

# JTA daily news bulletin

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## No Decision On Leningrad Appeal; Court Recesses For Day; Prosecution To Give Case

LONDON, Dec. 30 (JTA)--A world which had paid little attention to the Leningrad trial until the sentences were handed down last week, waited anxiously today for the outcome of the appeal lodged with the Supreme Court of the Russian Federation on behalf of the 11 defendants, two of whom have been sentenced to death. A group of about a dozen Jews, barred from entering the building, stood for hours today in snow and freezing cold awaiting news outside the Supreme Court on Moscow's Red Square. But the court recessed until tomorrow without rendering a decision. The prosecution will present its case tomorrow. The 11 defendants were convicted in Leningrad City Court last week of plotting to hijack a Soviet airliner last June to fly to Finland or Sweden whence they could go to Israel. The alleged ring-leader Mark Dymshitz, and co-defendant Edvard Kuznetsov, were sentenced to execution by firing squad. The others, all but two of them Jews, received prison terms of four-15 years. The severity of the sentences brought outcries of protest from all parts of the world and appeals for clemency by governments, religious and lay leaders. The verdict on the appeal will show whether the Soviet authorities are responsive to the outcry which reportedly caught them by surprise.

Information reached here today that dissident groups throughout the Soviet Union have expressed sympathy with the Leningrad defendants. According to the informants, dissident underground publications have carried full reports of the proceedings, including the statements of the defendants before sentence was pronounced. The official Soviet press has carried only scant accounts of the trial and did not publish the statements by the accused. Some optimism was engendered yesterday by the announcement that the appeal hearing would take place this morning, five days after sentence was pronounced. Normally, hearings are not set for six to eight weeks after trial. On the other hand, observers here noted that the Supreme Court rarely overturns the verdict of lower courts in "political" cases. The Supreme Court of the Russian Federation, corresponding roughly to State Supreme Courts in the U.S., is not the highest in the land. The defendants were not permitted to appeal to the Supreme Court of the USSR. But they still have a court of last resort in the Praesidium of the Russian Republic's Supreme Soviet or parliament, should today's appeal fail.

Observers here said that Communist Party leaders could influence the decision since there is no strict separation of powers between the judiciary and the Party. The Leningrad defendants are not appearing before the Supreme Court but are represented there by defense counsel appointed by the Leningrad court. Informed sources said their lawyers would probably argue that they should not have been tried under the section of the Soviet criminal code dealing with treason but under other articles on theft of state property and unlawful departure which carry neither the death penalty nor long prison terms. The Supreme Court has four alternatives: It can leave the verdict unchanged; vacate the judgement of the Leningrad City Court; order a new trial or reduce the sentence. Soviet intellectuals, many of them at odds with the regime, are believed to sympathize with the Leningrad defendants. Andrei D. Sakharov, a Soviet physicist and civil libertarian, has pleaded with President Nikolai Podgorny to prevent the death sentences from being carried out and to lighten the other sentences. He called the death penalties "unjustified brutality" and observed that the hijack plot had been prompted by "restrictions placed on the legal right of tens of thousands of Jews to leave the country." Sakharov also made public a letter he wrote at the same time to President Nixon asking for clemency for Angela Davis, a black militant Marxist facing trial for murder in California.

## 400 Jewish Leaders Urge Administration Aid For Leningrad II; Three Confer With Rogers

WASHINGTON, Dec. 30 (JTA)--The more than 400 Jewish leaders from 66 American communities who are here seeking Nixon administration action on behalf of the Leningrad prisoners petitioned the Kremlin today to "right the wrong committed against the Leningrad defendants before the guns of the firing squad commit murder." The appeal declared that the "barbaric sentences"--two Jews condemned to death and nine other prisoners given prison terms for "banditry and treason"--were levied "for crimes that were never committed." That, the leaders asserted, was "a travesty of justice." Dr. William A. Wexler, president of B'nai B'rith and chairman of the Conference of Presidents of Major American Jewish Organizations, contended that the Soviet "arrogance" and "brutality" had "overnight put the plight of Soviet Jewry squarely before the moral conscience of the entire world"--a feat that Soviet Jewry itself, he said, had been unable to achieve over many years. Significantly, added Dr. Wexler, the Leningrad verdicts had "shamed Communist Parties throughout the world into disavowing the tactics of the Kremlin." He declared: "The Leningrad II are not an isolated incident. They are the Soviet Jewish community. We dare not fail them."

