

The Archive Law, the GSS Law and Public Discourse in Israel

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There is a wealth of academic and popular literature focusing on the state of Israel and its Arab citizens: books which attempt to engulf the entire existence of the Palestinian citizens of Israel alongside monographs of particular historical events; anthologies focusing on inter-Palestinian political issues alongside studies focusing on Jewish-Arab relations; descriptions of various sub-populations alongside analyses and diagnoses of “collective identity problems”; literature which criticizes the institutions of the state of Israel alongside literature praising it; and analyses of contemporary laws and regulations alongside historical research. Yet, in this expansive literature almost no reference is made to an extremely influential agent: the General Security Service (GSS).

The GSS influence on Palestinian society in Israel has been and remains immense, yet, on the basis of available research one might conclude that GSS intervention into the Palestinian sector did not exist. Thus, one can find analyses of the identity-formation process of the Arab population in Israel that has no reference to the activities undertaken by the GSS, along with other state agencies, to strengthen certain sub-identities and weaken others. Historical literature focusing on the Arabs in Israel almost entirely disregards a central theme in their daily lives – the wide network of informants established by the GSS in all Arab neighborhoods and villages in Israel. Academic analysis of Knesset and regional municipality election results are undertaken with a blind spot, since they fail to note the historical practices employed by the GSS - with varying degrees of success - to influence election results. Discussions concerning the transformation of the local and national Arab leadership in Israel include no trace of the “accomplishments” and

“failures” of the GSS in its attempts to “promote” certain public figures at the expense of others.

This omission is in stark contrast to the breadth of literature on security services in other countries around the world, including the Federal Bureau of Investigation (FBI) in the United States, the Stazi in East Germany, and the MI5 in England. For Israel, neither the security services’ activities, nor their actions within the area of political policing (defined as activities undertaken within and against minority groups and political organizations) have been given sufficient attention or analysis by academic researchers. Virtually the only literature concerning the GSS are the written memoirs of former high ranking GSS officials.

Beginning with Issar Harel, through David Ronen, Ya’acov Peri and Carmi Gillon – to mention but a few prominent examples – a tradition of “self-immortalization” of GSS activities and former high ranking officials developed within the organization, channeled through the genre of popular literature and targeted at the Israeli general public. Yet, qualitative research of the GSS, or research regarding the role of the GSS in the control and administration of Arab society in Israel is nowhere to be found.¹

Who actually knows what the GSS coordinators undertake in the Galilee and Triangle regions, or what the staff of the Arab division of the GSS actually does? Do they intercept letters sent to political activists, photocopy them, and file them in their personal files? Do they pressure Arab family leaders to vote for “moderate” political party lists? Have they or do they still enlist inciters? Do they employ extortion methods in order to achieve political goals? Do they intimidate heads of

regional Arab municipalities with threats of “freezing” funds if they admit “unwanted” people to locally organized coalitions? Do they arrange favorable jobs for cooperative or influential people? Do they write and distribute fictitious announcements in the name of different political groups? Have they and do they stage disputes between political organizations and groups, between ethnic and religious communities, similar to the methods undertaken by the FBI during the 1960s and 1970s?

Certified responses to these questions are nowhere to be found. What is primarily available to the Hebrew reader is the information the GSS is interested in distributing. The information gap between Hebrew and Arabic readers is clear in this case. Even today, many Arabs in Israel continue to experience GSS activities directly and personally. They do not necessarily need academic research to enlighten them about GSS presence, even if the information they do possess is limited. By contrast, most Israeli Jews lack even a basic sense of the role and impact of the GSS concerning Arab citizens of the state, and therefore, need an informational channel on this subject to be opened. Yet, the two main modes of information distribution – the academy and the press – have failed to supply the necessary information, and thus have hindered the Jewish citizens of Israel from realizing what is being undertaken in their name.

