“And He gave [it to them] for a law” (2 Chronicles 35:25). When any misfortune and woe befalls them, they wail and bemoan the event and memorialize this sorrow. An example is the Ninth of Av, when they recall by reciting dirges those who were killed in the decrees of our times.

**Question F.** On the first day of [the month of] Sivan 476 according to the small reckoning [May 22, 1716], which fell on a Friday, it was their practice to fast along with [the Jews of] Worms in memory of the decree of 856 [1096] until after midday. Today, on every first of Sivan, when it comes time to say the afternoon prayers, they say the afternoon prayers and then have something to eat so as not to fast the entire day of the New Moon [when Jewish law prohibits fasting] and then say the evening prayers as is their custom all year long. When the first of Sivan fell on a Friday, it was their custom to say the afternoon prayers and the evening prayers immediately after the third hour in the count of twenty-four hours after midday, and then to accept the Sabbath before its proper time. When I saw this, I found it bewildering—their saying the evening prayers at the wrong time—and I cried out against it like a bird. They did not heed me and I heard that even earlier rabbis protested [it], to no avail.

The officers, the nobles of the Four Lands, their heads and leaders and foremost their champions, the brilliant yeshiva deans and the head of the rabbinical court, at the council of the holy community of Lublin between redemption and redemption [between Purim and Passover] this year, the year 510 by the small reckoning [1750], they reached a consensus for themselves and posterity to fast in all four lands on the twentieth day of Sivan each and every year, when the woes in the great holy community of Nemerov began. The troubles were doubled on that day because an evil decree was also promulgated in the year 931 [1171] specifically, as is found in the *selihot* [penitential poems] that are recited in the Mussaf service on Yom Kippur, Section 112, which begins: “Keepers of the Safety of Israel,” etc. Men from age eighteen up and women from age fifteen up must fast and complete [the fast] in the manner of a public fast. However, those pregnant and nursing and those who are ill, Heaven forfend, should redeem [the fast] by ransoming it. Among the public, too, a ransom should be collected from everyone for distribution to poor Torah scholars. Also, [the Torah reading] *Va-yihal* should be recited in the morning and afternoon services as is done on a public fast day. Furthermore, there should be a *yizkor* [memorial] service for the innumerable [Jews who were killed], due to our sins, “El Maleh Rahamim” should be recited, and so on. Also, “El Maleh Rahamim” should be said on each of the three festivals in remembrance of their souls.

Therefore, I declared for myself and my generations, children and grandchildren, a day of fasting, affliction, mourning, eulogy, and lamentation on the twentieth of the month of Sivan, on which the Torah, more precious than pearls, was torn into shreds by mobs. It is because this day marked the beginning of the decrees, the agonies, and the vile and persistent illnesses, and also because sundry woes and misfortunes were redoubled then. Thus, the decree of 931 [1171] was also handed down on this day and at the same time, and also because this day never fell on the Sabbath, according to the revised determinations and calendars in our possession. Thus I composed *selihot* and lamentations that are to be recited with wailing and beseeching on the anniversary of this day forevermore.

When I saw what happened, I recalled that I had recited the *selihot* that had been composed by our brilliant teacher and mentor Rabbi Yomtov Halevi, may his luminescence protect us, author of *Tosafot Yomtov*, head of the yeshiva and the head of the rabbinical court in the holy community of Kraków and the vicinity, as are said in the holy community of Prague each and every year on the fourteenth of [the month of] Heshvan. I asked him if he would have the strength to compose *selihot* as he had once done in the holy community of Prague—that he should not withhold his goodness, given his ability to compose a penitential poem that relates to the event. In response, he answered in the negative.

Not so, he explained, are the woes that we have suffered since the days of the destruction [of the Temple]. In all of them, the troubles issued from hatred of us on the part of those who sought to kill us in order to avenge themselves of us violently. The troubles in the holy community of Prague were different: there they traced only to the war and the siege of the city. Only because we were in the midst of the upheaval was permission granted. Thus, it is called a spreading affliction, and Blessed God saved us by not allowing the hand to dominate us and sap our strength. I retold everything in these *selihot*. What is happening now, in contrast, is like the decrees of yore. Every misfortune that befell our forefathers is befalling the sons, and the ancient ones already composed *selihot* about them and recounted the events. It is the same. Therefore, I said, I should observe them and glean from them because, as they say, the writings of the ancients are good. What is more, making a remembrance of their prayers will be helpful for the acceptance of our prayers, since words uttered by a child do not resemble words uttered by an adult. What is more, their lips speak in the grave and their words will be like a ladder on which our prayers will ascend to heaven. Furthermore, I should take an example from the elders, for there were decrees and pogroms here, in the holy community of Kraków, on three occasions during the year: one on the intermediate days of Passover, one on the twenty-fifty of [the month of] Nisan, and one on Simhat Torah. They recite *selihot* for all three. However, not even one *seliha* was composed about the thing that happened. Instead, they recite the following *selihot*: “God, Do Not Be Silent,” “Keepers of the Safety of Israel,” and the refrain: “God, O God.” As you can see for yourself, there was no one like me among the elders of those generations who could compose something new that would capture the flavor of the event. It is only because they chose the earlier [poets], for the reasons that I have given.