Rabbi Herschel Schacter, chairman of the American Jewish Conference on Soviet Jewry, said the "courageous voice of Soviet Jewry" would never be stilled despite "cruel anti-Semitism." Arthur J. Goldberg, the former ambassador and Supreme Court Justice, asked: "What kind of justice makes a man a prisoner in the land of his birth"--especially for religious reasons. Such "justice" he said, was uncivilized. George Meany, chairman of the AFL-CIO, called on European free-trade centers to protest the Leningrad sentences. Dr. Hans J. Morgenthau, the political scientist, said the Leningrad trial was a "replica" of the "Jewish doctors' plot" against Stalin, in that it sought to "stifle expressions of Jewish consciousness in the Soviet Union." The Washington rally leaders announced that Sen. Hubert H. Humphrey, the former Vice President, had cabled Soviet Premier Alexsei N. Kosygin to protest the "terrible verdicts," to "earnestly request your immediate personal intervention to prevent a cruel miscarriage of justice" and to "review the entire problem of Soviet Jewry." Lawrence Cardinal Sheehan of Baltimore issued a statement condemning the "harsh and inhuman handling of these unfortun-

ate victims of Soviet intimidation" and their "systematic and dehumanizing harassment." The secretary general of the International Union of Electrical Workers, David J. Fitzmaurice, was arrested today after he flew an Israeli flag atop the union's building across the street from the Soviet Embassy. The specific charge against him was not known by late afternoon. A protest parade scheduled to proceed past the Embassy was called off, despite the issuance of a permit, when the police said placards were not permitted under the terms of the permit. Three Jewish leaders--Dr. Wexler, Rabbi Schacter and Max M. Fisher, chairman of the Council of Jewish Federations and Welfare Funds--conferred for more than two hours with Secretary of State William P. Rogers. Yesterday, 3,000 marchers filed past the White House in a demonstration coordinated by the Jewish Community Council. In a second march later in the day, 1,000 persons marched the same route past the White House. The Senate approved unanimously a resolution by Sen. Robert Dole, Republican of Kansas, voicing distress at "the continued injustices" against Soviet Jews and urging President Nixon to act. Sen. Claiborne Pell called on President Nixon, the U.S. Congress and the American people yesterday to appeal to the Soviet Union. The Rhode Island Democrat, a member of the Senate Foreign Relations Committee, declared that "Mankind is appalled by the latest act of inhumanity against the Jews of Russia." Washington police arrested 13 persons, 12 men and a woman, who tried to stage Chanukah services outside the Soviet Embassy last night.

### 6000-10,000 Jews, Non-Jews, Whites, Blacks, Hold Demonstration In Foley Square

NEW YORK, Dec. 30 (JTA)--An estimated 6,000 to 10,000 New Yorkers--Jews and non-Jews, whites and non-whites, old and young--braved biting winds in Foley Square from noon to 2 p.m. today for a Soviet Jewry solidarity rally sponsored by the New York Conference on Soviet Jewry and the Conference of Presidents of Major American Jewish Organizations. Employees of the city's Jewish organizations and of the government offices in the square joined in the throng, as did workers from the predominantly Jewish midtown garment district who normally spend lunch hour relaxing in cafeterias. Numerous Jewish organizations and businesses throughout the city were closed from 12 to 2 p.m. to permit their employees to participate in the rally and some closed earlier to permit their workers to travel to Foley Square for the start of the demonstration. A number of workers remained at the square after the rally was officially concluded discussing the sentences. The Leningrad trial of Jews and non-Jews for an alleged hijacking attempt was denounced by Mayor John V. Lindsay; Rabbi Gilbert Klaperman, chairman of the New York Conference; Attorney General Louis J. Lefkowitz; Controller Arthur Levitt; Cultural Affairs Commissioner Dore Schary; labor leader Harry Van Arsdale; comedian Alan King and Christian leaders. Mayor Lindsay proclaiming a "Day of Concern," said the Kremlin was "hypocritical" in condemning the trial of eight Spanish separatists while staging the Leningrad trial.

He declared: "We meet this afternoon as Jew and Gentile, black and white, young and old. We meet not to plead our own interests--but to speak out for thousands of Soviet Jews who cannot speak for themselves. We raise our voices in their name--in the name of justice, decency and compassion." Mayor Lindsay added: "We appeal today to the leaders of the Soviet Union. And we hope they will respond... Surely, that is not too much to ask of men who claim a concern for human life and human rights. Surely, it is the minimum we must ask for those whose only real crime is their profession or support of mankind's oldest faith." Rabbi Klaperman called the Leningrad charges "a complete fabrication, a tissue of lies" that had been condemned even by Communist parties around the globe. He called "not for mercy but for justice." In a statement read for him, Conservative Sen.-elect James L. Buckley said the Leningrad trial was reminiscent of Hitlerism. The gathering included some blacks, members of the Italian-American Civil Rights League and other individuals who identified themselves to the Jewish Telegraphic Agency as sympathetic non-Jews. The crowd was subdued, except for cries of "Let My People Go," "Open Up the Iron Door" and "Never Again" by several hundred members of the Jewish Defense League.

