

## Confronting the Demons of Hatred in the 21<sup>st</sup> Century

By Menachem Rosensaft

When Rabbi Israel Baal Shem-Tov, the founder of Hasidism, saw that the Jewish people was threatened by tragedy, Elie Wiesel wrote 48 years ago in the preface his novel, *Les Portes de la Forêt* – in English, *The Gates of the Forest* – he would go to a particular place in the forest where he lit a fire, recited a particular prayer, and the miracle was accomplished, averting the tragedy.

Later, when the Baal Shem Tov's disciple, the Maggid of Mezrich, had to intervene with heaven for the same reason, he went to the same place in the forest where he told the Master of the Universe that while he did not know how to light the fire, he could still recite the prayer, and again, the miracle was accomplished.

Later still, Rabbi Moshe Leib of Sasov, in turn a disciple of the Maggid of Mezrich, went into the forest to save his people. "I do not know how to light the fire," he pleaded with God, "and I do not know the prayer, but I can find the place and this must be sufficient." Once again, the miracle was accomplished.

When it was the turn of Rabbi Israel of Rizhyn, the great-grandson of the Maggid of Mezrich who was named after the Baal Shem Tov, to avert the threat, he sat in his armchair, holding his head in his hands, and said to God: "I am unable to light the fire, I do not know the prayer, and I cannot even find the place in the forest. All I can do is to tell the story. That must be enough." And, wrote Elie Wiesel, "it was sufficient."

You, the child survivors of the Holocaust gathered here, are the first generation – you know the places you have been, remember the fires you have seen, and can still recite the prayers that were in your hearts in that universe of darkness from which you emerged.

We, the children and grandchildren of the survivors, are by definition the next generations. We know what we have absorbed from our parents and grandparents, from you, from other survivors whom we knew growing up. But our perspectives are necessarily different from yours. While we may know where our parents suffered, where you suffered, while we may have physically been in those very places, we can never experience them the way you did or see them the way you do. And while we may still know the prayers, your prayers, we will never be able to light the fire that burns in your hearts.

I teach about the law of genocide at the law schools of three universities. My challenge is to make an appreciation of the significance of the Holocaust relevant to my students who were born decades after the end of World War II and who came of age in the 21<sup>st</sup> century, years after the genocides of Rwanda, the former Yugoslavia and Darfur also entered history.

Many survivors and a substantial number of other Jews believe the Holocaust to be unique, and want it to be remembered and studied on its own, almost in a vacuum. Thus, when the Shoah

Foundation announced last year that it was broadening its scope to include oral testimonies of survivors of other genocides, there were Holocaust survivors and scholars who objected.

And yet, how can we say that the victims of other genocides, of other crimes against humanity, do not have the identical right to be remembered, to be commemorated. Their suffering, their anguish, their pain was no less real, no less gruesome, than that endured by Jews at Auschwitz-Birkenau, or at Treblinka, or at Bergen-Belsen, or at Babi Yar. A Tutsi child hacked to death by a machete in Rwanda only and exclusively because he was a Jewish child is every bit as much a victim of genocide as my brother who was murdered in a Birkenau gas chamber.

Moreover, as I have both said and written on numerous occasions, we do not have the right to criticize the world for remaining silent when Jews were being murdered in Europe if we do not speak out on behalf of others who are suffering a similar fate.

Engaging in comparative suffering is a pointless and ultimately counterproductive exercise. We should instead remember at all times that what binds us together globally must be our common humanity. And by understanding another's pain, another's suffering, we place our own histories into context.

A few weeks ago, my students and I at Columbia Law School watched *The Memory of Justice*, a 1976 documentary film directed by Marcel Ophüls, whom many of us know better as the director of an earlier documentary, *The Sorrow and the Pity – Le Chagrin et la Pitié* – about France during the war. This less well known film of Ophüls' is about the meaning and impact of the International Military Tribunal at Nuremberg. It includes fascinating interviews with two Nuremberg defendants, Albert Speer and Karl Doenitz, as well as with very young Serge and Beate Klarsfeld, and with Marie Claude Vaillant-Couturier, a Jewish member of the French anti-German underground who had been deported to Auschwitz in January of 1943 "with a convoy of 230 French women," of whom, as she recounted, only 49 eventually "came back to France."

