

'Money talks, everyone walks' in ADL spy probe

by Jeffrey Steinberg

On Nov. 16, Presiding Judge Raymond Arata, Jr. of San Francisco Superior Court formally approved an agreement between the Anti-Defamation League of B'nai B'rith (ADL) and District Attorney Arlo Smith, abruptly terminating, without indictments, a year-long probe of spying and other crimes by the ADL.

Under the terms of what was labeled a "sweetheart deal" and a "sellout" by victims of the ADL's decades-long espionage and dirty tricks campaigns, and by police and prosecutors who conducted the investigation, the ADL agreed to pay up to \$75,000 into a District Attorney's Office "hate crimes reward fund," and to accept a permanent injunction against violations of the California Business and Professional Code. In return, the ADL will receive back the bulk of its files seized in raids on its San Francisco and Los Angeles offices in December 1992 and April 1993. What's more, no ADL official—not even their chief Bay Area spy, Roy Bullock—will face criminal charges, despite the fact that the district attorney and police had assembled what one insider called an "airtight" felony case against Bullock and several top League officials, including national fact-finding director Irwin Suall of New York City.

While ADL National Chairman Melvin Salberg and National Director Abraham Foxman were quick to issue a statement claiming that the deal vindicated their claims that the ADL had "engaged in no misconduct of any kind," nobody who has followed the year-long spy probe, and the prior two-year FBI espionage investigation of ADL funneling of federal government secrets to the South African and Israeli governments, believes for a moment that the ADL was innocent. "I think Arlo Smith didn't think it was politically expedient to dump on the ADL," a source close to the investigation told the San Francisco *Examiner* on Nov. 16. Another source told *EIR* that Assistant District Attorney John Dwyer, who

directed the probe and was preparing to call ADL officials before a newly empaneled grand jury, was furious at the settlement, which was personally negotiated by DA Smith.

Despite the ADL's wriggling out of criminal indictments in San Francisco, the League is by no means out of the woods.

The Demjanjuk case

On Nov. 17, the Sixth Circuit Court of Appeals in Cincinnati issued an historic ruling in the John Demjanjuk case, overturning the retired Cleveland auto worker's extradition to Israel to stand trial as the Nazi war criminal "Ivan the Terrible" of Treblinka. Demjanjuk's conviction and death sentence in Israel were overturned by the Israeli Supreme Court, on the basis of evidence proving his innocence. The Cincinnati court ruled that the Justice Department's Office of Special Investigations (OSI) had committed prosecutorial misconduct and fraud upon the court by withholding exculpatory evidence. The 83-page ruling singled out the ADL for harsh criticism for its political pressure tactics and for making payments to top OSI figures:

"Mr. Ryan, Director of the office, wrote the Assistant Attorney General of the Criminal Division in 1980 that OSI had 'secured the support in Congress, Jewish community organizations, public at large for OSI—press coverage has been substantially favorable and support from Jewish organizations is now secure,' but he went on to say that 'this support can't be taken for granted and must be reinforced at every opportunity.' Mr. Ryan also testified that 'in 1986, which was the year before the trial [of Demjanjuk in Israel], I went to Israel for about 10 days on a lecture tour that was sponsored by the Anti-Defamation League. . . . It is obvious from the record that the prevailing mindset at OSI was that the office must try to please and maintain very close relationships with

various interest groups because their continued existence depended on it.”

The Sixth Circuit ruling obviously stung the ADL very badly, because the Salberg-Foxman duo immediately dashed off a press release stating that they found it “absolutely mind-boggling” for the court to impugn OSI’s integrity based on its relationship with the ADL.

In fact, according to sources in Washington, D.C. it was precisely the ADL’s relationship to OSI and other sections of the U.S. Department of Justice that was crucial in pressuring San Francisco’s DA Smith to drop the indictments. Reportedly Smith came under heavy last-minute pressure from federal prosecutors, who warned that urgent DOJ and FBI cooperation on several sensitive Bay Area drug cases would be pulled out, if he went ahead with the indictments against Bullock and other ADL members.

