious benefits were gained through the discourse and dialogue that followed your talk. I would also like to apologize for the manner in which a few of the members comported themselves. Aside from the merits of the questions posed, of which I believe all warranted replies, the manner in which some were conveyed was unacceptable. It is a shame that those present on February 12 were not in attendance at your discussion on Affirmative Action the following day. I don't have to tell you that the audience would have been much more receptive.

I would like to now request your assistance on an issue in which I hope we share a common concern. An area resident and employee of the Department of Health and Human Services, Mr. Allan Warshaw, contacted our offices some time ago with the hope that the ADL could assist him in remedying a problem he was encountering at work. Since commencing his employment, Mr. Warshaw had been subjected to anti-Semitic harassment from his co-workers and supervisors.

In an effort to escape from the harassment, Mr. Warshaw contacted Mr. Tom McFee, Assistant Secretary for Personnel, who was able to temporarily detail him to two Presidential programs. At this point the temporary programs are coming to a close and Mr. Warshaw is extremely concerned that he will be placed back at H.H.S.

Page Two

After speaking with Mr. McFee's office I was assured that efforts were being made to find permanent employment for Mr. Warshaw outside H.H.S. but that, at present, nothing definite could be done.

Any assistance that you could provide to help ensure that Mr. Warshaw finds employment outside H.H.S. would be greatly appreciated. I have taken the liberty of enclosing a brief synopsis of Mr. Warshaw's complaint; a copy of an EEO final decision against HHS pertaining to one of Mr. Warshaw's complaints; and a copy of Mr. Warshaw's work performance from his temporary details. I trust that you'll find them of assistance.

Should you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steven Glass".

Steven Glass  
Assistant Regional Director

SG:sc

Enclosures

## Allan Warshaw

Mr. Warshaw contacted the ADL in April of 1985 and again throughout the fall and winter of 1985, regarding what he perceived as anti-Semitic harassment directed towards him by co-workers and supervisors at the Department of Health and Human Services. As the following paragraphs indicate, Mr. Warshaw's relationship with his co-workers and supervisors at HHS is not good. He is presently assigned to the OMB and wants the ADL to help insure that he won't have to return to HHS.

In August 1980 he began working for the Office of Finance, Regional Accounting System as a G.S. 13, Senior Systems Accountant. Mr. Warshaw found the environment oppressive because his co-workers used religious and racial slurs (i.e.: He was referred to as a "Rich Jew" and "Menachem") and subsequently requested a transfer in January 1981. The request was not granted and Mr. Warshaw remained.

In December 1981 Mr. Warshaw applied for a vacant GM-14 accountant position. On the certificate listing applicants, Mr. Warshaw was rated the number one applicant in terms of qualifications, but was not granted an interview (despite the fact that seven other applicants were) and was not chosen to fill the vacancy.

Mr. Warshaw complained to his second line supervisor (he had previously contacted his first line supervisor to no avail), Mr. Richard Carlson, and it later came to light that Mr. Carlson commenced keeping tabs on Mr. Warshaw's activities.

In February, 1982 Mr. Warshaw again spoke to Mr. Carlson who asked Mr. Warshaw, "Did Mr. Warshaw believe that Jews were killed in WWII? If it did happen, it was too damn bad that Mr. Warshaw wasn't put in the ovens."

Mr. Warshaw immediately initiated EEO procedures beginning with counselling and in August 1982 formally filed the EEO complaint, alleging reprisals by his supervisors for his complaining.

In June, 1983 the Department found against Mr. Warshaw, stating the the issues were not ripe because he wasn't counseled first. Mr. Warshaw appealed.

In November 1984 the EEOC agreed with Mr. Warshaw and noted that the Department had provided him with ineffective counseling.

In August 1985 Department investigators came and took Mr. Warshaw's affidavits and his is presently waiting for a hearing.

Concurrent with the above issue was another EEO complaint which Mr. Warshaw filed against Mr. Carlson for (1) improper use of the log he maintained on Mr. Warshaw, as well as (2) a request by Mr. Warshaw to be reimbursed for 10 hours of time that he was falsely judged to be AWOL. Mr. Warshaw was unsatisfied with the EEO's decision and appealed in April 1983. This complaint is still pending.

In April 1983 Ms. Warshaw was transferred to the Division of Accounting Operations within HHS. His new supervisor was a Mr. Penelope Strong who had previously made it known that she had no work for him. Mr. Warshaw was given very little work while under Ms. Strong.

In November 1983 Tom McFee, Assistant Secretary for Personnel, detailed Mr. Warshaw to the Office of Management and Budget under a Mr. John Donahue.

However, Ms. Strong was still his official supervisor and when Mr. Warshaw took off for Rosh Hashanah, Ms. Strong docked him annual leave despite Mr. Donahue's protestations that it was his policy to allow such holidays. Mr. Warshaw therefore filed another EEO complaint in March 1985 alleging that Ms. Strong's actions were simply reprisals. The EEO complaint is still pending.

In November 1984, Mr. Warshaw was sent back to HHS but after two weeks felt compelled to contact Mr. Tom McFee in an effort to escape the harassment.

In December 1984 Mr. McFee placed Mr. Warshaw on the President's Council for Management improvement under a Mr.

William Hedling. Mr. Warshaw had no problems in this job and received excellent job evaluations. (A copy of which is enclosed.)

The job lasted until May 1985 and Mr. Warshaw took a vacation in an effort to forestall his return to HHS. In December 1985 he received another DCMI from Mr. McFee at GSA but it is scheduled to end in two weeks.

Mr. Warshaw is desperate that something be done to ensure that he doesn't have to return to HHS.

Allen Warshaw,  
Appellant,  
  
v.

Department of Health and  
Human Services,  
Agency.

Appeal No. 01832481  
Agency No. OSH-47-83  
OSH-230-83

## DECISION

### INTRODUCTION

On August 8, 1983, Allen Warshaw (hereinafter referred to as appellant) timely filed an appeal to the Equal Employment Opportunity Commission from the final decision of the Department of Health and Human Services (hereinafter referred to as agency), concerning his allegations of discrimination based upon religion (Jewish) and reprisal in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e et seq. This appeal is accepted in accordance with EEOC Order No. 960, as amended.

### BACKGROUND

In August and October, 1982, appellant sought EEO counseling, alleging that due to his religion and prior EEO complaint, he was being treated disparately in numerous ways. The counselor was unable to resolve either complaint and on August 30, 1982, and November 12, 1982, respectively, appellant filed formal complaints.

For the purposes of determining acceptability and in light of the fact that the second complaint reiterated all the allegations in the August complaint, the agency consolidated the complaints. On June 30, 1982, the agency accepted seven (7) allegations for processing and investigation. After making further inquiry about the remaining allegations from the EEO counselor and appellant, the agency on July 12th rejected the other allegations.

A summary of each rejected allegation and the reason(s) the agency rejected same are as follows:



1. Allegation No. 1 (Complainant's Nos. 1 and 2<sup>1</sup>).

On August 27, 1982, his supervisor searched for appellant and noted the time. Appellant alleges this act was in reprisal. The agency rejected same on the ground that since the formal complaint was not filed until August 30th, this could not constitute reprisal and, therefore, was non-purview.

2. Allegation No. 2 (Complainant's Nos. 3,4,5 and 6).

In reprisal, appellant alleges that his supervisor left documents concerning appellant publicly exposed on his desk. The agency found that this alleged violation of the Privacy Act was non-purview.

3. Allegation No. 3 (Complainant's No. 7).

In reprisal, appellant's supervisor placed certain news articles on appellant's desk. Because appellant did not allege a denial of a right or benefit in employment, the agency reasoned that he had not presented a "prima facie" allegation within the purview.

4. Allegation No. 4 (Complainant's Nos. 8 and 9).

In reprisal, appellant alleges his supervisor insulted him in public.

5. Allegation No. 5 (Complainant's No. 10).

Appellant's supervisor filed a grievance against him, allegedly in reprisal.

6. Allegation No.6 (Complainant's No. 13).

Appellant was required to file a request for religious compensatory time.

7. Allegation No. 7 (Complainant's Nos. 14, 15, 39 and 40).

Appellant's supervisor tried to isolate him from his co-workers.

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<sup>1</sup>The designations in parentheses indicate the allegations as enumerated in appellant's complaints.

8. Allegation No. 8 (Complainant's Nos. 16, 17 and 18).

Appellant's supervisor charged him with absence without leave (AWOL) on October 1, 1982.

9. Allegation No. 9 (Complainant's No. 19).

In reprisal, appellant received a memorandum concerning unsatisfactory performance on October 5, 1982.

For Allegations Nos. 4 through 9 inclusively, the agency found that appellant did not raise these issues with the EEO counselor but instead added them to his formal complaint. Counseling was then provided on November 19, 1982. Appellant's representative was contacted in March 1983 about the timeliness of these allegations. Appellant's attorney suggested one general allegation, covering from August 27, 1982 to March 31, 1983, concerning his working conditions. The agency rejected all of these allegations as untimely.

10. Allegation No. 10 (Complainant's Nos. 11 and 12)

Appellant's second and third line supervisors refused to resolve the differences between appellant and them.

11. Allegation No. 11 (Complainant's No. 24)

Appellant was verbally abused by his supervisors.

12. Allegation No. 12 (Complainant's No. 37).

Three management officials violated the agency's standards of conduct.

The agency provided appellant and his representative an opportunity to clarify these issues but they did not respond to the request. The agency then rejected these on the grounds of appellant's failure to prosecute.

13. Allegation No. 13 (Complainant's No. 21).

In reprisal, appellant was not given official time to work on his grievance. The agency rejected this as not within its purview.

14. Allegation No. 14 (Complainant's Nos. 26,27,28, 29,30,31,33,34,35,36,41 and 42).

In reprisal, a decision on his grievance was not implemented. The agency rejected this as non-purview.

15. Allegation No. 15 (Complainant's Nos. 32 and 38).

In reprisal, appellant's supervisor mentioned on October 25, 1982, that he was contemplating a fitness for duty examination for appellant. The agency rejected this allegation stating that mere contemplation of an act is not a denial of an employment benefit and, thus, appellant had not presented a prima facie allegation of discrimination.

16. Allegation Nos. 16 and 17 (Complainant's Nos. 40, 43 and 44).

Due to his religion and in reprisal, appellant was denied rotational job assignments and training and was, therefore, unable to compete for a particular job. Appellant alleges that on October 5, 1982, he learned the job had been filled non-competitively.

The agency rejected as untimely both of these allegations inasmuch as appellant had failed to timely present same to an EEO counselor.

Appellant initiated the instant appeal from this final agency decision.

#### ANALYSIS AND FINDINGS

The issue in this case is whether the agency erred in rejecting, in whole or in part, appellant's complaint.

An agency may reject and/or cancel a complaint when it is not filed timely, when it contains allegations not within the purview of the agency's EEO jurisdiction, when it contains allegations setting forth identical matters previously presented in another complaint, or when the complainant fails to prosecute his complaint. 29 C.F.R. §1613.215.

A review of the agency's conclusions about each rejected allegation shows that the final decision used five (5) separate grounds as a basis for its action. Each will be discussed separately.

