

For Jewish Publications:

With the permission of His Honor, Justice David Wecht, we reprint here the Justice's address to Yeshiva Kohelet in Merion Station, Pennsylvania.

The Justice accompanied his talk to the students with a PowerPoint which is also set forth.

In speaking to young people, even those with a great Jewish background, it is important to appreciate the continuity and role of history. Justice Wecht has led a life committed to education of the Jewish people, and youth, among other endeavors.

The Justice is unafraid to acknowledge that the secret to Judaism and Jewish survival is *Tanach*. The Jewish community spends a great deal of time ringing its collective hands over assimilation of Jews, particularly in America. Many solutions to the problem are suggested, some of which are workable and others are simply of limited duration and significance.

The contribution to Jewish survival by Justice Wecht's views cannot be underestimated. The Justice also decries the tendency of the Jewish people to become politicized and divided by differences rather than united by purpose.

The Jewish People, Their Enemies, and the Eternal Quest for Justice and the Rule of Law

Thank you.

This fine yeshiva is named Kohelet, for the wisdom of King Solomon.

In Kohelet, we are told *"What has been is what will be, and what has been done is what will be done, and there is nothing new under the sun – ein kol khadash takhat hashemesh. There is a thing of which will be said, 'See, this thing, it is new.' It has already been for ages which were before us."*

Jew-hatred is not a new thing. It has been before, and it will be in the future. The question is not what the evil ones will do. It is what we will do, how we will live, how we will advance the Jewish future.

In last Shabbat's parshah, *Ki Tisa*, we all stood at *Har Sinai*, and, even though many strayed and danced around the golden calf, *HaShem* still gave us the Ten Commandments and still promised us Eretz Yisrael, *eretz zavat chalav u'dvash*. Why? Well, for one thing, Moshe Rabbenu pled our case. And for another, *HaShem* remembered his covenant with Avraham Avinu. The meaning and implications of that

Covenant – that Brit – are of course among the many things studied at this fine institution and at so many others around the world.

We are, as Balak observed from Moav, “*am I’vadad yishkon,*” a people that dwells alone. Our sages tell us that this is not our weakness but our strength. We are to be a light unto the nations. This particularity – this insistence on preserving our separate identity – is often misunderstood. It is often resented.

And that resentment corrodes those who indulge it.

What do I mean by corrosion? Here is what I mean: History has shown us time and time again that nations which turn against Jews are nations that fall apart. Let us listen to what Mark Twain had to say:

“If the statistics are right, the Jews constitute but one quarter of one percent of the human race. It suggests a nebulous puff of stardust lost in the blaze of the Milky Way. Properly, the Jew ought hardly to be heard of, but he is heard of, has always been heard of. He is as prominent on the planet as any other people, and his importance is extravagantly out of proportion to the smallness of his bulk.

His contributions to the world’s list of great names in literature, science, art, music, finance, medicine and abstruse learning are also very out of proportion to the weakness of his numbers. He has made a marvelous fight in this world in all ages; and has done it with his hands tied behind his back. He could be vain of himself and be excused for it. The Egyptians, the Babylonians and the Persians rose, filled the planet with sound and splendor, then faded to dream-stuff and passed away; the Greeks and Romans followed and made a vast noise, and they were gone; other people have sprung up and held their torch high for a time but it burned out, and they sit in twilight now, and have vanished.

The Jew saw them all, survived them all, and is now what he always was, exhibiting no decadence, no infirmities of age, no weakening of his parts, no slowing of his energies, no dulling of his alert but aggressive mind. All things are mortal but the Jew; all other forces pass, but he remains. What is the secret of his immortality?”

The secret is the Tanach. *Etz Chayim hee I’machazeekim bah* – it is a tree of life for those who cling to it. It is the tradition. That is why many of you here send your children to school like this, and it is why you build this community and cling to it.

Now, what about the future? The first thing to remember is that, while non-Jews have murdered tens of millions of Jews over the millennia, even more have been lost to our people over those same millennia by assimilation. This continues to hold true now and no doubt will continue to hold true into the future.

