



Max M. Kampelman Papers

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ADDRESS BY
MAX M. KAMPELMAN
UNITED JEWISH APPEAL-FEDERATION, LAWYERS DIVISION

Sheraton Center Hotel
New York, New York

December 4, 1985

We have assembled here tonight, in this testimonial, to celebrate Leon Silverman--certainly not to eulogize him. I know you will spare me the tasteless task of defining the difference between a eulogy and a testimonial, but one distinction is clear. In a testimonial, there is at least one person present who believes it! But since we are following an ancient custom of gathering to honor one of the more distinguished among us--and you have been kind enough to "lend me your ears"--let us ask, as Shakespeare did, "Upon what meat doth this our Caesar feed, that he is grown so great?"

Before we answer this question--and perhaps for Leon's sake we should not, lest he swallow the perfume and gag on it--I want to say a personal word about my friend and my law partner of thirty years. Most of us here tonight have had our professional or personal lives touched by Leon in special ways. We each respect and have affection for him for our own personal reasons, but each of these reasons reveals a man noble in character, highly motivated by a deep sense of professional and community responsibility, and large in the human

dimension. I recall certain critical periods of my life when Leon's judgment, loyalty and presence made the difference. On one such occasion, Rita will remember, Leon left his family and a lovely European holiday to join me so that together we could face the crisis of that moment.

Leon, Rita--on my own behalf and, for their own reasons, on behalf of many other people in this room tonight--I say "thank you." In my case, of course, the thank you is also in full awareness that Leon, as co-chairman of my law firm, together with his partners, is responsible for my monthly retirement check. May you all prosper in good health!

I referred a moment ago to the "human dimension." It is appropriate to think in those terms as we take note of the auspices under which this dinner is being held tonight, the United Jewish Appeal-Federation. Much is said today and has been glibly repeated since the beginning of time about "human nature." We hear that crime, bigotry, war, poverty--or whatever the societal flaw--cannot be eradicated, because they are all integral to human nature and, therefore, inevitable. I respectfully suggest that this is an excuse for inaction.

Our civilization is based on the Judaic-Christian ethic, the essential teaching of which is that the real nature of the

human being is to grow and to evolve and to reach constantly for the attainment of a higher dimension of being. We are motivated by values. This is the distinguishing characteristic that separates us from the rest of the animal kingdom. These values are the essence of the term "human nature," and they define man's potential to overcome his present limitations. That has indeed been the story of our civilization.

Our religious ethic also teaches us that an individual not only has the capacity to grow and develop, but has the capacity as well to influence history. There is a geometric element in human relations. The energy of one human being added to another's adds up to more than a total of two. To unite human beings in a common effort results in a product that is far greater than can be determined by the tables of arithmetic. The extraordinary record of accomplishment of the United Jewish Appeal is proof of that principle of human nature.

The root of all of this is in the teachings of the ancient Hebrew sages, who told us that there is in each one of us an ingredient in the heart and soul which is good and Godlike; but that there is also in each one of us an ingredient which is destructive and "evil." The Hebrew scholars defined it as "Yaitzer Hatov" and "Yaitzer Hara." The great Protestant theologian, Reinhold Niebuhr, called it "Children of Light and

Children of Darkness." Freud and modern psychiatry built their understanding of the human being on this awareness. This dichotomy is not only a part of the human being, it follows that it is also a part of the societies which the human being creates.

The eternal struggle of civilization is the struggle between these two impulses within us. The evolutionary challenge we face is to so organize and train ourselves and our children that we stretch as a species toward that which is Godlike within us. It has been our faith as products of a Judaic-Christian civilization, and it continues to be our faith as a nation, that political democracy is the means by which our society and those who live within it can organize themselves toward that higher dimension.

Jews have had a unique romance with America and its democracy. In the early days, the frontier spirit was hospitable to new arrivals. The competitive atmosphere it fostered in politics and economics made it particularly hospitable to minorities, who are constantly on the verge of being excluded from society. Jews learned through the years that wherever there has been a monopoly of power, private or government, the beneficiaries of that monopoly are likely to be selected arbitrarily rather than on merit or worth. With

competition it was merit and effort that counted. The Jew had a chance.