It is difficult to ascertain how much the lack of publicity regarding the GSS is the result of self-censorship, externally imposed censorship, or the difficulties in accessing information. Yet, the General Security Service Law – 2002 anchored this discouraging lack of publicity within Israeli law. Article 19 of the Law mandates the imposition of criminal penalties on anyone who exposes or publishes classified information about

the GSS. Section (a)(1) provides that: “Rules, Service directives, Service procedures and the identity of past and present service employees and of persons acting on its behalf and other particulars in respect of the Service to be prescribed by regulations are privileged and the disclosure or publication thereof is prohibited.” Section (b)(1) determines that: “A person disclosing or publishing information privileged under this Law without a permit shall be liable to imprisonment for a term of three years; a person negligently bringing about such disclosure or publication shall be liable to imprisonment for a term of one year.” Section (b)(2) adds that: “A past or present Service employee or person acting on behalf of the Service who discloses or publishes confidential information without a permit under this section shall be liable to imprisonment for a term of five years; where such disclosure or publication has been committed negligently, he shall be liable to imprisonment for a term of three years.”

These latter provisions were meant to create a two-fold blockade on the flow of information. Section (b)(2) challenges and/or blocks the direct flow of information from past or present GSS personnel to information mediators such as journalists and researchers. Through Section (b)(1), the flow of information to the wider public is effectively blocked, if any such information reaches outside sources.

The shift from a situation in which there is little available knowledge to an actual legislative restriction impairs the ability to conduct an open and frank discussion on one of the most fundamental areas of life in Israel. It violates one of the basic principles of democracy and prevents a decision-making process by an informed and conscientious public. The reasoning, of course, is based on security

grounds and this must not be taken lightly. Article 19 of the 1966 International Covenant on Civil and Political Rights anchors the right to receive and distribute information in international law. The treaty also recognizes that it is legitimate for a state to limit the availability and publication of information on the grounds of national security or public order. However, total safeguarding, such as that anchored by the GSS Law, is a far-reaching step which raises questions regarding the legislature's intentions, and which invites speculation as to the illegality or immorality of the activities undertaken behind a screen of secrecy.

Naturally, the blanket secrecy thrown over activities of political policing is not unique to Israel. The modern state is inherently busy gathering information on its citizens, while keeping a large portion of its information concealed (both the information gathered and information gathering methods).² A hidden presumption by the state is that the ignorance of its citizens enhances its own power. Yet, there are those who utilize legal means to contend with the state's attempts at secrecy. The most prominent example is the wealth of research published in the United States regarding FBI activities in general, and against minority groups and political organizations in particular.³ Following continuous efforts by journalists, researchers and human rights activists, the wall of secrecy surrounding the FBI collapsed and publications uncovering its illegal activities brought about fundamental changes in its working procedures, as well as contributed to successful damage claims filed by political organizations in which the FBI had illegally planted informants.⁴

Two legal tools assisted in uncovering the illegal activities undertaken by the FBI. The first

is the US Constitution and its emphasis on freedom of expression, and the second is the Freedom of Information Act. On the lack of a constitution in Israel, even following the "constitutional revolution," there is neither room nor perceived need to expand. But even Israel's Freedom of Information Law - 1989, including the amendment that re-instated the law in 2002, is of no assistance to researchers in this area. Article 14(2) of the law explicitly excludes the GSS from the institutions to which the Freedom of Information Law applies. Furthermore, Article 9(a) of the law declares in general terms that: "An institutional authority shall not provide information which constitutes any of the following: (1) information which were it revealed could pose a risk to national security, foreign relations, public safety or an individual's well being..."

Thus, similar to a number of other countries, Israel's Freedom of Information Law is a restrictive and restricted law, and in certain areas completely inapplicable. Only a small window of opportunity exists in Article 14(d) of the law, by which the publication of sensitive information may not constitute an offense. This article states that: "The directives of this law do not include information which was transferred to the State Archives by a public institution in accordance with the Archive Law - 1955." Thus, the examples of GSS activities presented in this article are based on archival materials from the Israel State Archives, which were recently opened to the public.

GSS activities are probably the most classic example of an area in which researchers are working blindfolded – if at times wilfully – yet this is certainly not the only area of limited information. As I will demonstrate, the state's control of information has contributed to more

than a few distortions in research regarding the Zionist-Palestinian conflict, the relationship between Jews and Arabs, and political issues related to the Arabs in Israel.

