

Behind the Scenes: The Plight of Jonathan Pollard



A Summary of the Pollard Case

Jonathan Pollard was a civilian American Naval intelligence analyst who was convicted of spying for Israel and sentenced to life in prison in 1986. According to Pollard, in the mid 1980s (circa 1983-1984), he discovered that information vital to Israel's security was being withheld by certain elements within the U.S. national security establishment.

The information being withheld from Israel, says Pollard, included Syrian, Iraqi, Libyan and Iranian nuclear, chemical, and biological warfare capabilities — being developed for use against Israel. It also included information on ballistic missile development by these countries and information on planned terrorist attacks against Israeli civilian targets. Israel was entitled to much of this information because of existing agreements and treaties, but for reasons unknown, the information was not being transferred.

Pollard became an agent for the Israeli government, supplying classified documents to then-head of the Defense

Ministry's Bureau for Scientific Relations, Rafi Eitan.

In 1985, his actions were discovered by the U.S. government. Pollard has stated that his instructions from his Israeli bosses/handlers were to seek refuge in the Israeli embassy in Washington, D.C. When Pollard and his former wife sought refuge there, they were at first received and then summarily thrown out into the waiting arms of the FBI.

In place of a trial, Pollard entered into a plea agreement, which spared both governments a long, difficult, expensive and potentially embarrassing trial. Pollard fulfilled his end of the plea agreement, cooperating fully with the prosecution. Nevertheless, he received a life sentence — in complete violation of the plea agreement he had reached with the government. In addition, prosecuting attorneys recommended that he never be paroled.

Pollard was indicted on only one charge: one count of passing classified information to an ally, without intent to harm the

United States.

Prior to sentencing, then-Secretary of Defense Caspar Weinberger delivered a 46-page classified memorandum

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to the sentencing judge. Since then, neither Pollard nor any of his cleared attorneys have ever been allowed to access the full and complete memorandum to challenge the charges it contains.

The day before sentencing, Weinberger delivered a four-page supplemental memorandum to the sentencing judge. In it, he falsely accused Pollard of treason. Also in the supplemental memorandum, Weinberger advocated a life sentence in clear violation of Pollard's plea agreement. The

implication that follows from Weinberger's false characterization of Pollard's offense as "treason" is that the country Pollard served, Israel, is an enemy state.

In November 1995, Israel granted Jonathan Pollard Israeli citizenship. The official presentation took place in January of 1996.

In May 1998, the government of Israel formally acknowledged that Jonathan Pollard had been a bona fide Israeli agent and accepted full responsibility for him.

Pollard has repeatedly expressed his remorse publicly and in private letters to many Presidents and others. He regrets having broken the law, and is sorry he did not find a legal means to act upon his concerns for Israel. Pollard does not deny handing secret documents to the Israeli government.

What he does claim is a long list of proven injustices, which include: a grossly disproportionate sentence; a broken plea agreement; use of secret evidence; a false charge of trea-

son; ineffective assistance of counsel; *ex parte* communication between prosecutors and judge; a lack of due process; a sentencing procedure infected by false allegations and lies.

James Woolsey, former director of the CIA, who has seen all the documents, has been quoted as saying that it is time for Pollard to be released: "Pollard," Woolsey explained in a 2005 interview with *Makeor Rishon*, "may not have been a prime candidate for commutation, but 20 years is a very long time. At a certain point, it is time to ask if enough is enough — and that is in regard to his release, not to diminishing the seriousness of his actions. There is an obligation to have a different approach to spies for friendly countries."

No formal request has ever been made by the Israeli government for Pollard's clemency.

Indeed, while Israeli sources claim that the Pollard issue has been an ongoing theme of Israeli-American discussions

Behind the Scenes:

Freedom Through Another's Eyes

By Ruth Lichtenstein

The sign read Butner, Exit 189. The curving road, bordered on both sides by tall trees, and the endless silence imparted an impression of matchless serenity, but the reality of my destination belied that promise. After a lengthy negotiation period with federal prison authorities, I had arrived in Butner, North Carolina, to visit Jonathan Pollard.

The process of arranging an interview with Pollard, who has been a federal prisoner for 23 years, was not a simple one. Originally, I had planned to visit him together with Rabbi Pesach Lerner, Executive Vice President of the National Council of Young Israel. Eighteen years have passed since Rabbi Lerner devotedly took upon himself the unpopular mission of standing by Jonathan Pollard's side. Having never before experienced anything like what faced me now, I had been looking forward to having him along. But although in the past Rabbi Lerner has accompanied members of the media, this time prison authorities insisted I come alone.

When you mention the name "Jonathan Pollard," you invite a host of opinions. Some are expressed with extreme conviction; others with a shrug, indicating an unwillingness to commit — but everyone has something to

say about "The Pollard Affair." Many declare that yes, he violated the law, and it is only right that he pay his dues to society, but it's been twenty-three years — more than anyone else in the history of the United States guilty of a similar crime — and enough is enough.

