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# These aging men were monsters once

By Sol Littman

NOW THAT DR. Josef Mengele, the sadistic medical torturer of Auschwitz, has been declared dead, will this end the clamor about war criminals?

Not at all!

With Mengele gone his high profile will no longer mask the fact that we have, living in Canada, dozens of war criminals who have committed crimes equally heinous. Now, perhaps, we can turn our attention to the guys in our own back yard instead of the boys in Brazil and begin rooting out the hundreds of Nazi wartime collaborators who escaped justice by emigrating to Canada.

Who are these people?

**MOSTLY THEY** are tough old birds in their late 60s and early 70s, who are still active in the leadership of their emigre organizations. Once a year they don blazers and berets and march in the church parade of their old SS unit, looking every bit like Canadian veterans. Federal and provincial cabinet ministers sometimes address their annual conventions and the prime minister sends greetings without any clear idea of who they are and what they represent.

For in their youth many of them committed horrible crimes — murder, the round-up of Jews, forcing their own people into slave labor camps, the ruthless extermination of whole villages. Some were tried and convicted in absentia years ago in their native countries but the Canadian government has ignored all requests for their extradition.

**THEY ARE** among the small bands of ultra-right-wing, pro-Nazi nationalists — French, Belgian, Dutch, German, Estonian, Latvian, Lithuanian, Hungarian, Romanian, Slovak, and Croatian — who enthusiastically joined in exterminating Jews and gypsies. They are the former members of the Hlinka Guard, the Milice, Arajs Death Commando, Dankers' Army, the Iron Guard, the Resisti, the Cross-Arrow, and the Waffen-Grenadier-Division SS (Galician Nr. 14).

Some are "writing desk" murderers — the politicians who signed proclamations ordering Jews into ghettos, the cabinet ministers who ordered the seizure of Jewish property, the bureaucrats who organized the transports to concentration camps, and the police chiefs who ordered their gendarmes to conduct sweeps of Jewish hiding places.

**AT THE WAR'S** end, knowing they could expect little mercy from their own countrymen, the collaborators fled westward in advance of the retreating German army. There they joined the millions of genuine refugees who had found shelter in displaced persons camps.

Canada, short of manpower for its burgeoning post-war industries, welcomed thousands of refugees as post-war immigrants. While some effort was made to screen out former Nazi party members, Gestapo agents and Waffen SS men, our screening techniques were full of holes.

Former RCMP officers, who gave evidence recently before the Commission of Enquiry on War Criminals in Canada, frankly admitted that the Mounties we sent overseas as visa control officers had little knowledge of eastern European affairs and even less of the feild political backgrounds of some of the collaborationist groups. This left the Mounties totally dependent on British and American military sources for background information — sources they knew at the time to be highly unreliable.

**THE COLD WAR** was at its hottest in those years; morality was not allowed to interfere with intelligence gathering. Both the British and American secret services hired some of the worst of the ex-Nazis for intelligence purposes, protected them from arrest as war criminals and then arranged safe passage for them to South American, Australia and Canada.

The outstanding example is Gestapo chief Klaus Barbie, "Butcher of Lyons." The U.S. Counter Intelligence Corps (CIC) put Barbie on its payroll, concealed him from the French who were seeking to arrest him as a war criminal and eventually smuggled him out of Europe to Argentina.

**MEANWHILE,** RCMP investigators in Europe were hampered by regulations that forbade them from obtaining information from behind the Iron Curtain where the worst death camps were located, where most of the atrocities had occurred and where most of the witnesses continued to live.

Small wonder then that hundreds of former pro-Nazi policemen, members of auxiliary military units, concentration camp guards, and Waffen SS men managed to persuade the Canadian authorities that they were innocent refugees.

Klaus Barbie's associate in Lyons, Milice leader Count de Bernonville, came to Canada bearing false papers and disguised as a priest. Others came on forged documents presented to them by "friendly powers" intent on warehousing them until the day they would march back to free the "captive nations" of eastern Europe. Most boldly gave their own names, confident they would never be called to account so far from the scene of their crimes.