Vaillant-Couturier, who had also survived Ravensbrück and who would go on to serve for most of the 1950's and 1960's as a Communist member of the French Parliament – she was twice elected vice-president for the French National Assembly – testified at Nuremberg on January 28, 1946, precisely one year and a day after Soviet troops had entered Auschwitz. Without question, one of the most powerful images of *The Memory of Justice* is a clip of Vaillant-Couturier confronting Goering, Ribbentrop, Hans Frank, Julius Streicher, and the other Nazis in the dock, and bearing witness. She described the conditions at Auschwitz in horrific detail. "One night," she testified, "we were awakened by terrifying cries. And we discovered, on the following day... that on the preceding day, the gas supply having run out, they had thrown the children into the furnaces alive."

Through films and images such as these, my students, almost all of whom are not Jewish, are confronted with a past that I try to make relevant to them and to their understanding of what justice must truly mean in our world. They realize with some surprise that perpetrators of atrocities had rarely been held accountable in the past, and that it was not until the summer of 1945, that a new cause of action for "crimes against humanity" was created to enable the

perpetrators of systematic mass killings, including the genocide of European Jewry, to be brought to justice at Nuremberg and elsewhere.

The Genocide Convention, adopted by the U.N. General Assembly on December 9, 1948, was meant to put an end to systematic mass killings as a means of promoting megalomaniacal aspirations of ethnic or religious supremacy. Instead, the past half-century has seen devastating new genocides in – as I already mentioned here this evening – Rwanda, Darfur and the former Yugoslavia.

Less than two years ago, in December 2010, many of us were appalled to learn from newly released White House recordings that in March of 1973, Henry Kissinger, then President Nixon's national security adviser, told his boss that "if they put Jews into gas chambers in the Soviet Union, it is not an American concern. Maybe a humanitarian concern." Thereafter, Kissinger, as secretary of state, did nothing to stop the massacres in East Timor at the hands of Indonesian forces that claimed more than 100,000 lives.

Kissinger could have learned something from Adisada Dudic, who was a student of mine in a seminar on World War II war crimes trials at Cornell Law School. She is also a survivor of the genocidal atrocities perpetrated against Bosnian Muslims by Serbian forces in the 1990s.

As a child, Adisada spent three years in refugee camps with her mother and sisters. A "hurtful reality," she wrote in her paper for my class, "reminds me that my home country is destroyed, my family members are scattered all over the world, thousands of Bosnian women and girls were raped and ravaged, thousands of Bosnian men and boys were tortured in concentration camps and buried in mass graves, and so many of my people were slaughtered by an enemy hand that was out to get every single person that self-identified as a Bosnian Muslim. . . . I am infuriated that we continue to have gross violations of human rights all over the world while we continue to find excuses for why we cannot interfere in other countries' affairs."

Adisada understands what Henry Kissinger, himself a refugee from Nazi Germany, apparently never did. We know, as Adisada knows, that Holocaust remembrance cannot be allowed to devolve into an intellectual or spiritual abstraction, that if we are to honor the memory of the victims of Auschwitz, Majdanek, Bergen-Belsen, and all the other sites where Hitler's "Final Solution of the Jewish Question" was implemented, the eradication of the scourge of genocide must not only be an American foreign policy priority – it must be a priority for all of us, individually and collectively, as members of a supposedly civilized international community.

In accepting the Nobel Peace Prize, Elie Wiesel said that he "swore never to be silent whenever and wherever human beings endure suffering and humiliation. . . . When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Wherever men or women are persecuted because of their race, religion, or political views, that place must – at that moment – become the center of the universe." How can the rest of us do otherwise?

Moreover, it is important for us to recognize that none of us lives in a vacuum. Neither we as individuals, nor the nations of the world.

Countries, like individuals, have sinister histories from which they cannot escape. At best, they may be able to come to terms with the past, to integrate it into a public consciousness. But committed indignities, perversions of justice, persecutions and atrocities are every bit as much a part of a national identity as the intellectually or morally elevated individuals and moments with which societies much prefer to identify.

