

COMMENT & FEATURES

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The right sentence

On Sunday, the Tel Aviv District Court sentenced Anat Kamm to four-a-half years in prison for illegally copying and passing on classified information.

The sentence is reasonable not only because it sends a message to those who would engage in such activities in the future, but because it shows that the state takes seriously the acts the defendant committed and did not accept the variety of excuses presented as to why this act should be forgiven.

Anat Kamm was born in Jerusalem and attended its most prestigious secondary school, Hebrew University High School (Leyada). During her army service, she was posted to the office of then-OC Central Command Maj.-Gen Yair Naveh. As part of her work she was able to obtain access to documents marked classified and highly classified.

She copied the documents onto a computer disk. After leaving the army in 2007, she held on to the disk for 18 months before passing 2,000 documents to *Haaretz* reporter Uri Blau.

In November 2008, Blau published an article based on the information Kamm had stolen from the army; the article claimed that the IDF had contravened a 2006 High Court of Justice ruling that forbade targeting killing of terrorists.

The Anat Kamm affair, as it has become known, took a long time to unravel. She was first summoned for questioning by the Shin Bet (Israel Security Agency) in 2009, and a gag order was placed on the case through April 2010.

In February 2011, she reached a plea bargain with prosecutors to charge her only with passing on the top secret documents, and not with "intent to harm state security." Under that deal, she was sentenced on Sunday.

The main problem with the case throughout has been the dual public perception that Kamm is both an innocent young woman who had done, in her own words to the court, "something stupid," and the view that she is an important "journalist" who was merely crusading as a whistle-blower.

At the same time, there is a long-running perception among certain sectors in Israel that as long as people describe their crimes as being related to politics and conscience, they are given a pass.

This should have no relevance to the substance of her crime.

Lastly, concerns were voiced that the affair could lead to the erosion of freedom of the press in Israel. This is certainly a warped interpretation of what such freedom is about; it is certainly not about stealing and publishing secret documents.

The idea that Kamm fits the traditional role of a whistle-blower is negated by the fact that she not only waited a year and a half to offload the documents, but that she didn't bother to inform the relevant authority, the High Court, that its ruling had been violated.

The fact that Kamm's crime is seen as both "innocent," as if it were a momentary lapse of judgment, and also as a calculated political action is contradictory. In short, both cannot be true.

Writing in *The New York Times*, Dimi Reider – an Israeli blogger – claimed that "the damage the Tel Aviv District Court has inflicted on Israeli democracy is immediate and concrete," because press freedom is "under attack."

Nothing could be further from the truth. A country has the right to classify documents as top secret and in so doing make their leaking to the public a crime, especially when those leaking them have sworn an oath as a soldier or as member of the security establishment.

Whether Uri Blau, the journalist to whom Kamm gave the classified documents, will also be charged in this affair remains to be seen. If he is indicted, it will be worthwhile to examine what ramifications that has for the press and its freedom, which must be strictly upheld.



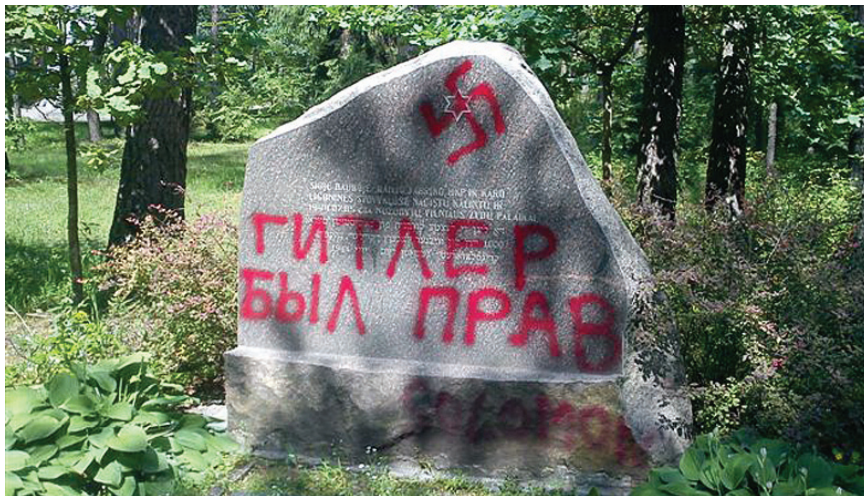
• By DOVID KATZ

Yes, the Foreign Ministry saved some face from the "loyalty" of some East European EU/NATO states in Monday's lopsided UNESCO vote on full Palestinian membership (107 to 14 in favor, with 52 abstentions). Latvia, which had earlier voted against full Palestinian membership in the executive council, at least abstained in Monday's general vote. Other abstentions included Estonia, Poland, Romania and Slovakia.

Perhaps the most ironic vote against the Palestinian bid came from Lithuania. Within minutes of the UNESCO vote, Rolandas Kacinskas, minister plenipotentiary at the Lithuanian Embassy in Washington, e-mailed his Jewish list the one-liner: "This is just a quick note to let you know that at today's UNESCO general assembly Lithuania voted AGAINST admitting Palestine as a full member of UNESCO" (red capital letters appeared in the original).