What do I mean? Some rabbis tell us that perhaps four-fifths of the Hebrews stayed behind in Egypt at the time of the Exodus; many of you will recall that midrash. Scholars believe that, at the time of the Second Temple, there were already as many as 8 million Jews in the world; today – *2,000 years later* – there are only about 15 million. On the eve of the Second Temple’s destruction in the year 70 of the Common Era, the

entire world population was around 300 million; today it is 7.9 billion. If those numbers are very roughly accurate, we have gone 2000 years from almost 2.7% of the world's population to less than one fifth of one percent of that, meaning less than .19%.

Is that shrinkage due only to Hitler, Chmielnicki, Torquemada, and the host of other murderers who have slaughtered Jews over the centuries and millennia? No, my friends, it is not. Certainly, we have not recovered demographically from the Shoah. We were some 18 million before the Shoah. Now, some eighty years later, and even with the rebirth and development of the State of Israel, we are still only 15 million – still substantially fewer than we were on the eve of the *churban*. That's a sobering thought when one pauses to reflect on the vanished world of Jewry in eastern Europe – an entire civilization.

And consider that in that same time of eighty or so years since the *Shoah*, the world population has nearly quadrupled. All of this, yes. But even so, mostly we Jews are very good at fading and drifting away from Am Yisrael; we are quite good at disappearing on our own. Most Diaspora Jews are not mindful of the words of the philosopher Emil Fackenheim. Fackenheim, a Holocaust survivor and refugee who went on to become a professor at the Hebrew University in Jerusalem taught that, after Auschwitz, there is a 614th mitzvah, a 614th commandment:

“Jews are forbidden to give Hitler posthumous victories.”

Without intending to do so, American Jews give Hitler these victories more and more with each passing generation. We excel at assimilation.

I will not dwell on the numbers. Although, because of efforts like yours here at Kohelet Yeshiva the orthodox Jewish community in the United States is thriving, the Diaspora is shrinking overall. That is mostly because the non-observant, like most of the Jews that I grew up and went to school with, are assimilating at an alarming and indeed an accelerating pace.

The Jewish future in the Galut will be a smaller future demographically. Those who will remain Jews will either make Aliyah or they will thrive because of Diaspora communities like this one that you have built and continue to build right here in Merion Station – your shul, your yeshiva, your other schools and organizations, your children's camps, your trips to visit and learn in *Eretz Yisrael*. This last component, ensuring that Israel is part of our lives, is – and will become – ever more important. *Eem tirtzu, ain zo Aggadah*. If you will it, it is no fairytale.

And what of America? This is a great empire. It is the *Goldene Medina* to which our grandparents came for opportunity and safety. In turn, they built a Golden Age here. America today remains great, and much of that greatness has been contributed by Jews. We can – we must – be proud of our contributions here. Is the Golden Age ending? Maybe. If it is, that is a harbinger as well for the general decline and deterioration in this great democracy and this great republic as well.

Let us hope that is not what is happening. Let us work, both within our Jewish community and in society at large, to prevent that from happening. Let us get involved

in politics and in public life and civic affairs. Let us demand support and respect for our People. Let us fight for our rights. Let us always both demand and defend the Rule of Law. *Dina d'Malchuta dina*. The Law of the Land is the Law. But remember that we must stand up for the law and give it life, we must keep it vital.

The Rule of Law stands as a bulwark of our rights and freedoms only so long as good men and women are prepared to defend it. The greatest judge who never got to serve on the United States Supreme Court was Learned Hand. Here is part of what Judge Hand had to say in his Central Park speech to 1.5 million people on "I am proud to be an American Day" in 1944, when the world was at war:

We have gathered here to affirm a faith, a faith in a common purpose, a common conviction, a common devotion. Some of us have chosen America as the land of our adoption; the rest have come from those who did the same. For this reason we have some right to consider ourselves a picked group, a group of those who had the courage to break from the past and brace the dangers and the loneliness of a strange land. What was the object that nerved us, or those who went before us, to this choice? We sought liberty; freedom from oppression, freedom from want, freedom to be ourselves. This we then sought; this we now believe that we are by way of winning. What do we mean when we say that first of all we seek liberty? I often wonder whether we do not rest our hopes too much upon constitutions, upon laws and upon courts. These are false hopes; believe me, these are false hopes. Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can even do much to help it. While it lies there it needs no constitution, no law, no court to save it. And what is this liberty which much lie in the hearts of men and women? It is not the ruthless, the unbridled will, it is not freedom to do as one likes. That is the demand of liberty, and leads straight to overthrow. A society in which men recognize no check upon their freedom soon becomes a society where freedom is the possession of only a savage few, as we learned to our sorrow.

