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05/07/05 09:12 PM **Spies Or/And Victims** [Post [293600220](#)]**Category:** News & Opinion (General) **Topic:** International Affairs**Synopsis:** Legal analysis of AIPAC/Franklin**Source:** [AMIN](#)**Published:** September 2, 2004 **Author:** Hichem Karoui***For Education and Discussion Only. Not for Commercial Use.**

Spies Or/And Victims

The case of Lawrence A. Franklin, the Pentagon's official, recently accused of espionage for the account of Israel, necessarily brings to our minds the case of Jonathan Pollard, an American intelligence analyst, who in 1985 was arrested and convicted of spying for Israel too. The case is thus neither unique nor exceptional. And one cannot but state that if the American Court did not find any evidence of Pollard's guilt, it would never have sentenced him to spending the rest of his life "in the shade".

Of course, the United States of America is the closest friend to Israel, and the main funds' backer which finances the Israeli machine, as everybody knows. Yet, these facts seemingly do not prevent the Israelis from spying and blackmailing the "most cherished friend and ally", as M. David Siegel (Israeli ambassador to Washington) depicted the relationship. America has always been attracting the Jews from the entire world, and there is no other country on earth gathering the same number of Jews except Israel itself. To be sure, America's Jews are not all necessarily convinced Zionists. The fact is that many Jews hate Zionism and consider it a big lie aiming at their extirpation from their original countries. But Zionism - as Herzl predicted - is nourished by the anti-Semitism and whenever the pressure on the Jews increases anywhere in the world, their loyalty to their countries becomes threatened by their attraction to Israel.

M. Larry Franklin is not Jewish, but he is accused by the FBI of passing classified information to the Israeli government, related to American policy toward Iran. Franklin has served as an Air Force reservist in Israel, where he served also as a specialist in foreign political-military affairs, and was reportedly based in the US Embassy in Tel Aviv. He has been since working in the Pentagon's policy offices, under the orders of M. Douglas Feith under-secretary of defense for policy, and involved with regional strategic planning.

FBI officials have been quietly investigating for the last months whether Franklin's connections with the Israelis were of a nature that pushed him to pass some sensitive information, since it was known how anxious the Israelis have grown about the Iranian nuclear business. Franklin may be of a particular interest to them in this context. He participated, for example, in secret meetings with Manucher Ghorbanifar, an Iranian who had acted as an arms deal middleman in the Iran-Contra affair during the Reagan administration. According to the New York Times [1], the "secret meetings were first held in Rome in December 2001 and were brokered by M. Ledeen. He said he arranged the meetings to put the Bush

administration in closer contact with Iranian dissidents who could provide information in the war on terrorism"[2].

As a matter of fact, the Iranian affairs have grown to be recently an important issue of the struggle between Democrats and Republicans, as are also usually the relations with Israel. Then, some political aspects should be considered.

1 – Franklin works under the responsibility of D. Feith. The latter has been a target of Democrat's criticism since, as an element of a study group of American Conservatives in the mid-1990s, he has urged then Israel's Prime Minister, B. Netanyahu, "to abandon the Oslo peace and reject the basis for them". Then more recently, the Democrats accused Feith of trying to manipulate intelligence to improve the Bush administration's case for war against Iraq. However, House and Senate intelligence Committee investigators found no evidence for the accusations.

2 – During this presidential campaign, we see Democratic vice presidential nominee John Edwards, charging the Bush administration of abdicating responsibility for the Iranian nuclear threat to the Europeans. M. Kerry first outlined the idea of providing nuclear fuel to Iran in a speech in June – a proposal reportedly favored by many Europeans- but Edwards, who twice described the concept as a bargain, was more explicit in suggesting the Kerry administration would actively try to reach an agreement with the Iranians.[3]

This is the political context of the Franklin's case. A context apparently marked by an important debate inside the USA, as well as in Europe (and with it), in Israel (and with it), about how to deal with the Iranian nuclear program. Maybe this background suggests that Larry Franklin is just a scapegoat in a game that bypasses him. Nevertheless, there are other cases making his own not that amazing for the investigators and the public as well. A little memory's refreshing would perhaps help the understanding:

In 1985, U.S.-Israeli relations were rocked by two spy cases. Richard K. Smyth was indicted in California for illegally exporting 800 Krytons to an Israeli company. Krytons are high-speed electronic switches that can be used to detonate nuclear weapons. Israel claimed that it was not aware of needed export licenses for the devices. Smyth jumped bail in 1985 but was arrested by Spanish authorities in July 2001.

Smyth was extradited to the United States in November 2001, pleaded guilty in December, and was sentenced to 40 months in prison in April 2002.

On November 21, 1985, Jonathan Pollard, a U.S. naval intelligence employee, and his wife Ann Pollard were charged with selling classified documents to Israel for \$2,500 per month over an 18-month period. The Israeli government said the spy network, headed by former Israeli intelligence officer Raphael Eitan, was a renegade operation. In March 1987, Pollard was sentenced to life in prison, and his wife to two consecutive five-year terms. Four Israelis were also indicted, including Israeli Air Force Col. Aviem Sella. Israel promoted both Sella and Eitan, although Sella's command of a major air base and promotion were rescinded after negative U.S. reactions. Israelis continue to complain that Pollard received an excessively harsh sentence. Ann Pollard was released in 1990, and moved to Israel where she divorced Jonathan Pollard. Pollard was granted Israeli citizenship in January 1996. It should be noticed also that Israel sought Pollard's release as part of the 1998 Wye negotiations with the Palestinians.

