


RESPONSA FROM THE HOLOCAUST



Rabbi Ephraim Oshry served as the spiritual leader of the Kovno Ghetto during the Holocaust. Highly regarded as a scholar, he was presented with many questions about Jewish law amidst the hardships of ghetto life. Rabbi Oshry wrote the questions and answers on scraps of paper torn from concrete sacks, placed these notes into tin cans, and then buried them. These questions reflect the dilemmas faced by Jews in the Holocaust and serve as a historic record of how the Jews in the Kovno Ghetto were determined to live by Jewish law despite the inhuman, horrifying conditions.

After the liberation of Kovno in August 1944, Rabbi Oshry retrieved the hidden archive and published five volumes of responsa. A sampling of the responsa follows.

Excerpted from Responsa from the Holocaust, with permission from the Oshry family. Translated by Y. Leiman (New York, 2001).

Risking One's Life to Join the Partisans

Question: Every day the Germans would take more than 1,000 people to slave labor at the airfield near Kovno. Whenever they found it difficult to fill that quota, they immediately grew infuriated and swept through the ghetto in a murderous mood to capture additional Jews. This was before they placed the burden of supplying the 1,000 men for each of the two shifts every day on the *Eltestenrat* (Council of Elders).

When the Germans swept through the ghetto, they would attack unarmed Jews, beat them mercilessly, and do what they could to denigrate them. In the ghetto, every day was worse than the previous one. Countless new edicts were issued to confuse and frighten Jews.

One day a report spread through the ghetto that the Germans had decided to transfer a large number of people to another camp. We knew that this meant a death camp. On the heels of this rumor came a new one. A large number of ghetto prisoners were planning

to escape that night to join the partisan units in the forests that were fighting a guerilla war against the Germans. At least that way they could stand up to the enemy.

The problem, however, was that the road to the forest was extremely dangerous. In addition, the ghetto was surrounded by an electrified barbed wire fence—touching it was suicidal—and watchtowers with machine-gun-armed German sentries who were on duty day and night. If all that might not keep the Jews from escaping, a great searchlight lit up the entire area outside the ghetto.

The partisans lacked weapons and, as a rule, they accepted only people who brought their own weapons. This rule increased the risk of escaping from the ghetto. Any Jew found outside the ghetto would immediately be killed by the Germans. But if they caught a Jew with a weapon in his possession, his treatment would be far worse than a quick, simple death.

To add to all these dangers, most partisan groups in the forests had little desire to accept Jews. Anti-Semites themselves, the

partisans were fighting the Germans for their own reasons, and a Jew who fell into their “protective” hands more often than not paid with his life.

In consideration of all these factors, I was asked whether Jewish law permitted a ghetto prisoner to risk escaping into the forest in the hope that G-d would help him stay alive.

There seemed to be two approaches to take: Within the ghetto, the danger to one’s life was certain, whereas escaping put new hope into one’s life. The standard ghetto joke the prisoners used to express the certainty of death within the ghetto walls was to call the ghetto dwellers “dead men on vacation.” In other words, we looked upon ourselves as dead men, whose lives were no more than temporary reprieves.

Even during the periods when there were no *Akzionen* (roundups), the lives of the Jews in the ghetto were always in peril. For any little infraction, the Germans would shoot to kill. It made no difference whether the German imagined that the Jew had been disrespectful to him, or whether the Jew had a crumb of food in his clothing when he came back from slave labor. The ghetto itself constituted an immediate danger to life, whereas life outside was not as absolutely dangerous. Outside the ghetto there was always a vital element of uncertainty: one might survive.

On the other hand, one could make the following evaluation: Life in the ghetto posed no immediate danger. Other rumors had it that those who remained in the ghetto would come to no harm so long as they worked and fulfilled all the German demands, while the danger to those who escaped to the forest came not only from Germans but also from Lithuanians who either handed such Jews back to the Germans or killed them themselves.

