

OPINION

Revealing the Real Jonathan Pollard

BY PESACH LERNER

Having observed Jonathan Pollard in a variety of circumstances for more than two decades, I feel confident in stating that his extraordinary character has not been tarnished by 28 long years in prison, including seven excruciating years in solitary confinement.

He has been remarkably consistent. In my capacity as Executive Vice President (and now Emeritus) of the National Council of Young Israel, I have spent hundreds of hours visiting Pollard one-on-one in prison and countless hours in discussion with him.

I have also arranged prison visits for numerous American and Israeli officials. Among those whom I have accompanied on special visits were Prime Minister Binyamin Netanyahu, and successive Israeli Ambassadors Sallai Merridor, Danny Ayalon and Michael Oren. I have also escorted countless American congressmen and senators from both sides of the aisle to visit Pollard.

Without exception, the high-ranking visitors have consistently expressed amazement that Pollard presents so well, is so articulate, so thoughtful, and so gracious; how much more so in light of his failing health and in spite of such an extended period of incarceration .

I will never forget Netanyahu’s reaction after the prison visit as he exclaimed that Pollard was nothing like what he had read or heard about in the media for so many years. “I should have known!” he said. “I, who have so much first-hand experience with character assassination, should have known that that was what they were doing to Pollard all these years!”

I have been with Pollard in times of deep sorrow, such as when he lost his parents, one after the other, without being allowed to say good-bye or to attend their funerals.

I have been with him in times of joy, such as during the 1998 Wye River Conference when it looked like any minute he would be out the door and on his way home.

I have seen him come crashing down with disappointment, and then watched him pick himself up and dust himself off and continue on, fighting for his life, fighting for equal justice, fighting for his release.

I am on the front lines with Pollard’s wife, Esther, when he is desperately ill and no medical attention is forthcoming. I have heard his anguished cries on far too many occasions when he has been wracked with pain, pleading for help from us on the outside to force the relevant officials to attend to his ongoing medical crises.

I have seen the way they talk and the way they work together seamlessly in the struggle for his release. I have observed them on numerous occasions in formal meetings with diplomats and public officials and their cooperation and coordination is remarkable. Jonathan does the presentation and Esther has all the documentation ready for him as if they had had the time and leisure to sit and plan all this — but of course they never do.

I have also watched Esther break down in tears when the guards come to tell us a visit is over. I’ve watched, with my gut knotted up, as Jonathan tries to comfort

her, pleading with her not to cry, telling her “crying only makes it worse.” I have watched all of this and more.

I have observed Pollard explaining his plight, patiently, in great detail, over and over and over again to visiting American officials, each time as if it were the first time; and I have witnessed him expressing remorse more times than I can count.

I have seen him conduct himself with restraint and great courtesy towards Israeli officials who have repeatedly let him down and failed him in far more ways than I care to count.

I have observed Pollard’s graciousness and self-control when he was very publicly brought into court in Washington after being subjected to extreme sensory deprivation in solitary confinement for a full two weeks prior to his 2003 court hearing.

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No one who saw him in court that day would have guessed that he had been held incommunicado for two weeks and subjected to the same brutal tactics that are commonly used in totalitarian regimes to

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—Binyamin Netanyahu

break a prisoner.

I have observed Pollard’s anguish when there is bad news from Israel about terror attacks, accidents and bloodshed. His ability to still care so profoundly and to be so deeply moved by the plight of ordinary citizens is amazing.

I have observed Pollard’s utter distress when there are news items in the media, slandering, libeling and defaming him to serve any number of hostile political agendas.

Over the long period of time that I have been involved in the case, Pollard has been consistent in his behavior, in his attitude, in his emotional affect, and in his relationships. Not only has his personality been consistent, but despite chronic illness and wanton affliction, his narrative has never varied.

Indeed, Pollard has been consistent for so many years that the truth has finally come out and validated what he has been saying all these years.

The newly declassified 1987 CIA damage assessment puts the lie to American allegations that have been used for over a quarter of a century to justify Jonathan’s continued incarceration. The document confirms exactly what Pollard has been consistently telling us all along, including: that he did not spy against the United

States; that he spied only for Israel; that he did not spy for any other country; that he cooperated fully with his interrogators; that he did not pass the enormous volume of information which the government has publicly claimed, and so on.

A second government damage assessment by the Justice Department, the1987 Victim Impact Statement (VIS), now public record, forever lays to rest the falsehood that Jonathan damaged U.S. national security. Written by the government as an aid in sentencing and submitted to the sentencing judge, the document clearly describes the damage that Jonathan did as being no more than temporary friction with certain Arab allies and a temporary loss of leverage in its usual quid pro quo negotiations with Israel for intelligence information. This “new revelation” is con-

sistent with what Jonathan has been telling us for years.

What Jonathan could not tell us, what we had to discover for ourselves, was that the government has been lying about Pollard’s character for years.

In the absence of hard evidence to justify a life sentence for Pollard, the government has repeatedly resorted to character assassination, first to elicit a grossly disproportionate sentence and then to ensure that he remains in jail, for reasons that have nothing to do with the offense he committed. Caspar Weinberger, the former U.S. Secretary of Defense, the man

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who drove Pollard’s life sentence, admitted in a 2002 interview before he died that the case against Pollard had been greatly exaggerated to serve another agenda.

The government’s calculated misconduct in this area notwithstanding, there is

still no excuse for others to continue this unwarranted character assassination in the media, as has recently been the case. Indeed, it is completely inexcusable that certain rabbis have recently published articles perverting Torah in order to defame Pollard.

Referring to the Torah *parashah Metzora*, one rabbi writes that Pollard should be treated like a leper and banned from society; that he should remain in prison for the rest of his life. Another remonstrates in a follow-up article reiterating all the slander and smear but this time concluding that Pollard may or may not be a leper, but even if he is a leper, even lepers eventually get released.

How morally repugnant it is to see rabbis exploit Torah for a purpose forbidden by Torah: *lashon hara*! *Lashon hara* is the injunction against evil speech. A component of *lashon hara* is *motzi shem ra*, character defamation — which is prohibited. One does not have to be a rabbi to know that *parashas Metzora* has no connection to Jonathan Pollard.

Pollard’s character remains intact and has not been tainted in any measure by the persistent lies that have been used to defame him to cover for the lack of evidence against him. He is a victim of a serious miscarriage of justice which, if not resolved soon, threatens to end his life in prison.

Pollard’s petition for clemency, asking President Obama to commute his sentence to time served, has been endorsed by numerous senior American officials, many with first-hand knowledge of the case. Among them are people such as former head of the CIA, R. James Woolsey, and Secretaries of State Shultz and Kissinger, and Former Attorney General Michael Mukasey, and former Head of the Senate Select Intelligence Committee Dennis DeConcini, along with many others. They urge Obama to release Pollard immediately because his sentence is grossly disproportionate when compared to others who committed similar offenses.

President Obama has yet to respond to Pollard’s petition for clemency which has been sitting on his desk for three years.

The slander and defamation against Pollard must cease. So must the injustice.

Rabbi Pesach Lerner, Executive Vice President (Emeritus) of the National Council of Young Israel has been active in Jewish communal service for over 30 years. Rabbi Lerner also lectures and teaches Torah and Judaic topics. Rabbi Lerner received his rabbinic ordination and advanced degrees in Talmudic law from the Ner Israel Rabbinical College of Baltimore, Maryland. He also holds advanced degrees in Education and Not-for-Profit Management.

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