Israeli Traitors: Loyalty, Belonging and the Making of the Israeli State

In the year 2003, at the height of the Second Intifada, the violent Palestinian uprising, suicide bombings shook the streets of every Israeli city, exploding in coffee shops, restaurants and buses. No place or person were safe. During that year, Tali Fahima, a Jewish Israeli woman then in her late 20's, stated in an interview to an Israeli newspaper that she would act as a "human shield" to Zacharia Zubeidi, a young Palestinian man from the West bank city Jenin, and the head of the terror organization Al Aqsa Martyr Brigades. Zubeidi, whom Fahima befriended after reading about him and frequently visiting in Jenin, was accused of plotting suicide bombings against Israeli civilians and was placed on the targeted assassinations list of the IDF (Israeli Defense Forces) of Palestinian militants with, according to the IDF, blood on their hands.

The Israeli army, Fahima provocatively claimed in the interview, would not target Zubeidi if she were by his side, for fear of killing her, a Jewish Israeli citizen. Unsurprisingly, the interview sparked extreme outrage in Israel: Fahima was fired from her job, and the media celebrated the sensationalist assumed love story between an "impressionable girl" from a struggling single-mother family, and the charming Palestinian Che Guevara-like "terrorist".

Shortly after, Fahima was placed under administrative detention for an unlimited time, with no access to the state's evidence or to the charges against her. Until then, only Palestinians or Jewish right wing religious nationalists, all male, were held in such detention. But Fahima was an Israel citizen, and a woman, and as such the first be held in administrative detention. Following, she was formally charged with treason, one of the only two crimes that merit the death sentence in Israel, and the judge even asked the prosecution if they planned on demanding it in her case.

The end of the trial, however, was anti climatic to its dramatic start. In a surprising turn of events, the sensational charges were dropped altogether replaced by a plea bargain according to which Fahima was to serve a three-year jail sentence. Zubeidi was taken off the targeted assassinations list even before Fahima's trial was even over, and Fahima was released one year early for good behavior.

Fahima's affair raises poignant questions that go far beyond state security. To start, she was not the only Israeli activist travelling to the Palestinian Authority's West Bank at the time, even if she was more vocal than many others – so why was her treatment in Israel so exceptional

both legally and in terms of the press coverage? Perhaps the media's insistence on depicting her relationship with Zubeidi as a romantic one provoked orientalist anxieties of a tabooed sexual relationship between Jewish women and Palestinian terrorists? Or maybe it had to do with the inability to pigeonhole this uneducated, economically underprivileged Mizrahi (of Middle Eastern origin) unlikely peace activist, who came from the Israeli nationalist periphery and was so different from other Ashkenazi (of European origin), middle class and university educated peace activists. Being a woman who "dared" to meddle in state security also irked the wrong sentiment, which she further aggravated when scandalously volunteering to use her body and shield a Palestinian terrorist instead of "making" Jewish babies, as proper Jewish Israeli women do. Could it be then, that Fahima's betrayal was as much about crossing sexual, gendered, ethnic and class lines, as much that it was about breaching state security?

WHAT IS THE BOOK ABOUT

Treason is the deliberate and intentional betrayal of trust that stems from intimate relations with another individual, or with one's community or country. The law considers treason to be one of the most serious crimes a citizen, and only a citizen, can commit against their country. In the United States for instance, treason the only crime mentioned in the constitution. In Israel, as aforesaid, the death penalty is imposed only on convicted Nazis and their assistants, reflecting Israel's most significant historical collective trauma, the Holocaust, and on traitors. Yet, even though the death penalty has been imposed Nazi criminal Adolph Eichmann, and despite the fact that Israeli citizens have been charged and convicted with treason, none have been executed. This begs the following provocative question – why has the death sentence never been imposed on Israelis convicted traitors? Is it because only citizens could be accused of treason and there is a fear a possible public uproar, or is it about something else? To this end, how do we draw the line between dissent and treason, and what knowledge does this distinction communicate about the social contracts citizens have with the state?

Furthermore more, are there instances in which it is necessary to refuse and even betray, and where, then, do we draw the line between patriotism, dissent and treason?