**IN 1950,** THE Canadian cabinet — despite objections by the Canadian Jewish Congress and the Association of United Ukrainian Canadians — heeded the importunings of the ultranationalist Ukrainian Canadian Committee and agreed to admit the members of a Ukrainian SS division that had fought on the Nazi side.

Trained largely as an anti-partisan police unit, the 1st Ukrainian Division of the 1st Ukrainian Army — originally the 14th Grenadier Waffen SS Division (Galician) — included elements of the 31st SD Punitive Detachment. According to Soviet Ukrainian writer Valery Styrkul (We Accuse, Dnipro Publishers, Kiev), this detachment slaughtered the surviving remnants of the Jews from the Lutsk ghetto in December 1943, burned down the village of Chlusiov, killing all its men, women and children, and helped suppress the 1944 Warsaw Uprising.

**THE GALICIAN** division, Styrkul says, included a special, 1,000-man, anti-partisan detachment that is alleged to have burned down 20 villages, tortured more than 2,000 civilians to death in Poland, and shipped 20,000 people off to labor camps in Germany. On Feb. 27, 1944, "The detachment carried out a pacifying action at the Polish town of Huta Pieniacka... They herded the women and children inside several buildings and then set fire to them; the men were shot at the local chapel."

Curiously, Canadians find it hard to believe that some of the stocky, elderly men who spend their weekends diligently mowing their lawns could possibly be guilty of torture and murder. Surely, they say, those who came to Canada were guilty of only minor crimes. But look at the record.

**IN 1960,** Alexander Laak committed suicide by hanging in the garage behind his Winnipeg home. Six weeks earlier he had been accused by the Soviet news agency Tass of having been the commandant of a Nazi death camp in Estonia. Laak, who admitted he was the man named in the dispatch — while denying the charges — was accused of leading three- to five-year-old gypsy children by the hand to the woods where he killed them with his pistol.

Laak is alleged to have forced young women prisoners to engage in sex orgies with guards the night before they were murdered. He was accused of having executed his own mistress, a young Czech prisoner, following a picnic among the sand dunes near Tallin.

**HERMINE** Braunsteiner was known as the "Flying Mare" of Majdenek concentration camp. She earned this nickname because she liked to kick women prisoners to death with her boots. In 1950, Fraulein Braunsteiner took up residence in Canada, where she married an American GI named Ryan and emigrated to the United States. There, after several years as a Queen's housewife, she was denounced and returned to Germany for trial, where she is currently serving a life sentence.

SS Master Sergeant Helmut Rauca is the only war criminal ever extradited from Canada. Rauca was accused by the West German government of selecting 9,200 Jewish men, women and children from the Kaunas, Lithuania ghetto for death one day and supervising their mass murder the next. Although he lived openly under his own name, ran a business, carried a Canadian passport and received a Canada pension, it took the RCMP 20 years to track him down. Rauca died in a West German prison while awaiting trial.

HELMUT RAUCA, the only war criminal ever extradited from Canada, was accused of supervising the killing of 9,200 Jews. He is dead now.

SOL LITTMAN is Canadian representative of the Simon Wiesenthal Centre.

**THEN THERE** is Police Captain Haraldis Puntulis who rounded up all the Jews in the Latvian village of Rebina, marched them to a nearby forest and shot them. The job done, he and his men returned to Riebina for a drunken celebration. Puntulis died peacefully in his bed in his suburban Toronto home in the summer of 1982 despite repeated efforts by the Soviet government to have him returned for trial.

These are just examples. There are many more enjoying a peaceful, prosperous old age in Canada who committed crimes of equal ferocity during the German occupation of their country. Nowadays, they like to parade as "freedom fighters" despite the fact that they fought on the Nazi side. (This would imply that the Nazis were fighting for freedom.)