Yet on the other side are those who feel that the true story has never been told, and that if it

Pollard is the ugly stain on the otherwise polished mirror reflecting the image of American Jewry

were known, all would agree that Pollard deserves to rot in jail until he breathes his last.

And then there are those, mostly young people who weren't even born when this sad chapter in our history began, who, when hearing the name Pollard say, "Oh, sure. I've heard that name! Is he still alive? Is he still in prison? I thought all of that was over fifty years ago."

Well, Jonathan Pollard is still alive, he is still in prison, and after all these years he still manages to elicit strong reactions.

Actually, Pollard is the ugly stain on the otherwise polished mirror reflecting the image of American Jewry. His sad saga is what ruins the beautiful reflection that American Jewry would like outsiders to see. And as much as there are those who wish that stain would somehow simply be eliminated, it will not disappear on its own.

Lately, Pollard has been making headlines in Israel again, and the heated discussions his name evokes escalate with each new mention of his name in the news. The most popular expression connected with the Pollard affair on both sides of the ocean is, "You don't know what we know." Every side of the debate claims that it possesses — in their minds? in their imaginations? — the very secrets that prove either Pollard's worthiness for freedom or continued captivity.

"You don't know what we know" is a statement hard to accept after 23 years. If we don't know, tell us.

"You don't know what we know" enabled people in the Israeli government to cover up their handling of this case, to bury their mistakes.

"You don't know what we know," enabled irresponsible

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Jonathan Pollard Speaks

Hamodia: Going back to the very beginning, why did you pass information to the Israeli government 23 years ago?

Pollard: I got scared that something very bad might happen to Israel and I felt I needed to protect it. More out of primal fear than careful consideration, I approached Israel.

Thinking back, would you have done things differently?

Absolutely. What I have told countless people is that what I would have done was to go to the Congressional Intelligence Committee with my concerns about how Israel was being ruthlessly blindsided by Caspar Weinberger and others out of sheer hatred both to Israel and to the Jewish people. But I will not apologize for caring and for putting my life on the line for fellow Jews.

Can you explain to our readers what you believe the Israeli government should have done to help you over the years?

I never should have been abandoned. At least they should have given me refuge in the embassy the night of my arrest. They should have dealt with the issue honestly, and explained to the U.S. government and Israeli citizens why my actions were necessary and why they were so important.

Israel should have cooperated with the U.S. in an ethical way, without lying or covering up.

The Israeli government never requested from the United States any response to the issue of the American government's having used documents they had promised not to use against me. This is not *my* version of the story — this is the 1987 testimony by Shimon Peres and was made very clear in the Abba Eban Report.

(*Editor's note: The Abba Eban Commission Report was prepared by a subcommittee of the Foreign Affairs and Defense Committee of the Knesset in 1987.)

And maybe more than anything the Israeli government should have been very clear, both to its friends on Capitol Hill and



the Jewish community, that my operation was necessary because of the collective failure of both governments to maintain the supposedly good relationship between the two countries.

Why do you feel Rafi Eitan, the Israeli Minister of Pensioner Affairs, whom you originally reported to and who assumed responsibility for your actions, sees a need to give statements such as the one he gave on March 25th about your supposed impending release? Namely, "that we would see you soon?"

Rafi Eitan is a master at playing a double game. Basically in

order to respond to the criticism and to justify his negligence, he tries from time to time to come out with some words of encouragement so that I'll be quiet. It's the "Blame the Victim" game.

What would you do if you ever met him again?

I would tell him, "Take responsibility for what you did to Israel and to your agent."

Rafi Eitan told my wife that his only mistake was that he didn't arrange to "finish me off" — it would have saved 20 years of trouble. He is the symbol of ugliness; he represents everything that is rotten and corrupt in the Israeli political establishment. I served the state with integrity and the most I ever got in return was betrayal.

According to the Israeli press, every Prime Minister who has visited an American President has requested your release. Do you agree with that?

Unfortunately, my bitter life experience has taught me not to trust Israeli politicians — peri-

od. Especially since my release would put the political future of some politicians in danger. In regard to Prime Ministers, there were only two who ever tried to get my release: One was Bibi Netanyahu at the Wye Plantation, and the second was Yitzchak Rabin in 1995, during the peace negotiations with Jordan in Washington. Other than that, the Israeli government, especially the Foreign Ministry, the Mossad, the Defense Ministry, is very clear in talks with Americans that they have no interest in getting me back.

Why do you think Israeli State Comptroller Lindenstrauss is trying to get involved with your case?

Originally, I asked him for help. It was my feeling that someone who wasn't involved in my case would be able to compel the Israeli government to do something. After the government was forced by the High Court to acknowledge my citizenship, I tried to have my status

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The Plight of Jonathan Pollard

Jonathan Pollard Speaks

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changed to a war prisoner. To deal with all 120 members of the Knesset is almost impossible. Out of desperation I turned to Lindenstruass.

I do not believe that Judge Lindenstruass's investigation of the Israeli Government's handling of my case can torpedo efforts to secure my release, for the simple reason that there *are* no efforts to secure my release.