The Ghetto Uprising [Memorial] Day

Chair, Y. Harari: Let’s start debating the matter and adjourn at 9:30, when the Speaker of the Knesset will come.

S. Nurock, deputy chair: Participating in the subcommittee: Members Zisling, Brenner, and E. Raziel-Naor. The committee debated it and everyone agreed that one day should be designated for Holocaust and Memorial Day and Ghetto Uprising Day. We did not reach a consensus about which date this should be. Three dates were proposed. Member of Knesset A. Zisling suggested the eve of Passover, Member of Knesset E. Raziel-Naor suggested the day the world war began, and I proposed the Tenth of [the month of] Tevet.

Chair, Y. Harari: Did you [in the plural] propose a name for this day?

A. Zisling: We didn’t discuss it, but we called it Ghetto Uprisings and Holocaust Memorial Day.

Chair, Y. Harari: Is it the intention that the Knesset should pass a law or declare this day?

A. Zisling: The intention is to pass a law and instruct the Government to implement it.

The motion that I now make is in the name of Member of Knesset H. Brenner and in my name. We do not propose declaring a permanent day in the month but to declare a day in the month of Nissan. It need not be literally on the eve of Passover; it can be the day before or the day after. We also propose this after consulting with many comrades abroad who had taken part in the ghetto uprisings.

Mordechai Nurock (National Religious Part, Mizrachi–Hapoel Hamizrachi):

Esteemed House, on the sixth of Nisan 5711 [April 12, 1951] it was my privilege to present the Knesset, on behalf of the House Committee, with a resolution on declaring “Holocaust and Ghetto Uprisings Day.” The esteemed Speaker of the Knesset then declared the unanimous assent of the exalted House to the following:

“I announce the resolution: The First Knesset declares and establishes the twenty-seventh of the month of Nisan, each year, as Holocaust and Ghetto Uprisings Day—an everlasting remembrance day for the House of Israel.”

At that time, we settled for a declaration only, with neither commentary or details, because we hoped that the Government would make corrections and issue directives that would cement the dignity and sanctity of the twenty-seventh of Nisan as a national day of mourning for the extermination of European Jewry after a glorious millennium; for the six million, one-third of our people and the majority of our offspring, among them one million two hundred thousand lovely Jewish children, our hope and our future; and today, a remembrance of the heroism of the ghetto fighters who salvaged Jewish dignity, performed amazing feats of valor, and showed the two-legged predators that the Jewish people will not be trampled upon, are not like lambs to the slaughter, and can die valiantly, a death of the upright and of heroes. We are proud of our brothers and sisters, the eminent and precious ghetto fighters.

Unfortunately, we do not see that the people dwelling in Zion, as well as the State of Israel, are especially sensitive to and mindful of the importance and sanctity of this memorial day. Places of amusement are wide open on this day, the radio plays buoyant and happy music, dance music, and engages in jocular matters, and display windows burst with light. Indeed, joy and pleasure instead of melancholy and bereavement!

For this reason, there is a serious need to pass a law that will give Holocaust day, legally and eternally, the complexion that it deserves, starting from schools, closing the shops for a while, closing places of entertainment, turning off lights in display windows, and up to radio programming and memorial services in synagogues.

Our forefathers established days of fasting and grief, such as the twentieth of Sivan among others, for various events that we should not liken in any manner to the enormous tragedy of our times.

