

A FRIENDSHIP BETRAYED: THE JONATHAN POLLARD SPY CASE AND  
AMERICAN-ISRAELI RELATIONS

Julie Sohlen

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Kathy Peiss, Honors Seminar Director

Walter McDougall, Thesis Advisor

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Ramya Sreenivasan, Undergraduate Chair, Department of History

## **Dedication**

*To my parents,*

*Who have always supported my education and been my biggest cheerleaders;*

*And to all my teachers,*

*who have shaped the person I have become.*

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## Introduction

On a fateful autumn morning in 1985, Jonathan Jay Pollard stood, confused, alongside his wife, Anne, outside the Israeli Embassy on International Drive.<sup>1</sup> The Israeli employees refused to grant them entry, despite the Pollards' requests for asylum based on their status as Jews and Israel's Law of Return.<sup>2</sup> Left with no escape, Jonathan Pollard submitted to the Federal Bureau of Investigation (FBI) agents arresting him. He defiantly slid into the backseat of the car, frantic but cocky.<sup>3</sup> Pollard had led the agents directly to Israeli territory, but the law enforcement officials did not jump to conclusions. Nobody knew how significant Jonathan Pollard was, what he had done, or what his arrest would mean.<sup>4</sup>

The Pollard affair was an ugly stain on American-Israeli relations for thirty-five years. Jonathan Pollard's name has become notorious, and many who otherwise know little about the United States government, Israel, or espionage recognize it. In the months following Pollard's arrest on November 21, 1985, however, many officials and civilians in both countries were left utterly shocked and confused. The only reason the FBI had been following Jonathan Pollard, a naval intelligence analyst at the time, was because he had been seen attempting to take classified documents home with him a few days prior, which is illegal.<sup>5</sup> The FBI and Naval Intelligence Service (NIS, Pollard's former

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<sup>1</sup> Ronald J. Olive, *Capturing Jonathan Pollard: How One of the Most Notorious Spies in American History Was Brought to Justice*, (Annapolis: Naval Institute Press, 2013), ch. 19, n. pag., Proquest Ebook Central.

<sup>2</sup> Peter Perl, "The Spy Who's Been Left in the Cold," *Washington Post*, July 5, 1998, [https://www-washingtonpost-com.proxy.library.upenn.edu/national/th...he-cold/2013/02/15/decce774-77ba-11e2-8f84-3e4b513b1a13\\_story.html](https://www-washingtonpost-com.proxy.library.upenn.edu/national/th...he-cold/2013/02/15/decce774-77ba-11e2-8f84-3e4b513b1a13_story.html).

<sup>3</sup> Ronald J. Olive, *Capturing Jonathan Pollard*, ch. 19-20, n. pag.

<sup>4</sup> Fred Hiatt and Joe Pichirallo, "Damage Assessed in Navy Case," *Washington Post*, November 23, 1985, A1, CIA Freedom of Information Act Reading Room.

<sup>5</sup> Olive, *Capturing Jonathan Pollard*, ch. 12, n. pag.

employer) investigated intensely after the arrest.<sup>6</sup> Soon, the investigators confirmed what they had suspected when they followed Pollard to the Israeli Embassy: the American had spied on behalf of one of the United States' closest allies, Israel. This alarming discovery raised serious questions, among them the question of why Israel felt the need — or the desire — to spy on its strongest friend and patron, the United States. Perhaps more importantly, what exactly did this spy do, and what would his actions mean for the U.S.-Israel relationship?

The Pollard affair was more than just an espionage case. It was a test of the relationship between the United States and Israel, and all that is encompassed within that, in a new and more intense way than ever before. Analysis of the many facets at play — the two governments and the different players within them, American Jewry, and the Israeli public — and their evolution over thirty-five years demonstrates the unique nature of the strong and flexible American-Israeli relationship. During a time of heightened fears of espionage and infiltration, the American government confronted the Israelis in an effort to prove to both international and domestic audiences that the United States was safe, secure, and would not tolerate espionage — by friend or foe. This was the context in which Jonathan Pollard received an unprecedented life sentence for spying for a non-hostile nation.<sup>7</sup>

This thesis addresses both the government-to-government relations and the “people-to-people” aspects of the case, since the Pollard operation betrayed both types of relationships. While the governments handled the case dramatically, neither they nor the

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<sup>6</sup> Office of the Director of Central Intelligence, Foreign Denial and Deception Analysis Committee, “The Jonathan Jay Pollard Espionage Case: A Comprehensive Damage Assessment,” October 30, 1987, I-19.

<sup>7</sup> Office of the Director of Central Intelligence, “The Jonathan Jay Pollard Espionage Case,” I-20-21.

press ever truly worried that the relationship between the two close allies would be fundamentally affected, which proved true. This was not the same with the American Jewish community, which felt betrayed by the Israeli government, first because of Pollard's recruitment, and then because of the way that Israel handled the case. The central argument of this paper is that the broken trust and the rift between American Jewry and Israelis that the case caused and exacerbated left the most significant impact on the overall relationship between the United States and Israel, as it exacerbated a slowly beginning trend among American Jews of willingness to publicly criticize Israeli policies. While American Jews, and many non-Jewish officials within the United States government, came to sympathize with Pollard over time and advocated on his behalf, none of the efforts to secure his early release came to fruition. He was only released on parole in 2015 because his sentence mandated that he be eligible after thirty years. Understanding the dynamics of the case, both between the governments and between American Jews and Israelis, clarifies the relationship between all of these entities: between the American and Israeli governments, between American Jewry and the United States, and between American Jewry and Israel.

Newspaper articles — many of them stored in the Central Intelligence Agency's (CIA) Freedom of Information Act (FOIA) Electronic Reading Room — shed light on the events, reactions, and feelings of the various players in the investigation that unfolded over the subsequent fifteen months or so. Many of the government documents remain classified to this day, but some useful case-related documents are available to the public, and newspaper articles are abundant and rich with content. They supply information about the State and Justice Departments, the White House, the Israeli government's

handling of the case, the average American's shock, American Jewry's consternation, and the miscommunications between the two governments. Analysis of these articles and government documents, mostly dating from November 1985 to March 1987, provides useful insight into the American-Israeli relationship as it was severely tested by this public case of friendly espionage.

The United States government was angry, the Israel government was defensive, and everyone was astonished. Headlines throughout the investigation expressed confusion and chaos, reading "'Shocked' Israelis Investigate Charges by U.S. of Espionage," "Israel: The Question Here Is Why Spy?," "Israeli Intelligence Is Out of Control," "U.S. in Dark on Israeli Spying, Senator Says," "Israel Scrambles to Mend U.S. Ties," and "Pollard Spy Case's Larger Issue: Why Spy on Friends?"<sup>8</sup> To the Americans' dismay, the Israeli government refused to acknowledge that the Pollard operation had been authorized through official channels, claiming ignorance and impeding the investigation. The Israelis preferred to settle the matter quietly and diplomatically; the Americans treated it as a public (to the extent that it could be, given that much of the information was classified) legal investigation.<sup>9</sup> The two governments, usually close, clashed in attempting to move past the strains caused by the discovery of Pollard's espionage.

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<sup>8</sup> Thomas L. Friedman, "'Shocked' Israelis Investigate Charges by U.S. of Espionage," *New York Times*, A1, November 24, 1985, CIA Electronic Freedom of Information Act Reading Room; Richard Straus, and Ken Wollack, "Israel: The Question Here Is Why Spy?" *Los Angeles Times*, 2, December 1, 1985, CIA Electronic Freedom of Information Act Reading Room; Ze'ev Schiff, "Israeli Intelligence Is Out of Control," *Los Angeles Times*, II-7, June 13, 1986, CIA Electronic Freedom of Information Act Reading Room; Bill Gertz, "U.S. in Dark on Israeli Spying, Senator Says," *Washington Times*, 4-A, June 11, 1986, CIA Electronic Freedom of Information Act Reading Room; Mary Curtius, "Israel Scrambles to Mend U.S. Ties," *Christian Science Monitor*, 1, December 2, 1985, CIA Electronic Freedom of Information Act Reading Room; Warren Richey, "Pollard Spy Case's Larger Issue: Why Spy on Friends?" *Christian Science Monitor*, 3, June 6, 1986, CIA Electronic Freedom of Information Act Reading Room.

<sup>9</sup> Garment, "Oddly, Israelis Misunderstand Us," *New York Times*, A27, March 25, 1987, CIA Electronic Freedom of Information Act Reading Room.

After a long, public legal process, the disgraced Jonathan Pollard was sentenced to life in prison in March 1987 — a harsh sentence that caught many Americans and Israelis by surprise.<sup>10</sup> The striking sentence, much longer than the average three to five years for similar crimes at the time, brought to the fore another major dimension of the case and of the unique American-Israeli relationship: the American Jewish community.<sup>11</sup> Jonathan Pollard’s status as an American Jew — and a proud, public Zionist one at that — dragged the entire community into the affair.

Over the years, American Jewry had organized its support for Israel into a significant amount of political activism. Although hundreds of American Jewish organizations existed, the three preeminent ones were the National Jewish Community Relations Advisory Council (NJCRAC), a community relations group; the Conference of Presidents of Major American Jewish Organizations, a political advocacy group; and the American Israel Public Affairs Committee (AIPAC), a lobbying group.<sup>12</sup> Leaders of the community, and particularly the latter two organizations, expressed American Jewry’s widespread support for Israel over decades. How would American Jewry, the largest Jewish population outside of Israel, react to the scandal, and how would the community’s relationship with the United States and Israel be affected?

For the first several years, American Jews mostly either remained silent or had supported the United States government, rather than the Israelis, from the time of the arrest. A pervasive fear among Jews in the United States was being accused of “dual loyalty,” an anti-Semitic trope that Pollard had seemed to justify by prioritizing his

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<sup>10</sup> Office of the Director of Central Intelligence, “The Jonathan Jay Pollard Espionage Case,” I-20-21.

<sup>11</sup> Goldenberg, *The Hunting Horse*, 60.

<sup>12</sup> Edward B. Glick, *The Triangular Connection: America, Israel, and American Jews* (London: George Allen & Unwin, 1982), 96.



ancestral homeland over his birthplace. Consequently, most American Jewish leaders, who had spoken publicly on other issues, either refrained from vocalizing support for the spy or opposition to his harsh sentence. One American Jewish leader, Kenneth Bialkin, then the chairman of the Conference of Presidents, cautiously called Israel's recruitment of Pollard "improper."<sup>13</sup> Many Jews, leaders and laymen alike, sought to highlight their loyalty to the United States in order to preemptively counteract any charges of dual loyalty. Additionally, American Jewry was left feeling betrayed by and frustrated with Israel — a country that the community, as a whole, had fiercely supported through advocacy and fundraising for decades. Recruiting an American Jew obviously risked the safety of American Jewry, and this is not how the community wanted its efforts on Israel's behalf to be repaid.

Across the Atlantic Ocean, in the aftermath of the case, the Israeli public retorted to its American critics by claiming that they were not truly secure in the United States, despite American Jews' insistence that the opposite was true. Several back-and-forths between Israelis and American Jews in newspaper articles and letters to the editor demonstrate the passionate differences of opinion among them. Increasingly, many Israelis, though still confused by the events of the Pollard affair, lauded Jonathan Pollard as a Jewish hero and patriot. They criticized American Jews for lacking complete loyalty to either the Jewish people or the United States. The disparate reactions of American Jewry and Israelis, and their anger directed at one another, showcased a growing attitudinal gulf between the two communities, one that was very real despite deep historical, religious, and often close familial ties.

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<sup>13</sup> David Nordell, "U.S. Jews Critical of Israel in Spy Case," *The Associated Press*, November 30, 1985, Nexis Uni.

Over time, however, the Israeli government, American Jewry, and even many officials throughout the United States government came around to Jonathan Pollard's plight as the spy languished in prison, year after year. Israel eventually acknowledged that Pollard had spied on behalf of the state and extended citizenship to him in 1995, publicly supporting his campaign to come "home."<sup>14</sup> American Jews, similarly, began to speak up against the length of his sentence as disproportionate to his crimes, though nobody denied his guilt or that he deserved some punishment. Similarly, many members of Congress, former administration officials, and even some senior members of the national security establishment publicly petitioned American presidents throughout the decades for Pollard's release, sending letter after letter to the executive. While these attempts did not necessarily fall on deaf ears — President Clinton agreed to consider clemency in 1998 — Jonathan Pollard was only released on parole in 2015, thirty years since he was first taken into federal custody.<sup>15</sup> He was only fully freed on December 30, 2020, when he "made *aliyah*" (immigrated to Israel) and landed in Tel Aviv, where Prime Minister Benjamin Netanyahu quietly greeted Pollard and his second wife, Esther, on the tarmac.<sup>16</sup>

The duration, fame, and significance of the Pollard affair deems it not only an interesting topic of study, but an important one. To date, substantial academic scholarship on the Pollard affair is lacking, perhaps because it only recently concluded with the termination of Pollard's parole and his *aliyah* in December 2020. Prolific scholarly

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<sup>14</sup> Elliot Goldenberg, *The Hunting Horse: The Truth Behind the Jonathan Pollard Spy Case* (Buffalo: Prometheus Books, 2000), 272; "Jonathan Pollard: Israel Spy Greeted by Netanyahu after Flying to Tel Aviv," *BBC*, December 30, 2020, <https://www.bbc.com/news/world-middle-east-55484433>.

<sup>15</sup> James Risen, and Steven Erlanger, "C.I.A. Chief Vowed to Quit if Clinton Freed Israeli Spy," *New York Times*, November 11, 1998, CIA Electronic Freedom of Information Act Reading Room.

<sup>16</sup> "Jonathan Pollard," *BBC*.

accounts of the relationships between the United States and Israel, American Jews and Israel, and the United States and American Jewry exist, but the Pollard affair never amounts to more than a chapter at most in any of these works. Due to the long timespan of the case and the major controversy surrounding it, there is prolific literature about Jonathan Pollard, but little is academic. Unfortunately, few scholarly works cover the complex case in depth, and even among those that do exist, some are more journalistic than academic in nature.

Interestingly, and maybe intuitively, the major literature tends to conform to two shared characteristics. First, most of these sources tend to be sympathetic toward Pollard, though there is no shortage of news articles, memoirs, and government documents that are not as kind to him. Those without a personal stake in the case have little reason to write an entire book justifying Pollard's original life sentence or proving his guilt, as doing so would essentially be agreeing with the status quo. Anyone who believes that the man was unjustly sentenced, however, has cause to argue that viewpoint in an indirect effort to have his sentence commuted, or now that he is free, to clear his name. Generally, the authors debate Pollard's motivation, the justifiability of his harsh sentence, and whether the spy should be considered a traitor.

Elliot Goldenberg, a Jewish investigative journalist, seems to have taken up Pollard's plight as his own personal mission. In *The Hunting Horse: The Truth Behind the Jonathan Pollard Spy Case*, the author contends based on significant circumstantial evidence that Pollard was scapegoated as part of a massive U.S. coverup of its involvement in assisting Saddam Hussein with augmenting his arsenal of biological and

chemical weapons.<sup>17</sup> He paints Jonathan Pollard as an idealist, torn between his allegiance to the United States and what he perceived as unjust withholding of information that the American government should have turned over to its Middle Eastern partner.<sup>18</sup> Long-standing, simmering anti-Semitism and anti-Zionism within the defense and intelligence establishments only solidified Pollard's candidacy as a scapegoat.<sup>19</sup>

Mark Shaw's *Miscarriage of Justice: The Jonathan Pollard Story* also emphasizes the disproportionality of Pollard's sentence to his crimes.<sup>20</sup> In *Miscarriage*, the award-winning investigative journalist and former criminal defense attorney delves into the case's legal intricacies and determines that the spy was denied due process. Like Goldenberg, the author concludes that Pollard was an intelligent, but overly idealistic, naval analyst who spied because he was driven to desperation.<sup>21</sup> Despite the claims of several important personalities in the case — including prosecutor Joseph DiGenova and Defense Secretary Caspar Weinberger — Shaw claims that the information that Pollard passed to Israel was not severely damaging to U.S. national security, and therefore he did not deserve his fate.<sup>22</sup> Building on the work of other authors with diverse opinions of the case, including Goldenberg's writing, the journalist reaches his conclusions based on thorough investigation.

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<sup>17</sup> Elliot Goldenberg, *The Hunting Horse: The Truth Behind the Jonathan Pollard Spy Case* (New York: Prometheus Books, 2000). Goldenberg authored two other books on Pollard: *The Spy Who Knew Too Much: The Government Plot to Silence Jonathan Pollard* (1993), a prelude to this *Hunting Horse*, and *Spy of David: The Strange Case of Jonathan Pollard and the Two Decade Battle to Win his Freedom* (2014).

<sup>18</sup> *Ibid.*, 27.

<sup>19</sup> *Ibid.*, 55-65.

<sup>20</sup> Mark Shaw, *Miscarriage of Justice: The Jonathan Pollard Story* (St. Paul: Paragon House, 2001), HathiTrust, <https://hdl.handle.net/2027/mdp.39015053111368>.

<sup>21</sup> *Ibid.*, 1-2.

<sup>22</sup> *Ibid.*, 214.

On the opposite end of the spectrum lies Ronald J. Olive, who was in charge of foreign counterintelligence at the NIS's Washington, D.C. office during the Pollard affair.<sup>23</sup> His book's title, *Capturing Jonathan Pollard: How One of the Most Notorious Spies in American History Was Brought to Justice*, conveys his opinion on Pollard and the outcome of the case. Olive, who was directly involved in the case from the United States government's side, argues that the spy was greedy, unrepentant, delusional, and deserved the sentence he received. In contrast to the likes of Goldenberg and Shaw, he writes that "[t]he harm [of Pollard's spying] is incalculable and possibly unstoppable."<sup>24</sup> Of course, as a counterintelligence agent for Pollard's former employer, the author had a personal interest in affirming the severity of Pollard's crimes, but his account provides a detailed account of the affair from start to finish.

While the most extensive literature on the Pollard affair focuses on the actual facts and whether Pollard deserves his fate or not, the little academic work on the case takes a different approach. Penn Communications professor Barbie Zelizer analyzes news coverage of the case, investigating why many journalists treated the spy leniently in their judgments of him.<sup>25</sup> Her work assists one studying the case to comprehend the copious information available, providing a useful starting point for research exploring the cultural and political context and fallout of the Pollard affair. Zelizer examines communications and journalism aspects, using the Pollard affair as a case study to show that the press shapes espionage as upholding American values of "openness, sincerity, and

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<sup>23</sup> Ronald J. Olive, *Capturing Jonathan Pollard: How One of the Most Notorious Spies in American History Was Brought to Justice* (Annapolis: Naval Institute Press, 2013), preface, n. pag., ProQuest Ebook Central.

<sup>24</sup> *Ibid.*, ch. 25, n. pag.

<sup>25</sup> Barbie Zelizer, "Defending the American Dream: Coverage of the Jonathan Pollard Spy Case," *Qualitative Sociology* 24 (2001): 203–220, <https://doi-org.proxy.library.upenn.edu/10.1023/A:1010722225840>.

straightforwardness.”<sup>26</sup> By applying American values to one real-world instance of American-Israeli diplomacy, Zelizer sets a precedent for expanding this approach to a wider scope of the relations between the two countries.

A prominent scholar of Middle Eastern politics, P.R. Kumaraswamy, tackles the politics surrounding the Pollard case directly. In a 1996 article, “The Politics of Pardon,” the Middle East expert examines the arguments for or against Pollard, why he had not yet been pardoned, and the differing priorities of the two countries involved.<sup>27</sup> “Politics of Pardon” entertains a brief discussion of the various political pressures at play in the clemency question, listing American Jewish advocacy and its arguments for Pollard’s release. On the flip side, he argues that the Israeli government’s conduct placed a “hurdle” before the spy in his quest for freedom.<sup>28</sup> Kumaraswamy’s article is a good start to a study of the Pollard affair as a major incident of the U.S.-Israel relationship, but it is both brief and outdated. Jonathan Pollard is no longer confined to a prison cell, and much has happened in the past twenty-five years. A comprehensive examination of the Pollard case as significant for the relationship between the American and Israeli governments and between American Jewry and Israel is overdue.

Now that Jonathan Pollard is a free man, further analysis of his story can take a fuller look at the case in its entirety, from start to finish. Doing so can contribute to scholarship about the U.S.-Israel relationship and the interesting nature of the American Jewish community, illuminating how different political and diplomatic processes and pressures influence decision-making and how Israeli decisions affect American Jewry. In

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<sup>26</sup> Ibid., 203.

<sup>27</sup> P.R. Kumaraswamy, "The Politics of Pardon: Israel and Jonathan Pollard." *Arab Studies Quarterly* 18, no. 3 (1996): 17-35, accessed January 28, 2021, <http://www.jstor.org/stable/41858175>.

<sup>28</sup> Ibid., 25.

the end, Pollard was released by the rules: according to the terms of his sentence, he had to be eligible for parole after thirty years, and that was when he was granted parole.<sup>29</sup> He was only fully freed after a hearing five years later, in 2020, determined that there was no reason to renew his restrictions.<sup>30</sup> No president commuted his sentence, and no Israeli involved in the affair was imprisoned or tried in the United States or Israel.

Among others, President Kennedy, and President Carter over a decade after him, have said that the United States and Israel share a “special relationship.”<sup>31</sup> The Pollard affair demonstrates how and why.

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<sup>29</sup> Julie Hirschfield Davis, “U.S. Says Parole of Jonathan Pollard, Spy for Israel, Will Follow Law,” *New York Times*, July 24, 2015, <https://www.nytimes.com/2015/07/25/world/middleeast/us-says-parole-of-jonathan-pollard-spy-for-israel-will-follow-law.html?searchResultPosition=3>.

<sup>30</sup> Julian E. Barnes, “Jonathan Pollard, Convicted Spy, Completes Parole and May Move to Israel,” *New York Times*, November 20, 2021, <https://www.nytimes.com/2020/11/20/us/politics/jonathan-pollard-parole-ends.html?searchResultPosition=1>.

<sup>31</sup> Kennedy and Carter quoted in Yaacov Bar-Siman-Tov, “The United States and Israel since 1948: A ‘Special Relationship’?,” *Diplomatic History* 22, no. 2 (April 1998): 231.

## Chapter One: The Makings of a Scandal

The Pollard affair tested the sturdy friendship between the United States and Israel in a way that it had not been before. This saga was lengthier and more public than most of the previous crises or awkward moments between the United States and Israel. While the Israeli intelligence and political communities attempted to settle the scandal quietly and through regular diplomatic channels, the Americans opted for a different route. The spy's arrest in front of the Israeli Embassy by the FBI, which is part of the Justice Department, made this case public from the start. In the midst of the Cold War, and particularly during a year when eleven other spies were caught in the United States, the American government would not treat this episode as it had previous ones.<sup>32</sup> The Pollard affair exposed conflicts within the U.S. government and misunderstandings between the Americans and their Israeli counterparts. Nonetheless, the tensions that the case produced did not last in the long term. However, in the case's initial years, when the United States still faced a formidable enemy in the Soviet Union, the government reacted strongly to the discovery of an Israeli spy largely because it felt the need to prove that it would not tolerate espionage in its midst — especially from one of its closest allies.

Jonathan Pollard's dramatic arrest may have shocked the United States and Israel alike, but it did not come out of nowhere. The case had been brewing for years, and the spy had decided he would take his love for Israel to the extreme long before he officially began working for the Jewish state. Born in 1954 in Galveston, Texas and raised in South Bend, Indiana, "Jay" Pollard was raised as a proud Jew and ardent Zionist from a young age. Experiencing Israel's existential fear in the 1967 Six Day War and then its pride in

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<sup>32</sup> "Year of the Spy (1985)," Famous Cases and Criminals, FBI, accessed September 14, 2021, <https://www.fbi.gov/history/famous-cases/year-of-the-spy-1985>.



its stunning victory enshrined his love for the Jewish state. Pollard decided then that he would do anything he could for Israel. A family trip to Europe, including a visit to the Dachau death camp, only bolstered his sense of obligation.<sup>33</sup> He spent the summer of 1970 in Israel on a summer program at the prestigious Weizmann Institute and yearned to spend the rest of his life there, but his mother persuaded him not to “make *aliyah*” (move to Israel).<sup>34</sup>

As an undergraduate at Stanford, Pollard falsely boasted of connections to the Central Intelligence Agency (CIA) and Mossad, Israel’s main intelligence organization.<sup>35</sup> He was enthralled by the intrigue of espionage and wanted to be in that world. Later, after failing to complete his studies at the Fletcher School of Law and Diplomacy at Tufts University, Pollard applied unsuccessfully for a graduate fellowship at the CIA. After a miscommunication between the CIA and naval intelligence, he scored a position in the latter, where he was employed until his arrest in 1985.<sup>36</sup> In the Navy, the novice analyst claimed to have heard numerous anti-Israel and anti-Semitic comments among his colleagues and superiors.<sup>37</sup> The Navy was known to be the least sympathetic toward the Jewish state of all the branches of the U.S. military, partially because of its comparatively less extensive cooperation with Israel’s military.<sup>38</sup> In addition, during the Six Day War, the Israeli Air Force bombed the USS *Liberty*, an American intelligence ship, killing

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<sup>33</sup> Elliot Goldenberg, *The Hunting Horse: The Truth Behind the Jonathan Pollard Spy Case*, (Buffalo: Prometheus Books, 2000), 68.

<sup>34</sup> Olive, *Capturing Jonathan Pollard*, ch. 2, n. pag.; Boaz Bismuth, Caroline B. Glick, and Ariel Kahana, “I don’t regret helping my people and my land,” *Israel Hayom*, March 26, 2021, <https://www.israelhayom.com/2021/03/26/i-dont-regret-helping-my-people-and-my-land/>.

<sup>35</sup> Olive, *Capturing Jonathan Pollard*, ch. 2, n. pag.; Perl, “The Spy Who’s Been Left in the Cold.”

<sup>36</sup> Olive, *Capturing Jonathan Pollard*, ch. 2, n. pag.

<sup>37</sup> Wolf Blitzer, *Territory of Lies: The Exclusive Story of Jonathan Jay Pollard: The American Who Spied on His Country for Israel and How He Was Betrayed*, (New York: Harper & Row, 1989), 52-53.