The agency held that Allegations Nos. 16 and 17 concerning appellant's non-selection were untimely brought to the attention of the EEO counselor. 29 C.F.R. §1613.214(a)(1)(i). The agency's decision here, however, is erroneous in that the record shows appellant sought EEO counseling on October 28, 1982, well within thirty (30) days from the date appellant learned of the promotion. On related grounds, the agency rejected Allegations No. 4 through 9 because it concluded that appellant failed to raise these issues with the counselor. The EEO counselor was asked to clarify those issues about which she had counseled appellant. According to the counselor's response, all of appellant's allegations had been discussed in a "general discussion" with her and as "background information" for his complaint. The Regulation with regard to timeliness requires only that the matter be timely brought to the attention of

an EEO counselor. The fact that the counselor considered some of appellant's allegations as background information does not negate that appellant timely presented the matters to her. The agency erred in rejecting these allegations on this ground.

With regard to Allegations Nos. 3 and 15, the agency found that the substance of these statements had not presented a "prima facie" allegation. Nothing in the regulations permits an agency to reject allegations for this reason and the agency here erred in its decision. Four other allegations were rejected as beyond the agency's purview. Allegations Nos. 1 and 2 were considered by the agency to be either lacking merit or properly brought under another statute. Since in both situations appellant asserted that because of reprisal discrimination, he was treated in a different and harsh manner, his allegations are cognizable under 29 C.F.R. §1613,212 and the agency erred in rejecting same.

Allegations Nos. 13 and 14 present a different type of purview question. Here appellant asserts that he was treated differently vis a vis the grievance process. As these issues were rewritten by the agency, it found that because these allegations dealt with appellant's grievance(s), they could not fall within its EEO jurisdiction. Appellant on appeal alleges that the agency mischaracterized these issues and, in fact, he was complaining about the EEO process and not the grievance process. The Commission finds that this record does not support either the agency's or appellant's position on these allegations and this section should be remanded for further EEO counseling. The counselor should clarify the issue involved as well as the timeliness of said events. This remand is, however, subject to the discussion below about the proper definition of the complaint.

→ Finally, the agency rejected Allegations No. 10 through 12 due to appellant's alleged failure to clarify these issues. With the exception of Allegation No. 12, the Commission finds that Allegations Nos. 10 and 11 were clear and specific enough to inform an investigator as to the issues which needed to be explored. The record does show that in response to the agency's request for clarification, appellant's attorney suggested one general allegation which would have covered many of the incidents raised and treated as separate issues. There is no evidence that the agency considered this allegation. It should be pointed out that many of the allegations contained in this complaint were background information and could have been considered in the investigation. Effective EEO counseling could have assisted appellant in framing the issues and would have avoided the fragmentation of allegations. Appellant's attorney offered a reasonable alternative in the form of one allegation as to the complex dissection of appellant's complaint. The Commission finds that the agency should have considered the attorney's suggestion. Inasmuch as the Commission has found that the agency erred in rejecting all appellant's allegations except No.12, the agency may consider on remand working with appellant in reaching one general allegation to satisfy this decision.

### CONCLUSION

Based upon a review of the record, it is the decision of the Equal Employment Opportunity Commission to affirm the agency's findings as to Allegation No. 12 and to vacate and remand the remainder of appellant's complaint for further processing as discussed herein.

### IMPLEMENTATION OF THE COMMISSION DECISION

Under EEOC Regulations, compliance with the Commission's corrective action is mandatory. The agency must report to the Commission, within thirty (30) calendar days of receipt of the decision, that corrective action has been taken. The agency's report should be forwarded to the Director of Compliance, Office of Review and Appeals, Equal Employment Opportunity Commission, 2401 E St., N.W., Washington, D. C. 20507. A copy of the report should be sent to the appellant.

### NOTICE OF RIGHT TO FILE A CIVIL ACTION

Pursuant to 29 C.F.R. §1613.282, the appellant is hereby notified that this decision is final and that he or she has the right to file a civil action on the Title VII claim in the appropriate U. S. District Court within thirty (30) days of the date of receipt of this decision.

### APPOINTMENT OF COUNSEL

If appellant elects to file a civil action and does not have or is unable to obtain the services of an attorney to act as his or her counsel, appellant may request that the Court appoint an attorney for purposes of the civil action. The Court in its discretion may appoint an attorney to represent appellant and authorize commencement of the action without the payment of fees, costs, or security. A request for the appointment of counsel must be filed with the Court within the time limit for filing a civil action.

### NOTICE OF RIGHT TO REQUEST REOPENING

The appellant and the agency are hereby notified that the Commissioners may, in their discretion, reopen and reconsider any previous decision when the party requesting reopening submits written argument or evidence which tends to establish that:

1. New and material evidence is available that was not readily available when the previous decision was issued;
2. The previous decision involves an erroneous interpretation of law or regulations or misapplication of established policy; or
3. The previous decision is of precedential nature involving a new or unreviewed policy consideration that may have effects beyond the actual case at hand or is otherwise of such an exceptional nature as to merit the personal attention of the Commissioners.

This notice is in accord with 29 C.F.R. §1613.235. As provided therein, agency requests to reopen must be filed within 30 days from the date of receipt of this decision.

FOR THE COMMISSION:

11-13-84

DATE

Dolores L. Rozzi

Dolores L. Rozzi, Director  
Office of Review and Appeals



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

NOV 9 1984

Mr. Allen Warshaw  
Department of Health and  
Human Services  
Washington, D.C. 20201

Dear Allen:

This is to express our appreciation for the contribution you made to the Debt Collection Project during the time you spent with us.

The diligence and attention you applied in carrying out assignments helped us meet our goal of maintaining current and accurate information on agency debt collection results. In addition, the work you did on the income tax refund offset provisions of the Deficit Reduction Act has given us an excellent start in implementing this important legislation. Your work in all these areas was carried out in a highly professional manner.

Thanks again for your assistance, and good luck in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "John J. Lordan".

John J. Lordan  
Deputy Associate Director  
for Financial Management

# APPRAISAL FOR MERIT PROMOTION

(This form should be given to the employee when completed)

## PLEASE NOTE

To be completed by April 30 of each year, in conjunction with and after completion of the Performance Appraisal Worksheet. May also be completed at any time upon employee's request.

This appraisal will be used in connection with consideration given the employee for positions under the EPA Merit Promotion Program. It consists of two parts. Part A, An Appraisal of General Performance and Part B, An Appraisal of Supervisory Performance or Assessment of Supervisory Potential. Part A must be completed for each employee during the rating period and Part B must also be completed for all supervisory employees. Additionally, any employee who desires an assessment of his/her potential as a supervisor, in anticipation of filing for supervisory positions, is entitled to have Part B completed upon request.

1. NAME OF EMPLOYEE <b>Allen B. Warshaw</b>	2. PRESENT POSITION (Title, Series, Grade) <b>Management Analyst GS 343 - 13</b>	3. ORGANIZATION <b>PCMT</b>
4. PERIOD COVERED BY THIS RATING <b>12/17/84 - 4/17/85</b>	5. NAME OF RATER <b>William G. Hedling</b>	6. TITLE OF RATER <b>Management Analyst</b>

**PART A GENERAL PERFORMANCE:** Please complete all elements and use comments to support ratings, especially outstanding and below average.

ITEM	OUT STAND- ING	ABOVE AVER- AGE	AVER- AGE	BELOW AVER- AGE	ITEM	OUT STAND- ING	ABOVE AVER- AGE	AVER- AGE	BELOW AVER- AGE
a. <b>PRODUCTIVE EFFORT:</b> INCLUDES FULL UTILIZATION OF TIME AND ATTENTION TO ASSIGNMENTS, COMPLETION OF ASSIGNED WORK IN A TIMELY FASHION AND ABILITY TO MEET VARYING WORKLOAD DEMANDS.	✓				f. <b>INITIATIVE:</b> INCLUDES ORIGINALITY AND RESOURCEFULNESS, SELF MOTIVATION AND ENTHUSIASM.	✓			
COMMENTS					COMMENTS				
b. <b>QUALITY OF WORK:</b> INCLUDES HIGH STANDARDS OF WORK PERFORMANCE, COMPLETED AND ACCEPTED ASSIGNMENTS, AND CONSISTENT QUALITY.	✓				g. <b>ATTITUDE:</b> INCLUDES CONSIDERATION OF RIGHTS AND FEELINGS OF OTHERS, ACCEPTANCE OF DEMANDING ASSIGNMENTS AND A DEMONSTRATED SENSE OF INTEREST IN OWN WORK AND THAT OF THE UNIT.	✓			
COMMENTS					COMMENTS				
c. <b>DEPENDABILITY:</b> INCLUDES CONCENTRATION ON WORK ASSIGNMENTS, ADHERENCE TO PRIORITIES AND DEADLINES, GETTING THE WORK OUT UNDER PRESSURE AND WITH A MINIMUM OF SUPERVISION.		✓			h. <b>VERSATILITY:</b> INCLUDES EFFECTIVELY ADJUSTING TO VARYING CIRCUMSTANCES AND TASKS, AND ABILITY TO ADJUST TO A VARIETY OF FUNCTIONS IN THE ORGANIZATION.	✓			
COMMENTS					COMMENTS				
d. <b>COOPERATIVENESS:</b> INCLUDES CONFORMING TO ESTABLISHED POLICIES, ACTIVELY PROMOTING HARMONY, AND WORKING WELL IN TEAM OR GROUP PROJECTS.		✓			i. <b>ORAL COMMUNICATIONS:</b> EXPRESSIONS OF IDEAS IN A CLEAR CONCISE AND CONVINCING MANNER. CONSIDER BOTH FACE TO FACE AND CONFERENCE SITUATIONS.		✓		
COMMENTS					COMMENTS				
e. <b>JUDGMENT:</b> INCLUDES EFFECTIVENESS IN HANDLING CONTROVERSIAL MATTERS, SOUNDNESS OF RECOMMENDATIONS AND DECISIONS, AND ABILITY TO DRAW PROPER CONCLUSIONS FROM SITUATIONS.		✓			j. <b>WRITTEN COMMUNICATIONS:</b> WRITTEN EXPRESSION OF IDEAS IN AN EFFECTIVE, ACCURATE AND WELL ORGANIZED MANNER.	✓			
COMMENTS					COMMENTS				



**PART B - SUPERVISORY PERFORMANCE OR POTENTIAL:** *(Please specify)* Please complete all elements and use comments to support ratings, especially outstanding and below average.

