

Cato Institute Policy Analysis No. 70: Emigration and Citizenship: Implications for Soviet-American Relations

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Executive Summary

Anatoly Shcharansky's February 1986 release from a Soviet labor camp and his emigration to Israel have once again focused world attention on the plight of Soviet religious and ethnic minorities who seek permission to leave the USSR. Shcharansky's wife Avital had emigrated to Israel in 1974 -- the day after they were married -- expecting Anatoly to follow a short time later. But Soviet authorities would not allow him to leave. In 1978 he was tried and convicted on charges of treason, espionage, and anti-Soviet agitation -- charges he steadfastly denied despite nearly eight years of harsh treatment, including torture by hunger, cold, and isolation, that would have broken a less courageous and indomitable spirit. Not surprisingly, Anatoly Shcharansky became a living symbol of Soviet human-rights abuses in the post-Helsinki era.

But, where Soviet emigration policy is concerned, the Shcharansky case is only the tip of the iceberg. The freedom to emigrate is an essential aspect of citizenship under any political regime, even one that claims the right to restrict or deny other individual liberties in the name of some greater good, such as protecting society against "enemies of the people" and external threats. The Soviet stand on emigration poses a serious policy dilemma for the United States: a proper U.S. concern with Soviet emigration restrictions is morally and politically unavoidable; however, it continues to hamper superpower efforts to build greater mutual trust, without which progress on such issues as trade liberalization and strategic-arms reduction will be stalled indefinitely.

Is defending the freedom of Soviet citizens to emigrate intrinsically important to the United States, or has the issue been foisted upon recent American presidents by special interests at the expense of the general good? Has Soviet emigration policy evolved in any real sense over the past 20 years, or has Moscow simply manipulated it according to the dictates of Realpolitik? Finally, is Soviet policy in this area impervious to U.S. influence, or can the right U.S. approach make an important difference?

Citizenship and Freedom of Movement: The Right of Last Resort

Americans are predisposed by circumstance and personal experience to undervalue individual liberties connected with the freedom to leave one's own country and return. Press them to itemize particularly cherished rights, and they will usually mention freedom of expression and religion. Freedom of assembly, the right to bear arms, and the right to trial by jury follow close behind. Freedom of movement sometimes receives honorable mention, but seldom does it top anybody's list, and even more rarely is it applied to travel or to choice of residence outside the United States.

There are several reasons for this anomaly. First, the United States occupies a vast territory, and thus one can travel thousands of miles without setting foot on foreign soil. Second, because the United States is among the most affluent societies in the world, the economic incentive to emigrate is lacking. Third, Americans enjoy at least as much personal freedom as citizens in other liberal democracies and are at liberty to travel and live abroad. While many exercise that liberty, few do so for political reasons, and most return. As a consequence, citizens and civic leaders alike tend not to realize the magnitude of the moral and political issues involved in human-rights abuses as they relate to emigration and exile.

Without denigrating the importance of other civil and political liberties, one can argue that freedom of movement is the most fundamental right of all because it is the right of last resort, the escape clause in every citizen's contract with the state. Although no one should ever have to choose between state-imposed silence and self-imposed exile, those with something to say who are denied a platform can seek refuge in a place more hospitable to free speech. By the same token, citizens denied the right to cast a meaningful ballot can vote with their feet. Finally, people who are persecuted by the state for their convictions can, figuratively speaking, follow Moses out of the political wilderness in search of the Promised Land.

The right to emigrate is implicit in the concept of citizenship, which denotes voluntary membership in a political association in return for collective protection of rights. At an absolute minimum, therefore, citizens must have the right to terminate membership in the state. When individuals who feel deprived of certain rights essential to their self-fulfillment in their native land are denied the chance to seek it elsewhere, they possess none of the attributes of genuine citizens. Involuntary residents are, at best, subjects.

Freedom of Movement and International Law

The Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948, proclaims, "Everyone has the right to leave any country, including his own, and to return to his country" (article 13, paragraph 2). Further, "Everyone has the right to seek and to enjoy in other countries asylum from persecution" (article 14, paragraph 1). Finally, "No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality" (article 15, paragraph 2).

But, alas, the Universal Declaration was never universal. The United States, along with the majority of charter UN members, signed it; the Soviet bloc countries, Saudi Arabia, and South Africa abstained. In any event, the 1948 human-rights document did not have the force of law; it merely elucidated "a common standard of achievement for all peoples and all nations to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for [human] rights and freedoms." [1]

The International Covenant on Civil and Political Rights, based on the Universal Declaration and adopted by the UN General Assembly in 1976, made the principles enshrined in the declaration binding upon all ratifying states. The covenant states, "Everyone shall be free to leave any country, including his own" (article 12, paragraph 2), and "No one shall be arbitrarily deprived of the right to enter his own country" (article 12, paragraph 4). The following language is not found in the Universal Declaration: Rights pertaining to freedom of movement "shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant" (article 12, paragraph 3). [2] It is noteworthy, as well, that the Convention on the Elimination of All Forms of Discrimination Against Women provides that ratifying states "shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile." [3] The Soviet Union has signed both these human-rights agreements. [4]

Although the International Covenant on Civil and Political Rights is explicitly mentioned in the 1975 Helsinki Final Act, the act contains no language regarding the general right of free movement. [5] This omission, in a document that has served as the moral and legal springboard for human-rights activists in the USSR and elsewhere, may have been inadvertent, or it may have been done to placate the USSR. Had it been a priority consideration, however, the general right of free movement would have been less easily ignored or discarded.

It is noteworthy that Moscow sought unsuccessfully to insert into the Helsinki Final Act language parallel to that of the

International Covenant on Civil and Political Rights, article 18. That article recognizes limitations on freedom on the grounds of protecting "public safety, order, health, or morals or the fundamental rights and freedoms of others." According to an authoritative study of the Helsinki process by William Korey, "Moscow tried -- but failed -- to use the escape clauses of the covenant to weaken the human rights provisions. Nonetheless, later on, the Kremlin would cite the covenant's escape clauses to justify abridgment of freedom -- even though these clauses are themselves under severe legal limitations and are not intended to restrict the purpose of the covenant." [6]

On the positive side, the Helsinki participants did pledge to help family members maintain contact across political frontiers through the liberalization of travel rules. Moreover, they promised to consider cases involving family reunification "in a positive and humanitarian spirit . . . with special attention being given to requests of an urgent character -- such as requests submitted by persons who are ill or old." Finally, they agreed to "examine favourably" requests relating to marriage between citizens of different countries. The Soviet Union and its Eastern European allies signed this document and have never publicly repudiated it. [7]

Thus, there is no absence of international legal recognition of the individual's right to choose freely in matters of movement, residence, and citizenship. But this fact must provide little comfort to the "citizens" of Ethiopia, Morocco, Mozambique, South Africa, Tanzania, Zaire, Zambia, Cuba, China, North Korea, Saudi Arabia, Vietnam, Turkey, and the countries of Eastern Europe (except Hungary), who are denied the right to leave and return as they see fit.

