

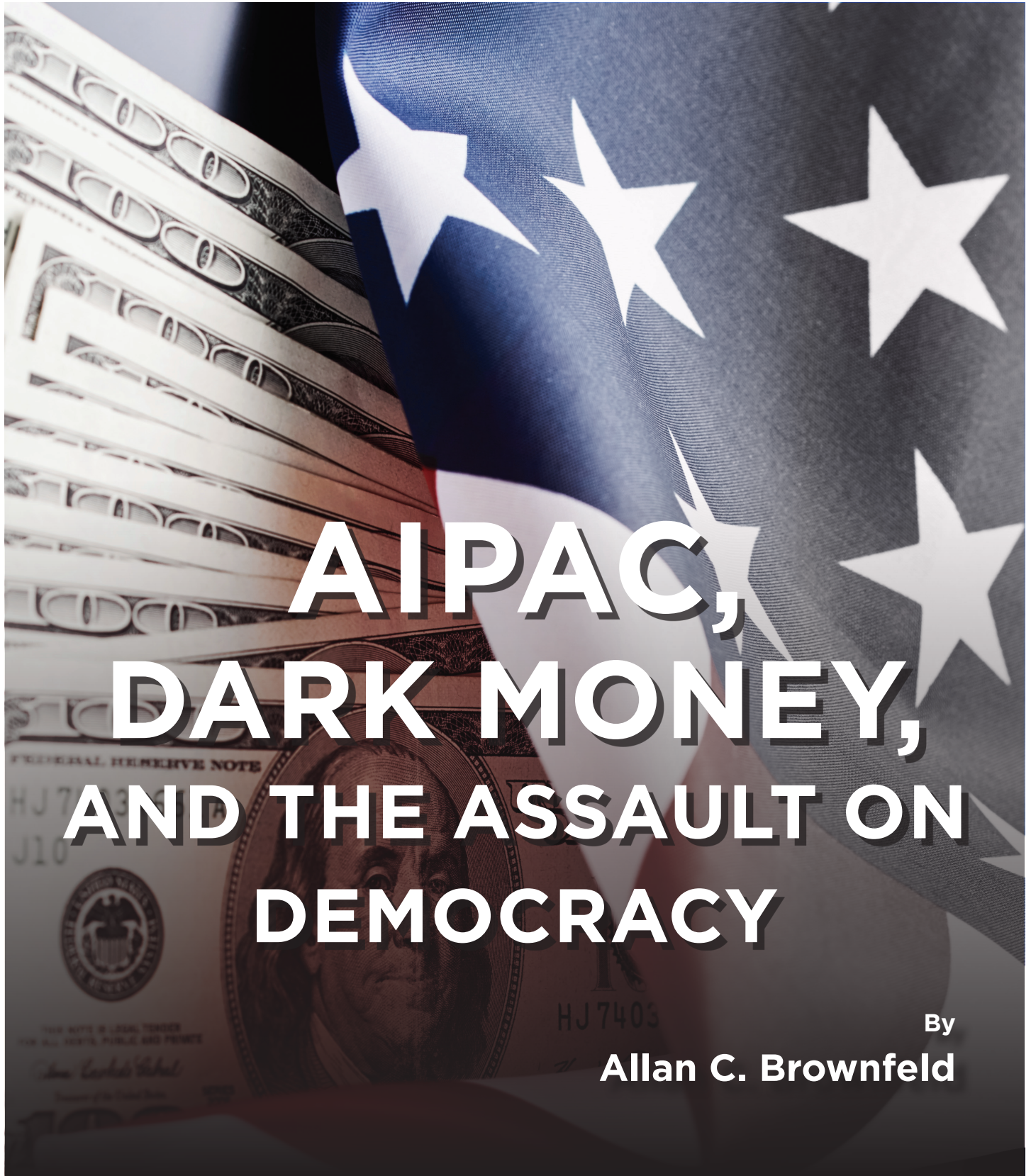
# *The Link*

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## **AIPAC, DARK MONEY, AND THE ASSAULT ON DEMOCRACY**

By

**Allan C. Brownfeld**



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## From the Editor

American conversations about the Middle East too often get short-circuited by the simple, seemingly casual admonition, “*It’s complicated...*” Lobbed in through the transom, this friendly advice squelches debate, implicitly challenging who does and doesn’t have standing to speak.

Given AMEU’s mission, which is to improve American understanding of the Middle East, we were relieved when this nagging constraint was recently sidelined with the reassurance that some things, in fact, are not so complicated after all. Specifically, when the readers of this publication showed overwhelming consensus in answer to the question “*What single policy prescription would do most to advance American understanding of the Middle East?*”, we saw light at the end of this frustratingly long tunnel.

What was this consensus opinion? It had nothing to do with improved secondary school curricula, or rekindled peace processes; it wasn’t about cultural exchange, or Visa Waiver Programs, or signing a defense treaty, or launching a goodwill golf tournament... Rather, Link readers suggested that with the stroke of a pen, getting money out of our American elections would have the greatest impact on improving understanding. That simple remedy is, of course, the subtext to this issue of *The Link*.

We’re pleased to welcome author Allan Brownfeld back, and appreciate his timely assessment of the impact of dark money on the 2022 midterm elections. As one of the most clear-eyed and unflinching experts on the subject, the message the author delivers is, *inter alia*, that it’s not what the Founding Fathers intended. So long as the Citizen’s United decision stands, allowing unlimited private monies to infect the conduct of elections, American democracy cannot be freely exercised. And that without unfettered democracy, the average citizen of this country cannot be expected to understand what’s at stake, and what is in fact in her own interest.

It’s not complicated.