What do you have to say about the assumption that the American government has always believed you weren't the only agent passing information to Israel at that time, and that the Israeli government made a monumental decision when they decided to "plant" spies within the U.S. government?

I never saw any proof that there were any other agents. There are people who see agents behind every hole. All they did was use me as an excuse to justify their own anti-Semitism. Again, I never saw any proof.

Your wife says that you were never paid during your 23 years in prison by the Israeli government. In your letter to PM Olmert, you confirm it. The Israeli government claims the opposite. How can you explain it?

You refer to the Israeli government's supposed allocation to me and my wife. It's nothing more than an outrageous lie. We have never received a dime. I receive assistance from very few individuals; Rabbi Pesach Lerner (Executive Vice President of the National Council of Young Israel raises money for me and sends it to the prison canteen so I can buy kosher food. My wife lives in a room given to her by an elderly grandmother, who lives with her in the apartment.)

If they did give money, the only explanation is that someone else enjoyed it. The reactions that have come from Israel lately about this supposed money have been so harsh that you might think that somebody there committed a crime. I don't know where it went, but they definitely lied openly about it.

There have been times when there were talks about freeing you in exchange for Palestinians. Are you prepared to be freed for murderers with blood on their hands?

I said and I'll say again: I'm not ready to be exchanged for any terrorist. The way for me to come home must be with honor and credit to Israel and the Jewish people. This won't happen with an exchange of murderers.

Do you believe that the State of Israel has a personal interest in leaving Jonathan Pollard in jail?

Definitely. If I'll come home... my release would put the political future of some politicians in danger. Just see how hysterical everybody is with the investigation that Judge Lindenstruass

All they did was use me as an excuse to justify their own anti-Semitism.

started. It's very clear the truth could bring me freedom, but will bring others to a real accounting to show that not only did they stab me in the back, they lied to everybody regarding their involvement.

And more than that, my release and subsequent revelations of why the operation was necessary will cause a lot of noise and possibly backlash. A lot of the politicians built their careers based on what they claim is the open door policy between Israel and the United States. My operation showed the darker side of the relationship between the two countries. How would people in Israel react? As of now, they think relations between the two countries are honest. The careers of the politicians who misled the people would be destroyed.

You and your wife are now taking a very aggressive approach. Do you think it will help?

Yes. I kept quiet for ten years. I realized a quiet diplomacy is a silent diplomacy. I am following the fate of missing in action (MIA) Israeli soldiers. Unlike them, I can speak and try to compel the government. I don't want to end up like Ron Arad (MIA Israeli soldier).

Can you get out of jail without the involvement of the Israeli government?

The short answer is no. But if the Jewish community here would have understood this to be their moral obligation — if not for me, for you yourselves — I would have gotten out. And it is not too late.

Everyone likes to believe that the Jews in America are equal — after all, Thomas Jefferson promised it many years ago. My case and the way I was taken care of possess a direct threat to that promise. If people refuse to see that, they'll continue to live in a false sense of comfort, because my rights as an American citizen were stepped on in the clearest of ways. Secretary of Defense Caspar Weinberger, before his death, admitted the crime was taken out of proportion and was

really a very minor matter.

My message to the Jewish community is, if you won't speak up about it, then you are agreeing with it.

Can you comment on what the American Jewish community does or doesn't — or should or shouldn't — be doing in terms of your imprisonment?

The representatives of the American Jewish community know the situation. The only elected official who is exceptional in this matter is Congressman Anthony Weiner from New York. Congressman Weiner tried as hard as he could on my behalf. My lawyers cannot even see the documents that brought my indictment. Only the president can allow it and he won't because it embarrasses the American intelligence judicial communities. But if the Jewish community would request it, my lawyers would get basic fundamental rights. If American Jews aren't fighting, then it means they agree to a double standard of justice.

Why do you feel the Jewish Americans are silent?

They're afraid this case will reflect on the entire system. This is a war not about me; it's much more than that. People should understand that American-Jewish establishments like the Conference of Presidents of Major American Jewish Organizations assured President Reagan that the community agreed with my punishment and

It's very clear the truth could bring me freedom, but will bring others to a real accounting...

would do nothing to oppose my imprisonment for life [Editor's note: See sidebar]. My case is never on their agenda when they meet the president. It's not only that they — the organized Jewish community — haven't done anything; they often spread lies at every opportunity. Prominent, well-connected Jewish Organizations have treated me particularly viciously.

Prominent Jewish writers have done nothing for me either, even after the *Gedolei Yisrael* issued a *Kol Korei* on my behalf and I got letters of support from Harav Yosef Sholom Elyashiv and Harav Aharon Leib Shteinman.

The people in the White House are not stupid; they see the negligence of the Israeli government and the Jewish community.

Why am I so upset? It's not just that they didn't do anything. They pretended to do and didn't! Show me, what exactly did they do for me? They should start to understand the full depths of *pidyon shevuyim* and try to do something about it. It's time for me to go home. I want to have a family. I want to have children. What I have now is not a life. I don't want this to be my legacy.

