

tion of Iranian terror hit teams inside the U.S.A., *EIR* made the appropriate public accusations. General Fardoust, having served the Shah of Iran as the chief of intelligence (SAVAK), assisted Khomeini to topple the Shah, and went on to serve as the chief of Khomeini's own intelligence service, the SAVAMA.

On advice from Civiletti, a former assistant U.S. attorney-general, J. Stanley Pottinger, counseled Dr. Cyrus Hashemi, the businessman supervising the shipment of U.S. weapons to Iran, to sue *EIR* for libel. The frivolous suit was filed, and litigation continued well into the Reagan administration years. During 1982, *EIR*'s attorneys subpoenaed the National Security Agency, the National Security Council, the CIA, and the FBI to produce documents pertaining to these agencies' relations with Hashemi. When they failed to respond, *EIR* made Motions to Compel Compliance, which eventually moved the government attorneys to assert "state secrets privilege," in their refusal to produce documents.

During 1983, two full years before President Reagan signed the directive suggested to him by McFarlane, government attorneys argued as follows: "The Federal Bureau of Investigation, through the classified declaration of Oliver B. Revell, Assistant Director of Criminal Investigative Division . . . has asserted the Secrets of State privilege for the FBI documents recovered pursuant to the defendants' subpoena to the FBI as amended. The existence of this privilege, which has never been doubted, see, e.g., *United States v. Burr*, 25 Fed. Cas. 30 (C.C.D. 1807), protects absolutely from discovery material whose disclosure would adversely affect the foreign relations of the United States or impair national security. . . ."

And further: "Because of the sensitivity of the information at issue, the United States has determined that no substantive statement can be made on the record with respect to the documents or claim of privilege."

Oliver Revell's declaration, which invokes "state secrets," is itself classified "secret." Now, three years later, with Hashemi dead, newspapers report that he was the man shipping U.S. arms to Iran, and that he was protected by U.S. Attorney Rudolph Giuliani of New York. Some of Hashemi's later-indicted fellow gun-runners, are making motions to have their indictments quashed, on grounds that "Reagan had ordered the arms shipments to Iran."

All this is nonsense. Arms shipments to Iran were a Carter administration policy, which continued after President Reagan came into office, and, provably, without Reagan's knowledge. The proceedings of the *Hashemi v. Campaigner Publications, et al.* case prove this very point. Reagan's critics can remove the "Secret of State" argument and let us look at the documents. If this is done, we shall then have established the precedent to look into the evidence that would have actually condemned Aaron Burr as a traitor, in the 1807 case of the *United States v. Burr*, cited by Oliver Revell's lawyers.

Conference Report

U.S. Church accepts papal authority

by Kathleen Klenetsky

The battle between the Vatican and the "American heresy" faction of the U.S. Catholic Church was resolved in favor of the Holy See—at least temporarily—during the annual meeting of the National Conference of Catholic Bishops/U.S. Catholic Conference in Washington, D.C. Nov. 10-14.

The 290-plus bishops endorsed the Vatican's handling of the case of Seattle Archbishop Raymond Hunthausen—although not as enthusiastically as Pope John Paul II's supporters would have liked—and elected two middle-of-the-roads to the top leadership positions.

Although overshadowed by the issue of dissent, the bishops took action in several other critical areas, including endorsing, by an overwhelming 225-9 vote, the final draft of their pastoral on the economy. A blatant "limits to growth" document, the pastoral was saved from being a complete disaster only by the personal intervention of the Pope, who last spring instructed the drafting committee to meet with Ibero-American bishops, a meeting that led to the inclusion of a section on the international economy which criticized International Monetary Fund austerity, and called for debt rescheduling and outright cancellation for some Third World countries.

While the Vatican refused any public comment on the meeting, the Nov. 13 *New York Times* quoted one unidentified senior Vatican official saying it "might be a turning point in the difficult relations between the Holy See and important elements" of the Church in the United States. "Even though the divisions will not go away overnight," he explained, "the bishops are now focusing on their relationship with Rome and perhaps realizing that disagreements can only go so far."

The dissenters, on the other hand, were sorely disappointed with the meeting's outcome. As Thomas Gumbleton, the auxiliary bishop of Detroit and one of the most public figures in the "American heresy" gang, complained: "Bishops are going to be looking over their shoulders now, and that's not a healthy way to walk."

John Paul II ensured that the issue of centralized, papal authority—the idea of absolute truth—dominated the con-

ference agenda. In what several insiders described as an extraordinary intervention, the Pontiff sent a personal message to the American hierarchs, in which he firmly asserted the primacy of papal authority over the universal Church.