The vote might have been cause for rejoicing if not for Lithuania's sad record of attempted prosecutions of elderly Holocaust survivors because they escaped the ghetto to join up with the anti-Nazi partisan resistance in the forests, or because they have the courage to tell the truth about the Holocaust.

It started in 2006, when former Yad Vashem director Dr. Yitzhak Arad, an eminent Holocaust scholar, who was earlier invited to join a historical commission on Nazi and Soviet crimes, was himself suddenly and absurdly accused of being a war criminal (for having fought with the anti-Nazi partisans). Then, in 2008, police came looking for two elderly women, both Vilna Ghetto survivors. One of them, Dr. Rachel Margolis, an Israeli citizen who turned 90 last week in Rehovot, was probably targeted because she discovered a long-lost diary of a Christian Polish eyewitness to



A DEFACED MONUMENT to the slaughter at Ponár. Graffiti reads 'Hitler was right.' (www.DefendingHistory.com)

the genocide at Ponár, the mass murder site outside Vilnius. That diary identifies the killers as enthusiastic locals.

More recently, on August 30, just two months before this week's UNESCO vote, liaison officers of Interpol (I) came, at the demand of Lithuanian prosecutors, to question 86-year-old Kovno Ghetto survivor Joseph Melamed, a Tel Aviv attorney and chairman of the Association of Lithuanian Jews of Israel, over a 1999 book he published identifying local Holocaust perpetrators, some of whom are nowadays glorified in Lithuania as "anti-Soviet heroes."

LAST YEAR, the Lithuanian parliament declared 2011 to be a year of remembrance for the Holocaust. A week later, the same body declared that 2011 would (also) be a year of remembrance of the "heroism" of the Lithuanian Activist Front and other "anti-Soviet heroes."

In 1941, these "heroes" unleashed the barbaric murder of their Jewish neighbors in dozens of locations even before the Germans arrived. The upshot is that the state has honored both the victims and the perpetrators, for different audiences, with no sense of moral dissonance.

The dual declarations were part of a broader history of Holocaust obfusca-

tion, whereby Baltic (and other East European) governments have tried to sell the notion that there were really two genocides that took place during the 1940s, one by Germany, one by the Soviet Union.

Known as the "red-brown equation" (the notion of absolute equality of Nazi and Soviet crimes), these countries are now spending a fortune to sell this nonsense to the West, even during trying economic times, when their noble and long-suffering peoples deserve rather wiser use of scarce resources.

As someone who has been treated very well by everyday folks for a dozen years in the heart of Vilnius, I can attest that the problem is one of elites, not of the fine everyday people, for whom history distortion is most decidedly not on the agenda.

Moreover, the government in Vilnius has turned a blind eye to a wide web of local anti-Semitism. In 2010, a court legalized public swastikas and the state-sponsored Genocide Center continues to employ a "specialist" who was one of the organizers of last March's neo-Nazi parade in central Vilnius (that itself proceeded with official permission).

Lithuania is one of the three Baltic states where the Nazis easily mobilized

ample numbers of "Jew shooters" whose contribution to the genocide resulted in these countries having the highest rates of Holocaust murder in all of Europe (around 95 percent).

So efficient were the killers that Jews were imported for murder from far afield in Europe, and killers were exported to killing sites abroad.

It isn't that the issue is a simple one. In the world of realpolitik, individuals and countries occasionally have to sacrifice important principles in order to secure current achievements. That would appear to be the case in this instance – Israel has sacrificed the sacred truth of the Baltic holocaust in exchange for Eastern European anti-Palestinian votes on the international stage.

Dr. Efraim Zuroff, head of the Simon Wiesenthal Center's Israel office, and a leader in the battle against the untoward rewriting of history in Eastern Europe, has put it like this:

"The dilemma which Israel faces in dealing with Holocaust distortion, and local anti-Semitism, in Eastern Europe and especially in the Baltics, is that these countries, unlike their fellow EU members in Western Europe, have evinced absolutely no interest in the Palestinian cause, making it relatively difficult for Israel to criticize these failings. The resultant reluctance of Israel to use its influence to combat these dangerous phenomenon has reinforced the sense of impunity of those who seek to rewrite the history of the Holocaust, hide the crimes of their countrymen and relativize the Holocaust by equating Nazi and Communist crimes. As an Israeli by choice, I feel bitterly betrayed in this regard."

There is no country on earth with Israel's noble record of loyalty to its citizens. It is time for Israel to stand up loud and clear to defend Yitzhak Arad, Rachel Margolis, Joseph Melamed and others, and to demand a public apology to all defamed Jewish anti-Nazi heroes.

The writer was a professor of Yiddish language, literature and culture at Vilnius University from 1999 to 2010. He is currently the editor of www.DefendingHistory.com.

Needed: A real foreign minister

Avigdor Lieberman has made enemies in so many capitals, it's a good thing he doesn't really have any power

WASHINGTON WATCH
• By DOUGLAS BLOOMFIELD

There are times when one person accuses another of the very things he himself is guilty of. For example, take Foreign Minister Avigdor Lieberman's latest attacks on Palestinian Authority President Mahmoud Abbas.