Looking at the role gender, ethnicity, race and class play in resistance practices and the conditions under which they are defined as traitorous, *Israeli Traitors* unpacks these questions

through an analysis of the cases of four Jewish Israeli citizens convicted of treason: two women and two men, of different ethnicities and class. The four were all convicted of treason, and similarly to Fahima, did not betray for money, but did what they did out of a deep sense of urgency and for what they perceived to their version of cosmopolitanism. While doing so, they all betrayed something else other than mere Israeli security.

When thinking about contemporary conflicts, the image of the terrorist has occupied our imagination as an external Orientalized enemy. *Israeli Traitors* proposes a unique reverse angle, looking not externally but rather into the nation state and its treatment if its own citizens, and the ways in which they become treated as an Orientalized threat. Putting the traitor rather than the terrorist at the center of the analysis, *Israeli Traitors* argues that the spectacle around cases of treason serves as a parallel mechanism to the Israeli "melting pot," which creates a shared national identity and a uniform national project. No country, let alone Israel, the home of the Jewish people who are welcome to immigrate to it from all over the world, is a homogenic entity. In this context, traitors hold an instrumental role as symbolic internal enemies that function both to unify and obscure the nation's non homogenic nature, as well as to remind the citizens where they belong and what are the limits of permitted dissent.

The first case is set immediately before the traumatic Yom Kippur War in the early 1970's, and the last takes place in present day Israel, who is now dealing with the outcomes of the occupation over the Palestinians and their continuously struggle for freedom. The first story is that of Udi Adiv, an Israeli golden boy and war hero who was a member of one of the most renowned Kibbutzim, who later turned a Marxist revolutionary and took part in the first Jewish Arab spy ring. The next case, set in the 1980's, is that of a famous Israeli nuclear whistle blower Mordechai Vanunu, whose background baffled Israelis. They could not understand how a man from the nationalist periphery, and a Mizrahi at that, who came from an economically underprivileged background at the "wrong end of the country," could support the anti-nuclear war movement, and be willing to expose Israel's nuclear capabilities; the third case is that of Fahima, the unlikely female Mizrahi traitress whose story began this expose. She evoked harsh anger when crossing gender and religious lines when offering to use her body as a human shield to a Palestinian terrorist, and continued crossing them by converting to Islam once out of jail; and lastly female soldier whistle blower Anat Kam, who while in mandatory military service revealed highly classified

military documents showing that the Israeli army does not comply with the Israeli Supreme Court rulings that limited the use of targeted assassinations.

The four were not chosen at random – all Jewish and Israeli citizens, they all betrayed not for money but, at least on the face of it, for another set of values that conflicted with different aspects of the Israeli republican ethos, or the Israeli public common goods. Be it Adiv's radical expanding Israel's early years socialist ideology to include Palestinians and Arabs and not only Jews, Vanunu's disclosing the country's policy of nuclear ambiguity, or Fahima and Kam's insistence on due process to Palestinian "terrorists" about to be executed by the IDF without due process or judicial review.

Israeli Traitors argues that when dissent is framed as traitorous by the media and is prosecuted as such by the state, the specific biography of the alleged traitor, the historical moment in which they live, and the overarching national context become conflated. In the case of the four, the response to their actions was informed of course by their breach of national security, but just as much by their identity markers. As such, it reflected not only the limits of agency granted to each based on the intersectionality of these very markers, but also the ideological, ethnic, gendered and class based expectations of loyalty.

In other words, it was not just what they had done but also who they were. Accusations of treason, then, serve as pedagogical moments that simultaneously articulate and ascribe limits of agency to different sections of the population. They are a part of reproducing social and political order, teaching Mizrahi Israelis of certain economic background, or Ashkenazi Israelis of more affluent strata, the social contract they are beholden to, and the set of values they must hold, or refrain from holding, if they want to belong and be seen as loyal.

WHY THE BOOK DESERVES ATTENTION

While *Israeli Traitors* focuses on the contours of Israeli citizenship, the manuscript tells a much larger story relevant to any democratic society. It is a story that has to do with hierarchal citizenship formed by the intersectionality of liminal identities such as gender, ethnicity and class, and the agency to express dissent and have limited or full citizenship allotted to those located at the different intersections of identities. It also has to do with ensuring state solidarity, and of the vengeance of national honor on those who humiliated the nation by betrayed the nation.