The Soviet Union: An Emigration Case Study

The USSR is obviously not the only country that denies its citizens fundamental civil and political rights. Nonetheless, considering its size and geopolitical sway, its role as a model for numerous other regimes, and the enormous chasm between its moral pretensions and its antediluvian practices, there is ample justification for choosing the Soviet Union as a case study of the political uses and abuses of individual rights, including the right to emigrate.

The Great Distortion: Emigration As Opposition

Liberal democracy enshrines the idea that the individual has a natural right to self-determination. Of course, this right is necessarily limited by the need of each for protection from all who would inflict harm or infringe without provocation. It is this caveat upon which the present-day rulers in totalitarian regimes parading as "popular democracies" or "socialist republics" predicate their claims to legitimacy. The "enemies of the state" are allegedly so pervasive and menacing that security can be achieved only through state-enforced unity, order, solidarity, and discipline. Thus, Marxist rulers from such disparate regions as Africa (e.g., Ethiopia, Angola, and Mozambique), Asia (e.g., North Korea, mainland China, and Vietnam), and Latin America (e.g., Cuba and Nicaragua) claim that the collective imperatives of internal order and national defense take precedence over individual freedoms. These regimes mirror the Soviet model in varying degrees, and their leaders routinely punish political dissenters by imprisonment or exile on the grounds that dissent and disloyalty are indistinguishable as long as the state of war with "imperialism" continues.

Classical liberals and other devotees of constitutional democracy rightly reject this argument, but they have so far failed to formulate a response tailored specifically to the problem of emigration. The key lies in the politically crucial distinction between dissenters and emigrants. A moment's reflection will show that emigrants ought not to be confused with dissidents, subversives, or even defectors. Defectors, for example, unlike legal emigrants, leave without the foreknowledge or approval of their governments and frequently provide the host government with valuable information in exchange for money, protection, and other benefits. When a government justifies draconian measures in the name of The Revolution, Law and Order, or National Security, many people -- generally the great majority -- will grudgingly accept press censorship and other curbs on freedom of expression. Far from looking for trouble, those who request permission to leave are seeking, above all, to avoid confrontation with the state. Writers, artists, and intellectuals, especially, view censorship as a moral and professional death sentence. Why should they not be free to move to a society where the tradeoff between liberty and order is more to their liking? Indeed, it is difficult to see how emigration poses a threat to internal stability, unless relaxing emigration restrictions would lead to a mass exodus.

What is reported about the motivations of most Soviet refuseniks appears to support this argument. For example,

Ludmilla Alexeyeva, a former Soviet dissident who has written an authoritative account of the human-rights struggle in the USSR, notes that the Jewish emigration movement "is made up of people whose goal is not to improve life in the USSR but to leave." Her research led to a crucial insight: "The majority of those who apply to emigrate were less concerned with civic problems than with their own lives and those of their families. They genuinely wanted to avoid conflict with the government. . . . [Indeed,] civic concerns are foreign" to most Jewish refuseniks. She concluded, "Participants in the Jewish movement are not dissidents in the specific sense that term has acquired in the Soviet experience." [8]

Thus, the justifications for the punishment of dissidents commonly cited by repressive governments do not apply to emigrants. The latter are by nature disinclined to get involved in domestic protest movements because what they really want is to dissociate themselves entirely from the domestic scene. Unlike riots, strikes, and mass demonstrations designed to dramatize popular grievances against the government, emigration poses no direct threat to the existing political order. To be effective, human-rights policy needs to be fine-tuned at least enough to take account of this none-too-subtle distinction.

Ambiguous Laws Strictly Enforced

Section II of the Soviet Constitution, entitled "The State and the Individual," delineates the rights and responsibilities of citizenship in the USSR. Chapter VI, article 33, states simply, "The grounds and the procedure for acquiring and losing Soviet citizenship are defined by the Law on Citizenship of the USSR." But, alas, Soviet law is silent on the emigration question because, first, Kremlin leaders have no intention of granting this right and, second, the absence of clearly enunciated laws creates just the climate of ambiguity they desire. Soviet human-rights activist Valery Chalidze argues, "Indirectly, the right to resettle abroad is recognized in Soviet legislation by the guarantee of the right to choose one's place of residence, which does not specify the geographic limits for the exercise of that right." [9] Not surprisingly, however, an attempt by dissident Dora Kolyaditskaya to use this argument in a Soviet court proved unsuccessful.

Although no one in the USSR has the right to emigrate, the state does grant certain applicants the privilege of traveling outside the country. Soviet laws and regulations stipulate that individuals wishing to travel outside the country must first obtain a foreign-travel passport. Violation of these rules is punishable by imprisonment for up to three years, or up to ten years for attempting to leave illegally by air. The procedures themselves can only be described as Byzantine and leave little doubt that the red tape is intentional, serving as a deterrent and source of infinite bureaucratic obfuscation.

Soviet authorities have never seen fit to publish the criteria used by the state in considering exit applications. The key agency in this cumbersome process is the Visa and Foreign Registration Section (OVIR) of the Ministry of Internal Affairs. The applicant will typically be asked to supply an invitation from close relatives, although the degree of closeness is not clearly defined. The relative, in turn, must see that the invitation -- called a *vyzov* -- is properly notarized; sometimes, OVIR also requires authentication of the notarized invitation, which means the relative must get the original notarization certified by government officials. [10] In addition, applicants are required to fill out long questionnaires asking for all sorts of information, such as whether they belong to the Communist party. Finally, they must present references from their place of employment signed by the director of the institution, the local party secretary, and the secretary of the trade union. [11]

This elaborate paperwork is necessary just to go abroad for a visit. Persons not intending to return must also present a document showing their parents' attitude toward the requested departure and, if the spouse is staying behind, an affidavit of spousal agreement. Here a Catch-22 comes into play: since Soviet law recognizes no instances where a competent adult requires the signature of spouse or parents to act in such matters, notaries refuse to attest to these signatures on travel affidavits, thus often creating yet another complication for the would-be emigrant.

In the end, most applications are denied anyway. OVIR seldom, if ever, issues written refusals and normally does not give reasons. According to Chalidze:

Despite the fact that applying to go abroad involves such great trouble -- including keeping the applicant away from his regular occupation (there are frequently long queues at the OVIR) -- no one can act through a lawyer or other agent. On the basis of unpublished regulations, lawyers are not allowed to represent a

client in foreign passport matters. One cannot retain a lawyer to handle the formalities required in making application, or to talk to the OVIR staff, despite the fact that the statute on the bar does not restrict the possibilities for retaining counsel in administrative processes. Nor can one send documents to the OVIR through the mail; it will not accept them.[12]

Although the Soviet government does not publish statistics on passport and visa applications, it is clear that OVIR routinely issues refusals. No one knows how many Soviet nationals desiring to travel or live abroad are discouraged from applying because they are aware of the complications -- and, more importantly, because they fear reprisals against themselves and their families.