Partial Information and the Zionist Narrative

The reasons for states to control the information reaching their citizens and the outside world are many and varied. One common argument given for concealing information is state security. Yet, as will be demonstrated, a more essential and less disclosed motive is the state's objective to construct the terms of public discourse. In the case of Israel, this objective is demonstrated by state attempts to perpetuate a simplified and central Zionist narrative (alternative and more complex Zionist narratives certainly exist) regarding the Zionist-Palestinian conflict. This narrative is based on two inter-related foundations. The first is historical, consisting of the traditional Zionist version regarding the 1948 war, the Nakba, and the roots of the refugee problem. The second is a more contemporary narrative, based centrally on the image of Israel as a democratic and enlightened modern state. The legislation preventing access to archival information limits the ability to challenge both levels of this narrative through the use of archival records and dated documentation - a key traditional academic research tool - and thus assists in their perpetuation.

The Nakba, the Archive Law and Public Historical Discourse

It is common knowledge that for many years the State of Israel has nurtured the argument that the Palestinian refugees abandoned their villages

and homes following a call by neighboring Arab states to leave their homes for a short time, until the victory over the "Zionist enemy" was achieved. The lack of access to archives and the perpetuation of this argument by Israeli officials in public forums in Israel and abroad have transformed this claim into a "real" account. An entire generation of Israeli Jews was raised to believe this claim whole-heartedly. The legislation relating to documentary materials played a central role in this achievement. The Archive Law - 1955 provided the State Archivist with wide authorities with regard to archival materials. Article 4 of the law states that: "All archival materials of national institutions dated prior to the establishment of the State of Israel as well as any archival material of any state institution will be deposited in the State Archives [...]." Article 10(c) authorizes the State Archivist to classify archival material as secret and to limit its review. Through these two articles, the state tightened its control of this information.

This was a two-fold legislative maneuver that enabled the state and certain historians to distribute the basic Zionist narrative, and this controlled and impeded the development of an alternative narrative utilizing traditional historiographic tools. Thus, the legislation limiting review - justified by security reasons - was used as a central tool in establishing the main and basic Zionist narrative as a hegemonic one which, at best, can be said to include some accurate details.

A similar phenomenon exists with regard to the "battle morals" of Jewish forces during combat. The atrocities and war crimes performed by Arab forces - and such crimes indeed took place - are an inseparable part of the public discourse among Jewish citizens of Israel. It is difficult to find a student who has

not heard of the 35 Jewish fighters killed on the way to Gush Etzion and the desecration of their bodies, or of the Hadassah convoy which had 78 of its members killed on the way to the hospital on Mount Scopus. Murders committed by Jews, except for the massacre in Deir Yassin, which was carried out by “dissidents” yet backed by the Haganah, were almost completely unknown. A multi-year prohibition on access to documents regarding war crimes performed by the Israeli side (for instance in Dawayima and ‘Ein Zeitun, Safsaf and Lydda, Eilabun and Farradiya to name but a few) facilitated the silencing, concealing and construction of a one-sided discourse, and the promulgation of a dichotomist world view: “We are good and just and they are cruel and cowardly.”

The partial release of many documents related to the 1948 war, available for review by researchers since the beginning of the 1980s, brought about a change within academic discourse in regard to these issues. It would seem that at present, only someone extremely gullible or insistent on ignoring reality would argue that it was indeed the case that the call of Arab states, if such a call was made, was a main cause for the uprooting of Palestinians. It is difficult to find a credible researcher today who would deny the fact that in certain areas of the country, the Israeli army actively and purposely expelled thousands of Arab residents, or someone who would deny that the Arab Palestinian national leadership and the Arab League made an attempt to stop the refugees from exiting the country, at least in the advanced stages of the war. Nor can credible research support claims that the Israeli army did not commit any war crimes at all.

