Review of the Year
UNITED STATES
United States

National Affairs

With the countdown to a new millennium under way, 1999 began as a year of uncertainty for the United States and for its Jewish community, notwithstanding unprecedented national prosperity and the absence of any imminent threats to national security. Attention focused on the spectacle of a president of the United States facing an impeachment trial in the Senate, and no one knew what impact this would have on the domestic agenda, international concerns, and the next round of elections.

Long before year's end, however, the situation had changed markedly. Following President Clinton's acquittal there was stunningly little discussion of the impeachment, as forces in both major parties sought, for their own reasons, to direct the nation's attention to other matters. And there was, indeed, much else to which to attend, as far as the Jewish community was concerned. A range of domestic congressional initiatives — such as measures affecting religious liberty, immigration, and hate crimes — were on the Jewish agenda, as was the proposal for a substantial foreign-aid package to sustain and promote a reviving Middle East peace process. 1999 was also a year of paradox when, despite the undoubted acceptance of Jews by the larger society, dread news broke time and again of attacks on Jews and other minorities by haters on the fringes of society. And, in a reminder of the darkest days of the Jewish people, it seemed that every day brought further developments in the tortuous negotiations to obtain reparations on behalf of Holocaust survivors and their heirs.

The Political Arena

The Clinton Administration

As 1999 began, the Senate had to deal with the hot potato that had been dumped in its lap when the House of Representatives voted, in December 1998, to impeach President Clinton. Although the most likely eventuality was a Senate trial that could remove the president from office — the first such trial in over 130 years — there were those who sought to forestall it. Among them were leaders of
the Reform movement’s Central Conference of American Rabbis (CCAR) and the Conservative movement’s Rabbinical Assembly (RA), who wrote to the Senate urging that it censure the president but not hold a trial.

As the trial neared with little chance that the necessary two-thirds of the Senate could be mustered to remove the president, many wondered what the entire process portended for the remainder of the 106th Congress. Some Jewish leaders feared a breakdown of bipartisan cooperation after a partisan and contentious trial, preventing progress on a range of issues that many in the Jewish community were promoting. “It’s going to be harder to get legislators’ attention for the progressive side of our agenda because there’s a lot of background noise from impeachment,” commented Michael Lieberman, Washington counsel for the Anti-Defamation League (ADL), “there’s a lot of ill will and there’s a lot of people who almost immediately will begin to think about the 2000 election.” Others speculated that the trial might actually encourage compromise and conciliation. “You have two major trends coming together,” said Rabbi David Saperstein, director of the Reform movement’s Religious Action Center. “The president wants to leave a legacy of significant positive change for America and the world, and the Republican leadership knows the worst thing that can happen is to be perceived as a do-nothing Congress.”

When the votes were taken, all ten Jewish Democratic senators stood with their party for acquittal on both the perjury and obstruction-of-justice charges. Nevertheless, earlier in the proceeding Senator Russell Feingold, a Jewish lawmaker from Wisconsin, was the only Democrat to vote with the Republican majority. He did so twice, first in opposing an unsuccessful motion to dismiss the charges without trial, and then in supporting the taking of testimony from three witnesses called by the House impeachment managers. In contrast to the Democrats, several Republicans did break party ranks by voting for acquittal on both charges, including the sole Jewish Republican, Arlen Specter of Pennsylvania. But Senator Specter put his own unique spin on the matter by pronouncing, as he cast his vote, that his verdict was “not proved, therefore not guilty.” The senator earlier explained that he would be voting in this fashion in accordance with Scottish judicial practice, which allows this alternative verdict. After acquittal, another Jewish senator, Dianne Feinstein (D., Cal.), sought to bring up a resolution censuring the president, for which she had gathered 38 signatures, only to be forestalled by a parliamentary maneuver by Senator Phil Gramm (R., Tex.).

Once the proceedings were over Jewish lobbyists expressed the hope for bipartisan cooperation on a range of issues. But some Jewish observers could not resist criticizing the nature of the investigation conducted by special prosecutor Kenneth Starr and the impeachment process to which it had led. Rabbi Paul Menitoff, executive vice president of the CCAR, called Starr’s methods “McCarthyesque.” Rabbi Harold Schulweis of Encino, California, charging that the House managers seemed to have presented their case in a fashion calculated to
shame the president, noted that, in Jewish tradition, "to shame somebody in public is considered as if you had shed his blood."

Some two months later, with the impeachment proceedings behind him, President Clinton was the featured speaker as some 700 people, representing the entire religious and political spectrum of Washington, gathered to salute Rabbi Saperstein as he marked 25 years as director of the Religious Action Center. President Clinton praised Saperstein for his dedication to religious liberty and social justice, and for his ability to turn words into action.

Presidential Politics

January 1999 was not too soon for issues relating to the 2000 elections. Responding to the concerns of Jewish communities in western states about plans to schedule eight presidential primaries for the Jewish Sabbath — Saturday, March 11, 2000 — Utah governor Michael Leavitt and Montana secretary of state Mike Cooney, the chairs of a task force responsible for organizing these primaries, recommended that they be held a day earlier. Most of the primaries were ultimately rescheduled. While Arizona's Democratic primary remained set to go forward as originally planned, opportunity was provided for early mail-in and Internet voting. Democratic presidential caucuses were scheduled for Michigan and Minnesota on that Saturday.

Issues of historical revisionism of concern to Jews became tied to the upcoming presidential campaign. In September, likely presidential hopeful Patrick Buchanan, at that point still a Republican, suggested, in his new book A Republic, Not an Empire, that Nazi Germany had presented no physical threat to the United States. Therefore, he claimed, the U.S. should not have fought Germany. He also repeated earlier criticisms of Jewish and Israeli influence on American foreign policy. Jewish groups and Holocaust historians immediately condemned Buchanan's views. Both the Republican Jewish Coalition and the National Jewish Democratic Council also joined in the condemnation, with RJC executive director Matthew Brooks commenting that Buchanan's views were "way outside the mainstream of the Republican Party." As the prospect of a Buchanan bolt to the Reform Party became more likely, contenders for the Republican nomination reacted in different ways. Texas governor George W. Bush declined to ask Buchanan to leave the party, Buchanan's views on the U.S. role in World War II notwithstanding, because, Bush explained, "I'm going to need every vote I can get among Republicans to win the election." The governor's spokesman, however, stressed that Bush disagreed strongly with Buchanan's "strange ideas" and "believes that World War II was a great and noble cause." Senator John McCain of Arizona, in contrast, called for Buchanan's ejection from the party because of his extreme views, and suggested that, in failing to take a similar position, Bush was "putting politics ahead of principle."

While clearly disappointed with Bush's response to the Buchanan issue, Jew-
ish leaders generally avoided strong criticism of Bush and concentrated on Buchanan himself. ADL national director Abraham Foxman asserted that he was troubled that so many still seemed to regard Buchanan as within the political mainstream, notwithstanding that he was “an anti-Semite, . . . a Hitler apologist, . . . a Nazi war criminal defender, an Israel basher, . . . [and] a racist on so many levels.” In October, the American Jewish Congress ran an ad in the *New York Times* calling on American leaders to reject Buchanan’s views and accusing Buchanan of becoming “the spokesman for a virulent cadre of extremists and revisionists who insist on ignoring the entire point of the 20th century’s greatest challenge to mankind.” But beginning October 25, when Buchanan announced his candidacy for the Reform Party nomination, there was little comment from Jewish communal organizations, reflecting the legal prohibitions on nonprofit organizations becoming involved in political campaigns. The next day Buchanan, on a nationally broadcast morning news program, asserted that *New York Times* columnist William Safire “has always put Israel a little ahead of his own country,” after a Safire column criticized Buchanan for his views about Jewish influence on American foreign policy.

The first debate of the election season to include all the declared Republican candidates, held in Iowa in December, ignited controversy over the role of religion in politics. Asked to name his favorite political philosopher, George W. Bush replied that it was Jesus. “I don’t know if I can explain it,” he said when asked to expand on his answer. “When you turn your heart over to Christ, it changes your life.” Two other candidates, Sen. Orrin Hatch (R., Utah), and former Family Research Council head Gary Bauer, also named Jesus in response to the same question. On the Democratic side, Vice President Al Gore made explicit reference to his religious convictions, asserting that his guide, when faced with a difficult decision, was to ask, “WWJD—What Would Jesus Do?”

### Congressional Elections

In January 1999, in response to David Duke’s announcement that he would run in the special spring election to fill the House seat vacated by Rep. Bob Livingston (R., La.), the American Jewish Congress called upon the Republican National Committee to expel the former Klansman. In March, following the RNC’s assurance to the AJCongress that steps had been taken to ensure that Duke would receive no assistance from the Republican Party, the Jewish organization pronounced itself satisfied that the party had done all it could to disavow the white supremacist. During the course of his campaign Duke published a new book, *My Awakening*, which the Jewish Telegraphic Agency characterized as “more outspokenly racist” than the positions Duke had previously asserted. Among other things, the book called for a revolution to “free” white people as “justified by the highest laws of Nature and God.” Duke was defeated in his bid for the House, coming in third in an open primary.

Throughout much of 1999, as First Lady Hillary Rodham Clinton inched
closer to a contemplated run for a U.S. Senate seat from New York, she worked
to distance herself from a statement she had made in 1998 that indicated sup-
port for a Palestinian state. Clinton now asserted that the matter should be
addressed in the final-status negotiations between the Palestinian Authority
and Israel. In a July 2 letter to the Union of Orthodox Jewish Congregations
(known as the Orthodox Union, or OU), Clinton endorsed moving the U.S.
embassy from Tel Aviv to Jerusalem, albeit at a time “sensitive to Israel’s inter-
est in achieving a secure peace with her neighbors.” She reinforced this message
later that month in speeches to Hadassah and the National Jewish Democratic
Council.

An unexpected Hillary Clinton connection to the Jewish community surfaced
in August when the Forward reported that her step-grandfather had been Jewish
and that her mother’s half-sister—“the feisty wife of a Yiddish-speaking Jewish
immigrant”—had converted to Judaism. Reflecting the common wisdom that
Jews do not vote on the basis of a candidate’s Jewish identity or lack thereof, for-
mer New York mayor Ed Koch pronounced the news “much ado about nothing.”
In fact, a compilation of polls coincidentally released the same week as the story
about Jewish relatives indicated that Mrs. Clinton was running slightly behind
New York City mayor Rudolph Giuliani, her probable Republican rival, among
Jewish voters—hardly the strong Jewish support for a Democratic candidate
that one would expect in New York.

Even as she prepared to announce her intention to run for the Senate, Mrs. Clin-
ton had to deal with fallout from her November trip to Israel and the West Bank,
in the course of which she sat by while Suha Arafat, wife of Yasir Arafat, accused
Israel of using poison gas against Palestinians. Clinton took until the next day
to condemn the remarks as “baseless” and “inflammatory.” She later defended
her initial lack of response on the grounds that she did not want to cause an “in-
ternational incident” and that the remarks had not sounded as harsh in transla-
tion as they were in the original Arabic. While Democratic colleagues defended
Clinton as “a strong supporter of a safe and secure Israel at peace with its neigh-
bors,” the Republican Jewish Coalition issued a commercial showing Clinton sit-
ting silently as the Palestinian first lady spoke, and criticizing her lack of response
that day. However Israeli prime minister Ehud Barak, during a visit to New York
soon after the incident, asserted that, as far as he was concerned, “the first lady’s
visit to Israel contributed to the peace process.”

Political-Action Organizations

In May, the National Jewish Coalition announced that it was changing its
name to the Republican Jewish Coalition, and at the same time establishing a po-
litical action committee (PAC) to direct contributions to Republican congres-
sional and presidential candidates. This restructuring followed in the footsteps
of a similar action by the National Jewish Democratic Council, which, in 1995,
had created its own PAC to provide support to Democratic candidates.
Terrorism

In October 1999, Senators Frank Lautenberg (D., N.J.) and Connie Mack (R., Fla.) introduced the Justice for Victims of Terrorism Act to help American victims of terrorism enforce court judgments against state sponsors of terrorism. This initiative grew out of the lawsuit brought by Stephen Flatow against the Iranian government for financially supporting the terrorist group that murdered his daughter, Alisa, in a 1995 bus bombing in Israel. Flatow had obtained a $247.5-million judgment against Iran under a 1996 congressional enactment, supported by the administration, allowing such suits to be filed. But the administration later switched its position, concerned that allowing execution of a judgment against diplomatic property would endanger American diplomatic property abroad and possibly prevent the U.S. from using frozen assets as a tool of foreign policy. Consequently, in 1998 the administration blocked Flatow from attaching Iranian assets frozen in the U.S. to satisfy the judgment. Congress responded that year by amending the 1996 law so as to permit frozen assets of countries to be used to satisfy judgments arising from their support of terrorism. The administration, unhappy with this action, invoked an ambiguous "national security" waiver provision authorized by the 1998 amendment so as to continue to protect the frozen assets.

The new Lautenberg-Mack bill of 1999 sought to accommodate administration concerns by permitting the president to waive enforcement of a judgment pursuant to the 1996 law, on an asset-by-asset basis. However it denied the president authority to waive enforcement of such a judgment against the real property of a foreign diplomatic mission or its assets, if the property was being used for non-diplomatic purposes—such as rental property—or if the assets were proceeds of a sale of property. But the administration immediately indicated its opposition, reiterating that, even under this new proposal, blocked assets would no longer be available as leverage in dealing with Iran and similar countries, and that U.S. diplomatic property around the world would be placed at risk.

In December, U.S. customs officials arrested Ahmed Ressam, an Algerian national with ties to Osama Bin-Laden, the wealthy Muslim extremist suspected of masterminding a number of attacks against American facilities around the world. Ressam was caught allegedly attempting to bring into the United States a rental car full of enough explosives to kill hundreds of people. This was a sobering reminder that the horrors of the waning century would not be left behind with the turning of the calendar.

Soviet Jewry, Refugees, and Immigration

On January 15 the Immigration and Naturalization Service (INS) increased the fee for filing an application for U.S. citizenship from $95 to $225. This came at a time when there was a backlog of some 1.8-million people waiting for the INS to
deal with their pending applications, including thousands of Jews from the former Soviet Union (FSU). The Council of Jewish Federations (CJF) warned that the higher cost would impose a serious financial burden on Jewish applicants.

In testimony before congressional committees in February and March, David A. Harris, executive director of the American Jewish Committee, Mark Levin, executive director of the National Conference on Soviet Jewry, and Diana Aviv, director of the CJF’s Washington Action Office, raised alarm signals about the situation of Jews and other religious minorities in the FSU. For a number of years there had been voices, even within the Jewish community, that had questioned the need for the extension of the Lautenberg Amendment, a provision that relaxed criteria for the refugee admission of Jews, Christian minorities, and some other designated groups from the FSU into the U.S. But the apparent increase of anti-Semitism there led Jewish leaders to call, in 1999, for an unprecedented two-year extension. In the end, the notion of a two-year extension found no traction in Congress. A one-year extension — through the end of September 2000 — was included without controversy in appropriations legislation.

In March, Senators Gordon Smith (R., Ore.) and Joseph Biden (D., Del.), chair and ranking member, respectively, of the Senate Foreign Relations Subcommittee on Europe, wrote Vice President Al Gore urging that, in a planned meeting with Russian prime minister Yevgeny Primakov in Washington, he make clear that the U.S. expected “a strong commitment to human rights and religious freedom” in Russia. In Moscow, on the eve of his planned trip to the meeting, the Russian premier met with officials of the ADL and the Russian Jewish Congress, taking the occasion to condemn the rise in anti-Semitic incidents in the country and to call for hate-crimes legislation. At the last moment the trip to the U.S., which was also to have included a meeting with American Jewish leaders, was cancelled, apparently because of the deepening crisis in Kosovo. Later that week the U.S. House of Representatives unanimously approved a nonbinding resolution condemning anti-Semitic statements that had recently been made in the Russian Duma.

Congress weighed in with the Russian leadership again in June — soon after attacks on several Russian synagogues — when 99 out of the 100 U.S. senators signed a letter, circulated by Senators Smith and Biden and addressed to Russian president Boris Yeltsin, warning that if Yeltsin failed to “demonstrate ... emphatic disagreement with those who espouse anti-Semitism” in his country, American economic and political support might be jeopardized. The American Jewish Committee and the National Conference on Soviet Jewry were particularly active in urging senators to sign the letter, and the AJC later reprinted the text of the letter, along with the names of all the signatories, in full-page advertisements in the New York Times and the Los Angeles Times.

The ad appeared just as President Clinton rejected Yeltsin’s request for outright repeal of the Jackson-Vanik law, which conditioned U.S.-Russia trade relations on the freedom of Jews and others to leave Russia. Although Congress had ear-
lier suspended the Jackson-Vanik sanctions in light of improvement in Russian emigration policies, the administration now stated that “the rise of anti-Semitic statements and rhetoric” in Russia showed the need for the law to remain in place.

In August, President Clinton increased the number of refugees allowed to enter the United States—90,000 for fiscal year 2000, as compared to 78,000 the prior year. Slots for refugees from the FSU were reduced, however, to 20,000, as compared to 23,000 for fiscal year 1999. Jews were expected to fill approximately 6,000 of the new slots. Leonard Glickman, executive vice president of the Hebrew Immigrant Aid Society (HIAS), praised the president’s action, but Diana Aviv, now vice president for public policy of the United Jewish Communities (UJC, the reconstituted CJF), expressed disappointment “that the refugee numbers are as low as they are,” pointing out that there had been a 40-percent drop in refugees permitted to enter the U.S. over the previous six years.

