

On the Passing of a Star

In memoriam of Daniel Reisner, of blessed memory

Colonel (res.) and a first-rate attorney

Prof, Justice (ret.) Elyakim Rubinstein

Daniel Reisner left a mark. The words spoken at his funeral by his family, partners, client, and colleague from the IDF were not of the “after death, speak holiness” variety, but rather honest truth. I only add a few memories and drops of tears.

I met Daniel sometime in 1993-1994, when I served as head of the Israeli delegation for the peace agreement with Jordan. Daniel was then a young Major in the IDF International Law Department, assigned to assist the negotiations on military matters, but he was quickly drawn also into the water issues — mainly — and the border.

From the moment the negotiations were moved from Washington, where they had been conducted after the Madrid Conference in 1991, we ensured that there would be direct ties between the two armies, the IDF and the Jordanian army, rather than through UN observers as had been customary in earlier periods. In water matters, there had already been direct and special connections with Jordan since the early 1980s.

Water was an important part of the negotiations on the Peace Agreement, and the head of the subcommittee on water issues, the late Noach Kinarti from Kinneret, an experienced field man, adopted Daniel as the legal adviser to the subcommittee. Noach and others were water experts. Daniel contributed the legal and drafting dimension, as knowledgeable as ever.

He immediately stood out as a star — in his legal knowledge, in his excellent English, in his ability to express himself in writing and speech, and no less — in his captivating personality and sense of humor that opened hearts.

A special testimony to this is what was written about him by the other side of the negotiating table. In the book *Peacemaking* (2006) by Dr. Abdul Salam Majali, head of the Jordanian delegation and later its Prime Minister, Dr. Jawad A. Anani, a senior Jordanian minister, and Dr. Munther J. Haddadin, the tough water expert, the authors wrote that Daniel was “a true gentleman and a knowledgeable lawyer”; an uncommon compliment to the other side of the negotiating table.

Personally, I was not surprised. In negotiations, trust from the other side — stemming from reliability, from “a word is a word,” and from natural respect — is a priceless asset, not only as a matter of courtesy but also as something that greatly helps achieve a good result. Daniel embodied these qualities.

In Later Years

In the mid-1990s, Daniel established his status as a prominent figure sought after by many in the field of international law, especially in matters of peace negotiations. He always penetrated to the depth of the issues and to the depths of people's hearts.

In later years, when I served as Israel's Attorney General and Daniel was Head of the International Law Department in the IDF Military Advocate General's Corps, we had a close working relationship, alongside the Military Advocate Generals. I remember discussions with him regarding IDF operations in Lebanon — matters that remain relevant even today, especially in light of the Air Force's activities and the need to avoid, as much as possible, harm to civilians when the enemy operates from within civilian populations. This is a complex challenge, legally as well. The same was true regarding issues connected to the Palestinian arena.

I recall an anecdote: In January 2001, on the eve of the Clinton–George W. Bush presidential transition in the United States, Israel's Prime Minister Ehud Barak contacted me while I was driving to Tel Aviv on a Thursday evening. He asked me to prepare letters to all the relevant actors — Bill Clinton; George W. Bush; the President of the European Community, Sweden's Göran Persson; the UN Secretary-General, Kofi Anan; President Hosni Mubarak; King Abdullah II bin Al-Hussein; and Yasser Arafat. The message was that everything Israel had offered at Camp David in 2000, in which both Daniel and I took part, and especially in the Taba talks (in which I did not participate), having been rejected by the Palestinians, was no longer valid and should be considered null and void.

During the drive, I drafted a text and called Daniel, telling him I would come to his office. With his skill, we completed the task. I informed Barak of Daniel's participation, which he approved. The next day, before the Sabbath, Barak informed me that all the letters had been sent. I recount this story to illustrate yet another facet of the standing Daniel had earned among all of us.

My wife Miriam and I attended Daniel and Diana's wedding; we had known Diana as well from public service. Diana and Daniel wanted a Jewish wedding in their own style, and the officiating rabbi was a bereaved father from the Israel Movement for Progressive (Reform) Judaism. In later years, Daniel often told me about the Jewish content included in the education of his children in their city, Modi'in.

Daniel's passing is a true loss, by every measure. First and foremost to his family, who surrounded him with love during the difficult final period; may they recuperate from their loss as much as possible, and may the beloved husband, father, and brother be an advocate in Heaven for their continued well-being. Second, to the Herzog Law Firm, where he was among the senior partners and highly respected by all. And third — no less — to the State of Israel, which he served faithfully, devotedly, efficiently, and successfully, both in uniform and out of uniform, a public servant of a rare kind.