<sup>38</sup> *Ibid.*, 53.

American sailors. Israel quickly claimed that the incident was a case of mistaken identity — the Israelis had purportedly believed it to be an enemy ship — and the Americans accepted the tepid apology, quickly sweeping the incident under the rug.<sup>39</sup> That members of the Navy did not wholeheartedly forgive Israel for the deaths of their colleagues would not be entirely surprising.

Additionally, in his work, Pollard noticed some American policies that worried him regarding Israel's security.<sup>40</sup> He believed that the United States was denying Israel certain information vital to the latter's national security and was thus violating a 1983 U.S.-Israel agreement about bilateral information exchange.<sup>41</sup> Combined, these fueled Pollard's entrenched passion for Israel, and the analyst resolved to act upon his burning sense of duty.<sup>42</sup> Despite his concerns, Pollard continued his work for naval intelligence, often with ringing endorsements from his superiors. Nevertheless, he experienced some setbacks in his career, including a temporary loss of clearance during a one-year probationary period.<sup>43</sup> In a polygraph exam, a frazzled Pollard had admitted to using drugs, making false statements, and contacting representatives of a foreign government without authorization.<sup>44</sup> Concerning instances, however, were generally chalked up to personal eccentricities rather than potential national security dangers.<sup>45</sup> Throughout his intelligence career, spanning from 1979 to his arrest in 1985, Pollard moved around within naval intelligence. He climbed the professional ladder and even received a medal

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<sup>39</sup> Ephraim Kahana, "Mossad-CIA Cooperation," *International Journal of Intelligence and Counterintelligence* 14, no. 3 (2001): 413-414.

<sup>40</sup> Goldenberg, *The Hunting Horse*, 72.

<sup>41</sup> Blitzer, *Territory of Lies*, 9; Goldberg, *The Hunting Horse*, 79.

<sup>42</sup> Blitzer, *Territory of Lies*, 52-53.

<sup>43</sup> Goldenberg, *The Hunting Horse*, 73; Olive, *Capturing Jonathan Pollard*, ch. 3, n. pag.

<sup>44</sup> Olive, *Capturing Jonathan Pollard*, ch. 3, n. pag.

<sup>45</sup> Perl, "The Spy Who's Been Left in the Cold."

from the Secretary of the Navy and multiple citations for excellence.<sup>46</sup> His various analytic positions required both top secret (TS) and sensitive compartmented information (SCI) clearances, providing him access to highly sensitive information.<sup>47</sup>

When a family friend of the Pollards, stockbroker Steven Stern, offered to introduce Jonathan to an Israeli war hero in 1984, he seized the opportunity.<sup>48</sup> Colonel Aviem Sella was an Israeli pilot who had most recently won renown for his involvement in Israel's 1981 bombing of Iraq's Osirak nuclear reactor. At the time, the colonel was studying for his PhD at New York University.<sup>49</sup> The analyst had recently attended a captivating talk that Sella had delivered about his experiences fighting the enemy in Lebanon. Pollard longed to help Israel, and the pilot was in the perfect position to hear what he had to share.<sup>50</sup>

Soon after Stern's offer, Jonathan Pollard received a call from Sella, and the Air Force veteran offered to treat his admirer to lunch. Behind the scenes, however, Sella's superior expressed concern about the prospect of recruiting an unknown American to spy on the United States, risking Israel's relationship with its most important patron.<sup>51</sup> The colonel, eager to meet with the American, contacted Yossi Yagur, the science attaché at Israel's New York consulate.<sup>52</sup> Yagur, in turn, reached out to an Israeli scientific intelligence-gathering agency, referred to by the acronym LAKAM in Hebrew.<sup>53</sup> The

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<sup>46</sup> Goldenberg, *The Hunting Horse*, 73.

<sup>47</sup> Olive, *Capturing Jonathan Pollard*, ch. 2, n. pag.

<sup>48</sup> Goldenberg, *The Hunting Horse*, 80.

<sup>49</sup> Gil Hoffman, "Trump pardons Aviem Sella, Jonathan Pollard's handler," *The Jerusalem Post*, January 20, 2021, <https://www.jpost.com/american-politics/trump-pardons-aviem-sella-jonathan-pollards-handler-656048>.

<sup>50</sup> Goldenberg, *The Hunting Horse*, 80.

<sup>51</sup> Olive, *Capturing Jonathan Pollard*, ch. 6, n. pag.

<sup>52</sup> *Ibid.*, ch. 23, n. pag.

<sup>53</sup> *Ibid.*, ch. 6, n. pag.

organization, formed in 1957, was separate from and much smaller than the more famous Mossad. Under the direct control of the defense minister, LAKAM's purpose was to collect information on science and technology to support Israel's military industrial sector and nuclear program from both open-source and clandestine sources. The Mossad and Israel's internally focused intelligence organization, the Shabak, considered LAKAM amateurish and haphazard in its spying exploits, only narrowly avoiding disasters by chance.<sup>54</sup> In Pollard's case, LAKAM ran out of luck.

Rafael "Rafi" Eitan, Israel's famed spymaster, was hired in 1981 to head the small agency.<sup>55</sup> The intelligence legend had earned a reputation of venerable skill and patriotism over his long and illustrious career as part of Israel's mysterious intelligence establishment, and particularly for his role in the 1960s operation that resulted in the capture of Adolf Eichmann, who was notorious for his prominent role in the Nazis' mass murder of Jews.<sup>56</sup> Rafi Eitan personified the classic Israeli "tough-guy" stereotype, who refused to shy away from any opportunity to bolster his country's security. Despite Yagur's reservations about Sella's upcoming lunch with Pollard — as Avi Sella was an air force colonel, not a trained clandestine operative — Eitan instructed him to move forward.<sup>57</sup> Thus, the gears of the Pollard affair began to turn.

The idealistic, troubled, and excited naval intelligence analyst enjoyed lunch with the Israeli war hero on May 24, 1984. Jonathan expressed his concerns about anti-

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<sup>54</sup> Ephraim Kahana, "Reorganizing Israel's Intelligence Community," *International Journal of Intelligence and Counterintelligence* 15, no. 3 (2002): 418-419, <https://doi.org/10.1080/08850600290101686>.

<sup>55</sup> Ibid.

<sup>56</sup> Emily Langer, "Rafi Eitan, Israeli spy who captured Adolf Eichmann, dies at 92," *Washington Post*, March 25, 2019, [https://www-washingtonpost-com.proxy.library.upenn.edu/obituaries/rafi-eitan-israeli-spy-who-captured-adolf-eichmann-dies-at-92/2019/03/25/570e8bd6-4ddc-11e9-9663-00ac73f49662\\_story.html](https://www-washingtonpost-com.proxy.library.upenn.edu/obituaries/rafi-eitan-israeli-spy-who-captured-adolf-eichmann-dies-at-92/2019/03/25/570e8bd6-4ddc-11e9-9663-00ac73f49662_story.html).

<sup>57</sup> Olive, *Capturing Jonathan Pollard*, ch. 6, n. pag.

Semitism and violation of an intelligence sharing agreement with Israel within the U.S. government. At that meeting, the analyst and the pilot shook hands on the spying arrangement that would later become a major scandal. Jonathan Pollard offered his services to rectify what he perceived to be these injustices, as he had always dreamed of serving the Jewish state.<sup>58</sup>

After the meeting, Rafi Eitan, the head of LAKAM, instructed Sella to proceed cautiously with Pollard. After all, the government employee could have been a plant, or he might fail to deliver on his promises.<sup>59</sup> The United States was Israel's most important ally by far, and the cost of a spy being caught — especially an American Jewish one — could be disastrously high. Israel's primary intelligence-gathering agency, the Mossad, generally avoided using Diaspora Jews to conduct espionage within their host countries for fear of sparking anti-Semitic backlash against the wider Jewish population of that area.<sup>60</sup> This policy was especially observed since the embarrassing 1954 "Lavon Affair" in Egypt, an enemy of Israel at the time. In an effort to prevent the Suez Canal, through which much of the world's oil supply flowed daily, from falling into the control of Egyptian leader Gamal Nasser, and to keep the United States from providing aid to Nasser's Egypt, the young State of Israel enlisted Egyptian Jews to assist in achieving these goals.<sup>61</sup> Jews in countries hostile to Israel — like Egypt — were often eager to assist the Jewish state in any way they could, as they saw the tiny nation as a beacon of

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<sup>58</sup> Goldenberg, *The Hunting Horse*, 80.

<sup>59</sup> Olive, *Capturing Jonathan Pollard*, ch. 7, n. pag.

<sup>60</sup> Blitzer, *Territory of Lies*, 9-10.

<sup>61</sup> Yitzhak Mualem, "State-Diaspora Relations and Bureaucratic Politics: The Lavon and Pollard Affairs," *Israel Affairs* 22, no. 1 (February 2016): 154.

hope and a sign of Jewish strength.<sup>62</sup> The Israelis activated spy cells in Cairo and Alexandria, which consisted of local young, idealistic, poorly trained Jews recruited to a special unit of the Israeli Defense Forces (IDF). The mission failed, the Egyptian Jews were caught, and the Israeli national security elite did not do much to help those convicted and imprisoned. The “Lavon Affair,” named for then-Defense Minister Pinhas Lavon, worsened the Egyptian Jewish community’s safety.<sup>63</sup> The affair scarred the nation, and the national security establishment tried to prevent a repeat — at least until Pollard.

As the Jewish state, Israel considered itself responsible for all Jews, regardless of location, and putting individual Jews or entire communities at risk obviously ran counter to this objective.<sup>64</sup> In fact, the Mossad had a mutual agreement with the CIA in which the two agencies had an implicit understanding against spying on one another.<sup>65</sup> Unlike the Mossad, the amateurish LAKAM did not adhere to this policy. Perhaps the Pollard operation was an ironic effort to boost the organization’s stature within the intelligence community while learning priceless information. Rafi Eitan ostensibly decided that running an American Jewish agent in the United States would be worth the risk, both to the U.S.-Israel relationship and the American Jewish community — if the goods were good enough.<sup>66</sup>

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<sup>62</sup> Charles D. Freilich, *Israeli National Security: A New Strategy for an Era of Change*, (New York: Oxford University Press), 2018, Oxford Scholarship Online, 259, doi: 10.1093/oso/9780190602932.001.0001; Mualem, “State-Diaspora Relations and Bureaucratic Politics,” 155-156.

<sup>63</sup> Mualem, “State-Diaspora Relations and Bureaucratic Politics,” 160.

<sup>64</sup> Freilich, *Israeli National Security*, 260-263.

<sup>65</sup> Ephraim Kahana, “Mossad-CIA Cooperation,” *International Journal of Intelligence and Counterintelligence* 14, no. 3 (2001): 415.

<sup>66</sup> Blitzer, *Territory of Lies*, 9-10.

And they were. Pollard brought Sella top secret documents on Saudi Arabian ground forces and a ground logistics study, which impressed the air force colonel. What really sealed the deal was when Pollard exuberantly displayed satellite photos of the Israeli raid on the Osirak reactor, which the pilot had directed. Aviem Sella was sold.<sup>67</sup>

For the next year and a half, Jonathan Jay Pollard provided his Israeli handlers an unauthorized peek into American national security secrets. He had just been transferred to a position at the Navy's brand-new Anti-Terrorist Alert Center (ATAC), created within the NIS in response to the 1983 suicide bomber attacks against the U.S. Embassy in Beirut.<sup>68</sup> Pollard felt that he could better serve Israel from this agency.<sup>69</sup> He and the Israelis had a routine: every other Friday, the analyst would remove hundreds of pages of classified material from his place of work, the Navy Operational Surveillance and Intelligence Center in Suitland, Maryland. He would transfer those documents from his briefcase to a suitcase, often at a carwash, which he would then bring to an apartment near the Israeli Embassy. There, an embassy secretary named Irit Erb would use a specially installed LAKAM copying machine to duplicate all the documents.<sup>70</sup> Monday mornings, Pollard would pick up the suitcase and return the classified material.<sup>71</sup> On the last Saturday of each month, the agent and his handlers would meet in Erb's apartment to discuss his next assignments. The vast majority of the content was about Israel's Arab neighbors.<sup>72</sup> Jonathan Pollard has always insisted that he never compromised the names

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<sup>67</sup> Olive, *Capturing Jonathan Pollard*, ch. 7, n. pag.

<sup>68</sup> Goldenberg, *The Hunting Horse*, 84.

<sup>69</sup> Olive, *Capturing Jonathan Pollard*, ch. 5, n. pag.

<sup>70</sup> Office of the Director of Central Intelligence, "The Jonathan Jay Pollard Espionage Case," vi.

<sup>71</sup> Perl, "The Spy Who's Been Left in the Cold."

<sup>72</sup> Office of the Director of Central Intelligence, "The Jonathan Jay Pollard Espionage Case," vii-ix.

of any American agents in Israel or anything else to directly harm U.S. interests, as he never intended to injure the United States.<sup>73</sup>

The spy's true motivations have been the subject of heated debate for decades. Some would have liked to see Jonathan Pollard in an orange jumpsuit for the rest of his life. Those people — including many military and intelligence officials — tend to believe that he was a greedy egomaniac seeking to sell classified information to whoever would take it.<sup>74</sup> Ronald J. Olive, then the assistant special agent in charge of foreign counterintelligence at the Naval Investigative Service's Washington, D.C. field office, claimed that the spy attempted to sell secrets to non-government employees and multiple other countries before his espionage for Israel.<sup>75</sup>

On the other hand, Pollard and his diverse set of sympathizers — many of whom only came to his defense years after his conviction, further elaborated in Chapter Three — contend that his intentions were pure, if naïve. As those various American Jews, senators, representatives, former administration officials, and others saw it, he aimed only to provide the beleaguered Middle Eastern democracy with information it required. The fact that Pollard did not initially request compensation bolsters this argument.<sup>76</sup> The man believed that his mission as a Jew was to do anything he could for Israel, even if that meant betraying his birthplace, although he did not perceive his actions as a betrayal. Although he was compensated, and despite fantastical claims of working for the CIA or

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<sup>73</sup> Jonathan Pollard, "From the Archives: Jonathan Pollard on 60 Minutes," interview by Mike Wallace, *60 Minutes*, CBS, November 20, 1988, video, 14:22, <https://www.cbsnews.com/video/from-the-archives-jonathan-pollard-on-60-minutes/#x>; Bismuth, Glick, and Kahana, "I Don't Regret Helping My People and My Land."

<sup>74</sup> E.g., M.E. Bowman, "Don't Trust This Spy," *New York Times*, January 14, 2014, <https://www.nytimes.com/2014/01/15/opinion/keep-pollard-behind-bars.html>.

<sup>75</sup> Olive, *Capturing Jonathan Pollard*, preface, ch. 6, 9, n. pag.

<sup>76</sup> Perl, "The Spy Who's Been Left in the Cold."



Mossad as a college student, Pollard has not wavered from his adamant claims of solely ideological motives.

Whether Pollard was originally motivated by a sense of duty or not, the Israelis did compensate him amply for his efforts. He was a “walk-in,” a volunteer, and his handlers wanted to ensure that he would not walk out. Col. Sella told him early on that he must visit Paris to meet Rafi Eitan and that Israel would cover all the expenses. Pollard and his then-fiancée, Anne Henderson, needed a cover story to explain their fancy vacation, as their combined salaries could not support the trip. The Israelis concocted a weak story for Pollard to tell his friends, family, and employer about a wealthy “Uncle Joe Fisher” who paid for the 1984 trip as an engagement gift. When Anne eyed a \$7,000 sapphire ring in a Paris store, “Uncle Joe” purchased that for her. The couple toured Europe on Israel’s payroll.<sup>77</sup>

Of course, “Uncle Joe” conducted official business on this trip as well. Pollard met with Eitan, who insisted that the American accept a monthly salary of \$1,500.<sup>78</sup> The next summer, Yossi Yagur informed Pollard that “Uncle Joe” would sponsor another trip, this time to both Europe and Israel. Jonathan and Anne spent some time in the Tel Aviv Hilton, and he met with Eitan, Yagur, Sella, and the one-named “Uzi,” who was gradually taking over for Sella as Pollard’s handler.<sup>79</sup> As was common with LAKAM spying, Sella was not a trained spy handler and was not experienced in running agents.<sup>80</sup>

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<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

<sup>79</sup> Olive, *Capturing Jonathan Pollard*, ch. 8, n. pag.

<sup>80</sup> Kahana, “Reorganizing Israel’s Intelligence Community,” 419; Olive, *Capturing Jonathan Pollard*, ch. 6, n. pag.

As Pollard proved he had valuable material to share with the Israelis, Eitan likely decided that he needed a better-trained handler in order to prolong the longevity of the operation.

The Israelis urged Pollard to intensify his espionage efforts — and they offered incentives. The analyst feared detection and was reluctant to expand his efforts, but Eitan’s offers were too tempting to refuse. Aside from providing the all-expenses-paid Israel excursion, his upcoming wedding in Venice, and European honeymoon, the spymaster raised Pollard’s monthly salary by \$1,000. Eitan locked Pollard in by opening a Swiss bank account under the name Danny Cohen — a nod to Eli Cohen, the revered Israeli spy who provided Israel with vital information about Syria in the 1960s — into which he would deposit \$30,000 annually for a decade. Only after ten years of clandestine service for Israel would Pollard be able to access the money and relocate to the country he considered his true home.<sup>81</sup>

Jonathan Pollard continued to risk his career, his reputation, and his life for Eitan’s operation. He enjoyed the perks that came with that risk: he and his new wife began to spend more on jewelry, fancy meals at Washington’s finest restaurants, and vacations abroad.<sup>82</sup> These luxuries were beyond his and Anne’s legitimate means, as their combined take-home annual income was \$29,000 a year.<sup>83</sup> Pollard still loved Israel, and he loved its money too. When he asked what would happen if he were caught, Rafi Eitan only provided vague assurances that Israel would take care of him. He insisted that nothing would happen — no past diplomatic crises had appreciably damaged the U.S.-

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<sup>81</sup> Ibid.

<sup>82</sup> Blitzer, *Territory of Lies*, 103.

<sup>83</sup> Perl, “The Spy Who’s Been Left in the Cold.”

Israel relationship, and Israel had not taken any action against the U.S. agents in their country.<sup>84</sup> Eitan's predictions were wrong.

On Friday, November 8, 1985, a coworker spotted Jonathan Pollard removing material marked Top Secret/Secret Compartmented Information from the office. The coworker reported his colleague to Jerry Agee, the Commander of ATAC and Pollard's supervisor. The boss investigated vigorously, but assuming espionage would be a large logical jump.<sup>85</sup> Pollard's coworker's heightened sensitivity to the spy's actions may have been an unfortunate coincidence for Pollard. According to the Director of Central Intelligence's official 1987 damage assessment of the case, "security awareness and vigilance had increased within naval intelligence as a result of revelations about the Walker-Whitworth espionage case."<sup>86</sup> This Soviet spy ring detected a few months earlier, consisting of four government employees, three of them from the same family, was a devastating shock to the intelligence community and the entire American public. One of the Walker spies was a retired Navy Lieutenant Commander.<sup>87</sup> It was no wonder naval intelligence was on edge.

Coincidence or not, ATAC was onto Pollard. Agee informed the NIS and FBI, and the FBI initiated a preliminary investigation. They installed pinhole cameras around Pollard's cubicle, monitoring him at work.<sup>88</sup> FBI agents questioned Pollard about his removal of classified information. He concocted a story about getting an opinion on

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<sup>84</sup> Olive, *Capturing Jonathan Pollard*, ch. 10, n. pag.

<sup>85</sup> *Ibid.*, ch. 12, n. pag.

<sup>86</sup> Office of the Director of Central Intelligence, "The Jonathan Jay Pollard Espionage Case," I-19.

<sup>87</sup> Ruth Marcus, "Experts Begin Task of Assessing Damage," *Washington Post*, A1, December 8, 1985, CIA Freedom of Information Act Reading Room.

<sup>88</sup> Howard Kurtz and Nancy Lewis, "U.S. Jury Indicts Key Israeli as Pollard's Spying 'Handler,'" *Washington Post*, A1, March 4, 1987, CIA Freedom of Information Act Reading Room; Olive, *Capturing Jonathan Pollard*, ch. 13, n. pag.

analysis from a friend who worked at another agency, but the FBI quickly dispelled this fabrication. During questioning, Pollard called Anne and reminded her to water the “cactus” — a code word meant to signal that he was in trouble and that she should dispose of any classified documents at home.<sup>89</sup> On the morning of November 21<sup>st</sup>, after a few more days of questioning and surveillance, the FBI followed the Pollards by car. The agents were completely unaware of where they were headed. They ended up at the Israeli Embassy.<sup>90</sup>

The arrest immediately exploded in the American press. The year 1985, when Pollard was first arrested, was the infamous “Year of the Spy.” Eleven other spies were caught in the United States during that year alone, and Pollard was one of the later ones to be discovered.<sup>91</sup> Jonathan Pollard’s name would become one of the most enduringly notorious of the bunch.<sup>92</sup> Around the same time, and probably due to the frequency of espionage cases, the American public demanded increased internal security as well as more access to government information.<sup>93</sup> Indeed, shortly after Pollard’s arrest, one reporter stated: “We have to send messages to our adversaries to the effect that we will not tolerate this kind of hostile activity within the United States against our national security interests.”<sup>94</sup> Both of these demands aligned with the U.S. government’s intense, and widely reported on, response to the discovery of the Pollard operation.

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<sup>89</sup> Olive, *Capturing Jonathan Pollard*, ch.14, n. pag.

<sup>90</sup> *Ibid.*, ch. 19, n. pag.

<sup>91</sup> “Year of the Spy (1985),” Famous Cases and Criminals, FBI, accessed September 14, 2021, <https://www.fbi.gov/history/famous-cases/year-of-the-spy-1985>.

<sup>92</sup> Marcus, “Experts Begin Task of Assessing Damage,” A1.

<sup>93</sup> Julie K. Petersen, *Understanding Surveillance Technologies: Spy Devices, Privacy, History & Applications*, 2nd ed. (Boca Raton: Auerbach Publications, 2007), 46, Google Books, <https://books.google.com/books?id=3Ctc71UmwIC&lpg=PA46&vq=year%20of%20the%20spy&pg=PA46#v=snippet&q=year%20of%20the%20spy&f=false>.

<sup>94</sup> Warren Richey, “Pollard Spy Case’s Larger Issue: Why Spy on Friends?,” *Christian Science Monitor*, 3, June 6, 1986, CIA Electronic Freedom of Information Act Reading Room.

The arrest left U.S. officials fuming, the American public astonished, and the Israeli government stunned into silence. A *TIME Magazine* article entitled “Spies, Spies Everywhere” reported that the arrest of three spies in the same week — Pollard, Larry Wu-Tai Chin, and Ronald Pelton — “have increased the sense of alarm in Washington that the U.S. intelligence community has been lax in detecting moles within its midst.”<sup>95</sup> Wu-Tai Chin spied for China for at least thirty-three years, and Pelton spied for the Soviets for fourteen, overlapping with the notorious Soviet defector Vitaly Yurchenko.<sup>96</sup> Yurchenko confused the American people by defecting to the United States, exposing Pelton and providing American intelligence with useful information, and then promptly returning to a hero’s welcome in the Soviet Union as he re-defected.<sup>97</sup> That weekend, President Reagan said, “[w]e will not hesitate to root out and prosecute the spies of any nation,” showing the United States’ determination to combat espionage and protect its citizens from infiltration. The government could not just leave the Pollard arrest alone.

In the first days after the spy was caught, as the shock of Pollard’s activities set in, most of the attention came from the American side. While the U.S. State Department spoke publicly about the case almost immediately, the Israeli government maintained complete silence on the matter for three full days after the arrest, claiming to know nothing about Pollard.<sup>98</sup> Only on November 24<sup>th</sup> did the government release a half-hearted statement insisting that conducting espionage in the United States firmly

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<sup>95</sup> Jacob V. Lamar, Jr., Michael Duffy, and Gregory H. Wierzynski, “Spies, Spies Everywhere,” *TIME Magazine* 126 no. 23 (December 9, 1985): 28, <https://web-p-ebshost-com.proxy.library.upenn.edu/ehost/detail/detail?vid=3&sid=931f9eef-27e1-4fce-b146-c4ee725bf59b%40redis&bdata=JnNpdGU9ZW9vc3QtbGl2ZQ%3d%3d#AN=57885655&db=aph>.

<sup>96</sup> *Ibid.*

<sup>97</sup> Benjamin Nathans, “Espionage and Intelligence,” HIST135: Cold War: A Global History (class lecture, University of Pennsylvania, Philadelphia, Pennsylvania, November 11, 2021).

<sup>98</sup> Blitzer, *Territory of Lies*, 184-185.

contradicts Israeli policy.<sup>99</sup> In the meantime, however, the Israelis discreetly — and much to American officials' chagrin — evacuated embassy employees Ilan Ravid, an Israeli science attaché, and Yossi Yagur so they could avoid questioning.<sup>100</sup>

The American media filled the space left by Israel's evasiveness. In those late days of November, the journalists' words expressed the atmosphere of astonishment and uncertainty surrounding the case. Major newspapers published stories about “shocked” and “dazed” Israeli officials on front pages in the days following the spy's arrest.<sup>101</sup> In the “Year of the Spy,” allegations of Israeli espionage especially distressed Americans.<sup>102</sup> The Cold War was in its fourth decade at that point, and the public was accustomed to, if still afraid of, headlines about Soviet spies. Now, however, the United States' archenemy was not the only one stealing secrets — one of America's closest allies, a tiny Middle Eastern state, was successfully penetrating the superpower as well.<sup>103</sup> In this vein, the *TIME* article mentioned above focused on the Pollard story rather than Wu-Tai Chin or Pelton “because it involved an intimate U.S. ally.”<sup>104</sup>

Predictably, dramatic and negative predictions about the fate of the bilateral ties lined the newspapers. Some vented pent-up disdain for the U.S.-Israel relationship, claiming that the brazen Israelis had wronged the United States numerous times and the Pollard affair was just the last straw.<sup>105</sup> The press spoke of “strained relations,” “limits of

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<sup>99</sup> Thomas L. Friedman, “‘Shocked’ Israelis Investigate Charges by U.S. of Espionage,” *New York Times*, November 24, 1985, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>100</sup> Joe Pichirallo and Don Oberdorfer, “Spy Case Strains Ties with Israel,” *Washington Post*, November 29, 1985, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>101</sup> E.g., Thomas L. Friedman, “‘Shocked’ Israelis Investigate Charges by U.S. of Espionage,” A1.