Nicholas Griffin  
 Executive Director

**Post Script:** *This issue of the Link, which marks our return after a prolonged wait, was penned before the dreadful events and genocidal aftermath of Oct. 7th.*

*As we go to print, it is literally impossible not to see in Gaza the terrible reflection of Guernica, where 86 years ago Spanish civilians were used for cannon fodder, as bad actors lusted for blood. In Gaza today, man’s capacity for evil is laid bare. As Americans, we should be ashamed.*

*AMEU’s recent series #Link2Gaza is an ongoing attempt to address the current crisis. As ever, we welcome our readers’ input at link2gaza@ameu.org.*

# AIPAC, Dark Money, and the Assault on Democracy

By Allan C. Brownfeld

In November 2022 Israel elected the most far-right government in its history. Open advocates of racism now hold cabinet positions and proponents of the expulsion of Palestinians and annexation of the occupied territories are in a position to carry out their plans. Even long-time supporters of Israel have expressed dismay. *New York Times* columnist Thomas Friedman headlined his November 5, 2022, column “The Israel We Knew Is Gone.” He quoted Hebrew University Jewish philosopher Moshe Halbertal as saying that Israeli hawkishness toward Palestinians “is now morphing into something new—a kind of general ultranationalism” that not only rejects any notion of a Palestinian state, but also views every Palestinian citizen of Israel, about 21 per cent of the population, as potential terrorists.

Consider one of the leading members of the new government, National Security Minister Itamar Ben Gvir, who the *Washington Post* described as previously a “political untouchable” due to his overt racism and fringe views. That changed when Prime Minister Benjamin Netanyahu, desperate for more parliamentary votes, invited Ben Gvir into his coalition.

Ben Gvir, who has been called the “David Duke of Israel,” first came to prominence as a 19-year-old in 1995 in the wake of a peace deal with the Palestinians signed by Israeli Prime Minister Yitzhak Rabin. According to the *Post*, “An outraged Ben Gvir brandished a car ornament reportedly ripped from Rabin’s Cadillac and said: ‘We got the car. We’ll get to Rabin, too.’” Not long after, a right-wing Israeli extremist assassinated Rabin, and while Ben Gvir was not connected to the killing, he campaigned for the assassin’s release from prison. Ben Gvir himself has been prosecuted for inciting violence and is known to have displayed a portrait of Baruch Goldstein, who in 1994 massacred 29 Palestinian worshipers in Hebron’s Ibrahimi Mosque, on his wall.

*The Times of Israel* referred to Ben Gvir and his allies as moving into areas “where only neo-fascists tread.” The paper outlined a number of positions supported by Jewish Power, Ben Gvir’s party, including encouraging Palestinian citizens of Israel to emigrate; annexing the West Bank; using live fire against Palestinian protestors; and overhauling Israel’s legal system to impede the high court from striking down legislation and giving the government the ability to pack the bench with ideological compatriots; the latter has sparked widespread protests among Israeli Jews after the Knesset passed a law in July 2023 abolishing the court’s ability to overrule government decisions. Many have also been outraged at Ben Gvir repeatedly marching provocatively to the Haram Al-Sharif, which includes the Al-Aqsa Mosque and the Dome of the Rock, Muslim holy sites that date to the year 691. Some Jewish extremists want to destroy or remove these ancient buildings and replace them with a third Jewish Temple.

Such moves and policies are encouraging growing Jewish criticism in the United States of the path Israel is now following, both among progressives as well as more mainstream groups. Early in the year, Jewish Voice for Peace issued a clarion call for Jewish Americans to support BDS and to join in demanding an end to US military funding to Israel. Hadar Susskind of Americans for Peace Now declared, “If you care about Israel and its future as a liberal democracy, if you care about peace and a better future for Israelis and Palestinians alike, you must resist the efforts to normalize this government.”

*Allan C. Brownfeld is a nationally syndicated columnist and is editor of ISSUES, the quarterly journal of the American Council for Judaism. The author of five books, he has served on the staff of the US Senate, House of Representatives and the Office of the Vice President.*

These developments came shortly after the American Israel Public Affairs Committee (AIPAC) for the first time in 2022 formed a political action committee (PAC) that funneled millions of dollars into primary campaigns to defeat candidates who have supported Palestinian rights. The PAC, the United Democracy Project, can raise money without any legal limit on donation size, making it a super PAC. It has delivered millions of dollars to 326 candidates, including Republicans who voted against certifying Joseph Biden as president. An affiliated conventional PAC, the AIPAC PAC, raised approximately \$12 million by the end of June 2022 and of the 212 candidates that faced primaries, at least 207 won, including many Republicans who reject the results of the 2020 election.

AIPAC's direct role in financing political campaigns has raised old questions about whether it should register under the Foreign Agents Registration Act (FARA) as an agent of the government of Israel. And it is perhaps a good time to put this proposal robustly forward again due to the increase in Jewish American criticism of Israel and its occupation. As Eric Alterman, a prominent American Jewish liberal voice and a professor at Brooklyn College, has said, more and more Jewish Americans are walking away from Judaism because "its only content is pro Israelism." Speaking at Tel Aviv University, he declared that for this reason Israel has lost American liberals and that Judaism itself is in crisis. He said: "Israel has lost the left, no question about it, and it can't get it back as long as it has the occupation...It's building 4,000 new settlements. It's doing terrible things each day...Israel has lost American Jews and liberals because it has no content to offer besides stale 'Everyone hates the Jews' propaganda that is meaningless to young Jews."

This *Link* article considers the influence AIPAC has wielded in US politics over past years and analyzes the role of funding and dark money in this influence, particularly since the 2010 Supreme Court decision that freed corporations and other outside groups to spend unlimited amounts on elections and allowed those funds to be more easily hidden. It then looks carefully at the evolving opinions of Jewish Americans toward Israel and concludes with an examination of the case for registering AIPAC as a foreign agent.

## AIPAC's Outsized Influence

In a piece about AIPAC's role in the 2022 Democratic primaries, *Politico* reported: "The top issues driving Democratic voters right now include rising prices, abortion rights, gun violence, and threats to democracy. But the top spender...is singularly focused on Israel—and fights over the issue are rending the party in district after district."

A few examples of AIPAC's role are instructive.