Meanwhile, HIAS and its affiliated agencies continued to grapple with the consequences of a dramatic downturn in the number of new refugees arriving in this country and requiring resettlement—some 5,000–7,000 in 1999 compared to 47,000 in 1992, the peak year for the arrival of Soviet Jews. Since federal funding for resettlement agencies—a major component of their resources—was calculated on the basis of the number of people served, the reduction in federal funding necessitated reexamination of the entire resettlement operation. HIAS convened a major conference on the subject in New York in November, where Jewish groups concerned with resettlement policy continued to grapple with the question of whether the community should increase service to non-Jewish arrivals, accept the realities of a new, more modest mission, or get out of the resettlement business entirely.

Jewish groups committed to a liberal immigration policy joined other pro-immigrant groups in a campaign that sought to take advantage of a perceived favorable trend in national attitudes toward immigrants and immigration. This “Fix ‘96” campaign—so called because it advocated rolling back provisions of the 1996 immigration and welfare reform laws—focused on a number of legislative proposals introduced in 1999. Among other things, these bills were intended to restore health and nutritional benefits to legal immigrants, provide for judicial review of decisions of the INS and immigration courts, give the attorney general authority to cancel the mandatory detention and removal requirements in the 1996 law, and limit the application of expedited review procedures for asylum seekers established in 1996. However none of these initiatives moved very far during 1999.

Jewish organizations also participated in the debates over reorganization of the INS, an agency that both advocates and opponents of immigration agreed was long overdue for reform. There were serious differences, however, about what would constitute appropriate reform. The Jewish groups, led by the CJF (and its successor agency, UJC, later in the year), opposed a proposal by Rep. Lamar Smith (R., Tex.), chairman of the House Judiciary Subcommittee on Immigra-
tion, to split the INS into separate enforcement and service bureaus. These groups feared that the creation of two separate agencies would lead to a disproportionate allocation of resources on the side of enforcement. They supported, instead, a proposal to separate the two immigration functions but to create a high-level office with clear lines of authority over both. On November 4, 1999, the immigration subcommittee adopted Chairman Smith's approach, leaving resolution of the matter in the House and action in the Senate for the next year.

Foreign Aid

Throughout the debate on federal funding levels for fiscal year 2000, Jewish organizations urged Congress to maintain funding for international programs generally, and, specifically, for Israel and its partners in the Middle East peace process. Particular focus was placed on the $1.9 billion the president requested to help implement the 1998 Wye River peace accords signed by Israel, the Palestinian Authority, and Jordan. Following King Hussein's death in February, $100 million of the $300 million requested for Jordan was funded, but the remainder — $1.2 billion for Israel, $400 million for the Palestinian Authority, and the additional $200 million for Jordan — was not included in the foreign-aid bill that Congress sent the president in October. The bill, which provided $12.6 billion in foreign-aid funding, was also $2 billion short of the president's foreign-aid request, although it did include nearly $3 billion in economic and military aid for Israel.

The foreign-aid legislation narrowly achieved final, post-conference passage (214-211 in the House and 51-49 in the Senate), largely on the basis of Republican votes, and with unprecedented opposition from all Jewish Democrats. Senator Arlen Specter of Pennsylvania and Representative Benjamin Gilman of New York, the only two Jewish Republican lawmakers, voted in favor. The American Israel Public Affairs Committee (AIPAC) nominally favored the bill since it provided aid to Israel. But, according to certain unnamed Capitol Hill aides quoted by the Jewish Telegraphic Agency on October 11, AIPAC did not lobby aggressively for the bill because Wye River funding was not included. Another concern in the Jewish community was that the foreign-aid bill was too heavily weighted toward Israel and its peace partners. "If Israel is going to exist in a stable environment then it is very important for the United States to be engaged as much as possible throughout the region and the world," said Lewis Roth, a spokesman for Americans for Peace Now.

President Clinton vetoed the bill, as expected, and Jewish groups geared up to advocate improving the package. AIPAC took advantage of a previously scheduled Washington meeting to send nearly 200 of its members to Capitol Hill to call for Wye funding. While some in the Republican leadership assured Jewish leaders that the Wye money would indeed be appropriated, if not in this foreign-aid bill then at some future time, other Republican leaders warned that appropriations for Wye would necessitate cuts in domestic spending. In the end, Con-
gress passed a $15.3-billion foreign-aid package that included the Wye funding, plus an additional $800 million for some of the administration’s key foreign-policy initiatives, as part of the year-end omnibus spending bill.

**Arab Boycott**

The U.S. Department of Commerce took action in 1999 to enforce the law prohibiting U.S. businesses from complying with conditions imposed by foreign companies that goods contain no Israeli materials. In June, the New York branch of Deutsche Bank was hit with a $5,000 civil penalty for paying a letter of credit that contained such a prohibited condition, as part of a 1998 transaction with Lebanon.

In September, Arab American and Muslim American groups, joined by the Arab League, called for a boycott of Walt Disney, Inc. Their complaint centered on a special exhibit about Israel at Disney’s EPCOT Center in Orlando, Florida, scheduled to open on October 1. These groups asserted that the exhibit—an $8-million project to which Israel was contributing $1.8 million, and which was intended to depict the history of Israel and display cutting-edge Israeli technology—portrayed Jerusalem as Israel’s capital. Israel’s Foreign Ministry, in response, asserted that the exhibit was designed to depict Jerusalem as a central site for Jews, Christians, and Muslims, although it would also reflect “the position of Jerusalem as the key component to the Israeli pavilion,” which “speaks for itself.” Disney, for its part, maintained that the pavilion was apolitical, did not portray Jerusalem as Israel’s capital, and simply told “the story of the role that Jerusalem has played throughout history.”

American Jewish groups criticized the talk of boycott, which followed hard on the heels of an earlier boycott threat by Arab American and Muslim American groups that had, in August, apparently induced Burger King to withdraw a franchise it had granted to an Israeli in the West Bank town of Ma’aleh Adumim. While acknowledging that “there is nothing illegitimate about the Arab community pressing its view of Jerusalem” even as Jewish leaders and Israelis pressed their own, Martin Raffel, director for international concerns at the Jewish Council for Public Affairs (JCPA), said that the actions directed at Burger King and Disney reminded him of “the day when Arabs used a boycott to strangle Israel.”

By the end of September both sides in the Disney dispute were declaring victory. Israel’s Foreign Ministry issued a statement claiming that visitors to the pavilion “will have no doubt that Jerusalem is and will forever remain Israel’s capital,” while Arab foreign ministers pointed to a written assurance from Disney that “the Israeli exhibit does not reference Jerusalem as the capital of Israel.” American Arab groups too, by and large, also said that Disney had accepted their position. When the exhibit opened, Israeli officials acknowledged that changes had been made in the pavilion in the wake of the protests, but that these were “minor,” not “substantive.” In his remarks at the opening reception, Eitan Ben-Tsur,
director-general of the Israeli Foreign Ministry, referred three times to "Jerusalem, the capital of Israel."

Kosovo and Turkey

In March, when President Clinton decided to participate in the NATO air strikes on Yugoslavia in response to that country's actions in Kosovo, a number of Jewish groups weighed in with their support. The JCPA pronounced the move consonant with "U.S. national interests and moral values," and many Jews concurred with the lessons President Clinton drew from the failure of the appeasement of Hitler before World War II.

Jewish groups mobilized to provide assistance to hundreds of thousands of Kosovar refugees who fled into Albania and Macedonia. Under the leadership of the American Jewish Joint Distribution Committee (JDC), they raised millions of dollars from American Jews and disbursed the funds to provide needed shelter, medicine, food, and clothing for the refugees. A leadership delegation of the American Jewish Committee—which itself, in the course of the year, raised over a million dollars for relief—traveled to Macedonia in April to view firsthand the conditions of the Kosovar Albanians living there. Others made their own distinctive contributions. The ORT joined with Albanian nongovernmental agencies to document Serbian human-rights violations, and worked with the JDC in developing a program to train refugees for jobs. The Simon Wiesenthal Center announced plans to purchase a mobile medical clinic to provide assistance to the refugees. And as it became apparent, after NATO peacekeepers came to Kosovo, that some refugees would not be able to return home, Jewish refugee resettlement organizations, including HIAS, began to focus on providing services for those Kosovar refugees who would be coming to the United States.

Jewish groups also mobilized to provide assistance to victims of an earthquake in Turkey that killed thousands, and injured and left homeless many more. The JDC organized some 40 American Jewish groups to raise relief funds, and its representative in Turkey pledged to carry out JDC's on-site relief work in cooperation with the Turkish Jewish community. The American Jewish Committee, for its part, raised more than $500,000 for earthquake relief in the two months following the calamity. In October, AJC executive director David A. Harris traveled to Adaparazi, Turkey, to inaugurate an AJC-funded school for children left homeless by the earthquake, as part of a ceremony dedicating a prefabricated village erected in less than two months by Israel. American Jewish World Service also raised funds for the village.

U.S.-Israel Relations

A Maryland murder case with international ramifications reached its conclusion in 1999. One of two suspects in the crime, 17-year-old Samuel Sheinbein, fled
to Israel in September 1997, where he claimed that his father's Israeli citizenship made him an Israeli citizen as well. Israeli law at that time clearly forbade extradition of its citizens, providing for trial in an Israeli court for crimes committed abroad. The likelihood that Sheinbein would avoid prosecution in the U.S. through this "loophole" angered many Americans, posing a threat to U.S.-Israel relations.

In 1998, however, the Israeli government addressed the problem by interpreting the law so as to allow extradition, a position that was sustained by an Israeli district court that same year. But in February 1999, the Israeli Supreme Court reversed the district court, ruling 3-2 that Sheinbein had legitimately claimed citizenship through his father and that he could not be extradited. Although U.S. officials expressed regret on hearing of this ruling, the decision was not greeted with nearly the vehemence that had accompanied the early stages of the case, when Sheinbein first fled to Israel. Thus Rep. Sonny Callahan (R., Ala.), chair of the House Appropriations Subcommittee on Foreign Appropriations—who two years earlier had threatened to cut aid to Israel if Sheinbein were not extradited—this time commented only that he was "naturally disappointed" but that he trusted "the decision will not prevent due process from taking its course." A number of officials, both American and Israeli, spoke of the need to respect the determination of an independent judiciary, and urged that the case against Sheinbein proceed so that justice could be done.

Not everybody treated the Israeli Supreme Court's decision with equanimity, however. The mother of the murder victim demanded that the United States recall its ambassador to Israel until Sheinbein was extradited, while others held protests outside the Israeli embassy in Washington. In the meantime, Israeli attorney general Elyakim Rubinstein filed a petition with his nation's Supreme Court asking for a reconsideration of its decision. That petition was denied on March 21, opening the door to Sheinbein's trial on murder charges in Israel. The next day, Sheinbein was indicted on charges of first-degree murder. In April, the Knesset enacted its own response to the Supreme Court's decision, passing a law providing that henceforth a citizen of Israel not resident in the Jewish state would be subject to extradition.

In July, Sheinbein pleaded not guilty before a Tel Aviv court, setting the stage for trial. But instead of a trial, the attorney general reached a plea bargain with Sheinbein, who would plead guilty in exchange for a 24-year prison sentence. The deal was immediately criticized by U.S. prosecutors as too lenient (Sheinbein would have been subject to a life sentence had he been convicted in Maryland) and for leaving open the possibility that Sheinbein could be paroled after serving two-thirds of his sentence. A number of Israeli officials also criticized plea bargaining in such a politically charged case. But Rubinstein maintained that the sentence Sheinbein would receive was extremely harsh by Israeli standards, and that it would ultimately be up to the courts, years down the road, to determine—based on "the criminal act and its nature, not only good behavior"—if Shein-
bein should be paroled. On October 24, the trial court approved the plea bargain and sentenced Sheinbein to the agreed-upon prison term.

**United Nations**

In the omnibus spending bill that closed out the 1999 session, Congress included a statement calling for an end to a long-standing inequity in the UN’s treatment of Israel—the Jewish state’s exclusion from membership in any of the world body’s regional groups. In order to be eligible for a seat on the Security Council and on other crucial UN committees, a state must belong to a regional group. Objections from Arab and Muslim states had kept Israel out of the Asian group, where it belonged geographically. Congress called upon the secretary of state to report to it annually on actions taken by U.S. representatives to the UN to gain Israel temporary membership in the Western Europe and Others Group (WEOG, the regional group to which the U.S. belonged).

Even as Jewish organizations urged Congress to take steps to improve the UN’s treatment of Israel, they also sought to maintain U.S. involvement in the UN, and to save America’s vote in the General Assembly by urging the U.S. to make good on its arrears to the world body. One of the last budget items settled by the administration and congressional negotiators was the authorization of $926 million in back dues to the UN. In December, the U.S. paid $151 million to the UN, $100 million of which constituted the first of three payments of those arrears.

American Jewry’s sense of grievance about the UN’s treatment of Israel was heightened when the world body set the date for its 1999 opening session on September 20, Yom Kippur. In a letter to UN secretary general Kofi Annan, Representatives Benjamin Gilman (R., N.Y.) and Samuel Gejdenson (D., Conn.), chairman and ranking member, respectively, of the House International Relations Committee, urged the world body—unsuccessfully—to change the opening date, terming the scheduling “insensitive and inappropriate.” President Clinton then announced that, because of this scheduling, he would not address the UN at its opening ceremony, a decision that was hailed by Jewish groups.

**Jonathan Pollard**

1999 began with the expectation of an early administration review of Israel’s request, conveyed and agreed to at the Wye River talks the previous October, that convicted spy Jonathan Pollard be granted a commutation of his sentence. Opponents of such a move, including senior members of the U.S. intelligence community and some 60 U.S. Senators—including the two highest-ranking members of the Senate Intelligence Committee—quickly weighed in during January, opposing Pollard’s release because, they maintained, he had done enormous harm to American national security. A number of American Jewish leaders, in the meantime, continued to urge Pollard’s release, even as others cautioned against
taking too high a profile because, in the words of American Jewish Congress executive director Phil Baum, “the more drama that’s associated with this, the worse it turns out to be for Pollard.” By March, with no action having been taken, the Conference of Presidents of Major American Jewish Organizations requested a meeting with White House counsel Charles Ruff to argue the point that Pollard had been treated more harshly than other spies in a similar situation. Conference leaders were offered, instead, the opportunity to set forth their argument in writing.

As the year ended, the administration was saying that the Pollard matter would not be resolved “imminently.” White House spokesman Joe Lockhart stated that the high-level review promised at Wye River had been completed, but that “no recommendation has gone to the president.” Earlier in the year, after his election, Prime Minister Ehud Barak had stated during a visit to Washington that he wanted “to see Pollard released,” even as he reportedly made clear to the president that Pollard’s fate would not be linked to the peace process.

ANTI-SEMITISM AND EXTREMISM

Assessing Anti-Semitism

The Anti-Defamation League’s annual audit of anti-Semitic incidents, released in March, indicated a rise in 1998, reversing a three-year decline. In 1998, 1,611 incidents were reported to the ADL, an increase of more than 2 percent from 1997. But not all kinds of offenses increased. Cases of harassment, threat or assault held steady (896 in 1998 as compared to 898 in 1997). However incidents of anti-Semitic vandalism (a category ranging from anti-Semitic graffiti and defacement, to arson, to threatened and attempted bombing) showed a 6-percent increase to a total of 715. The ADL cautioned against reading too much into the higher numbers. “Any increase is disturbing,” said Kenneth Jacobson, the organization’s assistant national director, “but it’s too early to make some definitive judgment that we’re heading into a period of constant increase.” The report itself pointed out that the total number of incidents was still below the ten-year annual average of 1,741, and substantially below the peak year of 1994, when 2,066 incidents were reported.

Other experts cautioned that the ADL audit did not provide a complete picture of the state of American anti-Semitism. Kenneth Stern, the American Jewish Committee program specialist on anti-Semitism and extremism, stated that “anti-Semitic incidents are only part of the package,” and noted that anti-government and hate groups continued to threaten “the security of Jews and the vibrancy of American democracy.” Indeed, the ADL and other Jewish organizations viewed with alarm what Rabbi Abraham Cooper, the associate dean of the Simon Wiesenthal Center, described as an “absolute explosion of hate sites
on the Internet," which meant that "the potential pool of young people" exposed to these groups was growing.

Jewish organizations took steps later in the year to document and respond to hate on the Internet. In March, the Wiesenthal Center released "Digital Hate 2000," a CD-ROM documenting 1,400 Web sites that targeted religious and ethnic groups. A special version was designed for use by law-enforcement officials and educators.

**Acts of Violence**

The nation was stunned on April 20 when two heavily armed students went on a shooting spree in Columbine High School in Littleton, Colorado, killing 12 fellow students and a teacher before killing themselves. It soon became known that the killers had been obsessed with Nazi Germany, and that other students had heard them speaking about April 20 as Adolf Hitler's birthday. The killing of one of the students, an African American, was preceded by one perpetrator's comment, "I hate niggers." Attempts to fathom what motivated the killers and whether they had subscribed to anything resembling an extremist ideology were complicated by the revelation that one of the gunmen, Dylan Klebold, was the great-grandson of a prominent Ohio Jewish philanthropist, and that while Klebold was raised as a Lutheran, his mother had been raised in a Jewish home.