ITEM	OUT STAND- ING	ABOVE AVER- AGE	AVER- AGE	BELOW AVER- AGE	ITEM	OUT STAND- ING	ABOVE AVER- AGE	AVER- AGE	BELOW AVER- AGE
a. <b>PLANNING AND ORGANIZATION:</b> EFFECTIVELY PLANS AND ORGANIZES OWN ACTIVITIES, AS WELL AS THOSE OF A GROUP, ESTABLISHES WELL DEFINED WORK OBJECTIVES AND PRIORITY FOR ACCOMPLISHING THEM, EXERCISES PROPER DELEGATION AND REVIEW.					d. <b>DECISIVENESS:</b> ACCEPTS RESPONSIBILITY, HAS COURAGE OF CONVICTIONS, CONSIDERS THE ADVANTAGES OF ALTERNATIVE COURSES OF ACTION, MAKES QUALITY DECISIONS IN A REASONABLE TIME PERIOD.				
COMMENTS					COMMENTS				
b. <b>STAFFING:</b> UNDERSTANDS SOUND PERSONNEL MANAGEMENT PRACTICES IN DEALING WITH EMPLOYEES, EFFECTIVELY USES SUBORDINATES FOR APPROPRIATE ASSIGNMENTS, RECOGNIZES EMPLOYEE CAPABILITIES BEFORE DELEGATING RESPONSIBILITIES.					e. <b>LEADERSHIP:</b> MAKES AN EXCELLENT FIRST IMPRESSION, COMMANDS ATTENTION AND RESPECT, GETS IDEAS ACCEPTED ESPECIALLY IN GROUP PROJECTS, GETS OTHERS TO WANT TO DO THEIR BEST, PROMOTES BOTH PROPER MORALE AND MOTIVATION.				
COMMENTS					COMMENTS				
c. <b>COMMUNICATIONS:</b> MAKES A PERSUASIVE CLEAR PRESENTATION OF IDEAS OR FACTS, IS EFFECTIVE IN INDIVIDUAL OR GROUP SITUATIONS, WRITTEN MATERIAL IS CLEAR AND WELL ORGANIZED, IS EFFECTIVE IN RELATIONSHIPS WITH ALL LEVELS OF THE ORGANIZATION, IS A GOOD LISTENER.					f. <b>EQUAL EMPLOYMENT OPPORTUNITY:</b> EFFECTIVE IN UNDERSTANDING AND CARRYING OUT EEO RESPONSIBILITIES, FOSTERS A POSITIVE ATTITUDE TOWARDS FURTHERING EEO PROGRAMS AND OBJECTIVES.				
COMMENTS					COMMENTS				

**GENERAL COMMENTS** *(Rater may add any additional comments on the ratings in PARTS A or B).*

Allen was the last team member to join my Interagency Task Group -- developing staffing standards in support of the President's Council on Management Improvement (PCMI) -- but was the quickest study of all. His skill with numbers and statistics added significantly to our analytic efforts. He is extremely task oriented and one of the scarce "willing team players".

SIGNATURE AND TITLE OF RATING OFFICIAL

*W. H. Hedding* - Management Analyst

SIGNATURE AND TITLE OF REVIEWING OFFICIAL

DATE

4/17/85

DATE

## COMMENT:

# A Perspective on Bitburg



**H**ow Bitburg rocked our memories and stirred our emotions! And was it only a figurative yesterday that the storm raged? What it all really meant and to which whoms it meant what, was beclouded by the swirling dust of the *sturm and drang*. But dust no less than emotions does settle, and now we have a poll from the Roper people for the American Jewish Committee to give us some perspective.

There was little correlation between anti-Semitism and the public's approval or disapproval of Bitburg. Individual responses were more related to one's memories of World War II and one's desire to heal "old wounds."

So it is that the young and the educated, who are traditionally less anti-Semitic than their elders and the less educated, were nonetheless more approving of the President's trip to Bitburg than their seniors. Of course, older people remember the real Nazism, younger people remember the B movies it spawned.

Women were more approving of the President's Bitburg visit than were men. Explanation? Milton Himmelfarb observes that women tend to be more dovish, men more hawkish, and that women consequently more likely viewed the Bitburg ceremony as a symbolic act of peacemaking.

Roper asked the American people whether "the Holocaust is something we need to be reminded of annually, or do you think that after 40 years Jews should stop focusing on the Holocaust?"

By an hardly impressive margin of 46 percent, we feel we need to be reminded of the Holocaust. Forty percent of us feel we ought "stop focusing" on the Holocaust. Curiously, blacks were among the most critical of the President on Bitburg but were the least supportive of being reminded of the Holocaust, and the most assertive that Jews "stop focusing" on the subject.

Liberals and the better educated opted to be reminded, but noting that more blacks and more of the less educated opted that we "stop focusing," Himmelfarb wryly observes: "There would appear to be a widespread desire to invoke a kind of statute of limitations on being reminded of the Holocaust."

The significance of the response to questions asking if we ought continue efforts to find Nazi criminals or put it all behind us, merits pondering.

*continued on page 10*

## ADL BULLETIN

March, 1986 Vol. 43, No. 3 ISSN 0001-0935

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*"To stop defamation of the Jewish people . . .  
To secure justice and fair treatment to all citizens alike."*

—ADL CHARTER 1913

Lynne Ianniello: Executive Editor • Jane R. Ornauer: Managing Editor • Martin Silverman: Design

## **The Sheriff** *continued from page 1*

upon, heaven help the men on the other side."

Badly outmanned, the Sheriff decided not to allow himself and his deputies to be drawn into an armed confrontation. At a press conference on the evening of the proposed eviction, he announced that a deal had been struck allowing Oscar Lorick more time to raise cash to maintain his loan and remain on the property. Sheriff Coley said later that he had learned several days prior to the event that a number of the demonstrators wanted to provoke law enforcement officials into opening fire.

At a time when hate groups are seeking to capitalize on the farm crisis by recruiting farmers in distress, the significance of the action in Cochran is underscored by the key role played by two far-right extremists and the support by a paramilitary organization in southern Oklahoma which calls itself the Heritage Library.

The demonstrators' local spokesman was Tommy Kersey, a farmer in nearby Unadilla, who has openly expressed his sympathies for the Posse Comitatus, a rural-based vigilante organization espousing hatred for Jews, blacks, and virtually all government officials. (Posse Comitatus means "power of the county" and claims to recognize no government official beyond the county sheriff, although that has not prevented its members from making threats on *all* law enforcement authorities.)

Kersey, who was one of the organizers of the American Agriculture Movement's "Tractorcade" to Washington, DC, during the Carter Administration, also supports Lyndon LaRouche, leader of a bizarre anti-Semitic political cult which has targeted farmers as potential recruits. In fact, Kersey and LaRouche were featured speakers

at a farm rally in Unadilla in November, 1983, when LaRouche announced an agriculture plank in behalf of farmers for his self-styled candidacy for President in 1984.

But the primary leadership role at the Lorick hog farm was assumed by a clean-cut 32-year-old heir to a banking and oil fortune named Larry Humphreys. In 1982, Humphreys founded the Oklahoma-based Heritage Library, into which he has poured much of his \$5 million inheritance. The settlement is situated on 300 acres of former ranchland in Velma, OK, with an 1,800-foot airstrip and a large mansion housing a cathedral-domed library.

The Heritage Library adheres to what is known as the "Identity Doctrine," which claims that white Anglo-Saxons are the true chosen people of God. Literature published by the organization promotes racial segregation and is virulently anti-Semitic. For example, the Heritage Library makes reference to "The Conspiracy" and explains as follows:

"The majority of scholars of The Conspiracy recognize it as Jewish from its ideological, financial, high percentage of revolutionary activists.

"Their Talmud ('holy book') teaches them to use usury on us for our hurt, and that we are goyim (cattle) condemned to serve the Jew night and day."

A May, 1984, article in *The Spotlight*, a far-right publication which reflects the views of Liberty Lobby, described the Heritage Library's plans to sponsor "a work exercise to provide both education and employment for Christian Americans who embrace the Identity message." The coordinator of the project, George Whitcraft, is identified in a revealing photo caption in *The Spotlight* as "Coordinator of the Military Project," a title which speaks for itself.

According to the same article, Humphreys anticipates employing between 120

## **A Perspective on Bitburg**

*continued from page 2*

Forty-nine percent of the American people would have us forget it. Forty-one percent opt to continue our efforts. The let's "put it behind us" votes outnumber the let's "continue efforts" in every category of respondent, i.e., non-Jewish whites, blacks, men, women, age groupings, education levels, liberals and conservatives.

It would seem a sometimes lonely business being a remembering Jew.

—Nathan Perlmutter

National Director, Anti-Defamation League

Ivan Bosky resigned - space open

COPY  
from ORM



Nathan Perlmutter  
National Director

823 United Nations Plaza  
New York, N.Y. 10017  
(212) 490-2525

March 10, 1986

Mr. Patrick J. Buchanan  
Director of Communications  
The White House  
Washington, DC 20500

Dear Pat,

It was good touching base. Thanks.

Foxman's a good man. Insightful, sane in an area  
in which pure emotion too often dominates. In  
short, a really good man.

I appreciated your positive reaction should a  
vacancy occur.

Stay well,

Best,

*Nate*

NP:cep

*Bel. (cous)  
member  
Council*

*To Max -  
Nate Wants  
Abe Foxman  
Commission if  
There is an  
opinion on  
Holocaust  
Commission -  
can you  
Follow Up?  
Pat*

*11/24*

*Max -  
In light of Bosky's  
resignation, can you  
look into this - and  
follow up for me?*

*Pat*

*Thanks.*

# Abraham Sofaer

## *State's Legal Adviser Deals With Policy, Then the Law*

**BACKGROUND:** Born in Bombay, India. One-time U.S. attorney in Manhattan, Columbia University law professor and federal district judge. Presided over trial of former Israeli defense minister Ariel Sharon's libel case against Time magazine.

By Don Oberdorfer  
Washington Post Staff Writer

Last June, Abraham D. Sofaer took off the robes of a federal district judge in New York City, rolled up his sleeves and moved into the sixth-floor office of the legal adviser at the State Department. Nine months later, packing boxes are still piled on the office floor and the ebullient Sofaer is deeply engaged in making policy as well as law for U.S. diplomacy.

State Department veterans said the 47-year-old Sofaer is far more of an activist and key player on policy decisions than any of his recent predecessors. He is one of those rare people in Washington who has become more important than the official post he fills. Sofaer also is more controversial at Foggy Bottom and in the legal community than is usual for a State Department lawyer.

"The policy comes first with Sofaer and then the law," said a senior official. "It's been the other way around with most of the lawyers who've had the job. And besides, Sofaer seems to have views on just about everything."

"The Judge," as Sofaer continues to be called at State, responded to the statement that he values policy over law by citing songwriter Sammy Kahn's remark that it is impossible to say "what comes first, the music or the words."

"In some instances you are told what your principals, or clients in the building, would like to do. In that sense the policy comes first," Sofaer said in a recent interview. "Just like any lawyer who serves his client well, you try to do it. And if you can do it you figure out a proper way to do it."

"On the other hand, if you can't

do it you tell them . . . . Many times things have been proposed for action in the department and I have said, 'No' unequivocally. Some of these things have to do with the use of force. Other ones involved ethical-type things, such as can we help some private company?"

According to accounts by several officials, Sofaer's predecessor, Davis R. Robinson, spoke in negative terms too often to Secretary of State George P. Shultz. They cite his repeated arguments against U.S. refusal to participate in the hearing of Nicaragua's case before the International Court of Justice when Nicaragua charged that U.S. paramilitary actions aimed at that country violated international law. Shultz "noticeably reddened with irritation" during one meeting on the subject, according to a participant.

Sofaer, a registered Democrat who was appointed to the federal bench by President Jimmy Carter in 1979, presided over former Israeli defense minister Ariel Sharon's libel case against Time magazine for more than two months in 1984. Earlier, Sofaer was an assistant U.S. attorney in Manhattan, and he has long been known in his profession as a scholar and prolific writer. From 1969 to 1979, he was a Columbia University law professor; in 1976 he wrote, "War, Foreign Affairs and Constitutional Power, Vol. I: The Origins."

Sofaer was looking for another public service challenge last year when Shultz was in the market for a new legal adviser. Sofaer, saying he was impressed with the Reagan administration, changed his party registration to Republican after coming to Washington.

Sworn in last June 9 as State Department legal adviser, Sofaer had hardly learned his way around the building and had just begun to know the 90 lawyers on his staff

when TWA flight 847 was hijacked in the Middle East. The new legal adviser jumped into the policy making about how to handle the hostage saga, working almost round the clock for days.