Jewish Emigration and the Human-Rights Movement

Jews comprise by far the largest group of Soviet emigrants, even though they account for less than 1 percent of the total population. In fact, Jews are so disproportionately represented in Soviet emigration figures that one recognized authority considers being Jewish a "prerequisite for obtaining permission to emigrate." [13] In truth, however, Armenians are also occasionally allowed to leave, along with some Germans and a sprinkling from other non-indigenous nationality groups, for example, Greeks and Spaniards. Russians, Ukrainians, Lithuanians, Latvians, Estonians, and people from other indigenous nationality groups are rarely permitted to go. With few exceptions, non-Jewish religious minorities, too, have been denied such permission, the Pentecostals being the most notable case.

As noted, having close relatives abroad is almost a prerequisite for obtaining permission to leave the USSR. The one notable exception is Jews wishing to emigrate to Israel. Even so, applicants with close relatives in Israel normally stand the best chance of getting out. Several factors may account for the relatively lenient Soviet policy on Jewish emigration during the 1970s. First, the plight of Soviet Jews was highly publicized in the West, particularly in the United States, at a time when the Soviet leadership, under the banner of detente, sought U.S. concessions on strategic-arms reduction and bilateral trade. Second, beginning in the late 1960s, Soviet Jews themselves became increasingly vociferous in their demands for permission to emigrate.

The harsh sentences a Soviet judge gave to 12 defendants -- 10 of them Jews -- accused of attempting to hijack a Soviet air-liner in 1970 helped fan the embers of the Jewish emigration movement. A series of hijack-related trials, reminiscent of anti-Semitic reprisals of bygone days, followed. Alexeyeva writes, "If by organizing these trials, the authorities meant to frighten Jewish-movement activists and to weaken the movement, they miscalculated. After the hijacking trial, the movement became more active and support from the West grew." [14] Above all, the rising tide of discontent was manifested in a surge of samizdat, or underground press, publications -- a phenomenon that fascinated Western observers and presented a new challenge to the KGB.

The first public demonstration by Jewish refuseniks occurred in 1971 in front of the press center for an international film festival in Moscow. On December 24, 1975, the fifth anniversary of the hijackers' death sentences (which were eventually commuted), Jewish protestors staged a demonstration in defense of the "prisoners of Zion" on the steps of the Lenin Library, located across the street from the offices of the Supreme Soviet. Other demonstrations ensued, including several in March 1978, the peak of Jewish protest activity. [15] Whether these actions, which never involved more than a few people at a time, actually made an impact on Soviet authorities is impossible to say. Nonetheless, the fact that the following year over 50,000 Jews were allowed to emigrate -- a record number -- may not be totally unrelated to the efforts of this handful of activists.

A crackdown on internal dissent and the underground publishing network preceded the choking off of emigration in the early 1980s, and it was no accident that Soviet authorities chose Anatoly Shcharansky as the dissident whose trial in 1978 was intended to serve as an object lesson for others of like mind. After Helsinki, the Soviet rulers became increasingly sensitive to indigenous protest movements; in particular, they feared the linking of Jewish emigration and broader human-rights demands. Shcharansky, a refusenik who also became a charter member of the Moscow Helsinki Watch Group, personified this danger. According to Alexeyeva, the activities of Shcharansky's Helsinki committee "brought the Jewish movement closer to other dissident movements -- religious and nationalist, as well as the German and Pentecostal emigration movements." [16]

Shcharansky devoted a great deal of effort to the little-noticed plight of Soviet Germans. He helped English film makers prepare an unauthorized documentary on Soviet emigration policies, focusing on the common plight of German and Jew in the USSR. He also introduced German refuseniks to Western correspondents at a press conference organized for that purpose. Thus, he committed not one but two cardinal sins: he linked various dissident groups into a potential human-rights movement, and he linked the nascent movement to the West. According to Alexeyeva:

A list of the Jewish refuseniks who were the object of repression during the high point of rapprochement between the Jewish and the human rights movements from 1977-78 confirms the thesis of an effort to prevent the incipient unification of these groups. The list includes Shcharansky, [Vladimir] Slepak, Ida Nudel, and Iosif Begun -- all activists in both the Jewish and human rights movements. After their arrests, the human rights activities of Jewish activists in Moscow became more subdued.[17]

For his efforts, Shcharansky was sentenced in July 1978 to three years in prison and ten years in a labor camp. Ominously, he had been charged not only with anti-Soviet agitation -- the standard offense in political cases -- but also treason and espionage. Treason is punishable by death in the USSR. Half of the message was clear: dissent will not be tolerated. The other half was deliberately ambiguous: perhaps the next "Shcharansky" will be stood up against the wall. In fine, the Shcharansky episode demonstrated a truth that was not likely to be lost on other would-be dissenters: Stalin's ghost is still alive in the Soviet Union, and his methods remain an indispensable tool of Soviet totalitarianism. In case anyone missed the point, a Soviet judge later gave Shcharansky a second three-year prison term "for failing to work at rehabilitation and continuing to consider himself innocent." [18]

Iosif Begun, a Jewish refusenik who taught Hebrew lessons without government permission, was convicted in October 1983 of producing and distributing anti-Soviet literature and sentenced to a maximum of seven years in jail and five years of internal exile. The Soviet news agency TASS said that he had slandered the Soviet state "on instructions from foreign subversive antiCommunist centers." Thus Begun was also accused, albeit somewhat more obliquely than Shcharansky, of disloyalty. This ploy is reminiscent of the Stalinist campaign against "rootless cosmopolitanism" in the late 1940s, which was a thinly disguised attack on Soviet Jews based on their alleged affinity for things foreign.[19]

Soviet Jewish Emigration, 1965-85	
Year	Number of Departures
1965-70	8,733
1971	13,022
1972	31,681
1973	34,733
1974	20,628
1975	13,221
1976	14,261
1977	16,736
1978	28,864
1979	51,320
1980	21,471
1981	9,447
1982	2,688
1983	1,307
1984	896
1985	1,140

Source: Soviet Jewry Research Bureau, National Conference on Soviet Jewry.

Although Shcharansky was unexpectedly released in early 1986, Begun and others continue to languish in prison. The fact that their families are not allowed to visit or even communicate regularly with them signals Gorbachev's intention to continue his predecessor's hard line. So, too, do the low emigration figures for 1985. A mere 60 Jews left in January, 88 in February, and 97 in March. When 167 were allowed to leave in April, some Western observers saw it as a positive signal from the Kremlin, but by year's end the number totaled a mere 1,140 -- a monthly average of fewer than 100.[20]

Superpower Politics and Soviet Emigration Policy

By far the most important determinant in Soviet emigration policy is the state of Soviet-American relations. It is no accident that the era of greatest Soviet leniency on emigration matters corresponded with the heyday of detente. Throughout the 1970s, the Soviets conducted a major public relations campaign aimed at the West that was designed to redress the strategic-arms imbalance while promoting trade concessions and technology transfers. Early in the decade, Moscow geared this effort to improved relations with the United States, with SALT I and a trade agreement as the result. Later in the decade, when relations with Washington soured, the Soviets above all wanted to encourage cozy relations with Western Europe in order to drive a wedge between the United States and the rest of the NATO alliance. The Soviet signing of the Helsinki accords in 1975 must be seen in this light, as must the earlier Soviet decision to ease restrictions on emigration.

