



Max M. Kampelman Papers

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REMARKS

BY

MAX M. KAMPELMAN

AT THE

JUDGE LEARNED HAND AWARD DINNER

AMERICAN JEWISH COMMITTEE

Washington, D.C.

September 11, 1985

Thank you very much.

It was an honor for me to serve as Chairman of the American Jewish Committee's National Advisory Committee. The aspirations that gave birth to the American Jewish Committee and continue to dominate its many years of dedicated service are in the finest traditions of our American democracy. No private organization in our country has done more to strengthen the fabric of our democratic institutions.

May I add parenthetically that not the least of the American Jewish Committee's contribution to American democracy -- and I say this because I believe it to be true and not just because Norman Podhoretz is with us this evening -- is its

publishing of Commentary, one of the most distinguished journals of intellect and opinion in our country; a voice of sanity in a world starving for it.

To receive the Learned Hand Award would be a matter of special satisfaction to any lawyer and I am no exception. As a young student contemplating law as a career, the names of Justice Louis Brandeis, Justice Benjamin Cardozo, Judge August Hand and Judge Learned Hand were the heroes of my growing years. The brothers Hand were a particular attraction and few legal scholars and historians disagree with the notion that both merited appointment to the United States Supreme Court. They were known as the learned Judge August Hand and the august Judge Learned Hand. It was Learned Hand who wrote: "Liberty lies in the hearts of men and women; . . . the spirit of liberty remembers that not even a sparrow falls to earth unheeded."

In receiving your award, which I shall cherish, I must remind you of some wisdom from our sages. It is said that when God examines us, he looks not for medals and plaques, he looks rather for scars. Let us never forget that the true measure of worth in the judgment of history is the scars we have earned in the struggle for human dignity. I am aware that my deep scars are yet to come.

The ancient Hebrew tribes made their historic contribution to civilization by proclaiming to their neighbors that there was only one God. The immense significance of that insight was in the concept that if there is only one God, then all of us are His children and thus brothers and sisters to one another.

The Talmud asks: "Why did God create only one man?" In order that all men would have the same ancestor, and no man could claim superiority over another, was the response. The religious principle of human brotherhood has had inevitable social and political implications. Democracy became the political expression of that religious ethic. The notion that human beings are the children of God and that they thus have the potential for developing that which is God-like within them is clearly anathema to any political system which does not respect the dignity of the human being.

The American Jewish Committee and its deeds are rooted in this tradition.

You will, I know, appreciate my inability to discuss with you the details of my current public assignment. My theme tonight is consistent with my new responsibilities; and, I believe, more fundamental in the search for world peace and understanding.

These are dangerous times. Our country and those of us who hold human values dear will require inner strength, understanding and faith to fulfill the demands upon us in the years ahead as we search for our goal of peace with dignity. That search for peace with dignity requires an acceptance of reality; and that is not easy.

We seek agreement, genuine serious agreement, with the Soviet Union, a militarily powerful adversary, a super-power with the military strength to inflict on us and the world serious damage. But the record is clear that Soviet authorities, regrettably, do not consider themselves bound by agreements. They look to a higher loyalty. The evidence from the Madrid meetings, where I had the honor to head the American Delegation, overwhelmingly demonstrates Soviet defiance of the Helsinki Final Act, even though that agreement was solemnly signed by Mr. Brezhnev in 1975 as the head of his government.

We cannot ignore the continued presence of 120,000 invading Soviet troops in Afghanistan; the painful Soviet abuse of psychiatry for political punishment; the rampant government-sponsored Soviet anti-Semitism; the severe curtailment of immigration; the persecution of religious believers; the dehumanization in the Gulag slave labor camps -- all these and much more in violation of an international agreement signed by 35 sovereign states. We must face this reality because there can be no international order and stability if any country reserves the right to decide which of the agreements they sign they are prepared to respect.

Pravda (September 26, 1968, shortly after the Soviet invasion of Czechoslovakia) justified this behavior by explaining that "Laws of the norms of law are subordinated to the laws of the class struggle and the laws of social development . . . The class approach to the matter cannot be discarded in the name of legalistic considerations."

We, therefore, must today ask: Is the Soviet leadership still committed to an ideology which considers totalitarian principles to be superior to international law by in effect

according to the Soviet Union itself absolute rights with no obligations to respect the rights of others? If so -- and there is strong evidence to support that concern -- does this lawlessness not represent a direct threat to world peace?