Columbine, it turned out, was just the beginning. A note found at Shawnee High School in Medford, New Jersey, in May, announced: "A bomb is in the school to kill Jews." Police quickly arrested several teenagers charged with having written the note. And then, just before dawn on Friday, June 18, there were arson attacks on two Reform synagogues and an Orthodox synagogue in the Sacramento area, one of the worst anti-Semitic crime sprees in decades. Total damage was estimated at $1 million, with one synagogue—B'nai Israel, possibly the oldest synagogue west of the Mississippi River—suffering the bulk of the harm, including the destruction of a 5,000-book library and 300 videotapes on Jewish history. Federal and state law-enforcement authorities swiftly commenced an investigation, proceeding on the assumption that the timing of the attacks—at locations up to ten miles apart, all taking place within 35 minutes—meant that more than one person was involved. The arsonists left notes at two of the sites, one of which denounced the "North Atlantic Terrorist Organization" and asserted that "the fake Albanian refugee crisis was manufactured by the International Jewsmedia to justify the terrorizing, the bestial bombing of our Yugoslavia back into the dark ages."

The affected congregations found alternative sites for their Sabbath services, and their members vowed to persevere. B'nai Israel librarian Poshi Mikalson displayed a charred book at Friday evening services, promising, "from these ashes we will rise again." California governor Gray Davis termed the "despicable hate crimes" an "offense to all decent people," and the Rev. Dobrivoje Milunovic, pas-
tor of Sacramento’s Serbian Orthodox Church of the Assumption, denounced “this act of terror, this act of hate.” Within days, the California State Assembly passed a resolution condemning the attacks, and public rallies demonstrated community support. Jewish and non-Jewish organizations around the country contributed to restore the synagogues and their lost treasures. The U.S. Department of Housing and Urban Development offered low-interest loans to the synagogues pursuant to the Church Arson Prevention Act, for which many Jewish organizations had successfully advocated a few years before.

Barely two weeks after the arsons Americans were stunned by yet another violent assault, this time a shooting spree that included Jews among the victims. Benjamin Nathaniel Smith, a 21-year-old member of the white supremacist World Church of the Creator, wounded six residents of West Rogers Park, a Chicago suburb and the largest Orthodox Jewish community in the area, while they were walking to and from synagogue on Friday evening, July 2. A local rabbi pronounced it “nothing short of miraculous” that none of the Jewish victims had been killed.

But, in additional shootings by Smith that took place that weekend, other victims were not so lucky. That same evening Smith traveled to Skokie, another Chicago suburb, where he killed an African American man out for a walk with his children. Other shootings in the Chicago area and elsewhere in Illinois — Urbana and Springfield — that evening and the next resulted in an additional injury. Smith’s spree culminated in a second murder in Bloomington, Indiana, on Sunday morning, this time of a male Korean American on his way to church. Pursued by police later that day, Smith shot and killed himself.

In the days after the shootings, national attention focused on the World Church of the Creator, which law-enforcement authorities considered one of the fastest growing hate groups in the country. The “church,” claiming a membership of 7,000 (observers placed the number closer to 2,000), believed that a “racial holy war” between whites and subhuman “mud people” — Jews and nonwhites — was necessary and inevitable for the survival of the “white race.” The group claimed not to condone violence, but Smith’s actions were not the first violent attacks associated with it. And, after the attacks in Illinois and Indiana, the ADL reported that World Church fliers had been found at one of the three burned Sacramento synagogues prior to the arsons.

One week later, California authorities arrested two brothers suspected of murdering a gay couple, and found in the brothers’ home an apparent “hit list” of 32 Jews who lived in the Sacramento area, mostly officials and members of the synagogues burned the previous month, whose names had appeared in press coverage of the arsons. Investigators also discovered a torn piece of paper that matched another piece of paper found at one of the burned synagogues, as well as a cache of semiautomatic weapons and hate literature, including material produced by the World Church of the Creator. The brothers were later named as suspects in the Sacramento attacks.
What Kenneth Stern of the American Jewish Committee would later call the “summer of hate” still had more surprises in store. On the morning of August 10, a gunman walked into the lobby of the North Valley Jewish Community Center and shot between 20 and 30 rounds from an automatic weapon, wounding two adults and three children, one of whom — five-year-old Benjamin Kadish — was left in extremely critical condition. Police quickly cordoned off the area and evacuated 22 children from the center to a nearby synagogue. The next day, Kadish was said to be in “serious but stable” condition, and within two weeks doctors were hopeful that, after an initial period in a wheelchair and then on crutches, Kadish would be “back 100 percent.”

Buford O’Neal Furrow, a suspect in the shootings, turned himself in to FBI officials in Las Vegas the next day, reportedly explaining that he “wanted this to be a wake-up call to America to kill Jews.” Furrow was said to have a history of mental problems and criminal assaults, and to be affiliated with a number of racist and anti-Semitic groups, including the Aryan Nations. A van he abandoned after the shooting contained additional weapons as well as a book written by an author associated with the anti-Semitic Christian Identity movement. The following week Furrow was indicted by a federal grand jury for killing a mail carrier. a Filipino American, soon after the shooting at the community center. This indictment was superseded by a later federal indictment, in December, which encompassed the attack at the community center as well. In the wake of the attack, the Jewish Community Centers Association of North America, the umbrella organization for JCCs, urged its 275 affiliates to coordinate plans with local law-enforcement authorities for upgrading security. Other Jewish organizations also took security precautions, and the UJC and the ADL made plans to work together in developing security awareness among Jewish community-relations councils.

Even as the Jewish community, local and national, coped with this latest attack, there were more anti-Semitic incidents. Over the weekend following the community-center shootings, worshipers at a Hollywood synagogue found a swastika and the words, “Jews die,” spray painted on an outside wall of their house of worship; a Palo Alto community center received threatening telephone calls praising the most recent shootings; and — at the other end of the country — a synagogue in Hauppauge, New York, was damaged in an arson that police investigated as a hate crime. Before the end of August, San Jose police arrested three suspects for throwing a Molotov cocktail at the home of a judge they mistakenly thought to be Jewish, and swastikas and anti-Semitic graffiti were found on the wall of a building in San Francisco that housed the offices of the Jewish Family Children’s Services. Then, on November 30, a Molotov cocktail was tossed at a synagogue in Reno, Nevada, but fell to the ground outside when the window that it hit did not break. Police later arrested several white supremacists suspected in the attack.

The shootings at the Jewish community center stimulated renewed calls by many Jewish groups and other Americans for stronger gun-control laws. President Clinton termed the attack “another senseless act of gun violence” that “calls
on all of us not only to give our thoughts and prayers to the victims and their families, but to intensify our resolve to make America a safe place.” The following Sunday, more than 1,000 people of various faiths and colors gathered at a “Community Unity Rally” in Los Angeles to honor the victims and the rescue workers. Attorney General Janet Reno and Governor Gray Davis were among the speakers. But when Congress returned from its summer recess there was little indication that new gun-control measures were in the offing, even against the backdrop of the summer’s violence (which included other incidents besides those described above). The American Jewish Congress held a Capitol Hill press conference in September calling for action, and announced the opening of a petition drive to obtain as many as a million signatures calling on Congress to enact gun-control legislation. Members of Congress in attendance included two Jews, Senator Dianne Feinstein (D., Cal.), and Representative Jerrold Nadler (D., N.Y.), and several rabbis blew shofars outside the Capitol as a call to action.

Holocaust Denial and Hate Speech

In March, Gary Lauck, an American neo-Nazi who had served four years in a German prison for hate crimes, was deported to the U.S. Described by German prosecutors as the largest distributor of Nazi literature and paraphernalia in their country, Lauck had been extradited to Germany on an international arrest warrant after he was arrested in Denmark while attending a neo-Nazi convention. The charges on which he was convicted — inciting racial hatred, distributing anti-Semitic material, and using banned Nazi symbols — would have been protected by the First Amendment in the U.S., but in Germany they carried criminal penalties.

Even as the Jewish community and the nation were reeling from a summer of violent acts, the Washington-area Jewish community mobilized to respond to a march of the neo-Nazi American Nationalist Party along Pennsylvania Avenue, planned for Saturday afternoon, August 7. Local chapters of the American Jewish Committee and the National Conference for Unity and Justice planned a vigil in front of the Lincoln Memorial during the march, while the ADL and other cooperating organizations asked individuals and businesses to pledge a few cents for every minute of the hate demonstration, to benefit victims of hate crimes. Some 300 marchers and 500 counterdemonstrators were expected. When the day arrived, the American Nationalist Party unexpectedly canceled the event, but the counterrally went forward anyway with hundreds appearing at Lincoln Memorial and Lafayette Park, in front of the White House, to take a stand against anti-Semitism and racism. Eleanor Holmes Norton, the District of Columbia delegate to Congress, proclaimed to the crowd: “The difference between them and us is we showed up and they couldn’t.”

A demonstration in October by members of the Church of the American Knights of the Ku Klux Klan in New York City was no more successful. It went
ahead as scheduled when a New York judge ruled that the city was obligated to allow the event, but the marchers were not permitted to wear their hoods and were denied a permit for the use of a sound truck. Only about 15 Klansmen showed up; they were met by an estimated 6,000 counterdemonstrators, seven of whom were arrested when they physically assaulted participants in the rally, giving the Klan what, in the words of one commentator, they “hope[d] for . . ., a real news story.”

**Legislative Activity**

The organized Jewish community continued its efforts to enact the Hate Crimes Prevention Act, a bill that would extend existing hate-crimes law to those victimized because of their gender, sexual orientation or disability, and would remove judicial impediments that sometimes prevented federal authorities from stepping in when local officials were unable or unwilling to investigate and prosecute. Following the bill’s introduction in both houses of Congress as a free-standing piece of legislation, the Senate passed the bill in July as an amendment to an appropriations bill. However the House-passed version of that spending bill, which followed in August, did not include the hate-crimes provision. Despite a determined effort by House and Senate supporters to retain the language, conferees dropped hate crimes from the final version. The president vetoed the bill, in part because of this omission.

Following the veto, President Clinton continued to press for inclusion of the hate-crimes provision in the omnibus appropriations bill that would close out the 1999 session. In October, the president told the ADL’s national commission meeting: “We need to stand against manifestations of our inhumanity and we need to do more to reaffirm our common humanity.” Earlier that month, Republican supporters of the bill, Senators Jim Jeffords (Ver.) and Gordon Smith (Ore.), and Representative Mark Foley (Fla.), held a press conference—joined by the family of a hate-crime victim—at which they issued a similar call for action. But as the year ended, the omnibus bill was enacted without mention of hate crimes.

**Claims of Discrimination**

In February, federal judge Alan Gold, sitting in Florida, accorded class-action status to a lawsuit alleging that Avis Rent-a-Car had discriminated against Jews. Originally filed in 1997, the suit asserted that Avis employees had been directed to avoid renting to “yeshivas,” apparently a code word for corporate applicants calling from areas with heavily Jewish populations, or callers with Jewish-sounding names or accents. In his decision, Judge Gold found that testimony from former Avis employees demonstrated that “Avis employed a ‘yeshiva’ policy” that turned “thousands of potential customers” away. Avis officials asserted that the company had a strict policy against discrimination, and that the use of the
“yeshiva” term was simply a shorthand for identifying students who, the company believed, sought corporate accounts for their yeshivas so as to circumvent age restrictions.

Discrimination was also alleged against the CIA. In April, with negotiations for a settlement at an apparent standstill, Adam Ciralsky, a Jewish attorney on forced leave from the CIA, announced through his lawyer that he planned to sue the agency for discriminating against him on the basis of his religion. In October 1997 he had been placed on leave without pay after he failed a lie-detector test that he was apparently asked to take because his family gave money to the United Jewish Appeal and Israel Bonds, and because he himself had maintained contacts with Israelis. Ciralsky’s attorney, Neal Sher, former head of the Justice Department’s Office of Special Investigations and former executive director of AIPAC, asserted, “There’s a dirty little secret within America’s security apparatus. Jews who support Israel are held to a different standard.” He pointed to a series of internal CIA documents that focused on Ciralsky’s Jewish background and to the problems two other Jewish government employees had experienced in obtaining security clearances. When the matter became public, the CIA denied that there was any anti-Semitism at the agency, with former director John Deutch weighing in to note his own Jewish background. Soon thereafter George Tenet, the current director, acknowledged that agency memos referring to Ciralsky did include “insensitive, unprofessional and highly inappropriate” language but, in a letter to the ADL, Tenet asserted that a panel had found that there was no anti-Semitism at the CIA.

INTERGROUP RELATIONS

African Americans

On January 18—Martin Luther King Day—the New York-based Foundation for Ethnic Understanding, headed by Rabbi Marc Schneier, launched a Web site with links to the sites of other organizations that supported dialogue between African Americans and American Jews. The site also provided access to the foundation’s annual reports on the state of black-Jewish relations, and related materials. In October, the foundation joined with the World Jewish Congress to cosponsor its third annual conference on black-Jewish relations, held at Yeshiva University’s Wurzweiler School of Social Work. The Rev. Jesse Jackson, the keynoter, pronounced black-Jewish relations to be “better than ever,” but he also noted that “we still have unfinished business.” The conference focused on the need for greater economic cooperation between the two communities in the 21st century. Jackson’s largely positive assessment of black-Jewish relations was supported by the foundation’s third annual report, which indicated increased interaction between the two communities at the grassroots level. Rabbi Schneier announced the formation of a black-Jewish task force to identify business and
community leaders in the New York area who might assist in the development of mentoring programs, economic initiatives, and peer-support networks for the African American community.

The Jewish community also turned to Jackson for assistance in securing the release of 13 Iranian Jews held by their government on charges of spying for Israel, allegations denied by Israel. Jackson was joined by Ronald Lauder, chairman of the Conference of Presidents of Major American Jewish Organizations, and other Jewish leaders at a New York press conference in June, at which Jackson discussed efforts he had already made on behalf of the captives, as well as the possibility of flying to Tehran himself. The outreach to Jackson and his enthusiastic agreement to take on this mission underlined the improvement in relations between Jackson and the American Jewish community since the late 1970s. But as the year ended, Iran had not yet issued Jackson a visa, and the Iranian Jews were still in prison.

On March 2, a Florida jury convicted the Rev. Henry Lyons, president of the National Baptist Convention, on charges of racketeering and grand theft for his misuse of a $244,500 donation by the ADL in 1996 for the rebuilding of burned black churches. After the matter came to light, the missing money had been returned to the ADL and then redistributed to churches in need.

An "outrageous insult" was what Abraham Foxman, ADL national director, called CNN's use of Nation of Islam head Louis Farrakhan as one of a series of spokesmen against racism. Foxman termed Farrakhan "one of the nation's most notorious racists" and called on CNN to stop using this "outrageously inappropriate segment." Later in the year, as if to prove Foxman right, Farrakhan met with leaders of Neturei Karta, the militantly anti-Zionist ultra-Orthodox sect, joining with them in condemning the "Zionist-controlled media" and the "Zionist lobby."

Arabs and Muslims

Conflicts over particular Arab Americans holding or appointed to sensitive government positions underlined the problematic nature of Arab-Jewish relations in the United States. One conflict arose in April, when the Zionist Organization of America released two letters written in 1998 by Joseph Zogby, son of Arab American Institute president James Zogby, accusing Israel of acting like a "colonizer" and of "genocidal treatment" of the Palestinians. The letters had been written before the younger Zogby came to work as a special assistant to Martin Indyk, assistant secretary of state for Near Eastern affairs. While expressing support for Zogby, Indyk nevertheless asserted that the views expressed in the letters were "distasteful and distressing" and "not acceptable to me or this administration." In May, several weeks after this issue came to light, it was announced that Zogby was leaving the State Department to take a position in the civil rights division of the Justice Department.

Following the announcement of Zogby's decision, 11 Arab American and Mus-
American groups launched a campaign to address what they termed an “imbalance” of American Jews working in the State Department, including some half-dozen American Jews in senior foreign-policy positions. Acknowledging that “it is not an issue we feel comfortable in raising,” James Zogby nevertheless argued the need to redress an “imbalance that exists” and to respond to a situation “where it appears that Arab Americans are excluded from policy positions in the administration.” ADL national director Abraham Foxman termed this effort to base government hiring decisions on ethnic background “crude anti-Semitism” because it was premised on a view of “all Jewish Americans in the State Department as not representative of America but of the Jewish community.”

The Zogby controversy paled in comparison to the stir raised in June, when House minority leader Richard Gephardt (D., Mo.) appointed Salam Al-Marayati, head of the Los Angeles-based Muslim Public Affairs Council, to serve on the newly created National Commission on Terrorism. The 1998 legislation that created the ten-member commission, some of whose members would be chosen by the president and others by various leaders of Congress, charged it with making recommendations on national counterterrorism policy. Jewish groups immediately attacked Al-Marayati’s nomination, asserting that the Muslim leader had made statements inconsistent with the mission of the commission. He had, they said, justified or condoned terrorism, as in his assertion on his organization’s Web site that it was Israel’s prime minister who bore “the brunt of responsibility for a Hamas suicide attack.” Jewish groups pointed, as well, to Al-Marayati’s statements equating the actions of Islamic fundamentalists with America’s Revolutionary War, and his support for a renewed Arab economic boycott against Israel. Malcolm Hoenlein, executive vice chairman of the Conference of Presidents, warned that Al-Marayati’s presence on the commission would raise questions as to whether “the commission will be able to function, whether people will be able to feel free to talk in his presence, after taking the kinds of positions he has taken.” For his part, Al-Marayati rejected the criticism, maintaining that “Islam has no room for terrorism” and that his organization had “been on record as condemning terrorism.”