Quiet diplomacy during President Nixon's first term probably helped induce Moscow's initial relaxation of emigration curbs in the early 1970s. According to former secretary of state Henry Kissinger, "Our diplomatic efforts had achieved almost a hundredfold increase in the numbers [of Jewish emigrants] allowed to leave -- from 400 a year in 1968 to nearly 35,000 in 1973." [21] In April 1973, the Soviets even agreed to abolish a newly imposed exit tax on emigrants to help clear the way for congressional approval of most-favored-nation trade treatment for the USSR.

Moscow's uncharacteristic flexibility on emigration at that time, made all the more remarkable because it raised the delicate side issue of interference in Soviet internal affairs, cannot be explained simply in terms of adroit U.S. diplomacy, however. Indeed, it seems likely that Moscow was willing to make this unprecedented human-rights concession for several palpable reasons. First, allowing Jews to leave ridded the country of actual and potential malcontents at a time when the Soviets were trying to persuade Western opinion of their benign intentions. Second, easing restrictions appeased the members of Congress who had Jewish constituencies. Third, the cost to the USSR was negligible compared with the anticipated benefits. And fourth, it was easily retractable and hence could be useful as a bargaining chip in the future.

The issue of emigration became a major source of mistrust and acrimony in relations between the superpowers as the decade wore on, however. The Jackson-Vanik amendment to the 1974 Trade Act (which linked U.S.-USSR trade to Soviet Jewish emigration policy) and the Stevenson amendment to the same act (which limited credits to communist countries to \$300 million) proved nettlesome to Moscow. Less publicized but not necessarily less contentious was the practice of "third-country processing." Between October 1968 and October 1981 258,822 Soviet Jews emigrated with visas for Israel, but only about 161,560 actually went there. The percentage dropped sharply in the 1979-81 period, when less than one-third proceeded to Israel. The other two-thirds chose third-country processing -- a euphemism for procuring a visa for a different destination (usually the United States) in Vienna, the stopover for emigrants ostensibly bound for Israel.

The Soviets took strong exception to third-country processing for at least two reasons. First, it undermined the carefully constructed Soviet rationale for allowing Jews to leave -- i.e., that they were permitting merely a reunification of families. As the Soviet empire is home to many ethnic and religious minorities, the Kremlin was acutely aware that by allowing Jews to emigrate it risked opening a Pandora's box. In addition, the fact that so many Jewish emigres were, in effect, forsaking the Soviet Union in favor of a new life in America was an embarrassing moral and propaganda defeat for Moscow.

In January 1985, the head of the Soviet State Bank, Vladimir Alkhimov, told a visiting U.S. trade official that the emigration of 50,000 Jews would be "no problem" if U.S.-Soviet relations warmed.[22] The cynicism here is both

shocking and revealing: Alkhimov's candor in reducing a question of humanitarian principle to one of crass expediency speaks volumes about the limits and costs, as well as the possibilities and benefits, of Soviet-American rapprochement.

The Family-Reunification Issue

If restrictive emigration policies are politically indefensible, the refusal to allow either the repatriation or reunification of families is nothing short of opprobrious. Soviet citizens who marry U.S. citizens must get permission to move to the United States. Unfortunately, such permission is more than a mere formality: according to the State Department, most of these requests are granted, but about 20 percent of them run into trouble.[23] Currently, there are 20-25 people in the Soviet Union who have U.S. citizenship but are not allowed to emigrate. Moreover, there are still approximately 160 divided families affected by Moscow's draconian emigration policies, despite the widely publicized reunification of 10 such families in December 1985.

Consider the plight of Yuri Balovlenkov. Balovlenkov's wife and two children live in Baltimore. Since his marriage in 1978, to Baltimore City Hospital nurse Elena Kuzmenko, he has spent little time with his wife and has never seen his second daughter, born in the spring of 1983. Soviet authorities refuse to give him an exit visa and will not tell him why. Balovlenkov went on a hunger strike last spring for several weeks, saying he would not eat again until he received an answer to his latest application. But as he discovered anew, such measures seldom yield positive results unless they are accompanied by strong external pressures and wide media attention in the West.[24]

The divided-family cases point up the need for policymakers to break down general human-rights matters into specific issues and to establish priorities among these issues. Freedom to emigrate belongs at the top of the human-rights agenda, and diplomatic efforts aimed at the reunification of families are the logical place to start for two reasons. First, these cases strike a universal chord. The perversity of a regime that refuses to allow its nationals to join their families abroad is obvious and undeniable. Second, as noted earlier, the Soviet Union agreed a decade ago at Helsinki to "deal in a positive and humanitarian spirit with applications of persons who wish to be reunited with members of their family" and to "examine favourably . . . requests for exit or entry permits from persons who have decided to marry a citizen from another participating state." [25]

What, if anything, can the United States do to expedite the return of U.S. citizens and the reuniting of families? It all depends on why the Soviet Union sometimes withholds permission in these cases, which, after all, involve relatively few individuals. In point of fact, Moscow uses Soviet citizens caught in this predicament as hostages -- as valuable assets to be bargained away in diplomatic dealings with the United States. A recent episode is illustrative. Following President Reagan's November meeting with Mikhail Gorbachev in Geneva, Soviet officials notified the State Department that 10 cases of U.S.-linked Soviet citizens wishing to emigrate would be resolved favorably. It was a calculated move: one week before the Reagan-Gorbachev summit, the State Department had called publicly for favorable action on those same 10 cases.[26]

The 10 cases included Irina McClellan, the Soviet wife of a University of Virginia professor, who had been seeking permission to emigrate for over 11 years -- the longest of any victim of Soviet-enforced separation involving the Soviet spouse of a U.S. citizen. When Irina refused to leave her 26-year-old daughter behind, Soviet authorities grudgingly allowed the daughter to depart as well. Abe Stolar, another one of the 10, was not as fortunate, however. A Chicago native who went to the Soviet Union with his family in 1931 at the age of 19, Stolar holds dual citizenship. He received permission to leave the Soviet Union with his Israeli wife and their son, but Soviet authorities refused to approve an exit visa for his daughter-in-law. The Soviet government, it seems, does not recognize his son's marriage, conducted by a rabbi, as legitimate.[27]

The Stolar case notwithstanding, the recent "humanitarian" gestures by Moscow in releasing a few Soviet citizens with relations in the United States is a welcome development. If it helps clear the way for serious negotiations on practical measures that will reduce the danger of superpower conflict, one can only be cheered. Even so, it is tragic that the USSR continues to use its citizens as pawns, knowing full well that the American commitment to the ideal of "liberty and justice for all" can be manipulated for Moscow's own *raison d'etat*.