### Rallies In Boston, More In N.Y.; Communists, Trotskyists Disavow Leningrad Sentences

Meanwhile appeals for clemency and demonstrations against the harsh sentences imposed on Jews in Leningrad continued today throughout the country. The latest representation was contained in a cable sent to the chief prosecutor of the Soviet Union, Roman Andreevich Rudenko, formerly chief Russian prosecutor at the Nuremberg war crimes trials. It was signed by Dr. Robert M.W. Kempner, of Landsdowne, Pa., who was the U.S. Deputy Chief Counsel at Nuremberg. The message said, "Recalling our efforts in Nuremberg for justice and humanity, I appeal to you for mercy for the Jews sentenced to death." In Boston, the Rabbinical Court of Justice of the Associated Synagogues of Massachusetts, comprised of Orthodox, Conservative and Reform temples, declared yesterday that Jan. 7 should be considered a day of dedication to Soviet Jewry. Jan. 7 (the 10th of Teves) is an official fast day in memory of the siege of Jerusalem by the Babylonians in 586 BCE. Yesterday afternoon, 200 persons heard speeches of solidarity with the Leningrad prisoners by Catholic, Protestant and Jewish leaders who asked the Nixon administration to act to save the condemned. Messages of support came from Gov. Francis W. Sargent and Sen. Edward M. Kennedy. The rally was called by the Jewish Community Council, the Student Struggle for Soviet Jewry and other groups.

The Daily World, the organ of the Communist Party U.S.A., said in an editorial yesterday that while it believed the Leningrad defendants were guilty, "Nonetheless...we come to the conclusion that the interests of mankind will best be served if...the Soviet authorities commute the two death sentences." In an editorial scheduled for publication in the next issue of the Militant, the Socialist Workers Party (Trotskyist) organ, declares that the death penalty for an "alleged" hijacking is "one more example of the barbaric extremes to which the Kremlin bureaucrats will go in attempting to maintain their dictatorial rule." The editorial adds that "the principles of socialist justice are totally alien" to the Kremlin. The SWP, which advocates the "dismantling of the State of Israel," contends in the editorial that "anti-Soviet" propagandists, especially in the United States and Israel, will use the Leningrad sentences for "their own reactionary purposes." In a radio interview last night, Rabbi Klaperman and Stanley Lowell of the New York Conference on Soviet Jewry asked listeners to bombard the Soviet ambassador in Washington, Anatoly F. Dobrynin, with appeals for clemency.

## French Envoy To Moscow Meets With High Soviet Official, Possibly Gromyko, on 11

PARIS, Dec. 30 (JTA)--Political observers here expressed guarded optimism today that the Soviet leadership may respond in some manner to France's appeal for clemency for the Leningrad 11. France's Ambassador to Moscow, Roger Seydoux, met with a "highly placed Soviet statesman" yesterday, to convey to the Soviet government "the intense emotion felt over the Leningrad trial, not only by French public opinion but also by the French government," it was announced here today. The Russian statesman is believed to have been Foreign Minister Andrei Gromyko. Ambassador Seydoux' representations were reportedly made at the personal instructions of President Georges Pompidou. Circles here described this "diplomatic demarche" as "extraordinary," particularly in view of the cordial relations between Paris and Moscow for the past few years. Pleas on behalf of the Leningrad defendants, coming from France, cannot easily be dismissed by the Kremlin leaders because France appears with "clean hands," the sources said. French policy in the Mideast has been closer to Moscow's than to the West's.

The French press reported today however that the Soviet attitude on the Leningrad defendants seems to be "tougher and less compromising than ever." But the same is not true of public opinion in the USSR, according to *Le Monde*. The paper noted that the Soviet press carried little information on the hijack trial but Jewish and non-Jewish circles in Russia appear to be well informed on the subject, apparently from listening to foreign radio broadcasts. *Le Monde's* Moscow correspondent reported that many Soviet citizens deplore the Leningrad sentences and "any move tainted with anti-Semitism." Moreover, they fail to understand why people who wish to leave Russia should be punished by death, *Le Monde* said. (In Switzerland, President Hans-Peter Tschudi said his administration "shares the dismay of our people and hopes that the appeals for clemency for the sentenced men and for the respect of human rights will be heard.")