I vividly remember a conversation I had with a young German professor of mine while I was an undergraduate at Johns Hopkins University. When the topic of the Holocaust came up, he said that as he had been a young child at the end of World War II, this period of Germany's history had nothing to do with him. I asked him whether he considered Goethe, Kant and Beethoven part of his national heritage. When he replied that of course he did, I pointed out that there is no such thing as a selective history – one must confront if not come to terms with the bad of one's history every bit as much as the good. Had my professor said that he repudiated all of Germany's history prior to 1945, that would have been different. But if he wanted to take pride in Bach, Hegel and Schiller, he also had to deal with Hitler, Goebbels, and Richard Wagner's declaration that, "I consider the Jewish race the born enemy of pure humanity and all that is noble in man."

Speaking to the National Guard Association Conference in Reno, Nevada, on September 11, Governor Romney referred to the United States as "the greatest nation on earth." "There isn't a country on earth that wouldn't trade places with the United States of America," President Obama told a cheering campaign rally in Golden, Colorado, two days later.

Americans understandably take tremendous pride in the Declaration of Independence, the US Constitution, and the political legacies of Thomas Jefferson, James Madison, Abraham Lincoln and Franklin D. Roosevelt, not to mention towering cultural personalities such as Ralph Waldo Emerson, Emily Dickinson, Mark Twain, Harriet Beecher Stowe, Aaron Copeland, Georgia O'Keefe, Duke Ellington, and Leonard Bernstein. But always lurking in the recesses of our consciousness are slavery, the Cherokee people's Trail of Tears, the internment of Japanese Americans during World War II, the Jim Crow laws and segregation, the notorious Tuskegee syphilis experiment, the mid-20<sup>th</sup> century Hollywood Black List, and the homophobic anti-sodomy laws that were finally declared unconstitutional by the US Supreme Court in 2003.

The same is true of France which I single out this evening because many of you here tonight are from France and, more importantly, because I believe it is meaningful to my dear friend René Lichtman, the son of Polish Jews who was born in Paris in 1937, who was hidden by a French couple throughout the war years, and who has worked with enormous dedication to make this conference possible.

"I am here to uphold the universal values that France has always proclaimed, the rights to which all human beings should be entitled wherever they live: freedom, safety and resistance to oppression," French President François Hollande declared before the United Nations General Assembly on September 25, 2012. "France," he said, "wants to set an example, not to teach others a lesson but because it's our history, our message. Setting an example in promoting fundamental freedoms is our battle and a matter of honor for us."

An outstanding 2010 French film about the July 1942 mass arrest and subsequent deportation of 12,884 foreign-born Jews, including 4,051 children, in Nazi-occupied Paris is a stark reminder that the example set by France during the years of the Holocaust was far from honorable. *La Rafle* (the Roundup), written and directed by Roselyne Bosch, which will be released nationally in the US on November 16, bears witness to the brutality of not German soldiers but French policemen who carried out this action against Jewish men, women and children with callous efficiency and an absolute repudiation of the fundamental principles of human equality and dignity embodied in France's 1791 Declaration of the Rights of Man and of the Citizen.

In *La Rafle*, Jo Weisman, an 11-year-old Jewish boy, is taken with his Yiddish-speaking parents first to the *Vélodrome d'Hiver*, or Vel d'Hiv, a huge bicycle stadium near the Eiffel Tower, where they, together with some 7,000 other arrested Jews, were confined in horrendous conditions. In the words of historians Michael R. Marrus and Robert O. Paxton, "there was hardly enough space to lie down. Worse still, hardly any physical preparations had been made. There was neither food nor water nor sanitary arrangements. . . . At first the victims experienced thirst, hunger, the heat of the day, the cold of the night. Then diarrhea and dysentery. A terrible odor infected the place. Then came a sense of abandonment as hours stretched into days. The confinement lasted for five days."

Mélanie Laurent gives a superlative performance as Annette Monod, a Protestant nurse who is assigned to the Vel d'Hiv and who, overcome by the plight of the imprisoned Jews, desperately tries to help them as best she can. She then accompanies the doomed Jews to a transit camp from which the overwhelming majority are then deported to be murdered at Auschwitz.

