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SPECIAL TO JTA

Disclose Federal Government Wiretapped Conversations Of JDL Leaders

NEW YORK, June 22 (JTA)--Unless the federal government gives 13 Jewish Defense League leaders, including national chairman Rabbi Meir Kahane, transcripts of their wiretapped conversations, the gun conspiracy charges against them may have to be dropped, the Jewish Telegraphic Agency learned today. In answering a defense motion that all wiretapped conversations of the defendants be disclosed, the government revealed in U.S. District Court, Brooklyn, last Friday that while there had been no direct electronic surveillance of the phones of any of the defendants, the conversations of 10 of them had been overheard by wiretaps not authorized by court order. According to the government brief, "The President has the power, and the duty, to engage in intelligence-gathering operations which he deems necessary for the conduct of foreign affairs. There exist overriding considerations which militate against imposing the warrant requirement upon the exercise of this power." The court ordered the government to give the transcripts to the defendants on several bases, including the "substantial probability" that the wiretaps were "illegal." The government attorney, assistant U.S. Attorney Tom Patterson, replied that he could not hand them over without higher authorization. He was given until Friday to comply with the court order.

According to the government brief, details of which have not been previously published, "10 of the defendants did participate in conversations that were overheard by the federal government in the course of an electronic surveillance authorized by the President, acting through the Attorney General." But unlike most recent cases--involving antiwar groups, Black Panthers and the Berrigan brothers--the government did not justify its wiretapping on the basis of internal national security. In the JDL case, the government contended that "such surveillance was deemed necessary and essential to protect the nation and its citizens against hostile acts of a foreign power and to obtain information against foreign intelligence activities deemed essential to the security of the United States." There was no immediate identification of the foreign power nor the nature of "hostile acts." The government gave the court a sealed envelope containing more than 100 pages of wiretap transcripts, but maintained that "the conversations were unrelated to these cases," i.e., those of the gun conspiracy charges. The government asked the court to review the transcripts privately to determine whether the taps were legal, in which case the defendants would have no right to see them. In addition, the government stated that "in determining whether or not to employ this intelligence technique the Executive must make a judgment based on various foreign policy considerations."

In an affidavit accompanying the U.S. brief, Attorney General John N. Mitchell certified that "it would be a practicable impossibility to submit to the court all of the facts, circumstances, and other considerations upon which these authorizations were based." The government statement added: "The nature of the decision to employ electronic surveillance for such purposes, thus, fall peculiarly within the area of Executive, as distinguished from judicial, competence. A judge's experience in assessing 'probable cause' in the context of a criminal proceeding would be of little value in determining the need for instituting or maintaining a surveillance designed to obtain foreign intelligence information." But after reading the transcripts, the court ruled the defendants had a right to see them because there was "substantial probability" that the taps were illegal, that they "led directly" to incriminating evidence obtained by the government, and that they would require the suppression of evidence and the dismissal of charges." In ordering the disclosure of the taps, the court also held that "the defendants would not be able to conduct a meaningful defense without access" to them.

Hillel Shur, Kishinev Defendant, Says He Was Offered Bribe If He Admitted Guilt

NEW YORK, June 22 (JTA)--Hillel Zalmanovich Shur, one of the nine Jewish defendants who went on trial in Kishinev yesterday, charged today that "the head of the investigation department, Pliakov, in the presence of the prosecutor, Pluektov, offered me a judicial bribe to take the guilt upon myself in exchange for being released on probation," a Soviet Jewish emigre reported here today. Alexander Gittelsohn, who relocated in Israel in April, told a Soviet Jewry "Commission of Inquiry" holding a day-long meeting at the Carnegie Endowment International Center that in a phone conversation today with the 35-year-old defendant's Israeli sister, Kreina Zalmanovna Shur, she told him that she had learned from friends in Riga that Shur was warned that if he did not admit to anti-Soviet agitation and propaganda he would be sentenced to five or six years in prison. Shur's sister told Gittelsohn that her brother had replied: "I refuse to have my fate decided by people who at the very beginning violate Soviet laws themselves. I refuse to take part in this trial." Shur was also said to have declared: "I consider that my case is not under the jurisdiction of the Kishinev court. Not a single witness from Kishinev has been questioned in regard to my case."