<sup>102</sup> Gilbert A. Lewthwaite, “Spying Among Friends,” *Baltimore Sun*, E1, December 8, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>103</sup> Warren Richey, “No Real Damage Seen in Latest Spy Cases,” *Christian Science Monitor*, 1, November 25, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>104</sup> Lamar, “Spies, Spies Everywhere.”

<sup>105</sup> E.g., David K. Shipler, “Close U.S.-Israel Relationship Makes Keeping Secrets Hard,” *New York Times*, December 21, 1985, A1, CIA Electronic Freedom of Information Act Reading Room; Edwin M. Jr. Yoder,

friendship between two nations,” and “cool[ing]” of U.S.-Israel ties.<sup>106</sup> In a different vein, however, one *New York Times* article, published barely a week after the arrest — representative of many more like it — reported that “[a]lthough Israel’s delay in presenting its officials for questioning appears to have increased the strains that the spy episode has created in Israeli-American relations, the long-term impact on the two countries’ overall ties is not expected to be great, both American and Israeli officials have said.” The article noted that State Department spokesman Charles Redman — certainly a credible source — agreed that “the affair is not expected to affect overall relations between the two countries.”<sup>107</sup>

Even pessimistic views in the press often preceded disclaimers that the tensions would likely prove to be temporary and shallow. Many writers sought to reaffirm the endurance and durability of bilateral U.S.-Israel ties, noting that experts doubted that the Pollard scandal would have lasting repercussions on U.S.-Israel relations. Others led with assurances that despite the unquestionable tension as American officials attempted to break Israel’s wall of silence, the U.S.-Israel connection had weathered other crises and would likely not be appreciably impacted by this episode. A *Christian Science Monitor* article entitled “No Real Damage Seen in Latest Spy Cases” mentioned that the Brookings Institution’s William Quandt doubted that the spy scandal would ‘cause

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“Israel’s ‘Excessive Dependency,’” *Washington Post*, December 4, 1985, A27, CIA Electronic Freedom of Information Act Reading Room.

<sup>106</sup> Mary Curtius, “Israel Scrambles to Mend U.S. Ties,” *Christian Science Monitor*, December 2, 1985, 1, CIA Electronic Freedom of Information Act Reading Room; Mary Curtius, “Both Israel and the US Learn Some Hard Lessons from Pollard Spy Affair,” *Christian Science Monitor*, December 3, 1985, CIA Electronic Freedom of Information Act Reading Room; Robert S. Greenberger, “Spy Case, Budget Restraints Presage Cooling of the U.S.-Israeli Love Affair,” *Wall Street Journal*, 22, July 14, 1986, CIA Electronic Freedom of Information Act Reading Room.

<sup>107</sup> E.g., David K. Shipler, “U.S. Presses Israel for Talks with 2 Named in Spy Case,” *New York Times*, November 29, 1985, A1, CIA Electronic Freedom of Information Act Reading Room.

significant harm to US-Israeli relations” in November 1985.<sup>108</sup> The deep sting due to a close ally’s spying, coupled with the desire to maintain Americans’ “proclaimed belief in integrity and forthrightness,” according to communications expert Barbie Zelizer, prompted harsh criticism in the press.<sup>109</sup> At the same time, Americans did not lose sight of the deep bond and common interests they shared with Israel.

Still other journalists sought to remind their readers of the value of Israel’s partnership, despite this mysterious anomaly. Many mentioned that the two countries’ intelligence agencies, the CIA and the Mossad, had cultivated a close intelligence liaison relationship over time.<sup>110</sup> This connection, according to a State Department official at the time, was “among the best we have in the world.”<sup>111</sup> The intelligence cooperation added another reason why Israel had high stakes in its relationship with its Great Power patron, leading many to believe Israel’s assertions — once the government finally issued a statement — that the Pollard operation did not come from inside the mainstream Israeli political society.<sup>112</sup>

Israel was not the only beneficiary of the intelligence relationship. The United States had its own strategic interests in cooperating with its Middle Eastern ally. Israeli intelligence was “instrumental” to U.S. interests, especially in regional matters, counterterrorism, joint military exercises, and in the notorious Iran-Contra affair.<sup>113</sup> In the

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<sup>108</sup> Richey, “No Real Damage Seen in Latest Spy Cases.”

<sup>109</sup> Barbie Zelizer, “Defending the American Dream: Coverage of the Jonathan Pollard Spy Case,” *Qualitative Sociology* 24, no. 2 (2001), 212.

<sup>110</sup> E.g., Robert Pear, “Experts Say U.S. and Israel Have a History of Cooperation on Intelligence,” *New York Times*, November 27, 1985, B8, CIA Electronic Freedom of Information Act Reading Room.

<sup>111</sup> Richard Straus and Ken Wollack, “Israel: The Question Here Is Why Spy?” *Los Angeles Times*, 2, December 1, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>112</sup> *Ibid.*

<sup>113</sup> Bill Kritzberg, “In Wake of Spy Flap, Israel Takes Hard Look at Intelligence Agency,” *Washington Times*, 1A, December 18, 1985, CIA Electronic Freedom of Information Act Reading Room; Freilich, *Israeli National Security*, 298-300; Gregory Harms, *Straight Power Concepts in the Middle East: US*



weeks immediately following Pollard's capture, as the United States government scrambled to assess the damage that he inflicted, the State Department temporarily withheld certain, though not all, intelligence from the Israelis, but Pentagon spokesman Fred Hoffman said that "[w]e certainly do not foresee that these steps we have taken would remain in effect for a long period of time."<sup>114</sup> Similarly, journalists and officials believed that "[t]he needs of the intelligence community will probably militate against any long-term diminution of cooperation between the two countries."<sup>115</sup> As long as the two countries shared mutual intelligence interests, cooperation would endure.<sup>116</sup>

At the time of Pollard's arrest, many journalists and politicians pointed out that U.S.-Israel ties had never been stronger.<sup>117</sup> In fact, upon hearing the news of the arrest, President Reagan himself had reportedly asked Secretary of State George Shultz why the Israelis felt the need to do such a thing and risk the friendly relations between the two nations.<sup>118</sup> The president was known to be sympathetic to the Jewish state, and during his presidency, the two countries strengthened their strategic cooperation.<sup>119</sup> Among other journalists, *The New York Times*' Jerusalem bureau chief Thomas Friedman, a longtime advocate of the U.S.-Israel friendship, touted the U.S.-Israel relationship as "unique" and

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*Foreign Policy, Israel and World History* (London: Pluto Press, 2010), 115, ProQuest Ebook Central, <http://ebookcentral.proquest.com/lib/upenn-ebooks/detail.action?docID=3386145>.

<sup>114</sup> Associated Press, "U.S. Cuts Data to Israel Over Spy Inquiry," *Los Angeles Times*, December 13, 1985, <https://www.latimes.com/archives/la-xpm-1985-12-13-mn-16924-story.html>.

<sup>115</sup> Ibid.

<sup>116</sup> Stéphane Lefebvre, "Spying on Friends?: The Franklin Case, AIPAC, and Israel," *International Journal of Intelligence and CounterIntelligence* 19, no. 4 (2006): 613.

<sup>117</sup> Lally Weymouth, "Low-Level Fallout from Israeli Spy Incident," *New York Daily News*, E16, December 23, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>118</sup> Blitzer, *Territory of Lies*, 187.

<sup>119</sup> Robert Freedman, *Israel and the United States: Six Decades of US-Israeli Relations*, Boulder: Taylor & Francis Group, 2012, accessed April 15, 2021, ProQuest Ebook Central, 5.

“special.”<sup>120</sup> This deep relationship, which spans economic, military, diplomatic, and cultural spheres, was expected to cushion the Americans’ reaction to discovering the Pollard operation.<sup>121</sup>

Some journalists approached the case by downplaying its severity and emphasizing the tight ties between the two. They argued that allies spy on one another constantly — the United States and NATO allies included — and that Israel was just unlucky and reckless enough to be caught.<sup>122</sup> Perhaps Israeli espionage should just be considered “background noise” to an otherwise “fruitful” and long-lasting relationship, according to a former U.S. intelligence official.<sup>123</sup> A few argued that Israel had been frustrated by what it perceived as the Americans’ unfair refusal to provide certain information about Arab countries that the Middle Eastern nation had deemed vital to its national security.<sup>124</sup> Therefore, as a sovereign nation merely looking to protect its own interests, Israel simply took what it needed and nothing more.<sup>125</sup> This line of reasoning, while not absolving the Israelis of responsibility for their actions, at the very least explained the rationale behind the Pollard operation. The logic almost, but not quite, flipped the image of who the victim was: the United States, the target of espionage, or Israel, the tiny nation being denied information by its closest ally?

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<sup>120</sup> For example, Mary Curtius of *Christian Science Monitor* also uses the popular terminology of “special relationship” in a December 2, 1985 article entitled “Both Israel and the US Learn Some Hard Lessons from Pollard Spy Affair.”

<sup>121</sup> Thomas L. Friedman, “The Pain Israel Is Feeling for Spying Behind Friendly Lines,” *New York Times*, December 8, 1985, E3, CIA Electronic Freedom of Information Act Reading Room.

<sup>122</sup> Kirtzberg, “In Wake of Spy Flap,” 1A.

<sup>123</sup> John J. Fialka, “Investigators in Politics and Policy Confront History of Accommodation by U.S., Israeli Spy Agencies,” *Wall Street Journal*, 64, December 18, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>124</sup> Pear, “Experts Say U.S. and Israel Have a History of Cooperation on Intelligence,” B8.

<sup>125</sup> Lewthwaite, “Spying Among Friends,” E1.

As the investigation progressed and both governments slowly uncovered more information, the situation only grew more complicated. American officials were ignorant of the content and extent of Pollard's espionage, and they were desperate to find people to answer their questions. Pollard's original handler, Aviem Sella, had fled the United States before Pollard was arrested, and American officials knew nothing of his involvement with Pollard.<sup>126</sup> The Israeli Foreign Ministry's November 24<sup>th</sup> statement did little to satisfy the investigators' hunger for answers. It merely stated that espionage in the United States "stand[s] in total contradiction" to Israeli policy and that the Israeli government was looking into whether this policy had been violated.<sup>127</sup>

Israeli officials insisted to their American counterparts that they were all in search of the same answers, and the Americans felt somewhat reassured by this ostensible promise of cooperation. Indeed, Prime Minister Shimon Peres promised to return any stolen classified documents.<sup>128</sup> However, the Israelis did not volunteer any information, and they maintained near silence for a few more days as they endeavored to present an official position on the case. Frustrated by the lack of cooperation, the State Department increased pressure on the Israelis, calling on them to make Yagur and Ravid available for American agents' questioning. Still, State Department spokesman Charles Redman insisted that despite the regrettable tension due to Israel's slow response, he did not expect the Pollard case to wreak lasting damage to the otherwise amicable relationship.<sup>129</sup>

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<sup>126</sup> Blitzer, *Territory of Lies*, 144-145.

<sup>127</sup> Israeli Foreign Ministry statement, in Friedman, "'Shocked' Israelis Investigate Charges by U.S. of Espionage," A1.

<sup>128</sup> Blitzer, *Territory of Lies*, 198.

<sup>129</sup> Shipler, "U.S. Presses Israel for Talks with 2 Named in Spy Case," A1.

Recognizing that the United States was losing patience, Peres, Foreign Minister Yitzhak Shamir, Defense Minister Yitzhak Rabin, and several of Israel's top intelligence leaders stayed quiet and set out to determine the country's official damage control strategy across the Atlantic.<sup>130</sup> How could the politicians save their careers, preserve the intelligence establishment's respected reputation, *and* simultaneously minimize the diplomatic fallout with the United States?<sup>131</sup> Rafi Eitan, the leader of LAKAM, assumed full responsibility for the operation.<sup>132</sup> Pollard, the leadership insisted, was a "rogue operation," unauthorized by and unbeknownst to the highest tiers of Israel's political echelon.<sup>133</sup> At that point, the Israelis could not deny what Pollard had done. They could, however, assure their American patrons that it was a foolish mistake that was not perpetrated through official channels.<sup>134</sup> This position, they believed, was the most likely way to quickly sweep the matter under the rug, just as the two had done with any potential crises over the past few decades. While this may have allayed some of the initial shock and uncertainty, the vague statement, the evacuation of the embassy employees, and the earlier silence illustrated the Israelis' mishandling of the case, all the way up to Pollard's sentencing in March 1987.

The Israelis' humiliation morphed into defensiveness, and officials debated the appropriate extent of cooperation with U.S. investigators. Politicians remembered the Lavon Affair, barely thirty years prior, which had ruined careers and been a national

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<sup>130</sup> Pichirallo and Oberdorfer, "Spy Case Strains Ties with Israel," A1.

<sup>131</sup> David B. Ottaway, "U.S. Voices 'Dismay' At Israel's Response to Pollard Case," *Washington Post*, November 30, 1985, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>132</sup> Blitzer, *Territory of Lies*, 198.

<sup>133</sup> Shipler, "U.S. Presses Israel for Talks with 2 Named in Spy Case," A1.

<sup>134</sup> William Claiborne, "Israeli Officials Now Say Spy Case Will Do Little Damage to U.S. Ties," *Washington Post*, December 6, 1985, A23, CIA Electronic Freedom of Information Act Reading Room.

embarrassment.<sup>135</sup> Peres held onto Yagur and Ravid’s official statuses of diplomatic immunity — and Sella’s unknown involvement — as a way to block American investigators from questioning the Israelis involved. Apparently, “because of the especially close relationship between the United States and Israel,” U.S. authorities believed that a technicality was no excuse to block a criminal investigation.<sup>136</sup> The Israelis’ continued prevarication, despite pledges of unequivocal cooperation, only exacerbated American officials’ aggravation.

The press noticed the continuing tensions between the two governments, despite both sides’ aims to maintain normal relations. Israel, after all, had delayed responding and had not given U.S. officials much to work with even with the “rogue operation” statement.<sup>137</sup> The State Department had applied some diplomatic pressure but had refrained from threatening to withhold aid or other forms of support. In early December, after quiet terms-setting negotiations with the secretary of state, the Israeli government permitted Justice Department investigators into Israel to “interview” — rather than “interrogate” or “question” — Yagur, Erb Ravid, Eitan, and potentially others, but with the caveat that it must be conducted in Israel.<sup>138</sup>

During the Tel Aviv meetings, the Israeli officials clung to the “rogue operation” story and insisted that the Americans overstated the quantity of information that Pollard had provided. Most notably, they concealed the role of Aviem Sella in the operation. One

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<sup>135</sup> Thomas Friedman, “Leaders in Israel Apparently Split in Espionage Case,” *New York Times*, 1A, November 30, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>136</sup> Ottaway, “U.S. Voices ‘Dismay,’” A1.

<sup>137</sup> E.g., John M. Goshko and Joe Pichirallo, “U.S. Cautious on Delay by Israelis Over Pollard,” *Washington Post*, December 6, 1985, A23, CIA Electronic Freedom of Information Act Reading Room; Curtius, “Israel Scrambles to Mend U.S. Ties,” 1.

<sup>138</sup> Blitzer, *Territory of Lies*, 203-204; William Claiborne, “Arens, Shultz Met in Spy Case,” *Washington Post*, December 8, 1985, A17, CIA Electronic Freedom of Information Act Reading Room; Curtius, “Israel Scrambles to Mend U.S. Ties,” 1.

mentioned that another Israeli had been marginally involved in the operation at one point, but none revealed Sella's name. The Israeli government even sent the air force colonel to West Germany with a fake passport so that he could not be available for questioning. Israeli officials were convinced that nobody would believe that the Pollard affair was truly unauthorized if a figure of Sella's prominence were involved, and they wanted to cover their bases and move on as soon as possible.<sup>139</sup>

In addition, despite Peres' repeated promises of "full cooperation," the Israelis initially refused to return any of the documents they had received from Pollard. The right-wing opposition to Peres' Labor Party, the Likud, especially believed that delivering the documents would send an awful signal to Israeli spies around the world and further strain U.S.-Israel ties.<sup>140</sup> The Israelis acquiesced a few days later, and when the delegation returned after a weeklong trip, the State Department rapidly praised Israel's assistance in the investigation. American officials also expressed their approval of Israel's commitment to dismantling LAKAM, Rafi Eitan's unit that had run Pollard as an agent, trying to highlight Israel's cooperation as a reliable ally.<sup>141</sup>

While still noting the earlier strains that the Pollard affair had caused, journalists tended to regard the Israel trip as a positive development that supported their earlier hypotheses of little lasting damage.<sup>142</sup> Stephen Engelberg of the *New York Times* lauded the extent of Israeli cooperation with the American investigation, writing that Israel's quick assurance of cooperation was "a step unheard of in an espionage case."<sup>143</sup> He was

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<sup>139</sup> Blitzer, *Territory of Lies*, 204-205.

<sup>140</sup> Ibid., 207.

<sup>141</sup> Stephen Engelberg, "Israelis Drop Spy Unit, U.S. Says," *New York Times*, December 21, 1985, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>142</sup> E.g., *ibid.*; David K. Shipler, "Israel and the U.S. Stay on Speaking Terms," *New York Times*, E3, December 29, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>143</sup> Engelberg, "Israelis Drop Spy Unit, U.S. Says," A1.

also impressed that the Israeli government dismantled LAKAM, the organization that had employed Pollard as an agent.<sup>144</sup> Both the American and Israeli sides, it seemed, hoped that after this complication in the two countries' relations, Pollard would plead guilty in any eventual court proceedings. This way, officials could circumvent an embarrassing public trial, and the entire matter — and Pollard himself — could fade away as the U.S.-Israel connection remained strong.<sup>145</sup>

For a few months, both sides seemed to realize these hopes, as the novelty of the case wore off and public tensions over Pollard dwindled. By the end of May 1986, however, the American investigators knew that the Israelis had withheld information from them and possibly even some of the classified documents Pollard had given them.<sup>146</sup> Pollard also felt betrayed by Israel, the country he spied for but the one that had also left him alone in American prison. He perceived the government's refusal to admit him to the embassy and its cooperation in the investigation as abandonment. So, he talked. As his June plea deal hearing neared, the "befuddled" spy, stunned that his handlers had not rescued him, cooperated with his interrogators.<sup>147</sup>

Allegedly, Pollard was the one to reveal Sella's name and role in the operation. U.S. officials claim that his testimony led to the colonel's indictment in the United States.<sup>148</sup> Silence on Sella's identity and whereabouts from Israeli authorities sparked

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<sup>144</sup> Ibid.

<sup>145</sup> Thomas L. Friedman, "Israeli, Tied to Spying in U.S., Said to Lose Job," *New York Times*, A13, December 21, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>146</sup> Blitzer, *Territory of Lies*, 220; Warren Richey, "Israel's 'Selective Cooperation' in Pollard Spy Case," *Christian Science Monitor*, January 9, 1987, 1, CIA Electronic Freedom of Information Act Reading Room.

<sup>147</sup> Wolf Blitzer, "'Befuddled' Pollard: Why did Israel abandon me?" *The Jerusalem Post*, November 21, 1986, 1, <https://proxy.library.upenn.edu/login?url=https://www-proquest-com.proxy.library.upenn.edu/historical-newspapers/befuddled-pollard-why-did-israel-abandon-me/docview/924418685/se-2?accountid=14707>; Philip Shenon, "U.S. Ready to Charge Israeli in Spy Operation, Aide Says," *New York Times*, A9, May 30, 1986, CIA Electronic Freedom of Information Act Reading Room.

<sup>148</sup> Blitzer, *Territory of Lies*, 206.

renewed irritation about the case and cast doubt on the veracity of the Israelis' "rogue operation" account.<sup>149</sup> Clearly, the Israelis had misjudged their agent. Eitan was convinced that Pollard would not talk, but he did. The investigating officials and the media suspected, now more than before, that Pollard had been just one piece in a much more extensive web of Israeli espionage in the United States.<sup>150</sup> Journalists reported conspiracy theories of an Israeli spy ring, revolving around a mysterious Mr. X, which stoked Americans' Cold War espionage fears, already heightened during the "Year of the Spy."<sup>151</sup>

On June 5, 1986, Jonathan Pollard pleaded guilty to conspiracy to commit espionage.<sup>152</sup> The Israelis and the Americans may have gotten the guilty plea they wanted, but the case was far from closed. Throughout the subsequent months, the investigators pressed on, and officials on both sides of the ocean grew increasingly frustrated. The Israelis adamantly and consistently denied any existence of a widespread spy ring. They did not waver from their stance that the Pollard operation was rogue, a complete deviation from Israel's policy not to spy in the United States, in hopes of saving as much diplomatic face as possible.<sup>153</sup> Americans doubted the plausibility of the official story and were upset that no Israeli had been prosecuted.<sup>154</sup> The Israelis' promise of "full

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<sup>149</sup> Philip Shenon, "U.S. Ready to Charge Israeli," A9

<sup>150</sup> Michael Wines and Doyle McManus, "State Dept. Gets Briefings as Israeli Spy Case Unfolds," *Los Angeles Times*, May 31, 1986, 1, CIA Electronic Freedom of Information Act Reading Room.

<sup>151</sup> Bob Woodward and Walter Pincus, "U.S. Hunts American 'Mr. X' in Pollard Espionage for Israel," *Washington Post*, February 19, 1988, <https://www.washingtonpost.com/archive/politics/1988/02/19/us-hunts-american-mr-x-in-pollard-espionage-for-israel/3f165e37-2f71-443f-8444-97c0b039fa74/>.

<sup>152</sup> Office of the Director of Central Intelligence, "The Jonathan Jay Pollard Espionage Case," I-20.

<sup>153</sup> Philip Shenon, "Israel Denies Running a Widespread Espionage Operation in U.S.," *New York Times*, May 31, 1986, A12, CIA Electronic Freedom of Information Act Reading Room.

<sup>154</sup> William Safire, "Israel Stonewalls," *New York Times*, June 2, 1986, A17, CIA Electronic Freedom of Information Act Reading Room.



cooperation” appeared to be an empty one.<sup>155</sup> In fact, the Israeli government did not undertake an official, parliamentary investigation of the affair until March 1987 — after Pollard’s sentencing and the United States’ continued expressions of disappointment in Israel’s handling of the case.<sup>156</sup> For their part, the Israelis became more defensive and even resentful, accusing the Justice Department of waging an anti-Israel campaign.<sup>157</sup> The charge that the Israelis had a larger spy ring in the United States, they believed, was a tactic to distract from the United States’ own counterintelligence failures.<sup>158</sup> The otherwise intimate relationship marked by extensive cooperation was once again uncertain.

The new revelations in the case also sparked rifts within the U.S. government. In her analysis of American values and press coverage of the Pollard case, Zelizer noted that the American people were “torn between the Department of Justice, which recognized a clear violation of U.S. sovereignty, and the Department of State, which remained concerned for the future of U.S.-Israel relations.”<sup>159</sup> While the prosecutors condemned Israel’s lack of full cooperation and pressed for more facts, the State Department was more conciliatory toward the Israelis. At one point, Justice Department officials

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<sup>155</sup> Bernard Weinraub, “Darker Side of U.S.-Israeli Ties Revealed,” *New York Times*, June 4, 1986, B9, CIA Electronic Freedom of Information Act Reading Room; Philip Shenon, “Spy Telling of Israeli Operations; Pelton Convicted of Selling Secrets,” *New York Times*, A1, June 5, 1986, CIA Electronic Freedom of Information Act Reading Room.

<sup>156</sup> Knesset Defense and Foreign Affairs Committee, *Report of the Subcommittee on Intelligence and Security Services on the Issue: Jonathan Pollard*, May 26, 1987, [Jonathanpollard.org](http://Jonathanpollard.org); Knesset Defense and Foreign Affairs Committee, *The Eban Report on the Issue of Jonathan Pollard: English Translation of Unclassified Version*, May 26, 1987, [Jonathanpollard.org](http://Jonathanpollard.org), <https://www.jonathanpollard.org/7890/052687.htm>; Joanne Omang, “Israel Given ‘Strong Message’ on Pollard Spy Case,” *Washington Post*, March 12, 1987, A30, CIA Electronic Freedom of Information Act Reading Room.

<sup>157</sup> Thomas L. Friedman, “Peres Sees Effort in U.S. Spy Inquiry to Mar Israeli Ties,” *New York Times*, June 8, 1986, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>158</sup> William Claiborne, “Israelis Criticize Spy Case Leaks by U.S. Officials,” *Washington Post*, June 6, 1986, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>159</sup> Zelizer, “Defending the American Dream, 212.

threatened to revoke the diplomatic immunity of the Israelis implicated in the case because they suspected that those officials had misled the investigators.<sup>160</sup> Meanwhile, the State Department diplomats continued to emphasize the closeness of the two countries' relationship. These officials 'welcome[d] and accept[ed]' the Israelis' insistence that they were not conducting other espionage in the United States.<sup>161</sup> Contrary to what the Justice Department now believed, State emphasized the Israeli government's earlier cooperation with the investigation.<sup>162</sup>

These diverging approaches to the case might have confused the United States' official position and interactions with the Israelis, but they aligned with each department's goals. The Department of Justice was fervently pursuing just that: justice — and a defense of American counterintelligence in the “Year of the Spy.” The investigators aimed to collect facts, build a case, and punish Pollard appropriately for his crimes. Thus, these officials were particularly exasperated upon discovering Sella's involvement and the Israelis' lack of full transparency. The State Department, on the other hand, strove to preserve relations with America's Middle Eastern ally, since the “solid foundation of deep friendship, close affinity, and mutual trust” that the department had spoken of in late 1985 still existed.<sup>163</sup> Therefore, the diplomats were willing to downplay the new revelations in the case. Their eager acceptance of Israel's apologies and claims of cooperation display their desire to smooth over tensions about the case as soon and as painlessly as possible.

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<sup>160</sup> Joe Pichirallo, “Israelis May Lose Immunity,” *Washington Post*, June 11, 1986, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>161</sup> Don Oberdorfer, “Israelis' Assurances on Spying Welcomed,” *Washington Post*, June 10, 1986, A8, CIA Electronic Freedom of Information Act Reading Room.

