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Free Speech: It's Great For Hate

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Free Speech: It's Great For Hate

October 23, 1990 | By Kenneth Lasson

IT IS ALTOGETHER remarkable that in 1990 a Soviet citizen could be convicted and imprisoned for anti-Semitism. It wouldn't have happened in 1989.

The other day the leader of an extremist group was sentenced to two years in a labor camp for having interrupted a meeting of the House of Writers in Moscow and shouted, "Comrade Jews, get out! Your time is up! go to Israel!"

For that he became the first Soviet citizen in memory to be tried for, much less convicted of, inciting racial hatred.

It is not difficult to recall the pre-perestroika Communist regime. This is the country which a few short years ago locked up prisoners of conscience like Joseph Mendelevich and Anatoly Scharansky, and all but threw away the keys to human rights.

It's been but a moment in history since Ronald Reagan was denouncing the "officially tolerated anti-Semitism" in the Soviet Union and George Shultz was appealing to the Russians to relax their severe restrictions on emigration of Jews.

For his part Mikhail Gorbachev was saying things like, "American imperialism is at the forward edge of the war menace to mankind," and "everybody in the Soviet Union can have freedom of speech, so long as they don't use it to question socialism."

In 1990 well over 100,000 Soviet Jews will emigrate to Israel and beyond, Russia is wooing capitalist enterprise, and Mr. Gorbachev has won the Nobel Peace Prize.

But if the world order is upside down for most of us, think of how it must be for ultra-nationalist Konstantin Smirnov-Ostashvili, the 54-year-old Russian convicted for racist rhetoric. Even while the three-judge tribunal was reading the verdict against him Mr. Ostashvili could not restrain another stream of invective: "Down with Zionism! I am ready to die for Russia! Bush is the leader of the international Jewish Mafia!" Though he fell silent as the sentence to two years in a labor camp was pronounced, his supporters in the packed courtroom did not.

"Shame! Shame! Shame!" they shouted as they threw red roses toward the bench. They taunted the court: "Do you serve the law or Zionism?" "This wouldn't even happen in Hitler's time. It wouldn't happen in South Africa."

All of them were members of Pamyat, the hate group which blames a "Zionist-Masonic" conspiracy for all of Russia's ills (including communism) and which crawled into the open in 1987 with the flowering of glasnost. Though the protesters were quickly ushered away by a bevy of uniformed officers and police dogs, it was a fascinating demonstration of the sudden openness in Soviet justice.

Equally remarkable, the case was reported from beginning to end in the Soviet press. "For the first time," said the prosecuting attorney, Andrei Markov, "anti-Semitism has been officially condemned by the state."

Yet Mr. Markov was also able to express his dissatisfaction that the government prosecuted just one defendant as an example, and to declare, "This case came about not because of the state and the law enforcement bodies but in spite of them."

Outside the court building, Mr. Markov found that a tire on his car had been punctured: As it was being repaired, a Pamyat member showered him with abuse. Others bemoaned the absence of free speech in Russia.

Free speech indeed! The Soviet Constitution -- almost utopian in scope and scruple -- has seldom if ever before been utilized to protect any basic human rights, and now, as Russia convicts a man for "inter-ethnic enmity," it is accused by hate-mongers of denying them free speech!

It an irony worth contemplating that most Western democracies (and many Third World countries) have similar laws punishing group libel or racial hatred. Only in the United States of America, where political liberty has achieved its fullest flower, would Konstantin Smirnov-Ostashvili be constitutionally protected for spewing hatred.

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