CCAR Leaders Charge Presidents Conference Is Cowardly, Servile

ST. LOUIS, June 22 (JTA)--The leadership of the Reform movement blasted the Conference of Presidents of Major American Jewish Organizations last night as cowardly and servile, and called instead for "a structure in which decision-making would be shared by the Presidents with communities from which the richest resources from our academic disciplines, from our communal leaders, from our youth would be drawn." In a "Joint Message" to the 82nd annual convention of the Central Conference of American Rabbis, president Roland B. Gittelsohn and vice-president David Polish declared that such a new structure would be "expanded beyond the consultation of Presidents alone, and the calling of emergency meetings in Washington," and would also "emancipate itself from the discredited postures of galut

servility." Rabbi Gittelsohn and Rabbi Polish said that despite the "objectionable tactics" of the Jewish Defense League, "the denunciation of the (JDL) to the President of the United States by some leaders of the Jewish establishment was craven and obsequious." If denunciation of the JDL was thought necessary, the Reform leaders continued, "the addressee should have been American Jewry, not the offices of the President whose earlier apology to (France's President Georges) Pompidou for American Jews compounds our pain and chagrin."

The first reference was to a Washington meeting last December at which Dr. William A. Wexler, president of B'nai B'rith and chairman of the Conference of Presidents; Max M. Fisher, chairman of the Council of Jewish Federations and Welfare Funds, and Rabbi Herzog's successor, chairman of the American Jewish Conference on Soviet Jewry, advised high administration officials that they dissociated themselves from JDL activities. The second reference was to President Nixon's personal apology early last year to Pompidou after peaceful Jewish demonstrators in American cities protested Pompidou's embargo on Mirage jets already paid for by Israel. Rabbis Gittelsohn and Polish commented: "No American Bishops have been constrained to apologize to the White House for the Berrigans (anti-war activists), nor has the National Association for the Advancement of Colored People apologized for Eldridge Cleaver (expatriate Black Panther official), and therein lies the surest proof that American Jewry, which has presumably made it, feels more insecure than does the alienated black community." Summing up, the CCAR leaders wrote that while the Presidents Conference "has striven to expand its scope and its influence," it "must yet realize its full potential" and "measure up to the rapidly escalating demands which history imposes on us...It has not achieved the influence it deserves to exercise."

Zionist Groups Criticized For Embracing Reactionary Politicians

The solution they said, is for the Presidents Conference to "undertake a program aimed at reinforcing its work and stimulating the involvement of communities and qualified individuals in its activities"; to "achieve an equilibrium between responding to official voices from Israel and making the deepest soundings of Jewish opinion in America," and to "achieve equilibrium between making unilateral policy and encouraging participatory democracy in Jewish life." Rabbis Gittelsohn and Polish recommended that the convention approve CCAR affiliation with the World Jewish Congress, "whose constitution guarantees the autonomy of all of its respective member organizations." The "Joint Message" by the CCAR president and vice-president also declared that "Israel stands on a precipice, driven there by the intransigence of Arab enemies, the enigmatic mischievousness of the Soviet Union... and the unpredictable policies of the American government which is committed not to the preservation of Israel but to the protection of its own global interests."

Stating that "(Israel's) peril is our peril," the Reform leaders pointed out that Israel herself "does very little not only to reach Jewish youth and college students but to encourage a climate of openness on the moral issues confronting the State of Israel." They warned that "if Jewish youth cannot encounter dissent in a free environment made possible by Israel, they will seek it out under the auspices of Israel's avowed enemies." The CCAR leaders also levied a charge at the American Jewish community, "reinforced by its Israel-oriented establishments," as "the greatest culprit in suppressing dissent." That community "has amply demonstrated its impassioned concern for Israel," they wrote, "but this concern rarely rises above the adulation of Israel's power." The two rabbis declared: "Misguided dependence upon that alone, essential as it is to Israel's survival, can result in a Jewry which is dangerously self-deceived, arrogant, desensitized, and ultimately a danger to Israel itself. When Zionist bodies openly and officially embrace America's most reactionary politicians who would betray Israel overnight if it suited their purposes, and when organized American Jewry does not demur, there is peril to all of us and to our spirit." The rabbis concluded: "American Jewry must come of age. It must be no less zealous in fighting for the survival of its soul than is the Jewry of Israel."

