

state was about to veto the Arafat visa after Saudi Arabia, Egypt, and Jordan had placed immense pressure on the PLO to wrestle the recognition of Israel's right to exist from the Palestine National Council meeting in Algiers.

An Arafat appearance before the United Nations is now all but certain. Whether it takes place in New York City or in Geneva, the event will be spotlighted worldwide.

Perhaps the greatest toll has been levied against the incoming administration of George Bush. Shultz's shameless pandering to Israel's intransigence on the Palestinian statehood question, and his ignoring of CIA and other U.S. intelligence estimates that Arafat is not linked to Palestinian terrorist circles, casts Washington as a slave to Tel Aviv, and throws new impediments in the way of a Bush administration seeking to chart a new policy course in the Middle East.

Shultz and Bush have been at odds for several years on a range of policy issues, especially revolving around Middle East policy. Shultz made it a point on several occasions in recent years to ignore Bush policy suggestions. When the vice president announced his choice of James Baker III as his secretary of state hours after his election last month, few people missed the message to Shultz: Pack your bags now and make way for the new team.

Chaos back in Tel Aviv

As this issue of *EIR* goes to press, Prime Minister Shamir is faced with a 72-hour deadline for putting together a new government coalition. At that point, he must either win an extension from President Chaim Herzog, or the mandate to attempt to create a new cabinet may be passed to Labor. On Dec. 1, the executive council of Labor voted 61-57 against joining a new coalition with Likud. Such a government would have retained Yitzhak Rabin as defense minister and would have given Shimon Peres either the finance or foreign ministry portfolio. While Labor is horsetrading with the religious crazy parties in an effort to form a coalition free of the Likud, the entire political process in Israel is rapidly devolving into chaos in which all serious policy issues are ignored.

Ultimately, whatever governing combination takes charge in Israel, it will be immediately confronted with a string of pressing decisions: how to handle the mounting pressure to reach an agreement for a Palestinian state; how to respond to Moscow's accelerating efforts to stake out a major role in all future Eastern Mediterranean matters by, among other things, reaching a series of bilateral deals with the government in Tel Aviv; how to resolve the social decay that has unleashed a growing wave of Jewish fundamentalism.

How Israel handles these crises will itself be in large measure determined by the kind of Middle East policy crafted by the incoming Bush administration in Washington, and how that policy is conveyed to the new government in Israel. Astute observers will keep close tabs on the Demjanjuk front, where some startling developments may figure prominently in the playing out of all these crises.

Book Review

Professional insight into Demjanjuk trial

by Mark Burdman

Identifying Ivan: A Case Study in Legal Psychology

by Willem A. Wagenaar
Harvester Wheatsheaf, Hempstead,
Herefordshire, U.K. 1988

£14.95 hardbound, 187 pages with index.

In June 1989, the Israeli Supreme Court is scheduled to hear the appeal of John Demjanjuk, the man who has been sentenced to death in Israel, after being convicted in April 1988, of having been the infamous "Ivan the Terrible," the guard at the concentration camp Treblinka who committed mass murder and acts of vicious sadism. Demjanjuk, a retired Cleveland autoworker, was illegally deported to Israel for the trial. It is almost certain that Demjanjuk's appeal will be denied.

Whatever verdict is given, the newly issued book, *Identifying Ivan*, should be required reading internationally, to give a sense of what kind of frameup and legal travesty the Demjanjuk case has been. It gives the reader a precious insight, from one useful standpoint, into how the Soviet Union, the U.S. Office of Special Investigations, and complicit elements in Israel can manufacture a frameup. It is chilling reading, and therefore all the more necessary, especially as this combination of forces is also behind the ongoing frameup of Lyndon LaRouche and of others.

Author Willem A. Wagenaar, a Professor of Experimental Psychology at the University of Leyden in Holland, was a witness on behalf of the defense, an act which in and of itself took courage, given the enormous hysteria built up around this case, and given his own hints that he was subjected to pressure not to testify on behalf of Demjanjuk. He does not write with the prose of a crusader, but rather adopts the understated tone of an accomplished, but humble, professional, doing his job. His professionalism extends to refusing to make an explicit condemnation of the Israeli court verdict, since that is not his brief. He lets the facts speak for themselves.

Professor Wagenaar is an expert in what is called "identification" procedure, i.e., what are the rules, or methods, by

which legal authorities can ensure that a witness is giving adequate, honest, and usable testimony, in identifying the culprit in a crime, whether it be from a photographic mugfile, or from a police lineup. This reviewer is not competent to judge some of the more technical aspects of Wagenaar's account of the overall methodology of the profession of "identification." But he leaves little room for doubt, even for the layman in law and experimental psychology approaches, that every usual rule or norm of "identification procedure" has been violated in the Demjanjuk case.