In a move applauded by several Jewish groups, Gephardt withdrew the appointment of Al-Marayati in July, citing the long time it would have taken the nominee to obtain a security clearance. Arab and Muslim leaders responded angrily, describing Al-Marayati as a “moderate” and asserting that American Jewish leaders were engaged in a “witch hunt” to prevent Arabs and Muslims from holding policy-making positions. Khalil Jahshan, president of the National Association of Arab Americans, felt that the opposition to Al-Marayati’s appointment had done “significant damage” to Jewish-Arab relations at a time when there was already “very little trust” between the two communities. But David A. Harris, executive director of the American Jewish Committee, rejected any suggestion that the Jewish community’s reaction had been cast in “an anti-Muslim, anti-
Arab framework." While reaffirming the Jewish community's commitment to dialogue with Muslims and Arabs, Harris stressed that the battle against terrorism would not be sacrificed for its sake.

But not everyone in the Jewish community agreed. A number of Jewish leaders in Los Angeles, who had worked with Al-Marayati locally and had developed a relationship with him, condemned the steps taken by the national Jewish organizations to keep him off the commission. Leonard Beerman, rabbi emeritus of Leo Baeck Temple in Los Angeles, termed the opposition to Al-Marayati's appointment "an appalling display of ignorance, mindlessness and arrogance."

A further demonstration of the division in the Jewish community came in December, when some two-dozen Muslim and Jewish leaders from the Los Angeles area agreed on a code of ethics denouncing terrorism and hate crimes, promoting civil dialogue, and urging an end to stereotyping and incitement. At a well-covered press conference, the signatories hailed the agreement as the beginning of a new era in intergroup relations. For the most part, however, the national Jewish organizations kept their distance, and some, such as the American Jewish Committee, were openly critical. While noting that the local AJC chapter was engaged in dialogue with Muslim groups, Rabbi Gary Greenebaum, AJC regional director for Los Angeles, said of two of the Muslim leaders who signed the agreement (one was Al-Marayati), "They keep rationalizing terrorism and I have a problem with that, as should all Jews." AJC executive director David Harris criticized the Los Angeles initiative as one "largely borne by naivété" that ignored the "long-term implications on the national scene."

A modicum of consensus emerged between the Arab American and American Jewish communities, however, with Rep. Gephardt's appointment of Juliette Kayyam to the commission seat that Al-Marayati would have occupied. Kayyam, an Arab American of Lebanese Christian descent, came to the commission from service in the Justice Department's civil rights division, in the course of which she had worked on policy issues relating to antiterrorism. The appointment was hailed by Jewish and Arab groups alike, all sides agreeing with James Zogby's assessment of Kayyam as "a very competent and sensitive civil rights attorney who brings that perspective to her work." Zogby, however, continued to assert that the Jewish community had "behaved very badly."

In September, the ADL reached a final settlement with Arab American and other ethnic groups in a class-action lawsuit that had dragged on for six years. The groups had accused the ADL of illegally obtaining information on them and their members. While continuing to deny any wrongdoing, saying that it had engaged only in lawful monitoring, the ADL agreed to purge certain sensitive information, such as criminal arrest records and social security numbers, from records maintained about the plaintiffs. The settlement also called for the ADL to pay $175,000 to the plaintiff groups to cover their legal fees, and to contribute $25,000 to a community-relations fund.
In June, the American Jewish Congress and a number of Arab American groups joined to denounce an article published in an online Christian magazine in which an aide to the Senate Republican Policy Committee called Islam “a giant Christian-killing machine” and made light of Muslim beliefs about the afterlife.

Imam W. Deen Muhammad, the son of the founder of the Nation of Islam—who long ago rejected his father’s black-separatist beliefs—attended Friday night services at Temple Israel of Greater Miami in June. He told the congregation that he felt “very much at home in soul with you,” and Rabbi Jeffrey Kahn expressed hope for a continuing and “very special relationship between Jews and Muslims in the community.”

**Catholics**

Pope John Paul II’s continuing efforts to reach out to the Jewish community were evident in the program organized for his brief visit to St. Louis at the end of January: Rabbi Robert Jacobs, the 90-year-old executive vice president of the St. Louis Rabbinical Association, read a passage from the Book of Isaiah at a prayer service held by the pontiff. The pope’s commitment to Catholic-Jewish relations was further underlined when, on April 13, Holocaust Remembrance Day, a four-foot-tall menorah commemorating the Holocaust was placed, on a permanent basis, in the gardens of a seminary in Rome, located outside of St. Peter’s and belonging to the Vatican. Senior Roman Catholic and American Jewish religious leaders attended the event, which Edward Cardinal Cassidy, president of the Pontifical Commission for Religious Dialogue with the Jews, hailed as a “milestone.”

To be sure, this ceremony had another subtext. Cardinal Cassidy had stirred controversy with his remarks, delivered at a February conference in Baltimore, that the “aggressive” anti-Church attitudes of some Jewish organizations posed a threat to Jewish-Catholic relations. In his Holocaust Remembrance Day speech in Rome, the Cardinal acknowledged that his earlier remarks had been interpreted by some as angry, but asserted that this was not what he had meant. Rather, he was seeking only to express “concern about anything that takes us backwards, concern at the insensitivity that some organizations have.”

Another noteworthy chapter in Jewish-Catholic relations took place in September. With Yom Kippur, the most solemn day in the Jewish calendar, approaching, John Cardinal O’Connor of New York wrote a letter to Jewish friends apologizing for centuries of Catholic anti-Semitism. “I ask this Yom Kippur,” he wrote, “that you understand my own abject sorrow for any member of the Catholic Church, high or low, who may have harmed you or your forebears in any way.” Nobel laureate and Holocaust survivor Elie Wiesel and other Jewish leaders were so moved by the letter that they published it as a full-page ad in the *New York Times* on Sunday, September 8.

Rapprochement between the Church and the Jewish community continued to
be hampered by differences over the role of Pope Pius XII during the Holocaust, especially as the Vatican moved forward with its consideration of Pius XII for sainthood. Jewish groups pointed to recently released documents showing that the Vatican’s representative in Washington had cautioned President Franklin Roosevelt against the creation of a homeland for the “Hebrew Race” in Palestine, and contrasted this advocacy in opposition to Jewish interests with the pope’s failure to advocate action to stop the Nazi persecution of Jews. “If only he had spoken with such clarity when it came to rescuing European Jewry,” said Rabbi Marvin Hier, dean of the Simon Wiesenthal Center.

The controversy escalated with the publication in September of Hitler’s Pope: The Secret History of Pius XII, by John Cornwell, which claimed that Pius’s inaction reflected anti-Semitic attitudes, and that the pope had even helped facilitate Hitler’s rise to power. Cornwell, himself a practicing Catholic, asserted that he had begun the work intending to defend Pius’s wartime actions but that as he delved into “secret material” in the Vatican archives, he came to the conclusion that the pope’s record could not be defended. Catholic scholars and advocates denounced the book as bad scholarship. But Richard Heideman, president of B’nai B’rith International, asserted that the book “reinforces our position that the Vatican needs to open its Holocaust-era archives to independent historians and journalists so that controversy over Pius XII’s wartime actions can be dealt with fully.” In October, the Rev. Pierre Blet, a senior Vatican historian, held a news conference to reject, on behalf of the Holy See, Cornwell’s charges. Pius XII “helped the Jews,” said Blet, and his public silence “was the cover for a secret activity through Vatican embassies and bishoprics to try to stop the deportations,” which helped to save hundreds of thousands of lives.

In October, the Vatican and Jewish leaders formally agreed that a team of Jewish and Catholic scholars would review published material from Vatican archives relating to the Church’s role during World War II. While this did not open the wartime archives themselves to outside researchers as Jewish groups had long demanded, Seymour Reich, chairman of the International Jewish Committee on Interreligious Consultations (IJCIC), termed the agreement “a useful first step in resolving the matter of the Vatican’s role during World War II.”

As the year ended, in a move applauded by many in the Jewish community, Pope John Paul II recognized the “heroic virtues” of Pope John XXIII, a predecessor hailed by the Jewish community for his role in opening Catholic-Jewish dialogue and setting the stage for Vatican Council II’s revolutionary statement on the Jews. This action by the current pope constituted a formal step toward the beatification of Pope John in the year 2000.

Even as the Jewish and Catholic communities concluded a year filled with both positive developments and continuing tensions, the two faith groups found common ground on a pressing political goal. In December, Jewish and Catholic leaders, under the framework of the National Jewish/Catholic Coalition, launched a campaign at the national, state, and local levels to abolish the death penalty.
Evangelical Christians

Several incidents during 1999 illustrated the strains in Jewish-evangelical relations. The first occurred in January, when the Rev. Jerry Falwell shocked Jews—and many others—when he stated that the Antichrist would be a Jewish male who was probably already alive. Jewish organizations immediately denounced his remarks as anti-Semitic, with the potential to set back whatever progress had been made in Jewish-evangelical dialogue. Further, the American Jewish Congress asserted in a statement, Falwell’s remarks would “have an inevitably incendiary and degrading effect on Christian attitudes toward Jews.” Falwell initially asserted that his statement was not intended to be anti-Semitic, but was grounded in the view that the Antichrist must be Jewish because Jesus himself was a Jew. Later, he apologized for having made the statement at all.

Another flash point occurred in September, when the Southern Baptist International Mission Board distributed a prayer guide calling on Baptists to pray for Jews to convert to Christianity during the upcoming High Holy Days. Rabbi A. James Rudin, director of interreligious affairs for the American Jewish Committee, criticized the timing of this prayer as “particularly offensive” and added, “it’s not going to work.” Don Kammerdiener, executive vice president of the Mission Board, defended the prayer guide as following the Bible’s direction to share “the gospel with the Jews.” This response was intensely unsatisfactory to the Jewish community, even to those Jews who were most committed to dialogue with evangelicals. In December, Rabbi Yechiel Eckstein, president of the International Fellowship of Christians and Jews, called for a break in relations with the Mission Board’s parent organization, the Southern Baptist Convention. Although his organization had been founded for the express purpose of building bridges between American Jews and evangelical Christians, Eckstein asserted that the prayer guide had “crossed the line.”

This tension notwithstanding, evangelical Christians could not simply be dismissed as hostile to Jewish interests. In fact, on the Jewish community’s primary concerns, the evangelicals continued to present a mirror image of the positions taken by the mainline Protestant churches. Thus while evangelical Christians generally disagreed with much of the Jewish community on such domestic concerns as church-state separation and social policy, they firmly supported Israel. By one estimate, evangelical Christians donated approximately $10 million to American Jewish philanthropies during 1999 to support Jewish immigration to Israel. The International Fellowship of Christians and Jews, which collected more than $20 million over five years to help resettle Jews in Israel, estimated that 95 percent of its 130,000 donors were Christians.

This strong evangelical support for Israel was evident when Representative Steve Largent (R., Okla.) invited Palestinian Authority chairman Yasir Arafat to the annual national prayer breakfast at the White House on February 4. “It is an ill-informed, bad decision to invite a known terrorist, a murderer of Jews and
Christians, and Americans, to participate in a public exercise of faith here in the nation's capital,” said Jeffrey Taylor, director of government relations for the Christian Coalition. Largent, whose record was pro-Israel and whose constituency was heavily evangelical, sought to distance himself from the invitation, saying that he had not been aware of every name on the list. In his remarks at the breakfast, Largent ignored Arafat’s presence. Ironically and in striking contrast, President Clinton and Senator Joseph Lieberman (D., Conn.)—also regarded as strong friends of the Jewish state—specifically welcomed the Palestinian leader.

The imminent turn of the millennium highlighted the ambivalent relationship between evangelicals and Jews. Richard Landes, director of Boston University’s Center for Millennial Studies, observed that never before in history had so many Christians and Jews worked together—and yet many Jews were uneasy about the future. “During apocalyptic times, Christians have a tendency to be philo-Semitic,” Landes commented. “They believe that if they love Jews, they will convert.” But if the millennium should come and go without the conversion of the Jews and without the arrival of the apocalypse, he wondered, would there be a new wave of anti-Semitism?

**CHURCH-STATE MATTERS**

**The Courts**

The ongoing question of whether it is constitutional to use government-funded vouchers to support student attendance at religious schools remained unresolved in 1999. In April, the Maine Supreme Court upheld a lower court’s ruling that parents had no right to compel the state to provide them with vouchers to send their children to a parochial school when the state did provide vouchers, under certain circumstances, for children who attended secular schools. The Orthodox Union asserted that this ruling discriminated “against parents who wish to send their children to religious schools.” In October, the U.S. Supreme Court declined to accept the Maine case for review, leaving the decision in place. In December, the Supreme Court declined to take an appeal from a similar decision of the Vermont Supreme Court.

Ohio’s high court also weighed in on this issue when, at the end of May, it struck down a Cleveland voucher program on a technicality. The ruling explicitly stated, however, that Cleveland’s program providing taxpayer-funded scholarships for low-income students, usable toward private- and parochial-school tuition, did not violate the constitutional principle of separation of church and state. This left the door open for the city of Cleveland—or the state legislature—to try again. David Zwiebel, general counsel and director of government affairs of Agudath Israel of America, hailed the clarification that “this is not unconstitutional.” And he suggested that as more courts followed suit (Wisconsin’s high court had up-
held Milwaukee's voucher programs the year before), "we'll be able to hone in on the public policy issues, which is really the debate that should be taking place."

However Marc Stern, codirector of the American Jewish Congress's legal department, termed the Ohio ruling a "disappointment."

Within weeks of the Ohio ruling, the state's legislature reenacted the identical program, but drafted so as to avoid the technical problem that the state high court had found. But the constitutionality of the Cleveland program was placed in question once again in August, when a federal judge issued a preliminary ruling indicating that he was likely to rule that the arrangement violated church-state separation—and therefore no new students would be permitted to enroll in the program, pending his final decision. In November, the U.S. Supreme Court voted 5-4 to stay the lower court's order, thus allowing the program to accept new students. As the year ended, however, the lower court issued a final ruling that the program violated the Constitution, in part because it failed to ensure that state funding went only to secular educational functions. Nevertheless, pursuant to an agreement of the parties, the program would continue operating pending further appellate review.

Opponents of vouchers had at least one other victory as well. Another federal appellate court, declining to follow the path staked out by the Wisconsin and Ohio state high courts, struck down as unconstitutional a Maine program that reimbursed students who attended private or parochial schools because their towns did not have public schools. In line with its actions in respect to other state court rulings, the U.S. Supreme Court declined to review this case.

The ongoing story of Kiryas Joel finally appeared to reach the end of the road in May 1999. New York State's Court of Appeals, the state's highest court, voted 4-3 to strike down as unconstitutional—for the third time—an effort by the state legislature to create a special school district encompassing this suburban village comprised entirely of Satmar Hassidim. The state had sought to enable students residing in Kiryas Joel to receive publicly financed remedial instruction without having to go to schools outside the village. This plan, the court's majority pronounced, had "the primary effect of advancing one religion over others and constitutes an impermissible religious accommodation." The dissenters on the court argued that the state legislature had, at long last, cured the constitutional flaws that had caused the first two plans to be struck down. Marc Stern of the American Jewish Congress—one of the organizations that had challenged the plan—suggested that a 1997 Supreme Court decision allowing public-school teachers to enter religious schools to give certain secular remedial classes provided the means to meet the students' needs without creating a separate school district for the Hassidic community. In June, the U.S. Supreme Court granted a temporary stay of the latest Kiryas Joel decision, which allowed the school district to continue to function while the high court determined whether to hear an appeal. But in October, the high court declined to accept the case for review.

While the Supreme Court declined to address the question of vouchers, it did
hear one case that had potential ramifications for the public funding of religious education. In December, the high court heard arguments in a lawsuit challenging the arrangement under which a Catholic school in Louisiana was allowed to receive federally funded computers, software, and library books for use in the secular-studies portion of the school day. The Clinton administration defended the practice, asserting that there were sufficient safeguards to insure that these materials were not used for religious instruction.

Jewish reaction reflected the usual communal divisions. Many of the Jewish organizations argued that the program was unconstitutional because, among other things, it relied on the teachers in religious schools to be "guardians of the separation between church and government." But Orthodox groups argued that the practice was consistent with earlier court precedents. What both sides could agree on was that the applicable law was, at best, muddled. The year ended without a decision by the court. While the case had the potential to open—or close—the door to vouchers, it was just as likely that the court would rule narrowly, dealing only with the issue at hand.

On another church-state matter, the high court agreed in November to consider an appeal from the decision of a federal appellate court that prohibited a Texas public high school from allowing student-led prayers at football games. Observers believed that a decision in this case would probably have implications for the constitutionality of prayers at graduation ceremonies.

The usual alliance between "separationist" Jewish groups and the American Civil Liberties Union came undone in August when the ACLU filed a lawsuit to bar a suburban Cincinnati school district from closing on Yom Kippur. The ACLU, bringing the suit on behalf of Muslim and Hindu parents, asserted that the decision to close was "expressly favoring" Judaism. School officials, however, said that closing on that day was "a simple matter of numbers," based on the expected large number of absences. Joel Ratner, regional director of the ADL, defended the school district's decision, saying that the policy "cannot properly be interpreted as promoting or endorsing religion."

Legislative Activity

In September, Representative Ernest Istook (R., Okla.) once again introduced the so-called "Religious Freedom" Amendment that, on a House vote in 1998, fell well short of the two-thirds majority required for passage. Istook's proposal, among other things, would have opened the way for prayer in classrooms and at graduations, and allowed religious symbols on government property. Most observers agreed that the initiative had virtually no chance of passage by a Congress which, after the 1998 elections, was operating with an even narrower Republican majority than the year before. Nevertheless, Jewish organizations—joined by a wide array of other religious and civil-liberties groups—lost no time in denouncing the amendment as, in the words of Rabbi David Saperstein of the
Religious Action Center of Reform Judaism, “unnecessary, divisive and dangerous.” Istook’s amendment went nowhere during 1999.