How do you see your legacy?

I'm going to contribute to a life of Torah, of *mitzvos*, be the best husband and, *iy"H*, a father. If this happens I'll be able to look back and say something good came out of it.

Do you see any chance of President Bush granting you clemency for Israel's 60th anniversary?

If he does it will be a *nes*. If I believe Hashem exists, and I do, I have to believe that there are *nissim*.

What sparked your spiritual journey, your return to Yiddishkeit?

It was the realization that secular values and lifestyle are completely hollow. It started shortly before my arrest. I came from a traditional family. Sometimes it takes time to realize what your parents are trying to do. I am thankful that I was able to reconnect to the same values. Doing so has enriched my life and given me the strength to endure the experience and be a good, loving husband.

What keeps your faith strong in this difficult situation?

My wife, Esther. She represents to me everything that is good in life. She represents everything that is truth, courage and decency. These are the central aspects of our faith. Returning my wife's dedication in equal measure gives me a recommitment to my faith.

My wife keeps me alive.

How do you manage to keep Shabbos, *Yamim Tovim*?

With great difficulty. I do my best. I don't turn on lights on Shabbos, don't listen to the radio. Sometimes I go to services.

How?

It is so complicated that I "service" in my room. I learn Torah, especially Friday night, as much as I can. When Rabbi Lerner comes and we learn something, even if it's very short, I feel fulfilled. Five minutes with him is, for me, equal to an hour with someone else.

How do you plan on celebrating Pesach?

I hope to be with my wife. If

not it will be another difficult and sad time.

Can you get matzos and wine?

Rabbi Lerner provides me with funds for all the foods that I can procure from the outside. He also gives me money for phone calls... thanks to him I'll be able to.

Are your traditions treated with respect?

[Long pause] I think this is the best that I can expect under the circumstances.

Are you given kosher food?

I would not serve this food to a dog, I try to survive on tuna, vegetables.

How is your health now?

Off the record? Poor. On the record? Poor. In jail I developed

I need to get home. Being sick in prison is the most dangerous situation for a person.

diabetes, high blood pressure, cholesterol, pre-glaucoma, and arthritis.

Are you being treated fairly medically?

I need to get home. Being sick in prison is the most dangerous situation for a person. The Israeli government is aware of my health condition — I hope Hashem has better plans for me than they do.

Do you appreciate receiving letters from our readers?

They're like oxygen. I cannot tell you how much I value it. I always have the fear that I'm going to be forgotten.

What is the message you have for the Israeli government?

Stop acting like people who fear the truth. If you will stop, not only will I come home, but the state will be in a better condition.

What is your message for the people in Israel?

I never lost my belief in you. *Iy"H*, soon I'll be home so I'll be able to be like one of you, like a Jew living in Eretz Yisrael.

For the Jewish community in the United States?

Please wake up! No matter how beautiful this *galus* is, it's still a *galus*.

Behind the Scenes:

Official Statements

REPRESENTATIVE ANTHONY WEINER (D-BROOKLYN AND QUEENS):

Mr. Pollard did commit a crime and he deserved to be punished for his action. However, after reviewing the facts of the case and receiving classified briefings on this matter, I believe that he has served a sentence that far exceeds the appropriate sentence for the crimes he committed. I have written to President Bush, urging him that the time has come to free Jonathan Pollard.

RABBI CHAIM DOVID ZWIEBEL, EXEC. V.P. OF GOVERNMENT AND PUBLIC AFFAIRS, AGUDATH ISRAEL OF AMERICA:

The *Gedolei Yisrael* to whom Agudath Israel of America looks for guidance have long emphasized the importance of helping Jonathan Pollard obtain his release. Most recently, just last year, the Moetzes Gedolei HaTorah — joined by the Nesiut of Agudath Israel and the Conference of Agudath Israel Synagogue Rabbonim — issued a public declaration calling upon all members of the community to contact the White House with the simple message that Jonathan Pollard has served long enough, and that the time has come to free him.

At the organizational level, Agudath Israel has taken a number of concrete steps to assist Jonathan Pollard. We played a major role in an amicus curiae (friend of the court) brief written on his behalf to the U.S. Court of Appeals in Washington, D.C. We have written detailed substantive letters to every president throughout his 23 years in prison — Ronald Reagan, George H.W. Bush, Bill Clinton and George W. Bush — setting forth the humanitarian basis for granting executive clemency. We have spoken directly to an attorney general of the United States and other high ranking federal officials, pleading for relief. We have published articles about his case in various secular and Jewish media. We have mobilized our own grassroots by speaking about it at Agudath Israel conventions and urging our constituency to communicate directly with federal officials.

The case of Jonathan Pollard is one of the great tragedies of our time. As our *Gedolei Yisrael* have told us, it is our responsibility to take meaningful steps to help once and for all bring this tragedy to a happy conclusion. May that day arrive speedily.

