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N.Y. Times

A Strange Solitude

4-21-87

BOSTON

Justice can never catch up with the crimes of the Nazis. But we must take whatever opportunity arises to hold even a small part of those horrors up to the light of justice. Otherwise we would fail our inescapable obligation to the victims of Nazism: to remember.

The principle of remembrance moves the United States and other countries to continue seeking out Nazi war criminals, more than 40 years after World War II. It explains legislation passed by Congress to make sure that persons who got into this country by concealing a role in Nazi crimes are made to leave.

But important figures in the Reagan Administration have seemed curiously insensitive to the principle. That was the impression given by Patrick J. Buchanan's furious campaign to prevent the deportation of John Demjanjuk to Israel, where he is on trial on a charge of mass murder. And now we have the performance of Attorney General Meese in the case of Karl Linas.

Mr. Buchanan, the former White House communications director, crusaded for years on behalf of John Demjanjuk. He argued that the

pened in that respect at the trial.

The Justice Department gave the card — the original — to Mr. Demjanjuk's lawyers. They had a document expert examine it. After he did, the defense did not call him to testify. The Government called an expert who said the card was authentic.

Federal District Judge Frank J. Battisti held a four-week trial. At the end, in a lengthy opinion, he found "clear, convincing and unequivocal evidence" that John Demjanjuk was indeed "Ivan the Terrible," who helped to gas a million Jews at Treblinka.

Shortly before he left office Mr. Buchanan raised with Attorney General Meese the case of Karl Linas. Mr. Linas came to the United States in 1951 and became a citizen in 1959. Then, in 1962, he was tried in absentia in the Soviet Union on the charge of being a commander of the Tartu concentration camp in Estonia, where 12,000 people were killed. He was convicted and sentenced to death.

In 1981 Federal District Judge Jacob Mishler revoked Mr. Linas's citizenship, finding that evidence "overwhelmingly supported" the charge that he had helped detain and kill Jews. The U.S. Court of Appeals upheld that decision, and the Supreme Court refused to hear a further appeal.

The issue was whether Mr. Linas would be deported to the Soviet Union. I understand the qualms about that: the trial in absentia, the death penalty. But the evidence had been repeatedly canvassed in American courts.

Rudolf W. Giuliani, the U.S. Attorney in Manhattan, put it in still another hearing recently that Mr. Linas had been given "every benefit, and more, of American due process." The courts, he said, had heard "overwhelming evidence that this man slaughtered hundreds and hundreds of men, women and children."

Last week Attorney General Meese tried to send Mr. Linas to Panama instead of the Soviet Union. Panama officials agreed to take him — until Jewish groups showed them the court findings. Mr. Meese, who had made the move against the advice of several of his own officials, was reportedly furious when the Panamanians changed their minds. Finally last night Mr. Linas was put on a plane for Czechoslovakia, to go from there to the Soviet Union.

The principle of remembrance was overlooked when President Reagan chose to go to Bitburg two years ago. Patrick Buchanan, before he went to the White House, asked why the Justice Department did not go "after organized crime . . . instead of running down 70-year-old camp guards." The answer, one that any American official should understand, is that what those camp guards did must never be forgotten.

Principle of remembrance guides pursuit of Nazi war criminals.

charge against Mr. Demjanjuk — that he was a murderous guard, known as "Ivan the Terrible," at the Treblinka concentration camp — was a case of mistaken identity.

Of course Mr. Buchanan had every right to take up that cause. It just seemed odd that a political polemicist of the right, who could be expected to be found on the prosecutor's side, was in this case so solicitous of a defendant, attacking the Justice Department and distorting or ignoring evidence that had persuaded the courts.

For example, Mr. Buchanan made a major attack on a key piece of evidence in the trial that resulted in John Demjanjuk being stripped of his United States citizenship: a Nazi identity card with a photograph on it. The card was in Soviet archives and was sent here at the request of the Justice Department. Mr. Buchanan charged that it was a Soviet forgery. But he did not mention what hap-