<sup>162</sup> Lou Cannon and Joe Pichirallo, “U.S. Awaits Full Probe on Pollard,” *Washington Post*, June 8, 1986, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>163</sup> Zelizer, “Defending the American Dream,” 212; Engelberg, “Israelis Drop Spy Unit, U.S. Says,” A1.

The White House sided with the State Department's position, prioritizing the country's relationship with Israel over the criminal investigation. Maybe the reason was that the United States valued its connections with Israel too much to sacrifice them over this affair.<sup>164</sup> Alternatively, perhaps this was because allies illicitly collect information on one another regularly — including the United States on Israel — and the Pollard case was not all that surprising. The most well-known, if unconfirmed, example of this is the aforementioned USS *Liberty* incident in 1967, when many believed the ship was stationed to spy on Israel, which is why the Israelis bombed it.<sup>165</sup>

In addition, around the same time that the Pollard affair was unfolding, the United States had its own agent inside the Israeli Defense Forces (IDF). In 1987, Senator David Durenberger, chairman of the Senate Select Committee on Intelligence (SSCI), told an American Jewish audience that the CIA had recruited an Israeli army officer to spy against Israel in 1982, years before Sella recruited Pollard.<sup>166</sup> The disillusioned intelligence major Yosef Amit allegedly provided his American handlers with classified Israeli material. Unlike the Pollard affair, however, the Amit case never received much press.<sup>167</sup> Furthermore, the American intelligence community seemed to be well aware of Israeli snooping, which likely furthered blunted the surprise effect of Israeli spying within the U.S. intelligence community. A 1979 CIA report lists the United States as one

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<sup>164</sup> Bernard Gwertzman, "White House Sides with State Department on Israeli Spying Issue," *New York Times*, June 10, 1986, CIA Electronic Freedom of Information Act Reading Room.

<sup>165</sup> Philip Shenon, "Friendship Doesn't Always Deter Espionage," *New York Times*, June 8, 1986, CIA Electronic Freedom of Information Act Reading Room.

<sup>166</sup> John M. Goshko, and Bob Woodward, "Israeli Spy 'Recruited' By CIA," *Washington Post*, March 21, 1987, A1, CIA Electronic Freedom of Information Act Reading Room.

<sup>167</sup> Gregory Levey, "Spy Games." *New Republic*, May 9, 2007, <https://newrepublic.com/article/63992/spy-games>.

of Israel's primary intelligence targets, particularly policies having to do with Israel and scientific and technological secrets — LAKAM's exact targets.<sup>168</sup>

It is unsurprising, therefore, that the Israelis handled the affair as they did. Spying on allies is commonplace, and while getting caught is an awkward blunder, it should not cause a major diplomatic crisis. Additionally, in the past, tensions had generally been resolved quietly, as Israeli statesman Simcha Dinitz had expressed, and as Rafi Eitan had assured Pollard earlier.<sup>169</sup> Thomas Friedman of *The New York Times* reported from Jerusalem that “[s]ome senior officials here say they really do not believe the man responsible for ‘running’ Mr. Pollard did anything all that wrong.”<sup>170</sup> After all, Israel faced constant existential threats from hostile neighbors, and it needed the information that the spy provided to protect itself. Even though the United States was a good and important friend to the Jewish state, the Israelis felt that they could ultimately only rely on themselves for national security.<sup>171</sup> This mindset caused them to place security considerations above all else, even the rule of law at times.<sup>172</sup> To their surprise, Pollard was treated as a criminal rather than a purely diplomatic issue.

The Israelis' main mistake lay in their partial cooperation. They initially stayed silent, evacuated their embassy employees, and withheld Sella's name and role. Then, they promised full cooperation, but did not grant it, hoping that the Americans would remain in the dark and that the two countries could move on quickly. The U.S.

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<sup>168</sup> Directorate of Operations Counterintelligence Staff, “Israel: Foreign Intelligence and Security Services,” *Foreign Intelligence and Security Services Surveys*, Central Intelligence Agency, March 1979, National Security Archive.

<sup>169</sup> Marcus, “Experts Begin Task of Assessing Damage,” A1.

<sup>170</sup> Friedman, “Leaders in Israel Apparently Split in Espionage Case,” 1A.

<sup>171</sup> Charles D. Freilich, *Israeli National Security*, 2-4, 289.

<sup>172</sup> Thomas L. Friedman, “Israel's Highest Law Is Still National Security,” *New York Times*, July 6, 1986, E2, CIA Electronic Freedom of Information Act Reading Room.

investigators only believed that the Israelis were trying to outsmart them. This haughty Israeli attitude is based on precedent, such as with the USS *Liberty* incident's speedy and easy resolution, and perhaps the Americans involved had finally had enough.<sup>173</sup>

What the Israelis had not realized was that the Pollard case had been a public affair from the start. The dramatic circumstances of Pollard's arrest — by the FBI in front of the Israeli Embassy — necessarily made it that way.<sup>174</sup> Law enforcement officials could not swiftly negotiate behind closed doors, especially in the “Year of the Spy.” Americans needed the world to know that they would not “not tolerate this kind of hostile activity within the United States,” according to a *Christian Science Monitor* article published around the time Pollard pleaded guilty.<sup>175</sup> Instead of immediately apologizing, the Israeli government did not recognize this paranoid American mood, and it treated the Pollard affair as it had any past diplomatic discomfort with the United States and expected the same results.

In the months between Pollard's June 1986 guilty plea and ultimate sentencing in March 1987, both the Americans and the Israelis felt bitter. The American government was unhappy with being misled, if not outright duped.<sup>176</sup> Even those who understood why Eitan had run Pollard believed that the “pretenses must stop” once the spy was caught.<sup>177</sup> The Israeli government had disbanded LAKAM, but in an act of tremendous bad judgment, Rafi Eitan was hired as the head of Israel Chemicals, the largest government-

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<sup>173</sup> Blitzer, *Territory of Lies*, 280.

<sup>174</sup> Stephen Engelberg, “New Tack on Cases Against Israel?” *New York Times*, July 10, 1986, A12, CIA Electronic Freedom of Information Act Reading Room.

<sup>175</sup> Warren Richey, “Pollard Spy Case's Larger Issue.”

<sup>176</sup> Jonathan Broder, “Spy Case Opens Can of Squirms,” *Chicago Tribune*, June 8, 1986, 12, CIA Electronic Freedom of Information Act Reading Room.

<sup>177</sup> Erik-Lars Nelson, “Roots of Pollard Case Run Deep in Israel,” *New York Daily News*, June 6, 1986, CIA Electronic Freedom of Information Act Reading Room.

owned company in Israel. To make matters worse, Avi Sella, whose involvement the Justice Department was now aware of, was given command of the Tel Nof Air Base near Tel Aviv. He also received the rank of brigadier general.<sup>178</sup> In effect, two people heavily involved in the Pollard affair were promoted, signaling the Israelis' lack of sensitivity toward American frustration over the case.<sup>179</sup> American criticism of the Israeli government's handling of the case sharply increased after these promotions, leaving the credibility of the "rogue operation" claim in doubt.<sup>180</sup> On March 3, 1987, the United States indicted Sella on espionage charges — a mostly symbolic measure, since they could not extradite him from Israel — further upsetting Israeli leadership.<sup>181</sup> Only weeks after Pollard received a life sentence did Sella finally resign from his promotion in an effort to mitigate tensions, after urging from the Israeli government.<sup>182</sup>

Although Pollard's guilty plea averted a public trial that could cause more embarrassment and reveal classified information, tensions still ran high throughout the investigation. In January 1987, Secretary of Defense Caspar Weinberger submitted what has come to be known as the "Weinberger Memorandum" and was believed to have been influential in Pollard's sentencing. In the forty-six-page document, much of which is still redacted, the secretary of defense detailed the types of information that Pollard provided to the Israelis and all the potential damage that he might have done to U.S. national security, even as a spy for a "friendly power." Weinberger emphasized the sheer amount of material that Pollard had given the Israelis, supposedly enough to fill a room of six by

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<sup>178</sup> Blitzer, *Territory of Lies*, 240.

<sup>179</sup> Pichirallo, "Israelis May Lose Immunity," A1.

<sup>180</sup> Charles R. Babcock, "Criticism of Israel Rises Over Pollard Spy Case," *Washington Post*, March 5, 1987, A24, CIA Electronic Freedom of Information Act Reading Room.

<sup>181</sup> Blitzer, *Territory of Lies*, 241.

<sup>182</sup> Thomas L. Friedman, "Israeli Indicted in Pollard Case Agrees to Give Up His Post," *New York Times*, March 29, 1987, A1, CIA Electronic Freedom of Information Act Reading Room.

six by ten feet.<sup>183</sup> The information that Pollard provided, mostly about Arab nations, would likely damage U.S. relations with moderate Arab states, Weinberger claimed.<sup>184</sup> Additionally, now that the spy had shared this material with Israel, the United States had no control over which countries would access it.<sup>185</sup> The Secretary of Defense concluded that “[t]he defendant has substantially harmed the United States, and... his crimes demand severe punishment.”<sup>186</sup>

In March, shortly before Pollard’s sentencing, Secretary Weinberger stated in a supplemental declaration: “It is difficult for me, even in the so-called ‘year of the spy,’ to conceive of a greater harm to national security than that caused by the defendant.”<sup>187</sup> To Caspar Weinberger, a spy for a close ally such as Israel had been more harmful to American security interests than the longer-lasting Soviet spy operations uncovered in the same year. Some of those spies — such as John Walker, Jr. and Ronald Pelton — had received life sentences. All those who did, however, spied for longer durations than Pollard, spied for the Soviets, or both.<sup>188</sup> One of the “Year of the Spy” arrests, CIA clerk Sharon Scranage, provided classified material to Ghana after the Ghanaian president’s cousin seduced her. The FBI later confirmed that Ghanaian intelligence had given the CIA information she provided to Cuba, Libya, and East Germany, all hostile to the

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<sup>183</sup> Caspar W. Weinberger, “Declaration of the Secretary of Defense,” Sentencing Affidavit for Jonathan Pollard, *United States v. Jonathan Pollard*, criminal no. 86-0407, January 7-8, 1987, National Security Archive, 4-5.

<sup>184</sup> *Ibid.*, 36, 42.

<sup>185</sup> *Ibid.*, 4.

<sup>186</sup> *Ibid.*, 45.

<sup>187</sup> Caspar W. Weinberger, “Supplemental Declaration of Caspar W. Weinberger, Secretary of Defense,” *United States v. Jonathan Jay Pollard*, criminal no. 86-0407, March 3-4, 1987, National Security Archive.

<sup>188</sup> Scott Neuman, “John Walker Jr., Cold War Spy For Soviets, Dies At 77,” *NPR*, August 30, 2014, <https://www.npr.org/sections/thetwo-way/2014/08/30/344500428/john-walker-jr-cold-war-spy-for-soviets-dies-at-77>; Dan Morain, “Whitworth Given 365-Year Sentence: Castigated by Judge, Spy Also Is Fined \$410,000; Penalty Harshes Since ’53,” *Los Angeles Times*, 2, August 29, 1986, <https://www.latimes.com/archives/la-xpm-1986-08-29-mn-14560-story.html>.

United States.<sup>189</sup> In his memorandum, Weinberger delineated the possibility of the Israelis passing on Pollard's information as a major portion of the damage he caused, but this has never been publicly proven to have occurred.<sup>190</sup> Scranage was sentenced to five years in prison.<sup>191</sup>

Perhaps the Israelis had been correct to an extent in asserting that the Americans' strong reaction to the Pollard case was intended "to obfuscate its own counterintelligence inadequacies."<sup>192</sup> Weinberger, who had Jewish roots himself, was reputed to have been hostile to Israel throughout his time as Secretary of Defense, and he could have used the public outrage surrounding the Pollard affair to finally show the Israeli government who was in charge.<sup>193</sup> In addition, making an example out of Pollard, arrested toward the end of the year, could demonstrate to the American people at home that the United States would not and did not tolerate espionage. Many of the details of the case remain classified, however, so determining the validity of Weinberger's claims remains difficult.

Ultimately, Judge Aubrey Robinson was the one who sentenced Jonathan Jay Pollard to life in prison on March 4, 1987.<sup>194</sup> The sentence came as a shock, especially because the convict had pled guilty with the understanding that the government would not seek a life sentence. Most people who committed similar offenses to Pollard, pled guilty, and cooperated with the government were sentenced to four or five years and

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<sup>189</sup> Robert D'A. Henderson, "National Intelligence in West Africa," *International Journal of Intelligence and Counterintelligence* 20, no. 3 (2007): 549-550, <https://doi.org/10.1080/08850600701249899>.

<sup>190</sup> Caspar W. Weinberger, "Declaration of the Secretary of Defense," 4.

<sup>191</sup> Henderson, "National Intelligence in West Africa," 556.

<sup>192</sup> Lief-Eric Easley, "Spying on Allies," *Survival* 56, no. 4 (2014): 145, <https://doi.org/10.1080/00396338.2014.941545>; William Claiborne, "Israelis Criticize Spy Case Leaks By U.S. Officials," *Washington Post*, A1, June 6, 1986, CIA Electronic Freedom of Information Act Reading Room.

<sup>193</sup> *Ibid.*; Gil Troy, "The Pollard Puzzle: A Pension but no Parade - Opinion," *The Jerusalem Post*, December 22, 2020, <https://www.jpost.com/opinion/the-pollard-puzzle-a-pension-but-no-parade-opinion-652936>.

<sup>194</sup> Office of the Director of Central Intelligence, "The Jonathan Jay Pollard Espionage Case," I-20-21.



served three or four — significantly more lenient than Pollard’s fate.<sup>195</sup> The Israeli government still did not take any responsibility for Pollard and had actually become even more resentful of persistent American pressure to punish Sella and Eitan, with reports of some anti-Americanism apparent in Israel around the time of sentencing. This was directed both toward American Jews and the U.S. government, “in response to their pressures on Israel to at least show contrition for the spying operation by punishing the Israeli officials involved.”<sup>196</sup> As the United States’ opinion of the spy could not have been more clearly negative, Israelis seemed either indifferent to or supportive of his actions. Some private Israeli citizens had taken up Pollard’s cause, forming the group “Citizens for Pollard.”<sup>197</sup>

Even amidst the tension throughout the entire Pollard case, government-to-government relations remained relatively stable. Less than two weeks after Pollard’s shocking sentencing, the *New York Times* reported that the military, CIA, and State Department “were quietly conducting business as usual with Israel, maintaining the intimate relationship that has grown up around military cooperation, mutually agreed intelligence sharing and joint weapons research.”<sup>198</sup> The Pollard affair was a test for the close relationship between the United States and Israeli governments that had developed in the decades prior. This espionage case was more public and more confrontational than other crises that the two countries had faced, but the relations between them were barely affected, and never fundamentally. The governments, however, were not the only

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<sup>195</sup> Goldenberg, *The Hunting Horse*, 60.

<sup>196</sup> Thomas L. Friedman, “Shamir Says Pollard’s Fate Is No Concern of Israel,” *New York Times*, March 11, 1987, A9, CIA Electronic Freedom of Information Act Reading Room.

<sup>197</sup> *Ibid.*

<sup>198</sup> David K. Shipler, “For Israel and U.S., a Growing Military Partnership,” *New York Times*, March 15, 1987, CIA Electronic Freedom of Information Act Reading Room.

significant elements of the affair. American Jews, Pollard's original community, were impacted too, and to a greater extent than the inter-governmental relationship.

## Chapter Two: Another Kind of Betrayal

As tensions between the U.S. and Israeli governments fluctuated over the Pollard case, another dimension complicated the matter even more. Jews in the United States were shocked, angry, embarrassed, and fearful upon hearing the news of Jonathan Pollard's arrest in 1985 and subsequent sentencing in March 1987.<sup>199</sup> American Jews and Israelis felt a close religious, cultural, historical, and often familial connection, and American Jewry had advocated on Israel's behalf within the United States for decades. Now, the former group was caught in the middle of an international diplomatic affair, one in which this community had a stake. Their trust in Israel suffered a blow, and American Jews let their Israeli cousins know. Israelis, in turn, sought to remind the Diasporic community not to forget that it needs the Jewish state for its own welfare and continuity.

For decades, the connection between American Jewry and the State of Israel had been generally symbiotic in nature: Israel received financial, moral, and political support while the largest Jewish Diaspora community viewed it as a source of religious pride and a haven against anti-Semitism.<sup>200</sup> The deep-rooted and multifaceted ties between American Jews and the State of Israel — moral, religious, political, and material — came with strings attached. Israeli policymakers were often required to factor American Jewry into their decisions, since they received enormous amounts of financial support from the community, both directly and through political lobbying.<sup>201</sup>

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<sup>199</sup> Steven T. Rosenthal, *Irreconcilable Differences?: The Waning of the American Jewish Love Affair with Israel* (Hanover: Brandeis University Press, 2001), 6-7, HathiTrust, <https://hdl.handle.net/2027/mdp.39015049702122>.

<sup>200</sup> Glick, *The Triangular Connection*, 126; Freilich, *Israeli National Security*, 263.

<sup>201</sup> Blitzer, *Between Washington and Jerusalem*, 5-8.

American Jews, on the other hand, widely tended to regard Israel as an element of their Jewish identity, and they were active on behalf of the state's security and survival.<sup>202</sup> For most of Israel's existence, American Jews had therefore refrained from criticizing its policies in an effort to show unequivocal support for a beleaguered, young nation.<sup>203</sup> Upon discovering that the Jewish state had hired an American Jew to spy in the United States, American Jews felt betrayed. The Pollard case fractured the trust in and weakened the admiration for Israel among many American Jews. In turn, Israelis reacted defensively and with disdain toward their American cousins, adopting an attitude of pride and even scorn. Thus, the Pollard affair exposed and exacerbated a rift between American Jewry and Israelis. The assumptions that had undergirded the American Jewish-Israeli relationship, one of unconditional and mutual love and support, faced a severe test as FBI agents placed handcuffs around Jonathan Pollard's wrists.

The American Jewish relationship with Israel, while more personal, was similar to the larger American attitude toward the state. Throughout American history, American policymakers have struggled to combine realistic power-based foreign policies with morality-based ones.<sup>204</sup> Weaving the two together during the Cold War, however, was particularly easy due to the highly ideological nature of the conflict. During the five-decades of strife, American leaders could easily justify moral and strategic policies as convergent in a war against totalitarianism and atheistic Communism.<sup>205</sup> Support for

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<sup>202</sup> Norman Podhoretz, "The Case of the Spy for Israel," *New York Post*, December 10, 1985.

<sup>203</sup> Blitzer, *Between Washington and Jerusalem*, 149.

<sup>204</sup> Walter A. McDougall, *Promised Land, Crusader State: The American Encounter with the World Since 1776* (Boston: Houghton Mifflin Harcourt, 1997), 9-10.

<sup>205</sup> Walter A. McDougall, *The Tragedy of U.S. Foreign Policy: How America's Civil Religion Betrayed the National Interest*, (New Haven: Yale University Press, 2016), 248, 250, 252.

Israel fell squarely into this trend, as popular support and sympathy for Jewish people eventually translated into increasing material and political support. Despite being strongly counseled against it, President Truman recognized Israel, eleven minutes after its creation in 1948.<sup>206</sup> Subsequent support for the beleaguered democracy was often couched in moral language, as the strategic interests that the United States had in Israel were justified and propelled by commonalities and sympathy.<sup>207</sup> Even Dwight Eisenhower, who was not particularly warm to Israel in his foreign policy, said: “The people of Israel, like those of the United States, are imbued with a religious faith and a sense of moral values.”<sup>208</sup> Likewise, Jimmy Carter observed that “it’s not only our Jewish citizens who have this deep commitment to Israel but there’s an overwhelming support throughout the Nation, because there’s a common bond of commitment to the same principles of openness and freedom and democracy and strength and courage that ties us together in an irrevocable way.”<sup>209</sup> Neither of these quotes were addressed to specifically Jewish audiences. Rather, ideologically based support for Israel permeated the highest levels of government.

When Jonathan Pollard was arrested, American Jews, like other Americans, contemplated — though never rescinded — their support for a state that betrayed them. American Jewish support for Israel, while generally more intense, piggybacked off wider, enduring American public sympathy and identification with the small country. The

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<sup>206</sup> “Recognition of Israel,” Harry S. Truman Library & Museum, accessed October 7, 2021, <https://www.trumanlibrary.gov/education/presidential-inquiries/recognition-israel>.

<sup>207</sup> Freedman, *Israel and the United States*, 1.

<sup>208</sup> Dwight D. Eisenhower, “Radio and Television Address to the American People on the Situation in the Middle East” (February 20, 1957), The American Presidency Project, University of California Santa Barbara, accessed December 13, 2021, <https://www.presidency.ucsb.edu/node/234105>.

<sup>209</sup> Jimmy Carter, Los Angeles, “California Remarks at a Democratic National Committee Fundraising Dinner,” (Los Angeles, October 22, 1977), The American Presidency Project, University of California Santa Barbara, accessed December 13, 2021, <https://www.presidency.ucsb.edu/node/242289>.

Holocaust had generated a feeling of sympathy in America and engendered support for Jewish statehood. Within the United States, Jewish people especially valued religious freedom after enduring overt persecution and underlying bigotry for their religious beliefs and ethnic origins.<sup>210</sup> Hitler's attempt to exterminate the entire Jewish nation in the Holocaust was still fresh in their minds when Israeli was founded in 1948. Although American Jews were well-integrated into American life, generational trauma stained the Jewish psyche with eternal fears of latent anti-Semitism that could surface at any time.<sup>211</sup> While comfortable in the United States, the Diaspora community was grateful to see the fulfillment of the Jewish people's two-thousand-year dream of establishing a sovereign state in their ancient homeland, able to defend itself against any future persecution.<sup>212</sup> For many American Jews, support for Israel became part and parcel of their expression of their Jewish identity, as both Americans and Jews.<sup>213</sup>

According to Alan Dershowitz, a prominent American Jewish lawyer, Israel supporter, and Pollard's attorney for a time, "The truth is that most Jewish Americans — indeed, most Jews throughout the world — do support Israel... because that is the correct moral position to take in the world today."<sup>214</sup> Dershowitz's statement painted Jewish support for Israel not as a religious issue, but rather as a moral one, which he believed in as an American rather than a Jew. He stressed that while many non-Jewish Americans have levied the charge of "dual loyalty" — splitting faithfulness between the United States and Israel — against their Jewish countrymen, American Jewish support for Israel

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<sup>210</sup> Ibid., 9.

<sup>211</sup> Alan M. Dershowitz, *Chutzpah*, (New York: Simon and Schuster, 1992), 98, 244.

<sup>212</sup> Freilich, *Israeli National Security*, 259.

<sup>213</sup> Podhoretz, "The Case of the Spy for Israel," *New York Post*, 33, December 10, 1985.

<sup>214</sup> Dershowitz, *Chutzpah*, 244.

lent no credence to this baseless allegation.<sup>215</sup> Still, Dershowitz cited letters he received from “frightened Jews” imploring him not to appear on television or maintain a public profile out of fear of provoking anti-Semitism or fueling “dual loyalty” allegations.<sup>216</sup> As part of the American Jewish community himself, Dershowitz attempted to demonstrate the community’s fears of dual loyalty while simultaneously debunking any potential claims of it.

Dershowitz did not discuss the above issues necessarily in relation to Pollard. The scandalous spy case, however, stoked existing American Jewish apprehension about anti-Semitism and especially accusations of “dual loyalty,” considering that Pollard had seemed to legitimate the charge.<sup>217</sup> When news of the Pollard affair broke, the United States government was not the only one in shock. Just as the government asked why the Israelis, who received so much information and assistance from the Americans legitimately, felt the need to risk their close relationship, American civilians wondered why Israel stole from the United States.<sup>218</sup> For America’s Jews, this question was more than a puzzle — it dredged up an existential fear. American Jewry worried that the Pollard affair might provide a “*a shande far di goyim*,” a Yiddish phrase meaning that a Jew’s scandalous behavior causes embarrassment among the broader Jewish community by disgracing it in front of non-Jews.<sup>219</sup>

American Jewish leaders and laymen, for the most part, remained silent as the affair unfolded. They reflected on Zionism, dual loyalty, and the state of their Diaspora

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<sup>215</sup> Ibid.

<sup>216</sup> Ibid., 98.

<sup>217</sup> Suzanne Fields, “Fallout from the Israeli Spy Case,” *Washington Times*, December 5, 1985, CIA Electronic Freedom of Information Act Reading Room.

<sup>218</sup> Straus and Wollack, “Israel: The Question Here Is Why Spy?”

<sup>219</sup> Hillel Halkin (“Philologos”), “Before Madoff, or the Goyim, a Shande,” *Forward*, August 19, 2009, <https://forward.com/culture/112432/before-madoff-or-the-goyim-a-shande/>.

community.<sup>220</sup> In a 1996 piece for *Arab Studies Quarterly*, political scientist P.R. Kumaraswamy wrote in retrospect that “[f]or long none of the leading community figures and pro-Israel organizations were able and willing to discuss the Pollard affair let alone lobby for his release” due to the crippling legacy and fear of dual loyalty charges.<sup>221</sup> Jewish leaders and journalists attempted to distance themselves, and American Jewry as a whole, from Jonathan Pollard. Days after the spy was sentenced to life in prison in March 1987, Morris B. Abram, the chairman of the Conference of Presidents, released a statement affirming the United States’ government’s prosecution of the case. In it, the American Jewish attorney condemned Pollard’s crimes and appealed to the moral and pragmatic strength of the U.S.-Israel relationship, stating: “I know that relations between the US and Israel, two democracies whose vital interests are intimately linked, are strong enough to weather this deplorable incident. Israel needs America. America needs Israel.” Abram was careful to speak as an American, not particularly as a Jew, and he attempted to distance his community from the aberrant Pollard.<sup>222</sup> This example falls into the larger trend that Dershowitz described as an “overreactive attempt” to distinguish between loyal American Jews and this exception.<sup>223</sup>

For American Jews, the worst part was the sense of betrayal and disregard that the community felt. In a December 1985 *New York Post* article, neoconservative Jewish journalist Norman Podhoretz expressed that Pollard is “not only guilty of treason as an American, he is also guilty of sinning against the Jewish people. And the Israeli

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<sup>220</sup> Dershowitz, *Chutzpah*, 285.