In the United States today, more than 40 percent of all the Jews in the world are living comfortably in two cultures, the Jewish and the Christian. This era may well be the golden age of Jewish history. Jewish culture has soared to impressive heights. Some of the greatest Jewish libraries in the world are here. Devotion to Israel and to world Jewry flourishes. The community is strong and affluent, with a spiritual and intellectual ingredient of significance. All of this is protected by America's economic, political, social and military strength. History is likely to judge that the American period for Jewry is at least equal in grandeur to, if not greater than, the period in Alexandria during the first century and the years in Islamic Spain from the 11th to the 14th Centuries. Thus the romance between the Jew and America. Thus the intense sense of loyalty toward American democratic institutions on the part of the American Jewish community.

Let me now relate these introductory background comments to the question of America's role in the world. You will, I know, appreciate my inability to discuss with you the details of my current public assignment in Geneva. My theme tonight, however, is fundamental to the search for world peace and understanding.

These are difficult 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 requires an acceptance of reality; and that is not easy.

The reality is that we cannot ignore the continued presence of 120,000 invading Soviet troops in Afghanistan; the painful Soviet political abuse of psychiatry; the rampant Soviet anti-Semitism; the severe curtailment of immigration; the persecution of religious believers; the Gulag slave labor camps--all these and much more in violation of international agreements.

We must face this reality because there can be no international order and stability if any country reserves the right to decide which among the agreements it signs it is prepared to respect. Soviet selective noncompliance began immediately after World War II with a total disregard of Yalta and Potsdam promises that there would be free elections in Eastern Europe. The pattern has been a continuing one, dramatized by the violations of the humanitarian provisions of the Helsinki Final Act, which I had to deal with for three years during the Madrid negotiations. We continue to face its

stark consequences in Geneva. Its most brazen expression was found in the Soviet pronouncement of the Brezhnev Doctrine, justifying disregard for the fundamental principle of the United Nations Charter--respect for the sovereignty of states--on the ideological ground that the Soviet Union has a superior duty to defend socialism, even in another country, through the use of force.

This facing of reality 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. For some, this yearning brings with it an understandable reluctance to accept unpleasant facts which make the attainment of that goal more difficult. In turn, this encourages a "peace at almost any price" sentiment, which would immobilize the democratic alternative to Soviet totalitarianism. French President Mitterrand must have had this phenomenon in mind with his sardonic comment that the Soviet Union produces weapons while the West produces pacifists.

For others, the harshness of the Soviet reality leads to a cynicism about the utility of negotiations and a conviction that military force alone must be the basis of our relationship to the Soviet Union. This reaction, too, is likely to make our goal of peace with dignity more difficult to achieve.

Let us not make the mistake of believing that our differences with the Soviet Union are based on mutual misunderstandings, though they exist. This is a misleading and patronizing oversimplification. 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 their 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 perhaps the greatest test of our history as we learn how to live with Soviet military power, meet it, challenge it, and simultaneously strive to preserve peace and freedom.

"Nations do not fight because they have arms," wrote Hans Morgenthau. Nations have arms because they deem it

necessary to defend themselves, he said. The prophetic idea of "beating swords into plowshares" is integrally linked, even in the Biblical text, to the concept of a universally accepted vision of law. In the absence of such a unifying vision--and it is absent today--there are always likely to be as many swords as plowshares in the world.

War need not be a permanent part of the human destiny. History shows that in every age men and women and social movements challenge and cry out against this grim aspect of their lives. In every age, some rise to affirm dignity and brotherhood and the possibility of community across national, racial and ideological barriers. That must be the American role.

Jean Francois Revel recently asked whether democracy is a historic accident, a brief parenthesis that can be closing before our eyes. Does the America of yesterday and today have anything to say to the world of today and tomorrow? Do we face a crisis of will? Does our fear of catastrophe, a fear which can be immobilizing and self-deceptive, serve to imprison us in a paralysis of analysis and of decision? Is democracy structured to defend itself against outside enemies seeking its annihilation? Can democracy understand that Communism, a failed society, may have no choice but to move toward

expansion? Can democracy overcome in timely fashion its reluctance to recognize this threat? Can democracy understand that its very existence leads to totalitarian insecurity? Must it wait until the danger becomes deadly and imminent before it awakens? Might it not then be too late?