There were a number of congressional initiatives during the year to allow the use of tax dollars to support parochial and other private schools, often through the use of vouchers. The issue generally arose within the context of congressional debate over the nation’s education policy, which itself attracted increased public attention both because of the upcoming presidential election and because of the coincidental fact that the omnibus 1965 Elementary and Secondary Education Act (ESEA) was coming up for reauthorization.

Thus on several occasions during House deliberations on Title I of the ESEA, congressional leaders attempted to include “portability” or voucher programs into the bill, which would have allowed states the discretion to move public funding out of general programs for low-income and disadvantaged students and into private or religious education for certain of them. Opponents of vouchers succeeded in defeating these attempts. As a compromise, however, an amendment was adopted to permit those children served by Title I who were victims of violent crime at school or attended schools deemed unsafe by local school authorities, to transfer to alternative public schools.

The House also considered the Academic Achievement for All Act, a bill allowing states to convert education programs into broad block grants. Under the original bill, a state could have used federal funds for any educational purpose permitted by state law, possibly including the expenses of attending private or religious schools. After pressure from House Republican moderates who worried that this would undermine services to Title I students, the House leadership agreed to scale back the plan to a ten-state pilot program. This passed, generally along party lines, 213-208.

While the Senate did not reach either of these education proposals during 1999, it did adopt an amendment to the Bankruptcy Reform Act in November, offered by Senator Orrin Hatch (R., Utah), allowing local education authorities to use federal education funds to send student victims of violent crimes to public, private or religious schools. But the bill itself did not achieve final passage before the end of the year.

All of these voucher initiatives were opposed by much of the organized Jewish community as both inconsistent with church-state separation and as bad public policy. But Orthodox Jewish organizations such as the Orthodox Union and Agudath Israel strongly supported them. By year’s end, none of these bills had become law. Nor, given President Clinton’s ongoing threat to veto all such legislation, were they likely to be.

If they made little progress at the federal level, advocates of vouchers celebrated a victory when the state legislature of Florida passed a bill in late April providing for the nation’s first statewide, government-funded voucher program. Governor Jeb Bush, who had made tuition tax credits a key element of his election campaign the year before, gladly signed the bill into law. The program provided vouchers for at least $4,000 a year for students in Florida’s worst public schools
to attend private and religious schools, regardless of income or grades. Enactment of the law split the Jewish community once again along Orthodox/non-Orthodox lines. Speaking for the great bulk of the organized Jewish community both in Florida and around the country, Sam Dubbin, chairman of the Jewish community relations council in Miami, asserted that “public funding going to private schools would . . . truly undermine the public school system” and was “an inappropriate encroachment on the separation between church and state.” But the Orthodox Union hailed the governor and the legislature for “setting an example of leadership and commitment.”

The Jewish community divided along these same lines in dealing with efforts to extend to other government-funded social services the “charitable choice” provisions of the 1996 welfare reform law, which had created a framework for allowing federal funds to go to religious social-service providers. “Separationist” groups opposed the extension of “charitable choice,” arguing, among other things, that in the absence of explicit safeguards, religious providers might receive federal funds for programs that discriminate on the basis of religion in hiring, or might require beneficiaries to adhere to the practices of a certain faith as a condition of receiving the service. Supporters of “charitable choice” within the Jewish community—generally the Orthodox and politically conservative organizations—argued that it was simply a nondiscriminatory and beneficial way for religious institutions to be involved in the provision of social services.

“Charitable choice” amendments were proposed for a number of social service initiatives that Congress considered during the year, including the Juvenile Justice bill, which passed both chambers but remained stalled in conference at year’s end; the Substance Abuse Mental Health Reauthorization Act, which passed the Senate in early November by unanimous consent; and the Fathers Count Act, which passed the House, 328-93, in November. Rep. Chet Edwards (D., Tex.) sought to amend Fathers Count on the floor so as to remedy the flaws he and others saw in “charitable choice.” Though he had the support of a number of Jewish groups—and of Rep. Benjamin Cardin (D., Md.), chief Democratic sponsor of Fathers Count—the amendment went down to defeat. In May, Senator John Ashcroft (R., Mo.) reintroduced the Charitable Choice Expansion Act, which would extend “charitable choice” to all federally funded social-service programs.

“Charitable choice” became an issue in the early stages of the 2000 presidential campaign. Vice President Al Gore endorsed the “charitable choice” concept—already a mainstay of Texas governor George W. Bush’s political agenda—during an Atlanta campaign speech in May 1999, stirring criticism from Jewish groups opposed to these programs and applause from those supporting it. While stressing his continued commitment to the separation of church and state, the vice president termed “charitable choice” a “carefully tailored approach to . . . vital services where faith-based organizations can play a role.” Mark Pelavin, associate director of the Religious Action Center of Reform Judaism, worried that the vice president’s approach would constitute “an alarming alteration to the careful balance between church and state,” while the Orthodox Union, in a letter to the
vice president, claimed: “There exists an even greater potential for building a better society if faith based institutions are invited into this enterprise [of providing federally funded social services].” The National Jewish Democratic Council, which was on record in opposition to “charitable choice,” drew attention to Gore’s assurance that any program he would support would have to respect church-state separation, and asserted that this claim should “be taken at face value.”

In May, the American Jewish Committee announced that it had received a grant from the Pew Charitable Trusts to pursue—in partnership with the Feinstein Center for American Jewish History at Philadelphia’s Temple University—a two-year study of whether proponents of the rival points of view on separation of church and state could build a consensus on the role of religious institutions in the provision of social services.

Church-state issues also came up in connection with the Juvenile Justice bill, even though the shocking series of shootings in public schools and other places—most notably the killings at Columbine High School—focused much of the debate on that bill on the issue of gun control. The Senate-passed bill included an amendment permitting prayer services and the construction of religious memorials on public-school premises for any victim of gun violence on school property. The House-passed bill included amendments allowing the display of the Ten Commandments in public schools, and providing tax dollars to faith-based providers of social services to juveniles, without safeguards to prevent proselytization or religious coercion of beneficiaries. The House bill also denied attorneys’ fees to people who might successfully sue a public school for violating church-state separation. The Ten Commandments provision drew particular public attention and stirred considerable debate. Jewish lawmakers and many Jewish organizations challenged both the constitutionality of the measure and its effectiveness in dealing with school violence. “Whose Ten Commandments” will hang on the school walls, asked Rep. Jerrold Nadler (D., N.Y.), “The Catholic version? The Protestant version? Or the Jewish version?” While not addressing the church-state issue, a spokesman for the Orthodox Union stated that “from a sincere religious perspective that takes the Ten Commandments... seriously, it’s hard to see how posting [them] on a wall has much value.” At year’s end, the Juvenile Justice bill had not emerged from a House-Senate conference.

“Free-Exercise” Developments

The Jewish community and the U.S. Congress continued to wrestle with the fallout from a pair of Supreme Court decisions, the first, in 1990, that weakened constitutional protections of the free exercise of religion, and the second, in 1997, that struck down a 1993 federal law intended to restore those protections. That law, the Religious Freedom Restoration Act (RFRA), stated that government at all levels—federal, state, and local—had to demonstrate a compelling interest if it enacted a law or regulation that substantially burdened an individual’s free exercise of religion. In its 1997 decision, however, the high court ruled that this law
infringed on states’ prerogatives, thus leaving in place the previous understanding that only a “reasonable” basis was needed for a state to enact legislation requiring individuals to violate their religious beliefs.

Immediately following the Supreme Court’s decision, the politically and religiously diverse coalition that had come together in the early 1990s to secure passage of RFRA reconvened to draft and promote new legislation that might survive the high court’s scrutiny. The drafting process, which stretched out over several months, resulted in the 1998 Religious Liberty Protection Act (RLPA), a bill drawn more narrowly than RFRA.

Early in 1999, RLPA was reintroduced in the House, and it passed 306-118 in July. But the debate in the House gave evidence of a fissure in the bipartisan support that had earlier mobilized behind RFRA. Most Republicans supported RLPA without exceptions, but most Democrats favoring a failed substitute, introduced by Representative Jerrold Nadler (D., N.Y.), that would have largely excluded state and local civil-rights laws from RLPA’s purview. Representative Nadler, an original sponsor of RLPA, proposed this substitute because of claims by civil-rights and gay-rights groups that RLPA might undermine anti-discrimination laws by creating exceptions on religious grounds. All of the Jewish members of the House voted for Nadler’s amendment. The vote on final passage, however, found Republicans and Democrats on both sides. Jewish members split on this last vote, with a majority voting “no” because the civil-rights concerns had not been resolved.

The House’s division on the Nadler amendment signaled an uphill battle for RLPA in the Senate. Senate Judiciary Committee chairman Orrin Hatch (R, Utah), a one-time sponsor of RFRA, was expected to introduce a Senate version of the bill. But this prospect stalled when some members of the RLPA coalition withdrew their support in the face of opposition from the civil-rights and gay-rights communities, and after Senate Democrats began to voice their own concerns about the initiative. A promise by the Senate Republican leadership to bring the House bill directly to the Senate floor for a vote did not materialize before year’s end.

Jewish organizations, which until the summer of 1999 had been united in support of RLPA, now came down on different sides of the issue. The National Council of Jewish Women, the ADL, and the Religious Action Center of Reform Judaism announced that they would no longer work for its enactment as passed by the House, with no civil-rights exception. The American Jewish Congress, B’nai B’rith, Agudath Israel, and the Orthodox Union, however, continued to support the bill. The American Jewish Committee took yet another course, continuing to advocate for RLPA, but insisting upon the inclusion of an amendment that would clarify and limit the extent to which it might be asserted as a defense against a civil-rights claim.

Efforts continued through the year to enact religious freedom restoration laws on the state level, similar to the defunct federal statute. During the year, Arizona and South Carolina joined the handful of states with such laws. Texas passed its
own legislation in June, but with limited applicability to civil rights, prisoner, and zoning cases.

Even though the absence of a federal religious-liberty law made it more difficult successfully to assert a free-exercise defense against a government action or court suit, a judicial opinion rendered in June demonstrated that, in certain cases, such a defense remained available. A New Jersey federal court ruled that the issuance of statements based on interpretation of religious doctrine was not subject to a suit for damages in civil court. The court’s reasoning was that “inquiry into the methodology of how religious organizations arrive at their conclusions concerning questions of religious doctrine are, like the conclusions themselves, beyond the ken of civil courts.” Thus the court dismissed a lawsuit for defamation that a married couple had brought against a rabbinical council in Monsey, New York, which had criticized the husband for his long refusal to provide a Jewish divorce to his first wife, and for refusing to show the council the rabbinic documents he claimed to have obtained in Israel that enabled him to remarry. Rabbi Alfred Cohen, a member of the Monsey rabbinical council, praised the ruling, asserting that it “will give us a certain freedom that we desperately need” not only to speak out on family matters but also to comment publicly about facilities that fell short in adhering to the standards of Jewish dietary law. The American Jewish Congress defended the rabbinical council in the case.

The Workplace Religious Freedom Act, a bill with wide support in the Jewish community that was intended to insure religiously observant employees reasonable accommodation of their religious practices, made little progress during 1999, largely because of concerns raised by businesses and labor unions. The bill was reintroduced in September, following the decision of Senator Sam Brownback (R., Kan.) to sign on as chief Republican sponsor in the Senate, replacing retired Senator Dan Coats (R., Ind.). The chief Democratic sponsor remained Senator John Kerry (D., Mass.), and additional cosponsors included Senators Joseph Lieberman (D., Conn.), Barbara Mikulski (D., Md.), Daniel Patrick Moynihan (D., N.Y.), and Tim Hutchinson (R., Ark.). American Jewish Committee legislative director and counsel Richard Foltin, chair of the coalition dedicated to passage of the legislation, stated, “We all hope it will speed up. But above all, we have to be persistent in moving it forward and educating members of Congress about the need for this initiative.” Supporters of WRFA sought additional Senate sponsors and reintroduction of the bill in the House.

Advocates of religious accommodation in the workplace enjoyed a pair of rare judicial victories. In June, a federal appellate court ruled that the mere existence of a seniority system did not exempt the sheriff’s office of Carson City, Nevada, from trying to accommodate a Seventh-day Adventist’s religious obligation not to work on Saturday. A number of Jewish groups joined with other organizations in a friend-of-the-court brief urging this result. And in October, the U.S. Supreme Court left in place another federal appellate ruling that obligated Newark, New Jersey, to allow two Muslim police officers to continue to wear the beards they said were required by their faith.
Jewish groups, joined by leaders of other religious communities and the American Civil Liberties Union, reacted with outrage in August when Mississippi school officials directed a Jewish high-school student not to wear a Star-of-David pin while in class because it could be construed as a gang symbol. With the threat of a lawsuit by the student and the ACLU looming, the school board changed course, voting that same month to allow 15-year-old Ryan Green to wear the pin. School board president Randy Williams acknowledged that the school’s action had "infringed on freedom of religious expression."

In December, the Tanenbaum Center for Interreligious Understanding issued a study indicating that American Jews were less likely to perceive themselves as victims of religious discrimination in the workplace than members of other faiths—Buddhists, Christians, Hindus, Muslims, and practitioners of Shintoism. The Tanenbaum Center suggested a reason: Jewish respondents "have been here longer than a great percentage of the sample, and they tend to be assimilated into the larger culture." But it was not clear to what extent observant Jews, who would be most likely to require accommodation of their religious practices, were included in the survey.

Steps were taken during the year to implement the International Religious Freedom Act, legislation that was enacted in 1998 thanks to an unusual left-right coalition that brought together such groups as the Episcopal Church, the Religious Action Center of Reform Judaism, the National Association of Evangelicals, and the National Jewish Coalition. The administration and congressional leaders named the nine commissioners of the new U.S. Commission on Religious Freedom, established by the act. Among them were two Jews, Rabbi David Saperstein—director of the Religious Action Center of Reform Judaism—who became the commission’s first chair, and Elliot Abrams, president of the Ethics and Public Policy Center. Later in the year, Robert Seiple, former head of the World Vision relief agency, was sworn in as ambassador-at-large for religious freedom—another position created by the law—and Steven McFarland, formerly with the Christian Legal Society, became executive director of the commission.

The first U.S. State Department report on religious persecution, mandated by the International Religious Freedom Act, was issued in September. Afghanistan, Burma, Iraq, Iran, and Serbia were singled out for the harshest criticism. Israel was cited for failing to provide Arab residents with the same level of services as the Jewish population.

**HOLOCAUST-RELATED MATTERS**

**Reparations**

The year began with word that the German government had begun paying monthly pensions to Holocaust survivors residing in Eastern Europe, pursuant to an agreement with the Conference on Material Claims Against Germany that
had been reached in January, 1998. Germany had initially refused to make such direct payments on the ground that its obligation to these individuals was covered by funds it paid to those countries. However, pressure from the American Jewish Committee and other Jewish organizations, coupled with revelations that Germany was paying pensions to former SS officers—including war criminals—ultimately led to the commencement of negotiations. Karl Brozik, director of the Frankfurt office of the Conference on Material Claims, estimated that some 30,000 survivors would be applying for the $150 monthly payments.

Other reparation matters also received attention. Early in the year, AJC executive director David A. Harris praised Germany’s efforts to speed up compensation for Nazi-era slave laborers, but suggested that the process of resolving claims might continue past the end of the year. This proved to be an understatement. 1999 was marked by intense and often bitter negotiations over compensation for some 250,000 surviving concentration camp survivors—135,000 of them Jewish—and between 475,000 and 1.2 million non-Jewish forced laborers. Finally, in October, lawyers for the German government and German companies offered $3.3 billion in response to the survivors’ demand for $28 billion. The survivors’ representatives rejected the German figure as “shameful” and “a pittance,” inasmuch as it worked out to a few hundred dollars per victim. Stuart Eizenstat, U.S. deputy secretary of the treasury, acting as a mediator in the negotiations, called on both sides to demonstrate “greater flexibility.” An agreement was announced in Berlin on December 17. German industry and the German government agreed to provide 10 billion DM ($5.2 billion) in return for a settlement of all Holocaust-related claims and a “legal peace” that would preclude any future lawsuits. But despite the widely publicized announcement of the agreement, there were still many details to be worked out: defining the categories of recipients and determining the individual payments; setting up a process for claims and payment; resolving what portion of the overall package would be applied to claims against German banks for their role in the “aryanization” of Jewish property; and determining what was to be set aside for a “future fund” to support education and research.

The Conference on Material Claims played the lead role in representing Holocaust victims in the ongoing negotiations. In addition, the Berlin office of the American Jewish Committee was instrumental in researching and publishing a list of more than 250 German companies that had used forced labor. That list, released by AJC in November, played a critical role in marshaling German public opinion in support of an agreement, and drawing more private companies into the initiative.

In a related development in August, California governor Gray Davis signed into law a bill allowing former slave laborers or their heirs to sue companies doing business in California that had exploited their labor during the war—an enactment that was likely to become moot once the global settlement was reached. Also in August, additional evidence emerged that Ford Motor Company’s German operation had relied on slave labor. A Nazi-era document found at the Auschwitz
Museum indicated that the Ford plant in Cologne had used slave laborers made available to them at the industrial and commercial complex adjacent to the death camp. Present-day Ford officials maintained that the American company did not control the activities of the German branch during the Nazi era.