Read to the 290 bishops by papal pronuncio Pio Laghi, the missive opened with a pointed discussion of the nature of the papacy. It asserted that whoever holds the office of Pope is successor to St. Peter, the rock on whom Christ built his Church, and said that local churches must live in communion with the Pope, to be part of the universal Church.

"My desire in addressing you," John Paul wrote, "is motivated by my own ministry as Successor of Peter, and therefore as the first servant of *the Church's unity and universality*. . . . The very mystery of the Church impels us to recognize that the only, holy, Catholic and apostolic Church is present in each particular Church throughout the world. And since the Successor of Peter has been constituted for the whole Church as Pastor and as Vicar of Christ . . . all the particular Churches . . . are called to live in communion with him. . . .

"To promote the universality of the Church, to protect her legitimate variety, to guarantee her Catholic unity, to confirm the Bishops in their apostolic faith and ministry, to preside in love—all this is what the Successor of Peter is called by Christ to do. This *Petrine service* by the will of Christ is directed to the good of the universal Church and all the ecclesial communities that compose her [emphases in original]."

A timely message

The Pope's message could not have been more timely. Relations between the Vatican and the American Catholic Church have reached a critical point in the past months, as the Pontiff, ably assisted by Joseph Cardinal Ratzinger, prefect for the Congregation for the Doctrine of the Faith, has attempted to restore orthodoxy to an increasingly errant U.S. Church.

The cases of Father Charles Curran and Archbishop Raymond Hunthausen of Seattle, both disciplined by the Vatican for their ultraliberal, anti-Catholic, positions on homosexuality, marriage, and other crucial moral issues, are only the most well-known instances in which the Vatican has been forced to act to stop prominent Church members from trampling completely on Church teachings.

Archbishop Malone, the outgoing president of the bishops' conference, referred directly to these tensions in his opening speech Nov. 10, where he warned of "a growing and dangerous disaffection" between the Vatican and U.S. Catholics, and pointed specifically to the Hunthausen case. Nevertheless, the majority of the bishops ultimately sided with the Pope, as reflected in the results of the two major clashes between the dissenters and the pro-Vatican faction.

The first involved the Hunthausen affair. The Seattle archbishop, who earlier this year was stripped of his major responsibilities by the Vatican because of his unorthodox

positions on homosexuality, priestly training, abortion, and other key issues, had demanded that the issue be placed on the meeting's agenda, which it was.

On Nov. 12, after two days of closed-door meetings, the bishops issued a statement declaring, "On this occasion, the bishops of the United States wish to affirm unreservedly their loyalty to and unity with the Holy Father," and acknowledging that the conference of bishops "has no authority to intervene in the internal affairs of a diocese or in the unique relationship between the Pope and individual bishops." It also said that the Vatican action followed proper Church law and "deserves our respect and confidence."

At the same time, the statement contained several implied criticisms of the Vatican, including its allusion to the pain, suffering, and confusion caused by the Hunthausen affair, and its refusal to take a position on the substance of the Hunthausen vs. Vatican dispute. Moreover, one Church source told *EIR* that the statement contained a key phrase, "We are prepared to offer any assistance judged helpful and appropriate by the parties involved," which expressed loyalty to "parties" (plural) rather than solely to the Pope.

With respect to the battle over the new leadership, compromise was also the order of the day. Holding to tradition, the bishops selected the current vice-president, Archbishop May of St. Louis, to succeed Malone as president.

The vote for vice-president sparked the battle: It pitted Boston's Cardinal Law, an ally of the Pope and Ratzinger, against Archbishop Rembert Weakland of Milwaukee, a leader of the American heresy faction and one of the few bishops to publicly denounce the Vatican's actions against Curran and Hunthausen.

Underscoring their deep factional differences, the bishops failed to elect any of the nominees on the first two ballots, forcing an unusual third round.

On the first ballot, Law (who had gotten substantial support in the presidential vote) got 97 votes to Weakland's 74, out of about 280 cast. Cincinnati Archbishop Daniel Pilarczyk, a compromise candidate, got 75. On the second, Weakland's vote declined to 70, while Law's jumped to 97 and Pilarczyk's to 92. On the third round, narrowed down to Law against Pilarczyk, the latter picked up most Weakland backers, winning election by 159 votes to Law's 116.

May and Pilarczyk are described as "moderates"—but, given the dramatic changes in the American Church in the past 20 years, a moderate is far more liberal than the term would imply. May, for example, is a strong supporter of the bishops' peace pastoral, which supported the views of would-be appeasers of the Soviet Union. At a Nov. 11 press conference, May lashed out at "LaRoucheites" and other members of the "extreme right" who have criticized that pastoral letter.

In any event, the election results show significant support among the bishops for the Vatican policy toward the U.S. Church (as expressed in Law's vote). They also show that the faction of Weakland-Curran-Hunthausen was too weak to force open confrontation with the Pope.