But it is important to realize that new research does not necessarily bring forth a change in public discourse. Following the construction of

a hegemonic discourse that has been embedded within the wider public, even a wealth of opposing research would have difficulties in successfully undermining it. The state managed a great discursive achievement. The years during which documentation was restricted enabled the implantation of a simplistic worldview within the wider public, one anchored by partial and tendentious material. Thus, a deeper debate within the Jewish public in Israel was prevented, not merely with reference to the “right of return,” but also regarding Israel’s moral responsibility, even if partial, for the creation of the refugee problem. In this way, it was also easy to maintain the dichotomy between those who were “good” and those who were “evil.”

Nevertheless, a difference does not always exist between members of the academic community and the general public. A recent example of this was apparent in an interview that took place during the Israel Broadcasting Authority’s Channel 1 nightly news program. Professor Shlomo Avineri of the Hebrew University, who is also a former Director General of the Ministry of Foreign Affairs, was interviewed following the murderous July 2002 attack in the cafeteria at the Hebrew University’s Mount Scopus campus. In the interview, Professor Avineri compared the terror attack undertaken by Hamas in the cafeteria to the killing of the Hadassah convoy’s members in April 1948. By making this connection, he attempted to disconnect any link between the activities undertaken by Israel (or state to be) to the actions undertaken by the Palestinians: “There was no Jewish state then, there was no occupation, there were no refugees, there was no refugee explosion,” he stated while referring to the attack on the convoy in April 1948.⁵ In other words, according to Avineri, the

Palestinians are murdering us for no reason. Yet, anyone willing to contend sincerely with Zionist history knows that such arguments have been totally refuted, since in April 1948, thousands of the Arab residents of the country were already uprooted from their homes and had become refugees. Furthermore, the attack on the Hadassah convoy that Professor Avineri referred to was planned two days following the conquering of Deir Yassin, and according to one of the Arab forces' commanders, was actually in retaliation for the massacre that took place in the village.⁶

This example is not cited solely for argumentative purposes, and it is not intended to justify one crime by another that preceded it. It aims to present the consequences of ignorance (encouraged by the state) on political decisions and on views held by individuals. A more reliable historical account of the events would have put the attack in its context, and might have led to totally different conclusions, namely that there is a link between the policies and practices of the state (and the state to be) on the Palestinians not only in 1948 but also today. The actual political conclusions might have been that there is a link between the targeted assassinations, the settlements, and the occupation on one hand, and the attacks on Israelis on the other, and not necessarily the conclusion drawn by Avineri that the Palestinian national movement conceives of Jews as "Ordained to Die," thus impelling a need for separation between the people.

GSS Activities and the Plan of Denial

It is easy to determine that the legislated control of information, the mass media and the education system helped the state to instill

within its Jewish citizens the historical narrative that it wanted. This is not, however, a simple unilateral and enforced maneuver undertaken by the state. With reference to historical documents, except for those relating to the security services, during the past few years, a relatively open policy toward accessing state documents has been adopted in Israel.

In addition to the strict policy of "classifying" documents that was maintained until the beginning of the 1980s, which epitomizes an "official denial" as defined by Stanley Cohen, there also exists a "cultural denial" in Israel.⁷ In other words, there is an unwritten understanding within Israeli Jewish society with regard to what is worthy of recollection, what can be recognized publicly, and at the same time, what must be suppressed and forgotten. For this reason, exposing historical documents and publications does not necessarily facilitate a change within the public discourse.

Thus, these laws and regulations are utilized merely as a means of assisting with the denial. The decades-long blanket prohibition on accessing archival documents facilitated the denial with regard to the past. The permanent ban on access to security services' documents facilitates the denial of what is undertaken in the present. This legislation saves many people from the need to confront the collective past, as well as from grappling with contemporary policies undertaken in their name. Thus, Jewish-Israeli society preserves its image as democratic and enlightened, based on a grain of truth, and it limits the possibility of self-criticism or of criticism against the regime.