Promoting Emigration Freedom: Obstacles and Options

The Outnumbered Russian Majority

Apart from the vicissitudes of superpower diplomacy, there are formidable obstacles to the liberalization of existing Soviet emigration policy. Demographics reinforced by history make the Kremlin leadership extremely wary of the potential for rebellion by restive minorities residing within the far-flung territories of the Soviet multinational empire. The Politburo has always been dominated by ethnic Russians, who, until recently, comprised an absolute majority of the Soviet population. The non-Russian minorities -- especially those inhabiting Soviet Central Asia -- have been growing at a much faster rate than the Russian population. This apparently irreversible trend, which would be unsettling to any dominant ex-majority, is especially ominous to an ever-paranoid elite that has long sought to suppress manifestations of "bourgeois nationalism" (i.e., cultural separatism) among the 100 or so distinct ethnic and linguistic groups that form the tapestry of Soviet society.

In addition, lingering memories of War Communism -- a reference to the civil war that raged for several years after the 1917 October Revolution -- are still alive. That struggle pitted the Russian "Reds" against various "White" armies organized in the Ukraine, Transcaucasus, and East of the Urals. Moreover, Stalin's annexation of the Baltic states after World War II created several new oppressed nationality groups with separatist yearnings and ready-made lobbies in the West.

As a consequence, the Soviets probably fear that allowing disgruntled elements from these national minorities to emigrate would risk creating foreign support groups for internal subversive movements. Certainly a paranoid and image-conscious Kremlin leadership would recoil at the thought that it might, by its own actions, help bring into existence a congeries of rabidly nationalistic emigre communities in the United States lobbying against any rapprochement with the Soviet "social imperialists" and supplying covert aid to their compatriots fighting for the return of their respective homelands. Policymakers in Washington must be conscious of these Soviet fears and make efforts to reassure the Kremlin both publicly and privately that the U.S. government -- while carefully respecting the constitutional rights of all citizens and groups to organize, demonstrate, advertise, and so on -- will not aid and abet anti-Soviet activities on U.S. soil. These assurances should be as concrete as possible, and they should be reciprocal.

Policy from Nixon to Reagan

Kremlin watchers have long debated the best way to gain leverage with the Soviet leadership. Attempting crude Dulles-style intimidation is not an option under the present military-strategic stalemate and was not notably successful even in the heyday of U.S. nuclear superiority. As noted earlier, the quiet diplomacy of the Nixon-Kissinger years -- in combination with demarches on arms control and trade under the rubric of detente -- was unmistakably associated with a relaxation of Soviet emigration restrictions. Between 1971 and 1974, approximately 100,000 Jews were allowed to leave the Soviet Union. Conversely, the attempt to use economic coercion, epitomized in the 1974 Jackson-Vanik amendment linking U.S.-USSR trade relations to Soviet Jewish emigration policy, corresponded with a sharp reversal of this trend. In 1975, Jewish emigration dropped to a mere 13,000, the lowest level since 1971 -- Moscow's way of telling Washington that the legislative purview of Congress did not extend to the Kremlin.

It is noteworthy that Kissinger does not attribute the Soviet softening on emigration matters during Nixon's first term to the efficacy of "linkage," whereby the United States sought to tie progress in functional areas of superpower relations (e.g., strategic-arms reduction, trade, and technology transfers) to parallel progress in geographic areas (e.g., Vietnam, Berlin, and the Middle East). In his words, "We did not believe -- as was later alleged -- that trade by itself could moderate Soviet conduct [but instead] that Soviet restraint would be more solidly based if reinforced by positive inducements, including East-West trade." [28]

In contrast to the auspicious movement of Soviet-American relations under the Nixon administration, relations with Moscow during President Carter's early years were dismal. In his presidential campaign and inaugural address, Carter made concern for human rights the cornerstone of a new foreign policy, one grounded in high moral principle. It was a vision that undoubtedly appealed to a society struggling to overcome the stigma and self-doubts associated with Vietnam. To the Soviets, however, Carter's human-rights crusade at best posed a serious challenge. At worst, it represented a deliberate violation of an unwritten rule of superpower conduct observed by Carter's two immediate predecessors, whereby Moscow would liberalize its emigration policy and Washington would confine its lobbying

efforts to private channels.

Shortly after taking office, Carter received a letter from Soviet Nobel Peace Prize winner Andrei Sakharov, who praised Carter for his commitment to human rights and drew attention to human-rights problems in the Soviet Union. According to Carter's chief foreign policy advisor Zbigniew Brzezinski, "We all felt that the President had to reply. The prestige of the author was such that failure to do so would invite adverse comparisons with the widely criticized refusal by President Ford to meet with Solzhenitsyn." [29] Despite Carter's reassurances to Soviet leader Brezhnev that he did "not wish to create problems for the Soviet" and that his human-rights concerns would "not be pursued stridently," the die had been cast. Brezhnev responded caustically by saying that he would not "allow interference in our internal affairs, whatever pseudo-humanitarian slogans are used to present it," and took particular umbrage at Carter's "correspondence with a renegade [i.e., Sakharov] who proclaimed himself an enemy of the Soviet state." [30]

Although former secretary of state Cyrus Vance downplays the role of Carter's human-rights policy in stalling superpower relations, it was not until the middle of Carter's term that the level of Soviet emigration registered a highly dramatic, if shortlived, rise. By that time, Brezhnev had signaled his contempt for moral crusades by ordering a crackdown on internal dissent. [32] Having thus set the stage, Moscow boosted the number of exit visas to nearly 28,000 in 1978 and then to an all-time high of 51,320 in 1979.

This newfound Soviet benevolence was probably intended to be the centerpiece of a public relations effort aimed at Congress to promote the SALT II treaty being negotiated at the time. It was also no doubt part of Moscow's continuing bid for U.S. trade and technology. Any hope of getting an increasingly skeptical Congress to approve SALT II, however, was dashed by the Soviet invasion of Afghanistan. Carter responded with a grain embargo, an Olympic boycott, and public charges of betrayal. The Soviets retaliated by sharply cutting back Jewish emigration in 1980-81 and by nearly shutting it down completely thereafter. Moscow seemed to be saying that if Washington insisted on linking trade relations and Jewish emigration, so be it, but the USSR, not the United States, would dictate the terms.

Under the Reagan administration, Soviet emigration has fallen to abysmal levels -- a reflection no doubt of the recrudescence of the cold war. Indeed, judged by the numbers of Soviet Jews allowed to leave the USSR, Ronald Reagan has been less successful in dealing with the Soviet Union than any other president since Lyndon Johnson. In 1981, Reagan's first year in office, fewer than 9,500 Jews emigrated -- the smallest number in over a decade. The number fell to 2,688 in 1982, 1,307 in 1983, and 896 in 1984 and rose only slightly to 1,140 in 1985. [33]

Are Economic Sanctions the Answer?