Response: It seemed to me that living in the ghetto was definitely a danger to life. The entire purpose of isolating the Jews and imprisoning them in ghettos was solely to rob them of everything they possessed, to enslave them for their labor value, and then to destroy them physically. On the other hand, escaping to the forest offered the survivor another chance at life. Whoever gathered up the courage and decided to escape did so only after thoroughly investigating and weighing his chances.

From time to time we saw partisans inside the ghetto, evidently getting in—and out again—without trouble. Anyone who wished to join them was given instructions as to how to find his way through the forest partisan hideouts. Although the paths were risky, the partisans obviously survived. Clearly, the accursed Germans’ declaration against the Jews made it obligatory for the Jews to fight back and do to them as they were doing to us.

I therefore ruled that one should not undermine the spirit of those who wished to escape to the forest. Rather, one should encourage and support them, and give them every possible assistance in obtaining weapons and ammunition so that when they arrived they would be ready to fight.

Eating Soaked Matza to Fulfill the Passover Mitzva

Question: In the winter of 5702 (1942), several months before Passover, many of the Jews in the Kovno Ghetto began to try to figure out ways to fulfill the mitzva of eating matza on Pessach. At that time even the most basic foods

were not available in the ghetto, let alone white flour from which matza is normally baked. The ghetto prisoners ate whatever they could get their hands on because the black bread that was rationed out was never enough to keep away hunger, and the Germans guarded against any food getting into the ghetto.

Precisely because of this plight, people made every effort not to be ensnared by depression or apathy but to retain their spirits and their psychological strength, hoping that the evil forces would ultimately be destroyed and the prisoners set free. Many of the ghetto prisoners perceived that the only means available to them of opposing the will of their accursed German warders was to maintain some form of Torah study, along with keeping the *mitzvos* so that the Jewish character would not be destroyed.

Toward this end, I organized a small secret group of men who undertook to find ways and means of obtaining flour so that they could bake matzos and fulfill, at the very least, the mitzva of eating an olive-sized piece of matza on Passover Eve. One member of the group was Moshe Goldkorn—may G-d avenge him—a Polish Jew who had escaped the German murderers and found his way to Lithuania, only to be cast into the Kovno Ghetto along with us. This man labored in the Jordan Brigade and came into contact with Lithuanians with whom he could barter goods for flour.

Our next problem was how to get the flour into the ghetto, since the Germans guarded each one of the entrances, and were especially careful that no food, from potatoes to bread, should get in through the gates undetected.

But Goldkorn took it upon himself—literally at the risk of his life—to locate a source for flour, and from time to time to smuggle a small amount into the ghetto. His joy at being granted the merit of making it possible for Jews to fulfill the great mitzva of eating matza was enormous.

The flour was hidden in a secret place guarded very carefully so that no harm would come to it. Bit by bit, Goldkorn smuggled in enough flour to bake matzos for nearly 100 Jews, each of whom would receive one olive-sized piece of matzo. As Pessach drew nearer, the members of this group, at the risk of their lives, managed to bake the matzos in Block C, *die Kleine Werkstaten* [small workshops], where bread was baked for the ghetto families. With permission from the directors of the *Werkstaten*, this group managed to bake all the matzos over a 10-day period after preparing the oven according to Halacha.

But the happiest of them all was Goldkorn, for he had merited the privilege of bringing the flour in, not only for himself, but for the other Jews. At that time, it was indeed a very great mitzva that Goldkorn had fulfilled—providing the means for so many people to fulfill this aspect of the holiday of freedom in accordance with Halacha, inspiring hope in his fellow-Jews that they might yet live to celebrate this holiday with joy after the defeat of their German enemies.