We value freedom, human dignity, and democracy. What has come into question is what we are prepared to risk for the preservation of those values. Somerset Maugham once wrote: "If a nation values anything more than freedom, it will lose its freedom; and the irony of it is that if it is comfort or money that it values more, it will lose that too." Benjamin Franklin said it this way: "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety." And yet the Soviet elite cannot help but hear and perhaps be encouraged by the occasional voice from the West which urges that "nothing is more important than peace."

We are told that history is replete with illustrations of civilizations losing confidence in themselves. And, yet, for the first time since 1922, when Mussolini took power in Rome, all of Western Europe is democratic. Freedom House reports that there are more democracies and near democracies in the world today than there ever have been and that more people are governed by democracies today than ever in the history of the world.

The "correlation of forces" has moved against the Soviet Union. The credibility of its system as a viable alternative has ended for sensible people. The gas has largely escaped from its ideological balloon. The Soviet economy has never been self-sufficient and today is less so. The Soviet regime finds it difficult to feed its own people. Soviet technology depends on Western technology, which it obtains through aid, trade, credits and theft.

Furthermore, the onward movement of Western technology and communication is showing signs of undermining the capacity of the Soviet elite to isolate its people from the attractive ethic of freedom. How long, for example, can the jamming of Western radio broadcasts be effective? How long can the totalitarian lie survive in any society when truth can cross its borders with radio air waves that carry ideas to all corners of the globe? High walls cannot stop those currents.

The Soviet elite clearly must be concerned that its thought control will disintegrate, probably sooner rather than later; and it reacts to the signs of inevitable change with renewed dependence on military strength, aggression, and repression. Can there be any other explanation for the intense cruelty which has become the daily pattern of that system?

New technology, furthermore, such as our Government's Strategic Defense Initiative, may well undermine Soviet reliance on its numerical superiority in intercontinental ballistic missiles. In exploring whether an effective defense against these missiles can be developed, our research, if successful, would negate the Soviet first-strike potential against us and require them to reevaluate the utility of their enormous nuclear arsenal. That is why in Geneva the United States is calling for across-the-board radical and verifiable reductions in offensive nuclear arsenals, coupled with a joint US-USSR exploration of how strategic defenses against those missiles can result in increased stability for us both.

The Soviet Union is not likely soon to undergo what Jonathan Edwards called "a great awakening," or see a blinding light on the road to Damascus. Yet, the imperatives for survival in the nuclear age require us to persist--through military strength, through dialogue, through criticism, through negotiation--to persist in the search for understanding, agreement, peace. We cannot wish the Soviet Union away. It is here. It is, we know, militarily strong, and its military power is a threat to our values and our security. But we share the same globe. We must learn to live together. We both need to recognize that just as the left and right sides of the brain are united in one fragile human mind, so are the hemispheres,

the continents and the nation states, north and south, east and west, left and right, united in one planet.

We hope the leadership of the Soviet Union will accept that it is in its best interest to permit a humanizing process to take place within its society. We hope the time will come when Soviet authorities comprehend that repressive societies in our day cannot achieve inner stability or true security. We hope they will come to understand the need to show the rest of us that cruelty is not an indispensable part of their system and is, indeed, thoroughly counterproductive to their objectives. We hope they will come to realize that the Leninist aim of achieving Communism through violence is an anachronism in this nuclear age. We hope, but we cannot trust.

The object of diplomacy in a democratic society, indeed the supreme achievement of statesmanship, is patiently to pursue the peace we seek at the same time as we protect our vital national interests. Our own military strength coupled with political will and self-confidence are indispensable to this negotiating process. Yes, to negotiate is risky. It is, in the words of Hubert Humphrey, something like crossing a river by walking on slippery rocks. The possibility of disaster is on every side, but it is the only way to get across. We must be guided as a nation by what John Adams wrote

in 1809: "If I had refused to institute a negotiation or had not persevered in it, I should have been degraded in my own estimation as a man of honor."