Many critics of the Soviet stand on emigration favor the United States imposing economic sanctions to compel the USSR to change, but such a policy would be very ill advised. In the first place, the use of economic means to achieve political ends in world affairs runs counter to the principle of free trade, which remains a worthy policy objective of liberal democracies. Moreover, the historical record suggests that economic sanctions have yielded unpalatable results.

Coercive sanctions frequently fail, especially when they are not effectively coordinated or lack the active support of key actors within the international economic system. Examples of such fiascoes abound. The League of Nations sanctions against Fascist Italy in 1935-36 failed largely because over half the league's membership did not support them. Three decades later, the UN's attempt to pressure the white supremacist government of Rhodesia proved equally ineffectual. Most neighboring states, while paying lip service to the sanctions, followed their own self-interest and continued trading with Rhodesia. [34] More recently, the United States encountered a dearth of international support for imposing sanctions against Poland and Nicaragua, and, predictably, both campaigns were futile.

Economic measures often prove counterproductive as well. Astute political leaders exploit public resentment at external coercion to generate patriotic fervor and greater support for the beleaguered government. Victims of economic sanctions also typically respond by diversifying markets and increasing domestic self-sufficiency. South Africa, for example, has largely neutralized UN-mandated petroleum and arms embargoes by developing its own armaments and synthetic-fuels industries. [35] Thus, sanctions often achieve the unintended consequence of making the target nation less vulnerable to future pressure and more resistant to changing offensive policies.

This lesson was borne out dramatically in the failure of the U.S. grain embargo against the USSR in retaliation for its

invasion of Afghanistan in 1979. Then secretary of agriculture Robert Bergland declared that the grain embargo "could not have come at a worse time for the Soviet Union." He went on to explain that Soviet agriculture is "particularly vulnerable to weather-related caprices" and noted that Soviet agricultural output for the previous year had been some 48 million tons less than planned. Given the fact that the Soviets were purchasing two-thirds of their imported grain at the time from the United States, Bergland waxed confident that a sudden cutoff would "spell more difficulty for an already troubled domestic situation." [36] As it happened, the grain embargo cost the United States more dearly than the Soviet Union. Counting U.S. government purchases of grain originally destined for the Soviet market (\$2.5 billion), payments to farmers to divert cropland from grain production (\$2 billion), and foreign trade losses (\$2.5 billion), the direct costs to the United States amounted to approximately \$7 billion. Other, indirect, costs resulted from lower farm prices due to burgeoning stockpiles and from the indefinite forfeiture of the lucrative Soviet grain market. Faced with the U.S. embargo, Moscow looked elsewhere, to such competing producer countries as Argentina, Canada, and Australia. Argentina, in particular, was only too eager to take up the slack in the Soviet market.

As noted earlier, the Kremlin also retaliated by sharply curtailing emigration after 1979, thus making individual liberty an all-too-often unnoticed casualty of yet another failure of economic sanctions to attain their objectives. Rather than relying upon such essentially negative measures as sanctions, U.S. policymakers are better advised to work unstintingly toward such positive goals as trade liberalization. Indeed, the best -- and only -- way to prove the efficacy of Western free-market principles is to put them into practice.

A Strategy for Dealing with Moscow

The struggle for emigration rights must be waged in the arenas of public education and diplomacy. Experience demonstrates that the most effective way to gain greater Soviet recognition of the right to emigrate is by pursuing quiet, persistent diplomacy. For optimum results, however, this quiet diplomacy must be conducted against a backdrop of increased public awareness of emigration issues throughout the non-communist world. The United States can contribute in at least two ways: through setting a positive example and by launching a vigorous publicity campaign to promote global respect for freedom of movement as a fundamental right. This strategy calls for a delicate blend of pressure and conciliation, a balance that is as vital as it is elusive. If Western opinion remains indifferent on emigration matters, Soviet leaders will perceive little need to make concessions. Conversely, strident U.S. criticism of Moscow's human-rights record or highly visible U.S. diplomatic pressure will meet with intransigence, lest it appear that the Soviet Union can be intimidated.

There is ample evidence that Soviet leaders are highly attuned to the perceptual dimension of politics; indeed, the Leninist tradition places heavy stress on propaganda -- a key term in the Marxist lexicon, meaning something akin to what we call "public relations." At a House of Friendship gathering in Moscow several years ago a Soviet university student, obviously trying to flatter the present writer, remarked, "I think your propaganda is better than our propaganda." In the Soviet political mind, the quality of an adversary's propaganda is a key determinant of the so-called world correlation of forces. The advent of nuclear weapons and superpower recognition that direct confrontation is irrational have only reinforced the Soviet proclivity for "ideological struggle."

The policy implications of this preoccupation with appearances are crucial. If Soviet power is publicly challenged, Moscow is likely to react with bellicose threats and posturing -- a response designed to show both domestic and foreign audiences that the USSR is not to be trifled with. On those rare occasions when the Soviets seem to accede to intense public diplomatic pressure, they are invariably maneuvering to triumph on a more crucial matter. The failure to perceive this fundamental point explains the pervasive but fallacious Western belief that a Carter-style human-rights campaign, including direct contacts with Soviet dissidents, can be useful for securing Soviet concessions on emigration.

Moscow did grant a record number of exit visas during the latter part of the Carter presidency, but the larger pattern of events indicates a crucial underlying motive. The emigration figure for 1977 was quite low, at 16,736; it climbed to 28,864 in 1978 and then jumped to over 50,000 in 1979. The 1978 increase coincided with a domestic crackdown on dissent and was therefore, at best, an ambiguous gesture. And as noted earlier, the opening of the floodgates in 1979 paralleled superpower efforts to reach a SALT II accord. Given Carter's determination to shift budget priorities from defense to welfare and his unilateral cancellation of several major strategic-weapons programs (e.g., the B-1 bomber),

Moscow apparently calculated that encouraging Carter's pacific instincts by seeming to respond to his personal campaign for human rights was a price well worth paying.

Probably influenced by the superficial success of the Carter administration, Avital Shcharansky criticized President Reagan in 1985, before her husband was released, saying that prior to agreeing to a summit meeting with Gorbachev the president should have insisted that the USSR make a commitment to break the logjam for several hundred thousand Soviet Jews who want to emigrate. "That must be done before a new page is opened in Soviet-American relations," she stressed. "Our desperate wish is that the U.S. Government take a strong position." [37] One can sympathize with Avital Shcharansky's viewpoint, but unless the Soviets sense an opportunity to capitalize on bilateral issues of vital interest to them, they will not respond favorably to overtures of this type. They insist instead on being treated as equals in every sense and take great pains to avoid giving American negotiators even the slightest psychological edge. Hence, Kremlin leaders would rather not negotiate at all than negotiate under circumstances in which the United States had been able to establish from the outset that Moscow had a bigger stake in a successful outcome than Washington.