Two days before Passover, Goldkorn was returning from his labor in the evening. He was stopped by German police and searched. A small bag of flour was found on his person. When the Germans realized that a Jew, despite their strict orders to bring no food into the ghetto, had dared violate their edict, they beat him violently and viciously all along his entire body, but the worst of it was that they broke all of his teeth. Yet this Jew, throughout all of his suffering, accepted it with love for his Creator, knowing that he had made it possible for so many others to fulfill a precious mitzva.

Afterward, Goldkorn came to me with a very serious problem. As he spoke, he broke into tears. "With my broken teeth, how can I fulfill the mitzva of eating an olive-sized piece of matza? Since I come from a chassidic family, whose custom is never to eat matza that is soaked (*gebrok-tz*) on Pessach, how can I break that custom now? Is there any way for me to fulfill the mitzva of eating matza?"

Response: The tradition of not soaking matza is a stringency. Halacha does not forbid soaking matza. I allowed the questioner to soak the matza in water even though he was descended from chassidim whose custom was not to eat soaked matza on Pessach—because he had no other way of fulfilling the mitzva, a mitzva for which he had risked his life. I did however instruct him to obtain permission from a *beis din* of three people which would annul the implicit vow of the tradition of his forbears that he had upheld all his life not to eat soaked matza on Pessach.

After we set up a *beis din* which annulled his "vow," he proceeded to fulfill the mitzva of eating an olive's bulk of matza together with all the others who, thanks to him, fulfilled this mitzva. Although his whole body was aching and scarred from the vicious beating the German animals had inflicted upon him, there was no end to his joy and his thanks to G-d for granting him the privilege of eating matza despite his wounds and his broken teeth.

Reciting Kaddish for a Gentile Woman

Question: During the days of affliction when the accursed Germans mercilessly annihilated young and old, men and women, the Lithuanian gentiles, with whom the Jews had lived for hundreds of years, conspired with the German murderers to kill Jews and loot their property. They sought out the Jews wherever they were hiding and whenever they caught one immediately handed him over to their German masters who proceeded to torture and kill the Jew.

Despite the violent hatred that the gentiles had for the Jews, a hatred which the Germans fanned into a flame of vengeance, there were among them unique individuals

who were anguished by the cruelty committed against Jews and would not sit by doing nothing. Whatever they did, though, was done at an enormous risk because the Germans immediately shot anyone they suspected of aiding Jews. Nevertheless, such people existed and they saved Jews at whatever cost.

In 1945, shortly after our liberation, Reb Moshe Segal came to me with the following question: He had been saved by a gentile woman who, at enormous risk to herself, had hidden him in her basement together with ten other Jews, providing them all with food and shelter until the liberation. After the war, when these Jews wanted to repay her in some way for her great compassion, they discovered to their deep sorrow that she had died right after the liberation. The idea took root in their minds to say Kaddish for her, and Reb Moshe Segal was chosen for the task. His question was, Was it permissible to say Kaddish for a gentile?

Response: Basically, Kaddish is a prayer of praise to G-d. When Rabbi Nathan of Babylonia was appointed Exilarch, the cantor used to add in Kaddish the phrase, "In your lifetime and in your days and in the lifetime of our Exilarch and in the lifetime of all the Jewish people." Similarly, in the days of Maimonides, they used to add in the Kaddish, "In your lifetime and in the lifetime of our master Moshe ben Maimon."

In this vein of mentioning others in the Kaddish, it is plainly permissible to say Kaddish in memory of the gentile woman who saved so many Jews from death.... Not only is it permissible to say Kaddish with her in mind, it is a mitzva to do so.

Donning Tefilin Before Bar Mitzva

Question: In the ghetto hell, we discovered that the main design of the Germans was to strip away our divine image and to show the world that Jews were a subhuman species whose blood could be shed with no fear of punishment; that killing a Jew was like killing a fly: not only had no crime been committed, but you had done the world a favor by getting rid of a troublesome creature.

Part of their overall plan to develop a smooth-running machine for the annihilation of the Jews was the effort to instill in their victims a spirit of despondency so pervasive and deep that it would destroy whatever sense of hope we Jews might have, and leave nothing but broken shells to be led like cattle and sheep to the slaughter.