"We successfully used law" to help free the TWA hostages, Sofaer said recently, citing "the very important distinction between bargaining and negotiating" to win release of those being held. "We did not bargain with the hijackers but we did negotiate through [Syrian President Hafez] Assad. We were able to represent to Assad that we would advocate the release of the Shia prisoners" who were being held in Israel and whose release was a key demand of the hijackers.

Sofaer argued a "creative" use of this position did not represent

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### *Sofaer is more controversial at Foggy Bottom and in the legal community than is usual for a State Department lawyer.*

giving in to terrorism, because two years earlier the State Department had objected to Israel's imprisonment of the Shia captives as a violation of the Geneva convention on treatment of prisoners of war. "We did not have to say anything we hadn't said before," he recalled.

The subjects that have engaged Sofaer most since last summer have tended to be those on which his boss has the strongest views. First and foremost has been international terrorism. Sofaer, for example, gave his opinion that intercepting an Egyptian airliner with the hijackers of the Italian cruise ship Achille Lauro aboard was permitted under international law. And after the airliner was forced down, Sofaer drew up extradition

papers in an unsuccessful attempt to convince Italian, Yugoslav and Iraqi authorities to hold Abu Abbas, a Palestinian identified as mastermind of the hijack plot.

Sofaer also was an architect of the "Shultz doctrine," the secretary of state's Jan. 15 statement that the United States has a legal right to use military force against terrorists or states that support or encourage terrorists.

Another Shultz passion has been strong opposition to the widespread use of polygraphs in the State Department and other U.S. agencies. Sofaer helped advance Shultz's objections with antipolygraph legal memo, some of which Shultz sent to President Reagan.

Sofaer now is at work seeking a legal position that would halt denial of entry visas to the United States on ideological grounds, as promised by Shultz in a Jan. 12 speech to the PEN International writers conference.

Sofaer's analyses of another controversial issue helped advance a new legal interpretation of the 1972 Antiballistic Missile treaty, which in theory would permit more latitude in testing Reagan's Strategic Defense Initiative.

Last December, Sofaer led a delegation to Israel that worked out U.S.-Israeli cooperation in handling the Jonathan Jay Pollard espionage case. Sofaer, born in India to a Jewish family that originated in Iraq, frequently vacations in Jerusalem, where his wife's family owns an apartment.

His ties to Israel have attracted comment in recent days because of an interview in the Israeli newspaper Haaretz, which quoted him as saying that Israel's war in Lebanon was "justified." Sofaer said he was speaking only in general and theoretical terms about the right of self-defense, and did not "justify" the Israeli action. The State Department said Sofaer's remarks were quoted "inaccurately and out of context."

Reflecting on his career, the activist of the lawbooks said, "It's quite an amazing story for a young Middle Eastern Jewish kid who was born in Bombay to end up being a federal judge, a federal prosecutor and legal adviser. America is really unbelievable."

Anti-Defamation League

823 United Nations Plaza, New York, NY 10017 212-490-2525 Telex 649278



of B'nai B'rith

LYNNE IANNITTO  
Director, Communications

Contd  
American



FOR IMMEDIATE RELEASE

New York, NY, March 19....Sandinista persecution of Nicaraguan Jews -- including the firebombing of the Managua synagogue, death threats and harassments and expropriation of property which led to the exodus of virtually the entire Jewish community -- was described in a white paper issued today by the Anti-Defamation League of B'nai B'rith.

Abraham H. Foxman, ADL's associate national director and head of its International Affairs Division, said the white paper was being made public "to set the record straight, to answer published denials about the Sandinistas treatment of Jews." The League's information is based on testimony from Nicaraguan exiles, on disclosures from an ex-Sandinista informant and on other investigations carried out by the agency during the last five years.

According to the ADL white paper, Sandinista persecution of Jews took place against a background of unremitting hostility to Israel and long-standing alliances with the Palestine Liberation Organization and other anti-Israel terrorist groups.

The ADL report gave details on the repressions which began with the Managua synagogue bombing in 1978, the year before the Sandinistas came to power. The bombing took place while the congregation was inside and when they attempted to escape, they were confronted by armed Sandinistas who ordered them not to leave the burning building.

One of those in the congregation, Oscar Kellerman, a Nicaraguan businessman now living in exile in Miami, is on record as saying that the Sandinistas threatened to "burn all the Jews."

According to the former Sandinista informant, Mauricio Palacio, who served as a "spy" within the Jewish community, the synagogue attack was part of an attempt to frighten the Jews into leaving.

The League white paper noted that at a Washington meeting on March 14, 1985, Mr. Kellerman said that the Sandinistas "tried to kill me on three occasions, including one attempt to firebomb my car." He also

(more)

declared that in 1979 a member of the Jewish community was shot and left for dead.

Among other instances cited by ADL of Jews being menaced was the experience of Isaac Stavisky, a former textile manufacturer who now lives in Miami. Mr. Stavisky, at a meeting in Washington, July 20, 1983, said he and his son had been stopped by Sandinistas while driving in Managua and their lives threatened at gunpoint. They were warned that their factory would be taken over when the Sandinistas came to power. The threat was subsequently carried out.

Mr. Stavisky went on to say that for 18 months prior to July, 1979, members of his family received death-threat phone calls and graffiti was scrawled on their factory walls reading, "Death to Jews," "Isaac will be killed" and "Beware of Sandinista Justice."

The ADL report said that the director of its Latin American Affairs Department, Rabbi Morton M. Rosenthal, received a letter from an attorney representing the Nicaraguan government in December, 1983, stating that at least 17 Jews had had their property taken away by decree. Other Jews who fled Nicaragua were deprived of their homes and businesses because of a Sandinista edict that anybody outside of the country for more than six months automatically forfeits property. The Sandinistas, by intimidating Jews into leaving the country, thus forced them into a "Catch 22" situation, as one exile described it.

The ADL white paper said Sandinista repressions have taken place in an anti-Semitic atmosphere that can best be summed up by one graffiti slogan scrawled on walls in Nicaragua which reads: "Judaism, Zionism, Somocism -- all the same thing."

According to ADL, three years after the Sandinistas came to power in 1979, the semi-official newspaper, Nuevo Diario, charged that the "world's money, banking and finance are in the hands of descendants of Jews, the eternal protectors of Zionism."

Of the total of approximately 60 members of the Nicaraguan Jewish community prior to the Sandinista takeover, only two or three elderly Jews still remain in the country.

#



THE WHITE HOUSE  
WASHINGTON

*Kay Zerwick*

March 21, 1986

MEMORANDUM FOR VADM JOHN POINDEXTER  
ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY  
AFFAIRS

THROUGH: LINAS KOJELIS, SPECIAL ASSISTANT TO THE PRESIDENT  
AND ACTING DIRECTOR OF PUBLIC LIAISON

FROM: MAX GREEN  
ASSOCIATE DIRECTOR, OFFICE OF PUBLIC LIAISON

SUBJECT: Briefing Request for Anti-Defamation League of  
B'nai B'rith, April 14, OEOB 450, 2:00-5:00 PM

The Anti-Defamation League of B'nai B'rith has asked my assistance in arranging for you to address their National Young Leadership White House briefing on April 14 in OEOB 450. As you may know, the ADL has been very supportive of the Administration's domestic and foreign policies, much more so than any of the other "defense" organizations.

The group of 150 professionals attending the briefing-all of whom are active in Jewish and political organizations on both local and national levels-represent a cross section of the American Jewish leadership.

Pending your schedule, I hope you will be able to accept this invitation. Ideally, you would speak for fifteen minutes to be followed by questions for an additional fifteen minutes. If you have any questions, I would be pleased to speak to you about the briefing and/or the group. I may be reached on x 6270.

Thank you for your consideration.

THE WHITE HOUSE  
WASHINGTON

March 18, 1986

MEMORANDUM FOR PATRICK BUCHANAN

THROUGH: LINAS KOJELIS

FROM: MAX GREEN x 6270

SUBJECT: Briefing Request for Anti-Defamation League of  
B'nai B'rith, April 14, OEOB 450, 2:00-5:00 PM

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Thank you for your consideration.

*Regret*

THE WHITE HOUSE

WASHINGTON

March 21, 1986

*Regent*

MEMORANDUM FOR DEBBIE HUTTON

DEPUTY ASSISTANT TO THE VICE PRESIDENT FOR  
SCHEDULING

FROM: MAX GREEN  
ASSOCIATE DIRECTOR, OFFICE OF PUBLIC LIAISON

SUBJECT: Briefing Request for Anti-Defamation League of  
B'nai B'rith, April 14, OEGB 450, 2:00-5:00 PM

The Anti-Defamation League of B'nai B'rith has asked my assistance in arranging for the Vice President to address their National Young Leadership White House briefing on April 14 in OEGB 450. As you may know, the ADL has been very supportive of the Administration's domestic and foreign policies, much more so than any of the other "defense" organizations.

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Thank you for your consideration.

THE WHITE HOUSE

WASHINGTON

March 21, 1986

*Regis*

MEMORANDUM FOR W. DENNIS THOMAS  
ASSISTANT TO THE PRESIDENT

FROM: MAX GREEN  
ASSOCIATE DIRECTOR, OFFICE OF PUBLIC LIAISON

SUBJECT: Briefing Request for Anti-Defamation League of  
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Thank you for your consideration.

THE WHITE HOUSE

WASHINGTON

March 21, 1986

X5042

MEMORANDUM FOR BERYL SPRINKEL  
CHAIRMAN, COUNCIL OF ECONOMIC ADVISERS

FROM: MAX GREEN  
ASSOCIATE DIRECTOR, OFFICE OF PUBLIC LIAISON

SUBJECT: Briefing Request for Anti-Defamation League of  
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Thank you for your consideration.

THE WHITE HOUSE

WASHINGTON

March 24, 1986

*Requid*

MEMORANDUM FOR WILLIAM BALL

ASSISTANT TO THE PRESIDENT FOR LEGISLATIVE AFFAIRS

FROM: MAX GREEN  
ASSOCIATE DIRECTOR, OFFICE OF PUBLIC LIAISON

SUBJECT: Briefing Request for Anti-Defamation League of  
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Thank you for your consideration.

## COMMENT:

# The Theory of "Equivalence"



**W**hat bothered me about President P. W. Botha's proposed swap of the then still imprisoned Anatoly Shcharansky for Nelson Mandela was its implied equivalence—that Shcharansky and Mandela, prisoners both, were apples and apples, rather than apples and something vastly different. Natan, nee Anatoly, Shcharansky, was a political prisoner, period. Nelson Mandela was convicted of charges of sabotage. To be sure, the legal rectitude of a South African conviction of a black justifiably challenges our credulity. But no less than Amnesty International has refused to call for Mandela's release. It found that he is not a "prisoner of conscience." (Amnesty International supports the release of political prisoners who have not used or advocated violence.)

This theory of "equivalence," though hardly the word itself, is increasingly insinuating itself into public discourse. As in discussions of disarmament and suggestions that we "take a few risks" for Peace and "go at least half-way" to the Soviets. Peace then becomes a point on a grid and the protagonists, presumably amoral robots, have but to make requisite equi-distant moves and *voila!* peace will happen. Implied, of course, is the moral equivalence of the Soviet Union and the United States. Implied too is that we are equally aggressive. Buried in this equivalence is the night and day disparity between the U.S.'s supporting democracy and the U.S.S.R.'s fortifying gulags.

Which leads me to still another equivalence packaged in a recent network news segment on terrorism.

