

Libel Suit in U.S. to Test Charges on B'nai B'rith

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An obscure libel suit scheduled for trial in Federal Court here this fall is developing into a test of charges that Israeli representatives have tried to use B'nai B'rith, the Jewish service and charitable organization, as a cover for some of their own foreign-policy activities.

The suit was filed by Saul E. Jofes of Falls Church, Va., who was an officer of B'nai B'rith for more than 20 years and was secretary general of its international council for eight years.

He asks \$1-million in damages from Rabbi Jay Kaufman, executive vice president of B'nai B'rith. The suit is based on two letters that Rabbi Kaufman wrote in 1967 saying that Mr. Jofes was being removed as council secretary because of incompetence, "malfeasance, misfeasance and nonfeasance."

In pretrial pleadings, Mr. Jofes asserted that he had actually been ousted because he had been fighting attempts to change B'nai B'rith from a charitable and welfare organization into an unregistered agent of the Israel Government. He also questions whether the 127-year-old organization should retain its tax-exempt status.

Plan to Brief Tourists

One point cited by Mr. Jofes concerns a 1960 Israeli plan to install a woman in B'nai B'rith's New York office to brief American tourists before they went to the Soviet Union.

According to a memorandum from Philip M. Klutznick of Chicago, then chairman of B'nai B'rith's international council and later a United States representative at the United Nations, the idea was suggested by "some of our friends" and was designed merely "to formalize and regularize" existing practice.

In another deposition, Dr. William Korey, head of B'nai B'rith's New York office, identified "our friends" as Benjamin Eliav, then Israeli Consul General in New York, and Uri Ra'nan, then an Israeli consul.

A memo from Dr. Korey noted that when he foresaw financial problems he took them up with Mr. Eliav, who indicated that the Israelis would "pick up the tab of \$400" for the last three months of 1960. The same memo says that the Israelis volunteered to provide a desk and chair for the project.

Mrs. Avis Shulman, the wife of a Bronx rabbi who is now dead, was selected.

'They Then Surprised Me'

Later, in a confidential memo, Dr. Korey reported on a meeting with "our friends" and Mrs. Shulman. There was agreement, he said, on giving Mrs. Shulman a title and B'nai B'rith stationery, but he added:

"They then surprised me by (for the first time in our discussions) noting, that her instructions would come only from them; that her program would operate independently of me and B'nai B'rith, that she would report only to them; the only exception being that she would keep me abreast in gen-

eral of her activities approximately once a week."

Dr. Korey said that he assumed that Mrs. Shulman would be technically under his jurisdiction and that he could place limits on activities that might embarrass B'nai B'rith.

Warning Reported

According to other memos, Mr. Jofes warned that the project might require the organization to register as a foreign agent. In his deposition Dr. Korey insisted that Mrs. Shulman was only in his office a few times and that the project was, in fact, abandoned before it started.

Mrs. Shulman, now at the United Jewish Appeal in New York, and Mr. Ra'nan, professor of international politics at the Fletcher School of Diplomacy of Tufts University, refused to comment. In Israel, Mr. Eliav said there was nothing clandestine about the project and denied that he had authorized payment for it.

A second element of the case rests in a confidential memo of Dec. 2, 1965, from Rabbi Kaufman to various B'nai B'rith officials.

Noting that the American Jewish Conference on Soviet Jewry, an ad hoc group of representatives of 24 (now 26) organizations concerned about the status of Russian Jews, required renewal every six months, Rabbi Kaufman wrote:

"The Israelis are adamant that we must [continue the conference], make it a permanent body, and they will help us raise the funds. In this they are now giving direction and will brook no opposition."

The conference still exists. It has no charter or budget, but it does elect officers and has a letterhead.

Opposition Stressed

In his deposition Rabbi Kaufman emphasized that he had opposed the Israelis and that they had not gotten their way. He said that the Israeli offer to raise funds was only to provide speakers at meetings and that the reference to brooking no opposition was a "rhetorical phrase."

Neither Rabbi Kaufman nor his lawyer, Sheldon E. Bernstein, would comment on the case. Neither would Mr. Jofes nor his lawyer, Byron N. Scott.

The Justice Department is known to be studying the court record.