This is not an easy exercise for many of us. We yearn for peace and we understand that in this nuclear age there can be no rational alternative to peace with dignity through an evolving international law. For some, this yearning brings with it a reluctance to accept unpleasant facts which make the attainment of that goal more difficult. In turn, this makes easier a developing "peace at most any price" sentiment, which would immobilize the democratic alternative to Soviet totalitarianism. French President Mitterand had this phenomenon in mind with his sardonic comment that the Soviet Union produces weapons while the West produces pacifists. The Soviets use nuclear weapons for political as well as military purposes.

We know that the peoples of the Soviet Union desire peace just as much as we do. But there is the equal reality that it is the Communist Party elite which we face and not the peoples of the Soviet Union, whom that elite rules over without the legitimacy of consent. This elite identifies itself as

Leninist; and here we must face again what may be the focus of our problem as we recall how Lenin described the essence of his philosophy (The Proletarian Revolution):

"The revolutionary dictatorship of the proletariat is rule won and maintained by the use of violence by the proletariat . . . rule that is unrestricted by any laws."

We, therefore, must ask: Is the Soviet leadership still committed to an ideology, even in this nuclear age, in which violence plays a central role? Do we not have every reason to believe so?

Let us not be mistaken into believing that our differences with the Soviet Union are based on mutual misunderstandings. This is a misleading and patronizing over-simplification. Soviet leaders are not crude peasants who need some reassurance about how well-intentioned we are. Our problems are too profound to be thought of as being resolved by quick fixes, super negotiators, a summit, or a master-draftsman capable of devising language to overcome differences. The leadership of the Soviet Union is serious. Its diplomats are serious and well

trained. Their response in a negotiation is motivated by one primary consideration: Their perceived national self-interest, strengthened by the belief that the West is declining, divided, and devoid of the will to resist their military and ideological offensive.

I suspect that we and our friends who value freedom will pay a heavy price and suffer great anguish as we come to grips with this challenge. The integrity and character and strength of our society and our people will undergo the greatest challenge of our history as we learn how to live with Soviet military power, meet it, challenge it, and simultaneously strive to maintain peace and freedom.

The ancient Hebrew sages told us that there is in each one of us that in the heart and soul which is good and noble and God-like; and that there is also in each one of us that which is baser, bad -- "yaitzer hatov" and "yaitzer hara." The great Protestant theologian, Reinhold Niebuhr, called it "Children of Light and Children of Darkness." Freud and modern psychology built on this truth. This dichotomy is not only a part of the human being, it is also a part of the societies which the human being creates. Democracy is the political expression of the

"yaitzer hatov" within us. It is based on the religious notion of human brotherhood. Totalitarianism is an expression of the destructive drive, the "yaitzer hara" in us. The responsibility of those who would contribute to the onward evolutionary development of the human being, the essence of our religious faith, is to defend and extend that which is God-like in us as we strive to overwhelm those primitive and negative instincts that are within us as well.

Our task, therefore, is patiently and steadfastly to assert our values and act in accordance with them. We must work for peace and the reduction of arms because there is no alternative to that aspiration. But at the same time we must maintain and modernize our own military forces until such time as we can arrive at a mutually agreeable and verifiable agreement. President Chaim Herzog of Israel said a few days ago: "It is not enough to be right, we must also be strong."

The Soviet Union is not likely soon to undergo what Jonathan Edwards called "a great awakening." Yet, the imperatives for survival in the nuclear age require us to persist -- through the deterrence that comes from military strength, through dialogue, through negotiation -- to persist in the search for understanding and peace.

(We must continually try to make the Soviet authorities understand that they must reject the notion of inevitable violence and live up to international agreements if they are to be considered a credible and respected member of the international community. Soviet military strength and aggression, coupled with totalitarian repression exercised through a massive state police, may produce fear on the part of many, but it will not produce the respect sought by Soviet authorities and worthy of the Russian peoples and their history.

(Out of all this may come a realization on the part of an evolving Soviet leadership that a humanizing and civilizing process is indispensable for its own stability. The Soviet Union faces major difficulty in its effort to stop the intrusion of deep faith and new ideas into its closed society. Their rigidly bureaucratic administrative system, obvious industrial stagnation, and agricultural inefficiencies are no match for the evolving humanism which is a part of Western civilization and a major contributor to our industrial, agricultural, and cultural productivity. There are no walls high enough to keep out the winds of change carrying ideas and encouragement for human dignity from other parts of the world.

We hope the time will soon come when Soviet authorities comprehend that repressive societies in our day cannot achieve inner stability of true security. We hope they will come to understand the need to show the rest of us that cruelty is not indispensable to their system. We hope, but if we are to be prudent, we cannot trust.