Interviewed was a got-away-with-it Shiite airplane hijacker, a hero in the fevered world of *jihad*. Soft-spokenly, he told his American audience of the terrorism practiced by—would you believe?—the United States! For our political edification, WABCTV had brought onto our screens a man who was charging the United States, one of his victims, with the character of crimes of which he is the architect-builder. In short, and not so subliminally, the message that sneaked into the tube was that one man's terrorist is another's freedom fighter.

There's a "positive" sense about the meaning of words prefixed by equi. At least, sometimes. Sometimes however, it's more nonsense than sense.

—Nathan Perlmutter  
National Director, Anti-Defamation League

## ADL BULLETIN

"To stop defamation of the Jewish people . . .  
To secure justice and fair treatment to all citizens alike."  
—ADL CHARTER 1913

April, 1986 Vol. 43, No. 4 ISSN-0001-0935

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# Global Notes

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***It is not for publication in any other form and is not intended for the general public or the news media.***

April, 1986

What follows is a report ADL received from one of its foreign correspondents. Like other information received by the League from time to time from various capitals around the globe, this report is one informed person's view of what is or what was happening in a particular place at a given time. This report is not intended to be nor should it be interpreted as a basis for ADL policy or action. However, we think you will find it interesting and informative.

## North Yemen: Changing Relations with the PLO and the Soviets; The Sudan: Elections, Famine, and Ethiopian Jews

### North Yemen

As diplomats from several Western embassies in Sana'a, North Yemen tell it, the Israeli air raid on PLO headquarters in Tunis has driven a wedge between the North Yemen government and the PLO contingent there. There are roughly 2,500 PLO fighters in North Yemen, and the country is nominally the military headquarters of Arafat's Fatah wing of the PLO. When the government of Col. Ali Abdullah Saleh first agreed to host the PLO in exile, it expected only benefits and no liabilities. As it was seen in 1982, North Yemen would gain political status in the Arab world without in any way putting itself in danger. But the Israeli air raid on Tunis has demonstrated the opposite. As diplomats explained, if Israel could justify an attack on Arafat's political headquarters, an attack on the military headquarters might seem even more logical as a response to future terrorism. Up until the Tunis raid, North Yemen's involvement in Arab-Israeli hostilities was essentially a vicarious one; now the government in Sana'a knows it is for real.

As a result, relations are said to have cooled between the PLO and the Sana'a regime. The regime wants to ease the PLO contingent out, or at a minimum, further restrict their movements or reduce their numbers. At the same time, of course, the regime publicly attacks Israel continually, as if nothing has changed. Not surprisingly, talks with PLO officials here are not revealing; they deny that there is any change in their relationship with the local authorities.



Meanwhile, the recent war in South Yemen has made North Yemen more vulnerable to Soviet designs. South Yemen, as everyone knows, is a veritable Soviet satellite with a new, even more docile, hardline regime. What many people do not realize, however, is that the Soviets have also been the most influential super-power in North Yemen. North Yemen gets the bulk of its military equipment from the Soviet Union. The Soviets are employed as a buffer against the Saudis, whom the North Yemenis distrust.

At the same time, in keeping with a tradition of a country that—except for a superficial Ottoman occupation—has never been colonized, North Yemen maintains an independent posture by accepting considerable aid from the West and the Saudis. Moreover, North Yemen's economy is totally unrestricted, and though the 35,000-man military is predominately Soviet-trained and Russian speaking, Moscow has little influence in the civilian sector here. In addition, the recent discovery of oil, with a refinery to open this spring, will likely push North Yemen closer to the Western camp.



The Soviets know all this. They also know that the more populous, economically stronger Sana'a regime, strengthened by new-found oil, will have greater influence on the poorer, less populous Marxist state in Aden. This is why the Soviets got anxious about former South Yemeni President Ali Nasser Mohammed's rapprochement with Sana'a, and why they are glad to see him replaced.

The ingredients for trouble are there. The recent history of this area is full of intrigues, with the non-Communist north often the victim of the Communist south. The North Yemeni oil refinery will be near the permeable South Yemeni border and will be a target for sabotage.

Meanwhile, the new regime in South Yemen is more likely to do Moscow's bidding. The Soviets have always put a lot of energy into improving their position at the mouth of the Red Sea; since 1969, both South Yemen and Ethiopia have become satellites of Moscow. North Yemen may be next. The Soviets have good reason to concentrate on this area: on account of new pipelines diverting oil from the Persian Gulf, more and more of the free world's energy supplies are passing through the Red Sea.



## **The Sudan**

Much to the surprise of diplomats and even Sudanese, this financially-crippled, famine-stricken nation is on the verge of the freest elections the Arab or African world has ever experienced. But neither famine nor the economy are among the important campaign issues. The parties, all of whom are receiving money from Libya, Saudi Arabia and other sources, are bickering over Islamic law, the corruption of the old regime and foreign policy.

The most likely winner is Umma party leader Sadik El-Mahdi, a former Prime Minister in the sixties, who advocates a relaxation of Islamic law, as instituted by Jaafar Nimeiri, and a more non-aligned foreign policy. Sadik is likely to form a coalition with the Unionist parties of the Khatmiyah tribe in order to form a government. There is a certain fear that the Islamic front of Dr. Hassan El Turabi will garner enough votes to make it indispensable as a coalition partner. Turabi's party should be viewed much the way the religious parties in Israel are: small, yet well-organized and composed of a very determined group of people, who, due to their fierce commitment and the peculiarities of the parliamentary system, often have power out of proportion to their numbers. Turabi is an "Ayatollah" figure in a religious sense, but not anti-American. He is also anti-Libyan. And the U.S. embassy here, learning from the Iran debacle, has taken care over the years to maintain contacts with him.

At the moment, there is a lot of chaos in Khartoum. At least 23 people died in a political riot recently in Port Sudan, and several students died in riots at a local Khartoum campus. Violence could increase as elections draw near. Labor strikes are constant. All the while, the transitional military council still appears intent on retiring to the barracks the day after the new parliament is sworn-in in late April. As a result, diplomats are nervous about the coming months here. They just don't think elections are going to run as smoothly as the military believes. Yet the military has little popular support for a coup and, it appears, has no stomach left for governing. The situation will probably have to deteriorate a lot more before the military wants to rule again. Remember that in the sixties, Sudan endured five years of chaotic, democratic, parliamentary rule before Nimeiri finally stepped in. The only thing which could spark a change of mind in the barracks is a further deterioration in the south, where Civil War will preclude voting in many regions.



80,000 Ethiopian refugees are walking back to Ethiopia, reducing the size of relief camps in eastern Sudan in a big way for the first time since the famine emergency broke out in late 1984. Yet pockets of starvation exist in Darfur and Kordofan out west—where rains ended prematurely last fall, and in the Red Sea hills in the northeast, where there was even less rainfall. Moreover, 1.5 million people are expected to starve this summer in the equatorial regions of southern Sudan if emergency food doesn't arrive. Bringing in food to the South will be most difficult due to the on-going civil war there, which has isolated much of the population. Not only are roads mined, but relief planes have been shot at by rebels armed by Marxist Ethiopia.



The trial of former Vice President and head of security, Omer El Tayeb, is set to conclude. He stands accused of conspiring with foreign powers—Israel and the United States—to help thousands of Ethiopian Jews transit Sudan en route to Israel. Public attention on the trial is waning. A local newspaper showed a cartoon of a man sleeping while watching the proceedings on television. Anger towards the U.S., engendered by the prosecutor's opening remarks in January, is dissipating. When asked directly, Sudanese say the main issue of the trial is "Israel." But when talking among themselves, Israel is not mentioned: the issue is El Tayeb's corruption, and how much money he received in bribes in order to fulfill his part of the deal.

The bottom line: Jonathan Randal's Washington Post piece earlier in the winter, saying the Ethiopian Jewry episode has done serious harm to U.S. prestige in the Sudan, seems, from the perspective of late winter, to be wrong. The issue is fading fast. This is the assessment of the US embassy. In the end, the U.S. will not suffer in the Sudan for helping the Ethiopian Jews.



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APRIL, 1968

# ADL BULLETIN

Published by the Anti-Defamation League of B'nai B'rith

## National Defense: Have We Closed the Gap?

by Robert C. McFarlane

**T**his country's current national security status reflects a relative peace. The question is whether it will endure. We are reasonably safe. Will we remain so? Will our key alliances remain strong? What problems will threaten that stability in the coming months and years?

My own estimate of prospects for East-West relations and for arms control finds some deeply troubling signs on the horizon. We disagree with the Soviet Union on virtually everything: the role of the state vis-a-vis its own citizens, the authority of the state to expand beyond its borders, the concept of individual liberties and human rights. Since it is unlikely that these disagreements will change, they are a condition of the competition between us for influence, for access to markets, for resources and the responsibility of our generation to ensure that this competition remains peaceful.

The President has embarked on a program to set a new direction in East-West relations based upon the reality that these disagreements will endure. He proposed dialogue with the Soviets to seek, where possible, to resolve differences peacefully, to lower the level of nuclear arms and to trade and expand the ties between us.

*Mr. McFarlane is former National Security Advisor to President Reagan. This article is excerpted from his address at the Anti-Defamation League's National Executive Committee meeting in Palm Beach.*

Today, our country and the Western community of nations are politically more cohesive. Our economy is returning, not yet to full strength, but on its way. Our military foundation is returning to a condition of deterrence which must be sustained. Can this promising five-year period endure? I see disquieting reasons for doubt.

Under the Gramm-Rudman bill, if further reductions in public spending are required, 50 percent will come out of the Defense Department. Historically, nations have established their defense needs based upon apparent threats. It is a measure of Israel's wisdom and leadership that its survival, its security have been placed above all else. All civilized societies require their constitutions to provide first for the common defense.

There are a lot of reasons why the American public has become disenchanted with defense spending. An illusion of waste, mismanagement and broad abuse has led to the false notion that money for defense will be unwisely spent. The resulting backlash of opposition has already led us to stretch out defense programs from aircrafts to ships to missiles. The results of this attack—basically from the left—has delayed essential programs and we will end up spending more.

But there is a more important point. That is the notion that if you spend a lot of money on defense for five years, surely you will have closed the balance. Therefore, can't we stop or at least slow down? Yes, we have deterred and, yes, our strength has improved but that success is based not only on hardware but on the

*Continued on page 13*



## COMMENT:

# The Theory of "Equivalence"



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# Leo Frank Pardoned

## ADL Closes File on Its First Case

The State of Georgia granted a posthumous pardon to Leo M. Frank last month, 73 years after he was convicted in Atlanta of a murder he denied committing.

The Anti-Defamation League was founded in 1913 in the aftermath of the trial, which was marked by some of the most blatant displays of anti-Semitism in this country's history. In 1915, after then-Governor John M. Slaton had commuted the court sentence from execution to life imprisonment, prison inmates slit Leo Frank's throat. As he recuperated from the attack, 30 men calling themselves a "vigilance committee" marched into the prison, dragged him from his hospital bed, chained him to the back of a car, hauled him to the outskirts of Marietta, GA, and hung him from a tree.

The Georgia State Board of Pardons and Paroles reversed its 1983 refusal to grant a pardon, following submission of a new petition by ADL, the American Jewish Committee, the American Jewish Congress and the Atlanta Jewish Federation.

Said Stuart Lewengrub, director of ADL's Southeastern Regional Office, at a news conference in Atlanta: "We can now finally close our files on our first case."

Charles F. Wittenstein, ADL's Southern Counsel, who worked on the petitions, said the pardon was an acknowledgement by the State of Georgia of "a great injustice." He commended the Georgia Pardons and Paroles Board "for its sensitivity in seeking to heal old wounds."