*La Rafle* brilliantly captures the horror of it all with enormous sensitivity, including the anguish of parents unable to protect their children, the distress of the very few who wanted but were unable to save the victims from their fate, and the cruelty of the French gendarmes, many of whom seemed to relish their task. Both Jo Weisman and Annette Monod were actual participants in this drama. The film accurately shows how Weisman and another boy survived by crawling under the transit camp's barbed wire fence.

In his 1981 book, *Paris and the Third Reich*, the British author David Pryce-Jones quotes Monod's recollection of the Jewish children's forced departure from the Drancy camp which is movingly depicted in *La Rafle*: "The freight cars had no foot-boards, and many of the children were too small to step up . . . the children gave way to fear. They did not want to leave and began to sob, calling on the social workers and even the gendarmes to help them. I remember little Jaquet, aged five and especially endearing. Begging for my help, he called out: 'I want to get down, I want to see the lady again . . . .' The door of the wagon was closed and padlocked, but he still stuck his hand out through a crack between the planks; his fingers moved. . . The warrant officer gave that hand a blow."

For fifty years, the official line of successive French governments was that the deportations of French Jews during the years of the Holocaust were entirely the fault of the Germans, assisted, perhaps, by the collaborationist Vichy regime. It was not until July of 1995 that the newly elected French President Jacques Chirac set the record straight and confessed his nation's

“collective error.” Speaking on the 53<sup>rd</sup> anniversary of the Vel d’Hiv roundup, he said that “France, the homeland of the Enlightenment and of the rights of man, a land of welcome and asylum, on that day committed the irreparable. Breaking its word, it handed those who were under its protection over to their executioners.”

This is not to suggest that France’s record during the Holocaust is entirely negative. As Alan Riding wrote earlier this year in *The International Herald Tribune*, “of the 320,000 Jews in France in 1940, three-quarters survived the occupation, in many cases thanks to protection by Protestant groups, Catholic convents and individual families. So there is also a more uplifting side to the story. But it can only decently be told now that the darker truth is finally being accepted.”

*La Rafle* not only forces all of us to confront the demons inherent in the human condition but it keeps open wounds that must never be allowed to fully heal. More importantly, however, it does not speak only to Jews. On the contrary, its message is universal in nature, thereby making our history relevant and approachable to anyone who is moved by suffering. And we, in turn, must be equally receptive to chronicles of other tragedies, other genocides – the brilliant 2004 film, *Hotel Rwanda* comes to mind – and integrate their lessons into our consciousness and our ongoing reality.

Finally, let me close with an observation about history. Speaking at a dinner for the United States Holocaust Memorial Museum in New York last week, Elie Wiesel asked, “If Auschwitz did not cure the world of anti-Semitism, what will and what can?”

As we meet here in Cleveland, Radovan Karadzic is on trial in the Hague before the International Criminal Tribunal for the Former Yugoslavia. Karadzic is being held accountable for some of the most heinous mass killings and brutal acts of so-called ethnic cleansing since the Holocaust because almost exactly 69 years ago, on November 1, 1943, President Roosevelt, Prime Minister Churchill and Premier Joseph Stalin formally and publicly gave notice in what has become known as the Moscow Declaration on Atrocities that those responsible for the “atrocities, massacres and cold-blooded mass executions which are being perpetrated by Hitlerite forces in many of the countries they have overrun” would be pursued “to the uttermost ends of the earth,” and delivered “to their accusers in order that justice may be done.”

History by definition is a chain of events. The Holocaust was a gruesome, cataclysmic link in that chain, but it was nonetheless a link. It followed the Armenian genocide and preceded Srebrenica, Rwanda and Darfur.

Perhaps the ultimate question we must attempt to answer, that hovers over humankind, is, if the awareness of the Armenian genocide, and Auschwitz, and Srebrenica, and Rwanda, and Darfur did not cure the world of racial, religious and ethnic hatred, what can and what will?

*Menachem Rosensaft is General Counsel of the World Jewish Congress and Vice President of the American Gathering of Jewish Holocaust Survivors and Their Descendants. He teaches about the law of genocide and war crimes trials at the law schools of Columbia, Cornell and Syracuse universities.*