RABBI PESACH LERNER, EXECUTIVE V.P., NATIONAL COUNCIL OF YOUNG ISRAEL:

The National Council of Young Israel, the umbrella organization for Young Israel shuls throughout the United States, Canada and Israel, has been active on behalf of the release of Jonathan Pollard for over 15 years.

NCYI has informed and received the *brachos* of *Gedolei Yisrael* in Israel and in America to activate the Torah world.

NCYI has lobbied and continues to lobby in Washington, D.C. and in Yerushalayim and has brought religious, political and communal leaders to visit Pollard in federal prison — with the goal of activating and involving those individuals in the Pollard case.

NCYI has raised the awareness of the Pollard case through ads, articles and speeches.

NCYI raises funds for Pollard's needs while in prison.

MALCOLM HOENLEIN, EXEC. VICE CHAIRMAN, CONFERENCE OF PRESIDENTS OF MAJOR AMERICAN JEWISH ORGANIZATIONS:

The Conference of Presidents of Major American Jewish Organizations has never communicated any message like that [see below] to President Reagan or any other president. The Conference chairman at the time, Amb. Morris B. Abram, made some strong statements — those were his personal views. The Conference never issued any statements of that kind.

We have approached every president to seek Jonathan's release. We have also issued public statements, as well as made private requests to the presidents [on Jonathan's behalf]. We raised it most recently in a meeting with President Bush. It is important that we all keep working on it. I would hope that as a gesture for Israel's 60th anniversary or, at least, at the end of the president's term, he will see fit to enable Jonathan's release.

(In response to the following statement by J. Pollard: "This is a war not about me; it's much more than that. People should understand that American-Jewish establishments like the Conference of Presidents of Major Jewish Organizations assured President Reagan that the community agreed with my punishment and would do nothing to oppose my imprisonment for life.")

Freedom Through Another's Eyes

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people, such as Rafi Eitan, the Israeli spy-master who recruited Jonathan Pollard to spy against the United States and ultimately turned against him, to use all kinds of cliches, shallow, empty words, to obstruct justice and shield the guilty.

Rafi Eitan has much to repent for, as does the government of Israel. Israeli officials have absolutely no excuse for their abandonment of Pollard. They know what they must do to bring him to freedom, yet they have never done what is necessary due to their own selfish reasons. It is easier for them to point a finger at the American Jewish community. Thus, Pollard has fallen between the cracks.

Finally, "You don't know what we know" has enabled American Jews to continue sleeping peacefully, year in, year out, because after all, what can they do if they don't know?

Currently, in Israel, Jonathan Pollard's case is a "hot potato," being investigated by Judge Micha Lindenstrauss, the State Comptroller. In America, since it continues to be a volatile topic that no one wants to deal with, people continue to sweep it under the rug. But now, before Pesach, when everyone, everywhere, is taking out long-forgotten items so they can be cleaned for the holiday, keeping the issue of Jonathan Pollard under the rug should no longer be an option.

A week ago, I found myself in the airport of Raleigh-Durham, North Carolina, where I was met by a Jew exuding friendliness and good cheer. Rabbi Ben Packer, a *kiruv* devotee on local university campuses, volunteered to drive me to and from the federal prison where Pollard is incarcerated. He looked so different from the locals around me, sporting a big black *kippah* on his head.

I was deeply impressed, not so much by the list of rules and regulations regarding what I was permitted to bring inside and how I was to behave during the clearance process, but by the enormity of what being incarcerated actually means. This was brought home forcefully the moment the black gate opened slowly before me, allowing me to enter. Once I entered, the gate behind me slowly clicked shut, and only then, when I was safely between areas, with a gate before me, behind me, and barbed wire above, was the second gate unlocked and opened, permitting me to proceed into a place that is like a foreign country to all of us who are free.

Pollard was led into the visiting room by a guard. He looks different from what I had come to expect from the familiar photographs. His long hair is much shorter, he has aged, and he wears heavy, brown, square-framed glasses. Aware that we had only two hours, which, with time being his only commodity, he had calculated down to the very last second, he was eager to begin talking. Much more than those of us who live in freedom, Pollard appreciates the value of every minute, and he didn't want to waste even one. He had so much to explain, so much to clarify, so much to accomplish during my long-

awaited visit.

Two officials closely monitored our conversation throughout the interview. I had been permitted to bring along only a pen, a pad of paper, and some coins, which would enable me to buy Pollard something to eat from the vending machine. Inmates are not permitted to handle money.

We sat opposite each other on molded plastic chairs, separated by a square plas-

Imprisonment has not broken him mentally, spiritually or emotionally.

tic item that looked like an empty toy box. Pollard knew exactly what he wanted to say, and he expressed himself clearly and intelligently. He was immediately able to retrieve and convey exact details about his case, his situation, and his incarceration. Imprisonment may have turned him into an individual suffering from several physical conditions, but it has not broken him mentally, spiritually or emotionally.