A portion of the academic research in Israel concerning Palestinian society demonstrates well the impact of the legislative limitation on information to the construction of the

enlightened personal image. I will demonstrate this by exploring one field – that of education in the Arab sector – and by relying on Professor Jacob M. Landau’s, *The Arabs in Israel: A Political Study*, the Hebrew version of which was published in 1971. This book was purposely selected because it was published prior to the opening of the archives, and because it was utilized for many years – and continues to be used – as the basic text for academic courses concerning Arab society in Israel.⁸ The following is a quote from a sub-chapter entitled “Arab Education”:⁹

Both the central and local regimes in the State of Israel made a considerable effort to widen and improve the education of Arabs in order to bring its level up to the level of the education of Jews. This was a very difficult mission in light of the slow advances in the education of the Arabs, especially in the villages, during the 30 years of British mandate rule in Israel [...] The Ministry of Education and Culture made a great effort to improve the education plan in both the elementary and high schools [...] The dedication put forth into educating Arab children was equal if not more than the effort which was put forth into educating Jewish children.

The message reflected in these lines is clear and precise. The state of Israel was as active as possible in facilitating the education of the Arab population. It even dedicated more to the education of Arab children. Was this the actual situation? This might have been the impression reflected in the publications of the Ministry of Education and Culture that were open for review. However, classified documents, which were recently released for review and are not yet published, uncover a different situation. Some of these documents are from the committees for

Arab affairs and deserve a short introduction.

In 1954, the Israeli government established the Central Committee for Arab Issues. It was coordinated by the Prime Minister’s advisor for Arab issues and was comprised of the head of the Arab Department at the GSS, the head of the Special Duty Department of the Israeli police, and the head of the Military Government Department of the Ministry of Defense. There were three regional committees subordinate to the Central Committee – one in the Galilee, one in the Triangle region, and one in the Negev – and each was directed by a corresponding regional military governor. The permanent committee members were the various personnel responsible for Arab issues in their respective regions on behalf of the GSS, the police, and representatives of unit 154 – the IDF unit that activated Arab agents in the countries bordered by Israel.

For many years, these committees had the most influence on the daily life of the Arabs in Israel, since it was in these committees that the security forces coordinated the steps they were to employ against the Arab population in general, as well as against specific individuals. The committees lacked statutory authority, yet their recommendations carried heavy weight on many subjects, including the issuing of work, firearms, and building permits, the appointment of *mukhtars* (local village leaders), and the charting of policies with reference to different communities or specific individuals. These committees recommended approval or rejection of particular demonstrations and recommended whether or not to arrest political activists or to expel them. Except for extraordinary cases, all of the government ministries that operated in the “Arab sector” coordinated their activities with these committees, which remained active even

following the end of the military government rule in 1966.

During a meeting conducted by the Triangle regional committee on 18 November 1954, the committee members summarized their attitude towards the granting of university education to Arab youth as follows:¹⁰

Arab students in the university and the Technion: the committee does not approve of higher education for the residents of the region. Since it is not possible to prevent their entrance into these institutions after they are accepted, the committee recommends contacting the administration of these institutions in order to prevent their acceptance [in the first place]. The contact will be made by the central region military governor through the Department of Military Government at the Ministry of Defense.

The wording of the protocol is worthy of review. The paragraph is short, only a few lines, and except for the sentence, “The committee does not approve...,” the statement lacks justification, probably since it is presumed that the reasoning is clear to all: security issues. The committee, comprised of only army, police and GSS officers, also recognizes its limitations. It details that: “There is no possibility to prevent their entrance into these institutions after they are accepted.” Therefore, the committee is not making a decision, but rather a “recommendation.” Its recommendation is to act outside of the institutionalized bureaucracy, utilizing contacts and influence.