He called the Palestinian leader the "greatest obstacle" to Middle East peace and said his resignation would be a "blessing" because Abbas is not seeking "compromise, but [rather] to incite friction and conflict." Hence, "there will be no [peace] agreement" so long as Palestinians are led by a man who is "sacrificing" his people's interests for his own.

Lieberman's message, which the Foreign Ministry shared with dozens of foreign embassies in Israel, sounds a lot like the ambitious foreign minister talking about himself.

Predictably, Palestinians took great umbrage over Lieberman's incendiary rhetoric but then proceeded to undercut their own credibility when an Abbas spokesman called Lieberman the "most extreme, racist person in Israel" and "an enemy of peace." Others accused the Lieberman of incitement and said his words were tantamount to a call to assassinate Abbas.

They demanded a formal apology from the Netanyahu government, but the Prime Minister's Office was silent. Israeli media reported Lieberman's diatribe was made and distributed without the knowledge of the prime minister or other top government officials, so it was left for President Shimon Peres to try to clean up after the bombastic Lieberman, saying Abbas and his prime minister, Salam Fayyad, are "serious leaders who want peace and are working to prevent violence and extremism in our areas."

Netanyahu's silence is consistent with his longstanding fear of Lieberman, his former protégé and likely future challenger, but the silence that came from Washington was more puzzling. Perhaps the Obama administration doesn't take Lieberman seriously so considered it better not to respond. Perhaps the silence can be attributed to unhappiness that Abbas has abandoned direct peace talks in favor of a unilateral membership applications at the United Nations General

Assembly, UNESCO, the World Health Organization and other agencies.

In Washington's view, Abbas' unilateralist strategy is a serious setback to the chances for peace and his goal of statehood; to the Palestinian leader, it is the only option left in the face of the Netanyahu government's growing dependence on Israeli extremists who oppose Palestinian statehood, period.

NETANYAHU IS said to have made his 1,027-for-1 prisoner swap with Hamas in part to punish Abbas for his ill-advised UN strategy, and he reportedly has turned down recommendations from his military leaders to do something to bolster Abbas's stature – such as releasing more prisoners or turning over more territory so he can take credit – to offset the political gains Hamas realized in the Schalit deal.

Dov Weissglas, former prime minister Ariel Sharon's top adviser, accused Netanyahu of repeatedly missing opportunities for peace and called his policy to marginalize the PA "dangerous and stupid." He endorsed the military's recommendations and echoed Peres' comments, calling Abbas and Fayyad the best peace partners Israel has ever had.

Much of the escalating tension with the Palestinians – though by no means all – could have been avoided if Israel had a real foreign minister who isn't an embarrassment to his professional foreign service, to his government and his country.

Netanyahu has given him a limited portfolio, relegating him largely to backwater capitals – most recently Sarajevo. Forays to the United Nations, Paris, London and other major capitals have brought embarrassment and complaints from leaders there. French President Nicolas Sarkozy told Netanyahu "you must get rid of that man," according to published reports quoting two Israeli officials.

If Lieberman really were in charge of Israeli diplomacy and lobbying world leaders, like any real foreign minister, the Palestinians' support at the UN would have been even more overwhelming and Israel even more isolated.

Performances like his latest attacks on Abbas add to the worldwide skepticism that this Israeli government is genuinely committed to peace with the Palestinians.

Lieberman has called for cancellation of the Oslo



NEEDLESS ATTACKS on the Palestinian leadership, but at least Obama doesn't seem to take him seriously: Lieberman. (Reuters)

Accords, annexation of all West Bank settlements and adjacent territory, withholding tax revenues from the PA, evicting the country's Arab citizens, executing Knesset colleagues who meet with Hamas members, requiring loyalty oaths and scrapping talks with the Palestinians.

So why keep him on? Because, to paraphrase Lyndon Johnson, Netanyahu would rather have Lieberman inside the tent spitting out than outside spitting in.

Lieberman is arguably the single most serious political threat to Netanyahu. The Soviet-born former bar bouncer was Netanyahu's chief of staff in his first term and now heads the ultranationalist Israel Beiteinu party, third largest in the Knesset, representing a burgeoning and increasingly radical Russian refugee population. His strategy is to outflank Netanyahu from the right to show that he is the real leader of that faction and to call Netanyahu out for buckling under pressure.

There are times when Netanyahu uses the Lieberman threat as an excuse to avoid taking actions he doesn't really want to take anyway – remove settlers, freeze construction – but that doesn't make his fear any less genuine.

Lieberman sees himself as the next prime minister, the alternative to Netanyahu and the Likud. As a result, the incumbent's first priority is getting reelected and that means protecting his right flank by keeping Lieberman and the other rejectionists inside his tent where he can keep an eye on them.

That still gives Lieberman a lot of room to maneuver, hurl insults at Mahmoud Abbas, and push his own agenda.

Lieberman has said there can be no peace with the Palestinians in this generation or the next, and he seems determined to prove that.

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