A more effective but still inadequate negotiating strategy was outlined by noted sovietologist Marshall Goldman in January 1985. Goldman wrote that the United States had "a unique opportunity" to achieve a breakthrough following Reagan's landslide reelection victory. Pursuant to that end, he called for "small gestures" on both sides. The Soviets, he suggested, could release Ida Nudel, "one of the more celebrated refuseniks, but Jewish groups here will have to signal their willingness to be more flexible about such issues as most-favored-nation status." Indeed, "the President should . . . consider issuing an annual waiver to the Jackson-Vanik Amendment" provided the Soviets reciprocate with "a more humane policy," particularly on Jewish emigration. [38]

Goldman's proposal, eminently reasonable on the surface, is incomplete: it deals with substance but neglects form. For totalitarian governments, appearances are at least as important as realities -- in a certain sense, appearances are realities. Thus, the form of U.S. policy toward the Soviet Union is sometimes as crucial to achieving success as the substance of it. Offering to waive the Jackson-Vanik rule would work only if the Soviets were not made to appear to be bending to economic pressure. For example, Moscow could begin relaxing emigration restrictions, ostensibly as a unilateral goodwill gesture. Washington could then reciprocate with the promised waiver. Nothing would be committed to writing; the entire "transaction" would be based on a tacit understanding.

The possibility of superpower accommodation on such contentious issues as emigration depends, in part, upon the maintenance of open channels of communication between the superpowers, including channels not visible to the public. There is still no substitute for quiet diplomacy involving direct communication between heads of state, their surrogates, or special emissaries. In the early 1970s, this approach yielded particularly impressive results on emigration and doubtless contributed to a climate generally conducive to dialogue on broader issues of international comity and security as well.

Although a wholesale change in the Soviet posture on emigration must remain the ultimate goal of U.S. policy, ad hoc efforts by dignitaries acting outside normal diplomatic channels are also to be encouraged. For example, key members of Congress on goodwill visits to the USSR have helped in specific cases by handing their Soviet interlocutors special requests from constituents with friends or relatives seeking permission to emigrate.

Private citizens also can occasionally facilitate beneficial change, but they should do so without illusions. Soviet efforts to manipulate such individuals by holding out the false hope of success are notorious. For example, in late December 1985, U.S. Jewish organizations revealed that Soviet diplomats had secretly told almost every one of them during the course of the year that Moscow was considering the restoration of diplomatic relations with Israel and might allow greatly increased numbers of Soviet Jews to emigrate by spring 1986. [39] American Jewish leaders and Israeli officials, however, regarded these overtures with understandable skepticism. John Goshko of the Washington Post observed, "Moscow wants to take advantage of tentative moves toward better U.S.-Soviet relations to obtain trade advantages denied it by Congress because of Soviet restrictions on emigration by Jews and other citizens." [40] According to one Jewish leader, the Soviets "seem to have the idea that Jews have enormous influence over government policy and public opinion. As a result, they appear to believe that if they identify people who, by their lights, run Jewish affairs in this country, they can play up to them with promises of big things to come and induce them to mute criticism of Soviet policy." [41]

The danger of manipulation is real and must be guarded against. Moreover, person-to-person diplomacy is no substitute for a long-range strategy to promote emigration rights. Despite these limitations, private contacts constitute an important, albeit frequently overlooked, component of quiet diplomacy. Experience shows that it is essential to keep open as many doors to the Kremlin -- back doors included -- as possible.

Putting Our Own House in Order

Ultimately, the steady pressure of enlightened opinion is the best hope for a general improvement in human-rights conditions in the USSR. But we must be careful to put our own house in order as a demonstration of this government's earnest intent. The U.S. record on immigration has, at best, been uneven in this century. From the discriminatory treatment of Asians before World War I to the refusal to admit European Jews on the eve of World War II, the United States has not given adequate priority to or displayed proper sensitivity in immigration affairs. This record has improved little since World War II. In the 1970s, for example, the Immigration and Naturalization Service (INS) opened the doors to many Asian refugees but was far less magnanimous in its treatment of Ethiopians seeking asylum from Colonel Mengistu's tyrannical regime.[42] Similarly, the INS has been castigated -- apparently not without cause -- for its allegedly arbitrary handling of petitions from thousands of Poles who do not want to return to General Jaruzelski's Poland.[43] Central Americans and others have frequently expressed similar grievances against the INS.

Questions about the INS's policies and procedures are pervasive. Is the INS philosophically in step with the principle of free movement of people (as well as goods) in international relations? What is the relationship between the INS and the State Department, whose officers must represent, explain, and defend our foreign policy abroad? Finally, is the INS responsive to White House directives, or is it, as critics contend, a government unto itself? These questions warrant a full and fair investigation by the appropriate congressional committees. Given the role of immigration in American history and the self-evident link between emigration and freedom, it is especially important that Washington set a good example. Anything less cannot but weaken the credibility of our own commitment to human rights in general and emigration rights in particular.

The right to emigrate has never received the place of honor it deserves in U.S. human-rights policy -- a particularly inexplicable fact in a society that prides itself on being a nation of immigrants. Indicative of this laxity was the Ford administration's failure to include freedom to emigrate in the 1975 Helsinki agreement, which mentions emigration only in the context of family reunification.

As noted earlier, the International Covenant on Civil and Political Rights -- to which the Soviets have acceded -- contains clear language recognizing the right to emigrate as universal and inviolate. However, in the intervening decade U.S. policymakers evidently forgot about this provision, and the Soviet Union conducts itself as if it had never signed it. In order to focus the UN spotlight on this issue, the United States should propose a new international convention dealing specifically with the right to emigrate. The language of the document proceeding from the proposed convention ought to be distinct from, but parallel to, the language of the International Covenant on Civil and Political Rights. Freedom of movement should be stipulated and the individual's right to emigrate spelled out. The Soviet Union and its allies might impugn our motives, but they could not do so without calling attention to the repressiveness of their policies.

However, the right to emigrate will not come into focus in the public media -- and therefore in the public mind -- until the president makes it a political issue. Speechmaking is only one of several avenues open to a determined chief executive. He could, for example, get Congress involved by asking it to establish an annual National Immigration Day. The purpose behind the holiday would be to commemorate our origins as a nation of immigrants whose ancestors left their native lands in search of liberty -- and found it in America. Given the historical role of Ellis Island and the symbolism attached to the Statue of Liberty, the rededication of the statue on Independence Day 1986 provides a natural occasion for a renewal of this nation's commitment to the ideal of free movement. It would, of course, be simplest to combine Independence and Immigration observances in a single national holiday, but Congress could launch the new observance by declaring a one-time-only two-day event with a special focus on immigration on the second day.

Prospects for the Future

At the joint press conference concluding the November 1985 summit, President Reagan and General Secretary Gorbachev spoke of a "fresh start." Public pronouncements by the two leaders for several weeks after the summit showed uncharacteristic restraint and suggested that diatribe was giving way to dialogue. If so, the diplomatic environment may be more propitious for promoting emigration rights than at any time since Reagan took office.