Eban: Provisions Necessary For Possibility That UAR Leaders Mean What They Say

JERUSALEM, June 22 (JTA)--Foreign Minister Abba Eban said today that "it is our duty to make provision, especially in our security thinking and our security planning, for the possibility that the Egyptian leaders might mean what they say," including that "they do not regard the cease-fire as permanently binding and in certain conditions they would be free to open fire." Eban warned at a press conference that "it would be absurd just to dismiss this as if it were idle rhetoric." On the other hand, he observed, there was "significance" in the "almost complete compliance" over the past 10 months with the cease-fire, which began last Aug. 8 but was formally ended March 8. "In Egypt, in the Arab world and in Israel, people have got used to a situation of non-shooting," Eban said. The Foreign Minister, who earlier this week called on the Kremlin to discuss a resumption of diplomatic relations with Israel, said of the 15 year Soviet-Egyptian treaty that "It is a further development in the establishment of Soviet predominance in Cairo." Reporting on his recent tour of eight African capitals, Eban said that "African leaders of varying orientations and trends of thought" want African-Israeli contacts to be not only maintained but "developed and reinforced."

Dulzin Says Jewish Agency May Not Reach 1971 Fundraising Goal

JERUSALEM, June 22 (JTA)--Aryeh L. Dulzin, treasurer of the Jewish Agency, said today that the principal problem facing the Agency was its inability to reach its 1971 fundraising goal of \$600 million. As a result, he told the Agency's Assembly, \$184 million will have to be cut from this year's budget. A considerable part of the cuts will have to be made in the housing budget, he said, adding that such a move would seriously affect Israel's housing program. World Jewry, said the former Gahal Minister-Without-Portfolio, must continue to be urged to contribute to the Jewish Agency in an effort to approach the \$600 million goal. "We expect many tens of thousands of Jews from the Soviet Union and the Arab countries," he explained. "We shall continue to operate on the basis of the principle that not a single Jew who wishes to immigrate shall be prevented because of lack of means."

Soviet Anti-Semitism in Violation Of Own Laws, Commission Of Inquiry Told

NEW YORK, June 22 (JTA)--Anti-Semitic stereotyping as Soviet policy and the Soviet's violation of their own laws in the prosecution of Jews seeking to emigrate to Israel were charged by witnesses testifying today before a Commission of Inquiry of the Rights of Soviet Jews, which met at the Carnegie Endowment International Center. Prof. John A. Armstrong of the University of Wisconsin, one of the country's leading Sovietologists and a past president of the American Association of Slavic Studies, who was unable to attend, submitted a report stating that "a very thin line divides present Soviet anti-Israel propaganda from the 'naive' anti-Semitism of the Protocols of the Elders of Zion." Also testifying were District Attorneys Eugene Gold of Brooklyn and Robert F. Leonard of Genesee County, Michigan, recent visitors to the Soviet Union, who said that the USSR's own laws of criminal procedure had been "flagrantly violated" in the trials of Jews seeking to emigrate to Israel. Ephraim Margolin, a San Francisco lawyer who returned last month from a two-week study mission of the Soviet judicial system, presented to the Commission a letter by 10 young Jewish professionals of Kishinev to Soviet Communist Party Secretary Leonid Brezhnev demanding the release of nine Kishinev Jews held without trial for nearly a year. The nine went on trial yesterday. The letter had been smuggled out of the USSR by Margolin. Armstrong reported that Judaism was the target of a "deliberately scurrilous attack" reinforcing "strong traditions of anti-Semitism" in the USSR.