The parole board's action came less than



Leo Frank



Alonzo Mann

a year after the death of Alonzo Mann who had come forward in March, 1982, with new evidence of Mr. Frank's innocence. Mr. Mann, 87 when he died, was an office boy in 1913 in the pencil factory Leo Frank managed and where

the murder of a 13-year-old employee, Mary Phagan, occurred. He said he had seen the janitor of the building carrying the body of Mary Phagan but he was afraid to speak out at the trial because the real murderer had threatened him. (The janitor is also now deceased.)

In a statement made public at the news conference, ADL said: "People of goodwill and judgment have long believed that Leo Frank was victimized by perjury and prejudice at his trial and that an innocent man was lynched by a mob inflamed by bigotry. Georgia has now recognized that the lynching aborted the judicial process and prevented Mr. Frank from proving his innocence, after his sentence had been commuted by Governor John Slaton. The State has also acknowledged its failure to protect its prisoner and prosecute members of the lynch mob.

"We regret that Alonzo Mann did not live to see this posthumous pardon granted. He believed devoutly in Leo Frank's innocence, and his evidence proved conclusively that perjured testimony was responsible for the conviction. "We also deeply appreciate the leadership of the *Nashville Tennessean* in reviving public interest by making public Mr. Mann's evidence in 1982 which led directly to this pardon." □



# NEC Meeting Highlights

**T**he prospects for peace in the Middle East, terrorism, both international and domestic, affirmative action and racial quotas, cultural pluralism and an analysis of Jewish political views were among the topics discussed at the Anti-Defamation League's National Executive Committee meeting February 6-9 at the Breakers Hotel in Palm Beach.

Former National Security Advisor Robert C. McFarlane was the keynote speaker (see page 1) at a gala opening dinner which honored Theodore H. Silbert, chairman of Sterling National Bank and Trust Company of New York. Mr. Silbert received ADL's Haym Salomon Award for his commitment to "his fellow man, to Judaism and to American democracy." The presentation was made by Maxwell E. Greenberg, honorary national chairman.

Speaking at the dinner, ADL's national director, Nathan Perlmutter, outlined the broad spectrum of the agency's activities and concerns.

Describing what he called "ADL's straight talk" during the past year, he noted the agency's condemnation of the terrorist slaying of Alex Odeh, regional director of the Arab-American Anti-Discrimination Committee last fall in California, and its

criticism of the religious narrow-mindedness by which ultra-Orthodox Jewish zealots would bar the construction of a Mormon center in Jerusalem.

"To be against terrorism that kills Jews," Mr. Perlmutter said, "but to be silent when it murders others, to deplore religious discrimination against Jews but to tolerate it when practiced by Jews would mock the principles we espouse, would dilute our credibility, would undermine our effectiveness."

He gave as another example of "straight talk," the League's statement that "there was more distressing toxicity" in the silence of some mainline black leaders to the racist and anti-Semitic comments of Louis Farrakhan than in the comments themselves. The ADL stand, he declared, "caused some to rediscover their principles, to relocate their voices."

Michael Burrows of Palm Beach was chairman of the dinner. The honorary chairpersons were Madame Bea Alexander, founder and president of the Alexander Doll Company, and Edgar M. Bronfman, chairman of Seagrams.

Burton S. Levinson, chairman of ADL's National Executive Committee, presided at the meeting. In a report at one session,

ADL's national chairman, Kenneth J. Bialkin, described the current state of affairs in the Middle East, noting Israeli "disenchantment with the peace treaty with Egypt." He referred to the treaty as "that scrap of paper for which Israel gave up the Sinai and valuable oil wells."

The ADL official said there also is skepticism about peace prospects because the Arabs have not responded to statements by Prime Minister Shimon Peres that Israel would consider trading land for peace.

Mr. Bialkin pointed to the growing threat of Syria because of its "sheer volume of weaponry." He termed it crucial to Middle East peace prospects to "disestablish the Palestine Liberation Organization, both diplomatically and politically."

At another session, "Jews and the American Body Politic" was the topic of a forum discussion by political analysts David Garth and Richard Scammon (see page 7).

Racial quotas in employment and education do not help the overwhelming majority of the "black underclass" in this country, Linda Chavez, former deputy assistant to President Reagan, told participants in the meeting. She said that the "growth of racial quotas" has done nothing to eliminate or even reduce unemployment among unskilled black teenagers, adding that the "growth of the black underclass in the United States proves that despite preferential treatment policies, the problem of black poverty continues to grow."

Declaring that although racial quota programs benefit "so few of the needy in the black community," Ms. Chavez, former director of the Civil Rights Commission, said some civil rights organizations still

focus their attention on ensuring that government contractors hire on the basis of affirmative action policies that often turn into racial quotas.

"The solution," she said, lies in programs that encourage the teaching of skills to improve job possibilities for black youngsters and the instilling of "values of responsibility."

Professor Yonah Alexander, director of the Institute for Studies of International Terrorism of the State University of New York, told an NEC session that state-sponsored terrorism was a key factor in incidents of death and destruction such as the hijacking of the TWA airliner and the cruise ship Achille Lauro. Libya, alone, is contributing an estimated \$100 million a year to support terrorism, he said.

Federal Bureau of Investigation official Steven L. Pomerantz, who also spoke at the session on international and domestic terrorism, said that the U.S. government has assigned the "highest priority" to fighting terrorism in this country whether from the far right or far left.

Dr. Alexander called for strong and concerted measures by the United States, in conjunction with other governments, to fight international terrorism on a variety of fronts: diplomatic, economic and—if necessary—military.

Mr. Pomerantz said that while international terrorists, sponsored by the P.L.O. or Libya, have not yet attacked Americans in the United States, "there is the threat of this happening anytime—even tomorrow. We treat such a threat with great concern."

He cited FBI successes in combatting

L. to r., Robert C. McFarlane with Kenneth J. Bialkin. Nathan Perlmutter addresses opening dinner.



L. to r., Theodore H. Silbert with Maxwell E. Greenberg. Michael Burrows with Burton S. Levinson.





Mayor Suarez, L., with Alan B. Margolis, a National Executive Committee member.

such groups as the FALN, the "Macheteros," Students for a Democratic Society and right-wing organizations, such as the violent, neo-Nazi group, The Order, members of which were recently convicted of crimes ranging from armed robbery to murder and sentenced to long prison terms.

Miami's first Cuban-born mayor, Xavier L. Suarez, addressed another session on the topic: "Miami: A Study in Cultural Pluralism."

Mayor Suarez described Miami's diverse population, which includes large Black and Cuban communities and smaller minority groups, such as Haitians and Nicaraguans.

"The definition of maturity as human beings," he said, "is in rejoicing over the differences in inessential things while at the same time agreeing about essentials such as fundamental human rights for everyone."

In a resolution adopted by the NEC, ADL reaffirmed its longstanding policy opposing federal aid to parochial schools and specifically to tuition vouchers. The policy

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review was prompted by Education Secretary William Bennett's recent proposal to provide federal education funds through vouchers for public and parochial schools alike. ADL opposes the voucher proposal on the grounds that it violates the constitutional mandate of separation of church and state. □

L. to r., Beverly Davis, retiring president of B'nai B'rith Women, receives an award as Donald R. Mintz, vice chairman, National Executive Committee, applauds. Sam Kane, a National Commission vice chairman, introduces Linda Chavez. Abraham H. Foxman, associate national director, with Howard P. Berkowitz, chairman, International Affairs Committee, speakers Steven L. Pomerantz and Dr. Yonah Alexander, and Irving Shapiro, chairman, Middle Eastern Affairs Committee.



# American Jews And Politics

*The following is excerpted from the remarks by two nationally-known political analysts, David Garth and Richard Scammon, at a forum on "Jews and the American Body Politic" presented during ADL's National Executive Committee meeting.*

*Mr. Garth, who has served as a political advisor and media consultant for more than 100 major political campaigns, publishes the Garth Analysis, a national opinion poll, six times yearly. Richard Scammon, co-author with Ben Wattenberg of "The Real Majority," has been observing elections for some 30 years and is director of the Elections Research Center in Washington, DC.*

## David Garth:



The Jewish vote, generally speaking, has been growing a little bit more conservative, moving in the same direction as the rest of the country. One of the problems is how we describe a conservative. Being

against the death penalty, for example, is regarded today as a litmus test for being a liberal. Jews, two to one, favor the death penalty. So-called liberal principles such as Gay Rights and Women's Rights are favored by Jews, nine to one. Moral Majority issues, even though 17 percent of Jews know that they were a part of the Reagan posture, do not bother them at all.

What I am saying is that the kinds of issues used in the past to describe a conservative and a liberal have changed. We don't talk in the same terms today. Elections this year are not going to be decided on left-right idealism, but on local issues. The 1984 election was not an ideological victory but

a victory of personality. Yes, there was some movement to the right, especially by younger people. But what happened to the rest of the Republican Party, to Senators and Congressmen? Younger Jewish people are going more independent but it's still not a national trend. . . .

I believe there has been a change in view as far as Israel is concerned. It came as a result of the Lebanese War. The coverage of that war on television, similar to the Vietnam War, had a psychological effect, especially on young Jewish kids. No matter how right that war might have been, it still left an image of Israel that was repugnant.

In the first two weeks of the war, Israel censored the press on its side of the border but could not censor the press on the Lebanese side. So the only message that got out was from Beirut and it was negative.

**"During AWACS debate,  
American people were  
sympathetic to Israel."**

Congressmen and Senators are interested in their people's feelings and our polls show that the American people, generally speaking, are sympathetic to Israel. During the big fight over the AWACS planes that were to be sold to the Saudis a couple of years ago, this country polled 4 to 1 against the sale. Forget Jew, non-Jew—the American people were basically sympathetic to Israel.

I have a feeling that Israel's political diversities are going to start to hurt the country. It is probably the only country where no politician has anything good to say about another politician, starting with his own party. Everyone has access to the

*Continued on page 10*



## ADL/HARRIS POLL

# Anti-Semitism In the Farm Belt

*"Grossly exaggerated."  
"Failed in their mission."*

**T**hese are two of the encouraging conclusions of a recently released Louis Harris poll commissioned by the Anti-Defamation League in rural Iowa and Nebraska to probe reports of growing anti-Semitism in the financially-troubled American farm belt.

The poll, conducted in late January by telephone among more than 600 persons, a cross-section of the rural population in both states, pinpointed the lack of success by far-right extremists seeking to stir up anti-Jewish feeling by exploiting the farm crisis.

Since a much-publicized national television program last year which conveyed the sense of an alarming incidence of anti-Semitism among farmers, the subject has been of concern in many areas of the country. The ADL/Harris Poll, a studied assessment of the facts, revealed however that the American farmer is decidedly not as vulnerable to bigotry as those who cry wolf about anti-Semitism would have us believe. ADL, which had monitored the situation over an extended period, was openly critical of the TV program for exaggerating the facts.

The poll found that while extremist groups had tried to persuade American farmers that Jews were largely responsible for their problems, farmers placed the greatest blame on Congress, on local bankers and loan agencies, on the Reagan Administration, on the Farmers Home Administration, on the Federal Reserve Board and on the farmers themselves.

Those polled were asked to what extent they considered "certain religious groups, such as Jews" responsible for the farm crisis. Four percent said a "great deal," nine percent said "somewhat" and 79 percent

replied "not very much" or "not at all."