Some observers have castigated the president for adopting a low-key approach to emigration matters at the summit. "There are notable omissions in the joint statement that concluded the summit," according to former UN ambassador Arthur Goldberg. Specifically, "although [the president's] private conversations with Secretary Gorbachev raised the questions of Afghanistan, Angola, Nicaragua, other regional differences, and human rights, including repression of Jews, the joint statement is virtually silent on these subjects." Goldberg concludes, "The 14-word reference to humanitarian concerns is gravely deficient." [44]

Goldberg's criticism is misguided. Certainly, raising human-rights concerns at summit meetings with the Soviets is a moral imperative for any American president; to insist, however, that the sum and substance of every discussion always be placed on public exhibition is folly. If the seeds planted at the November summit are nurtured in a political climate less frigid than that of recent years, it is possible -- even probable -- that progress will follow, however slowly.

One important opportunity to further emigration rights through diplomatic means is taking place this year. The Helsinki signatories met in Belgrade in 1977 and in Madrid in the early 1980s to review progress under the Final Act. Although the meetings were acerbic affairs, they did keep the Helsinki process alive. In Madrid it was decided to hold a "human contacts" meeting in Bern, Switzerland, in April 1986, and another meeting will be held in November. The fall meeting will provide an excellent opportunity for the United States and its Western allies to focus on the issue of family reunification. If the Western nations consult together in advance, decide upon a common stand, and forgo propaganda outbursts in favor of careful preparations, Moscow may well feel impelled -- largely for public relations purposes -- to accelerate the rate of departures in divided-family cases. It would represent a small but important victory for the cause of emigration.

A strategy combining increased public concern about emigration rights with quiet diplomacy designed to secure Soviet concessions offers the most promising chance of success. Given the Soviet regime's continuing resistance to change, however, the process is likely to be tortuous and frustrating. The cause of liberty, like all great unfinished projects, requires constancy as well as conviction.

Notes

[1] Human Rights Documents, Committee on Foreign Affairs (Washington: Government Printing Office, September 1983), pp. 63-68.

[2] Ibid., p. 83.

[3] Ibid., pp. 139-49.

[4] Ibid., p. 625.

[5] Ivo Lapenna, "Human Rights: Soviet Theory and Practice -- Helsinki and International Law," Conflict Studies no. 83 (London, May 1977).

[6] William Korey, "Human Rights and the Helsinki Accord," Headline Series no. 264 (New York: Foreign Policy Association, 1983), pp. 19-20.

[7] Human Rights Documents, pp. 262-63.

[8] Ludmilla Alexeyeva, Soviet Dissent (Middletown, Conn.: Wesleyan University Press, 1985), pp. 188-89.

[9] Valery Chalidze, To Defend These Rights (New York: Random House, 1974), p. 97.

[10] Senate Hearings on Soviet Pentecostals Residing in the U.S. Embassy in Moscow, November 19, 1981 (Washington: Government Printing Office, 1982), ser. J-97-82, p. 125.

[11] Chalidze, pp. 98-99.

[12] Ibid., p. 100.

[13] Alexeyeva, p. 180.

[14] Ibid., p. 183.

[15] Ibid., p. 178.

[16] Ibid., p. 187.

[17] Ibid., p. 188.

[18] Gary Thatcher, "Moscow's spotty human rights record," Christian Science Monitor, July 29, 1985, p. 1.

[19] Ibid.

[20] See, for example, Celestine Bohlen, "Soviet Shift on Visas Raises Hopes, Concerns of 'Refusedniks,'" Washington Post, April 18, 1985, p. A25; Gary Thatcher, "Soviets send mixed signals on human-rights situation," Christian Science Monitor, April 15, 1985, p. 1; Robert A. Manning, "One Free, Many Left Behind," U.S. News & World Report, February 24, 1986, p. 41.

[21] Henry A. Kissinger, *Years Of Upheaval* (Boston: Little, Brown and Company, 1982), p. 986.

[22] Mark D'Anastasio and Boyd France, "An End to the Stalemate on Trade and Soviet Jews?" Business Week, April 8, 1985, p. 63.

[23] Philip Taubman, "Russians with Kin in U.S. Are Leaving," New York Times, December 27, 1985, p. 3.

[24] Thatcher, "Moscow's spotty human rights record," p. 1.

[25] Human Rights Documents, pp. 262-63.

[26] Taubman, p. 3.

[27] Ibid.

[28] Kissinger, p. 986.

[29] Zbigniew Brzezinski, *Power and Principle* (New York: Farrar-Straus-Giroux, 1983), p. 156.

[30] Ibid., pp. 154-55.

[31] Cyrus Vance, *Hard Choices* (New York: Simon and Schuster, 1983), p. 54.

[32] Thomas Magstadt, "No Trespassing -- Detente and the Neo-Stalinists," National Review, February 16, 1979, pp. 234-38.

[33] Given these bleak figures, even some American Jewish leaders who previously favored economic sanctions against Moscow are now having second thoughts. See Marshall Goldman, "Hopeful Signs the Thaw Could Reach Refuseniks," Los Angeles Times, January 31, 1985, p. 5.

[34] Theodore Couloumbis and James Wolfe, *International Relations: Power and Justice* (Englewood Cliffs, N.J.: Prentice-Hall, 1982), p. 150; Donald Losman, *International Economic Sanctions: The Cases of Cuba, Israel and Rhodesia* (Albuquerque: University of New Mexico Press, 1979), pp. 94-95.

[35] Bruce Bartlett, "What's Wrong with Trade Sanctions," *Cato Institute Policy Analysis* no. 64 (Washington, December 23, 1985), pp. 8-9.

[36] M. S. Daoudi and M. S. Dajani, *Economic Sanctions: Ideals and Experience* (Boston: Routledge and Kegan Paul, 1983), p. 37.

[37] Anthony Lewis, "Cat and Mouse," *New York Times*, May 23, 1985, p. A27.

[38] Goldman, p. 5.

[39] John M. Goshko, "Soviets Lobby American Jews on Emigration," *Washington Post*, December 27, 1985, p. 1. A mission to Moscow by Edgar Bronfman, head of the World Jewish Congress, in September 1985 apparently had the effect of calling the Soviet Union's bluff on this issue. Bronfman reportedly carried a letter from Israeli prime minister Shimon Peres to Soviet leader Gorbachev proposing a plan to airlift thousands of Jews from the USSR to Israel via Poland. Although this proposal directly addressed the nettlesome issue of third-country processing, there were no signs of progress at year's end despite Bronfman's repeated efforts. William Claiborne, "No Progress Seen on Soviet Jews," *Washington Post*, December 24, 1985, p. A10.

[40] Goshko, p. 1.

[41] *Ibid.*

[42] Thomas Magstadt, "Ethiopia's Great Terror," *Worldview* (April 1982): 5-6.

[43] Carol Hansen, "INS and Poland," *New York Times*, April 1, 1985.

[44] Arthur J. Goldberg, "Geneva: lingering but receding euphoria," *Christian Science Monitor*, December 20, 1985, p. 12.