Broadly speaking, the book asks what is the democratic essence in liberal democracies: is it equal rights, the right to vote or contest policies one does not agree with, or is it something else altogether, that has to do with the assumption that everyone can have access to the same set of rights through their citizenship.

To answer these question, *Israeli Traitors* uses the four cases to expose the overt and covert informal social contracts that ascribe expectations of belonging, and the ways in which they are organized along and shaped by social cleavages. It exposes the mechanisms of the making and maintaining hegemony, or the "people," as a homogenous whole. The manuscript reveals the ways in which states ensure loyalty to the elusive and hollow center of the nation, showing how paradoxically group solidarity is secured by the ones who are perceived as having betrayed it.

As such, *Israeli Traitors* serves as a guide, or a manual, that demonstrates how cases of treason serve as litmus tests that reveal societies' most innate taboos, which are just as important as their declared democratic values. In Israel, for instance, these would be the prohibition of sexual relations between Jewish women and Palestinian men, acknowledging the extra judicial nature of targeted assassinations, or promising equality to Palestinians based on Zionist socialist ideology.

METHODOLOGY

Those who cross the lines inevitable define them. To understand the public spectacle around each of the four cases, the stereotypes evoked, and the lines demarcated, the book employs two distinct but interconnected types of qualitative methodology - an analysis of the media coverage of the stories and an analysis of the legal cases.

To gage the public sentiment and chart out the nuances of the "bon fire" that forged the national other, the book provides a thick description of the Israeli print media coverage of the stories, both from the political left and right. Looking at a total of over ten years of media coverage, Israeli Traitors analyzes the discourse, the framing of the stories, and the ways in which the protagonists' motivations were depicted to uncover the obvert social contracts with different groups in Israeli society, and the expectations of loyalties attributed to these groups. It seeks to tell the political and historical moments in which their cases took places, and through that to better understand contemporary Israel.

The legal analysis includes an examination of over 2000 court documents, investigation transcripts and previously classified military documents. It underscores how the law was applied

by the state as if it was a spigot used to control who is a criminal that needs to be publicly punished in the "city square," and who is a mere rebel that could be forgiven, and allowed back in. While Israeli law that pertains treason explicitly defines what acts merit the death penalty, the legislature left the general concepts vague and open to interpretation: "Intention to harm," "aid," "enemy," and "information" are not defined. The legal definition provides only a general outline for the judges to decide when an act of dissent is traitorous. A careful analysis of the court cases reveals how the court, a supposedly neutral place that applies the law indiscriminatory, reflects ideological and political beliefs rather than maintaining judicial neutrality. Furthermore, when open to the public and to media coverage, the trials served as political trials, demonstrating permitted and nonpermitted forms of dissent, and the permitted identification with the other side or with competing value systems.

The dual analysis demonstrate how complex multilayered political situations were binarize into a simplified conflict of "us" versus "them, and the troublesome links between expectations of loyalty and the limits of the democratic creed.

PRELIMINARY LIT REVIEW

Despite its sensationalist and expository theoretical dimensions, the concept of treason received very little academic attention in the social sciences. Books written on the subject carry out a legal analysis of the laws that regulate the offence (Treason on trial: The United States V. Jefferson Davis, Michael T Parrish, Robert Icenhauer-Ramirez, 2019), and others assess constitutional aspects (Larson, On Treason – A Constitutional Guide to the Law, Harvard University Press). Other books tell the life stories of the traitors themselves (The martyr and the traitor : Nathan Hale, Moses Dunbar, and the American Revolution Virginia DeJohn Anderson. New York, NY : Oxford University Press ; 2017; Traitor, survivor, icon : the legacy of La Malinche. Denver: Denver Art Museum ; New Haven: Yale University Press ; 2022).

Broader political analysis assesses how group members betrayed an ideation of their role, such as the intellectuals (Dorcherty, The new treason of the intellectuals: Can the University Survive?, Manchester University Press, 2018). Books that carry out a sociological analysis do not look at the media and the legal apparatus together, but provide a more theoretical contemplation of the topic (Ben Yehuda's Betrayals And Treason: Violations Of Trust And Loyalty; <u>raitors:</u>

<u>Suspicion, Intimacy, and the Ethics of State-Building</u>, Thiranagama, Sharika ; Kelly, Tobias ; Philadelphia: University of Pennsylvania Press, Inc ; 2011).