In addition to the Smyth and Pollard cases, U.S. Customs agents raided three U.S. companies on December 12, 1985, to seize materials describing a metallurgical process for tank guns that were being transferred illegally to Israel. In another case, three Israelis were arrested on April 22, 1986, for conspiring to sell arms to Iran. On May 15, 1986, two Israelis were arrested in New York on another weapons selling scheme. On July 8, 1986, U.S. Customs agents searched three U.S. companies for information about a plan to transfer technical information for cluster bombs to Israel. An Illinois company said on August 8, 1986, that Israelis tried to steal data on aerial reconnaissance cameras. Israel denied any connection with any

of these cases. In February 1997, an engineer at a military testing facility in Michigan admitted that he had "inadvertently" given classified materials to Israel over a ten-year period. Press reports in early May 2000 said that Israeli intelligence had tapped into White House and State Department communications, but a later FBI investigation cleared Israel.[4]

Now, would the FBI dare to charge an American official without evidence? This is the important question. The investigators have even interviewed the under-secretary of state, Douglas Feith as well as M. Paul Wolfowitz. Would they really make both men waste their time without a sound argument?

Despite that, there are still strong defenders of Larry Franklin, not only his stunned colleagues, but also personalities like Dennis Ross, special envoy on the Arab-Israeli peace process in the first Bush administration and the Clinton presidency. He said: " The Israelis have access to all sorts of people. They have access in Congress and in the administration. They have people who talk about these things..." [5] M. Yval Steinitz, the chairman of the foreign and defense committee in Parliament, is "100 percent confident – not 99 percent, but 100 percent- that Israel is not spying in the United States".[6] And this is, of course, what Sharon 's office says also. Thus, the agreement is quite complete and harmonious between Steinitz and the Israelis.

The fact is that he is perhaps not mistaken, since the activity of Aipac is quite legitimate whereas its connections to the Mossad cannot be ignored. And as we know, the espionage is precisely an illegitimate activity. Thereupon, how can we possibly reconcile between what is legitimate and what is illegitimate? And since M. Franklin is suspected and charged of passing sensitive classified information about the US policy toward Iran to AIPAC, a pro-Israel lobby group, which in turn is thought to have provided it to Israeli intelligence, then the American justice Department should logically suspend – first - the activity of Aipac as being not conformed with the law, so that the espionage charge becomes possible on these grounds. Otherwise, even if it is true that Larry Franklin provided Aipac with classified information, what makes Aipac innocent and he guilty? The espionage crime is not an act that one can perform alone. To be a real crime, it must involve at least three parties: 1) That from which the information has been stolen (the victim: here the USA government). 2) That for which the information has been stolen. (The instigator or the buyer. Here the Israeli government, with Aipac's kind mediation). 3) The agent who stole the information (M. Franklin). Without the existence of these parties, nothing can make a case worth an investigation.

Now, we must be aware that we are here talking about a powerful, legitimate organization (AIPAC), with 65 000 members in the USA. Who among them, or among the American officials, ignore the relationship between AIPAC and the Israeli intelligence? If they do – and they do – where is the mistake? Is it lying with L. Franklin who, like many other American officials, deals with Aipac and give and take information? Or is it lying with Aipac, which takes what it is given and passes it to the Israeli boss? Or is it rather lying with the American government, which knows very well what are AIPAC's activities and aims, and tries to play the part of the naive and claims to be surprised?

Either some party is fooling the others, or they are, all of them, fooling each other. And like so many cases of this kind, we see rarely any party acknowledging its mistakes and recognizing its crimes, because in the espionage world there are neither responsibilities nor responsible people, neither chiefs nor subordinates, and most of all nobody knows the other when they are discovered. They may be working together, hand in hand, for years, but in total darkness. That's why, when someone switch on the lights, and they see each other and what they have just been doing, they run away and deny everything. And while trying to repair the unredeemable, they may sometimes need a scapegoat. Thus, anyone of them – rarely the powerful, though – may pass from the status of agent in activity to that of victim in custody.

NOTES:

[1] James Risen. FBI said to reach official suspected of passing secrets. New York

Times. Aug. 29, 2004.

[2] Idem. M. Michael Ledeen, a conservative scholar at the American Enterprise Institute, is a friend of Franklin.


[3] Glenn Kessler and Robin Wright. Edwards : Kerry would offer Iran nuke "bargain". The Washington Post; Aug. 30, 2004.

[4] See: Israeli-United States Relations. CRS report. Clyde Mark. July 9, 2004.



[5] T. E. Ricks and R.Wright. Analyst who is target of probe went to Israel. Washington Post. Aug.29.2004.

[6] Declaration to the New York Times. Aug.29, 2004. Steven Erlanger. Israel Denies Spying Against U.S.


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"Of course, the United States of America is the closest friend to Israel"

Israel dosen't have friends. It has either pawns or enemies.



May Odin and Thor be with all the Folk.

[cyte](#)
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True. Israel is a bunch of global suicide-killers.

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