Although reassured by the poll's statistical evidence that anti-Semitism is not on the rise in rural America, Nathan Perlmutter, ADL's national director, said any level of anti-Semitism is of concern. He added that the League has intensified its ongoing programs of monitoring and counteraction because even a little bigotry is far too much.

In attempting to gauge the extent of anti-Semitism in the farm belt, the poll also asked respondents whether they agreed or disagreed with a series of derogatory statements about Jews and other minorities: "Jews are irritating because they are too aggressive." Twenty-four percent agreed; 61 percent disagreed.

"Jews feel superior to other groups." Twenty-seven percent agreed; 60 percent disagreed.



Howard G. Armstrong/Freelance Photographer's Guild

extremist groups seeking to exploit the situation. Only 50 percent of those surveyed had heard about or were familiar with the National Agricultural Press Association, a group that combines do-it-yourself help for hard-pressed farmers with anti-Jewish propaganda. Even fewer—29 percent—had heard of the Populist Party, the most active U.S. organization seeking to recruit supporters among farmers. Only 24 percent were acquainted with Posse Comitatus, the anti-Semitic organization of loosely affiliated groups of armed vigilantes.

More significant, however, was the finding that 98 percent said they had no association with these groups. According to the Harris Poll, direct involvement by farmers with extremist groups has been "minimal and minute."

Among the conclusions of the poll was that anti-Semitic sentiments which did exist were more frequently encountered in the over-65 age group and among those with less than a high school education.

ADL announced that the findings reinforced the need to closely monitor manifestations of anti-Semitism in farming areas and to expose and combat propaganda efforts by extremists.

Among ADL's counteraction programs have been:

- Working closely with law enforcement officials in the effort to combat instances of anti-Semitic vandalism and harassment.
- Pursuing legal initiatives in state legislatures and courts against bias crimes.
- Making available educational programs and resources to schools, religious organizations and community institutions.
- Widely distributing among farmers groups, community organizations and officials an ADL special report entitled, "The American Farmer and the Extremists." □

"Jews in this country have too much power." Twenty-seven percent agreed; 53 percent disagreed.

In ADL's landmark University of California study in 1969, and in others taken over the years, approximately one-third of those surveyed were found to harbor anti-Semitic sentiments and the "anti-Semitic quotient" for rural Midwestern whites was 52 percent.

While one cannot make a direct comparison of the Harris poll and the University of California study, it is noteworthy that despite hard times and the anticipated scapegoating that accompanies difficulties, anti-Semitism has not caught hold in the farm belt. In fact, a substantial majority of those polled are simply not anti-Semitic.

The poll showed that comparatively few farmers are even aware of the major



media and the divisiveness is going to have an effect on how Americans react.

## Richard Scammon:



Jewish voters in this country for 60 years after the Civil War were heavily Republican. In fact, in one of the Congresses, around 1906 or 1908, every Jew was a Republican.

The nature of the Democratic party was different in those days. . . essentially big city machines, often Irish Catholic leadership, and Southerners. It didn't change until the middle '20s.

Don't think of Jewish voters as consistently, constantly Democrats. A number of Republicans in American political history, up to and including the President, receive measured support from Jewish voters.

By and large, an article written some months ago saying the Jewish voters yesterday, today and tomorrow, are always liberal, was probably generally correct. The vote among Jews in the Presidential election in '84 was about 2-1 for Mr. Mondale, except in the Orthodox and Hasidic communities. The Hasidim ran about 90-10 for Mr. Reagan.

Jewish voters make substantial personal judgments between individuals. Nelson Rockefeller, for example, got substantial Jewish support. One of the candidates who got most Jewish support was Spiro Agnew, when he ran for governor of Maryland as a Republican against George P. Mahoney, a Democrat, whose call to action was that your home is your castle—defend it.

In American politics today, realignment has come, but not the way most journalists talk about it. It isn't Republicans turning into Democrats or the reverse.

There is a new kind of realigned politics which exists simultaneously in two separate worlds. One is the world of the Presidency and the other is the world of everything else. What happened in 1984 was a prime example. Since the election of Eisenhower, the Republicans have won the Presidency and the White House two-thirds of the time. Every Republican candidate since the end of World War II has been

elected to a second term by an even bigger margin.

At the same time, the House of Representatives for 30 years has been Democratic. But we have realigned. Just after the '84 election, I read in a small town paper, the headline: "Reagan Carries County 3-1, Democratic Sheriff Re-elected 4-1." This happens again and again and again. Over half of the congressional districts carried by Reagan in 1984 elected Democrats to Congress.

Those two different worlds are going to continue in 1986. It's not due just to declines in unemployment, to the cutting off of inflation. It's due to a respect for Mr. Reagan which does not translate into support for other Republicans.

One of my colleagues feels that in 1988 both parties may leap a generation and simply go down to some of the lesser known younger candidates.

The great problem for the Democrats is a fundamental one—the division between some militant black Muslim leaders and the Jewish community. The Democratic Party is a much broader group of people than the Republicans, much more diverse, much more divisive.

In 130 years, no Northern Democrat has been elected President of the United States, except for Roosevelt, and polled 50 percent of the vote. The only Democrats elected President with over half the popular vote were Lyndon Johnson and Jimmy Carter, both Southerners. Is there a prospect in 1988 that a Northern Liberal Democrat can be elected President? If there is a fiasco in foreign policy or a critical domestic policy, all voters—Jewish, gentile, black, white—will be in favor of change. But the candidate likely will be a moderate Southerner. How this can be done without driving away some of the militant, liberal advocates will be the problem.

How do I find attitudes in this country towards Israel? One of the great strengths is the gradual movement of many conservatives and born-again Christians, whether from theologic or anti-Communist viewpoints, to a support which was, at best, grudging 15 or 20 years ago. That support has become much more philosophical, much more ideological, and much more likely to be maintained. □

# Holocaust Studies: The Next Stage

by Dennis B. Klein

**T**he Holocaust needs to remain a part of our shared remembrance of human failure and the capacity that exists for the destruction of human life and dignity. Students need to face the enduring strengths and fragile conditions that exist in contemporary society and become aware of how easily civilization can be torn asunder."

This recommendation, made recently by the Carnegie Foundation for the Advancement of Teaching, has inspired much of the growth of Holocaust studies.

Today, many students in these programs, born after the fact, are literally untouched by the Holocaust. Educators look for new approaches to explain this phenomenon. Many of the students are non-Jews, adding another dimension to curriculum planning.

There has been a penchant for generalizing about the perpetrators. A moralizing tone has often framed discussions in terms of evil and good. In trying to understand the tragedy, it is natural to feel rage and sorrow, but defining the Holocaust as a 20th century morality play could sabotage efforts to encourage a broad participation in acquiring knowledge about the Holocaust.

The tendency to assign collective responsibility is most apparent in discussions of the Polish people and the Catholic Church. Both groups have been linked to the Nazis, either as sympathizers or as collaborators. With the detachment of 41 years after the Holocaust, and with the accumulation of eyewitness accounts and

other documentation, distinctions can now be made. These distinctions alter the tone in the classroom from passion and compassion to more appropriate critical thinking and self-reflection.

Common preconceptions about the Catholic church's role are based in part on the impact of Rolf Hochhuth's controversial play, *The Deputy*. Hochhuth portrayed Pope Pius XII as indifferent to pleas on behalf of the Jews, as fearful that opposition to Nazi genocide would imperil the church. In addition, he depicted the Pope as so eager for the defeat of Bolshevik Russia that he was reluctant to criticize the Nazis' anti-Jewish policies. Hochhuth condemns the inaction of church authorities as malevolent.

New research presents the reaction of the Pope and other church leaders as complex and varied. For example, in France and the Netherlands bishops openly condemned Nazi actions against Jews. In Slovakia they were more passive, and in still others, particularly Poland, the bishops could do nothing because they and their people were victims of Nazism.

Some church leaders rescued Jews and spoke out against Nazi brutality. Recent studies illustrate that some remained silent or indifferent out of fear of Nazi terrorism rather than out of malevolence. Others had limited options and an awareness of the consequences of spurning Nazi policies. Still others—especially among the laity—were not fully aware of the extent of Hitler's campaign against the Jews. There were many who reacted just as Hochhuth portrayed them: indifferent, if not hostile, toward Jews.

Since most people are at least aware of the Holocaust, the principal question no longer concerns the extent and evil of the systematic genocide of the Jewish people. Rather, the aim now is to define precisely who participated in the organized acts of

*Dr. Klein is director of the League's International Center for Holocaust Studies, a department of the agency's Intergroup Relations Division. One of the Center's programs is the development of new and revised curricula for Holocaust studies.*

belligerence, and why. John T. Pawlikowski in *The Challenge of the Holocaust for Christian Theology*, points out that a severe judgment about Pope Pius XII's lack of concern for Jews is prejudicial and simplistic. The Pope, he says, disapproved of the Nazis' anti-Jewish plans and undertook some concrete efforts to save Jews. But, the author notes, the fact remains that Vatican diplomacy was inadequate, marked by excessive prudence and reserve. According to John Morley, author of *Vatican Diplomacy and the Jews During the Holocaust*, that reserve derived from an ecclesiastical and personal pattern of not "offending" any nation.

John S. Conway's *The Nazi Persecution of the Churches, 1933-1945* makes the point that the first victims of Nazi genocide were the Polish intelligentsia, including the clergy. The Nazis considered the Poles as inferior. This study deepens our knowledge of the essential racial ideology that propelled the Nazi quest.

Pointing to those within the church who were victimized or who sheltered Jews may seem like an attempt to excuse the church as a whole, including those who did support or at least acquiesce to the "Final Solution." However, a critical examination of complicity is an ethical advance, since the alternative—ostracizing individuals because they belong to a certain group—was the foundation of the Nazi ideology. We need to discern the patterns of involvement to better define those actually involved in the genocidal policies. Catholicism itself is not to blame. Christian anti-Semitism did not prescribe force against Jewry. On the contrary, Christian theology demanded Jewish preservation so that Jewish existence could testify, by its "degraded presence," to the triumph of Christianity.

This renewed inquiry into the individual's involvement in the destruction of European Jewry stands a better chance than did previous efforts to establish a framework for examining the Holocaust.

Currently, the Holocaust is usually taught as a unit for a number of weeks or for an entire semester—a response to the general tendency toward specialization in teaching. On the college level, Holocaust studies have also become an independent field.



A Jesuit in Hochhuth's play defies the SS.

Perhaps as a consequence of the "back-to-basics" movement, there is a growing interest now in synthesizing history and making it "whole" again. This synthesis could incorporate what we have learned about the Holocaust into a new mainstream that would illustrate the underlying discontents of Western civilization.

Presented as the emblematic fact of the 20th Century, the Holocaust would make clear that our religious heritage, our codes of law, and our technological advancements have produced destructive consequences as well as productive ones. Moreover, the Holocaust would shed light on the twin legacies of the enlightenment: The mastery of nature and the subjugation of human life.

The challenge for the future is to define the links between the Holocaust and the ideas and events of Western civilization. The program to destroy European Jewry occurred during World War II, but the war alone does not explain the Holocaust. (The overwhelming majority of Nazi assaults, including the annihilation of Jews far from the front lines, were, in fact, totally unconnected with the necessities and the conditions of war.)

Other historical and cultural links are vital. Even a separate chapter in general history texts devoted to the Holocaust is a step in the right direction. And while it might be easier to develop teaching materials for a separate curriculum, such a curriculum sustains a particular view of the Holocaust which wrongly implies that the "Final Solution" was a historical aberration. Restored to its historical contexts, the Holocaust would become meaningful for the uninitiated and the unconvinced. □

## National Defense cont. from p. 1

will to succeed.