It is time for our genius as a people to rise to the challenge and to find a revitalized American consensus in support of our values and our national security. We must lift ourselves above the polarity and divisiveness that too frequently become a characteristic of partisan politics. We need social cohesion in support of the defense of our values, our security and those of our friends. The primary task of leadership today is to rebuild the vital American political center which James Madison argued for in The Federalist Papers and which has kept us united in the face of our adversaries.

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.

- 15 -

Thank you. And congratulations to all of you for
honoring Leon Silverman tonight.

12/2/85

THE PROSKAUER AWARD DINNER
LAWYERS DIVISION
UJA-FEDERATION 1986 CAMPAIGN
DECEMBER 4, 1985
SHERATON CENTRE - IMPERIAL BALLROOM

PRESIDING:

STEPHEN M. AXINN, CHAIRMAN

JAMES H. FOGELSON, MAJOR GIFTS CHAIRMAN

COCKTAIL RECEPTION

WELCOMING REMARKS.....STEPHEN M. AXINN

ADDRESS.....AMBASSADOR MAX M. KAMPELMAN

ROLL OF HONOR.....JAMES H. FOGELSON

PRESENTATION OF JUDGE JOSEPH M. PROSKAUER AWARD
TO LEON SILVERMAN.....MARTIN LIPTON

RESPONSE.....LEON SILVERMAN

INVOCATION & MOTZIE.....RABBI MARC H. TANENBAUM

DINNER

PROSKAUER AWARD DINNER
GUEST LIST
(BY FIRM)

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KISSAM & HALPIN

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KROLL ASSOCIATES

KRONISH, LIEB, WEINER & HELLMAN

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LINDEN & DEUTSCH	SPENGLER CARLSON GUBAR BRODSKY & FRISCHLING
LOWEY DANNENBERG & KNAPP	SQUADRON, ELLENOFF, PLESENT & LEHRER
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MARCHI JAFFE COHEN CRYSTAL ROSNER & KATZ	STEIN, ZAUDERER, ELLENHORN, FRIEDMAN & KAPLAN
MOSES & SINGER	STROOCK & STROOCK & LAVAN
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SHEA & GOULD	
SHEREFF, FRIEDMAN, HOFFMAN & GOODMAN	

It is my great privilege as Chairman of the Lawyers' Division to welcome you to the 1985 Proskauer Award Dinner honoring our esteemed colleague, Leon Silverman. The Proskauer Award is given each year to a lawyer in our midst "whose conduct and services exemplify the highest ideals of the law". Leon's life and his career stand as a model for all who aspire towards these ideals. His public service, his family life, his professional accomplishments and, above all, his integrity and humanitarian spirit serve to define these ideals.

So, too, throughout our history the efforts of the Lawyers' Division have reflected the ideals both of our Jewish heritage and of the legal profession. We should take pride in our previous accomplishments, and I am confident that you will respond even more generously to the needs of our campaign again this year.

Our campaign concerns these three famous questions:

I. IF I AM NOT FOR MYSELF, THEN WHO WILL BE FOR ME?

With this pointed question, our sage Hillel reminds us that we are part of a small, often beleaguered people, and it is our duty and responsibility to care for ourselves. UJA-Federation is the ideal response to this challenge, whether it is through our care for the elderly, the sick or the homeless in this country, in Israel, or throughout the Jewish world.

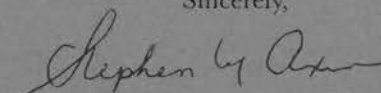
II. IF I AM ONLY FOR MYSELF, THEN WHO AM I?

Each of us knows that it is our duty and responsibility to share our good fortune with those who desperately need our help. But, when we give generously to support the work of the UJA and Federation, we gain much more in self-esteem and a sense of well-being than we ever give in material terms. Through the Lawyers' Division, our goal this year is to provide \$7 million to those who need it in direct Campaign contributions. In addition, we must complete our \$3 million commitment to the people of Hatikvah, our twinned Project Renewal Community.

III. IF NOT NOW, WHEN?

We thrive and depend on *deeds*, not good intentions. The time to act is now. I know you will do your part.