Visiting that federal prison, it occurred to me that it is only when sitting with someone who has been imprisoned for twenty-three years that one can understand the full meaning of the concept of freedom. Only then can one appreciate the ability to make choices that most of us take for granted: to dress how we like, to take a walk when the fancy strikes us, to select our own food and drinks, to choose a book that interests us, to decide when to go to sleep and when to awaken, when to be active and when to remain idle, to make a decision and then implement it, to buy a can of soda or not, to enter... and to exit. All of these are freedoms that you and I take for granted and enjoy.

Two hours of conversation passed.

The guard approached and told us that our time together was over.

As I was about to leave, Pollard wished me, "*Leshanah haba'ah beYerushalayim.*" "Maybe still this year?" I suggested.

With a grim smile, Pollard replied, "It's hard to believe, but who knows?"

While he was being returned to his cell, I awaited my release. In prison, nobody is in a hurry. The warden removed a long chain holding a huge bunch of keys from his pocket. In prison, everything is done according to "the book," according to rules and regulations, written instructions and law. The gates were slowly opened again, then locked behind me. Finally, I was outside.

The sky of North Carolina is very blue. The grounds surrounding the federal prison are green and beautifully tended, the parking lot a beehive of arriving and departing cars. Rabbi Packer greeted me once again; my cellular telephone sprang instantly back to life. But behind the gates that had been firmly closed and locked, remained a Jew who had been cut off from the world for twenty-three years, and with him many questions that nobody is ready to answer.

The Plight of Jonathan Pollard

Comparative Sentences

The following table indicates how grossly disproportionate Pollard's life sentence is when compared to the sentences of oth-

ers who spied for allied nations.
 • Jonathan Pollard is the only person in the history of the United States to receive a life

sentence for spying for an American ally.
 • On November 21, 2007, Pollard entered the 23rd year of

his life sentence, with no end in sight.
 • The median sentence for this offense is 2 to 4 years.

Name	Country Spied For	Sentence/Punishment	Time Served Before Release*
Jonathan Pollard	Israel	Life imprisonment	
Michael Schwartz	Saudi Arabia	Discharged from Navy	No time served.
Peter Lee	China	1 year in halfway house	No jail time.
Ronald Montaperto	China	3 months	
Samuel Morison	Great Britain	2 years	3 months
Phillip Selden	El Salvador	2 years	
Steven Baba	South Africa	8 years; reduced to 2 years	5 months
Sharon Scranage	Ghana	5 years; reduced to 2 years	8 months
Jean Baynes	Phillipines	41 months	15 months
Abdul Kader Helmy	Egypt	4 years	2 years
Geneva Jones	Liberia	37 months	
Frederick Hamilton	Ecuador	37 months	
Joseph Brown	Phillipines	6 years	
Michael Ray Aquino	Phillipines	6 years and 4 months	
Michael Allen	Phillipines	8 years	
Robert Kim	South Korea	9 years	7 years
Leandro Aragoncillo	Phillipines	10 years	
Thomas Dolce	South Africa	10 years	5.2 years
Steven Lalas	Greece	14 years	

* Time served before release is shown where known. Other cases of early release exist.

An Enemy Spy: Aldrich Ames – A Case in Point

Aldrich Ames, who spied for an enemy nation (the Soviet Union), committed treason, and was responsible for the deaths of at least 11 American agents, received the same sentence as Jonathan Pollard.

Pollard's only indictment was one count of passing classified information to an ally. Pollard spent seven years in solitary confinement, in the harshest unit of the harshest prison in the Federal system — FCI Marion.

Aldrich Ames's treatment was far more benign, and (except for a relatively short period of time during debriefing) did not include the rigours of long years of solitary; nor was he ever subjected to the harsh conditions of "K" Unit at Marion — even though his offense was far more serious.

A Summary of the Pollard Case

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over the years, only two prime ministers are known to have attempted to bring up Pollard's name in relation to a pardon in the presence of an American president: Benjamin

James Woolsey, former director of the CIA, said, "...it is time to ask if enough is enough..."

Netanyahu and Yitzchak Rabin. Pollard believes that the Israeli government has essentially decided to leave him imprisoned, rather than have to face the political backlash that would result from his long-awaited freedom.

In a letter written by Pollard

to an American rabbi who asked him why he had done what he did, Pollard responded, "... there are many within the American Jewish community who are absolutely furious over what I did. No matter what, they wail, I should never have endangered our position here by exhibiting such loyalty to Israel. So what was I supposed to do? Let Israel fend for herself? If you think that this is what I should have done, then how can we condemn all those smug, self-righteous "American" Jews during the Second World War, who consciously participated in the abandonment of European Jewry? ... Could you have stood by silently and let this happen? Granted, I broke the law. But, to tell you the truth, Rabbi, I'd rather be rotting in prison than sitting Shiva for the hundreds of thousands of Israelis who could have died because of my cowardice."

On November 21, 2007, Jonathan Pollard entered the 23rd year of his life sentence, with no end in sight.

Jonathan Pollard's full name for *tefillos* is

יהונתן בן מלכה
Yehonoson ben Malka

Jonathan welcomes your letters and good wishes.