There was little progress in settling the many unpaid insurance claims of Holocaust victims and their heirs. The International Commission on Holocaust-Era Insurance Claims, created in 1998 and chaired by former secretary of state Lawrence Eagleburger, faced slow going in its efforts to establish a process for identifying Holocaust-era policies and claimants, and to arrange for valuation of and payment on those policies. Commission members included representatives of Jewish organizations, the Israeli government, U.S. and Israeli insurance commissioners, and five European insurance companies that had insured Holocaust victims. One of the insurance companies, Assicurazioni Generali of Italy, committed itself in January to achieving a resolution, and was reported to have independently begun making payments on outstanding policies from a $12-million fund it had established, using the valuation procedures urged by the Jewish groups. But other insurers—particularly those without subsidiaries in the U.S.—proved reluctant to join, delaying any agreement on a claims-identification process. At year's end, Eagleburger insisted that there would be no further delays, but uncertainty remained as to how the insurance companies would act on claims that were identified. Throughout the year, several state insurance commissioners (including those from California, Florida, and New York) sought to use their regulatory authority as leverage to press insurance companies doing business in their states to settle.

In 1998, Swiss banks, as part of a settlement of Holocaust-era claims, set up a $1.25-billion fund to provide restitution to those who had lost assets during the Holocaust. In June 1999, following the appearance of newspaper ads about the fund, survivors began to make inquiries. In the meantime, however, payments were not expected to begin until the year 2001, since the formal settlement proceedings were still going on. Indeed, protests were heard at those proceedings when lawyers for the roughly half-million survivors they were representing in a federal class action asked New York federal judge Edward Korman for $22.5 million in attorneys' fees, representing 1.8 percent of the settlement. "First, it was the Germans, then it was the Swiss, and then it's the lawyers stealing everything," said Roman Katz, Auschwitz survivor and chair of the American Gathering of Holocaust Survivors. A spokesman for the lawyers retorted that "it's important for lawyers to get remuneration in human-rights cases" if those cases are to be pursued. While a hearing on attorneys' fees was put over to the new year, at a fairness hearing on November 30, Judge Korman heard representatives of the survivors argue that the overwhelming majority of class-action members thought the settlement was appropriate. These issues, and others relating to the distribution of the settlement fund, were still pending at year's end.

In a related development, a panel headed by former U.S. Federal Reserve chair-
man Paul Volcker reported that a massive research effort had identified nearly 54,000 accounts that may have belonged to victims, but that there were some two million other accounts opened between 1933 and 1945 that lacked sufficient documentation to identify ownership.

In another Swiss banking matter, a humanitarian fund of nearly $200 million created by the banks and others in 1997—an initiative separate from the $1.25 billion intended to settle claims by account holders and their heirs—made first payments to about 60,000 needy Holocaust survivors residing in the United States. Each payment came to about $500. Survivors living in other countries had earlier received money from this fund.

Early in the year, Representatives Jerrold Nadler (D., N.Y.) and David McIntosh (R., Ind.) introduced legislation to exempt settlements paid to Holocaust survivors or their heirs from federal income taxes, following similar legislation introduced in a number of states. This relief was included in the Taxpayer Refund and Relief Act of 1999, passed by both houses of Congress but vetoed by the president in September for reasons unrelated to the Holocaust provisions. Another piece of legislation introduced in Congress at midyear extended through the end of 2000 the life of the Presidential Advisory Commission on Holocaust Assets, chaired by World Jewish Congress president Edgar Bronfman, that was searching for looted assets that had found their way to the U.S. After easy passage in both houses, the bill was signed into law in December.

In November, representatives of that commission met with Library of Congress officials to find out whether there were books that had come to the library after World War II that had been taken from Holocaust victims. The following month, responding to an inquiry from the Jewish Telegraphic Agency, the Library of Congress acknowledged that of some 500,000 “heirless” books received from the Jewish Cultural Foundation, Inc., after the war, 5,708 appeared to have been Holocaust-related loot.

**OSI Actions**

The Justice Department’s Office of Special Investigations continued to seek the deportation of the ever-more-elderly World War II-era war criminals who had found refuge in the U.S. after the war by hiding their involvement in atrocities. In May, 81-year-old Kazys Ciurinskas left Chicago for Lithuania after an immigration judge ordered his departure. After the OSI brought proceedings against him based on his membership in a Nazi-sponsored unit that murdered thousands of Jews and others, Ciurinskas admitted his involvement to the court. But upon his return to Lithuania, Ciurinskas told Lithuanian authorities that though he had been a collaborator, he had not killed any Jews. The Lithuanian Prosecutor General’s Office then asserted that it had insufficient information to proceed with criminal prosecution.

In June, 78-year-old Lithuanian-born Vincas Valkavickas left the U.S. for his
native country rather than face deportation proceedings arising out of his failure, in his 1950 visa application, to disclose that he had been a member of a Nazi-sponsored battalion during the war. Also in June, the Simon Wiesenthal Center called upon Lithuania to try these deportees along with several others who had recently lost their U.S. citizenship and had been returned to the Baltic nation because of alleged participation in atrocities. The center described Lithuania as Europe’s leading haven for Nazi-era war criminals. In September, criticism of Lithuania intensified when a Vilnius court adjourned indefinitely, on grounds of poor health, the war-crimes trial of 92-year-old American deportee Aleksandras Lileikis. Vilnius head of the Nazi-sponsored Lithuanian security police during World War II, Lileikis was accused of having given written orders to kill dozens of Jews in a local labor prison, and of having cooperated with Nazi death squads in the murder of Jews. OSI director Eli Rosenbaum called for the appointment of an independent panel of international experts to assess whether Lileikis was in fact unable to stand trial.

As the summer drew to a close, the OSI began deportation proceedings against 84-year-old Michael Gruber, based on charges that he had served as an SS guard at the Sachsenhausen concentration camp from September 1942 through December 1944.

John Demjanjuk

In May, the OSI filed a complaint in U.S. district court in Cleveland, renewing its efforts to strip Ukrainian-born John Demjanjuk of his U.S. citizenship. This time, the move was based on evidence that the 79-year-old retired auto worker had been a guard at several concentration camps and had served with a Nazi-run SS unit that participated in the mass murder of European Jews. An earlier decades-long effort to deport him, premised on allegations that he was the Nazi war criminal known as Ivan the Terrible, seemed to come to an end in February 1998, when U.S. federal judge Paul Matia restored the American citizenship that had been stripped from Demjanjuk in 1981. Demjanjuk had been extradited to Israel in 1986, where he was convicted of crimes against humanity and sentenced to death two years later, but his conviction had been overturned on appeal when the Israeli Supreme Court ruled, in 1993, that there was no proof beyond a reasonable doubt that Demjanjuk was Ivan the Terrible. The Israeli court at that time decided not to allow further proceedings on the basis of other charges against Demjanjuk. The 1998 U.S. court ruling restoring Demjanjuk’s citizenship followed a 1993 decision of the U.S. Court of Appeals for the Sixth Circuit that the Justice Department had knowingly withheld information in 1981 that Demjanjuk could have used to fight extradition. But in restoring his citizenship, the district court left the door open for the Justice Department to file new naturalization and deportation proceedings, an invitation now taken up in 1999. American Jewish groups hailed the OSI’s action.
Other Holocaust-Related Matters

At the beginning of the year, President Clinton took steps to implement legislation enacted in 1998 requiring that classified U.S. records relating to Nazi war criminals be made available to the public. He announced the formation of a cabinet-level working group, including Defense Secretary William Cohen and Attorney General Janet Reno, that would review and release classified records, but it was only at the end of the year that the first documents were released.

RICHARD T. FOLTIN
The United States, Israel, and the Middle East

For Israel and much of the Middle East, 1999 was a year of transition, uncertainty, and anticipation. The inevitability of change was underscored by the deaths of King Hussein of Jordan in February and King Hassan II of Morocco in July. From geographically distant parts of the Arab world, these two experienced and pragmatic leaders—both tracing their dynastic lineage to Islam’s founder Mohammed—had fought against extremist Islamic tendencies at home and struggled to lead their people into the modern world. They had generally supported good relations with the United States, although sometimes clashing with Washington over specific policies, such as the means to counter Saddam Hussein’s invasion of Kuwait, and both had worked vigorously over the years, at first in secret and then in public, to help bring an end to the Arab-Israel conflict and promote Muslim-Jewish reconciliation and regional cooperation. In both countries there was an initially smooth transition to their young, Western-educated sons, although it was too early to tell how well they were prepared to cope with the political and economic problems facing their countries. Both Abdullah II of Jordan, 38, and Mohammed VI of Morocco, 36, pledged to continue their fathers’ support of the Arab-Israel peace process and welcomed Israeli leaders to their countries.

Concern in both Washington and Jerusalem for future political stability in the region and continuation of the Arab-Israel peace process was heightened by persistent reports that two other key figures, Palestinian Authority chairman Yasir Arafat, 70, and Syrian president Hafez al-Assad, 68, were not only aging, but were also in increasingly frail health. Arafat, who appeared unsteady on his feet and displayed the tremors of what was believed to be Parkinson’s disease, had not designated a successor. There was much speculation as to what would happen should the forceful and wily leader of the Palestine Liberation Organization (PLO) no longer be in charge. While increasingly criticized by the younger generation of Palestinians for his autocratic rule and the corruption among his bureaucratic cadres, Arafat was venerated as the indispensable leader who had managed to dominate the fragmented and diverse elements within the Palestinian national movement. He had maneuvered to transform the PLO from a revolutionary group of refugees dedicated to elimination of Israel through armed struggle to the administrators of a nascent Palestinian state formally committed to negotiating peaceful coexistence with Israel. But this process was by no means complete and Arafat still faced determined opposition both from Islamic fundamentalist and secular rejectionist elements within the Palestinian movement, some of whom were actively supported by Syria and Iran. Both Washington and Jerusalem were pressing Arafat to fulfill his commitments under the Oslo agreements to crush
the terrorist elements. In the past Arafat had vacillated between efforts to co-opt Hamas and other dissident elements, and arresting their armed gangs.

A Sense of Urgency

A realization of his own mortality and fear that the Palestinian movement would splinter after his death added a sense of urgency to Arafat's repeated vow to proclaim an independent Palestinian state, with Jerusalem as its capital, on May 5, 1999. This date was to have marked the end of the five-year interim period and the completion of the final-status negotiations, as specified in the Oslo agreements. But since the permanent-status talks had not yet even begun, and further implementation of the Wye River agreements of the previous October had been stalled following Prime Minister Benjamin Netanyahu's call for new Israeli elections, the Clinton administration sought to dissuade Arafat from declaring independence and intensified its efforts to invigorate the Palestinian-Israeli talks.

On the Syrian front, questions were increasingly raised by knowledgeable Middle East observers both in the United States and Israel over the stability of the regime in Damascus, which had been under the iron rule of Hafez al-Assad since his successful coup in 1970. Visitors to Damascus said that Assad, who was known to have survived a massive heart attack in 1983 and also to suffer from diabetes, had exhibited signs of physical weakness and a diminution of his mental acuity and the legendary stamina that had enabled him to engage in lengthy negotiating sessions with foreign diplomats. Assad had been grooming his son Bashar to succeed him, giving him increasing responsibilities, including the important "Lebanon file." But since Bashar lacked the military credentials and long political experience of his wily father, the Syrian president had an incentive to try to complete the negotiations with Israel and obtain the return of the Golan Heights while he could still maintain firm control of the country. There had reportedly already been clashes between supporters of President Assad and of his exiled brother Rifaat, as well as purges of some military and intelligence officers. It was impossible to predict the outcome of a power struggle among the various intelligence chiefs and other groups among the Sunni majority, unhappy with the long dominance of Assad and his fellow Alawites, who represented only some 12 percent of the population. Were the conflict with Israel ended and Syria to shift its priorities from war to meeting the domestic needs of its people, Bashar, 35, a London-trained ophthalmologist and the head of Syria's nascent Internet community, might be a suitable candidate to open up the economy and the society.

In television and newspaper interviews in mid-September, newly elected Israeli prime minister Barak also cited the declining health of Assad and Arafat among the reasons he was eager to complete the peace process as quickly as possible. Rejecting the idea that he would be better off waiting for their successors, Barak said he preferred negotiating with established leaders who can make big decisions. "Assad is the symbol of the [Arab national] revolution," Barak said, and Arafat
is “the one who molded his people” (AP report from Jerusalem, September 23).

American and Israeli analysts concluded that the time was ripe for negotiation. Assad's sense that his time was running out, compounded by a worsening of the Syrian economic situation and the diminished ability of Russia to play a role in the Middle East, all raised expectations during 1999 that the aging Syrian leader was eager to improve relations with the United States. Since the Clinton administration made it abundantly clear that ending Syria's conflict with Israel was a precondition for American assistance, Assad was prepared to reach a peace agreement with Israel, brokered by the Americans, if his terms for complete Israeli withdrawal from the Golan Heights were met.

**American Efforts Behind the Scenes**

While there were some in the U.S. and Israel who saw in the uncertainty about Syria's political future a reason for caution, the prevailing view was well summarized by Itamar Rabinovich, the former Israeli ambassador in Washington and an academic authority on Syria who headed the Israeli negotiating team in the last round of talks with the Syrians during 1992-96. Asked whether it was better to wait until the succession in Syria was clear, Rabinovich, who in June 1999 was appointed president of Tel Aviv University, conceded that Syrian domestic politics is "totally in the realm of the unknown." But, he added, "We can make one general assumption: it is better to deal with Assad because he is authoritative, he can make an agreement, and he can implement it." The Clinton administration and officials in Jerusalem shared this view, and made persistent efforts during 1999 to resume the Syrian-Israeli talks that had broken off early in 1996.

In fact, it was revealed in November 1999 that Prime Minister Netanyahu had engaged in extensive secret back-channel contacts with the Syrian leader beginning in 1997. Uzi Arad, who had been Netanyahu's senior foreign-policy adviser, disclosed that a trusted American intermediary, industrialist and cosmetics heir Ronald S. Lauder, a personal friend of the prime minister and a Likud campaign supporter, had shuttled 12 times between Jerusalem and Damascus. (Lauder was also president of the Jewish National Fund and in 1999 became chairman of the Conference of Presidents of Major American Jewish Organizations.) According to Arad, in an interview with Amir Rappaport published in *Yediot Aharonot* (November 26), Netanyahu had gotten Assad to agree to the continuation of the ground monitoring station on Mt. Hermon, with Israel obtaining continuous access to real-time data through American auspices even after a peace agreement. Netanyahu agreed to the principle of Israeli withdrawal, but refused to agree to return to the pre-1967 lines, which would have given the Syrians access to the Sea of Galilee. The talks were suspended when Assad asked Lauder to bring a map showing precisely where Israel was prepared to withdraw to, but, Arad explained, "We wanted to buy time and not give Assad the map he demanded."

Assad's decision personally to attend King Hussein's funeral, even though he
had been furious over Jordan's decision to make a separate peace with Israel in 1994, was seen as symbolic of the shift in Syria's approach to peace with Israel. King Abdullah II of Jordan seized the opening and worked hard to improve the chilly relations between Amman and Damascus, eagerly serving as another channel for Israeli-Syrian contacts. The young Jordanian monarch reported to the Americans on his first official visit to the United States as king at the end of May that he was convinced that Assad had made a "strategic decision" to achieve a deal with Israel. As evidence of Assad's intention to prepare the Syrian people for the shift from war to peace, he noted that he had seen large-size banners unfurled all over Damascus, proclaiming: "We fought with honor; we will negotiate with honor; we will have peace with honor." European Union envoy Miguel Angel Moratinos made a similarly positive assessment after visiting Damascus toward the end of May. He found Syria "extremely ready and anxious" to resume talks with Israel following Ehud Barak's decisive defeat of Netanyahu in the May election, which the Syrians welcomed.

Clash Over PA Compliance

Aside from the biological clock ticking for aging Middle East leaders, there was also a political timetable to focus the attention of the potential peacemakers as the year began. Israeli elections were coming up. Prime Minister Netanyahu had suspended further scheduled Israeli troop withdrawals from additional territory on the West Bank under the Wye agreements, after the first phase of withdrawal, ostensibly because of the failure of the Palestinian Authority to fulfill its security-related obligations toward Israel. United States and other observers, however, attributed the renewed stalemate in the peace process primarily to the defection of Netanyahu's right-wing supporters and the unraveling of the coalition, resulting in the prime minister's decision to call for early elections in the hope of obtaining a broader mandate for his policies.

The Americans faced the dilemma of how to express their criticism of the Netanyahu freeze on territorial withdrawal without appearing to intervene in Israeli politics. In mid-January State Department spokesman James Rubin asserted that the Palestinians "have been making a good faith effort to implement a number of the commitments in the Wye agreement, including the commitment to amend the charter of the Palestine National Council and the fight against terrorism." In contrast, he said, "it is the Israelis who have not fulfilled any of their Phase Two obligations" by postponing indefinitely the required West Bank redeployments. This public criticism was mild compared to the reported fury of the administration's Middle East peace-process team at an op-ed in the Washington Times by Israeli ambassador Zalman Shoval that shifted all the blame for the stalled talks onto the Palestinians. But the Clinton administration resisted Palestinian demands that Washington openly pressure the Netanyahu government. Doing so, it believed, would produce a backlash in Israel that would give the em-
battled prime minister a powerful weapon in his bid for reelection. An Israeli Foreign Ministry memorandum of February 1 asserted that “despite recent internal political developments in Israel, the Government of Israel has reiterated its commitment to the Wye Memorandum in all its aspects” and pledged to “continue to negotiate all outstanding issues and implement its obligations on the basis of reciprocity.” The memorandum said that Israel was pleased to note that the PNC had adopted a resolution amending its charter, as required by Wye and earlier undertakings, but then listed a long series of unfulfilled PA commitments.