In the meantime, what do we do? Do we remain silent because to speak out causes confrontation and that creates tension, too risky in this nuclear age? I respectfully suggest that such silence is submission to totalitarian intimidation. No peace with dignity can come from such intimidation. And I suggest that silence in the face of cruelty may well be complicity, inadvertent as that may be.

We will come closer to our goal to the extent that we understand that our values are at the center of it all. The Nobel Committee shared this insight when it awarded Dr. Andrei Sakharov the Nobel Peace Prize. So did those members of Congress who later proposed Anatoly Shchransky for that distinction. We must, all of us, never lose our sense of identification with the heroes of the human spirit who keep reappearing in the pages of history.

(All of us and our societies fall short of our aspirations. We grow by stretching to reach them. As we do so, however, let us be reassured by the conviction that the future lies with freedom because there can be no lasting stability in societies that would deny it. Only freedom can release the constructive energies of men and women to work toward reaching new heights. A human being has the capacity to aspire, to achieve, to dream, and to do. We seek these values for all the children of God. Our task is to stretch ourselves to come closer to that realization.

Thank you.



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THE AMERICAN JEWISH COMMITTEE

Institute of Human Relations • 165 East 56 Street, New York, N.Y. 10022 • PLaza 1-4000

May 17, 1985

Dear Sharon,

I am happy to confirm Wednesday evening, September 11, 1985 -- Cocktails, 6:00 pm; Dinner, 7:00 pm -- at the Mayflower Hotel for the event honoring Ambassador Kampelman at which time he will receive the coveted Learned Hand Award.

I will be in touch with you shortly regarding some of the details. However, if you need additional information or have any additional questions, please call me.

Sincerely,

Larry Kahr

6:45



THE AMERICAN JEWISH COMMITTEE

Institute of Human Relations • 165 East 56 Street, New York, N.Y. 10022 • PLaza 1-4000

June 3, 1985

Dear Sharon,

Well, the mail did go astray, but our plans have not gone "agley" -- and I'm even happier to re-confirm the contents of that vagrant missive.

Sincerely,

Larry Kahr

SHARON

NOTE - NO DATE,

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The American Jewish Committee

Institute of Human Relations • 165 East 56 Street, New York, N.Y. 10022 • 212/751-4000 • Cable Wishcom, N.Y.

OFFICE OF THE PRESIDENT

May 9, 1985

Ambassador Max M. Kampelman
2210 C Street, N.W.
Washington, D.C.

Dear Max,

I am delighted that you have accepted the American Jewish Committee's invitation to receive our Learned Hand Award at a \$250 per person dinner in your honor in Washington, D.C., in the fall of 1985. It will indeed be a privilege for us to pay tribute to your admirable record of achievement in public affairs.

By participating with us in this key event, you will help to assure the continuity of our dynamic agenda for improved interreligious and intergroup understanding in a pluralistic society. At the Committee, we recognize that our effectiveness as a catalyst in national and international issues is possible only through the active involvement of special individuals such as you.

We look forward to acknowledging your outstanding contributions to the nation and to sharing a memorable occasion with your family, friends, and associates.

Sincerely,

Howard I. Friedman

HIF/er

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The American



Jewish Committee

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September 6, 1985

Ambassador Max Kampelman
Department of State
Room 7208
S-De1
Washington, DC 20520

Dear Ambassador Kampelman:

We are enclosing the working agenda for the Judge Learned Hand Award Dinner on the 11th. If you have any questions or any changes you would like to make in the evening's program, please do not hesitate to call on us.

We look forward to seeing you Wednesday evening.

Sincerely,

Rabbi Andrew Baker
Director

William H. Ressler
Assistant Director

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Working Agenda for Max M. Kampelman Dinner

1. Alan Kay calls on Rabbi Stanley Rabinowitz to deliver the invocation.
2. Dinner is served. Program continues as dessert and coffee are served.
3. Al Moses introduces himself, says a few words about the American Jewish Committee and introduces the dinner chairman, Alan Kay.
4. Alan Kay welcomes people to the dinner, introduces the dais guests and calls on Marshall Breger for a message from the president.
5. Marshall Breger delivers a message from President Reagan.
6. Alan Kay introduces the guest speaker, Norman Podhoretz.
7. Norman Podhoretz delivers the evening address.
8. Alan Kay thanks Mr. Podhoretz and calls on Richard Schifter for a few remarks.
9. Richard Schifter takes note of the common concern for human rights that binds AJC, the honoree and the dinner guests together and introduces Howard Friedman.
10. Howard Friedman presents the Learned Hand Award to Max Kampelman.
11. Max Kampelman responds.
12. Alan Kay thanks people for coming and closes the evening.