What then is the spirit of liberty? I cannot define it; I can only tell you my own faith. The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the mind of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias....

Rabbi Tarfon taught us "*Lo aleicha hamlacha ligmor, v'lo ata ben chorin l'hivatel mimeina*. It is not your job to finish the work, but neither are you free to desist from it." Let us never say of any anti-Jewish attack anywhere in this great land – "oh, that's one of those Chasidim" or "I'm not like them." That is *chilul HaShem*, an abomination. We must always strive and act for *achdut*, for unity. *Kol Yisrael areivim zeh l'zeh*. All Jews are responsible one for the other, always.

And let us not ever be distracted by partisan advocacy or hatred. Division has always led to our great detriment. Before the Maccabees could fight the Seleucids they had to fight the Hellenizers. And when the Romans destroyed our Temple in Yerushalayim, their work was aided by the violent quarreling among the Jews. And some of the worst persecutors in the Spanish Inquisition were conversos, former Jews. This is an age-old and painful story. It continues. Too often right-wing Jews cannot see Jew haters in their own camp, and too often left-wing Jews cannot see it in theirs. Jew

haters abound on all sides. No political party has a monopoly on it. Jew hatred is shape-shifting. It is all things to all people. It can be used by right-wingers. It can be used by left-wingers. Don't let yourself be used. Before you were a Democrat or a Republican, a liberal or a conservative, you were a Jew. And you will be buried someday as a Jew, not as a Democrat or a Republican, not as a liberal or conservative. We must stand together always.

And we must be bold. No one respects weakness. Here is part of a piece that Ze'ev Jabotinsky wrote in 1911. It still rings true and important today, more than a century later and on a different continent:

“We constantly and very loudly apologize...Instead of turning our backs to the accusers, as there is nothing to apologize for, and nobody to apologize to, we swear again and again that it is not our fault...Isn't it long overdue to respond to all these and all future accusations, reproaches, suspicions, standers and denunciations by simply folding our arms and loudly, clearly, coldly and calmly answer with the only argument that is understandable and accessible to this public: ‘Go to Hell?’

Who are we, to make excuses to them; who are they to interrogate us?

What is the purpose of this mock trial over the entire people where the sentence is known in advance? Our habit constantly and zealously answering to any rabble has already done us a lot of harm and will do much more.... We do not have to apologize for anything. We are a people as all other peoples; we do not have any intentions to be better than the rest. As one of the first conditions for equality we demand the right to have our own villains, exactly as other people have them.... Other people have also these kind of “good,” and, in addition, they have embezzlers, and pogrom-makers, and torturers-so what-the neighbors lives and are not ashamed.... Do our neighbors blush for the Christians in Kishinev who hammered nails into Jewish babies' eyes?” Not in the least, - they walk with head raised high and look everybody in the face; they are absolutely right, and this is how it must be, as the persona of a people is royal, and not responsible and is not obligated to apologize....

We do not have to account to anybody, we are not to sit for anybody's examination, and nobody is old enough to call on us to answer. We came before them and will leave after them. We are what we are, we are good for ourselves, we will not change, and we do not want to.”

No apologies. Stand straight. Stand tall.

Let us be bold. Let us be proud. Let us be Jews.

Thank you.

The PowerPoints which follow, in all of their bold color, are the creation of Justice Wecht and in a dimension to his views that would be useful to teacher and student alike.

All these materials are reprinted with the explicit permission of Justice Wecht and will also be found posted to the website of the Rieders Foundation.