

# Demjanjuk case exposes U.S.-Israeli barbarism

by Joseph Brewda

The latest twist in the bizarre case of former Cleveland, Ohio auto worker John Demjanjuk has further revealed the criminality of the U.S. and Israeli justice systems. New evidence submitted in August to an Israeli court shows that Demjanjuk is certainly not the Nazi concentration camp guard "Ivan the Terrible." Yet, despite this new evidence, Demjanjuk is not being released.

Demjanjuk currently sits in an Israeli prison facing a death sentence following his 1988 conviction for war crimes allegedly committed at the Treblinka concentration camp during World War II. Demjanjuk insists that the charges against him are an instance of mistaken identity—as he has insisted ever since the U.S. government began deportation hearings against him in 1981. Demjanjuk, a naturalized American whose citizenship has been stripped from him, maintains that he is not the camp guard Ivan the Terrible, nor was he ever a concentration camp guard.

## Not guilty, but 'guilty' anyway

Shortly following his conviction, Demjanjuk's attorney Yoram Sheftel demanded that the Israeli prosecutors' office release files in its possession which had been obtained from the 1986 Soviet trial of accused Treblinka war criminal Feodor Fedorenko. That trial, which resulted in Fedorenko's conviction, contained testimony from over 20 former camp guards as well as other witnesses—testimony taken beginning in 1944 when memories were still fresh.

On Aug. 14, shortly after the Israeli prosecution relented and handed over the files to Demjanjuk, his attorney presented new evidence before the Israeli Supreme Court. What did the files show?

In the 15,000 separate Treblinka documents submitted in the Fedorenko case, there was not one mention of John Demjanjuk. There are repeated references, however, to Ivan the Terrible.

According to the documents and related court testimony, Ivan the Terrible, in the period in question, was about 30 years old and had dark hair, dark eyes, thick lips, and a large scar on his neck. Demjanjuk was 22 years old. He has blue eyes, blond hair, thin lips, and no visible scars.

According to 20 guards, Ivan the Terrible's name was Ivan Marchenko. Marchenko's lover from that period also

testified that Marchenko was Ivan the Terrible. Moreover, among the documentation was a photograph of Marchenko at the time, which witnesses identified as being Ivan the Terrible in testimony taken in the 1940s, the 1950s, and the 1960s.

All this exculpatory evidence was in the hands of the prosecution throughout Demjanjuk's trial.

After the Israeli Supreme Court agreed to allow Demjanjuk's attorneys to submit this new evidence before the court, Demjanjuk was overjoyed. "I am going home," he exclaimed.

Not so fast.

"Is there a difference," chief prosecutor Michael Shaked asked, "if he [Demjanjuk] pushed a boy into the gas chambers of Sobibor or Treblinka?" Under the claim that Demjanjuk was also a guard at Sobibor—which Demjanjuk also denies—Israel still holds him in the solitary cell he has lived in for the last six years. Yet on what charge? Demjanjuk was never charged with any crime at Sobibor—not even that he was a guard there. Apparently he can be held on no charge at all.

## Judicial atrocities

This latest judicial atrocity was not necessary to establish that the trial was a farce. After all, the main prosecution witness against Demjanjuk in the 1988 trial, Eliyahu Rosenberg, had previously submitted sworn testimony in 1945 in Germany reporting that he had personally assisted in killing Ivan the Terrible in 1943 at Treblinka.

"We went into the engine room where Ivan was sleeping," Rosenberg swore at the time in a 66-page statement that is housed in the Polish war archives, "and Gustav [another prisoner] hit him with a shovel on the head. And there he remained, lying for eternity."

The trial itself, one of the biggest media extravaganzas in Israeli history, was broadcast live throughout the country in an apparent effort to whip up the population into a frenzied "survivor" mood. The 1966 trial of Adolph Eichmann, the Nazi official who had been kidnaped by the Israelis in Argentina, was used for similar psychological purposes. The 1967 Israeli war against the Arab states followed shortly thereafter.

There never was any evidence against Demjanjuk, not since the day a Ukrainian Communist Party weekly in the United States began claiming he was Ivan the Terrible back in 1975, the first time he was so accused. But, politics at the time demanded that a "Nazi-hunting unit" be established at the Justice Department. "Nazis" are being protected, screamed then-Congresswoman Elizabeth Holtzman (D-N.Y.). And the so-called Office of Special Investigations was duly founded in 1979 within the Department of Justice. A curious unit, the OSI has more staff—some 60 personnel—than the total number of aging, and in some cases, senile, immigrants to America accused of having been war criminals. Demjanjuk was one of the OSI's first victims.