Uncompromising Stance

‘People need to be intransigent on things that are important to them’

By KARL GROSSMAN

ast Friday, seven miles away from a “We Stand with Israel!” event at the Jewish Center of the Hamptons in East Hampton, Richard H. Weisberg, chair in Constitutional Law at Cardozo School of Law of Yeshiva University, was giving a talk on his just-published book, In Praise of Intransigence: The Perils of Flexibility.

Weisberg, at Canio’s Books in Sag Harbor, where he lives, emphasized in his talk — as he does in his book — that “people need to be intransigent on things that are important to them.” They should “dig down deep and identify what your mature judgment over time has identified as sound,” he said. His focus: situations “in which good people caved and folded.”

As Weisberg begins his book: “Can a rigorous allegiance to what one already believes sometimes be the wise approach? This book offers a sustained affirmative answer to that question.”

He writes of how “our mainstream traditions” give “an almost limitless capacity to see the world elastically.” Those wishing to remain steadfast through thick and thin, find themselves at the margins.

Much of his talk, like the book, concerned Europe, the Holocaust and the years leading up to and during World War II. A previous book by Weisberg is Vichy Law and the Holocaust in France.

In In Praise of Intransigence, Weisberg declares: “The European continent, from Berlin to Paris to the British Channel Islands, managed during the Third Reich to compromise its deepest values and to accept — with little effective protest — the new conditions set down by a madman. A precious minority of the steadfast declined, at some risk, to cave. Most people folded their tents and equivocated their way toward active or passive participation in genocide.”

Among examples he provides of people who stood up during this nightmarish time is Jacques Maury, a law professor who “wrote prominently that racial laws passed by a French government and implemented by French courts, administrators and private lawyers ran totally counter to all French traditions.”

“Meanwhile, just west of French territory in the British Channel Islands,” relates Weisberg, “a far less well known part of wartime history was developing.”

Under German occupation, “these islands found themselves urged to write and enforce anti-Jewish laws very similar to those in Vichy. What would the Britshers do, given their own traditions of due process, fairness, and soliity when facing crisis? Unhappily, British bureaucrats and lawyers caved malleably to the perceived emergency and began investigating and persecuting the Jewish islanders in their midst.” And “only one Britisher — Sir Abraham Laine — steadfastly spoke out against the publication and implementation of ‘Laws against the Jews.’ ” Laine seemed to have internalized a kind of organinc impulse that rebelled against the ‘ spineless’ attitude of his compatriots toward the Germans; but, like Jacques Maury when he stood alone on the Jewish issue, Laine was defeated.”

“It always takes more than one,” comments Weisberg, “unless you have the force and full control of a Sully Sullenberger,” the pilot who in 2009 successfully landed a disabled jet full of passengers in the East River.

Still, “each person with the steadfastness of a Maury or a Laine will endeavor to awaken the dormant spirit he knows lies just under the surface of his colleagues’ complacent caving.”

Weisberg also tells the story during this time of a judge in Germany, Lothar Kreysig, who “from a Nazi courthouse and into the 1940s mounted ‘stiff-necked’ protests against an entrenched tyrant about the lawlessness of euthanasia.” Kreysig “would not tolerate this debasing of German legal rules and traditions.”

“None of these three were punished,” points out Weisberg. “All survived the war.”

Kreysig, however, “accepted retirement at full pension in 1942. He was able to discuss his experiences with many audiences after the war. They are inspiring. Unfortunately for the potential reversal of history that following his lead might have accomplished, no one jumped on his bandwagon.”

All three were non-Jews, notes Weisberg.

Weisberg closes his book, published by Oxford University Press, by asserting: “When we fall back on flexibility, as we have for 2,000 years or so, we gain the good feelings that go with our open-mindedness, but we lose our grounding.” He states that we “need to mesh uncompromising policies and values with a finesse of performance that helps to get the job done. Everywhere in this book, I have suggested that negotiation combines an overt willingness to compromise with a deep-seated unwillingness to give the most precious part of our program away! We need a bit of Lyndon B. Johnson in his dealings with the Senate, say on civil rights, and a bit of what Herman Melville brilliantly describes, in Billy Budd, Sailor, as ‘considerate communication.’ Adpente in the performance of our values must be ever-present, but identifying and sticking with those values come first.”
At our 140 day care centers throughout the country, some of which had to open and close due to orders from the ministry of defense, we immediately hired extra staff so they could rush children to the shelter in under a minute.

In our Neve Landy Children’s Home in Even Shmuel, also in constant range of attack, it is particularly difficult. The children who live here are complex, with various emotional disabilities. To keep some semblance of normalcy was challenging to say the least. Every single one of our five children’s homes came under fire for the first time in our history. Even in Bet Elazraki in Netanya, our home as far North as Afula.

Our crisis counseling centers were inundated with calls as you can imagine. The crisis center in Sderot is, sadly, always busy, but now, it was truly challenging.

What is the best way for someone to learn more about Emunah?

If you want to know more about Emunah, I can personally tell you, that seeing is believing. There is nothing like going to Israel and visiting our projects. You witness firsthand the amazing work that Emunah is accomplishing for children, for families, for students, for seniors, and you are forever changed.

I traveled on a Leadership Mission in March, and was once again blown away by what I saw. It happens each time I visit. Everyone on the mission was moved to tears by some of the stories of the lives Emunah has touched. It’s hard to explain in words what you see, fathom, and how emotional the experience is when you are there.

Next February there will be another Leadership Mission, and I would urge people to join us. I can promise you it is an experience they will never forget.

If you can’t come and visit us in Israel, please contact the New York office to find out more, or please, come and speak to me. I welcome the opportunity to share our work with you.

Tell us about the upcoming Emunah weekend at the Hampton Synagogue.

This will be our first official “Shabbat Emunah” in the Hamptons, and we are very excited about it. We are grateful that Rabbi Schneier from The Hampton Synagogue graciously included Emunah in his packed summer schedule. Yehuda Kohn, director of Emunah’s Bet Elazraki Children’s Home in Netanya, will present and share his experiences with the 12,000 Israeli children in Emunah’s care. In addition to Robert and me, Fran Hirmer, Emunah chairman of the board, will join us.

On Saturday night, Emunah is presenting an evening featuring comedian Modi Rosenfeld, who was voted one of New York’s Top 10 comics by the Hollywood Reporter and Backstage. We will also host a fabulous dessert reception. So if you are in the Hamptons don’t miss this inspiring Shabbat.

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