AIPAC and its super PAC spent more than \$6 million to successfully defeat former Democratic Rep. Donna Edwards (D-MD) in her effort to regain her congressional seat. *The Washington Post* reported that the super PAC "is spending money to attack Edwards...Edwards pushed back forcefully...against a \$600,000 ad buy from the United Democracy Project. The super PAC has been inserting itself into races across the country, spending millions against candidates opposed by AIPAC." The ad against Edwards did not mention her support for Palestinian rights but, instead, criticized her constituent services. Edwards was supported by J Street, a Jewish group that supports "a negotiated resolution agreed to by Israelis and Palestinians." It commended Edwards for her support for "peace, diplomacy, and human rights for both Israelis and Palestinians." *The Jewish Telegraphic Agency* reported that the \$6 million spent to thwart Edwards was a record in political spending for AIPAC and that AIPAC's PAC spent \$26 million that campaign cycle.

Another case that saw AIPAC successful was the August 2022 primary of Rep. Andy Levin (D-MI) against Rep. Haley Stevens (D-MI), two incumbents placed in the same district by redistricting. According to *Jewish Insider*, "Stevens has been endorsed and taken more than \$3,000,000 in donations bundled by AIPAC, which is supporting more than 100 representatives who voted against certifying the 2020 election results." On the other hand, Rep. Levin was clear that he would not accept funding from "special interest groups that are supporting insurrectionist representatives." AIPAC attacked Levin for sponsoring legislation that would require the United States to refer to East Jerusalem, the West Bank, and the

Gaza Strip as Occupied Palestinian Territory in official documents.

Levin is also the author of legislation to make the two-state solution official US Middle East policy and is a critic of what he calls the “creeping annexation” of Israel’s right-wing governments. As the son of Rep. Sander Levin and the nephew of the late Sen. Carl Levin, he is from one of the most prominent Jewish families in American politics. “It’s a lineage,” Levin said, “that definitely is extra threatening to AIPAC as the group that tries to shape the future of the Democratic Party in Washington.” During the campaign Levin told MSNBC that AIPAC was opposing “a really Jewish candidate whose positions on Israel represent the mainstream...AIPAC can’t stand the idea that I am the clearest, strongest Jewish voice in Congress standing for a simple proposition: that there’s no way to have a secure home for the Jewish people unless we achieve the political and human rights for the Palestinian people.”

Discussing AIPAC’s campaign against Levin, Austin Ahlman, writing in *The Intercept*, reported that “[t]he campaign to defeat Levin marks a significant escalation in AIPAC’s push to quell criticism from Jewish members of Congress...AIPAC ultimately spent \$4 million in ads and mailers attacking Levin. AIPAC was on the attack against a candidate widely hailed as the most progressive Jewish member of the House.”

In New York City, former mayor Bill De Blasio, before he withdrew from a congressional race, said he would not accept support from AIPAC because “[t]hey have attacked people I believe in. I would not accept their endorsement if it was offered.” He pointed to the primary defeat in Cleveland of progressive candidate Nina Turner, blaming AIPAC for her loss because she had defended the rights of Palestinians and accused Israel of apartheid. What Turner had done to anger AIPAC, said De Blasio, was to quote the Jewish group IfNotNow as saying, “We are a movement of American Jews organizing our community to end support for Israel’s apartheid system and demand equality, justice, and a thriving future for all Palestinians and Israelis.”

Further, *Jewish Insider* reported that Max Frost, a charismatic new face of Democratic politics in Florida,

negotiated his position on Israel with AIPAC’s PAC to keep the PAC from bringing money into the race for a congressional nomination. Frost then reversed his support for BDS and issued calming language about being both pro-Israel and pro-Palestinian to escape the wrath—and money—of AIPAC.

Though AIPAC failed to achieve its goal of defeating Summer Lee in her bid for Congress in Pennsylvania’s 12th district, its effort nearly succeeded. AIPAC spent more than \$4 million to stop Lee from reaching the House. In the Democratic primary, the organization spent \$2.7 million to defeat Lee, but Lee ended up prevailing by less than a point. During the general election, AIPAC spent around \$80,000 on mailers and nearly \$1 million on attack ads, marking the first time the group spent on a general election race between a Democrat and a Republican. Lee received 55% of the vote and became Pennsylvania’s first black congresswoman. Ironically, AIPAC’s primary ads attacked Lee, a progressive backed by Sen. Bernie Sanders, for being a “bad Democrat,” while they backed the Republican in the general election. Lee did not make Israel a central issue during her campaign and has said she would defend its status as a “Jewish state.” What apparently angered AIPAC was that Lee had authored tweets comparing the Israeli regime in its onslaught of Gaza to George Zimmerman, the man who killed Trayvon Martin in 2012. AIPAC said she held “dangerous views on the US-Israel alliance.”

Finally, the Democratic Party’s new leader in the House of Representatives appears to be just what the Israel lobby would have ordered. Robert Wexler, the former Democratic congressman from Florida, told *Jewish Insider*, “The pro-Israel camp needs someone just like Hakeem [Jeffries] to lead us into the future. In fact, I would say, if the pro-Israel community wanted to create a Democratic leader for the future, we would create Hakeem Jeffries.”

In 2020, Jeffries told an AIPAC conference that “[b]ack home in New York City we consider Jerusalem to be the sixth borough. The relationship is anchored in values.” Given Israel’s new far-right government, this notion of “common values” may be difficult to explain. Indeed, the *Guardian* noted that “[a]s Jeffries takes over the

Democratic House leadership, he is likely to find the claim of common values increasingly tested by far-right ministers in the new Israeli government and challenged by critics of its policies in his own caucus.”

Yet Jeffries seems comfortable towing the pro-Israel line. For instance, he opposed a bill introduced in 2021 by another party member, Rep. Betty McCollum (D-MN), to ensure that nearly \$4 billion in annual US military aid to Israel not be used to illegally annex Palestinian land, to demolish Arab homes and forcibly remove Palestinians, or to detain children in Israel’s military judicial system. And early in 2022, 15 Democratic members of Congress urged the Biden administration to intervene over the Israeli military’s largest removal of Palestinians in the occupied West Bank in decades, which Human Rights Watch called a “war crime.” Jeffries opposed this and told AIPAC that US aid should continue with “no conditions.” He signed a letter drawn up by former Rep. Ted Deutch (D-FL) opposing reducing funding or adding conditions on security assistance that was signed by more than 300 members of Congress and boosted by an AIPAC lobbying campaign. The *Guardian* sums it up: “Pro-Israel America was [Jeffries’] largest single donor over the past year, giving his campaign more than \$213,000. Pro-Israel groups gave him \$460,000 in total, second only to donations from the financial industry...Critics have said that Jeffries’ statements on Israel read like lobby talking points.”