Measured in purely dollar outlays, in the past five years we have not spent more than the Soviet Union. The cold truth is that, as hard as we try, we have not closed the gap. In the past five years, the Soviet Union has produced roughly twice as many fighter aircraft than the United States and NATO. The Soviets have produced four times the number of helicopters, five times the number of artillery weapons.

If you compare rough investments in the last ten years in funds devoted to research and development as well as in construction, the Soviet Union has exceeded us by about \$450 billion. Everett Dirksen used to say "that's real money."

In the area of procurement they have exceeded the United States by \$250 billion.

## Not Too Much for Defense

I don't believe we are spending a disproportionate amount on defense. If you were to add \$100 billion to what President Reagan has proposed, you still would not reach what this country spent for defense in the mid '60s, before the Vietnam War. The amount of our GNP going into defense in the 1950s was far greater, when the threat was considerably less.

We have gotten a lot of mileage from Soviet perceptions of our willingness to defend our interest. But if we allow the differential in strength and power to continue, the Soviet Union's clearly evident superior hardware, together with different leadership, will encourage them to expand again, to challenge us and to take risks.

There is another danger if Congress reduces defense and specifically the strategic defense program. That will signal to the Soviet Union a fundamental change in the resolve of the United States. They will question the necessity to negotiate at all in Geneva, if the United States is willing to cut its own budget. Why should they worry about strategic defense if the Congress is willing to make the concessions unilaterally. The five-year investment that has brought us to the most promising moment for arms control in the post-war period will have been for nothing. We have at hand a profoundly important arms control agree-

ment but it will not come to pass unless we demonstrate our ability to sustain strength.

How will it look if we enter a period of declining defense spending, if there is no arms control agreement? The immediate effects will be the perception that the United States is weakening, that it has been a five-year flash in the pan. That will signal other countries to hedge their bets vis-a-vis the Soviet Union and, finally, the U.S.S.R. will be much more willing to take risks and to stonewall in Geneva.

We must recognize that our national security relies on the strength of our economy. We must assure that what we spend on defense is spent well. We must spend our money in ways where we have a comparative advantage. By investing in high technology areas, we can require the Soviet Union to channel its investments in directions which don't threaten us. A classic example is the 1950s development of the U.S. bomber. That required the Soviet Union to make massive investments in air defense, not one of which threatens Americans. It's that kind of thinking we must infuse into our defense strategy.

How will the balance of U.S./Soviet relations fare in the future? There should be a substantial expansion of trade as long as we don't delude ourselves that doing so will fundamentally alter their goals. Such trade can be mutually beneficial as long as it does not include items with military application.

We can look for a substantial improvement in exchanges of people. I think Gorbachev is a man who, for the wrong reasons perhaps, will ease in some measure repression upon Soviet Jewry and other minorities in that country.

I think U.S./Soviet relations will enter a period of uneasy calm. Uneasy because it will be accompanied on their part by an unrelenting sustained investment in raw military power on a scale unprecedented in human history. Our response should acknowledge that it is going to require about seven percent of our GNP for the foreseeable future. That's not too much to pay.

There is another phenomenon that we must deal with—terrorism. From Iran, there is a threat deriving from a demented theology of Islamic fundamentalism. In



Leon Klinghoffer's funeral, aftermath of the Achille Lauro terrorist attack.

Libya and elsewhere, there is a misguided Pan-Arabism that seeks to prevent any notion of accommodation or peaceful resolution of disputes. Both these countries rely on terrorism to achieve their ends.

Thus far the Western response has been uncertain and cautious. That caution is expressive of our values, of our religious tolerance and of our commitment to the peaceful resolution of disagreements. But we must counter this menace and eradicate it while preserving these values. We have been unable so far to fashion a course that achieves both outcomes. We have improved our intelligence collection although we are light years away from having a sufficient intelligence collection capability in the Middle East. We must improve cooperation, specifically with Israel, Italy, France, Germany, Great Britain and others, who are quite good at this.

We must demonstrate that there is integrity in our own system so that information conveyed among governments, when shared with our own Congress, does not wind up the next day in the *New York Times*. We must demonstrate that we are able to deal intelligently with information and not to compromise human lives for self-serving political gain.

We have improved our passive defense to protect our people overseas better. We have improved our detection schemes. We have reacted against the tentacles of the "octopus" but we have not yet dealt with the nerve center of that octopus...the strategic centers of terrorism in Libya and Iran.

In 1981, we stopped buying goods from Libya and selling them certain items. That had an effect only until Libya found other markets. The President's recent additional sanctions had the same basic consequence: our allies, or so-called allies in Europe, ignored the United States. That is unconscionable.

The United States has asserted some leadership but we have seen precious little response from those who should be in our corner. The idea that a head of government says we cannot place economic sanctions on a country, that we must deal always in the context of international law, is a false notion that permits acknowledging a threat but denies the legitimacy of self-defense.

We must introduce a multi-national dimension, so that we finally get serious about dealing with this menace. The Administration and the Congress must forge an agreement that this capability will remain clandestine, be properly managed, and not exposed for the self-serving, so-called gain of one politician or another.

All of us are concerned about stability in the Middle East. The United States has premised its policy there upon basic propositions. The foundation has been our fidelity and eternal commitment to the security of the State of Israel and I have every confidence that that fundamental commitment will remain.

I think that matters of principle set down by this and previous administrations—Democratic and Republican alike—not to negotiate with the P.L.O. as long as it maintains its current position, are unquestionable. We must acknowledge that where there is good faith, willingness to enter direct negotiations and deal concretely with realistic compromise, that the United States can and must provide the leadership that makes that kind of process possible.

I do not think that the objective conditions are present at this time, but the United States must try to nurture on both sides a process where we can get to a concrete point of negotiation. There is goodwill in isolated corners on both sides. I believe we can get back to a peace process but in the understandable zeal to reach that condition, I don't think we should delude ourselves. □

## NEWS BRIEFS

**WARM WORDS FOR ADL**—Neal M. Sher, director of the U.S. Justice Department's Office of Special Investigations, thanked ADL for its "long-standing and vigorous efforts" in helping to bring Nazi war criminals to justice. In a letter to ADL, Mr. Sher said: "You deserve to share and take pride in the victory" of Andrija Artukovic's extradition to Yugoslavia to stand trial. ADL cooperates with the OSI through its Task Force on Nazi War Criminals and its Legal Affairs Department, both part of the Civil Rights Division.

**GOOD NEWS DEPARTMENT**—Following the Senate's ratification of the Genocide Convention, Nathan Perlmutter, ADL's national director, noted: "It is fitting that when at long last passed, it was an overwhelming bipartisan expression of the best instincts of the American people". . . ADL cabled Ivory Coast President Felix Houphouet-Boigny welcoming his country's decision to renew diplomatic relations with Israel. The cable said: "The move by you and your government is the correct and moral one. We are hopeful that this historic step by the Ivory Coast will encourage other black African states to follow suit and return to the positive relations enjoyed with Israel."

**NOTES**—Morton Ryweck, executive director of the Jewish Community Relations Council/ADL of Minnesota and the Dakotas was a speaker at the first interfaith symposium held at the College of St. Scholastica in Duluth and cosponsored by ADL, the Catholic Diocese of Duluth and the Twin Ports Jewish Federation. . . The Denver Nuggets basketball team has joined in ADL's sports poster prejudice reduction campaign. Ten billboards have appeared in Denver, Colorado Springs and Pueblo featuring Alex English and Danny Schayes of the Nuggets with the ADL message: "If you really believe in America, prejudice is foul play!" . . . Some 50 San Fernando Valley, CA, representatives of churches, synagogues and temples participated in a seminar dealing with vandalism and burglary. Sponsors were the Pacific Southwest ADL Regional Office and the

Jewish Federation Council of the San Fernando Valley.

**ADL AROUND THE WORLD**—ADL told Austrian Chancellor Fred Sinowatz it was "morally wrong" to receive Palestine Liberation Organization representative Farouk Kaddoumi.

The League said in a cable that "the policy of collaborating with the P.L.O. as insurance against terrorist attacks is morally wrong and has proved to be counter-productive". . . ADL protested to the Norwegian Government that the P.L.O. will open an office in Norway.

. . . *Time* magazine quoted associate national director Abraham H. Foxman's comment on former U.N. Secretary Kurt Waldheim's statement that although he served in a World War II German army unit that engaged in mass deportation of Greek Jews, he was unaware of what was happening. Said Mr. Foxman: "If he did not know what was going on . . . he was probably the world's most incompetent bureaucrat. If he knew, he is a liar."

**APPOINTMENTS**—Jeffrey P. Sinensky, director of ADL's Legal Affairs Department, has been named associate director of the agency's Civil Rights Division. The Division, headed by Justin J. Finger, also encompasses Fact Finding and Research Departments, a Washington, DC, civil rights office, five regional representatives and a Task Force on Nazi war criminals.

Mr. Sinensky, who joined ADL in 1976, is a former Bronx County assistant District Attorney and Deputy Chief of the Indictment Bureau. He also served in the Bronx County Appeals Bureau and as a trial attorney in the Narcotics Division. He received a Bachelor of Arts degree cum laude from Brooklyn College and a Juris Doctor degree with honors from St. John's University School of Law.

Sheldon Filger, who had been director of ADL's Plains States Regional Office in Omaha for the past two and a half years, is now director of the Southwest Regional Office in Houston. He replaced Thomas Neumann, now head of ADL's Community Service Division. Mr. Filger joined ADL in January, 1982, as a community consultant with the Greater Chicago Regional Office.

Yitzhak Santis, a community consultant in



the Ohio-Kentucky-Indiana Regional Office since 1984, has been named director of the Omaha Regional Office.

**INTERFAITH OBSERVANCE**—The fourth edition of "The Passover Celebration: A Haggadah for the Seder," designed for Christian interfaith observances has been published by ADL.

Prepared by Rabbi Leon Klenicki, director of ADL's Interfaith Affairs Department, in cooperation with the Liturgy Training Program of the Roman Catholic Archdiocese of Chicago, the Haggadah highlights the major rituals and events associated with the liberation of the Jewish people from Egyptian bond-

age, the spiritual fulfillment at Mount Sinai and the return to the Promised Land. It includes a section commemorating the Holocaust and an introduction on the meaning of Passover for Christians.

**EN ESPANOL**—"*Atrapados en la Union Sovietica: Prisioneros de Conciencia y Refuseniks Judios*" (Trapped in the Soviet Union: Jewish Prisoners of Conscience and Refuseniks) is the latest ADL Spanish language publication available from the Latin American Affairs Department.

**WE MOURN** . . . He was "a great American patriot . . . the paradigm for political decency and effectiveness," said ADL upon the death of former Senator Jacob K. Javits of New York. A longtime friend and supporter, who died in Palm Beach March 7, Senator Javits served as an honorary vice-chairman of the League for some 25 years. He was the recipient in 1973 of ADL's America's Democratic Legacy Award and in 1981 of the Haym Salomon Award. Discussing the American Jewish Community in his acceptance speech in 1981, he said, in part, ". . . so long as we stick clearly to the fundamental theme of our faith and its concept of justice, then our hope for a world ruled by law . . . must ultimately prevail . . . And we will have had the privilege of having contributed to this objective . . . We will have passed through here only once but we will have left a mark upon all time . . ."

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