<sup>221</sup> P.R. Kumaraswamy, "The Politics of Pardon: Israel and Jonathan Pollard," *Arab Studies Quarterly* 18, no. 3 (1996): 19, accessed January 28, 2021, <http://www.jstor.org/stable/41858175>

<sup>222</sup> Morris B. Abram, Statement, Conference of Presidents of Major American Jewish Organizations, March 10, 1987.

<sup>223</sup> Dershowitz, *Chutzpah*, 284.



authorities are guilty of the same sin as well.”<sup>224</sup> American Jews were furious over Israel’s “reckless disregard” for a Diaspora community that had given the Jewish state so much steady support.<sup>225</sup> More than just allies spying on one another, which is routine if foolish, the Pollard operation — and Israel’s subsequent shady handling of the case — risked endangering the American Jewish community and Israel’s highly dependent relationship with the United States, which the American Jewish community vigorously supported.<sup>226</sup>

American Jewish leaders, therefore, tended to side with the United States and expressed anger over Israel’s conduct. In a radio interview, Kenneth Bialkin, the Chairman of the Conference of Presidents at the time, called Israel’s recruitment of Pollard “a foolish endeavor, probably an unnecessary endeavor.”<sup>227</sup> The chairman also urged the Israelis to minimize any damage to the bilateral relationship “by getting out that which it has to say, making an appropriate and forthright apology, immediately if necessary, and move on to the next level of trying to advance common interests.”<sup>228</sup> Bialkin’s comments demonstrate that when American Jewry was at stake, leaders would break with the tradition of non-criticism. Political columnist William Safire, known to be staunchly supportive of Israel, was even more reproachful of Israel in the Pollard affair.<sup>229</sup> In an essay for *The New York Times*, he explicitly approved of Pollard’s fate, writing that “Jonathan Pollard, the traitor rightly sentenced to life imprisonment for

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<sup>224</sup> Podhoretz, “The Case of the Spy for Israel.”

<sup>225</sup> Wolf Blitzer, “I Spy, You Spy,” *The New Republic*, March 10, 1987.

<sup>226</sup> Rosenthal, *Irreconcilable Differences*, 77.

<sup>227</sup> David Nordell, “U.S. Critical of Israel in Spy Case,” *The Associated Press*, November 30, 1985, Nexis Uni.

<sup>228</sup> Ibid.

<sup>229</sup> Ron Kampeas, “William Safire and Israel,” *The Jerusalem Post*, September 29, 2009, <https://www.jpost.com/international/william-safire-and-israel>.

selling secrets to Israel, is an American Jew.”<sup>230</sup> He also emphasized that American Jewry felt “betrayed” because of Israel’s “easy exploitation of Mr. Pollard's Zionism by Israeli spymasters blind to the immorality of inducement to treason and the consequences of getting caught.” Like Bialkin, Safire rebuked the Israelis for the way they handled the case.<sup>231</sup> Theodore R. Mann, president of the American Jewish Congress, expressed disbelief on behalf of his community, saying: “That Israelis, believing that American Jews are vulnerable to the dual loyalty charge, should nevertheless have proceeded to recruit an American Jew as a spy, and that no one was punished for this... shows a disdain for American Jewry by Israeli leadership that is profoundly insulting.”<sup>232</sup> American Jewry’s general feeling was one of underappreciation by the Israeli government, despite their perceived vulnerability as a Diaspora community and their exertion on Israel’s behalf.

This especially stung because American Jewry had remained supportive of Israel even as Israeli politics dramatically shifted. Traditionally, Democratic American Jews had approved of Israel’s left-leaning Labor Party, which had been in power basically from the state’s establishment until the late 1970s. When Menachem Begin of the right-leaning Likud Party assumed Israel’s premiership in 1977, things began to change.<sup>233</sup> “Likud,” meaning consolidation, was an alliance of many of the Israeli right’s political

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<sup>230</sup> William Safire, “ESSAY: The Pollard Consequences,” *New York Times*, 15, March 9, 1987.

<sup>231</sup> Ibid.

<sup>232</sup> Nicolas B. Tatro, “U.S. Jews Angry Over Pollard Spy Affair, Some Fear Backlash,” *The Associated Press*, March 18, 1987, Nexis Uni.

<sup>233</sup> Dov S. Zakheim, “Israel’s Evolving Relationship with American Jewry: A Matter of National Security,” in *Routledge Handbook on Israeli Security*, ed. Stuart A. Cohen and Aharon Klieman, (Abingdon: Routledge, 2018), 214, accessed February 10, 2021, Routledge Handbooks Online, <https://www-routledgehandbooks-com.proxy.library.upenn.edu/doi/10.4324/9781315165196>.

parties, and it was conservative and nationalist in character.<sup>234</sup> As they would in the United States (with Ronald Reagan's election in 1980) and the United Kingdom (with Margaret Thatcher's premiership beginning in 1979), domestic political support in Israel shifted to the right as the 1970s concluded. Likud's appeal to more religious factions of Israeli society, despite the majority of Israeli Jews' secular religious identities, along with his insistence on maintaining the territories acquired in the 1967 war, contributed to the party's ascent to power.<sup>235</sup>

In general, American Jewry's preferences did not align with Likud's policies, but the Diaspora community continued to overwhelmingly and enthusiastically support Israel.<sup>236</sup> In the early 1980s, polling showed that around 90% of American Jews held favorable views toward Israel.<sup>237</sup> When Israel invaded Lebanon in 1982, however, the formerly united front of American Jewish leaders began to crack slightly as prominent American Jews publicly disagreed with Israeli policies.<sup>238</sup> Since Begin became prime minister, the premiership has flip-flopped between the right and left. When Pollard was arrested in 1985 — and Labor leader Shimon Peres was prime minister — the American Jewish community generally remained steadfast in their support for Israel, opting for silence over criticism.<sup>239</sup>

Once they viewed their own interests at stake — and endangered by Israel — American Jewish leaders began to feel more comfortable voicing disapproval of Israeli

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<sup>234</sup> The Editors of Encyclopaedia Britannica, "Likud," *Encyclopedia Britannica*, March 31, 2021.

<https://www.britannica.com/topic/Likud>.

<sup>235</sup> Eliezer Don-Yehiya, "Menachem Begin's Attitude to Religion and the 1977 'Political Upheaval,'" *Israel Affairs* 24, no. 6 (2018): 1003. <https://doi-org.proxy.library.upenn.edu/10.1080/13537121.2018.1530441>.

<sup>236</sup> *Ibid.*

<sup>237</sup> Eytan Gilboa, "Attitudes of American Jews Toward Israel: Trends Over Time," *The American Jewish Year Book* no. 86 (1986): 113, <http://ajcarchives.org/main.php>.

<sup>238</sup> Blitzer, *Between Washington and Jerusalem*, 144.

<sup>239</sup> *Ibid.*, 149.

policy. A *New York Times* article published shortly after Pollard was sentenced recorded that while “the support of American Jews for Israel continues unabated,” it had become more publicly nuanced.<sup>240</sup> Now, “American Jews are expressing greater anxiety about Israel’s policies than at any time since the modern state was founded nearly 40 years ago....”<sup>241</sup> An *Associated Press* article entitled “American Jews Launch Unprecedented Criticism of Israel” reported that “American Jews have aimed a barrage of criticism at Israel following the Pollard spy affair... breaking with a long tradition of keeping differences within the family.”<sup>242</sup> In *The New York Times*, columnist Thomas Friedman wrote a few months after Pollard’s sentencing: “According to several American polling experts now visiting Israel, the findings have been rather surprising: Israel's standing with the American public remains high, largely untouched by the recent scandals. But at the same time, its standing with American Jewish leaders has, to some extent, been negatively affected.”<sup>243</sup> While American Jews remained supportive of Israel, their leaders were unhappy with being placed in a tough position of seemingly having to choose between the United States and Israel.

Feeling betrayed by Israel and fearful for their own safety upon Pollard’s arrest, plea, and sentencing, Jews in America sought to highlight the American aspect of their identities. In a December 1985 *Washington Times* article, columnist Suzanne Fields emphasized the integral role that Jewish people have played in the development of the United States since its inception, long before Israel’s establishment. If convicted, the

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<sup>240</sup> Ari L. Goldman, “Jews in America Upset over Israel,” *New York Times*, March 15, 1987, Nexis Uni.

<sup>241</sup> Ibid.

<sup>242</sup> Allyn Fisher, “American Jews Launch Unprecedented Criticism of Israel,” *The Associated Press*, May 10, 1987, Nexis Uni.

<sup>243</sup> Thomas L. Friedman, “American Jews Are Voicing Their Disquiet,” *New York Times*, July 5, 1987, Nexis Uni.

Pollard affair would stain the Jews' record of contributions to "their" country — the United States.<sup>244</sup> A *New York Times* letter to the editor entitled "Jewish Americans are Americans First" expressed a similar sentiment: that American Jews felt secure in, and wholly loyal to, the United States.<sup>245</sup> In another letter to the editor, a self-proclaimed "grass-roots American Jew" vehemently disagreed with Dershowitz's suggestion that the community believed that Pollard received an excessive sentence. The writer "wholeheartedly support[s] Israel," as "an American ally and the only free democracy in the Middle East," but "[m]y support for Israel, however, stops when that support conflicts with the best interests of the United States. I am first an American, then a Jew."<sup>246</sup> In a similar vein, Norman Podhoretz wrote that Jews recognized that they are lucky to be able to stay Jewish in America "and with a good and clear conscience as Americans. For like most Americans and in general, American Jews firmly believe that the interests of Israel and the interests of the United States are fundamentally harmonious and mutually reinforcing."<sup>247</sup> In Safire's essay, mentioned above, the columnist spoke on behalf of American Jewry in saying that "[m]ost of us are offended first as Americans at the spectacle of having our foreign aid dollars used to buy U.S. secrets." Only afterward did he mention American Jewry's Zionism and the Israelis' exploitation of Pollard, placing American Jews' American identities first.<sup>248</sup>

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<sup>244</sup> Fields, "Fallout from the Israeli Spy Case."

<sup>245</sup> Frederick M. Liebman, "Jewish Americans are Americans First," letter to the editor, *New York Times*, section 1, page 26, July 19, 1986, <https://www.nytimes.com/1986/07/19/opinion/l-jewish-americans-are-americans-first-116886.html>.

<sup>246</sup> Cheri G. Komaiko, "We Need All the Facts in the Pollard Spy Case; Americans First," letter to the editor, *New York Times*, A30, April 3, 1986, <https://www.nytimes.com/1987/04/03/opinion/l-we-need-all-the-facts-in-the-pollard-spy-case-americans-first-525387.html?searchResultPosition=2>.

<sup>247</sup> Podhoretz, "The Case of the Spy for Israel."

<sup>248</sup> Safire, "ESSAY: The Pollard Consequences."

Safire also played on the subtle difference between the terms “American Jew” and “Jewish American.” He wrote that “In matters of religion and culture, many of those supporters are American Jews,” — prioritizing Jewish identity in this context — “but in matters affecting national interest and ultimate loyalty, the stonewalling leaders of Israel will learn to think of us as Jewish Americans.” The latter term definitively elevated the community’s American identity, affirming Jews’ steadfast loyalty to the United States. Similarly, Hyman J. Bookbinder, special Washington representative of the American Jewish Committee, explained why Pollard bothered the American Jewish community so deeply. “Over the years we know that there are people in this country who are quick to assert that Jews are not 100 percent Americans,” he said, “[s]o by speaking out publicly and privately I would hope that Americans would understand we are Americans first and we do not want anything done to embarrass or hurt our country.”<sup>249</sup> Like other prominent and even anonymous American Jews, Bookbinder sought to affirm American Jews’ “Americanness” beyond doubt in reaction to Pollard’s apparent lack of it.

The energetic assertion of American Jews’ loyalty to the United States was likely either a conscious or subconscious attempt to dispel any potential suspicions of dual loyalty. Such charges were a pervasive concern among American Jewry in the aftermath of the Pollard affair. Safire wrote that a consequence of the Pollard affair “is the encouragement of anti-Semites who charge that Jews everywhere are at best afflicted with dual loyalty and at worst are agents of a vast fifth column.”<sup>250</sup> Rabbi Alexander Schindler, the president of the Union of American Hebrew Congregations (a Reform

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<sup>249</sup> Dave Skidmore, “U.S. To Discuss Pollard Affair with Israelis,” *The Associated Press*, March 13, 1987, Nexis Uni.

<sup>250</sup> Safire, “ESSAY: The Pollard Consequences.”

group consisting of eight hundred member temples), remarked that “[f]or the first time in recent history, the issue of double loyalty has been dramatically raised.”<sup>251</sup> A *New York Times*-CBS News poll published in April 1987 showed that “[m]ost American Jews say they think the Jonathan Pollard spy affair... will increase anti-Semitism in the United States.”<sup>252</sup>

For all the concern, the American public’s immediate reaction to the Pollard affair was anticlimactic if nothing else. No mass demonstrations of anti-Semitism or large-scale accusations of dual loyalty erupted throughout the United States. The same *New York Times*-CBS poll found “that few non-Jews were aware of Pollard.”<sup>253</sup> This contrasts with the high-profile character of the issue within the American Jewish community, but to the average American, apparently not much distinguished this spy from others at the time. News articles in 1987 responded to American Jewish concerns of rising anti-Semitism and dual loyalty accusation by reassuring readers that there was “no significant rise in anti-Semitism.”<sup>254</sup> Morris Abram of the Conference of Presidents also tried to calm his community, saying, “[t]he Pollard affair has caused concern, it has created uncertainty, but it has not in my judgment caused any friction (between Jews and non-Jews) in the internal society of the United States.”<sup>255</sup> Abram’s statement, while serving to soothe American Jewish anxieties, doubled as a subtle assertion of American Jewish loyalty to the United States. By claiming that the Jewish people had no reason to be afraid, he confirmed their identities as true Americans, and thus their loyalty to the United States.

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<sup>251</sup> Goldman, “Jews in America Upset over Israel.”

<sup>252</sup> “Poll: Jews and Non-Jews Differ on Pollard,” *The Associated Press*, April 11, 1987, Nexis Uni.

<sup>253</sup> *Ibid.*

<sup>254</sup> *Ibid.*

<sup>255</sup> Tatro, “U.S. Jews Angry.”

Whether or not the wider American public was staging public anti-Semitic demonstrations, Jonathan Pollard's arrest and conviction ignited a fear within American Jewry of backlash and brewed resentment toward the Israeli government over their apparent disregard of the community's interests.

Israelis, naturally, viewed the situation quite differently. While they initially condemned the operation as a peril to their government's most important international relationship, Israeli citizens came to regard Pollard as a mistreated patriot.<sup>256</sup> This attitude became so pervasive that by 1995—within a decade of the spy's arrest—an Israeli play simply called *Pollard*, written by Israeli playwright Motti Lerner, hit Tel Aviv's Cameri Theater.<sup>257</sup> Lerner wrote a number of controversial political plays, and *Pollard* was no exception. This production did not shy away from addressing Israeli and American Jewish stereotypes and the sometimes friction-laden relationship between the two communities.<sup>258</sup> In the fictional play, the spy's character expressed what many Israelis believed to be his pure motivations: "I brought you this because I thought I was doing something noble; according to the holiest principles. Historical justice for my parents' families who perished in Auschwitz."<sup>259</sup> In this portrayal, the spy aspired to uphold Jewish principles. He invoked the Holocaust, a collective trauma still relatively fresh to both Israeli and American Jewry. In this sense, Pollard's proactivity contrasted with a historical perception of Jews as victims a few decades earlier.

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<sup>256</sup> Kumaraswamy, "Politics of Pardon," 20; [need source for Israelis condemning the operation]

<sup>257</sup> Motti Lerner, *Pollard*, (Tel Aviv: Cameri Theatre, 1995), trans. Jerry Hyman.

<sup>258</sup> "Motti Lerner," *Gale Literature: Contemporary Authors*, 2003, *Gale In Context: Biography*, [link.gale.com/apps/doc/H1000151940/BIC?u=upenn\\_main&sid=summon&xid=824fe818](https://link.gale.com/apps/doc/H1000151940/BIC?u=upenn_main&sid=summon&xid=824fe818), accessed November 18, 2021.

<sup>259</sup> *Ibid.*, scene 8.



Furthermore, many Israelis developed a sense of bitterness toward their American counterparts. They resented their country's dependence on the United States, which ran counter to Israel's mantra of self-reliance, and this manifested as disapproval over American Jews' reaction to the Pollard investigation.<sup>260</sup> Shlomo Avnieri, an Israeli political scientist, lashed out at the American Jewish community in his scathing "Letter to an American Friend," published in *The Jerusalem Post*, an English-language Israeli newspaper, approximately a week after Pollard's sentencing in 1987. In it, he rebukes American Jews for claiming to be secure and well-off while, as their silence in relation to the Pollard affair allegedly proved, their *galut* (exile from Israel) was still one in which they feared persecution, just as Soviet or Iranian Jews did at the time. In reality, Avnieri wrote, American Jews worried that Pollard would lead their non-Jewish neighbors not to consider them genuine "Americans," revealing their sense of insecurity.<sup>261</sup>

Avnieri's appraisal of the American *galut* did not sit well with its intended audience. American Jewish scholar and attorney Suzanne Garment retorted in a *New York Times* article that the Israelis botched the case because of their mistaken assumptions. The Jewish state presumed that it could resolve the affair with the United States politically and quietly rather than legally and publicly, which Garment claims was a costly and preventable miscalculation. She lambasted the Israeli authorities for not grasping how the United States operated. Surprisingly, the author claims, the Israelis maintained an arrogant, yet mistaken, air about their level of knowledge of this exact

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<sup>260</sup> Rosenthal, *Irreconcilable Differences*, 81.

<sup>261</sup> Shlomo Avnieri, "Letter to an American Friend: Soured Promise," *The Jerusalem Post*, March 10, 1987, 10, ProQuest Historical Documents.

subject. The main “lesson” of the case, therefore, was that the Israelis could use some “humility” in their relationship with the United States.<sup>262</sup>

Garment then launched into a fierce defense of American Jewry. Contrary to what Israelis believed, she replied to Avnieri, Jews’ anger over Pollard did not stem from insecurity, but rather from a perceived potential threat to the significant political presence they toiled to build in America and the strong U.S.-Israel relationship they supported over the years. By recruiting Pollard, an American Jew, Israel displayed apparent disregard for the largest Jewish community in the Diaspora. Defensively, although not necessarily incorrectly, Garment’s article told Israelis that Jews in America are proud, patriotic, and established Americans.<sup>263</sup>

In a similar exchange, Israeli political commentator Annette Dulzin expressed her surprise at American Jewry’s distress over the Pollard case in an article for *The New York Times*. Considering that most journalists and government officials surmised from the very beginning that the case would not render significant damage to U.S.-Israeli ties, she wondered why American Jews were so upset with Israel. Like Avnieri, she cast a shadow of skepticism on their general mindset of being “fully integrated into the mainstream of national life, while preserving their identity...”<sup>264</sup> Dulzin sardonically expressed “shock” at some American Jews’ apparent insecurity, unable to understand her American cousins’ problem with entertaining dual loyalty.<sup>265</sup> Dulzin’s invalidation of the dual loyalty issue demonstrated a fundamental misalignment of values between American Jews and Israelis.

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<sup>262</sup> Garment, “Oddly, Israelis Misunderstand Us,” *New York Times*, A27, March 25, 1987, CIA Electronic Freedom of Information Act Reading Room.

<sup>263</sup> Ibid.

<sup>264</sup> Annette Dulzin, "The Spy and the American Jew," *New York Times*, July 9, 1986, Gale In Context: Opposing Viewpoints, [https://link.gale.com/apps/doc/A176345779/OVIC?u=upenn\\_main&sid=OVIC&xid=ef2ac261](https://link.gale.com/apps/doc/A176345779/OVIC?u=upenn_main&sid=OVIC&xid=ef2ac261).

<sup>265</sup> Ibid.

In a letter to the editor responding to this article, an American Jew affirmed this dissonance, complaining that Dulzin failed to understand that “[c]itizens of Jewish faith are Americans, not a foreign minority beholden to a hospitable majority.”<sup>266</sup> While the Israelis perceived American Jews as Jews who have integrated into a foreign society, American Jews fashioned themselves as Americans first, who had a Jewish identity as well. Part of this Jewish identity, the letter continued, enabled criticism of Israel along with fundamental support for the state.<sup>267</sup>

These exchanges signified larger trends in Israelis’ attitudes toward American Jewry and a disconnect between these two populations, despite a shared religion, common history, and often, familial ties. In his book *Territory of Lies*, covering the Pollard affair, Wolf Blitzer, the former Washington correspondent for *The Jerusalem Post*, echoed Garment’s assertion that Israelis believed that their American counterparts could be outsmarted or handled. He elaborated:

The political leadership in Israel occasionally shows disdain even for the American Jewish community, despite the enormous moral, financial, and political support it has received over the years. Israeli officials have often convinced themselves that, in the end, the politically active Jewish leadership in the United States will not set itself against Israeli policy.”<sup>268</sup>

Additionally, Jack Wertheimer, a Professor of American Jewish History at the Jewish Theological Seminary of America, described Israeli politicians’ sometimes contradictory approach toward American Jews.<sup>269</sup> On the one hand,

The official Zionist ideology espoused by Israel's political ideology "negated" the Diaspora, assuming that it was doomed to wither and expected Diaspora communities to play a subordinate role Israel in all Jewish affairs.

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<sup>266</sup> Liebman, “Jewish Americans are Americans First.”

<sup>267</sup> Ibid.

<sup>268</sup> Blitzer, *Territory of Lies*, 280.

<sup>269</sup> “Jack Wertheimer,” *Commentary*, accessed November 18, 2021, <https://www.commentary.org/author/jack-wertheimer/>.

Simultaneously, however, leaders of the newborn state were acutely aware of their dependence on American Jewish largess to help absorb immigrants and build Israel's infrastructure, and also hoped American Jews could influence the government to aid Israel.<sup>270</sup>

Therefore, Israelis both asked for help and upbraided American Jews for remaining in the United States.<sup>271</sup>

Israeli commentators proved Blitzer's and Wertheimer's assertions. Eliezer Jaffe, a professor at Hebrew University, recalled a scene during the 1973 Yom Kippur War. He expressed some frustration with a United Jewish Appeal (UJA) tour bus that brought "nice American young people" to an Egyptian mango grove under fire.<sup>272</sup> He said that "after about 40 minutes they got on the bus and rode out. And you can imagine how we felt after they rode out. And that's what's been happening to us over and over. You ride out."<sup>273</sup> Jaffe's comments demonstrate a sentiment among Israelis that Americans fundraised, they came to see Israel for a week or two, but their commitment fell short of more significant assistance — or immigration. They returned to the United States, where they lived their comfortable lives away from the dangers of "shelling and sniper fire."<sup>274</sup> Some years later, Israeli politician Yossi Beilin remarked that Israel, now a "rich country," does not need "charity" from the Diaspora, and that American Jewry should focus its efforts on strengthening Jewish continuity and Jewish education in their own

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<sup>270</sup> Jack Wertheimer, "American Jews and Israel: A 60-Year Retrospective," *The American Jewish Year Book* 108 (2008), 4, <http://www.jstor.org/stable/23605477>.

<sup>271</sup> Ibid.

<sup>272</sup> The UJA is a New York-based Jewish philanthropic organization. See their website, <https://www.ujafedny.org>, for more information.

<sup>273</sup> David K. Shipler, "Begin Cautions Jews Outside Israel About Criticizing Security Policies," *New York Times*, A3, July 25, 1980, <https://timesmachine.nytimes.com/timesmachine/1980/07/25/112082145.html?pageNumber=3>.

<sup>274</sup> Ibid.

communities.<sup>275</sup> In the *Pollard* play, the character of Rafi Eitan, the head of the LAKAM agency that operated Pollard as an agent, conveys how at least some Israelis perceived American Jewry's attitude toward Israel. To Eitan, Jews in the United States viewed Israel as a good and necessary philanthropic cause that would serve as a safe haven in times of inevitable need:

You're working for us because you need us. Because you know that America is not safe for Jews. If there's a political or economic crisis, Jews are the first ones to pay the price. What happened to the Jews of Europe can happen to you as well. That's why Anne's uncle gives us half a million dollars a year. To have a safe haven in Jerusalem. That he will have thick walls to protect him. So that no one can hurt him there. So if you think you are only helping us, you can go back to Washington.<sup>276</sup>

Lerner's *Pollard* play in Tel Aviv also demonstrated that Israelis sometimes believed American Jews to be undeservingly complacent in the United States. In the first meeting between Pollard and Avi Sella, his air-force-colonel handler, Pollard's character lamented that he was not living in Israel already. While other American Jews attempted to justify remaining in exile by claiming to be able to better contribute to the Jewish state from the United States, Pollard's character claimed, he knew that Israelis often viewed this rationale for staying in America as an excuse to not face the challenges that come with immigrating to Israel (adjusting to a lower standard of living, a language barrier, and compulsory military service for their children, to name a few). He, however, genuinely believed that he could do more for Israel from the United States. When Sella tried to assure him that he thought no such thing about the average American Jew, Pollard's character replied: "But you think it. Most Israelis do. That may be right about most

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<sup>275</sup> Sue Fishkoff, "Many American Jewish Fund-raisers Support Beilin Statement," *The Jerusalem Post*, 3A, January 21, 1994, Nexis Uni; Sue Fishkoff, "Beilin in US: give to UJA," *The Jerusalem Post*, 12, February 20, 1994, Nexis Uni.

<sup>276</sup> Lerner, *Pollard*, scene 14.