While all religious groups suffered from officially sponsored attacks, his report stated, "the peculiarly invidious aspect of propaganda which claims that Judaism has always been a treacherous, reactionary superstition is that it reinforces strong traditions of anti-Semitism. Thus, every evidence of Jewish religious practice tends to jeopardize the position of all Soviet Jews." Armstrong added that the Soviet Union's hostility to Jews existed long before its current Middle East policies and reached extreme proportions in early 1948, when the USSR was actively supporting the creation of the Israeli state in Palestine and had virtually no ties to the Arab states." Gold told the Commission of meeting with Nikola Tsibulnik, an assistant to Soviet Prosecutor General Roman Rudenko. When asked for a definition of "anti-Soviet activity" under which Jews have been tried in Leningrad and Riga, Tsibulnik replied: "Any publication or news about Israel by an unofficial or unauthorized source is regarded as anti-Soviet activity." Gold said Soviet officials had confirmed "in private" that Jews tried in Leningrad, Riga and Kishinev "were charged with anti-Soviet activity based on teaching Hebrew, publishing Hebrew and Jewish journals and promoting Jewish culture and history--none of which violates any Soviet law." Leonard said "there are three points the Soviets are trying to get across in the trials. First, they know the world is repulsed by the word 'hijacking,' so they charge Jews with this crime. Second, they imply that the prisoners confessed, when they did not. Third, they are saying that Israel is involved. If they can successfully convey these ideas to the Soviet people and to the world, they have won their propaganda battle."

Margolin, who is chairman of the legal committee of the American Civil Liberties Union in San Francisco, and a past president of the Northern California Division of the American Jewish Congress, said the secret nature of the current trials of Jews means that the world learns only what the Russians choose to disclose. The Commission conducting the hearing included Bayard Rustin, executive director of the A. Philip Randolph Institute; former Sen. Charles Goodell; Prof. Hans J. Morgenthau of City University; Rt. Rev. J. Brooke Mosley, president of Union Theological Seminary; Prof. George Wald of Harvard University, Nobel Prize laureate; and Brig. Gen. Telford Taylor, former chief Allied prosecutor at the Nuremberg War Crimes Trials, now professor of law at Columbia University. Dr. Abraham J. Heschel, professor of Jewish ethics and mysticism at the Jewish Theological Seminary, a Commission member, was ill and unable to attend. Joel J. Sprayregen of Chicago, general counsel of the Illinois Branch, American Civil Liberties Union, served as counsel to the Commission. William Korey, director of the UN office of B'nai B'rith International, a former teacher at the Russian Institute of Columbia University, was academic counsel to the Commission.

ADL To Hold Soviet Jewry Exhibit Next Week; Seen As Pattern For Nationwide Exhibits

NEW YORK, June 22 (JTA)--The Anti-Defamation League of B'nai B'rith announced yesterday that it has invited several hundred communal leaders from the metropolitan area to attend a private exhibition dealing with the plight of Soviet Jewry, to be held at ADL headquarters here next Monday and Tuesday. The exhibition consists of rare historical documents and photographs tracing the persistence of Russian Jews in maintaining their Jewish heritage during the past 50 years of Soviet repression. The show also includes taped interviews with Soviet Jewish emigres arriving in Israel, as well as a half-hour CBS documentary on the present condition of the Jews in Russia. The exhibition, a "pilot" project which ADL hopes will set a pattern for future similar showings throughout the U.S., was supposed to have opened to the public last night. Several hours after the ADL announced its plans to hold the exhibit "by invitation only" next week, more than two dozen picketers peacefully demonstrated in the rain outside the ADL headquarters. They protested postponement of the exhibit and made the demands which they had hoped to non-violently impress upon those originally planning to attend the exhibit last night.

The ADL postponed the show, citing its fear that the Jewish Liberation Project, a Socialist-Zionist young adult organization, and the Jewish Defense League would disrupt it. Spokesmen for both groups denied the charge. The picketers, including JLP members, a few individual JDL members as well as people active in the Student Struggle for Soviet Jewry, frequently chanted and sang in both Hebrew and English as they marched in a circle in front of the building's entrance, demanding that ADL make the cause of Soviet Jewry a "top priority" issue; stop spying on other Jews and turning their names over to the FBI; and stop smearing radical health groups.

LATE BULLETIN - NEW YORK, June 22 (JTA)--The 39-day strike against the Israeli Bond Organization ended today when Local 1707, Community and Social Agency Employees Union members ratified a new two-year contract. The employees will return to work tomorrow. New contract details were not immediately available. A management spokesman said there was "compromise on both sides."