Nearly no books have been written about Israeli traitors, especially Jewish ones, and on treason in Israel. What has been written includes a historical account the intelligence community (Every Spy a Prince: the Complete History of Israel's Intelligence Community, Dan Raviv and Yossi Melam, 1990); an overview of the way Israeli society delt with collaborators, wither Palestinians (Army of Shadows: Palestinian Collaboration with Zionism, 1927-1948, Hillel Cohen), or Jews who collaborated with the Nazis (Bitter Reckoning: Israel Tries Holocaust Survivors as Nazi Collaborators, Dan Porat; A Jewish Capo in Auschwitz: History, Memory and the Politics of Survival, Tuvia Friling and Haim Watzman). The only Israeli traitor whose story has been covered extensively is Mordechai Vanunu, and the Israeli nuclear capabilities (The Whistleblower of Dimona: Israel, Vanunu and the Bomb, Yoel Cohen, 2011; Israel and the Bomb, Avner Cohen, 1998).

As shown, very few books provide a comprehensive political analysis of the meaning of treason, or focus on the relevance to questions of citizenship and group formation, and none focus on the Israel and the Israeli Palestinian conflict in an attempt to understand the Israeli political, historical and social landscape. *Israeli Traitors* goes beyond these accounts in that it combines both a legal and a media analysis that spans on more than four decades, carrying out a systematic historical analysis of the Israeli nation state, its ethnic cleavages and hierarchal citizenship.

PRELIMINARY AUDIENCES OVERVIEW

The book is written with a wide audience in mind, both academic and non academic. I foresee classroom interest from the social sciences, including the fields sociology and political science. More specifically I expect interest from comparative politics and international affairs, political theory, as well as Middle East studies and Israel studies. Furthermore, Israeli Traitors provides a "history of the present," and in the current political climate and the attention Israel and the Israeli Palestinian conflict receives, I anticipate the book will draw considerable interest from the general audience.

CONTRIBUTION

The Israeli Palestinian conflict is one of the most infamous conflicts in the world, meriting disproportional media attention, given the areas geographical size and geopolitical influence. While much attention is given to the Arab Israeli conflict, *Israeli Traitors* brings a more nuanced account that differently from other scholarship that focuses on the Israeli Palestinian conflict, looks at internal enemies rather than external ones.

Usually envisioned as external to the Israeli imagined community, the Arab subject is cast into the image of the Palestinian male terrorist who seeks to kill innocent Israeli citizens. A long line of literature addresses the processes of production and the mechanisms of exclusion of this paradigmatic Arab subject portraying it as a threatening "other." Nonetheless, it has thus far failed to question the depiction of the state of Israel as a fixed and monolithic national unity, whose borders are imagined and made concrete primarily in relation to non-Israeli subjects.

Israeli Traitors aims to go beyond these accounts by illuminating the internal mechanisms of the national Zionist project and the ways in which this project produces notions of race, gender and sexuality that normalize and prescribe the notion of the "good citizen."

CHAPTER BREAKDOWN

Organized in five distinct thematic chapters, the first four center on each case following a chronological order, and the last one provides a theoretical overview proposing the understand treason as a

I. The Romantic Marxist Revolutionary and the Jewish Arab Spy Ring

The first chapter centers around the story of Udi Adiv, Israeli golden boy turned spy and enemy agent in the early 1970's, after the swift glorious victory of the Six Day War in which Israel tripled its territory. No one in Israel expected the paratrooper officer who came from one of the most prestigious kibbutzim and participated in the liberation of Jerusalem, to be so repulsed by the post war wave of nationalism that swept the country, that he would join an Arab Jewish spy ring and conspire to topple Israel. After travelling to Syria, who only shortly later lead the attack on Israel in the Yom Kippur War, with a fake Syrian passport, and disclosing to the Syrian intelligence information about the Israeli military, Adiv was Charged with treason.