American Jews, but not about me.”<sup>277</sup> Later on, Rafi Eitan complained that American Jews deluded themselves into thinking that their material success would save them from inevitable anti-Semitism in the future, from which only Israel could save them. “Five million Jews sitting on a powder keg, thinking their money will save them,” he says,

You’re as blind as the European Jews were fifty years ago. Today you’re lucky to have someone protecting your ass. Sooner or later some ‘anonymous’ characters will show up here for a visit. One will blow up a synagogue in New York, another in Chicago, the third in Miami. Then you’ll see five million panicking Jews running to us to save them from slaughter.<sup>278</sup>

Despite the numerous commonalities between the United States and Israel, some of the misunderstanding between American Jews and Israelis arose from dissimilar backgrounds, mindsets, and priorities, which led to differing approaches to global affairs. For Israelis, the top concern was defending their state.<sup>279</sup> As such, legal procedure and honesty, while important to them as part of a democratic society, was sometimes subordinated to security concerns.<sup>280</sup> This mindset dated back to the Ottoman period, and more recently to the post-World War II-era British Mandate, as the Jews struggled for independence — and it had not faded by the time the Pollard affair broke in the 1980s.<sup>281</sup> Jewish immigration and defense, things that the Jews in Mandatory Palestine believed to be crucial to their survival and morally correct, were technically illegal then. Jewish sovereignty in the historical homeland was still relatively new, and especially after enduring millennia of oppression, Jews in Israel were — and continued to be — committed to ensuring that their enemies would never prevail again.<sup>282</sup>

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<sup>277</sup> Ibid., scene 4.

<sup>278</sup> Ibid., scene 6.

<sup>279</sup> Rosenthal, *Irreconcilable Differences*, 78.

<sup>280</sup> Kumaraswamy, “Politics of Pardon,” 20.

<sup>281</sup> Rosenthal, *Irreconcilable Differences*, 78.

<sup>282</sup> Kumaraswamy, “Politics of Pardon,” 20.

Therefore, while nobody in Israel argued that Pollard was innocent of breaking the law, some Israelis did not necessarily equate illegal with immoral.<sup>283</sup> In a March 1987 poem that appeared in the Israeli daily newspaper *Ma'ariv*, Efraim Sidon mocked Israeli politicians for “hiding” from the Pollard affair while Jonathan Pollard himself is likened to a soldier, ironically “chased after” rather than traditionally followed in battle.<sup>284</sup> Although the Israeli government was condemning Pollard, civilians saw him as a patriot who acted heroically for the sake of Israel and the Jewish people. In a letter to the editor in *Ma'ariv* the next day, Elie HaCohen of Jerusalem exhorted his government to take all measures possible to bring about Pollard’s “liberation,” only days after the spy was sentenced. In the letter, HaCohen stated that it was in fact Israel’s “moral duty” to do so and not abandon him, despite the illegality of Pollard’s actions in the United States.<sup>285</sup> One Tel Aviv resident even petitioned the Supreme Court against the prime minister to intervene on the Pollards’ behalf. After all, Jonathan Pollard had acted “on behalf of Israel.” If he had not, then his operators should be prosecuted for running an illegal spy operation.<sup>286</sup> Ironically, the petition to the court only showed a regard for the moral dimension of the case rather than the legal, as it ignored the crimes that Pollard committed in the United States and only discussed Israel’s moral obligation to assist him.

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<sup>283</sup> Ibid.

<sup>284</sup> Efraim Sidon, “Little Jonathan (New Version),” trans. by author, *Ma'ariv*, March 10, 1987, A10, National Library of Israel, <https://www.nli.org.il/en/newspapers/mar/1987/03/10/01/article/85/?srpos=98&e=-----198-en-20-mar-81-byDA-img-txIN%7ctxTI-פולארד-ARTICLE---1987-----1>.

<sup>285</sup> Elie HaCohen, “Don’t Abandon Pollard,” trans. by author, letter to the editor, *Ma'ariv*, A11, March 11, 1987, National Library of Israel, <https://www.nli.org.il/en/newspapers/mar/1987/03/11/01/article/90/?srpos=112&e=-----198-en-20-mar-101-byDA-img-txIN%7ctxTI-פולארד-ARTICLE---1987-----1>.

<sup>286</sup> Ilan Becker, “Citizen Petitions the Supreme Court,” trans. by author, *Ma'ariv*, A4, March 12, 1987, National Library of Israel, <https://www.nli.org.il/en/newspapers/mar/1987/03/12/01/article/30/?srpos=125&e=-----198-en-20-mar-121-byDA-img-txIN%7ctxTI-פולארד-ARTICLE---1987-----1>.

On the other hand, the American public has tended to sanctify the value of rule of law, emphasizing “liberty and justice for all.”<sup>287</sup> While they acknowledged Israelis’ prioritization of security, American Jews did not believe that it should translate into their own society. As Suzanne Garment wrote in her response to Shlomo Avnieri’s criticism of American Jewry, “[k]nowledgeable Americans told the Israelis that... [p]rosecutors cannot be turned off like faucets; it is dangerous for an official to try.”<sup>288</sup> When the Pollard case hit the press, American Jewry rushed to identify with their American side rather than their Jewish roots, and they challenged the Israelis value of security over all — especially since Jonathan Pollard personified a potential threat to the security of their own established community in the United States.

The Pollard affair shook American Jewry to its core, as it placed the United States and Israel in opposition to one another, with an American Jew as the perpetrator of one of the highest national crimes possible. Abraham Foxman, the associate national director of the Anti-Defamation League, put it plainly: “The Pollard affair went to the essence of a relationship between American and Israeli Jews which had been built on mutual trust.”<sup>289</sup> The affair’s greatest damage, perhaps unexpectedly, was not between the two countries’ official diplomatic channels. Rather, the Israeli government’s actions in the Pollard case breached American Jewry’s trust in their haven and left them feeling betrayed. Jonathan Pollard forced American Jewry to grapple with its identity as a community both fiercely American and proudly Jewish. Simultaneously, the affair compelled Israel to contemplate its relationship with the United States, and particularly its relationship with the Jewish

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<sup>287</sup> Rosenthal, *Irreconcilable Differences*, 78; Francis Bellamy, *The Pledge of Allegiance*, Art Evans Productions, 1971.

<sup>288</sup> Garment, “Oddly, Israelis Misunderstand Us.”

<sup>289</sup> Allyn Fisher, “American Jews Launch Unprecedented Criticism of Israel.”



community within it. The Pollard affair, to that point, was the most severe test that the American Jewish-Israeli relationship had faced. As the spy remained in prison for decades, all players in the multifaceted relationship attempted to navigate the emotions and politics of this deep-rooted and high-stakes connection.

The American Jewish community's initial silence, fear, and outrage, however, cooled over the years. Gradually, Pollard's community — which had gone to great lengths to distance itself from him when his name dominated the press — began to sympathize with the prisoner and even come to his defense. The next chapter will examine how and why American Jewry changed their stance to mobilize around Pollard's cause, what happened to that broken trust, the inter-governmental relations over the case throughout the next three decades, and the affair's lasting legacies.

### Chapter Three: No Pardon for Pollard

Jonathan Pollard was released on parole in 2015, thirty years to the day after he was arrested, but his case was a topic of conversation within and between the American and Israeli governments throughout that time. By 2021, Pollard's name still had not disappeared from the press. While American Jews initially distanced themselves from the Pollard affair, over time, Jewish leaders began to take action on the prisoner's behalf, advocating publicly for his release. While this shift spanned years, it really only became apparent in the 1990s, well after Pollard received a life sentence.<sup>290</sup> American Jewry advocated on his behalf out of a sense of moral outrage, and Israelis developed a sense of obligation toward him. Within the governmental realm, Jonathan Pollard's name was used at times as a political tool for Israeli politicians or raised as a possible bargaining chip in negotiations. While many in the American government remained opposed to Pollard's release, a number of government officials — some within the national security establishment — pressed for his freedom. Ultimately, however, Pollard was released without direct intervention from either government. This chapter covers American Jewry's evolving relationship with Jonathan Pollard and the various political actors and processes that played a role over multiple decades — but that did not make a difference in the spy's ultimate freedom.

Over time, the U.S.-Israeli relationship strengthened even further through increased aid and trade, deepened military cooperation, and a joint mission in the War on Terror.<sup>291</sup> Additionally, the passage of time in itself was conducive to growing sympathy

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<sup>290</sup> Perl, "The Spy Who's Been Left in the Cold."

<sup>291</sup> Freedman, *Israel and the United States*, 62, 130-132, 144, 154-155.

for Pollard.<sup>292</sup> As he remained behind bars year after year, more and more of his fellow Jews came around to his plight. Important American Jewish groups, including the aforementioned organizations B'nai Brith International and the Conference of Presidents of Major American Jewish Organizations, which had originally shunned the spy, later took up his cause.<sup>293</sup> While the Jewish aspect of Pollard's case complicated arguments against clemency with contentions of anti-Semitic bias, it also imbued the campaign for the spy's release with a strong sense of purpose and cohesion once the initial shock of his arrest, and then the subsequent surprise of his life sentence, died down.<sup>294</sup> *The Jerusalem Post* reported in 1991 that after Jonathan Pollard penned a letter to his parents expressing remorse for spying, American Jewish groups planned to support efforts to have him released.<sup>295</sup> Once he displayed regret — acknowledging that his actions were morally incorrect — perhaps American Jewry felt more comfortable supporting his cause. They could do so without at all implicitly supporting his actions since the culprit himself showed guilt.

As the shock and fear of the case faded and the legal proceedings became increasingly distant, *Jerusalem Post* Washington correspondent Wolf Blitzer noted that “[m]any American Jews did not feel a need to run away from Pollard in order to prove their own loyalty to the United States.”<sup>296</sup> Even those who advocated for Pollard's release, however, did not believe him to be innocent. They agreed that he was a criminal

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<sup>292</sup> Rosenthal, *Irreconcilable Differences*, 84.

<sup>293</sup> *Ibid.*

<sup>294</sup> Kumaraswamy, “The Politics of Pardon,” 20.

<sup>295</sup> Jonathan Schachter, “U.S. Jews To Back Pollard,” *The Jerusalem Post*, June 16, 1991, 2, <https://proxy.library.upenn.edu/login?url=https://www-proquest-com.proxy.library.upenn.edu/newspapers/u-s-jews-back-pollard/docview/321023684/se-2?accountid=14707>.

<sup>296</sup> Blitzer, *Territory of Lies*, 297-298.

who rightly served time, and they argued, rather, that his sentence was not appropriate to his actions. In 1991, the chairman of the Conference of Presidents of Major Jewish Organizations, Seymour Reich, condemned Pollard's life sentence as disproportionate to his crime, in stark contrast to his predecessor, Morris Abram, who had supported the U.S. government's actions in 1987 (see Chapter Two). The time the spy had already served — at that point four years, which was about the average time served for spying for an ally — was sufficient punishment, Reich claimed.<sup>297</sup> Alan Dershowitz, who served as Pollard's attorney at one point, advocated for the spy because he had already served more time than anyone else had for a comparable crime, not because he believed that Pollard should have received no jail time at all.<sup>298</sup>

Reich's and Dershowitz's reasoning pervaded much of the activism on Pollard's behalf throughout the next three decades. Many American Jews believed that the severity of his sentence was unwarranted and that he received such a harsh fate because of his religious faith, emphasizing prejudice in their pro-clemency arguments. In the campaigns for his release, his supporters claimed that certain people, for example Secretary of Defense Caspar Weinberger — who had Jewish roots himself — were out to punish Jews or Israel from the start.<sup>299</sup> The Navy also supposedly had a score to settle with Israel over the USS *Liberty* incident in 1967 (as explained in Chapter One), and punishing Pollard was their revenge.<sup>300</sup> If not that, Pollard was scapegoated because of a rumor started by Aldrich Ames — a notorious CIA-agent-turned-Soviet-spy — about Pollard passing

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<sup>297</sup> Jonathan Schachter, "U.S. Jewish Leadership Seen Shifting Support Toward Pollard Release," *The Jerusalem Post*, March 31, 1991, 2, <https://proxy.library.upenn.edu/login?url=https://www-proquest-com.proxy.library.upenn.edu/historical-newspapers/u-s-jewish-leadership-seen-shifting-support/docview/1445986740/se-2?accountid=14707>.

<sup>298</sup> Dershowitz, *Chutzpah*, 309.

<sup>299</sup> Kumaraswamy, "Politics of Pollard," 24-25.

<sup>300</sup> *Ibid.*

information to the Soviets.<sup>301</sup> Or, Pollard's life sentence, which came as a shock to both the Israeli and American governments and publics, was plain, unadulterated anti-Semitism.<sup>302</sup>

Alan Dershowitz thought that anti-Semitism was definitely present, although probably not blatantly. He wrote that

Jonathan Pollard's Jewishness and the fact that he spied for the Jewish state are the most important factors explaining the otherwise inexplicable disparity between the sentences traditionally given those who spy for allies and the draconian sentences imposed on Jonathan and Anne Pollard. Though no single prosecutor or prison official may be an anti-Semite, or anti-Zionist, the net result of the discriminatory treatment received by the Pollards can be fairly characterized as anti-Jewish.<sup>303</sup>

In books documenting the Pollard case, Elliot Goldenberg's *The Hunting Horse* and Mark Shaw's *Miscarriage of Justice*, both authors go so far as to compare Jonathan Pollard to Alfred Dreyfus, a French Jewish artillery officer sentenced to life imprisonment for espionage at the end of the nineteenth century.<sup>304</sup> Dreyfus, it turned out, was guiltless and was widely believed to have been convicted because of his Jewish origins.<sup>305</sup> The parallel is not so apt in this case: Dreyfus was actually wrongfully convicted and patriotic, while Pollard's culpability in espionage was not up for debate. The dramatic comparison, however, hearkened back to a grievous episode of anti-Semitism, supporting the claim that this case was another iteration of the same old Jew-hatred.

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<sup>301</sup> Ibid.

<sup>302</sup> Ibid.

<sup>303</sup> Dershowitz, *Chutzpah*, 310.

<sup>304</sup> Goldenberg, *The Hunting Horse*, 59-72; Mark Shaw, *Miscarriage of Justice: The Jonathan Pollard Story* (St. Paul, Minn.: Paragon House, 2001), xix, 196-197.

<sup>305</sup> The Editors of Encyclopaedia Britannica, "Dreyfus Affair," *Encyclopedia Britannica*, March 6, 2019, <https://www.britannica.com/event/Dreyfus-affair>.

In his book, Shaw wrote that Pollard's egregious sentence was not meant to punish only Pollard, but rather the State of Israel. The American government, Shaw believed, was using the spy as a warning for Israel to never try something like this again. In other words, the life sentence was a reprimand, a reminder of who was the boss in the American-Israeli "special relationship."<sup>306</sup> Seymour Reich drew a similar conclusion: he believed the harsh treatment as America's way of "trying to teach Israel a lesson, trying to teach American Jews a lesson, or trying to teach American Jews in government a lesson."<sup>307</sup>

Did these charges of anti-Semitism have any merit? Was there any lasting legacy of anti-Semitism from the case? Did American Jews' fear of being charged with "dual loyalty" materialize at all? Blitzer claimed that Jews serving in "sensitive foreign policy and defense jobs" in the American government suffered the worst consequences of the Pollard affair. The espionage case revived concerns of dual loyalty, and American officials were uneasy about their Jewish coworkers handling national secrets.<sup>308</sup> For example, Adam Sirolsky, a Jewish former CIA employee, said on CBS' "60 Minutes" that due to his religious identity, he was suspected of treason, surveilled, and eventually forced to resign from his post.<sup>309</sup> Additionally, American Jews in government were less willing to deal with Israel of their own volition, preferring to avoid any potentially complicated situations.<sup>310</sup>

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<sup>306</sup> Shaw, *Miscarriage of Justice*, 220-222.

<sup>307</sup> Seymour Reich, quoted in Perl, "The Spy Who's Been Left in the Cold."

<sup>308</sup> Blitzer, *Territory of Lies*, 287-289.

<sup>309</sup> Kahana, "Mossad-CIA Cooperation," 416.

<sup>310</sup> Blitzer, *Territory of Lies*, 290.

The passage of time, harshness of the spy's sentence, and realization of American Jews' fears of dual loyalty accusations — despite their earlier efforts to distance themselves from the case — contributed to their increased sympathy toward Jonathan Pollard's cause. As Americans, some American Jews supported Pollard's claims for leniency because they believed the life sentence was a miscarriage of justice, not necessarily because of a shared religion. They had remained silent in part out of fear of provoking anti-Semitism, but if that was realized in their silence, they may as well have expressed their views. Consequently, many of the American Jewish defenses of Pollard against such a harsh punishment had little to do with a shared culture or faith, instead emphasizing American interests, values, or morals.

Rabbi Avi Weiss, who became Pollard's personal rabbi and close confidante during the spy's first years in prison, lamented the Jewish community's relative passivity on the issue for many years. He recognized that some feared being lumped into a dual loyalty conspiracy, but he wrote in *The Jerusalem Post* in 1991 that “[t]he Pollard case has nothing to do with dual loyalty. The inequity of sentence is a perversion of American justice.”<sup>311</sup> Weiss insisted that Pollard's situation should be an outrage not because of any Jewish-related concerns, but rather because it violates the cherished American principle of justice. Jews, and perhaps others too, should fight for Pollard's cause as good Americans.

Pollard's supporters emphasized the “friendly spy” argument, arguing for his early release on the grounds that Israel was not an enemy, that it was a fellow democracy,

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<sup>311</sup> Avraham Weiss, "Pollard Betrayed by Fears of 'Dual Loyalty'," *The Jerusalem Post*, August 8, 1991, 6, <https://proxy.library.upenn.edu/login?url=https://www-proquest-com.proxy.library.upenn.edu/historical-newspapers/pollard-betrayed-fears-dual-loyalty/docview/1446657267/se-2?accountid=14707>.

and that Pollard's actions did not endanger American interests. In fact, strengthening Israel was equivalent to boosting American interests in the Middle East, the argument went.<sup>312</sup> After the 1991 Gulf War, Pollard's cause gained more support. When Saddam Hussein rained Scud missiles onto Israeli territory during the war, Israel complied with President George H.W. Bush's request not to retaliate against the Iraqi attacks.<sup>313</sup> In a *Jerusalem Post* article, two American immigrants to Israel called for Pollard's "efforts" to be "re-examined, since they were reportedly calculated to give the Israelis advance warning of the growing Iraqi threat of chemical warfare, and it is this vital information which has proved invaluable in preparing Israel and its civilian population for the present crisis."<sup>314</sup> The authors directly linked Pollard's espionage with positive outcomes, i.e., saving lives. Pollard was, in fact, tasked with providing his handlers with "Arab" — including Iraqi — "exotic weaponry, including chemical and biological weapons," so this claim is not far-fetched.<sup>315</sup> That the writers were American Jews who emigrated is noteworthy: clearly, they were loyal to Israel, and they relocated there. Unsurprisingly, therefore, their views on Pollard align more with the Israeli opinion of Pollard as a patriot than the American Jewish perception of him as a traitor. The article's title, "Pollard: An American-Israeli Patriot," signaled that they did not believe Pollard's allegiance to Israel to be an issue with his loyalty to the United States.

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<sup>312</sup> Kumaraswamy, "Politics of Pardon," 22.

<sup>313</sup> Freedman, *Israel and the United States*, 6.

<sup>314</sup> Edward Langer and David M. Wolfe, "Pollard: An American-Israeli Patriot," *The Jerusalem Post*, January 30, 1991, 4, <https://proxy.library.upenn.edu/login?url=https://www-proquest-com.proxy.library.upenn.edu/historical-newspapers/pollard-american-israeli-patriot/docview/1442760199/se-2?accountid=14707>.

<sup>315</sup> Office of the Director of Central Intelligence, "The Jonathan Jay Pollard Espionage Case: A Comprehensive Damage Assessment," Foreign Denial and Deception Analysis Committee, October 30, 1987, 37.



As time progressed, and especially by the 2010s, Pollard had been incarcerated far longer than others charged and convicted of similar crimes.<sup>316</sup> By then, many Jewish organizations were convinced that refusing to release Pollard, whose health was suffering, “could only smack of anti-Semitism.”<sup>317</sup> Pollard was never charged with the crime of treason: he pleaded guilty to passing information to a foreign government, a less severe crime. That detail, coupled with what his supporters believed to be his ideological motivations, led Pollard’s American (and Israeli) advocates to insist that he did not merit such a long sentence.<sup>318</sup>

While many American Jews slowly began to show sympathy toward Pollard over the years, this gravitation was by no means unanimous. Peter Beinart penned a *New York Times* op-ed in 1999 expressing his surprise at how many major Jewish organizations were coming to Pollard’s defense. While “it is perhaps heartening” this was happening, as American Jews advocating publicly on behalf of an American Jew who spied for Israel must imply that the community felt secure enough to do so, he argued against the cause.<sup>319</sup> Beinart contended the opposite of the “friendly spy” argument, saying that the fact that Pollard spied for Israel should not render his sentence any less severe, as the two countries’ interests should not be conflated. In fact, Beinart wrote, “[t]o apologize for an American official's decision to put another country's interests ahead of his own can be

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<sup>316</sup> David Turner, “The US vs. Jonathan Pollard,” *The Jerusalem Post*, January 26, 2011, <https://www.jpost.com/Blogs/The-Jewish-Problem---From-anti-Judaism-to-anti-Semitism/The-US-vs-Jonathan-Pollard-367825>.

<sup>317</sup> Stewart Weiss, “Guest Columnist: Jonathan Pollard and the Jews,” *The Jerusalem Post*, January 31, 2010, <https://www.jpost.com/Opinion/Columnists/Guest-Columnist-Jonathan-Pollard-and-the-Jews>.

<sup>318</sup> Kumaraswamy, “Politics of Pardon,” 22-23; Richard A. Hibey, and Gordon A. Coffee, “Defendant Jonathan J. Pollard’s Second Memorandum in Aid of Sentencing,” *United States v. Jonathan Pollard*, criminal no. 86-0407, February 27, 1987, National Security Archive; “18 U.S. Code § 794 - Gathering or Delivering Defense Information to Aid Foreign Government,” Legal Information Institute, Cornell Law School, accessed December 13, 2021, <https://www.law.cornell.edu/uscode/text/18/794>.

<sup>319</sup> Peter Beinart, “The Odd Logic of a Spy’s Defenders,” *New York Times*, A17, January 16, 1999, <https://www.nytimes.com/1999/01/16/opinion/the-odd-logic-of-a-spy-s-defenders.html>.

seen as essentially defending dual loyalty.”<sup>320</sup> Martin Peretz, former owner and editor-in-chief of *The New Republic*, painted the effort to get Pollard released as ridiculous in a 2012 piece for *The Wall Street Journal*. He countered claims of “anti-Semitic motives on the part of an indeterminate officialdom” and of the spy’s ideological reasoning. He faulted the Israeli right for the “ideological frenzy” surrounding the campaign to release Pollard, a vestige of the 1980s-era tension between American Jewry and Israelis over the affair.<sup>321</sup>

Despite the dissenters, many American Jews came around to Pollard. This growing sympathy for his cause, however, was not out of love for the spy himself or necessarily even allegiance to the Jewish state. Ira Sharkansky, an American-born political science professor at Hebrew University, stressed this point in a blog post for *The Jerusalem Post*.<sup>322</sup> In it, he stressed that American Jews are still American first, as American Jews had done when the Pollard affair was still fresh in the mid-1980s: “Politics aside, they [American Jews] are taking good care of themselves. Many of them do what they can to express support for Israel, but mostly in the context of being Americans.”<sup>323</sup> American Jews still supported Israel — Pollard did not completely ruin that relationship — but they looked out for themselves first, and that was the context in which they came to advocate for the spy’s early release. The wounds of the late 1980s, when American Jewry felt betrayed and unappreciated, had not fully healed.<sup>324</sup> Even as

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<sup>320</sup> Ibid.

<sup>321</sup> Martin Peretz, “The Mendacious Movement to Free a Convicted Spy.” *Wall Street Journal*, June 24, 2012, <https://www.wsj.com/articles/SB10001424052702303734204577466304136240464>.

<sup>322</sup> “Ira Sharkansky,” The Department of Political Science, Hebrew University of Jerusalem, accessed October 26, 2021, <https://en.politics.huji.ac.il/people/ira-sharkansky>.

<sup>323</sup> Ira Sharkansky, “An Israeli View of American Politics,” *The Jerusalem Post*, November 6, 2014, <https://www.jpost.com/Blogs/Window-on-Israel/An-Israeli-view-of-American-politics-380943>.

<sup>324</sup> Discussed in Chapter 2. See, for example, Wolf Blitzer’s 1987 article in *The New Republic*, “I Spy, You Spy.”

American Jewish organizations pressed for Pollard's release, they did so out of their own sense of justice, morality, and self-interest. Jonathan Pollard, after all, was an American Jew in an American prison. Even during their advocacy and continued support for Israel, trust between Israel and American Jewry remained somewhat fractured over the Pollard affair.

While American Jewry might have warmed to Jonathan Pollard and advocated on his behalf, that did not make any tangible differences in the case. Despite the efforts of American Jewish activists, the Israeli government, and even some officials within the United States government to have the spy pardoned or his sentence commuted, neither of these scenarios ever materialized. Jonathan Pollard became a free man under the least controversial terms possible: he was released on parole in 2015, and he was only completely freed in 2020 because his parole restrictions expired and were not renewed.<sup>325</sup> This was a way to finally put the awkward affair behind the two countries, whose relationship had survived and even thrived since then, with minimal uneasiness. Pollard's advocates were finally satisfied that their mission had been fulfilled, and those opposed to the spy's release could not complain too much about the legitimate legal process by which he was released.

In January 2021, just before he exited the White House, President Trump pardoned Aviem Sella, the Israeli air force colonel who had been Pollard's original handler.<sup>326</sup> Although one might predict that this would stir up international tension, the

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<sup>325</sup> Julian E. Barnes, "Jonathan Pollard, Convicted Spy, Completes Parole and May Move to Israel," *New York Times*, November 20, 2021, <https://www.nytimes.com/2020/11/20/us/politics/jonathan-pollard-parole-ends.html?searchResultPosition=1>.

<sup>326</sup> Gil Hoffman, "Trump pardons Aviem Sella, Jonathan Pollard's handler." *The Jerusalem Post*, January 20, 2021, <https://www.jpost.com/american-politics/trump-pardons-aviem-sella-jonathan-pollards-handler-656048>.

spy himself was already free, and the pardon remained relatively quiet. In a statement on the matter, the White House said: “The State of Israel has issued a full and unequivocal apology, and has requested the pardon in order to close this unfortunate chapter in U.S.-Israel relations.”<sup>327</sup> The pardon, therefore, was part of the bilateral effort to move on completely from the Pollard affair on the part of a presidential administration reputed to be particularly favorable to Israel.