When it comes to the Republicans, in November 2022 the Republican Jewish Coalition held a conference in Las Vegas at which at least ten possible Republican candidates for president appeared. *Mondoweiss* described the event: “Here is a demonstration of the corruption of American foreign policy-making when it comes to Israel...more than ten Republican candidates for president auditioned for campaign funding by making craven promises about their support for Israel...One leading Republican after another vowing to support Israel in ways that have nothing to do with the American people’s interest, including to support Netanyahu and rip up the Iran deal if Biden gets back into it—all to raise money.”

The remarks from leading Republicans at the Las Vegas meeting, attended by Miriam Adelson, the Israeli

millionaire widow of the late casino owner and Republican contributor Sheldon Adelson, included these:

- Sen. Ted Cruz (R-TX): “When I first arrived in the Senate ten years ago, I set it as a goal to be the leading defender of Israel in the US Senate. That’s a goal I’ve worked every single day to achieve.”
- Former Vice President Mike Pence: “Look, the songs of Israel are the anthems of my youth. And I’m very typical. And the love for Israel echoes out of every little buckboard church beside every cornfield in America. Let me tell you, from the heartland to the coastland, every American stands with Israel. It’s true.”
- Gov. Ron DeSantis of Florida: “We were the first statewide elected official to do public events in Judea and Samaria [biblical names for the West Bank]. Because we understand history, we know those are thousands of years of connection to the Jewish people. I don’t care what the State Department says, they are not occupied territory. It’s disputed territory.”
- Donald Trump: “I just want to say it’s an honor to have worked with so many friends who love Israel. They love Israel like nothing else frankly, and Sheldon Adelson was in my office a lot. He loved, with his incredible wife Miriam, they were in the office so much. And what he talked about was Israel. That’s all he wanted to talk about.”

*Mondoweiss* also noted that former Republican Speaker of the House Kevin McCarthy fawned over Miriam Adelson at the event because of what she had done “to enable the Republican majority.” “Miriam Adelson is an Israeli citizen,” *Mondoweiss* pointed out. “Imagine if Kevin McCarthy were thanking a Russian billionaire for giving the Republicans a majority...The biggest donors to the Republican Party gave over \$133 million to get Donald Trump elected in 2016 and...demanded that he move the embassy to Jerusalem and trash the Iran deal and got both wishes fulfilled...they go unmentioned by our leading mainstream politics.”

To be sure, as long as money plays its current role in American politics, AIPAC and other pro-Israel lobbying groups are confident that their views will be easy to advance

with both political parties. What is the history of this role, and how does “dark money” play a part?

## The Politics of Campaign Financing and Dark Money

The role of money in politics is an evolving story. When I worked in the US Senate and House of Representatives in the 1960s and 1970s, money played a more limited role. Members of Congress did not spend a great deal of their time soliciting contributions and fulfilling the desires and demands of those providing them with funds. When I was in law school, we took a required course in legal ethics, now considered something of an oxymoron. At that time it was considered unethical for lawyers to seek business through advertising. It was also against the law for drug companies to advertise, except in medical journals.

Much of what was considered unethical in those days is now quite legal. As campaign finance laws changed, the drug companies, gun manufacturers, and other special interest groups such as AIPAC, as well as other members of the pro-Israel lobby and groups such as the NRA, were given a free hand to raise and distribute unlimited amounts of money and were able to keep the identities of donors secret. That is the political life we have now. It can be said to have principally started with the Supreme Court’s 2010 opinion in the Citizens United case.

In the case of *Citizens United v. Federal Election Commission*, the Supreme Court reversed long-held campaign finance restrictions and enabled corporations and other outside groups to spend unlimited amounts on elections. In this case, a conservative nonprofit group called Citizens United challenged campaign finance rules after the FEC stopped it from promoting and airing a film criticizing presidential candidate Hillary Clinton too close to the presidential primaries.

The Brennan Center for Justice at New York University provided this assessment: “A 5-4 majority sided with Citizens United...In the Court’s opinion, Justice Anthony Kennedy wrote that ‘limiting independent political spending’ violates the First Amendment right to free

speech. The justices who voted with the majority assumed that independent spending cannot be corrupt and that the spending would be transparent, but both assumptions have proven to be incorrect.”

With its decision, the Court overturned election spending restrictions that date back more than a hundred years. Corporations and other groups can now spend unlimited amounts on campaign advertising if they are not formally “coordinating” with a candidate or a political party. According to the Brennan Center, “The ruling has ushered in massive increases in political spending from outside groups, dramatically expanding the already outsized influence of wealthy donors, corporations, and special interest groups...[P]erhaps the most significant outcomes of Citizens United have been the creation of super PACs, which empower the wealthiest donors, and the expansion of dark money through shadowy nonprofits that don’t disclose their donors.”

The term “dark money” refers to spending to influence elections in which the source of the money is not disclosed to voters. In the 2020 election there was more than \$1 billion in undisclosed spending. The term was first used in 2010 by the Sunlight Foundation to describe the undisclosed funds that were used during that year’s midterm election. An example of the term’s use can be seen in a 2017 letter of resignation to President Donald Trump by former Federal Election Commissioner Ann Ravel: “Since 2010, well over \$800 million in dark money has been spent in competitive races. At the same time, elections have become more and more expensive. Most of the funding comes from a tiny, highly unrepresentative part of the population.”