Adiv's bitter betrayal was intensified by his personification of the Zionist ideal, that of the "new Jew," which was dialectically opposed to the diasporic Jew. A soldier whose kibbutz background implied he also worked the land, his image starkly opposed the victimized diasporic Jews who went like sheep to the slaughter in the Holocaust. Adiv's questioning of the Zionist socialist synthesis, and his naïve wish to expand the kibbutz's Marxist ideology to include equality for Palestinians and the Arab proletariat, brought to the fore the question of equality, or rather the lack of it. He pointed to the sharp contrast at the heart of Israeli ideology shared by the left and the right of "a land without a people for a people without a land," with the occupation of the nearly 900,000 Palestinians after Six Day War. For that, he was not easily forgiven

The end of the affair, however, represented the privilege of someone like Adiv -Ashkenazi, male, kibbutz member and war hero. Adiv could afford to "play revolution," naively trying to change history. He was sentenced to 17 years on jail, but once expressing remorse released only after 12. Following his release, Adiv completed a PhD in political science at Birkbeck University in England after which he returned to Israel and is currently teaching at an Israeli university. Once disillusioned, he was permitted to cross the lines back, and not only to be part of the "people" again but also to serve in an educational role that shapes future generations.

II. Mordechai Vanunu – the Israeli Atom Whistle Blower

The second chapter takes place in the 1980's, telling the story of Mordechai Vanunu, internationally renowned whistle blower who revealed to the world Israel's nuclear secrets. Vanunu is the stark opposite of Adiv – Mizrahi, born in Morocco to a Jewish orthodox family of 11 children, who grew up at one of the poorest crime ridden neighborhoods in the city of Beer Sheva, located in the middle of the Negev desert. He had a very different "social contract" than Adiv's, and consequentially his betrayal meant crossing very different lines. Differently from Adiv, he did not pass state secrets to the enemy but as a whistle blower he gave them to a journalist at the British Sunday Times in London. The Israeli government wanted to contain his revelations and bring him back to Israel.

The Mossad, the Israeli intelligence agency who was tipped of his plans, planned on setting up a honey trap in the form of Cindy, a seductive Mossad agent who lured Vanunu to a romantic getaway in Rome, while he was waiting for the newspaper to verify of the story. Immediately after landing, Mossad agents drugged him and kidnapped Vanunu to Israel. Six days after the kidnapping, the Times published the full article, and only 40 days after his kidnapping did the Israeli government reveal to the world what happened to him. In a trial held in closed doors,

Vanunu was charged and convicted of aiding the enemy in times of war, and for delivering classified information with the intent of compromising state security. He was sentenced to 18 years in prison, a year more than Adiv, yet unlike Adiv he served a full sentence, partly in full isolation, never expressing remorse

Differently from Adiv, Vanunu did not pass state secrets to the enemy but gave them to journalists, yet his actions were perceived in Israel as a deep betrayal that evoked a very different anxiety from Adiv's. While Israel in the mid 80's was opening to globalism, capitalism and consequentially individualism, it's alleged nuclear power was one matter no one questioned. Exposing these secrets, no matter for what alternative set of values, meant unacceptable dissent. Vanunu's background of having come from the economic, geographical and ethnic fringes rather than the hegemonic center, and particularly his Mizarahi background, accentuated and brought to the for one of the deepest ethnic tensions in Israel. People "like him," namely Mizrahi or "Arab-Jews" to be more precise, were expected to continuously dissuade the primordial suspicion that they might side with the Arab rather than the Jewish part of their identity. Thus, unlike Adiv who could play romantic revolutionary, if the Vanunus of Israel did, they would dismantle the whole social order. His refusal to express remorse assuring that he is loyal to the Jewish state, destabilized the role assigned to Mizrahi Israelis as symbolic boundary markers, between Israel and the surrounding Arab nations. The swift and hard state response to his actions along with the ridiculing and belittling media coverage, had a strong educational component that demonstrated to others what happens in cases of dissent.

III. Tali Fahima - The Human Shield of the Palestinian Terrorist

Fahima's story, who began this expose, takes place during the Second Intifada in the early 2000's, and sheds light on a case of moral panic over a fallen woman. Similarly to Vanunu is Mizrahi, and thus evoked questions of loyalty and her story presented a deep injury to national honor. While both Fahima's and Vanunu's story represented the latent anxiety over the failure of the "de-Arabization" of Mizrahi Jews when migrating to Israel, her story evoked another primordial anxiety. Fahima was suspected of "sleeping with the enemy." Therefore, her story underscores what happens when women stray off their special symbolic role in a national project of protecting the purity of the nation, particularly in patriarchal societies. The media coverage

mimiced that of a jealous husband while simultaneously ridiculing her attempts to being the Palestinians' suffering to public attention.