Aviem Sella, never himself imprisoned, may have received a presidential pardon, but the spy did not. Whether Pollard should have been granted clemency was a question that nagged every presidential administration from Reagan to Obama, during whose administration the spy was released on parole. Even during the Pollard investigation in the 1980s, varying interests of different parts of the U.S. government caused complications in the case. The range of opinions and actors only expanded after the spy was sentenced in 1987. As within the American Jewish community, sympathy for Pollard grew within the American government over time, most significantly within the legislative branch. Additionally, the case became a political issue between the two countries, as Pollard was raised as a potential bargaining chip in negotiations throughout the years and was used for Israeli politicians’ personal political gain.

Freeing Jonathan Pollard depended on whether that option was more politically beneficial to certain politicians — particularly the American president — than prolonging his jail time.<sup>328</sup> For the presidents of the United States, the most expedient thing to do in Pollard’s case was to maintain the status quo, which meant leaving the spy in prison. America’s relationship with Israel had progressed past the Pollard affair, and pardoning

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<sup>327</sup> Ibid.

<sup>328</sup> Kumaraswamy, “Politics of Pollard,” 32.

Pollard or commuting his sentence would only rehash old wounds. This held especially true near times of presidential elections. Granting clemency was a political decision, and this decision involved electoral politics.<sup>329</sup> For example, in 1996, then Chief of Staff Leon Panetta said that the Clinton administration's stance on the Pollard case had not changed, which was unsurprising, as President Clinton was up for reelection later that year.<sup>330</sup> Two years later, at Prime Minister Netanyahu's urging, Clinton agreed to review the case for the third time in three years during negotiations over the Israel-Palestinian conflict, prompting CIA Director George Tenet to threaten to resign if Pollard were released.<sup>331</sup>

The 1998 episode reflects a few truths about the Pollard case. First, as mentioned above, Clinton's agreement to review the case demonstrated that personal opinions on the matter aside, the president would consider releasing Pollard for domestic and international political reasons. A win in Israel-Palestinian negotiations, which could be furthered by a low-level concession such as Pollard, would be a personal political victory for Clinton, as well as a step toward peace in the Middle East. Amidst the Monica Lewinsky and impeachment scandals, which dominated the news, Clinton could especially use a personal win with the negotiations, possibly making him more willing to consider clemency for Pollard.<sup>332</sup> Second, Tenet's dramatic threat showcased the intelligence and law enforcement establishment's lingering anger toward Pollard.<sup>333</sup>

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<sup>329</sup> Ibid.

<sup>330</sup> Goldenberg, *The Hunting Horse*, 273.

<sup>331</sup> James Risen, and Steven Erlanger, "C.I.A. Chief Vowed to Quit if Clinton Freed Israeli Spy," *New York Times*, November 11, 1998, CIA Electronic Freedom of Information Act Reading Room.

<sup>332</sup> Olivia B. Waxman, and Merrill Fabry, "From an Anonymous Tip to an Impeachment: A Timeline of Key Moments in the Clinton-Lewinsky Scandal," *TIME*, May 4, 2018, <https://time.com/5120561/bill-clinton-monica-lewinsky-timeline/>.

<sup>333</sup> Ibid.

Third, Netanyahu's request to Clinton revealed a glimpse into the Israeli side of the matter, discussed below.

In general, the intelligence and law enforcement establishments remained opposed to Pollard's release throughout the duration of his jail time. Many of their arguments were the direct counters of Pollard's supporters', claiming that Pollard was a greedy opportunist — as opposed to well-meaning patriot — who caused “colossal” damage, in the words of Ronald J. Olive, who worked in counterintelligence at the Naval Intelligence Service when Pollard was arrested.<sup>334</sup> Olive also stressed lack of remorse, implying that he would be a risk to national security if freed, and he dismissed “unsubstantiated allegations of anti-Semitism.”<sup>335</sup> Quoting a 1999 Senate Select Committee on Intelligence (SSCI) letter to Clinton, Olive claimed that commuting Pollard's sentence would both tacitly permit espionage against the United States by an ally and undermine America's ability to act as an “honest broker” around the world.<sup>336</sup>

Others made arguments similar to Olive's. In a 1998 article for *The Washington Post*, four former directors of naval intelligence who had all served between 1978-1991 — the period during which Pollard conducted his espionage activities — exhorted the U.S. government not to release the prisoner. Like Olive, they emphasized the nature of the information he stole and the payments he received as proof of his motives.<sup>337</sup> The former directors, like other intelligence and law enforcement officials, told citizens that if they truly knew what Pollard had done, there was no way they could support his early

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<sup>334</sup> Olive, *Capturing Jonathan Pollard*, ch. 25, n. pag.

<sup>335</sup> Ibid.

<sup>336</sup> Ibid., ch. 27, n. pag.

<sup>337</sup> W. O., Studeman, Sumner Shapiro, J. L. Butts, and T. A. Brooks, "Release Pollard at the Nation's Peril," *Washington Post*, December 12, 1998, <https://proxy.library.upenn.edu/login?url=https://www-proquest-com.proxy.library.upenn.edu/historical-newspapers/release-pollard-at-nations-peril/docview/1621275359/se-2?accountid=14707>.

release. His life sentence was “well-deserved” — the exact opposite of what many of Pollard’s sympathizers used as their primary argument.<sup>338</sup> Unsurprisingly, a 2007 official CIA report entitled “The Psychology of Espionage” referenced Jonathan Pollard. The authors regarded him as “primarily self-interested” and he was used as the paradigmatic example for the narcissistic motivation for spying.<sup>339</sup> Obviously, the CIA was not sympathetic to Pollard and did not buy the “ideological spy” argument.

The anti-Pollard sentiments among the intelligence and law enforcement community did not dull over time. Noel Koch served in the Department of Defense in the 1980s and worked with Rafi Eitan (director of LAKAM and advisor to Prime Minister Yitzhak Shamir on terrorism). In 2013, he published an article in *Foreign Policy*, an American news magazine, mocking Pollard’s “apologists” with more of the same rationales: greedy motivations, a deserved life sentence, and significant damage to U.S. national security.<sup>340</sup> Similarly, M.E. “Spike” Bowman, who liaised between the Department of Defense and the Department of Justice during the Pollard investigation, described Pollard as a delusional figure who imagined himself as a skilled spy.<sup>341</sup> Like the others, he stressed the damage Pollard caused through his “treachery” and attempted to discredit the virtuous idealist image of the spy and prove that Pollard’s crimes warranted a life sentence.<sup>342</sup>

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<sup>338</sup> Ibid.

<sup>339</sup> CIA Counterintelligence Center, “The Psychology of Espionage,” Central Intelligence Agency, February 8, 2007, CIA Electronic Freedom of Information Act Reading Room, 1, 5.

<sup>340</sup> Koch, Noel. “Free Jonathan Pollard? I Don’t Think So.” Best Defense, *Foreign Policy*, April 18, 2013. <https://foreignpolicy.com/2013/04/18/free-jonathan-pollard-i-dont-think-so/>.

<sup>341</sup> M. E. Bowman, “Don’t Trust This Spy,” *New York Times*, January 14, 2014, <https://www.nytimes.com/2014/01/15/opinion/keep-pollard-behind-bars.html?searchResultPosition=1>.

<sup>342</sup> Ibid.

Perhaps more surprising and significant, however, are those in the government who came to sympathize with Pollard and advocate for his release. Henry Kissinger wrote a personal letter to President Obama, saying, “I believe justice would be served by commuting the remainder of Pollard’s sentence of life imprisonment.”<sup>343</sup> In 1993, Prime Minister Yitzchak Rabin personally requested that Clinton consider pardoning Pollard, and James Woolsey, Director of Central Intelligence (DCI) at the time, opposed any leniency for Pollard.<sup>344</sup> Surprisingly, the former DCI shifted his opinion in 2012 because of the time that the spy had already served, an argument similar to that of many American Jewish sympathizers.<sup>345</sup> In an article for *The Wall Street Journal*, he touched on suspicions of anti-Semitism: “For those hung up for some reason on the fact that he’s an American Jew, pretend he’s a Greek- or Korean- or Filipino-American and free him.”<sup>346</sup> Pollard’s identity as a Jew, the DCI insisted, did, but should not, have any bearing on his case.

Also notable is a letter from President Reagan’s Secretary of State, George Shultz, who managed the fallout of the Pollard affair as it unfolded. Based on the recommendations of Woolsey and Dennis DeConcini, the former Chairman of the Senate Select Committee on Intelligence — two people “best informed about the classified material [Pollard] passed to Israel” — Shultz, who was on the front lines of the Pollard affair’s diplomatic aspects, joined in recommending clemency to President Obama in 2011.<sup>347</sup> Shultz’s letter also mentions Mike Mukasey, President George W. Bush’s

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<sup>343</sup> Henry Kissinger to President Obama, March 7, 2011.

<sup>344</sup> Kumaraswamy, “Politics of Pollard,” 29.

<sup>345</sup> James Woolsey, “It’s Time to Commute Jonathan Pollard’s Sentence,” letter to the editor, *Wall Street Journal*, July 4, 2012, <https://www.wsj.com/articles/SB10001424052702304299704577502681133991836>.

<sup>346</sup> Ibid.

<sup>347</sup> George Shultz to President Obama, January 11, 2011, <https://www.israellobby.org/pollard/01112011Schultz.pdf>.



attorney general, who wrote his own letter requesting clemency in 2010.<sup>348</sup> Mukasey's letter mentioned Shultz, DeConcini, and Woolsey, implying some coordinated effort among these officials to have Pollard's sentence commuted.<sup>349</sup> Mukasey's arguments, while similar to others', hints at a political agenda of this small campaign. He had been attorney general less than two years prior, yet there is no evidence that he fought for Pollard's freedom when Bush was in office. Perhaps this coordinated effort was meant to tarnish President Obama in the eyes of American Jewry, or some other political aim.

A significant number of government officials penned letters to President Obama when Pollard was nearing the thirty-year anniversary of his arrest, which was also the beginning of his long stay in federal custody. Among these were: New Mexico's Governor Bill Richardson, who served in Clinton's Cabinet; Angelo M. Codevilla, a former Foreign Service officer and SSCI staffer; and Minnesota's Senator Dave Durenberger, who was on the same Senate committee during the Pollard investigation. All these officials were familiar with the facts of the case, and they all requested mercy for the spy in the form of a commuted sentence.<sup>350</sup> In his letter, Durenberger expressed that "[t]he harshness of his sentence, in light of existing relations between our countries and the nature of our observation of implicit agreements between the countries, was uncalled for." The senator appealed to the close relationship between the United States and Israel as a potential reason to reduce Pollard's sentence, showing that the unique

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<sup>348</sup> Ibid.

<sup>349</sup> Mike Mukasey to President Obama, December 21, 2010, <https://www.israellobby.org/pollard/12212010Mukasey.pdf>.

<sup>350</sup> Governor Bill Richardson to President Obama, December 10, 2013; Angelo M. Codevilla to President Obama, November 5, 2013; Senator David Durenberger to President Obama, January 2, 2014.

nature of the “special relationship” still factored into considerations of the case, even in 2014.<sup>351</sup>

The most striking statement of support for Pollard from within the intelligence and national security community was a letter signed by eight major officials regarding the “Unjust Denial of Parole for Jonathan Pollard” on August 4, 2014.<sup>352</sup> The signatories included Durenberger; Woolsey; Codevilla; Robert MacFarlane, former U.S. National Security Advisor; Lawrence Korb, former Assistant U.S. Secretary of Defense; Senator Dennis DeConcini, former SSCI Chair; Bernard Nussbaum, former White House Counsel; and Congressman Lee Hamilton, Homeland Security Advisor to President Obama and former SSCI Chair. They offered their “strongest objections” to the Parole Commission’s contention that Pollard’s crimes caused “the greatest compromise of US security” up to that time, debunking that claim as reliant on the “stale, largely discredited” Weinberger Memorandum, discussed in Chapter One, which had strongly condemned Pollard’s crimes as extremely damaging to U.S. national security. Not only was the denial of parole unjust, the letter declared, but “Jonathan Pollard’s sentence [was] grossly disproportionate.” The officials urged his “unconditional release,” pointing out that he had been a “model prisoner for nearly three decades,” and that his and his wife’s health were both declining.<sup>353</sup>

Why did these officials — both in this letter to President Obama specifically and otherwise — take up Pollard’s cause? After all, they worked within the national security

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<sup>351</sup> Senator David Durenberger to President Obama, January 2, 2014.

<sup>352</sup> “Unjust Denial of Parole,” Robert C. MacFarlane, Lawrence J. Korb, Dennis DeConcini, Bernard W. Nussbaum, David F. Durenberger, R. James Woolsey, Angelo Codevilla, and Lee Hamilton to President Obama, November 14, 2014.

<sup>353</sup> Ibid.

community, the target of the spy's crimes, and they had some familiarity with the case's details. They had no constituency to answer to, and no apparent personal interests in advocating for clemency. Many of these officials were not Jewish. The concluding words of the 2014 parole letter words shed some light on the signatories' motives:

Denying a man his freedom based on a claim of damage that is patently false... is neither fair nor just, and it simply is not the American way. It is precisely for cases like this which clearly deviate from the standard of American justice – and compassion – that our nation prides itself on, that the Constitution grants the president of the United States virtually unlimited powers of executive clemency.

We therefore strongly urge you, Mr. President, to tolerate no further delay in rectifying an injustice that has gone on for far too long. We urge you to act expeditiously to commute Mr. Pollard's life sentence to the 29 years which he has already served.<sup>354</sup>

As is evidenced by the parole letter, these officials, like many American Jews, vocalized their opposition to Pollard's fate out of a sense of devotion to the American legal process and upholding the principles of justice and rule of law. They believed the spy's treatment to be unjust according to American law, irrespective of his identity or any special circumstances.

While the national security officials do not have constituencies to satisfy, members of Congress certainly do. Personal opinions in favor or against Pollard aside, it made political sense for certain legislators to advocate for commutation. This was the case for some Democratic congressional representatives in particular, who worked with Jewish groups in 2010 to draft a letter to President Obama advocating clemency. As discussed in the previous chapter, American Jews have historically leaned Democratic, and if they warmed to Pollard's cause, their representatives' activism on his behalf

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<sup>354</sup> Ibid.

followed logically. The 2010 letter, signed by 39 Democratic representatives, urged the president to grant clemency based on Pollard’s expressions of remorse. Notably, the letter explicitly states that commuting his sentence “would not in any way imply doubt about his guilt, nor cast any aspersions on the process by which he was convicted.”<sup>355</sup> Here, the representatives steered clear of connecting clemency to acknowledging a miscarriage of justice, a different strategy than that of other American Jews’ and U.S. government officials’ advocacy. This way, releasing Pollard would not indicate a denial of the national security establishment’s or Justice Department’s legitimacy in investigating or prosecuting the case. Still, the letter points out that Israel is “not adversarial” to the United States and that justice would best be served by commuting Pollard’s sentence to the twenty-five years he had already served at the time.<sup>356</sup>

The 2010 letter did not convince President Obama to commute Jonathan Pollard’s sentence, and a similar attempt arose in Congress two years later. This time, however, the letter was a bipartisan effort. This letter made the same arguments, again acknowledging that “[w]hat Mr. Pollard did was wrong. He broke the law and deserved to be punished for his crime.” However, the representatives suggested, Pollard paid the price for his crimes and deserved to be freed after over twenty-five years. The fact that some of the forty-two signatories were Republicans — who have traditionally sided with national security concerns — signaled widening sympathy for Pollard’s cause, especially as concerns for his health rose.<sup>357</sup>

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<sup>355</sup> “Letter to Obama re: Jonathan Pollard Clemency Request,” November 18, 2010, <https://www.jonathanpollard.org/2010/111810.pdf>.

<sup>356</sup> Ibid.

<sup>357</sup> “Bi-partisan letter urging Pollard’s release circulated in US Congress,” *The Times of Israel*, December 12, 2012, <https://www.timesofisrael.com/bi-partisan-letter-urging-pollards-release-circulated-in-us-congress/>.

In 1996, Kumaraswamy wrote in “The Politics of Pardon: Israel and Jonathan Pollard” that “[t]he final outcome [of the Pollard case]... depends on the relative political advantage to the incumbent or incoming American president.”<sup>358</sup> This prediction seemed to prove true over the years, as all American presidents since Ronald Reagan resisted calls for clemency. When the spy was finally released on parole in 2015, President Obama did not have a direct role in negotiating his gradual freedom. Rather, everything was by the book: he applied for and was released on parole. The U.S. government insisted that “[t]here is absolutely zero linkage between Mr. Pollard’s status and foreign policy considerations,” in the words of a spokesman for the National Security Council.<sup>359</sup> Pollard’s sentence mandated that he be eligible for parole after thirty years, and since November 2015 marked that milestone, Pollard applied.<sup>360</sup>

The United States, apparently, attempted to keep politics out of Pollard’s release as much as possible, both with his parole hearing and with the ultimate lifting of all parole restrictions in 2020. This was likely because the administration still did not want to appear soft on espionage or flaunt Pollard’s release in the intelligence community’s face. Either way, Israel and the spy’s American supporters received their wish: Pollard’s release from prison. Nicole Navas Oxman, a spokeswoman for the Justice Department, stated that: “After a review of Mr. Pollard’s case, the U.S. Parole Commission has found that there is no evidence to conclude that he is likely to violate the law... Thus, in accordance with the statute, the commission has ordered that, as of today, his parole

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<sup>358</sup> Kumaraswamy, “Politics of Pollard,” 32.

<sup>359</sup> Julie Hirschfield Davis, “U.S. Says Parole of Jonathan Pollard, Spy for Israel, Will Follow Law,” *New York Times*, July 24, 2015, <https://www.nytimes.com/2015/07/25/world/middleeast/us-says-parole-of-jonathan-pollard-spy-for-israel-will-follow-law.html?searchResultPosition=3>.

<sup>360</sup> *Ibid.*

supervision is terminated and he is no longer subject to the conditions of parole.”<sup>361</sup> The reason Jonathan Pollard became a free man, according to the United States, was because there was no longer a reason for him not to be — not because of any strategic or foreign policy considerations having to do with Israel.

Throughout the years, the politics of the Pollard case on the Israeli side were complicated as well. As time progressed, the feeling that the Israeli government had betrayed the spy and left him to rot gained traction throughout the electorate and the political echelon. Freeing Jonathan Pollard, then, became a mission of the government — but that required acknowledging that the spy had, in fact, worked for Israel. During the 1980s, the Israeli government maintained that the entire Pollard scheme was a “rogue operation” in order to minimize political damage to the U.S.-Israel relationship. Early on, and unsurprisingly, Israel expressed sympathy for Pollard’s cause. In 1988, the Knesset requested a presidential pardon from Ronald Reagan for Pollard on “humanitarian” grounds, but the request — a halfhearted attempt that was unlikely to succeed so soon after Pollard had been sentenced — was ignored.<sup>362</sup>

Although former Prime Minister Rabin requested clemency for the spy in 1993, he might have been an obstacle to Pollard’s fight for freedom. Rabin was defense minister during the Pollard operation and, as explained in Chapter One, helped devise the “rogue operation” explanation. Therefore, Rabin steadfastly opposed granting Israeli citizenship to Pollard because doing so implicitly acknowledged that Israel’s official explanation — that Rabin was personally invested in, and to which the Israelis had been

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<sup>361</sup> Barnes, “Jonathan Pollard, Convicted Spy, Completes Parole.”

<sup>362</sup> Olive, *Capturing Jonathan Pollard*, ch. 27, n. pag.

committed to for years — was untrue.<sup>363</sup> Prime Minister Shamir also exerted effort on Pollard's behalf in the early 1990s. In 1991, he and President Chaim Herzog requested an executive pardon for Pollard, attempting to capitalize on post-Gulf War sympathy for Israeli restraint in the face of Iraqi Scud missile attacks. One year later, Shamir was the first Israeli to directly intervene on Pollard's behalf with a personal letter to President George H. W. Bush.<sup>364</sup> Like Rabin, Shamir had been closely involved in the spy affair as it had unfolded, as he had held the post of foreign minister at the time. Perhaps his personal involvement in efforts to secure the spy's freedom proved to be a hurdle as well.

The next stride toward Israel's assumption of responsibility for Pollard was citizenship. After rejecting his applications at first, eighty members of Knesset approved extending citizenship to the disgraced spy in late 1995. Jonathan Pollard became an Israeli citizen on November 21, 1995, ten years to the day after he was refused asylum at the Israeli Embassy, leading to his arrest.<sup>365</sup> It is also worth noting that Prime Minister Rabin, had been assassinated just weeks earlier, on November 4.<sup>366</sup> A new prime minister, someone who had not been as directly involved in the affair as Rabin had, could help the Israeli government take responsibility for Pollard and patch up the wounds with the United States and American Jewry. The extension of citizenship served as the first step to admitting that the Pollard operation had occurred through official channels. Only then could the Israeli government seriously begin to fight for his release.

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<sup>363</sup> Goldenberg, *The Hunting Horse*, 265.

<sup>364</sup> Kumaraswamy, "Politics of Pollard," 28.

<sup>365</sup> Goldenberg, *The Hunting Horse*, 272.

<sup>366</sup> Jonathan Freedland, "The Assassination of Yitzhak Rabin: 'He Never Knew It Was One of His People who shot him in the back,'" *The Guardian*, October 31, 2020, <https://www.theguardian.com/world/2020/oct/31/assassination-yitzhak-rabin-never-knew-his-people-shot-him-in-back>.

On May 11, 1998, Israel took the next, more decisive, step toward advocating for Pollard's freedom. The Israeli government officially acknowledged that Jonathan Pollard was not part of a rogue operation. This statement offered the spy some hope about being released, as Israel was apparently no longer ignoring his claims. The admission also moved the Pollard affair squarely into the political realm, enabling both Prime Minister Netanyahu, a right-wing Likud prime minister both in the late 1990s and from 2009-2021, and President Clinton to try to leverage the spy's release as a bargaining chip.<sup>367</sup> At the 1998 Wye River negotiations between Netanyahu and Arafat, facilitated by Clinton, the prime minister had told President Clinton that he needed Pollard's release to win over the far right portion of Israel's parliamentary coalition for the peace agreement currently being negotiated.<sup>368</sup> Netanyahu insisted that Pollard's continued imprisonment was seen by the Israelis as an impediment to the progress of the peace process, so Clinton promised to review the sentence.<sup>369</sup> Although the president ultimately denied clemency, this episode exhibits how Pollard had become a political tool leveraged for an Israeli politician's personal political gain.

Benjamin Netanyahu was an avid advocate for Pollard, and he used the spy for his own political gain.<sup>370</sup> He requested Pollard's release in 1998 at the Wye River negotiations, and early in 2011, right after Pollard's prison time hit the quarter century mark, he sent a public letter to President Obama urging clemency — Israel's first public appeal for Pollard's release.<sup>371</sup> The letter admitted Israel's wrongdoing and reiterated the

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<sup>367</sup> Goldenberg, *The Hunting Horse*, 274-275.

<sup>368</sup> Olive, *Capturing Jonathan Pollard*, ch. 25, n. pag.

<sup>369</sup> Goldenberg, *The Hunting Horse*, 276.

<sup>370</sup> "Benjamin Netanyahu," Israel Ministry of Foreign Affairs, <https://www.mfa.gov.il/mfa/aboutisrael/state/pages/benjamin%20netanyahu.aspx>.

<sup>371</sup> Evelyn Gordon, "Israel's Opposition Leader Puts Politics Before Pollard," *Commentary*, January 5, 2011, <https://www.commentary.org/evelyn-gordon/israel-s-opposition-leader-puts-politics-before-pollard/>.



state's commitment to never repeat its actions. Netanyahu also mentioned his personal record of advocating on behalf of Jonathan Pollard, stating that he had brought up the issue many times in discussions with Obama and his predecessors.<sup>372</sup>

This, maybe, was meant to prove the prime minister's devotion to his right-wing supporters, who sympathized with Pollard's mission and wanted to see him freed and in Israel. The spy's release, then, would be a political victory for Netanyahu personally. The prime minister's personal connection to the Pollard case explains, in part, why "Bibi" greeted Jonathan and Esther Pollard on the tarmac when they landed in Israel. Netanyahu framed the Pollards' long-awaited arrival as a portion of his own political agenda and successes, even if he did not have much to do with Pollard's freedom practically.

Netanyahu was not the only Israeli politician to employ Pollard's name in domestic politics. Tzipi Livni, the Knesset opposition leader at the time, ordered her parliamentary faction to vote against Netanyahu's 2011 letter, despite agreeing with its contents. President Obama preferred Livni's left-leaning Kadima party to the sitting prime minister, so her vote against the letter reduced any chance that existed — although that chance may have been small to begin with — that the American president would release Pollard.<sup>373</sup> A few months later, Livni told Pollard's wife Esther that Israel was united behind her husband and doing all in its power to secure his release, including a personal pledge to raise the clemency issue in meetings with American officials.<sup>374</sup>

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<sup>372</sup> Benjamin Netanyahu, "Copy of Netanyahu's Letter to Obama Requesting Clemency for Jonathan Pollard," *Ha'aretz*, January 4, 2011, <https://www.haaretz.com/1.5103520>.

<sup>373</sup> Gordon, "Israel's Opposition Leader."

<sup>374</sup> JPOST.com Staff, "Livni to Esther Pollard: Israel United Behind Your Husband," *The Jerusalem Post*, May 16, 2011, <https://www.jpost.com/breaking-news/livni-to-esther-pollard-israel-united-behind-your-husband-220758>.