Still, even before the Supreme Court allowed for limitless election spending and dark money, AIPAC worked effectively to influence or remove members of Congress. For instance, before the organization established its own PACS it was associated with PACs that it used to pressure members of Congress. In 2009, former Rep. Brian Baird (D-WA) said, “Any member of Congress knows that AIPAC is associated indirectly with significant amounts of campaign spending if you’re with them, and significant amounts against you if you’re not with them.” AIPAC contributions,

# Year Two: The AMEU / John F. and Sharon Mahoney Award for Service

Last year, AMEU's Board of Directors launched a new tradition to honor the decades of service of its emeritus Executive Director, John Mahoney: The AMEU/John F. and Sharon Mahoney Award for Service award is

tumultuous wake of George Floyd's murder. We're pleased to remind you of a few of her iconic images, along with a brief description of her journey, in her words:



announced at the Fall meeting of AMEU's Board and will be posted online at AMEU.org.

Candidates for the award are drawn from all walks, and selection is made by a committee comprised of Board members, staff, and representatives of sister organizations. Committee membership rotates annually, as do the selection criteria used to identify an awardee. (Last year's criteria included digital wherewithal and intersectionality, among several other considerations.) The award is generously funded by AMEU's Board and is established in perpetuity.

Last year's inaugural awardee was Shirien Creates, an artist whose work touched so many Americans in the

*"I was born in Chicago and grew up in a working-class neighborhood. I come from a Palestinian refugee family. Early on, I had a sense of what injustice and racism looked like through my own lived experiences here as a kid of color. But the systemic racism and discrimination was inter-generational: my family experienced it in Palestine when they were forcibly displaced from their ancestral lands; in Jordan when they were treated second-class citizens as refugees; and in the U.S. for being immigrants, Arabs, and Muslims.*

*Learning all of this growing up really opened up my eyes to systemic racism and injustice early on, and how it functions in the U.S. and abroad. I became involved in and vocal about many causes I care about: Palestinian liberation, labor rights, trans rights, Black racial justice, and more. While*



each struggle is unique and has its own nuances, we don't face oppression within our own bubble—it's systemic and it's connected. Classism, racism, colonialism and patriarchy are systems that are tightly woven together in this country and abroad. The more we connect the dots and unite, the stronger we will be together.

This is the type of intersectional understanding I apply to my community organizing and in my art. That's why I don't just make art for Palestine or organize only on Palestine. I also want to bring together and uplift other liberation movements because I see myself as part of a wider community of people



demanding justice and demanding a better world on all fronts. Because our struggles are so intertwined, we really can't do this without one another. As Maya Angelou says, "The truth is, no one of us can be free until everybody is free." And that phrase is something I think about every single day.

On the Memorial Portraits: I created the portraits for George Floyd, Breonna Taylor, Ahmaud Arbery, and others to raise awareness of what happened to them without sharing the triggering videos or photos of their murders. I hoped to still draw attention to the anti-Black racism that ripped them away from their families and communities, but in a way that celebrates and honors their lives. Throughout history, we have seen victims of anti-Black violence demonized in

the media as some kind of justification for their murders. Before the 2020 uprisings, we have seen a continuous effort to justify murder of Black lives, as with Trayvon Martin, Michael Brown, and others. I wanted to challenge it by creating something soft and loving for George, Breonna and Ahmaud. I wanted to preserve their beauty and dignity in the face of the anti-Black violence. I used bright colors and delicate florals—features we rarely come across in portrayals of Black men in particular. I use pastel to create a dreamy and calming feel, and combine bold, vibrant colors to uplift and inspire the viewer to take action. Flowers symbolize life and growth, in defiance of systemic violence and oppression. As a Palestinian, I understand that demonization all too well. I created the memorial portrait for Palestinian journalist Shireen Abu Akleh because I wanted to honor her and help others raise awareness about her murder, again, without sharing triggering photos or videos. The poppies are flowers I use specifically for my Palestinian memorial portraits, because in Palestine, poppies are a symbol of hope and resistance, and they honor those who lost their lives in the struggle. For decades, Shireen was known, loved, and trusted for her courageous reporting and raising awareness of what was happening in Palestine.

The murder of Shireen, like the murders of George, Breonna, and Ahmaud, will never be forgotten. They all lost their lives to violent systems of oppression. May we continue to uplift their memories as we fight for a better world. May they all rest in power."

The name of the 2023 Awardee will be announced on November 14, 2023. Stay tuned!



John and Sharon Mahoney continue to inspire the work at Americans for Middle East Understanding. AMEU's Board of Directors celebrates them with the establishment of this annual award, and hopes the road will always rise up to meet them.

For more information about the award, email: [AMEUMahoneyAward@ameu.org](mailto:AMEUMahoneyAward@ameu.org).

he noted, came with significant “tactical input.” AIPAC staff members told Baird and other lawmakers, “No we don’t say it that way, we say it this way.” Baird recalls, “There’s a whole complex semantic code to learn. After a while, you find yourself saying and repeating as if it were a fact.”

Baird pointed out that “[w]hen key votes are cast, the question on the House floor, troublingly, is often not, ‘What is the right thing to do for the United States of America?’ but, ‘How is AIPAC going to score this?’” He worries that those who support AIPAC’s positions think they are supporting Israel’s best interests, when policies such as killing civilians in Gaza and extending the occupation are harmful to Israel’s long-term interests.

Former Rep. Jim Moran (D-VA) stirred controversy in 2007 when he told Tikkun that AIPAC “had been pushing for the Iraq war from the beginning” and that “I don’t think they represent the mainstream of Jewish thinking at all, but because they are so well organized and their members are extraordinarily powerful—most of them are quite wealthy—they have been able to exert power.”

To go back even further, consider the case of Rep. Paul Findley (R-IL). First elected to Congress in 1960, Findley was a moderate Republican, a supporter of civil rights and an early opponent of the war in Vietnam. He co-authored the War Powers Act in 1973, which is meant to limit the ability of the president to go to war without congressional authorization. He was a strong critic of US policy toward Israel and a vocal proponent of Palestinian rights. He also famously helped Springfield, Illinois teenager Frank Mitchell get appointed in 1965 as the first African American page in the US House of Representatives since Reconstruction after consulting with House Republican leader Gerald Ford to get more African Americans affiliated with the Republican Party. Findley said that this was one of his greatest accomplishments.