The growing feelings of mistrust and mutual recrimination between Arafat and Netanyahu, following the brief rapprochement and commitment to cooperation that Clinton had elicited from them at Wye, also caused United States officials to reexamine their role in the process. In connection with the 1998 Wye agreements the United States had, reluctantly, been increasingly drawn into the minutiae of the process, with even the CIA given an unaccustomed role of verifying and judging details of compliance on security matters. Addressing the annual seminar of the Peres Center for Peace in mid-January, Dennis Ross, the U.S. special peace-process envoy, suggested that the administration would play a much less intrusive role in the final-status negotiations, if and when they actually started. “The key here is not that you have anybody mediate,” he said. “For them to be able to do it in the end,” he stressed, “they have to approach it from the standpoint of partnership. If there is not going to be partnership, then there is not going to be a permanent-status agreement.”

New York Times foreign affairs analyst Thomas L. Friedman, in a scathing column on January 12, pointed to the disastrous consequences of Netanyahu’s “constant wavering” in response to the conflicting pressures from the international community and his far-right supporters. The result of this “total absence of strategy,” Friedman declared, “has left Israel’s relations with the Arabs in tatters and produced the most intimate relationship between America and the Palestinians in the history of this conflict.” If Netanyahu continued on this track, he would give up 50 percent of the West Bank, as opposed to the 60 percent that Labor would give up, Friedman predicted, but “he will end up with no partnership with the Palestinians and a crisis of confidence with the U.S.”

The U.S.-Israeli dispute regarding Palestinian Authority compliance with its antiterrorism promises flared up again at the end of February during a public meeting in Washington. After Lenny Ben-David, the deputy chief of mission of the Israeli embassy, declared that the PA had freed “known terrorists, murderers,” without consultation with the Israelis or the Americans, Assistant Secretary of State for Near Eastern Affairs Martin Indyk rose to challenge Ben-David’s assertion. After checking all the Israeli, Palestinian, and U.S. sources, the U.S. had concluded that the charge “is simply not true. . . . The fundamental point is they did not release terrorists or murderers.” Indyk, a former ambassador to Israel, elaborated that the PA had arrested “a lot of Hamas people” and had released those for whom no grounds for detention existed, just as Israel released some sus-
pects it arrested. He conceded that the PA did not always consult with Israel and the U.S. Netanyahu spokesman Aviv Bushinsky responded that Indyk may have been technically correct that those released “had not pulled a trigger or blown themselves up,” but Israel had evidence that they conspired to commit terrorism.

Evidence for the benefits of closer Israeli-Palestinian security cooperation was soon available. At the end of February Israeli intelligence sources warned the Palestinian Preventive Security Service (PPSS) that Hamas terrorists had infiltrated the country and planned new suicide attacks. Numerous Hamas militants were arrested. In March, when Mohammed Dahlan, the PPSS director in Gaza, learned of new terrorist plans, he alerted CIA director George Tenet, who urged Dahlan to intensify direct cooperation with Israel’s Shin Bet. This resulted in the uncovering of several terrorist cells in Gaza and the foiling of bomb attacks planned in crowded locations in Tel Aviv. Prime Minister Netanyahu telephoned Arafat from Moscow on March 23 and warmly thanked him for the PA’s cooperation in preventing “a major disaster in Israel.” Arafat, who was in London at the time, received a similar congratulatory call from President Clinton.

Benefits for Deferring Statehood

As it became clear that the Netanyahu government was not going to carry out the additional withdrawals by the target date agreed to at Wye Plantation, Chairman Arafat turned increasingly to President Clinton for signs of American support to counter the complaints of his restive PLO followers that diplomacy was producing no practical results. Another Arafat tactic to maintain their allegiance was his increasingly strident declarations that he would unilaterally proclaim the independent State of Palestine on May 4, 1999, if there was no agreement with Israel by then.

The Clinton administration adopted a two-pronged approach to deal with the problem. On the one hand it reiterated its opposition to a unilateral Palestinian declaration of statehood, while on the other it signaled support for Arafat through the increasingly frequent and warm receptions he received from the White House as well as renewed U.S. efforts to reinvigorate the frozen peace process. The clearest authoritative statement of the American position was contained in a mid-January interview that President Clinton gave the London-based Saudi newspaper Al-Sharq al-Awsat (January 16). Since the United States had always maintained that “an acceptable solution can only be found through negotiations, not through unilateral actions,” he explained, “we would oppose any unilateral declaration of statehood” or other unilateral actions that “prejudge or predetermine the outcome of those negotiations.” (On the same grounds the administration had opposed controversial new Israeli housing projects around the Arab sections of Jerusalem and the expansion of settlements in the West Bank.)

In his comments to the Saudi paper, Clinton added: “For the present, we are doing all we can to promote permanent-status negotiations on an accelerated
basis and we are stressing that those who believe they can declare unilateral positions or take unilateral acts when the interim period ends [on May 4] are courting disaster.” Congress powerfully endorsed his position in mid-March, when bipartisan and overwhelming majorities in the House of Representatives (380-24) and the Senate (98-1) passed identical resolutions warning that the declaration of a Palestinian state “would introduce a dramatically destabilizing element into the Middle East.” And, both houses added, “any attempt to establish Palestinian statehood outside the negotiating process will invoke the strongest congressional opposition.” During the debate in the House, Rep. Mark Foley (R., Fla.) addressed Arafat directly, expressing skepticism about the PLO leader’s commitment to peace with Israel, and warning that “the U.S. is putting you on notice; declare statehood on May 4, and we will declare your financial support from the U.S. null and void.”

At the same time, the administration sought to reassure the Palestinian leader. On February 4, Arafat came to Washington as an invited guest to attend the 47th annual National Prayer Breakfast, after which he was received by President Clinton at the White House. Arafat was again an honored guest when he was hosted by the secretary of state for dinner at her home on March 22, and the following day he had a one-on-one meeting with the president at the White House. While reiterating U.S. opposition to a unilateral declaration of statehood, the president reportedly emphasized that Israel and the Palestinian Authority should resume talks on permanent status as soon as possible, on an accelerated basis. At a summit conference in Berlin on March 25 the European Union took a similar position, counseling Arafat to defer the declaration of independence and calling for early resumption of final-status talks, with negotiations to be completed within one year. But it went farther than the U.S. in support of Palestinian national rights when it backed “the continuing and unqualified Palestinian right to self-determination, including the option of a State, and look[ed] forward to the early fulfillment of this right.” State Department spokesman James Rubin said that the Clinton administration did not share the EU position, adding: “We believe Oslo is based on the principle that all permanent-status issues can only be resolved through negotiations. We are thus opposed to a unilateral declaration of a Palestinian state.”

In a further effort to defuse the impending crisis, President Clinton sent a lengthy and highly significant letter to Chairman Arafat on April 26. (Although not made public either by the White House or the Palestinian Authority, the full text was obtained by the Israeli newspaper, Yediot Aharonot, and it was published in the Near East Report of May 17.) Clinton began by praising the Palestinian leader for having made “historic decisions for peace” and declared it was critical that he maintain “the courage and vision” to help achieve that goal. The president declared that the United States “is a full partner with Palestinians and Israelis” and stressed how important it was that “you and I work closely in the period ahead.” In a scarcely veiled criticism of Netanyahu, Clinton bemoaned the
fact that "the Palestinian-Israeli partnership—so essential to peacemaking—has
been badly shaken" and that "much time has been wasted and many opportuni-
ties have been lost." Pledging to work actively for Israel's implementation of the
second and third phases of the Wye agreement, Clinton expressed appreciation
for Arafat's efforts to implement many of the Palestinian commitments for the
second phase, "particularly in the security area where Palestinians are engaged
in a serious effort to fight terror."

Acknowledging that the approach of May 4 presented Arafat with "enormous
pressures and challenges" to achieve Palestinian aspirations and also keep the
hopes for peace alive, President Clinton urged him to remove the May 4 deadline
and to continue to rely on the negotiating process. In this context and "in the spirit
of my remarks in Gaza" (see AJYB 1999, p. 161), the president declared: "We
support the aspirations of the Palestinian people to determine their own future
on their own land." This was the clearest American statement of support for
Palestinian statehood, and was actually a bit more explicit than his comment in
Gaza, which he reiterated in the letter, that "I believe Palestinians should live free
today, tomorrow and forever."

Clinton then outlined the steps the United States was taking to reenergize the
peace process. Washington, he said, had called on both parties, even after May
4, to continue to adhere to the terms of reference of the peace process as defined
in Madrid and Oslo, which was to implement "UN Security Council Resolutions
242 and 338, including land for peace, and all other agreements under the Oslo
process."(Italics added.) The U.S. was urging both sides to implement "without
further delay" the interim agreement and the Wye River memorandum. He added
that, "the United States further believes that the Oslo process was never intended
to be open-ended." Therefore, Clinton was calling on both parties to engage in
"accelerated permanent-status negotiations" with the goal of reaching an agree-
ment within one year. Clinton promised that as soon as the Israeli elections were
over and a new government was formed, the U.S. was "ready to help launch those
negotiations," to review and monitor their progress, and to bring the parties to-
gether within six months.

As a further inducement for the Palestinians to extend the negotiating dead-
line beyond May 4, Clinton expressed his support for some key Palestinian de-
mands. Declaring that "the United States knows how destructive settlement ac-
tivities, land confiscations, and house demolitions are to the pursuit of
Palestinian-Israeli peace," he pledged that the U.S. "will continue to exercise
maximum efforts to have both parties avoid unilateral steps or actions designed
to change the status of the West Bank and Gaza or to prejudge or preempt is-
sues reserved for permanent-status negotiations." And Clinton assured Arafat
that he was personally "committed to continuing to enhance the U.S.-Palestin-
ian partnership," and pledged: "I will do everything possible to strengthen that
partnership and through the U.S.-Palestinian Bilateral Committee to remove im-
pediments to our relationship."
As Israeli observers noted (*Ha'aretz*, May 5), the term “partnership” had previously been reserved for the U.S.-Israel relationship. (The routinization of high-level official Palestinian contacts in Washington was noted by departing guests at the gala White House dinner in July for newly elected Israeli prime minister Ehud Barak, when the loudspeaker blared insistently: “Ambassador from the PLO, your car is ready! Ambassador from the PLO, your car is ready!”)

The timing of President Clinton’s April 26 letter was designed to influence the deliberations of the Palestine Central Council (PCC), which Arafat convened in Gaza the following day. After two days of debate, the PCC decided to heed the advice offered “by the overwhelming majority of brotherly [i.e. Arab] and friendly states” to postpone actions affirming Palestinian independence. Aside from the Berlin statement of the EU, the primary statement of a “friendly state” was President Clinton’s letter. As the mid-May issue of the *Monthly Bulletin of the Permanent Observer Mission of Palestine to the United Nations* noted, “That letter and its content represented an important development, moving the American position to a new level.” Explaining the postponement of a formal declaration of independence, the PCC affirmed that “the Palestinian State already exists on the basis of the natural rights of the Palestinian people, [UN] General Assembly Resolution 181(II) of 1947 [the so-called Palestine Partition Plan], and the Declaration of Independence by the Palestine National Council in [Algiers in] 1988.”

**The U.S. and the Revival of the Partition Resolution**

The repeated references by Arafat and other Palestinian spokesmen to Resolution 181 raised alarm bells in Washington and Jerusalem. This was the November 1947 UN General Assembly resolution which proposed partition of Mandatory Palestine into two sovereign states, one “Jewish” and one “Arab,” with an enlarged Jerusalem area under international administration. It was ironic that the leader of the Palestine Liberation Organization was now citing as a legal basis for his Palestinian state the very resolution that the Arabs states had not only voted against and denounced, but the one the Palestinians and neighboring Arab states had sought to nullify through war against the Jewish state at its birth. In fact, the PLO-controlled Palestine National Council had declared in its founding covenant in 1964 that the resolution was “illegal.” Thus the position of the Netanyahu government was that the hostile Palestinian and Arab actions had made the 1947 resolution “null and void.”

In response, Ambassador Mohammed Al-Kidwa, the permanent observer of Palestine at the UN, sent a letter on March 25 to UN secretary general Kofi Annan denouncing the Israeli rejection as “pathetic statements involving illegal positions.” He explained the evolution in the PLO position as follows: “For the Palestinian side, and since the strategic decision to forge a peace on the basis of coexistence, resolution 181 (II) has become acceptable.” He pointed out that the resolution “provides the legal basis for the existence of both the Jewish and the
Arab States in Mandated Palestine.” Had he ended his letter there, it would not have aroused much concern in Washington and Jerusalem. But the Palestinian representative added: “According to the resolution, Jerusalem should become a corpus separatum, which the Palestinian side is willing to take into consideration and to reconcile with the Palestinian position that East Jerusalem is part of the Palestinian territory and the capital of the Palestinian State.” Even more disturbing was the conclusion of the letter: “Moreover, we believe that Israel must still explain to the international community the measures it took illegally to extend its laws and regulations to the territory it occupied in the war of 1948, beyond the territory allocated to the Jewish State in resolution 181 (II).”

The Clinton administration hastened to reassure Israel’s American supporters that the U.S. rejected the Palestinian attempt to revive the 1947 resolution. Addressing the AIPAC Policy Conference in Washington on May 23, Vice President Al Gore declared that the outcome of the peace process “must be determined by negotiation alone, and the only basis for Israeli-Palestinian negotiation are the terms of reference defined in Madrid and the Oslo agreement: UN Security Council Resolutions 242 and 338, and the principle of land for peace.” Assistant Secretary of State Indyk told the Center for Policy Analysis on Palestine, on June 3, “I think it’s a big mistake” for the Palestinians to try to utilize the 1947 resolution as a basis for negotiations, because this raises “a very real concern on the Israeli side” about the ultimate intentions of the Palestinians. “To change the terms of reference in midstream is to really undermine the negotiations,” he added.

The United States also strongly opposed another Palestinian anti-Israeli maneuver at the UN. In February the Palestinians had succeeded in getting the General Assembly to approve, by a vote of 115-2 (the U.S. and Israel), a special conference of the High Contracting Parties to the Fourth Geneva Convention, on July 15, to “enforce the Convention in the Occupied Palestinian territory, including Jerusalem.” The UN had adopted this convention on the rights of civilians in occupied territories in 1949, in the aftermath of the Holocaust, to prevent the repetition of Nazi policies, which included the forced relocation and murder of millions of civilians. The Palestinians’ UN supporters intended the July 15 review conference to score points against Israeli settlement policies. As William Korey, a veteran human-rights authority, pointed out (Near East Report, August 9), in its 50-year history the convention “has never been invoked to deal with the most egregious examples of violence and mass murder,” including Saddam Hussein’s brutalization of Kuwaiti civilians in 1990 or Slobodan Milosevic’s “ethnic cleansing” in Bosnia and Kosovo.

The Clinton administration worked behind the scenes to derail the proposed meeting. Assistant Secretary of State Indyk declared that the timing was counterproductive to peace since the meeting would take place just as a new post-election Israeli government was being formed, and, in any case, the “settlements issue is an issue to be dealt with in the permanent-status negotiations.” Not only
would the U.S. not attend, he declared on June 29, but "we will do everything we can to urge the parties involved in this exercise not to have the meeting." The meeting was held as scheduled, but the American arguments and the new hopes for revival of the peace process apparently had their effect. When 103 contracting parties (out of a total of 188) assembled in Geneva, the session lasted just ten minutes. Korey noted that "after deciding, rather arbitrarily, that the Fourth Geneva Convention was relevant to the situation in the 'Occupied Territory,' the delegates promptly adjourned without setting a date for the next meeting."

Elections in Israel

The Knesset had set May 17, 1999, as election day. Voters would cast two separate ballots, one for prime minister and the other for the new Knesset. A variety of new parties and personalities emerged during the hotly contested campaign, which also witnessed the increasing use of American media consultants and pollsters by the major parties to project their messages in television commercials and on billboards. Among the most prominent were Clinton advisor James Carville and pollster Stanley Greenberg, who led the American team helping Ehud Barak, the candidate of One Israel (the expanded Labor Party). Heading the American advisors for Netanyahu and the Likud Party was Arthur Finkelstein, who had worked for a number of Republican candidates in the U.S. and had been instrumental in Netanyahu's victory in the last election. Various Israeli parties sought and received indirect financial and political support from American backers, despite Israeli election rules which bar contributions from overseas. Since Israel does not permit absentee ballots, supporters of the major parties also arranged reduced-fare flights to Israel to help Israeli citizens living in the U.S. to vote in the Israeli elections.

The result was an unexpectedly decisive first-ballot victory for One Israel (Labor) and its leader, the new prime minister, Ehud Barak. Netanyahu announced his decision to resign from politics within hours of his stunning defeat. Upon his victory, Barak promised that he would rapidly implement the Wye River memorandum, enter into permanent-status talks with the Palestinians, and vigorously pursue resumption of peace talks with Syria and Lebanon, which had been suspended in February 1996. Barak also managed by early July to put together a broad-based coalition that gave him a comfortable initial majority of 75 in the 120-member Knesset.

Syrian Conundrum

Most of the leaders of the Arab world welcomed Barak's victory, most notably President Assad of Syria, young King Abdullah of Jordan, President Hosni Mubarak of Egypt, and PLO leader Arafat. King Hassan's funeral in Rabat on July 25 provided an opportunity for Barak to meet with some formerly hostile
Arab leaders. Not only was the funeral the scene of the first three-way meeting between Barak, Clinton, and Arafat, but it also provided an opportunity for the new Israeli premier to be seen having a friendly chat and a warm handshake with Abdelaziz Bouteflika, the recently elected president of Algeria, a country that was still nominally at war with Israel. President Assad, who had been expected to attend, decided against it at the last minute, reportedly because he had heard that Clinton hoped to use the occasion to arrange an impromptu summit meeting between Assad and Barak. New York Times reporter Douglas Jehl reported, "The Syrian leader knew what the other guests were plotting, and he had no intention of allowing himself to be cajoled or even bumped into a first-ever encounter with an Israeli leader." (The organizers of the funeral for King Hussein in Amman had made sure that the Israeli and Syrian delegations were kept at a discrete distance from one another.)

