

Why We Broke The Law

By Theodore R. Mann
President, American Jewish Congress

Again a leadership group of the American Jewish Congress has engaged in an act of civil disobedience, this time in front of the Soviet Embassy in Washington, D.C. We are not likely to do so again for a while, because while our 15 day sentence was suspended, we are all on probation for the next six months.

There were at least 400,000 good reasons for risking a jail sentence -- that is how many Soviet Jews we have reason to believe would like to leave. But we did so primarily in order to provide a signal to Soviet Jewry activists throughout the country: Now is the time to raise by several notches the intensity level of your protests against the uncivilized treatment of our Soviet brothers and sisters.

In this critical period, between the first and second summit meetings that may produce a thaw in Soviet - American relations, there exists a brief opportunity when what we do can make a difference in our own government's approach to the Soviets and, consequently, in Soviet behavior.

At the conclusion of the AJCongress biennial convention in Washington, D.C., on March 19, 40 delegates assembled 500 feet from the Soviet Embassy and demonstrated on behalf of Soviet Jews. Then I and five others -- Theo Bikel, Jacqueline Levine, Henry Siegman, Martin Raffel and Steve Israel -- entered the 500 foot zone, in which demonstrations are illegal. I rang the buzzer in front of the Soviet Embassy and told the voice that answered that we wished to meet with the highest ranking official inside in order to deliver a written message to the Soviet government. When we were refused entry, we turned

and, from the steps in front of the Soviet Embassy, sang songs of freedom and refused to stop or to disperse when the police asked us to.

We were then arrested, handcuffed, and taken in the paddy wagon to the appropriate police district, where we were fingerprinted and mugged. We were then released for a hearing the following morning.

Our counsel suggested to us that we could offer two defenses: that the 500 foot rule is an unconstitutional limitation on the freedom of speech, and that the prosecution and sentencing in our case would be discriminatory because those who demonstrated in front of the South African Embassy last year (ourselves included) were arrested, but not prosecuted.

Other demonstrators in front of the Soviet Embassy have raised these defenses. We decided that we would not. Our purpose, after all, was to focus public attention on Soviet human rights violations, not alleged unfairness of American laws. The only way to do that effectively, in our view, was to refrain from asserting any defense at all. And that is what we did. We all pleaded nolo contendere, meaning that we did not contest the charges.

As a result, the judge had to find us guilty, and he did. But before sentencing, we were entitled to speak and to give reasons why the sentence should be lenient. Each of us did.

I told the judge that this act of civil disobedience was undertaken only after meetings with the Soviet Ambassador and other efforts all over the United States and the world had failed to ameliorate the condition of Soviet Jews. Theo Bikel spoke eloquently about the conditions of the refuseniks. The last song he had sung in the demonstration before being arrested was a Russian version of "Let My People Go." Jackie Levine told the judge how for four hours she had stood outside the courtroom in Moscow where Yuli Edelshtein was tried and sentenced to three years imprisonment for crimes that he had not committed, and expressed her deep appreciation for the American

system of justice. By this time the judge, who conducted the proceedings with great dignity, was visibly moved.

Steve Israel spoke of his experience in the Soviet Union. Marty Raffel told the judge about his friend Andrei -- he had met him in the Soviet Union only several months ago -- and how he had not been able to get him out of his mind since.

The judge then imposed our sentences -- 15 days in prison, suspended; 6 months unsupervised probation; a \$50.00 fine and \$10.00 in costs.

The entire proceeding felt more like a religious ceremony than a criminal proceeding. To be able to engage in an unlawful act for a great cause and then to have the privilege of explaining your reasons for having violated the law to a sympathetic court, somehow seemed to raise the respect of all of us -- defendants and the court alike -- for the American system of justice.

We paid our fines, thanked our pro-bono lawyers (Bob Weinberg of Washington, D.C., Sylvia Neil of Chicago and Ron Krauss of New York), and went home. It was a stirring end to our convention.

But feeling good is not what this is about. Soviet Jews will not be benefitted by what we did, unless Jews throughout the country and their many Christian supporters engage in a heightened level of activities on behalf of Soviet Jews, starting right now and continuing at least until the next summit meeting. Our government, and the Soviet government must hear from us, must see us, must read about us, must know that the freedom of Soviet Jews is of critical importance to vast numbers of the American electorate.

Wherever you are, you who are reading this, if you don't already know what it is you can do and should do to help, get in touch with your local American Jewish Congress office, or Soviet Jewry Council, or Jewish Community Relations Council, and find out. There is much that you, and the members of your family, can do right now to make a difference.

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