

The Dark Underbelly of Israel's Security State

Anat Kamm: Spy or whistleblower?

By [Jonathan Cook](#)

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What is misleadingly being called in Israel the “Anat Kamm espionage affair” is quickly revealing the dark underbelly of a nation that has worshipped for decades at the altar of a security state.

Next week 23-year-old Kamm is due to stand trial for her life — or rather the state's demand that she serve a life sentence for passing secret documents to an Israeli reporter, Uri Blau, of the liberal Haaretz daily. She is charged with spying.

Blau himself is in hiding in London, facing, if not a Mossad hit squad, at least the stringent efforts of Israel's security services to get him back to Israel over the opposition of his editors, who fear he will be put away too.

This episode has been dragging on behind the scenes for months, since at least December, when Kamm was placed under house arrest pending the trial.

Not a word about the case leaked in Israel until this week when the security services, who had won from the courts a blanket gag order — a gag on the gag, so to speak — were forced to reverse course when foreign bloggers began making the restrictions futile. Hebrew pages on Facebook had already laid out the bare bones of the story.

So, now that much of the case is out in the light, what are the crimes committed by Kamm and Blau?

During her conscription, Kamm copied possibly hundreds of army documents that revealed systematic law-breaking by the Israeli high command operating in the occupied Palestinian territories, including orders to ignore court rulings. She was working at the time in the office of Brig Gen Yair Naveh, who is in charge of operations in the West Bank.

Blau's crime is that he published a series of scoops based on her leaked information that have highly embarrassed senior Israeli officers by showing their contempt for the rule of law.

His reports included revelations that the senior command had approved targeting Palestinian bystanders during the military's extra-judicial assassinations in the occupied territories; that, in violation of a commitment to the high court, the army had issued orders to execute wanted Palestinians even if they could be safely apprehended; and that the defence ministry had compiled a secret report showing that the great majority of settlements in the West Bank were illegal even under Israeli law (all are illegal in international law).

In a properly democratic country, Kamm would have an honorable defence against the charges, of being a whistle-blower rather than a spy, and Blau would be winning journalism prizes not huddling away in exile.

But this is Israel. Here, despite a desperate last-stand for the principles of free speech and the rule of law in the pages of the Haaretz newspaper today, which is itself in the firing line over its role, there is almost no public sympathy for Kamm or even Blau.

The pair are already being described, both by officials and in chat forums and talkback columns, as traitors who should be jailed, disappeared or executed for the crime of endangering the state.

The telling comparison being made is to Mordechai Vanunu, the former technician at the Dimona nuclear plant who exposed Israel's secret nuclear arsenal. Inside Israel, he is universally reviled to this day, having spent nearly two decades in harsh confinement. He is still under a loose house arrest, denied the chance to leave the country.

Blau and Kamm have every reason to be worried they may share a similar fate. Yuval Diskin, the head of the Shin Bet, Israel's secret police, which has been leading the investigation, said yesterday that they had been too "sensitive to the media world" in pursuing the case for so long and that the Shin Bet would now "remove its gloves".

Maybe that explains why Kamm's home address was still visible on the charge sheet published yesterday, putting her life in danger from one of those crazed talkbackers.

It certainly echoes warnings we have had before from the Shin Bet about how it operates.

Much like Blau, Azmi Bishara, once head of a leading Arab party in Israel, is today living in exile after the Shin Bet put him in their sights. He had been campaigning for democratic reforms that would make Israel a "state of all its citizens" rather than a Jewish state.

While he was abroad in 2007, the Shin Bet announced that he would be put on trial for treason when he returned, supposedly because he had had contacts with Hizbullah during Israel's attack on Lebanon in 2006.

Few experts believe Bishara could have had any useful information for Hizbullah, but the Shin Bet's goals and modus operandi were revealed later by Diskin in a letter on its attitude to Bishara and his democratisation campaign. The Shin Bet was there, he said, to thwart the activities of groups or individuals who threatened the state's Jewish character "even if such activity is sanctioned by the law".

Diskin called this the principle of "a democracy defending itself" when it was really a case of Jewish leaders in a state based on Jewish privilege protecting those privileges. This time it is about the leaders of Israel's massive security industry protecting their privileges in a security state by silencing witnesses to their crimes and keeping ordinary citizens in ignorance.

Justifying his decision to "take the gloves off" in the case of Kamm and Blau, Diskin said: "It is a dream of every enemy state to get its hands on these kinds of documents" — that is, documents proving that the Israeli army has repeatedly broken the country's laws, in addition, of course, to its systematic violations of international law.

Diskin claims that national security has been put at risk, even though the reports Blau based on the documents — and even the documents themselves — were presented to, and approved by, the military censor for publication. The censor can restrict publication based only on national security concerns, unlike Diskin, the army senior command and the government, who obey other kinds of concerns.

Diskin knows there is every chance he will get away with his ploy because of a brainwashed Israeli public, a largely patriotic media and a supine judiciary.

The two judges who oversaw the months of gagging orders to silence any press discussion of this case did so on the say-so of the Shin Bet that there were vital national security issues at stake. Both judges are stalwarts of Israel's enormous security industry.

Einat Ron was appointed a civilian judge in 2007 after working her way up the ranks of the military legal establishment, there to give a legal gloss to the occupation. Notoriously in 2003, when she was the chief military prosecutor, she secretly proposed various fabrications to the army so that it could cover up the killing of an 11-year-old Palestinian boy, Khalil al-Mughrabi, two years earlier. Her role only came to light because a secret report into the boy's death was mistakenly attached to the army's letter to an Israeli human rights group.

The other judge is Ze'ev Hammer, who finally overturned the gag order this week — but only after a former supreme court judge, Dalia Dorner, now the head of Israel's Press Council, belatedly heaped scorn on it. She argued that, with so much discussion of the case outside Israel, the world was getting the impression that Israel flouted democratic norms.

Judge Hammer has his own distinguished place in Israel's security industry, according to Israeli analyst Dimi Reider. During his eight years of legal study, Hammer worked for both the Shin Bet and Israel's Mossad spy agency.

Judge Hammer and Judge Ron are deeply implicated in the same criminal outfit — the Israeli security establishment — that is now trying to cover up the tracks that lead directly to its door. Kamm is doubtless wondering what similar vested interests the judges who hear her case next week will not be declaring.

Writing in Haaretz today, Blau said he had been warned "that if I return to Israel I could be silenced for ever, and that I would be charged for crimes related to espionage". He concluded that "this isn't only a war for my personal freedom but for Israel's image".

He should leave worrying about Israel's image to Netanyahu, Diskin and judges like Dorner. That was why the gag order was enforced in the first place. This is not a battle for Israel's image; it's a battle for what is left of its soul.

Jonathan Cook is a writer and journalist based in Nazareth, Israel. His latest books are "Israel and the Clash of Civilisations: Iraq, Iran and the Plan to Remake the Middle East" (Pluto Press) and "Disappearing Palestine: Israel's Experiments in Human Despair" (Zed Books). His website is www.jkcook.net.

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