**UNFORTUNATELY,** successive Canadian governments — both Liberal and Conservative — have shown little interest in bringing war criminals to justice. Certainly Justice Minister John Crosbie's lukewarm launch of the Commission of Enquiry on War Criminals in Canada (the Deschenes commission) did little to inspire confidence. In essence, the minister seemed to say: We don't believe there's many war criminals here, but there's all those groups making a hue and cry over Mengele so we'll have a commission and show them there's not much of a problem.

Well, Mengele is gone, but the hue and cry has not ended. If we've learned anything from the Mengele case it's that finding war criminals is not the major problem. The West Germans could have seized Mengele any time in the last 10 to 20 years. What is lacking is the political will to bring them to trial. Canada must muster that will. Mengele's 400,000 victims still call out for justice.

# Macdonald report starts collecting dust before the ink is dry

DON McGILLIVRAY

OTTAWA — Have we paid $20 million for a report that will go straight from the printer to the garbage can?

The report is that of the Macdonald commission, also called the Royal Commission on Economic Union and Development Prospects for Canada.

It will be out, they now say, on Sept. 5. That will be just in time, one might think, to provide fodder for the session of Parliament reopening Sept. 9.

But a funny thing happened on the way to the final report.

**USUALLY** A royal commission report moves through four stages. It's published, debated, gathers cobwebs, and then is trashed.

The 1981 Kent commission report on newspapers, for example, is in the cobweb stage. The 1978 Bryce commission report on corporate takeovers is in the garbage stage.

Once in a blue moon, a royal commission report is actually put into effect. But it happens so rarely that it's not worth listing among the standard stages between printer and garbage collector.

**THE MACDONALD** commission is an oddity, though. We have yet to see the report but we've already had the debate on its main recommendation and seem to have rejected it.

The commission was set up uneasily in the depths of the 1981-82 recession because the Trudeau government didn't know what to do about it. A news leak forced Trudeau to announce that Donald Macdonald, his former finance minister, would head the inquiry before the rest of the commissioners had been chosen.

Eventually there were 13 commissioners, perhaps an unlucky thing in itself. Maybe they should have designated the last as commissioner 14, the way some hotels do with their 13th floor.

**EARLY PUBLICITY** focused on the fact that Macdonald was to be paid $600 a day, quite a contrast to the way the unemployed had to live.

The commission's official interim report, published April 16, 1984, was met with a chorus of boos because it said getting jobs for the 1.5 million unemployed was the top economic priority but gave no clue how this was to be done.

But the real interim report began to come out last November when Macdonald said he favored a free trade treaty with the United States.

**HE EXPLAINED** in February that free trade was the principal long-term solution to Canada's economic problems and that he had leaked this key recommendation himself because "I thought it important to start the process of negotiating with the United States in 1985."

We're more than halfway through the year and no such talks have started. But a lot of the zip has drained out of the idea of free trade since Macdonald first floated it.

**PRIME MINISTER** Brian Mulroney, especially, seems terrified not only of the concept but of the very words.

The report is massive, including more than 70 volumes of research that has kept virtually the entire Canadian academic community out of mischief for three years.

Its other recommendations include a guaranteed annual income plan and a warning to Ottawa not to try to trim the deficit at the expense of social programs. But the whole report is likely to be discredited along with its main recommendation.

**"WE NEVER** discuss free trade," the prime minister told a reporter who asked about it after an inner cabinet meeting.

And at Baie Comeau last week he said the term "free trade" would lead to "sterile and useless debate."

Mulroney prefers "trade enhancement," which he defines as "improving your trade position with products that are more competitive."

He added, "I see no dangers in enhancing your trade with your allies."

**THIS IN A** long way from the "leap of faith" Macdonald talked about. The royal commission chairman said the United States may insist that Canada drop regional development programs and Maritime freight rate subsidies.