Correspondence may be sent to:

Jonathan Pollard
 # 09185-016
 FCI Butner
 PO 1000/Clemson
 Butner, NC 27509-1000.

Contributions to assist Jonathan Pollard with costs for kosher food, telephone calls, etc., can be sent to:

Young Israel Charities
 c/o National Council of Young Israel
 111 John Street
 Suite 450
 New York, N.Y. 10038
 (Please note "for Pollard" on memo line of check.)

Behind the Scenes: The Plight of Jonathan Pollard

Why Is the Israel State Prosecutor Threatened by Pollard's Case?

By David Halevi

Jonathan Pollard could be home by Pesach, say many sources in Israel and the United States close to the case. But that is almost guaranteed not to happen, says his wife, Esther — because Israel simply does not want to see him freed. In fact, she says, Israel had several opportunities to ask for his freedom over the past 23 years — but Israel has refused to do so, for a variety of reasons.

Among those reasons is fear that he will reveal embarrassing information about the officials who sent him on his mission to discover information the United States was withholding from Israel about major security threats — and as it happens, at least two of those officials currently hold high government posts.

And now, almost 20 years after the government first considered his case, an independent investigation by Israel's state comptroller, Micha Lindenstrauss, is aiming to get to the bottom of why Pollard is still in jail, despite Israel's claims that for the past two decades, it has been "doing its best" to free him. Not only that — the state comptroller will be looking into the fate of money that the government claims it has been giving the Pollards, but that the Pollards say they have never seen.

Lindenstrauss, who has a reputation for thorough work and a nose for government malfeasance, is set to question, among others, Prime Minister Ehud Olmert, President Shimon Peres, and Defense Minister Ehud Barak on what they know about Israel's efforts to free Pollard. Peres was prime minister and Barak was head of military intelligence in 1987 when Pollard was first arrested. The investigation is already several months old, Lindenstrauss says.

How the Latest Round Began

The latest flap over Pollard's continued imprisonment broke out late last month, when Pensioner Affairs Minister Rafi Eitan said in an interview that he expected Jonathan Pollard to be in Israel "soon." In the interview, Eitan, who headed the secret Bureau of Scientific Relations that recruited and handled Pollard in the 1980s when he was arrested, said that he has "never stopped working for Pollard's release."

On the eve of a visit to Israel last month by U.S. Vice President Dick Cheney, rumors began circulating that an official request for Pollard's release would be presented by Israel. Eitan said he could not confirm the rumor — which turned out to be false — but that he believes that Pollard would be released "soon," although he said he could not

name a date.

In response to Eitan's statements, Esther Pollard said in an interview on Army Radio the next day that Eitan and other Israeli officials were actually working to prevent Pollard's release.

"Despite all the wonderful talk by Eitan and other officials, Israel has never formally requested that the U.S. free Pollard — the first step necessary in securing his freedom.

"To think that President Bush would risk getting into a political fight especially during an election year by releasing Jonathan without such a formal Israeli request is ridiculous and deceitful. Almost every American official I have ever spoken to has said that Jonathan has been in prison for far too long already, and that if



Pensioner Affairs Minister Rafi Eitan

Israel were to make such a request, it would be granted," Esther Pollard said. "Eitan's devious insinuation that it's a 'done deal' and that Jonathan will soon be home is just another way to try to make the public forget about Pollard," she added.

"Eitan and others, including Defense Minister Ehud Barak, head of Military Intelligence at the time Jonathan was arrested, just don't want Jonathan around because it will make them feel too uncomfortable," Esther Pollard added, saying that Barak, Eitan, President Shimon Peres and others who were involved with Pollard were afraid of their consciences, and not of any "secrets being uncovered, because everyone knows what their role in Pollard's arrest was anyway." In response, Eitan said that he would prefer to have Jonathan Pollard free, "even if he were to get on the radio every day and criticize or condemn me."

Pollards to Lindenstrauss: Follow the Money

The acerbic media exchange between Eitan and Esther Pollard prompted an even more astounding revelation: The Knesset's State Control Committee, chaired by MK Zevulun Orlev (NRP-NU), had asked State Comptroller Lindenstrauss to investigate what the government has done

— or not done — to prompt Pollard's release over the past two decades. In fact, Orlev said, the investigation has been going on for some time, after the Committee asked Lindenstrauss to get involved last December.

Among the issues Lindenstrauss is investigating is a claim by Prime Minister Ehud Olmert that the government has been supporting Esther Pollard's efforts to free Pollard. As a registered Israeli agent, the law requires that Pollard and his family receive full government support and financial compensation — and in statements last month, the Prime Minister's office said that the government has been doing so.

But both Jonathan and Esther Pollard say this is not the case. Upon hearing of the statements, Pollard wrote a letter to



Prime Minister Ehud Olmert

Olmert saying that his office "continues to lie and to disseminate official government statements declaring that my wife and I and my 'close associates' are receiving 'full support in every possible respect' from the Government of Israel." He demanded that Olmert either release the records of such assistance, or release a statement to the effect that no funds have been forthcoming.