That is why I took it upon myself to encourage and inspire the brokenhearted, to inject within them the spark of hope, the belief that HaShem, the G-d of the Jews, would turn away His fury, heed our prayers, and not leave us in the hands of our enemies.

I organized a group of boys called Tiferes Bachurim, whom I taught Torah and the fear of G-d, implanting in them the seeds for eternal living that would sprout from doing G-d's will wholeheartedly.

Among the boys in the Tiferes Bachurim was an extraordinary boy from Kovno named Shereshevsky who dedicated himself totally to the study of Torah. Even though he was not yet bar mitzva, he was as precise as an adult in his fulfillment of *mitzvos*. This extraordinary boy asked me if he might be permitted to don *tefilin*, despite the fact that his bar mitzva was 3 months away.

When I fathomed the simple sincerity of this boy's request, tears gushed from my eyes. I could not help citing the words of the prophet Yirmeyohu, "Who would grant that my head be water, my eyes a source of tears that I could day and night bewail the dead of my nation, for death has come up in our windows, has entered our houses, to destroy the youth outside, our chosen ones from the streets."

Response: I ruled that that precious child who had such a great desire to merit the privilege of fulfilling this mitzva because he feared that he might not live to fulfill

it if he waited to reach 13, certainly had authorization for donning *tefilin*. I relied on the opinions that permit a minor to don *tefilin* if he knows to guard them in cleanliness. This was certainly applicable to the Shereshevsky boy who had already demonstrated his fear of G-d and was a Talmud student aware and capable of maintaining the degree of bodily cleanliness required to don *tefilin*.

Moreover, since he was three months short of his thirteenth birthday, I relied on the prevailing custom that a boy dons *tefilin* 2 or 3 months before his bar mitzva.

Although I had ruled that he might don the *tefilin* even though he was still a minor, I warned him that if he should find himself with nine other Jews who wished to count him as the tenth for a *minyan*, he was obligated to let them know that he was not yet old enough to be counted into a *minyan*.

New edicts by the German taskmasters were issued against us every day; especially upon Jewish children. Who could assure this boy that he would ever reach the age of 13 to fulfill the mitzva? This was why he could not wait to don *tefilin*. **JA**

Hearing God's Voice

Less than ten of us remained. We were broken-hearted and depressed. Suddenly the [Piaseczner] Rebbe walked to the stand in front of the holy ark and began to sing the famous Karlin melody for *Aysbet Chayil* (Woman of Valor). He sang with deep feeling, passion, and devotion for more than an hour. The longing and thirst for God in his voice were remarkable. His fiery soul burst out of all its boundaries. He was not aware that anyone else was there—he was completely beyond this world. His eyes streamed with tears. His voice was so beautiful! None of us could believe that he had just lost his only son.

Slowly our fear and depression melted away. We forgot the whole world. What did we care for the war? What did all the tribulations have to do with us? We forgot everything—the satanic Nazis who controlled the streets, the explosions, the casualties. We hovered in another world. The Rebbe's singing got stronger and stronger, and we

were all swept up into it. It seemed as if all of us and everything were ascending with the flame that was bursting from his heart. Each of us actually felt how the innocent dove, the congregation of Israel above—the woman of valor, the crown of her husband, was uniting with her beloved (may His name be blessed) on this holy night. And even in this evil hour, a time when God's face was hidden, we could hear God's voice from behind a mist of darkness and cloud and fog, beckoning us to rejoice with Him. God was not hiding! We had everything we desired—we were enjoying the radiance of the divine presence. **JA**

Aharon Sorasky, introduction to A Student's Obligation—Advice from the Rebbe of the Warsaw Ghetto by Rabbi Kalonymus Kalman Shapira. Translated by Micha Odenheimer. (New Jersey, 1991). Excerpted with permission.