This is tough stuff, so tough that Gerard Docquier, a commissioner and national director of the United Steel Workers of America, has a minority report rejecting free trade and warning of its dangers.

We won't know until September whether the other 12 commissioners are prepared to pussyfoot around and talk about "enhanced trade."

But if they stick to their guns, the Mulroney government is likely to smile sweetly, thank them profusely, and drop the report in the round file.

# You can't push the button when you're under the knife

By William Safire
N.Y. Times Service

WASHINGTON — The opportunity to strengthen one of the glories of the American constitutional system — that sense of stability that comes from strict adherence to the law in times of peril — was botched again by Fred Fielding, the White House counsel, and Attorney General Ed Meese.

The 25th Amendment to the Constitution, dealing with a president's inability to function, was ratified by the states 20 years ago. The main purpose of its third section, setting forth the method a president should use to devolve his power temporarily upon the vice-president, is plain: to provide the nation with unbroken decision-making power, so that nobody will be tempted by the prospect of retaliatory paralysis to launch a nuclear strike.

**EVERY OTHER** decision can be postponed a day or a week; no need exists for a formal transfer of power in an emergency. In practical terms, the main reason for that addition to the nation's fundamental law is to advertise our ability to respond immediately.

This section was tailor-made for the situation that confronted the president and his legal advisers last week. A president, in full possession of mental and physical faculties, decided to go ahead with a major operation. The whole world knew, as it should, the time of the operation and the approximate length of time the president would be unconscious. That was the time of danger to the nation that Section 3 was created to avert.

**WHAT DID THIS** president do? In a moment culling for absolute clarity, he acted with deliberate fuzziness; rather than clothe the nation in the newest armor of the Constitution, he chose to begrudge the transmission of his responsibilities and in the process confused everyone.

He followed the law's procedures but challenged its premises. In the letter to Congress prepared for him by his uncertain legal trumpeters, he properly declared his anticipated inability to discharge his powers and duties, but then wrote of "the uncertainties of its application to such brief and temporary periods of incapacity" and concluded: "I do not believe that the drafters of this amendment intended its application to situations such as the instant one."

**PROTESTING** that he was not setting a precedent (which of course he was), Reagan then obeyed the law. His spokesman, asked if the vice-president had become acting president, the title used in the amendment, was left twisting in the wind. He would not answer, thus refusing on behalf of the president and his legal advisers to admit that the law was being carried out.

Why this legalistic flimflam?

One reason that will be put forward is that he did not want to unduly alarm anyone (as if cutting out a third of your large intestine to avert cancer were not alarming, or that following the Constitution would be alarming).

**ANOTHER** specious excuse for this constitutional myopia is that any brief transfer of power during a major operation would lead to trivial demands for such transfers during dental work or afternoon naps. That is pure nonsense; the Kremlin need not be notified when the president plans to have a tooth pulled.

Underlying the president's fear of admitting his requirement to obey Section 3 in an emergency, I think, is the fear of having to deal with its pressure to declare inability for a longer period. Someday a president will be faced with a debilitating physical or mental ailment, and will find tempting an option that is short of resignation.

**DIGGING ONE** layer below that, in seeking the motive for last week's curious refusal to admit precedent, we find the inherent threat to presidents of Section 4: the involuntary removal of an incapacitated executive by his cabinet, possibly even over his objections, with the matter of authority left for Congress to decide. (I wrote a novel a few years ago about usurpation under the 25th Amendment, and suddenly the prospect seems less remote.)

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**BUT REAGAN** was ready only to be ambivalent, obeying the law while pretending he did not have to. He confused yesterday's executive prerogative with today's constitutional requirement.

A conscious president, before a major operation, must declare his vice-president to be acting president. When he comes to, the elected chief executive can reassume power by invoking the immortal words of the Reagan Precedent: "Gimme that pen."

**A reminder**

If you are writing a Letter to The Editor, please remember to include a telephone number at which you can be reached, since letters are verified by phone.

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