Sincerely,



Stephen M. Axinn
Chairman
Lawyers Division



Previous Recipients
of the
Judge Joseph M. Proskauer Award

Hon. Stanley H. Fuld	1959	Oscar S. Rosner	1972
Hon. Bernard Botein	1960	Charles Ballon	1973
Monroe Goldwater	1961	Hon. Jacob K. Javits	1974
Louis M. Loeb	1962	John Trubin	1975
Hon. Simon H. Rifkind	1963	Milton S. Gould	1976
Norman S. Goetz	1964	Stanley H. Lowell	1977
Edwin L. Weisl, Sr.	1965	Hon. Louis J. Lefkowitz	1978
Hon. Henry J. Friendly	1966	Hon. Arthur Levitt	1978
Harold H. Levin	1967	Albert Parker	1979
Harold L. Fierman	1968	Milton Handler	1980
Hon. Milton Pollack	1969	Walter Mendelsohn	1981
Herbert M. Singer	1970	Hon. Herbert Tenzer	1982
Hon. Murray I. Gurfein	1971	Hon. Jacob D. Fuchsberg	1983
		Martin Lipton	1984



The Proskauer Award Dinner
Lawyers Division
of the
1986 UJA-Federation Campaign

Wednesday, December 4, 1985

Leon Silverman
Proskauer Award Recipient

Ambassador Max M. Kampelman
Guest Speaker

Stephen M. Axinn
Chairman

James H. Fogelson
Chairman, Major Gifts



Save The Date

THE PROSKAUER AWARD DINNER

Lawyers Division
of the
1986 UJA-Federation Campaign

Wednesday, December 4, 1985
Sheraton Centre Hotel
5:30 P.M. Cocktails

PROSKAUER AWARD RECIPIENT

LEON SILVERMAN

Fried, Frank, Harris, Shriver & Jacobson

General Chairman
Stephen M. Axinn

Major Gifts Chairman
James H. Fogelson

Formal Invitation to Follow



UJA-Federation Campaign
130 East 59th Street, New York, N.Y. 10022



The Proskauer Award Dinner

Frank G. Ballroom

6:30



Washington, D.C. 20520

12/4

Please Reply to: S/DEL, Room 7208

September 13, 1985

Sheldon Rabb, Esq.
Fried, Frank, Harris, Shriver & Jacobson
One New York Plaza
Suite 2500
New York, New York 10004

Dear Shelly:


It would please me very much to be able to be present and speak at the dinner honoring Leon. Indeed, I am honored at the invitation. There is only one problem and that is my Geneva schedule. By the time you receive this letter I will be back in Geneva. It is my hope that within a few weeks after I am back, I can work out a schedule of dates with the Soviets. As of this moment, we have not completed that task. Our recommendation to them as to dates would mean that I would be here during the month of December. Let us, therefore, wait until I know for sure because I would hate to accept and then find it difficult to return.

May I suggest that in about a week or ten days you telephone Nancy Tackett who moved over to the State Department from the law office to work with me. She can then get in touch with me and I will tell her what the prospects are for the dates.

Thanks again.

All my best.

Sincerely,



Max M. Kampelman
Head of Delegation
Negotiations on Nuclear and
Space Arms

ONE NEW YORK PLAZA
SUITE 2500
NEW YORK, N.Y. 10004

September 9, 1985

Honorable Max M. Kampelman
Department of State
S/Del
Room 7208
Washington, D.C. 20520

Dear Max:

As you will see from the enclosure, Leon is the honoree of this year's annual dinner of the UJA Federation Lawyers Division, to be held on Wednesday, December 4th. Those running the dinner believe that the evening would not be complete if we did not have as our principal speaker a certain former partner of the honoree, now in government service, who could be expected to warm up the audience and "tell it like it is". Guess who?

Could you please call (or have someone else call) to let me know whether your schedule would permit you to do this? If you could let me know as soon as possible, I would be most grateful since, if your schedule does not permit you to do this, we must find an alternate.

Best regards. We are all proud of you.

Cordially,

Shelly Raab

SR/km