Holocaust and Heroism Remembrance Day Law, 5719-1959

|  |  |  |
| --- | --- | --- |
| Nisan 27— Remembrance Day  | 1. | The twenty-seventh of Nisan is Holocaust and Heroism Remembrance Day, devoted, each and every year, to communing with the memory of the Holocaust that the Nazis and their accomplices brought upon the Jewish people, and with the memory of the acts of valor and uprising in those days. |
|  |  | If the twenty-seventh of Nisan falls on a Friday, the Remembrance Day shall be observed on the twenty-sixth of Nisan of that year. |
| Ways of observing Remembrance Day | 2. | On Remembrance Day, there shall be two minutes of silence countrywide, during which all work and all travel on the roads shall cease; memorial services, mass assemblies, and ceremonies of communion shall be held in army camps and institutes of education; flags and public buildings shall be lowered to half-mast; radio broadcasts shall express the uniqueness of this day; and in places of entertainment only matters appropriate to its spirit shall be taken up. |
|  |  |  |
| Directives concerning the observance of Remembrance Day | 3. | The minister whom the Government shall deputize for this purpose shall, in consultation with the Yad Vashem remembrance authority, issue directives for the observance of Remembrance Day in accordance with this Law. |

|  |  |
| --- | --- |
| Izhak Ben-Zvi | David Ben-Gurion |
| President of the State | Prime Minister |

Question: Should a day of mourning for the millions killed in the Holocaust be declared?

I preface my remarks by mentioning something that happened with our master, Rabbi Yitzchok Zev Halevi Soloveitchik, in 1943, when rumors arrived that millions of our fellow Jews were being massacred and slaughtered. He approached our master, the late Rabbi Herzog, and asked to declare a day of mourning for this. Our late master objected and said that it is forbidden to declare days of mourning in addition [to those already declared]. He asked him where this is written. Then the late Rabbi Soloveitchik recited the dirge that we say on the Ninth of Av for the martyrs of Worms and Speyer who were murdered during [the months of] Iyar and Sivan: “Please Set Your Heart to Bitter Eulogy,” because their having been killed is as worthy of mourning and lamentation as the burning of the house of our Lord, the sanctuary, and the city [of Jerusalem]. [Continues with a passage from the lamentation] “For one should not add an observance of crisis and conflagration [not to add a day of mourning and eulogy over the decrees] and one should not precede but rather delay. Thus I attach instead the awakening of this day [to the Ninth of Av], eulogize and bemoan and wail with bitter heart, and sigh heavily from morning to evening.” Thus, it is explicit that even though holy communities suffered and died in cruel ways, mourning for them is postponed to the Ninth of Av, because it is forbidden to add yet another day of mourning. (Our late master recited the entire poem by heart, as was his way in sanctity, for he would recite lamentations and *selihot* by heart with his amazing memory). Although he found no source in favor of forbidding [the declaration of a new day of mourning] except the poet’s words, this sufficed for him to vigorously object to another day of mourning.

Such is the case even if towering rabbis and pietists were to declare the day. At hand, however, is the product of the mischief of the secular, who declared a special day (the twenty-seventh of Nisan) as a day of mourning, and several “rabbis” accepted their act and surrendered to them obsequiously, heaven forbid. One should not take part in this with them, of course. For us, it is solely the Ninth of Av, which includes mourning for all the woes and afflictions, the killings and murders, that we have sustained for generations due to our many sins, until soon, with the help of Blessed God, we shall merit eternal redemption. Amen.

In an intimate conversation with Rabbi Benjamin Mendelson of Kefar Atta (today head of the rabbinical court in Komemiut), on the fourteenth of [the month of] Shevat, 5706 [January 16, 1946], in view of attempts by the Chief Rabbinate of Palestine to establish a permanent public fast in remembrance of the Holocaust, the Hazon Ish [Rabbi Avraham Yesha'ayahu Karelitz] said:

— The troubles that happened just now were by other than natural means…. There are people who, according to their “understanding,” need to declare an everlasting fast…. Only the Prophets were able to declare fasts… We lack the power to make enactments…

His interlocutor asked:

— For what reason did the Taz [Rabbi David haLevi Segal] declare a fast on the twentieth of Sivan on account of the Chmielnicki pogroms, which surely fell short of the magnitude of the troubles of our times?

The Hazon Ish replied:

First, this is not written explicitly in [Rabbi Segal’s work] *Turei Zahav….* Second, we are not on his level…. After all, the generation that will succeed us will be superior to ours; how can we make enactments for them?...

In my opinion, it is fitting to establish a special day of mourning and remembrance for the rabbis and holy Jews who were killed and slaughtered and cremated in sanctification of [God’s] name, and to memorialize these martyrs’ souls on this day. We should do so not only in the martyrs’ honor but also so that the generations to come will not forget what our people lost at that time, when the darkness of murderous villainy covered the lands of Europe.