This recently revealed material contains no details as to how this policy was actually achieved. There is no way for us to know how the meeting between the representative of the Ministry of Defense and the administrators of these academic institutions was conducted, what

arguments were raised by government officials, and how the administrators of these educational institutions reacted. Yet, we do know that this policy was implemented for three years, preventing the access of several Arab high school graduates. It was abolished in September 1957, when a new policy was instated declaring that: “Local residents would not be faced with difficulties with regard to studies in institutions of higher education.”¹¹

There is no need to add a wealth of further detail with regard to this policy, the goal of which was to prevent Arab citizens of the state from accessing higher education, and which was pursued simultaneously alongside other practices undertaken by the state, including the enactment of the Compulsory Education Law - 1949 and the building of schools. It is difficult to ascertain which authorities, outside of the defense forces, and which of their academic counterparts knew about this policy. It seems that Landau was unaware of it when he wrote the aforementioned paragraph, which reflected an ideal state of affairs with regard to the treatment of the Arab citizens by the state. One could say that his desire to present government policy in a positive light was assisted by a lack of “problematic” documentation. This is how he proceeded to write later in the chapter, in the section dealing with the content and methods of instruction in Arab schools in the country:¹²

The education planners were of a liberal point of view, according to which they did not want to force Arab children to convert their cultural heritage into Jewish civilization. The Israeli planners of the educational policy had no illusion. They took into account the risk that the emphasis on studying Arab culture could promote a national Arab movement in Israel. This was extremely probable, since in Arab schools, the ratio between male and

female teachers was two to one (opposite to that in Jewish schools). It could have been expected that some of these men would preach nationalism to their students.

Ignoring the question of gender (the argument that Arab men are more inclined to “nationalism” than women) which deviates from the topic of this discussion, the impression given from reading this paragraph is that the authorities in charge of Arab issues in the country “accounted for the risk” that Arab teachers would instill nationalist ideas in their students, but also that freedom of instruction was important to them, and therefore they made no attempt to prevent it.

Is this a reflection of reality? The security forces’ tight supervision over the employment of Arab teachers in Arab schools is no secret; nor was it a secret when the book was written at the end of the 1960s. It was widely acknowledged that the Ministry of Education, as directed by the GSS, made concerted efforts to prevent members of the Communist Party from being employed as teachers, even if they were worthy candidates. Non-political candidates or supporters of Mapai and its satellite parties were easily accepted, even if they did not possess the right qualifications for teaching. Landau’s disregard of this information can be interpreted in two ways: either this fact seemed irrelevant to him or he neglected to note it due to lack of documentation.

After nearly 40 years, it is possible to review some of the GSS documents and to complete the partial picture reflected in this type of research. It should be noted that the GSS archive is entirely blocked to researchers, However, GSS correspondence with other institutions such as the Israeli police, the military

government or the Ministry of Education can often be located in the state archives and various government ministry files.

It is apparent from these materials that Unit 490 of the GSS (the Arab Department) typically prepared bi-monthly reports entitled “Nationalist Activities and Statements Made by Teachers and Students.” The unit forwarded these reports to the Ministry of Education. Furthermore, it is apparent that aside from screening teachers prior to their acceptance as employees, the GSS maintained a constant surveillance system of Arab teachers at the schools. Teachers who expressed themselves “negatively” were put under special supervision, and if they continued these activities, they were removed from their position. This is hardly an example of liberal administration as depicted by Landau. Surveillance was not limited to teachers who preached violence, if any actually existed, or to those who, for instance, expressed their support of Gamal Abdel-Nasser or the PLO. Surveillance was also conducted against teachers who called for strikes on 1 May; those who argued that Israel had stolen land belonging to the refugees; those who cursed collaborators; or those who claimed that the Ministry of Education discriminated against Arabs.¹³

Beyond the accumulated influence of screening teachers for their political affiliation and monitoring the ways in which their conformity influenced Arab students and the character of education they were provided, the establishment of informant networks within Arab schools is extremely important. The GSS-issued periodic reports were based on reports forwarded by teachers about their colleagues and students, and by students about their fellow students and teachers.¹⁴ An entire generation of Arab citizens of Israel was raised in this

atmosphere. It seems that this point is no less important when writing about “Arab education” than is the aspiration expressed by the Ministry of Education to preserve Arab cultural heritage. The classification of teachers was undertaken by the GSS on behalf of the state in order to prevent the distribution of the national Palestinian narrative. Backed by the law, those who adopted the simplistic Zionist narrative were able to ignore the protective measures undertaken in order to instill the narrative they had chosen both for themselves and for the Arab population.