This is vitally important. Although the facts have been tremendously distorted in the international media, the issue in the case was *not* that horrifying crimes were committed at Treblinka. That is universally accepted, and has been documented in many published accounts, including one international best-selling book. (in which, by the way, an account is given of the murder of "Ivan the Terrible" by courageous Treblinka camp inmates). The issue is: Is Demjanjuk "Ivan?"

This question is crucial for three reasons.

First, obviously, if John Demjanjuk is *not* Ivan, then an innocent man has suffered unbelievable humiliation, and will now likely be executed, unless an international mobilization could cause Israeli justice authorities to show clemency.

Second, if the kinds of perversion of usual and accepted procedure that have gone on in this case are allowed to bring about Demjanjuk's death without challenge, then the ideas of justice on which Western civilization has been built, will be damaged dramatically, and Israel will not be the only party to blame. On this perversion of practice, we invite the reader to plow through some of the technicalities of Wagenaar's presentation. We only mention some of his more interesting points of detail, some of them only reported by him en passant, without his further comment.

Presumption of guilt

Wagenaar notes, for example, that the Soviets were the first to accuse Demjanjuk, in 1976. Further, an alleged I.D. photograph, purporting to show Demjanjuk to have been at the Trawniki center where concentration camp guards were trained, was Soviet-supplied. He also reports, without further comment, that Mrs. Radiwker, the policewoman from the Israeli Nazi Crime Investigation Division who originally interrogated Treblinka survivors in 1976, had practiced law in Poland and the Soviet Union, until she emigrated to Israel in 1964. Obviously, she learned her lessons well in the U.S.S.R. From the outset, she worked from the premise that Demjanjuk was presumed guilty, rather than presumed innocent, and almost certainly "suggested" to the survivors that they identify Demjanjuk in a certain way.

Through the antics of Mrs. Radiwker and others, results were brought about where, by any objective standards, the witnesses' reliability is dubious at best. The most egregious of such cases, Treblinka survivor Eliahu Rosenberg, had testified *as early as 1945*, that he had seen "Ivan" being

killed, and had given a second, somewhat modified, account of "Ivan's death" to investigators in Vienna in 1947. Suddenly, by the late 1970s and early 1980s, Rosenberg has become one of the star witnesses for the prosecution, claiming his earlier testimony on "Ivan's death" was only a wishful "dream," and that Demjanjuk is without question the real "Ivan"! Even so, his accounts on various occasions during the last ten years have often differed from each other!

That leads to the third problem: the presumption of collective guilt of Ukrainians. In some senses, this is the key *strategic* issue in the Demjanjuk case. The Soviets, OSI, U.S. networks associated with Armand Hammer, and complicit Israelis want a Ukrainian innocent humiliated and fried, as part of a general effort to defame Ukrainians, at a time when the U.S.S.R.'s suppression of "captive nations" has become an explosive international issue.

In describing the pressure on experts like himself *not* to testify on behalf of Demjanjuk, Wagenaar writes on p. 148: "Another argument put to me by many people is that if Demjanjuk is not Ivan, he is still a Ukrainian, who probably served the Germans in another way. Therefore, it would not be a terrible mistake to convict him, and any effort to defend him would be a waste."

Wagenaar comments: "This argument has nothing to do with scientific viewpoints. It simply reflects a prejudice that runs counter to my most basic beliefs about justice, fair trial, and human rights. One cannot convict a person because, if he did not commit the crime he was charged with, he probably did something else."

Here, we come to the deeper reason why Wagenaar's book is important, even in some sense precious. At a time of growing anti-science irrationalism and media manipulation of truth, he is, in his way, asserting the importance of *scientific truth* itself, above and beyond the particularities of Demjanjuk's guilt or innocence.

As he reports, in his usual understated way, the presumption of guilt of Demjanjuk, and the hysteria accompanying that presumption, were so strong, that important potential defense witnesses dropped out of the case, fearing for their professions, their families, etc.

Wagenaar says, of himself, that he decided to be a witness out of "personal choice." But he adds: "After a careful study of the immense file, I chose to act as an expert witness summoned by the defense of John Demjanjuk because I felt that some matters had to be presented in court. No individual scientist could be forced to testify in this case. But what about the obligations of science as a collective? What if all psychologists, for personal reasons, refused to say the things that had to be said? . . . Would not the basic right of the accused to their defense be endangered?"

We have to be thankful to Professor Wagenaar for raising such questions, and for having had the courage to buck the tide on behalf of Demjanjuk, and for having written this useful book.