According to the *New York Times* in 1982, the key reason Findley narrowly lost his bid for re-election was that pro-Israel groups supported his challenger, allowing him to match Findley in spending. A former AIPAC president called Findley “a dangerous enemy of Israel.” Following

his defeat, Findley served on the Board for International Food and Agricultural Development from 1983 to 1994.

A year after the September 11 attacks in 2001, Findley published an article saying that the attack would not have occurred were it not for uncritical US support for Israel. He later expressed the view that the 2003 invasion of Iraq was launched from a desire to benefit Israel at the behest of the pro-Israel lobby. In 2003 Findley published the book *They Dare to Speak Out: People and Institutions Confront Israel’s Lobby*, in which he stated that the pro-Israel lobby, notably AIPAC, has undue influence over the US Congress. He referred to the lobby as “the 700-pound gorilla in Washington.” A *Washington Post* review noted that “[f]ormer Congressman Findley’s message is straightforward and valid. Israel’s influence in the US, including the inner sanctums of government, is very strong.” Findley, who died in 2019 at 98, also said of AIPAC and the pro-Israel lobby: “In seeking gains for Israel, they rigorously stifled dissent and intimidated the entire Congress. They still do. The defiant legislators who criticize Israel—Senators Adlai Stevenson III, Charles H. Percy, Pete McCloskey, Cynthia McKinney...and myself were defeated at the polls by candidates heavily financed by pro-Israel forces.”

## American Jewish Opinion

After AIPAC’s role expanded even further in the 2022 election, Ruth Messinger, former borough president of Manhattan and president of American Jewish World Service, speaking on an Americans for Peace Now webinar, declared, “All the secret Jewish money being spent on manipulating elections in races all over the country is giving Jews a bad reputation. AIPAC announced after the New York race was over that they were proud to have put several hundred thousand dollars to defeat Yuh-Line Niou [a member of the New York State Assembly]. It’s that kind of after-the-fact and look-at-what-we-did and we’re manipulating elections in terms of one issue that I find deeply troubling. It has thrown some candidates that I’m sure would have won their races without AIPAC’s interference—particularly Donna Edwards in Maryland.”

In Messinger's view, "When large sums of money, in this case it's Jewish money, are put in through PACs, sometimes not public, to defeat a candidate, it is quite likely that the people who have lost the race end up thinking that Jews only care about the Middle East, end up thinking that Jews are willing to put secret money into campaigns in order to defeat candidates. That's very definitely not the reputation I want us to have across the United States or around the world."

In fact, the positions advanced by AIPAC are contrary to the views of most Jewish Americans. This point was made in an article in *The Forward* in 2022 titled, "AIPAC's Far-right Endorsements Show How Out of Touch They are with American Jews." The author, Nathan Wolfson, associate Digital Director for J Street, wrote: "American Jews largely support liberal values. Polling shows that our community would like to see a return to the Iran nuclear deal, yet AIPAC has spent much of their political capital opposing it."

Beyond this, noted Wolfson, "Polling also shows a clear majority of American Jews support strong American leadership toward a two-state solution. Yet, AIPAC works to ensure blanket support for Israeli government policies that entrench the conflict and undermine the prospects for peace. The vast majority of American Jews despised, feared, and voted against former President Trump. When he spoke at AIPAC's conference in 2016, he was greeted with a standing ovation."

A recent Pew Center survey found that only 38% of American Jews think that the Israeli government is sincerely pursuing peace and 44% believe that the construction of new settlements damages Israel's national security. A Gallup poll shows that only a quarter of Jewish Americans under 30 thought Israel's actions in Gaza are justified.

Rabbi Jill Jacobs, executive director of T'ruah: The Rabbinical Call for Human Rights, told *The New Yorker* that "Many people I know in their twenties and thirties say, 'I have a perfectly good Jewish life here—why do I need to worry about this country in the Middle East where they are not representing who I am as a Jew. I'm

not proud of what's happening there. I'm certainly not going to send money."

In a 2022 *Washington Jewish Week* article, "Is AIPAC Supporting America?," Michael Seiden, past board chair of Jewish Family and Children's Service of Phoenix, noted that he cannot bring himself to join AIPAC because "AIPAC endorses and supports politicians and candidates...who, while they may support Israel, are not working toward improving the lives of Americans." He cited an article by Ken Toltz, which appeared in both *The Forward* and the *Northern California Jewish News*, which noted that "[i]n the midst of the highly charged post-January 6 atmosphere, AIPAC's endorsements of over 100 Republican election deniers have publicly associated AIPAC with the insurrection and criminal conspiracy to keep Trump in office just last year. Who can honestly argue that this strengthens the US-Israel relationship?"

Mr. Seiden then asked, "Is a politician's support for Israel while working against measures to protect American lives a reasonable political approach?... AIPAC has been forthright in stating that support for Israel is the only criteria for supporting those running for office. The organization needs to review their policies and support American politicians who support not only Israel, but America as well."

With so many American Jews in agreement with Seiden and increasingly questioning AIPAC and the broader Israel lobby's influence in US politics, it may be time to push again for registering AIPAC as a foreign agent.

## The Case for Registering AIPAC as a Foreign Agent

Ever since AIPAC emerged as a separate entity from the American Zionist Council (AZC) in the 1960s, there have been efforts to have it register under the Foreign Agents Registration Act (FARA) as an agent of the state of Israel. As its political role has increased with its creation of PACs and contributions of millions of dollars to political candidates, such calls are on the rise. It is instructive to review this history and the merits of these calls.

One strong advocate for registration is M.J. Rosenberg, who worked at AIPAC from 1974 to 1976 and from 1982 to 1986 and worked on Capitol Hill for 15 years. He was also a Clinton administration appointee to USAID. In a 2008 article in *The Forward*, he wrote: "It's time for AIPAC to register as a foreign agent," noting that "[i]t's AIPAC whose clout on matters relating to Israel exceeds the clout of the NRA on matters related to guns." He cited George Washington's 1796 farewell address in which he stated that "[a] passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists...betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or identification."