Summary

States, societies and nations usually establish themselves and justify their actions utilizing a meta-narrative.¹⁵ It is for this reason that states prevent their public from accessing information, and utilize the media and academia in an attempt to manipulate public discourse to accord with their own narrative. Thus, the ignorance of the individual can be a source of power for the state. This was true in the past and the present, for totalitarian as well as liberal democratic regimes.¹⁶ Academics and journalists, like any citizens, can adopt the meta-narrative or they can reject it. Those who accept it find strength for their position in the restrictions imposed by the law on the freedom of information. These restrictive laws influence, first and foremost, those who are interested in challenging the narrative.

The new GSS Law has transformed writing about the security services to an almost entirely illegal activity, and thus harms the possibility of efficient supervision over the GSS. It also hinders efforts to instill public awareness about GSS activities. The experience of the United States teaches that these restrictions can be

confronted with intensive activities undertaken by human rights organizations, journalists and researchers and with the backing of legislative authority. The Israeli public’s generally negative reaction to the research of the 1948 war based on declassified documents teaches us that even relatively free access to state archives does not necessarily lead to a change in public discourse.

It is reasonable to assume that more access to GSS documentation will not lead to harsh criticism of the GSS by the Israeli Jewish general public, since there are personal and national methods of denial to deal with new, uncomfortable information. Yet, it cannot be denied that providing access to knowledge is a cornerstone of the democratic system.

End Notes

- 1 See Issar Harel, *Security and Democracy* (Tel Aviv: Yediot Ahronot, 1989) (Hebrew); David Ronen, *The GSS Year* (Tel Aviv: Ministry of Defense, 1989) (Hebrew); Ya'acov Peri, *He Who Comes to Kill You* (Tel Aviv: Keshet, 1999) (Hebrew); and Carmi Gillon, *The GSS between the Shreds* (Tel Aviv: Yediot Ahronot, 2000) (Hebrew). Yehiel Gutman's book, *Shakedown in the GSS* (Tel Aviv: Yediot Ahronot, 1995), presents a more external view; the book was written following the "Bus 300 Line Affair." A former Supreme Court justice also wrote an article regarding this affair: see Yitzhak Zamir, "The Government Legal Advisor during Crisis: The GSS Affair," in *The Uri Yadin Book 2*, ed. Aharon Barak (Jerusalem: Bursi, 1990) at 47-55 (Hebrew). For a general overview of the Israeli security services that does not focus on the GSS activities within Israel, see Ian Black and Benny Morris, *Israel's Secret Wars: A History of Israel's Intelligence Services* (New York: Grove Weidenfeld, 1991).
- GSS activities in the Occupied Territories – mostly in the areas of torture, but also within the area of recruiting collaborators – have been covered in B'Tselem reports. For articles discussing the legitimacy of using force during investigations, see Mordechai Kremnitzer, "Exercising Power during General Security Service Investigations - The Lesser of Two Evils?" 4 *Law and Government* 666 (1998) (Hebrew). Kremnitzer also instructed Ariel Zimmerman while writing his book: Ariel Zimmerman, *The GSS Draft Law – Comparative Analysis* (Jerusalem: The Israeli Institute for Democracy, 1997).
- 2 On the situation in England, which is very similar to the one in Israel, see Article 19 and Liberty, "Secrets, Spies and Whistleblowers: Freedom of Expression and National Security in the United Kingdom," 2000; and Helsinki Watch, "Restricted Subjects: Freedom of Expression in the United Kingdom," Human Rights Watch, 1991.
- Due to the Freedom of Information Act – 1966 (FOIA), documents are more accessible in the United States, especially after the enactment of the 1974 amendment to the FOIA, following the Watergate affair. However, the Reagan administration acted to limit accessibility to operational and other documents of the intelligence agencies. On this issue, see Diana M.T.K. Autin, "The Reagan Administration and the Freedom of Information Act," in *Freedom at Risk: Secrecy, Censorship and Repression in the 1980s*, ed. Richard O. Curry (Philadelphia: Temple University Press, 1988) at 69-85.
- 3 For an analysis of the surveillance undertaken by the FBI on United States Supreme Court Justices, see Alexander Charns, *Cloak and Gavel: FBI Wiretaps, Bugs, Informers, and the Supreme Court* (Urbana and Chicago: University of Illinois Press, 1992).
- On the surveillance of academic figures, the restriction on their movements, and the influence this had on the development of sociological research in the United States, see Mike Forrest Keen, *Stalking the Sociological Imagination: J. Edgar Hoover's FBI Surveillance of American Sociology* (Westport and London: Greenwood Press, 1999).
- For a detailed study of the activities of the FBI with reference to African American activist groups, see Kenneth O'Reilly, *"Racial Matters": The FBI Secret File on Black America, 1960-1972* (New York: The Free Press, 1989).
- On the struggle of the FBI against the American peace movement during the Vietnam War, see James Kirkpatrick Davis, *Assault on the Left: The FBI and the Sixties Antiwar Movement* (London: Praeger, 1997).
- For a general overview with a thorough introduction by Noam Chomsky, see Nelson Blackstock, *COINTELPRO: The FBI's Secret War on Political Freedom* (New York: Pathfinder, 2000).
- 4 See Margaret Jayko, *FBI on Trial: The Victory in the Socialist Workers Party: The Suit against Government Spying* (New York: Pathfinder, 2001). The book widely cites the verdict of Judge Thomas Griesa of the US District Court for the Southern District of New York who ruled in favor of restitution to the Socialist Labor Party not merely for the burglarizing of their offices but also for the insertion of informants into the party apparatus.
- 5 Transcript of the interview with Avineri on Channel 1, 31 July 2002.
- 6 Bahjat Abu Gharbiyya, *At the Center of the Arab Palestinian Struggle* (Beirut: The Center of Palestinian Studies, 1993) (Arabic).
- 7 Stanley Cohen, *States of Denial: Knowing about Atrocities and Suffering* (Cambridge: Polity Press, 2001) at 10-14.
- 8 Jacob M. Landau, *The Arabs in Israel: A Political Study*, trans. Elyakim Rubenstein (Tel Aviv: Ministry of Defence, 1971) (Hebrew).
- 9 Id. at 54-55.
- 10 Central Region Military Governor of the Military Government Department to the Israeli Police and the GSS, summary from regional coordination meeting number seven, 18 November 1954 (Israel State Archives, section 79 file 2314/8) (Hebrew).