Other sources added that President Clinton, desperate to win votes for the North American Free Trade Agreement (NAFTA), solicited the aid of Israeli Prime Minister Yitzhak Rabin, who was in Washington, D.C. in the days leading up to the vote on NAFTA in the House of Representatives, and that Rabin agreed to help line up support among congressmen close to the Israeli Labor Party, in return for a settlement of the ADL case, consideration of a presidential pardon for convicted Israeli-Soviet spy Jonathan Jay Pollard, and the sale of F-15-I combat aircraft to Israel.

LaRouche comments on judicial parallels

Lyndon LaRouche, Jr., the political economist who was railroaded into federal prison by the same nexus of corrupt Justice Department officials abetted by the ADL, drew the parallels between the Demjanjuk affair and his own case, in comments on Nov. 18:

“The similarity of the two cases is, as the record shows:

“1) At all times prior to and following the indictment, the Justice Department was fully aware that the charges brought against me and my codefendants were false. In the Demjanjuk case, from 1978 on, the government was apparently, according to the evidence on the record, *at all times* aware that Demjanjuk was innocent of the charges being brought against him.

“2) The crucial factor in both cases, was the ADL’s pushing of the case. The ADL used its corrupting influence upon government, particularly the Justice Department, in both cases, to bring about the cases; and it also used its influence within the Congress to help further both cases.

“3) The ADL could not have succeeded in either case without cooperation from the Soviet government. In the Demjanjuk case, as in the case of Tscherim Soobzokov earlier—where the ADL’s agents called for the assassination of Soobzokov, who was subsequently assassinated, soon after his exoneration—the Soviet government played a decisive role in bringing about the combination of circumstances inside the United States where corrupt government officials could succeed in bringing about a conviction, or tantamount

to a conviction, in the Demjanjuk case.

“Additionally, Demjanjuk continued to suffer and we continue to suffer, because of heavy ADL pressure upon the government to ensure that we were not released. In both cases, Henry Kissinger played a key role in pushing for the fraudulent convictions.

“The difference, of course, is that in my case, the initiative, in large part, which led to the conviction, came *essentially* from the Soviet government of Gorbachov, and early under Andropov, in which they demanded, in the loudest and most strident terms, that I be eliminated as an influence on government, and then that I be eliminated from the political scene altogether. It was the result of pressures from the Gorbachov government, as reflected in repeated articles featured prominently in leading Soviet publications, demanding that I be put in prison as a condition for a successful Reykjavik summit agreement in 1986, that I was ultimately railroaded by the Justice Department, with a major assist from the ADL.

“The point to be noticed, is that the fraud upon the court by the government in my case, accomplished by a corrupt prosecution, massive prosecutorial misconduct, aided by corruption in the federal courts itself, continues. Demjanjuk was much less important to the establishment; he is now free and, one hopes, will remain free. There’s a possibility that I might be freed conditionally, but the assault upon my honor has not been reversed. The government continues to support the crime which it committed against me and my friends and my supporters.”

Civil suits moving ahead

Despite the capitulation by the San Francisco district attorney to the political onslaught by the ADL, underscoring the continuing power of organized crime in America, civil suits are still proceeding through the federal and state court systems that could strip the ADL of its tax-exempt status and unearth much of the evidence buried by the settlement in San Francisco. On Nov. 16, at a hearing before Superior Court Judge Barbara Jones in San Francisco, the court rejected an ADL blanket claim of First Amendment protection on the grounds that it is a news organization. Former Congressman Paul N. McCloskey, Jr., who filed a class action suit last May charging the ADL with spying on thousands of California residents simply because of their political views, successfully argued that he had the right to take discovery against the ADL. Judge Jones ruled that the press shield only applied to certain ADL activities, and that she would decide on a case-by-case basis whether the ADL would be ordered to comply with discovery requests.

In another action filed by Democratic Party senatorial candidate and longtime Los Angeles area LaRouche activist Ted Andromidas, the Internal Revenue Service is now reviewing whether the ADL violated its tax-exempt status by circulating defamatory propaganda in the Los Angeles schools against Lyndon LaRouche during two presidential campaigns.