And yet, money has apparently been appropriated for the Pollards — and it is this money that Lindenstrauss will be looking into as well. The financial aspect of the state comptroller's investigation, Esther Pollard said, is what prompted the appearance of an article in Israeli media that Lindenstrauss's investigations would actually hurt Pollard's chances of going free. The article, appearing in *Yediot Achronot* and titled "Officials outraged by comptroller's inquiry on Pollard case," quoted "senior defense officials" as saying that Lindenstrauss, "who operates like a bull in a china shop investigating such a sensitive matter that is beyond his authority," might "compromise sensitive efforts" to free Pollard.

Outraged by the article, Orlev at a press conference accused Olmert of being behind the story, which was "nonsense. Olmert has made an ugly spin at Pollard's expense and on his

abandonment of Pollard. Pollard's fate hangs in the balance, but Olmert goes on with his personal war against the state comptroller and his campaign to delegitimize him," Orlev said, a possible payback for financial scandals Olmert has been accused of being involved in that the state prosecutor has been investigating.

In a letter to Lindenstrauss, Pollard urged Lindenstrauss to forge ahead. "Your investigation of the Israeli Government's handling of the Pollard case can not torpedo efforts to secure my release. There are no efforts to secure my release," he said.

Lindenstrauss, for his part, denied the accusation, saying that the investigation was already several months old. "I have handled the investigation with utmost discretion," and he has not hurt whatever efforts there were during that time to free Pollard, simply because the investigation had not been publicized. "What happened all of a sudden [to prompt the *Yediot* article]?" Lindenstrauss asked at the press conference.

What happened, say the Pollards, is that the government is nervous not only about revelations that it has essentially done nothing to free Pollard — it fears an investigation into where the money the Pollards were supposed to get has gone.

"Has the Government of Israel been using the Jonathan Pollard case as a cover for some much larger 'slush fund' all these years? Or is it something worse? It is the task of your investigation to find out," Pollard said in his letter to Lindenstrauss. "If your investigation will carefully investigate the money issues I have raised, it is my strong conviction that when the truth is finally revealed, it will cause a virtual earthquake in Israel," he said. "Perhaps we will finally understand the real reason that the Israeli establishment did not want me home."

Esther Pollard concurred, saying in an interview that "the investigation will reveal who has been misappropriating all the money intended for Pollard for the last 23 years, and that the truth will come to light that this is not just about monetary corruption, but about who is profiting" from Pollard's continued incarceration.

If Lindenstrauss's investigation does get too close to revealing financial malfeasance, some observers said, it is possible the government will actually try, after so many years, to secure freedom for Pollard, as a sort of "plea bargain" to avoid the completion of the investigation. But meanwhile, Pollard, whose information helped Israel in innumerable ways — not the least of which was during the 1991 Gulf War — will spend another Pesach in prison.

Why the Politicians Won't Help

While the Knesset and government trade accusations over Pollard's continued imprisonment, the vast majority of Israelis want Pollard released. Poll after poll show that over 80 percent of Israelis want the government to convince the United States to free Pollard. During a recent visit by U.S. President George Bush to Israel in January, the King David Hotel, where Bush stayed, was reportedly inundated with faxes asking Bush to pardon Pollard. A poll by the Motagim group taken during the Bush visit said that 82 percent wanted Pollard released as soon as possible.

Given the poor ratings Olmert has garnered as prime minister — several polls show him with support in the single digits — one would think that he would be moving more aggressively on getting Pollard out of prison. According to Esther Pollard, signs abound that the U.S. would free Pollard — if only it were asked.

"I was recently told by a senior American official with close ties to the Bush Administration," Esther Pollard said in an interview, that "there is only one man who can free your husband — Bush; and there is only one man who has to ask for your husband's release — Olmert." And Bush would do it, the official implied, if he was asked.

In yet another sign that the U.S. believes Pollard has served more than enough time, during Bush's January trip, "the U.S. delegation not only agreed to have Pensioners Affairs Minister Rafi Eitan participate in a luncheon, but Bush even greeted him warmly and shook his hand. Eitan has not set foot on American soil ever since Pollard's arrest, fearing he himself would be arrested for his role in handling and overseeing the entire Pollard case on behalf of Israel's intelligence services."

It's unlikely, to say the least, that Bush doesn't know who Eitan is. While some have discounted that "warm handshake," several analysts said that it would be hard to imagine Bush even wanting to be in the same room as the handler of a "notorious" spy like Pollard — unless he saw the issue as "ancient history."

So, why not work to free Pollard? Olmert could score some much needed points in political popularity polls, and take credit for closing a wound that has been open for far too long. With elections probably closer now more than ever, Olmert needs all the help he can get. If it's criticism he, Barak and Peres fear — there is plenty of that going on already.

Jonathan Pollard has good reason to doubt the protestations of Israeli political leaders that they are "doing everything they can to free Jonathan."