Livni's move showed that she was willing to use Jonathan Pollard to make personal political gains off of Prime Minister Netanyahu.<sup>375</sup>

When Jonathan Pollard was released on parole, however, unequivocal support from the Israeli side became more complicated. The parole conditions included curfew, inability to work, and restricted mobility, including wearing an ankle bracelet to track his movements. Although Israelis objected to this “draconian” treatment, in the words of one *Ma'ariv* reporter, the government also had to decide whether to protest the conditions based on a cost-benefit analysis. If Netanyahu were to demand in 2015 that Pollard be allowed to emigrate, President Obama would have grounds to demand concessions in Israel's unresolved conflict with the Palestinians. Sympathy for Pollard, in an official sense, was not always clear-cut: leaders had to balance their sense of morality that was obliging them to help Pollard, their duty to protect Israelis' vital interests, and the state's relationship with the United States.<sup>376</sup>

Outside of domestic and international politics, Bibi Netanyahu's devotion to Pollard, whatever his ulterior motives, reflected general Israeli sentiment toward the spy. Over the years, Israelis increasingly came to regard Pollard as a hero, mistreated by the American government and betrayed by the Israeli government. In one *Ha'aretz* article published just over a month before Pollard's *aliyah*, entitled “Israel's Five Betrayals of Jewish Spy Jonathan Pollard,” the spy was depicted as a tragic hero, betrayed by the Israeli government and intelligence community fivefold.<sup>377</sup> The author, Yossi Melman,

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<sup>375</sup> Gordon, “Israel's Opposition Leader.”

<sup>376</sup> Caroline Glick, “Conditional Loyalty: The Pollard affair is a warning sign for American Jews,” *Ma'ariv*, November 27, 2015, <https://www.maariv.co.il/landedpages/printarticle.aspx?id=515394>.

<sup>377</sup> Yossi Melman, “Israel's Five Betrayals of Jewish Spy Jonathan Pollard,” *Ha'aretz*, November 22, 2020, <https://www.haaretz.com/israel-news/.premium-israel-s-five-betrayals-of-jewish-spy-jonathan-pollard-1.9323125>.

an Israeli journalist and security and intelligence expert, placed the blame on Israel for Pollard's life sentence.<sup>378</sup> The "original sin" was activating him as an agent at all, then handling him negligently and not engineering an escape plan. Once Pollard was caught, the Israeli government's behavior only worsened, according to Melman, by the governing coalition's "rogue operation" claim. Israeli cooperation — supposedly contingent on the spy not receiving a life sentence — was a mistake as well, exacerbated by the Israelis' only partial cooperation, apparently in the attempt to "outsmart and deceive the U.S. legal and intelligence establishments, thereby adding insult to injury."<sup>379</sup>

Israelis were eager to welcome Pollard. One contributor to *The Jerusalem Post* expected the spy to be "warmly received and given a huge, collective hug" — and that excitement translated into a sense of obligation within the government toward Pollard even once he was free.<sup>380</sup> On December 31, 2020, shortly after the Pollards landed in Israel, Israeli Intelligence Minister Eli Cohen said that the state would provide Jonathan Pollard a pension, just as ex-Mossad and Shin Bet agents received. The reason for this, in his words, was that "Israel needs to help Pollard."<sup>381</sup>

Despite Israel's relief and enthusiasm about welcoming the Pollards, their reception in Israel also reflected the two countries' shared desire not to bring the issue to the fore. Although Prime Minister Netanyahu greeted the Pollards, their arrival did not

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<sup>378</sup> "Yossi Melman," *The Jerusalem Post*, <https://www.jpost.com/author/yossi-melman>.

<sup>379</sup> Melman, "Israel's Five Betrayals of Jewish Spy Jonathan Pollard."

<sup>380</sup> Stewart Weiss, "Come Home, Jonathan Pollard," *The Jerusalem Post*, December 3, 2020, <https://www.jpost.com/israel-news/come-home-jonathan-pollard-651037>.

<sup>381</sup> Gil Hoffman, "Intelligence Minister: Israel Will Pay Jonathan Pollard Pension," *The Jerusalem Post*, December 21, 2020, <https://www.jpost.com/breaking-news/intelligence-minister-israel-will-pay-jonathan-pollard-653871>.

receive much fanfare.<sup>382</sup> Netanyahu's personal enthusiastic reaction can be explained as trying to portray Pollard's long-awaited freedom as a personal political victory, especially as Israel was facing its fourth general election in two years, with Netanyahu's role as prime minister in jeopardy.

Several opinion pieces about the spy's immigration cautioned against making celebrations too public. The *Jerusalem Post* editorial staff praised the "muted" nature of the ceremony. The prime minister's presence was appropriate, they argued, because of the long-standing political topic in U.S.-Israel relations that Pollard had become. At the same time, "Israel need not give a hero's welcome to someone viewed by the US security establishment as a traitor, and who stirs up for many American Jews their worst nightmare: that they will always be suspected of having dual loyalty."<sup>383</sup> Those in Israel recognized the enduring scars on American Jewry and, for their sake, sought to keep the conclusion of the affair as quiet as possible. Aside from the American Jewish aspect, they feared that a "festive welcoming ceremony" would "antagonize the incoming Biden administration" and possibly also alienate American public opinion.<sup>384</sup> "There is no reason," they wrote, "to reopen old wounds by making his arrival a public spectacle, or make this into a political issue. Even more importantly, Pollard should not be used now to score partisan political points."<sup>385</sup>

In another opinion piece, Gil Troy, an American historian and political commentator now living in Jerusalem, believed that "Israel should grant Pollard a

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<sup>382</sup> Dov Lieber, "Jonathan Pollard, Convicted Spy in U.S., Arrives in Israel," *Wall Street Journal*, December 30, 2020, [https://www.wsj.com/articles/jonathan-pollard-convicted-spy-in-u-s-arrives-in-israel-11609311197?mod=Searchresults\\_pos4&page=1](https://www.wsj.com/articles/jonathan-pollard-convicted-spy-in-u-s-arrives-in-israel-11609311197?mod=Searchresults_pos4&page=1).

<sup>383</sup> JPost Editorial Staff, "Welcome to Israel, Jonathan Pollard," *The Jerusalem Post*, December 30, 2020, <https://www.jpost.com/opinion/welcome-to-israel-jonathan-pollard-653809>.

<sup>384</sup> Ibid.

<sup>385</sup> Ibid.

pension for time served — but no parade.”<sup>386</sup> While Troy was of the opinion that the spy was punished unfairly and deserved to be rewarded for his sacrifice for Israel, he acknowledged that Pollard committed crimes “against Israel’s cherished ally.”<sup>387</sup> Furthermore, the author wrote that the “complexity” of the case — both for American Jews and the wider American public — lent itself to an understated welcome for Pollard and his wife.<sup>388</sup>

Jonathan Pollard, former spy and now Israeli citizen, remained locked away in federal prison for thirty years. During this time, however, he never fully left the public eye nor the behind-the-scenes discussions within the United States and Israeli governments. Debates over the proportionality of his prison sentence racked American Jewry and the American government, but no president commuted his sentence or pardoned his crimes. He was only released on parole through a routine hearing — one required by the terms of his sentence — by the Parole Commission, without any overt political influence from the U.S. government, the Israeli government, or Jewish interest groups. The fact that the Pollard affair remained a hot topic for so many years, never fully leaving many American Jews’ minds nor politicians’ negotiating tables, illuminated the complexity and mystery of the case and the various actors and interests involved. The Pollards’ reception in Israel, furthermore, proved that the two countries maintained a strong relationship throughout the thirty-five years that Pollard was not completely free, and they preferred to conclude the matter quietly instead of interrupting that tight, enduring bond.

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<sup>386</sup> Gil Troy, “The Pollard Puzzle: A Pension but No Parade - Opinion,” *The Jerusalem Post*, December 22, 2020, <https://www.jpost.com/opinion/the-pollard-puzzle-a-pension-but-no-parade-opinion-652936>.

<sup>387</sup> Ibid.

<sup>388</sup> Ibid.

## Conclusion

In the darkest hours of the morning on Wednesday, December 30, 2020, Jonathan and his second wife Esther Pollard alighted the stairs of the private airplane that had carried them from New Jersey to Tel Aviv. As they stepped down, they knelt to kiss the ground — Israeli ground. When they stood up, Prime Minister Benjamin Netanyahu greeted them with a “[w]elcome home.”<sup>389</sup> Jonathan Pollard had arrived in the country that he had yearned for his entire life — one for which he had broken the laws of his birthplace, the United States. With Pollard’s emigration, the decades-long affair finally and conclusively drew to a close. The complicated and prolonged character of the Pollard saga demonstrated the difficulty of international relations, the delicate balance that diplomats and officials must strike between security, adherence to the law, and diplomacy. Espionage is by definition secretive and shadowy, and knowing how and when to use it requires some risk-taking and a significant amount of discretion.

The Pollard affair was a momentous scandal that never completely left the public or governmental consciousness during its thirty-five-year span. The exposure of the case in 1985 severely tested the relationship between the United States and Israel publicly at a time when it was considered to be at the height of closeness.<sup>390</sup> The “special relationship” had weathered other crises before, but none as public or direct as the Pollard affair.

In Pollard’s case, Israel characteristically prioritized security above the law in employing him as an agent and in remaining as quiet as possible during the investigation, so as not to compromise the secrets that Pollard had shared.<sup>391</sup> Even so, questions of how

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<sup>389</sup> Itamar Eichner, “‘Now you can start life anew,’ PM tells Pollard upon arrival in Israel,” *Yedioth Ahronoth*, December 30, 2020, <https://www.ynetnews.com/article/0XYTWIQ5O>.

<sup>390</sup> Freilich, *Israeli National Security*, 289.

<sup>391</sup> Cohen and Kleiman, *Handbook*, 2-3.

to protect Israel’s relationship with “a fundamental pillar of its national security,” in the words of political scientist and Israel expert Chuck Freilich, floated throughout the Israeli public and government.<sup>392</sup> After all, the “special relationship” furnished copious aid that the small nation needed to protect itself.<sup>393</sup> The U.S. government has, in this vein, committed to maintaining Israel’s “quantitative military edge,” or QME, over its Arab enemies since 1962, when President Kennedy first sold Hawk anti-aircraft missiles to the small country in the Middle East.<sup>394</sup> Alienating the American public and policymakers further by stonewalling the investigation risked that important relationship with the United States, and a 1987 Israeli Foreign Ministry assessment warned “that Israel would eventually face a loss in American aid and strategic cooperation” if it did not change its conduct in the Pollard affair.<sup>395</sup> Even a Knesset report on the Pollard affair from that year acknowledged that “[t]he inability to fully perform the commitment to submit the documents led to a crisis of confidence between the United States and Israel.”<sup>396</sup>

However, nearly from the moment Jonathan Pollard was arrested in 1985, most journalists and officials predicted that despite the tension that the exposure of the Pollard operation caused, the overall ties between the United States and Israel would remain generally unaffected. Within days of Pollard’s sentencing, Dick Cheney, a prominent congressman at the time, simultaneously expressed his exasperation over the display of “behavior that doesn’t behoove an ally” and voiced his continued support for Israel and

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<sup>392</sup> Freilich, *Israeli National Security*, 289; “Charles David Freilich,” Political Science, Columbia University, accessed December 7, 2021, <https://polisci.columbia.edu/content/charles-david-freilich-0>.

<sup>393</sup> Freilich, *Israeli National Security*, 290-292.

<sup>394</sup> Freedman, *Israel and the United States*, 128.

<sup>395</sup> Glenn Frankel, “Israel Agrees to Probe Pollard Affair,” *Washington Post*, A1, March 11, 1987, CIA Electronic Freedom of Information Act Reading Room.

<sup>396</sup> Knesset, *Report of the Subcommittee on Intelligence and Security Services on the Issue: Jonathan Pollard*, May 26, 1987, 22-23, <https://www.jonathanpollard.org/7890/052687.pdf>.

opposition to cutting any aid, in the name of American interests.<sup>397</sup> That “the Israelis made a dumb mistake” in their conduct did not warrant, to Cheney, any fundamental changes to the American-Israeli connection.<sup>398</sup>

The Pollard affair did not have any major identifiable ramifications on the official ties between the two countries, but that does not mean that it was inconsequential. That Pollard remained a prisoner for so many years, despite extensive and consistent advocacy on his behalf, demonstrates that even a strong and durable alliance that successfully weathered such a public crisis as the Pollard espionage scandal was subjected to domestic politics, as discussed in Chapter Three. Additionally, Israel made several serious errors in judgment that had profound, if subtle, consequences. Recruiting Pollard in the first place was an egregious mistake. Remaining silent in the first few days after Pollard’s arrest only worsened the Israelis’ appearance to the Americans, infuriating the latter more. Trying to avoid full cooperation without upsetting the United States was another folly, as it only further frustrated American officials.

Using an American citizen to spy on the United States, especially when the Mossad had a long-standing tacit agreement with the CIA not to do just that, risked the intelligence that Israel received from the United States legitimately.<sup>399</sup> Even though a different agency had employed Pollard, the lack of adherence to this agreement undermined trust between the two countries’ intelligence agencies. Running Pollard as an agent also put at stake a more amorphous feeling of trust between the United States and

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<sup>397</sup> Charles R. Babcock, “Criticism of Israel Rises Over Pollard Spy Case,” *Washington Post*, A24, March 5, 1987, CIA Electronic Freedom of Information Act Reading Room; “CHENEY, Richard Bruce,” Biographical Directory of the United States Congress, accessed December 6, 2021, <https://bioguide.congress.gov/search/bio/C000344>.

<sup>398</sup> *Ibid.*

<sup>399</sup> Kahana, “Mossad-CIA Cooperation,” 415.



Israel, raising the question of whether the risk of plaguing the fruitfulness of diplomacy in the years to come was worth learning some extra information.

The largest expense of the Pollard espionage scandal unfolded outside of the relations between the governments. The affair fractured the close bond of trust between Israelis and American Jews, which has had lasting repercussions.<sup>400</sup> Aside from the relationship between the U.S. and Israeli governments, using an American *Jew* to spy for *Israel* brought the American Jewish community, which had generally been fiercely supportive of the Jewish state, into the scandal. Israel's permanent mission to the United Nations included "represent[ing]... the Jewish people on the global stage," in addition to Israel and its citizens.<sup>401</sup> Endangering the largest Diaspora community certainly did not align with responsibility for the global Jewish community, and the discovery of an American Jew spying for Israel upset American Jewry.<sup>402</sup> The Pollard affair left the community feeling undervalued and overlooked, considering American Jews' advocacy and philanthropy for Israel's benefit and its leaders' tendency to refrain from criticizing Israeli policies publicly. Out of fear and shock, American Jewry tended to remain silent or condemnatory toward Israel during the mid- to late 1980s, when the Pollard affair was fresh. The reactions of leaders and laymen alike, stressing their "Americanness" and distress over the scandal, stood in stark contrast to Israelis' opposite, but also defensive, responses to both the Pollard case and American Jewry's reactions to it. The divergence exposed a rift between American Jews and Israelis, one characterized by a fundamentally different approach to global Jewry and the State of Israel.

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<sup>400</sup> Rosenthal, *Irreconcilable Differences?*, 83.

<sup>401</sup> "About the Mission," Permanent Mission of Israel to the United Nations, accessed December 6, 2021, <https://embassies.gov.il/un/AboutTheEmbassy/Pages/about-the-mission.aspx>.

<sup>402</sup> Cohen and Kleiman, *Handbook*, 3.

The Pollard affair accelerated a hitherto slowly growing trend among American Jews of criticizing Israeli policies. Doing so had generally been considered taboo out of fear of undermining Israel's legitimacy among the international community.<sup>403</sup> Now that Israel had apparently disregarded the welfare of American Jews, that community felt more comfortable speaking out on issues relating to Israel, and particularly ones like the Pollard affair, which directly affected it. As discussed in Chapter Two, American Jews have increasingly felt comfortable criticizing particular Israeli policies since then, even as they remained supportive of Israel overall.<sup>404</sup> Although time would bring many American Jews to support Jonathan Pollard's quest for release from prison, their lobbying on his behalf did not arise from a sense of obligation to Israel or Pollard. Rather, over time, they felt more comfortable voicing opinions of Pollard's unprecedented life sentence as disproportionate to his crimes or an example of anti-Semitism.<sup>405</sup>

Their reactions, and particularly American Jews' feeling of betrayal by the Israeli government, provide insight into the affair's most far-reaching, though subtle, effects, which will likely outlast any actual damage to U.S. national security that Pollard inflicted. American Jewry remained generally supportive of Israel, although that support has decreased in recent decades. According to a 2020 poll, 80% of American Jewry was "pro-Israel," but within that support, 57% identified as "critical of Israeli policy."<sup>406</sup> American Jews were significantly less willing to criticize Israel prior to the mid-1980s, and Jonathan Pollard's case was a major impetus of American Jewry's increased

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<sup>403</sup> Blitzer, *Between Washington and Jerusalem*, 149.

<sup>404</sup> Cohen, "Relationships of American Jews with Israel," 134.

<sup>405</sup> Kumaraswamy, *Politics of Pardon*, 20, 24-25.

<sup>406</sup> Lydia Saad, "Americans Still Favor Israel While Warming to Palestinians," *Gallup*, March 19, 2021, <https://news.gallup.com/poll/340331/americans-favor-israel-warming-palestinians.aspx>; Jeremy Sharon, "80% of US Jews Say They are Pro-Israel, Study Finds," *The Jerusalem Post*, February 4, 2020, <https://www.jpost.com/diaspora/80-percent-of-us-jews-say-they-are-pro-israel-study-finds-616479>.

disapproval of Israeli policies.<sup>407</sup> Even by the early 1980s, approximately 75% of respondents to surveys remained confident in Israel's peaceful intentions and did not take issue with its policies.<sup>408</sup> In a 1983 survey by the American Jewish Committee (AJC), 57% of American Jews responded that they should be free to publicly criticize Israel. In a similar 1986 survey, amidst the Pollard-related legal proceedings, the portion of respondents who believed that they should be able to freely criticize Israel jumped to 63%. This change, a Queens College sociologist argued, was partially due to American Jews' increased skepticism toward the Israeli government.<sup>409</sup> When American Jewry advocated for Pollard's sentence to be commuted, they spoke as Americans and as Jews — not necessarily from a place of support for Israel.

American Jews were not the only ones who rallied behind Pollard. As time passed, and the spy remained in jail, a significant number of congressional representatives, former members of presidential administrations, and national security officials urged president after president to exercise the executive power of sentence commutation or pardon. Like those of American Jews, these petitions employed the language of American values, emphasizing justice — or rather the “miscarriage of justice” in this case — above all. Many of these appeals, from members of Congress and national security officials, contrasted Pollard's life sentence with those convicted of similar crimes, none of the others approaching the same severity.<sup>410</sup> The fact that high-

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<sup>407</sup> Steven M. Cohen, “Relationships of American Jews with Israel: What We Know and What We Need to Know,” *Contemporary Jewry* 23, no. 1 (2002): 134, <http://www.jstor.org/stable/23455298>.

<sup>408</sup> Gilboa, “Attitudes of American Jews Toward Israel,” 120.

<sup>409</sup> Joseph Berger, “U.S. Jews Found More Willing to Criticize Leaders of Israel,” *New York Times*, A14, April 29, 1987, <https://www.nytimes.com/1987/04/29/world/us-jews-found-more-willing-to-criticize-leaders-of-israel.html>.

<sup>410</sup> James Woolsey, “It's Time to Commute Jonathan Pollard's Sentence,” letter to the editor, *Wall Street Journal*, July 4, 2012, <https://www.wsj.com/articles/SB10001424052702304299704577502681133991836>; Robert C. McFarlane, Lawrence J. Korb, Dennis DeConcini, Bernard W. Nussbaum, David F.

ranking officials came to support clemency for Jonathan Pollard lent some support to the suspicion that the spy's surprising life sentence was not wholly unprejudiced. What exactly prompted Defense Secretary Caspar Weinberger to tell Judge Aubrey Robinson that Pollard "substantially harmed the United States, and... his crimes demand severe punishment"?<sup>411</sup> Could Pollard's seventeen-month espionage stint — providing information to a close United States ally — really have inflicted enough damage to warrant a life sentence, which was so much harsher than the average for comparable crimes?

Of course, the answer is yes — it is *possible*. However, the answer to whether Pollard's crimes justified his punishment will remain elusive as long as much of the contents of the actual case are classified. Many of the pages of Weinberger's memoranda are still redacted. When the details become available to the public, if they ever do, the entire affair will require reevaluation, both regarding Pollard's sentence and the nature of the relationship between the United States and Israel. For now, working with the accessible material, one can only form educated conjectures about whether Pollard's life sentence was appropriate, why certain members of the United States government sympathized with someone who betrayed their country, and why the lobbying efforts for his release were unsuccessful. Perhaps he was never granted clemency because of American electoral politics; maybe he was just more useful as a potential bargaining chip, though he ultimately was never used as a concession in any deal. Until all the facts are

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Durenberger, R. James Woolsey, Angelo Codevilla and Lee Hamilton to Barack Obama, November 14, 2014, <https://www.jonathanpollard.org/2014/111414.pdf>; "Unjust Denial of Parole," Robert C. MacFarlane, Lawrence J. Korb, Dennis DeConcini, Bernard W. Nussbaum, David F. Durenberger, R. James Woolsey, Angelo Codevilla, and Lee Hamilton to President Obama, November 14, 2014.

<sup>411</sup> Caspar W. Weinberger, "Declaration of the Secretary of Defense," Sentencing Affidavit for Jonathan Pollard, *United States v. Jonathan Pollard*, criminal no. 86-0407, January 7-8, 1987, National Security Archive, 45.

revealed, one cannot be sure, but the materials to study public opinion and the politics and diplomacy surrounding the case still provide useful insight into the affair's effects and legacies.

Ultimately, the predictions of most journalists and officials while the case was still unfolding in real time proved true: the relationship between the United States and Israel emerged from the crisis largely unscathed. Bilateral relations have even progressed since then in numerous and varied areas. The War on Terror brought more joint military training and increased intelligence cooperation;<sup>412</sup> the United States provided abundant aid to build and maintain Israel's Iron Dome missile defense system, with \$1 billion in 2021 alone;<sup>413</sup> and the two countries participated in joint research and development on agriculture and energy — and these are only a few, and mostly broad, examples.<sup>414</sup> This collaboration builds on deep and wide roots, and as long as the common values and strategic goals that form the basis of the relationship remain, the relationship will retain support and continue to endure. Israeli-American former ambassador Michael Oren, born and raised in the United States, expressed this sentiment. In his memoir *Ally*, he envisioned the superpower and small state as complementing each other's strengths, collaborating to make the world a better place:

“Though separated by seven thousand miles of sea, the United States and Israel were intrinsically linked. Defending the same values, we confronted similar threats, from Soviet communism to Saddam Hussein and jihadist terror... no two countries had more in common spiritually, ideologically, and strategically. And the fact that Americans and Israelis were willing to fight for their ideals placed us in a slimmer category yet, even among Western nations.”<sup>415</sup>

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<sup>412</sup> Freilich, *Israeli National Security*, 299-301.

<sup>413</sup> Catie Edmondson, “House Approves \$1 Billion for the Iron Dome as Democrats Feud over Israel,” *New York Times*, September 23, 2021, <https://www.nytimes.com/2021/09/23/us/politics/israel-iron-dome-congress.html>.

<sup>414</sup> Freedman, *Israel and the United States*, 134-135.

<sup>415</sup> Oren, *Ally*, 42.

The Pollard affair began with one man, but it quickly became much larger than him. Numerous actors played a role in the scandal over its thirty-five-year lifespan. Of course, both countries' intelligence communities and political classes mattered in the unfolding of the investigation and diplomacy in 1985-1987. American Jews and the Israeli public were players in the affair as well. The "special relationship" stayed intact — a testament to its "fundamental strength" according to Freilich — but the Pollard affair still left behind a legacy of increased criticism of Israeli policies by American Jews.<sup>416</sup> This is important for Israel to take into account when dealing with the United States, as American Jewry has historically been a major driver of national support for Israel. Although U.S.-Israeli ties transcend the American-Jewish link and are rooted in shared values and strategic considerations, the community's political influence has, at times, guided how much aid Israel has received from the United States.<sup>417</sup> The fractured trust between the largest Diaspora community and the ancestral Jewish homeland never entirely healed, leaving both Israel and American Jewry to ponder the values, goals, history, and culture that they share.

In a 2002 address to the Hillel at Harvard University, Holocaust survivor, American immigrant, and self-proclaimed Zionist Ben-Zion Gold spoke at length about the Israeli-Palestinian conflict, and particularly the ongoing point of contention of Israeli settlements in the West Bank since 1967 and the second

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<sup>416</sup> Freilich, *Israeli National Security*, 290.

<sup>417</sup> *Ibid.*, 262.

“Intifada,” meaning “uprising,” happening at the time. Historically, the United States had refrained from directly opposing settlement building (with an exception during the Carter administration), although the government had at times considered it to be an “obstacle to peace.”<sup>418</sup> Throughout the first (1987-1993) and second (2000-2005) Intifadas, Palestinians threw rocks and Molotov cocktails and conducted civil disobedience, rocket attacks, and suicide bombings, prompting harsh Israeli responses. Criticism of Israel’s conduct as disproportionate rose, despite overall continued support for Israel throughout the United States.<sup>419</sup> In his speech, Gold pondered the role of American Jewry in the American-Israeli relationship, and its part in the long and rich tradition of Diaspora Jewry. Although he did not mention the affair outright in a speech primarily centering on the Arab-Israeli conflict, Gold’s words, delivered fifteen years into Jonathan Pollard’s prison sentence, emphasized the affair’s enduring legacy. Many American Jews — Gold among them — considered themselves still devoted to Israel’s welfare but obliged to speak out about Israel’s moral failings.<sup>420</sup>

“At present,” Gold told his audience, “the task of Jews who are committed to the welfare of Israel is to hold up the critical mirror for Americans and Israelis.”<sup>421</sup>

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<sup>418</sup> Jim Zanotti, “Israel: Background and U.S. Relations,” Congressional Research Service, July 31, 2018, <https://sgp.fas.org/crs/mideast/RL33476.pdf>.

<sup>419</sup> Alvin Richman, “A Report: American Attitudes Toward Israeli-Palestinian Relations in the Wake of the Uprising,” *The Public Opinion Quarterly* 53, no. 3 (1989): 417-8, <http://www.jstor.org/stable/2749130>.

<sup>420</sup> Ben-Zion Gold, “The Diaspora and the Intifada,” (speech, Cambridge, MA, April 14, 2002), *Boston Review*, <https://bostonreview.net/articles/ben-zion-gold-diaspora-and-intifada/>.

<sup>421</sup> *Ibid.*

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