Both Fahima and Vanunu, who came from the fringes, ended up in the fringes at the end of their ordeal, as internal exiles in their own country. Both converted, him to Christianity and Fahima to Islam, and are in excommunication from Jewish Israeli society.

IV. Anat Kam - The Israeli Whistle Blower

The last chapter tells the story of Anat Kam, who while a serving in the IDF in 2007 came across classified military documents detailing the IDF's lack of compliance with the Israeli Supreme Court's decisions of the precautionary actions to be taken before using targeted assassinations of Palestinians suspected of having blood on their hands. They showed that the IDF disregarded the mandate to arrest instead of kill and they demonstrated a defacto military approval for "collateral damage" of killing innocent bystanders. Feeling it was her historical moral duty to expose these human rights violations, she copied them to a CD, and immediately after she was discharged, Kam gave it to an Israeli journalist, who wrote a series of expose articles about the matter. In Israel, all security related news must pass government censorship, which the articles initially did. Yet quickly after realizing the magnitude of the leak, the permission was reversed and the security services demanded to reveal the source. Kam was interrogated and placed under a two years house arrest under a gag order that prohibited the Israeli media from writing about it. Only after an American journalist wrote about it in the US, the story got out in Israel, and later Kam was charged with high level espionage. She was sentenced to four and a half years in prison, and after publicly expressing remorse both during her trial and afterwards, she works today as a journalist.

Kam's story touches on much more than Israel's policy of targeted assassinations. She was a soldier when whistle blowing the army's lack of compliance, and her story underscored the absolute loyalty expected from soldiers. This is despite the fact that IDF soldiers are not allowed to blindly obey orders after the 1956 Kfar Kassem massacre, a verdict given following the killing of 43 Palestinians farmers who were not notified of curfew orders. The Israeli military court gave soldiers discretion and mandated them to refuse patently illegal orders.

Placing Kam within the mosaic of Israeli identity politics, her "return" to the Israeli fold is not incidental, and brings up the privileges the intersection of gender, ethnicity and class in which she was "located" allow. Being Ashkenazi she did not evoke anxieties regarding split loyalty to the Arab side, and coming from a strong middle class family that belonged to Jerusalem's elite, she was not a peace activist outlier as Fahima was. Furthermore, while meddling in matters of security, unlike Fahima, she was not suspected of sleeping with a Palestinian man and thus cross the taboo that had with oriental inter religious relationships.

Similarly to Adiv, Kam did not pose the same threat as Vanunu and Fahima's identities did, and she therefore could afford to become a whistle blower motivated by youthful ambition and what she later defined as naïve ideology. Indeed, she is now a journalist at Haaretz newspaper, who is able to shape and influence public opinion.

IV. What is Treason? The Case of Israel and a Theoretical Expose

Divided into two parts, the last chapter builds on the investigation of the four cases beginning with an examination of the ways in which accusations of treason function with respect to national identity formation in Israel. Using intersectionality approach to carry out a comparative analysis of the cases, the chapter underscores how populist accusations and legal charges of treason are mediated by the confluence of the categories of gender, ethnicity and class against the backdrop of different geographical peripheries. It further delineates the ways in which such accusations ascribe perceptions of citizenship, loyalty and belonging that are particular to Israel.

The second part seeks to makes a larger claim. Determining what exactly constitutes treason fluctuates according to the changing political and historical contexts. Take for instance those who opposed the Nazi regime who at the time were immediately executed in Nazi Germany, are now seen as the symbol of ultimate self-sacrifice. When a behavior is seen as treacherous and not merely subversive, certain knowledge is made transparent and communicable, which has to do with the social subtext relevant for each society. Drawing on theories of nationalism, Foucauldian theory of power and Butler's theory of performativity, it proposes to understand treason, when not committed for economic gains or due to blackmail, as serving a seemingly contradictory dual function. On the one hand instances of treason bring about social unification and a closing the ranks in the face of internal enemies. At the same time, there is a disruption to the social order that occurs when citizens question the national ideologies and ethos, and stop "performing" loyal citizenship. This disruption and the response to it both educates the community and exposes what are the lines in the society in which treason occurred that are never to be crossed.

As such, cases of treason serve as litmus tests to reveal the overt and covert social contracts each group has with the state and the nation.