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Pollard and Priorities

March 14, 1997 - Kenneth Lasson - The Jewish Times

Arthur M. Horwitz's op-ed about Jonathan Pollard in this space last week, mean-spirited and based on a paucity of facts, deserves rebuttal.

Mr. Horwitz complains that Pollard is "the poster boy for American Jews who feel there is an anti-Semite lurking in every shadow," that in truth he was a [paid spy](#), that he was caught for compromising classified documents and appropriately given the maximum punishment allowed. "Nothing more, nothing less. Same sentence as John Walker."

But few of Pollard's staunch defenders and none of his lawyers ever claimed he was a hero. To the contrary, most of them have consistently maintained that what he did was wrong and deserved punishment. Intentionally or out of ignorance, Mr. Horwitz misses the point: It is (and has always been)

the severity of Pollard's sentence

- which was

[grossly disproportionate](#)

to any other ever meted out for the same offense - that fuels the widespread pleas for clemency on his behalf.

Until recently, [anti-Semitism](#) was rarely even mentioned by Pollard's supporters as a motivation for their efforts, and it was certainly not argued in any of his legal briefs. American Jews - Jewish Americans - feel he has been betrayed by a miscarriage of justice. So do many non-Jews. If America stands for anything, it's

fundamental fairness

. If Pollard were of Chinese or Irish ancestry, we should still stand up for his

rights as an American.

Now, the facts.

Mr. Horwitz claims that "Pollard swiped 1,100 - that's right 1,100 - classified documents." Pray tell where does he get his information, when Pollard's lawyers themselves have

never

been given access to the data? The government's "damage assessments" have varied as wildly as the dollar figures Pollard is supposed to have taken - but are impossible to verify or challenge because no hard evidence has ever been made available.

Unlike Pollard, who was charged with passing classified information to an ally, Walker was convicted of spying for an

enemy

with specific intent to harm the United States. Unlike Pollard, Walker never entered into a plea agreement which was ignored by the court. Unlike Pollard, Walker received the

same

sentence as others indicted for the same crime.

On the other hand, the average term meted out to those convicted of the same offense as Pollard is

four

years.

No one has ever served longer than Pollard for a similar conviction.

To the contrary, the government has recently gone to the opposite extreme:

Lt. Commander [Michael Schwartz](#), a (non-Jewish) 15-year Navy veteran, was found guilty of selling data to Saudi Arabia from November 1992 to September 1994 - and was quietly discharged without having to serve one day in prison.

Curious, isn't it, that the Schwartz case has attracted such scant public notice, much less objection from an intelligence community that has called for Pollard's head? (In 1991 former Secretary of Defense Caspar Weinberger was widely quoted as saying that Pollard should have been shot for his crimes. In 1995 a Defense Department official issued a "confidential" warning to defense contractors that Jewish employees might spy for Israel.) Such is the stuff from which one might sniff a whiff of anti-Semitism.

Mr. Horwitz quotes former Prime Minister Yitzchak Shamir assaying that Pollard's predicament may be a humanitarian or moral problem, but not one for Israel to solve. That was in 1987. By the end of Mr. Shamir's term in office he fully realized that Pollard had enabled Israel to prepare for the attack it endured during the Persian [Gulf War](#). Thus his last official act was to write a formal letter to George Bush pressing for Pollard's release. The government of Israel granted him citizenship. Yitzchak Rabin, Shimon Peres, and [Benjamin Netanyahu](#) have all publicly called for clemency.

So have at least two United States Senators, a dozen Congressmen, a number of state and local legislatures, a former head of the NAACP, the [European Parliament](#), and 85 members of the Knesset - not to mention the [Conference of Presidents of Major Jewish Organizations](#), and over [1000 rabbis](#) representing every Jewish religious movement.

It is nice of Mr. Horwitz to identify our priorities for us ("please, the [American Jewish community](#) has more important issues - and rallying points for justice and equality - than Jonathan Jay Pollard"). Non-assimilated Jews recognize older values as well, such as the mitzvah of *pidyon shivuyim* (redemption of a captive) and the principle that "

he who saves one soul, it is as if he has saved the world

."

Jewish Americans recognize their responsibility as well to speak up for American values, if not to chastise the relatively few like Mr. Horwitz who are embarrassed by "Pollard the poster boy."

Sadly we must say to them the same as we say to others on behalf of Jonathan Pollard:

Enough already.

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