To protect against what Washington called a "passionate attachment" to a foreign country, the US has laws in place that forbid foreign governments from wielding certain kinds of influence or lobbying. Every foreign country represented in Washington by foreign agents must register under FARA. Under its terms, the country in question is banned from participating in or influencing American elections. Every contact the agents have with Congress must be reported to the Department of Justice, along with how and where they spend their resources.

Rosenberg pointed out that these rules "do not apply to the Israel lobby as represented by AIPAC, which is heavily involved in our political system, funding candidates who are perceived to be good on Israel and defunding incumbents who fail to subscribe to the favored foreign state's agenda." Rosenberg explained that AIPAC gets away with this because its founder, I.L. Kenen, developed a legal loophole through which AIPAC is defined not as a lobby for a foreign state but as Americans who support that state. He noted, "I worked at AIPAC directly for Kenen back in the 1970s...he told me that he came up with the AIPAC formula...so that AIPAC would be legally permitted to engage in politics and not have to reveal its activities."

Kenen, who previously worked for the Israeli government, was a liberal Democrat who believed that Israel's interests and values were unlikely to diverge from

those of the United States. Rosenberg pointed out that after Kenen retired "Israel and AIPAC took a rightward turn and he saw the mistake he made. Toward the end of his life, Kenen was outraged by the AIPAC leadership and its unquestioning support for the occupation of the West Bank and the blockade against Gaza and other Israeli right-wing policies. He hated what he saw as AIPAC using its political power to keep the US government and other influential Americans and, perhaps most important, the media from straying from the Israeli line."

In Rosenberg's view, it's time to undo Kenen's mistake by requiring AIPAC to register as what it is: a foreign agent. "It will still be able to advocate for Israel," he wrote, "but as an Israel lobby, which admits to getting its marching orders from the Israeli government. What it would not be able to do is direct campaign money to politicians." In the beginning of the article, Rosenberg referred to AIPAC as the major player in the "pro-Israel lobby," but concluded that it in fact isn't. Instead, he wrote, "It is a lobby for the Israeli right and for a status quo that has turned Israel into an international pariah."

Moreover, AIPAC employees have not been quiet about their organization's influence. AIPAC Policy Director Steven Rosen, for example, once told an interviewer, "You see this napkin? In 24 hours we could have the signatures of 70 senators on this napkin." Rosen meant that members of Congress would sign on to anything if they thought it would please Israel. Recently, at AIPAC's urging, some members of Congress have been working on legislation that would criminalize individuals and groups that support a boycott of Israel.

In April 2005 Rosen and senior Iran analyst Keith Weissman were fired from AIPAC amid an FBI investigation into whether they passed classified international security information to Israel. AIPAC agreed to pay the legal fees for Weissman's defense through appeal if necessary, but charges were ultimately dropped. In May 2005 the Justice Department announced that Lawrence Franklin, a US Air Force Reserve Colonel working as a Department of Defense analyst in the Pentagon, had been arrested and charged by the FBI with providing classified information about international

defense to Israel. The six-count criminal complaint identified AIPAC by name. Franklin pleaded guilty to turning over classified material to both AIPAC and an Israeli government official. He was sentenced to almost three years in prison.

All this points to what Peter Beinart, an editor of *Jewish Currents*, has said: “In reality, [AIPAC is] not independent of the Israeli government.” Beinart noted that when Netanyahu came out against the Iran deal, AIPAC did not have a choice in regard to its own position. “It pretty much had to kowtow to the Israeli government,” he wrote. Further, according to journalist Connie Bruck, AIPAC has been able to use Congressional support to prevent any president wanting to negotiate with Israel from using the multi-billion-dollar packages of military aid that go to Israel each year as leverage, thus taking away the US’s strongest tool of negotiation.

AIPAC has helped make Israel the largest cumulative recipient of US foreign assistance since the end of World War II. Israel now receives more than \$3.8 billion in aid annually. As a result of AIPAC’s efforts, this aid includes numerous provisions that are not available to other recipients. According to the Congressional Research Service, these include providing aid “as all cash grant transfers, not designated for particular projects, and transferred as a lump sum in the first month of the fiscal year, instead of in installments. Israel is allowed to spend about a quarter of the military aid for the procurement in Israel of defense articles and services... rather than in the US.”

Going back to the 1950s, the Eisenhower administration repeatedly insisted that the American Zionist Council (AZC) register as “agents of a foreign government.” In November 1962, Attorney General Robert Kennedy’s Department of Justice ordered AZC to do just that because of FARA violations, alleging that it was being funded by the Jewish Agency for Israel, headquartered in Jerusalem. The Department of Justice later withdrew its demand after the AZC disbanded. Yet the AZC was reorganized and AIPAC emerged from it.

In the 1960s, Rabbi Elmer Berger of the American Council for Judaism worked with Sen. J. William

Fulbright (D-AR), chairman of the Senate Foreign Relations Committee, to determine whether AIPAC should be required to register as a foreign agent. In his biography of Berger, *Rabbi Outcast*, Jack Ross wrote, “In his first hearing, Fulbright questioned two executives with the US section of the Jewish Agency, Maurice Boukstein and Isadore Hamlin, who revealed a highly interconnected organizational web connecting the Jewish Agency to the AZC... By the end of 1962, the Justice Department formally opened an investigation and announced that it would require the AZC to register as a foreign agent.”

In May 1963, Sen. Fulbright addressed the annual conference of the American Council for Judaism. Rabbi Berger later sent a letter to Sen. Fulbright urging that the US section of the Jewish Agency be forced to disclose the totality of its relationship with the government of Israel. This period is discussed in detail in the 2008 book, *America’s Defense Line: The Justice Department’s Battle to Register the Israeli Lobby as Agents of a Foreign Government*, by Grant F. Smith, director of the Institute for Research: Middle Eastern Policy.