## 6000 Rally In Toronto; Archbishop Urges Priests To Pray For Reduced Sentences

TORONTO, Dec. 30 (JTA)--More than 6000 persons filled Nathan Philips Square at a noon rally today to protest the sentences imposed on the Leningrad defendants. The rally, sponsored by the Canadian Jewish Congress was addressed by Congress officials and prominent rabbis. Messages from six major church organizations and Toronto city officials were read. The Rev. Fred Bullen, General Secretary of the Canadian Baptist Federation, sent a telegram to Soviet Ambassador Ivan Shpedko in Ottawa deploring the severity of the sentences. "We earnestly plead that the USSR show mercy by commuting the death sentences and shortening the prison terms of the other defendants." In Vancouver, the Pacific Region of the Canadian Council of Christians and Jews issued a protest stating "The imposition of death sentences for a crime with apparent political overtones is a complete miscarriage of justice." They urged the Soviet officials to reconsider their verdict. In Toronto, Allan Grossman, Minister of Correctional Services for the Ontario Provincial Government, sent a telegram to Prime Minister Pierre Elliott Trudeau asking him to intercede with the Soviet authorities on behalf of the Leningrad defendants. Trudeau sent a personal message to the Soviet Ambassador in Ottawa.

Toronto's Catholic Archbishop Philip Pocock issued a diocesan letter requesting priests to pray for "a reduction of the cruel sentences of those seeking liberation from oppression." Max Federman, head of the Fur Workers Union, urged a work stoppage at noon on behalf of the Leningrad defendants. Vernon Singer, member of the Ontario legislature, called on all Canadians to protest the verdicts. In Winnipeg's City Square some 300 persons attended a Chanukah candle-lighting ceremony last night to protest the sentences. In Montreal, more than 3000 persons are expected to assemble tonight at the Queen Elizabeth Hotel for a rally. According to Monroe Abbey, president of the CJC which organized the rally, it will be addressed by Canadian academic, religious and cultural leaders.

## British Labor Party, Labor Zionists, Lord Janner Condemn Death Sentences

LONDON, Dec. 30 (JTA)--The Labor Party expressed "deep concern" today over the "secrecy" of the Leningrad trial and "anxiety about the possible implications." The statement by the opposition party said it "believes that the restrictions placed by the Soviet government on the freedom of Jews in the USSR to emigrate is a root cause of anxiety and distress among the Jewish community of the USSR," and urged the Kremlin "not to make the trial of the alleged hijackers a starting point for future acts of discrimination and repression against Soviet Jews." The British Labor Zionist movement declared today that "the savage sentences imposed at Leningrad and on six Basque separatists in Burgos, Spain, show once again the evils of totalitarianism." It added that "Together with socialists everywhere we shall continue the struggle for the victory of democratic forces all over the world." Lord Janner told some 1500 guests at the Jewish National Fund Chanukah banquet here that all-out pressure must be exerted on the Soviet Union to revoke the sentences. "By its action, the Soviet Union stands disgraced in the eyes of the world," he declared.

## Eban Officially Informs Jarring Of Israel's Return To Talks

JERUSALEM, Dec. 30 (JTA)--Foreign Minister Abba Eban announced this morning that he has informed Ambassador Gunnar V. Jarring of Israel's decision to return to the peace talks under his auspices and called for a "rhetorical de-escalation" in the Middle East. Eban addressed a press conference in the aftermath of last night's Knesset vote approving a government motion to end Israel's four month-old boycott of the Jarring talks. Eban observed that threats voiced recently by President Anwar Sadat of Egypt did not create a congenial atmosphere for renewal of the peace talks. "If it was Egypt's intention to intimidate us, our flesh visibly refused to creep," Eban said. (Sadat responded to Israel's decision to return to the Jarring talks yesterday by ordering his nation on a war footing.) Eban brusquely dismissed Egyptian demands for a timetable of withdrawal from occupied Arab territory in advance of the peace talks as a condition for extending the current cease-fire which expires Feb. 5. He declared that Israel wants to approach the peace talks without any prior conditions. He said Israel would regard it as "a natural thing" if the Jordanian government were to include West Bank residents in its delegation to the Jarring talks, but added Israel would not negotiate with Palestinians as such. He said shifting the site of the talks from the UN to a place closer to the three countries concerned would be desirable, because "New York cannot by any stretch of the imagination be considered part of the Middle East."