Assad maintained this standoffish Syrian posture throughout the year, refusing Israeli offers to meet Barak either in Jerusalem or elsewhere. Even in December, after Clinton succeeded in organizing Syria-Israel meetings in Washington, Assad send Foreign Minister Farouk al-Shara to head the Syrian delegation, and neither Clinton nor the expectant photographers could induce the Syrian foreign minister to shake the hand of the Israeli prime minister. The significance of the Syrian stance was more than just a missed photo opportunity. Since Barak had pledged to submit any agreement with Syria to a national referendum, he and the Americans were hoping for some positive gestures from Assad to reassure and win over the skeptical Israeli public. They recalled that Anwar Sadat had grasped the psychological aspect of the conflict and had managed to turn around Israeli public opinion through his dramatic visit to Jerusalem in November 1977 and his declaration to the Knesset that Egypt welcomed Israel as a recognized neighbor in the Middle East. But Assad was no Sadat. Throughout the year Syria, and its client state Lebanon, continued their boycott of the multilateral working groups that had been set up to deal with regional aspects of the Arab-Israel conflict.

After the Israeli elections Netanyahu briefed Barak on the points that had been agreed to in the earlier Syrian talks, which Netanyahu adviser Uzi Arad said would provide a useful basis for Barak to pursue his own negotiations. Arad’s revelations confirmed that despite Likud rhetoric that Israel would never give up the Golan, Netanyahu had in fact been willing to consider a significant Israeli withdrawal on that front. The Syrians indicated that they were prepared to resume talks with Israel from the point where they had been broken off in 1996. A key sticking point was what commitments Israel had made to the Americans in 1996. The Syrians claimed that Yitzhak Rabin, who was then prime minister, had told U.S. secretary of state Warren Christopher that Israel was prepared to withdraw fully to the lines of June 4, 1967, as demanded by Syria, so long as Israel’s security concerns were fully met. But that would give the Syrians access to the Sea of Galilee as well as a strip of the Jordan River. As noted above, not only Ne-
tanyahu but also most Labor supporters wanted to retain Israeli control over its vital water resources, which were considered vital to Israel’s national security. They therefore argued for withdrawal to, at most, the international border established in 1923. That had been set in negotiations conducted by Britain and France, which held the mandates over Palestine and Syria, respectively. That left all of the Sea of Galilee and the Jordan River within the borders of Palestine/Israel. Barak was also to take the position that the proposal made by his mentor, Rabin, to the American secretary of state was not intended as a binding commitment but only as a hypothetical statement designed to help Christopher elicit a Syrian response. United States officials tended to agree with Barak’s interpretation.

Impending U.S. Elections Add Urgency

The political timetable in the United States was also very much on the mind of the new Israeli premier when he declared his intention to achieve a final and comprehensive peace not only with the Palestinians but also with Syria and Lebanon within 15 months, that is, by September 2000. This self-imposed deadline took into account the reality that by then the American presidential election campaign would be in its final months. Not only would domestic politics dominate public attention, but President Clinton would be approaching the end of his final year in office. Although the Republican-led impeachment of the president had failed to win the two-thirds majority in the Senate necessary to convict and remove him from office, the bitterness of the partisan debate continued to impede Clinton’s ability to win bipartisan support for his initiatives, compounding the standard problems faced by lame-duck presidents.

Clinton’s desire to redeem his reputation and to leave his mark on history by presiding over the conclusion of a comprehensive Arab-Israeli peace agreement, dovetailed well with Barak’s own passionate desire to bring an end to the decades of warfare and bloodshed that he had witnessed in a long and distinguished military career. Not only did the Clinton administration and Barak’s One Israel share similar approaches to solving the Arab-Israel conflict, but the two relatively youthful leaders developed a sense of mutual trust and a warm personal chemistry. This contrasted with the prickly relations, distrust, and scarcely disguised personal animosity that had developed between Clinton and Netanyahu.

Yet this point should not be carried too far, since U.S.-Israeli strategic and defense cooperation had continued to broaden under the Netanyahu administration, and there would surely be some policy disagreements even under a Barak regime, as there had been under earlier Labor governments. A minor complication in U.S.-Israeli relations was to be introduced during 1999 by another election, namely, First Lady Hillary Rodham Clinton’s exploration of the option of running for the senate seat from New York being vacated by the retirement of Senator Daniel Patrick Moynihan. There was occasionally confusion as to whether
Mrs. Clinton was speaking as first lady or as political candidate when she made comments on Middle East issues that were not consistent with those of the administration.

When Barak met with Clinton in Washington on July 15 and told him of his plans to achieve agreements both with Syria and the Palestinians within 15 months, he found that the president shared his "sense of urgency," according to a senior White House aide. One of Barak's goals during this trip, Israeli officials explained, was to establish a rapport with President Clinton so that they could deal with each other person-to-person and not through their staffs. The two leaders spent an extraordinary eight hours together, most of the time alone, and the remainder with their wives. Both gave effusive positive assessments of their interaction, which went beyond a basic agreement on how to pursue the peace process. An aide to the prime minister attributed the apparent bonding to several factors. Not only were they of the same generation—Barak was 57 and Clinton 52—but both apparently had the patience to delve into multiple subjects at length. Yitzhak Rabin, Barak's mentor, said the aide, would not have had the patience to stay one-on-one with Clinton for so long.

In remarks to the press before their White House meeting, Barak emphasized that restarting the dialogue between Israel and the Palestinians, and with Syria and Lebanon, would require "American leadership and support all along the way." However he indicated that he would prefer a less prominent and intrusive American role in the negotiations. Barak emphasized the importance of direct talks with the Arabs and did not want the United States to serve as "policeman, judge and arbitrator." President Clinton publicly agreed that the U.S. had become overly enmeshed in the details of the Arab-Israeli dialogue. He said Washington should have served merely as a "facilitator" of the talks and not as an active participant. "We took a more active role, in effect as a mediator, when the bonds of trust and the lines of communication had become so frayed that we were in danger of losing the peace process," the president said.

Arab capitals had responded positively to Barak's declaration on July 6, in his inaugural speech to the Knesset: "I call on all regional leaders to take our outstretched hands and build a peace of the brave." But it was soon apparent that the United States would continue to play a crucial role in bringing the opposing sides together and revitalizing the Palestinian-Israeli and Syrian-Israeli talks. The U.S. also had the burden of trying to defuse escalating tensions in southern Lebanon. The experience and negotiating skills of U.S. peace envoy Dennis Ross were instrumental in crafting detailed language bridging the Israeli and Arab positions on a new Palestinian-Israeli agreement. Frequent phone calls from President Clinton to Arafat and Barak, as well as new letters of assurances from the president delivered to Chairman Arafat by Secretary of State Madeleine Albright, helped prod the two sides to overcome their final differences. After meeting with Barak for three-and-a-half hours, Albright announced an agreement in Gaza City, with Arafat standing by her side, late on September 3. The agreement
was officially consummated on May 5 at the Egyptian resort of Sharm el-Sheikh, with President Mubarak of Egypt and King Abdullah of Jordan signing as witnesses. Mrs. Albright stressed that she was not a mediator, perhaps not even a facilitator. "Maybe I was just the handmaiden," she said.

The agreement spelled out the implementation process for the Wye River agreements. Referring to Barak as "my new partner in the peace process," Arafat pledged to carry out the Palestinian obligations promptly. Barak declared, "Today we are paving the way toward the end of a century-old conflict between us and the Palestinians." Prime Minister Barak, who was also serving as Israel's minister of defense, said, "I am committed to Israel's security." But he immediately added: "I also want the Palestinians to feel secure." After the signing Mrs. Albright embraced Barak and Arafat, and noted that the two sides had begun to rebuild their partnership, "a partnership that is vital to the region's future." King Abdullah recalled his late father's efforts for regional peace, adding, "I hope and pray we do not let him down."

The new agreement provided a three-stage process for Israel's withdrawal from an additional 11 percent of West Bank territory, with the process to be completed by January 20, 2000. Other details dealt with the release of Palestinian prisoners held by Israel, the construction of a Palestinian port in Gaza to complement the airport that had already been put into service, and the arrangements for opening two "safe-passage" routes connecting Gaza to the West Bank. The southern route was to be completed before the end of the year. The agreement also included a commitment to begin final-status talks immediately, with a statement of principles to be drafted by February 15 and the definitive Palestinian-Israeli agreement covering all the outstanding issues to be completed by mid-September 2000. Many veteran observers were skeptical that all the difficult issues, including the status of Jerusalem, final borders, settlements, water rights, and the claims of the Palestinian refugees, could be resolved so quickly, even with the newfound spirit of cooperation between the leaders of the two sides.

The first sign of trouble soon became evident as Secretary Albright arrived in Damascus on the next leg of her Middle East journey. This was her first visit to the Syrian capital in two years, and it followed President Clinton's exchange of letters with Assad in July, in which Clinton offered to act as a facilitator to resumed Israeli-Syrian talks. Although President Assad told Mrs. Albright that he regarded Prime Minister Barak as a "serious and honorable man," there was no apparent change in the Syrian position that the talks must resume at the point where they broke off in 1996, which the Syrians insisted meant an Israeli commitment to withdraw to the lines of June 4, 1967, so that Syria's border would go to the shore of the Sea of Galilee. Denying that Rabin had made any such commitment, Barak insisted that the talks begin with discussions of security issues and the extent to which Syria was prepared to normalize relations with Israel. There was some progress on another important matter. Mrs. Albright reminded Foreign Minister Shara that Syria remained on the State Department's list of
states supporting terrorism, and was therefore barred from American aid. Shara confirmed that Damascus, in apparent preparation for making peace with Israel, had told Palestinian groups in Syria to stop their anti-Israel military actions and limit themselves to political activities. Mrs. Albright also visited Beirut, the first American secretary of state to go there since George Shultz in 1983. Prime Minister Selim Hoss reassured her that he welcomed U.S. efforts to resume Lebanese-Israeli talks. Assad similarly assured her that he also favored a Lebanese-Israeli agreement, but only if this was part of a comprehensive peace in which Syrian-Israeli issues were resolved. Assad had been furious when Netanyahu had proclaimed a “Lebanon first” policy. And despite his official endorsement of a Lebanese-Israeli agreement, Assad was troubled by Barak’s announcement that Israel intended to pull out of Lebanon by July 2000, whether there was a broader agreement or not.

As noted above, the United States finally managed to bring the Israeli and Syrian delegations together for talks in Washington in December, with the participation of President Clinton. The Syria-Israel impasse over whether to first discuss borders or security was finessed by an agreement that the talks would begin at the point where they had broken off in 1996, allowing each side to stick to its own interpretation of what had transpired then. No substantive agreement was reached between Barak and Shara, who headed the Syrian delegation and maintained a frosty demeanor toward Barak, despite the best efforts of Clinton to bring the two together. They did agree to resume their deliberations in January 2000 at a secluded conference center in Shepherdstown, West Virginia, a historic U.S. Civil War battle site, which Clinton hoped would impress upon the Syrians and Israelis the tragic futility of fraternal conflict. Another reason for this choice, after Assad had rejected Camp David because of its association with the Egyptian-Israeli agreement, was that Shepherdstown was sufficiently close to Washington that President Clinton could quickly fly in from the White House by helicopter when needed.

Congress Approves Aid

Despite their continuing disputes over the substantive aspects of the peace process, the Arab parties and Israel shared a common desire to obtain tangible American economic support. The total cost of a Syrian-Israeli agreement—including new security arrangements, monitoring of the agreement, redeployment of armed forces, compensation to Israeli settlers evacuated from the Golan Heights, and aid to Syria for economic reconstruction—was estimated at around $17 billion. There were serious questions as to how much of this vast sum the U.S. Congress was prepared to authorize. But this was a problem for the future, since there were no signs during 1999 of an imminent breakthrough in the talks.

The immediate issue was to obtain the $1.9 billion that the Clinton administration had already pledged to fund implementation of the Wye agreements over
a three-year period. In appealing for the money Clinton commented: "the costliest peace is far cheaper than the cheapest war." Washington observers noted that the six-week Gulf War in 1991 had cost an estimated $61 billion. The Wye package included $1.2 billion for Israel, $400 million for the Palestinians, and $200 million for Jordan, which was suffering serious economic difficulties compounded by a severe drought ($100 million had already been sent to Jordan as an American goodwill gesture following the death of King Hussein). By mid-September Congress had not yet acted. The general mood in Congress was to cut foreign aid wherever possible, and the Wye package was tied to the broader debate over federal funding, tax cuts, and Social Security. Moreover, the Republicans, who controlled both houses and were looking toward the election of 2000, were not about to make the president's task any easier.

The good news was that Israel continued to enjoy widespread bipartisan support and the Clinton administration hoped that some of this could be transferred to the Palestinians and other Arab states that demonstrated a commitment to peace. However the congressional debate was complicated by the Capitol Hill activities of Israeli and American groups that shared the skepticism of Benjamin Netanyahu, Ariel Sharon, and many other Israelis over the sincerity of Arafat's commitment to lasting peace, and that opposed Israeli withdrawal from the Golan Heights. The House of Representatives passed the Wye aid package on November 5 by 351-58, evidence of the bipartisan support the peace process enjoyed. This margin was considerably greater than that for the foreign aid bill as a whole, approved by 316-100. Later in November Congress approved an omnibus appropriation bill that also included the regular U.S. aid to Israel and Egypt. (The vote in the House, on November 18, was 296-135, and in the Senate the following day the vote was 74-24.) The bill included $1.92 billion in military assistance and $960 million in economic assistance for Israel (both figures in line with Israel's commitment gradually to reduce the level of economic aid it receives), plus $60 million for refugee assistance. To help free up money for the Wye aid and an additional $799 million for other international aid programs, Israel agreed to waive the early disbursement of about one-third of U.S. military aid for the coming year.

U.S.-Israeli strategic cooperation was also further developed during the year. Additional funding was provided for important joint defense projects, including the Arrow antimissile defense system and Tactical High Energy Laser, as well as for the improvement of the Israeli-designed Hunter Unmanned Aerial Vehicle, which was used effectively by NATO forces for surveillance in their campaign against Yugoslav forces in Kosovo. During Barak's July 1999 visit to Washington an agreement was concluded to broaden cooperation between NASA and the Israeli Space Agency. As part of a broader program to develop strategic cooperation among America's allies in the region, the United States Sixth Fleet participated with Israeli and Turkish naval units in a joint maneuver to rescue survivors of disasters at sea. Jordanian officers were present as observers.
Personnel Shifts

On November 10 the Senate confirmed Martin Indyk as U.S. ambassador to Israel and Ned Walker, then the U.S. ambassador in Tel Aviv, as assistant secretary of state for Near East affairs. Washington explained this unusual trading of places by the two experienced Middle East diplomats as designed to promote the peace process and U.S. policy in the Middle East. In view of the intensive negotiations that were anticipated to bring the Arab-Israeli negotiations to a successful conclusion, Clinton believed that Indyk would be the best man to be on the ground in the region. Indyk, who had previously served as U.S. ambassador to Israel (1995–97), knew all the key players and had over the years worked tirelessly behind the scenes to broker Israeli-Palestinian compromises that made the Wye and other agreements possible. Walker was a career diplomat with more than 30 years of service in the Middle East. Prior to his current assignment in Israel he had served in senior positions at the U.S. embassies in Syria and Saudi Arabia, and as U.S. ambassador to Egypt and the United Arab Emirates. Back in Washington as assistant secretary of state, Walker would have the opportunity to deal with the broader regional issues, such as formulating effective policies for containing Iraq and Iran.

Indeed, in the Persian Gulf region the United States had experienced nothing but failure and frustration in its dealings with both Tehran and Baghdad. Iranian leaders had rebuffed Secretary of State Albright’s efforts to resume a dialogue, and despite the popular groundswell within Iran for liberalization and reform, hardliners still controlled the country’s foreign policy. During 1999 Tehran stepped up its shipment of arms to Hezbollah guerrillas in southern Lebanon, denounced the Arab-Israeli peace process, imprisoned 13 Iranian Jews on espionage charges, and also continued its efforts to obtain nuclear and long-range missile technology from Russia and North Korea. The United States barred several Russian companies from doing business in the United States after they were found to have been sending sensitive equipment to Iran.

With regard to Iraq, concern was mounting in both the United States and Israel over the failure of the UN Security Council to reach agreement on a new comprehensive system of inspection of Iraq’s suspected continuing efforts to develop chemical and biological as well as nuclear arms. Baghdad’s uncooperative attitude was compounded by the refusal of Russia, China, and France to support the firm measures demanded by the United States and the United Kingdom. The U.S. suspected that it was these recalcitrant countries’ hope for future commercial benefits, rather than their professed concern for the Iraqi civilian population, that motivated their calls for easing the sanctions. For much of the year the Security Council was in disarray, and Baghdad rejected even the new and less intrusive inspection scheme that it finally approved. The anti-Saddam Iraqi opposition was in no better shape. Although Congress had appropriated over $70 million to finance efforts to strengthen Iraqi efforts to remove Saddam Hussein,
the disparate Iraqi opposition groups continued to squabble among themselves. A U.S.-sponsored gathering of the major opposition groups in New York in September broke up without achieving agreement on an effective plan for replacing the dictator in Baghdad. Clearly, Secretary of State Albright could well benefit from the experience in the Gulf that assistant secretary of state Walker was bringing back to Washington.

GEORGE E. GRUEN