Smith wrote: “The overriding issue of FARA registration, the AZC’s true foreign principal, using Israeli funds transferred from the Jewish Agency into the US was... successfully delayed for an entire decade. Not until the early 1960s would the Senate begin to investigate whether US aid sent overseas and other funds were being secretly laundered back into the US to obtain political influence and additional foreign aid. In 1963, a close analysis of I.L. Kenen’s financing revealed that this was indeed happening. This investigation was prompted by a crescendo of calls for enforcement made to the Department of Justice by the American Council for Judaism.”

The hearings conducted by Sen. Fulbright, Smith demonstrated, “[r]evealed the AZC’s lack of independent fundraising capabilities in the US. In 1963, the AZC had so little direct non-tax deductible US funding that it all but completely relied on the Jewish Agency for support. The AZC was forced to admit this in a deposition to Fulbright: ‘[T]he AZC has received virtually all of its

operating funds from the Jewish Agency for Israel'. . . On November 21, 1962, the AZC received a certified letter from the Department of Justice stating that, because the AZC received Jewish Agency funds for propaganda purposes, the AZC had to register. . . Whatever became of the AZC? Its public affairs and lobbying functions eventually morphed into AIPAC."

The Senate hearings documented the fact that in the early 1960s, Israel funneled \$5 million (more than \$35 million in today's dollars) into US propaganda and lobbying operations. The funds were channeled through the quasi-governmental Jewish Agency's New York office into the AZC. The functions of AZC, when its direct connection to the Israeli government became clear, were then shifted to the newly established AIPAC. AIPAC was incorporated in 1963. Its leader, Kenen, had been a registered lobbyist under FARA and had been an employee of Israel's Office of Information at the United Nations. AIPAC was created to remove Kenen and his work in behalf of Israel from the FARA register. In Sen. Fulbright's view, Israel's "organized Jewish supporters" were "the most powerful and efficient foreign policy lobby in American politics" and capable of "duping Americans into a policy."

As discussion grows about whether AIPAC should have to register under FARA as an agent of the government of Israel, its new role, through its PACs and its increasing involvement in partisan political activity, is producing growing criticism on Capitol Hill. Rep. Betty McCollum (D-MN) called AIPAC a "hate group" in 2020 after it placed an ad on Facebook implying that McCollum and other members of Congress who had defended the rights of Palestinians were worse than the terrorist group ISIS. McCollum declared, "As a member of Congress and the vice-chair of the House Defense Appropriations subcommittee, I believe defending human rights and freedom are foundational to international security and our democracy. The struggle to promote human dignity inevitably results in confronting entrenched forces determined to dehumanize, abase, or demonize individuals or even entire populations to maintain dominance and an unjust status quo. Hate is used as a

weapon to incite and silence dissent. Unfortunately, this is my experience with AIPAC."

M.J. Rosenberg, the former AIPAC staff member who now calls for it to register as a foreign agent, makes the case that "AIPAC is bad for America, but could well be catastrophic for Israel, if it hasn't been already. This is something more and more Jews, particularly the young, now understand, which is why groups like J Street, IfNotNow, Americans for Peace Now, and Jewish Voice for Peace have come to the fore in recent years, and have grabbed their share of the congressional turf, which was once exclusively owned by AIPAC."

## Conclusion

In December 2022, Benjamin Netanyahu put West Bank settlement expansion at the top of his list of priorities, vowing to legalize dozens of illegally built outposts and annex the occupied territory as part of his deal with ultranationalist allies. Since then, Netanyahu's government has approved thousands of new housing units and has given ultra-right Finance Minister Bezalel Smotrich the power to fast-track construction. Do Americans want members of Congress to be beholden to a group that embraces a government clearly violating international law?

Indeed, as Israel has elected a regime that has embraced an openly racist mindset, AIPAC's new political role and its spending of millions of dollars in US political campaigns in behalf of the policies and interests of an increasingly extremist foreign government should be of concern to all Americans, regardless of whether they are Jewish and whatever their views may be about US Middle East policy or about a variety of domestic issues. Yet it should particularly concern Jewish Americans, in whose name AIPAC purports to speak. With all polls showing American Jewish opinion disagreeing almost completely with AIPAC's indifference to the reality of Israeli policies, the time is ripe to revisit the case for registering AIPAC as a foreign agent.

*In Appreciation*

## **John Goelet** **(1931-2023)**



2023 opened with the passing of a giant when John Goelet died at home in Maryland, January 8. He was 91 years old, and is survived by Henrietta, his wife of seven decades, and by his sons Philip and Christopher, and their far-flung families.

Across three formative decades, Americans for Middle East Understanding was fortunate to have a meaningful and collaborative relationship with John Goelet. Together with Henrietta he was a steadfast supporter of our work and a longstanding member of the AMEU Board. It is hard to overstate the ways in which John impacted AMEU: even as his keen and radical intellect pursued the loftiest matters of science, art and business, it was his serious devotion to the Middle East that connected him to us. He had a nuanced understanding of American engagement in the region during the

twentieth and twenty-first centuries and used his considerable wherewithal to improve that track record in ways large and small. When AMEU needed a broader focus on archaeology in the Middle East, John provided considered guidance; when new information arose regarding matters of international law, John shared vital insights and contacts. When AMEU needed to expand its reach to new audiences, he helped us close the distance. Our board members will remember when, not so long ago, a core sponsor abruptly pulled its support, confronting AMEU with the very real prospect of folding its tent. Without calling attention to himself, John raised his hand, and the lights on Riverside Drive stayed on.

John Goelet's life was lived fully. While he is known for many things—the renowned cabernet sauvignon he and Henrietta brought to life at Clos du Val; his endless generosity to museum and university collections; his unique innovations in arid lands agriculture—at Americans for Middle East Understanding we will always know John Goelet for his devotion to learning and his commitment to deepening American appreciation for the culture and beauty of the Middle East.

He made us, and America, measurably better, and we are grateful to Henrietta Goelet and her family for sharing his remarkable acquaintance.

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*The Goelet family requested that in lieu of flowers, memorial contributions be sent to Holy Family Hospital of Bethlehem Foundation:*

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