- 11 Protocol of the Central Regional Committee meeting number 22, 1 September 1957 (Israel State Archives, section 79 file 287/21) (Hebrew).
- 12 J.M. Landau, *supra* note 8, at 55.
- 13 See “Nationalist Statements and Activities of Teachers and Students,” Unit 490 to the Security Officer of the Ministry of Education, 19 July 1965 (Israel State Archives, section 79 file 236/17) (Hebrew). This section of the archives contains additional examples of these types of statements.
- 14 Yair Boymal discusses the activities of security agents in Palestinian communities based on material released during the 1990s by the Israel State Archives. See Yair Boymal, *The Treatment by the Israeli Establishment of Arabs in Israel: Policies, Principles and Second Decade Activities, 1958-1968* (Thesis Submitted for the Doctor of Philosophy Degree, University of Haifa, 2001), specifically chapter 5 (Hebrew).
- 15 For a wider discussion and theoretical overview, see Homi Bhabha, ed. *Nation and Narration* (London: Routledge, 1990).
- 16 For harsh criticisms of American policies in this respect, see Thomas Paterson, “Thought Control and the Writing of History,” in *Freedom at Risk*, ed. R. O. Curry, *supra* note 2, at 60-68. For an analysis of the construction of history in the Republic of East Germany, see Martin Sabrow, “Dictatorship as Discourse,” in *Dictatorship as Experience: Towards a Socio-Cultural History of the GDR*, ed. Konrad Jarausch, trans. Eve Duffy (Oxford: Berghahn, 1999) at 195-211.