

Vilnius' Snipisek Jewish Cemetery

By Bernard Fryshman, Ph.D.

First, a brief review: In June 2005, Reb Chizkiya Kalmanowitz discovered construction taking place in the Snipisek Jewish Cemetery in Vilnius. The Snipisek Cemetery is where the *G"ra* was buried, as was the *Ger Tzedek*. Even now, the cemetery contains the bodies of the *Chayei Adam* and the *Be'er Hagolah* among many others.

The Lithuanian government argued that the area in question was outside the cemetery boundaries, in spite of hard evidence to the contrary. Two years of protests and international criticism were to no avail and by 2008, two large apartment buildings stood in the cemetery, with tons of earth and human remains excavated and removed. To this day nobody has been able to examine the extracted material.

In 2009, the Lithuanian government, to great public fanfare, announced that the cemetery had been granted Cultural Heritage status with boundaries agreed upon by Vilnius Jews and other groups. The voices of protest and opposition were drowned out by public acclaim for what was portrayed as having saved the cemetery.

A year later, the US Embassy in Vilnius reported that the Vilnius city government designated the area around the Sports Palace, which sits in the middle of the cemetery, as a permanent protest site to be used whenever groups sought permits for demonstrations or protest activities.

Several such events took place and the city even approved a rally to be held at the Sports Palace site in early May. Protests by Jewish groups and the Department of Cultural Heritage Protection convinced city officials to change their mind and not approve any such events. But close observers recognized that the cemetery had no protection, except in name. The city of Vilnius was in complete control.

And so to the aforementioned Sports Pal-

ace. In 1971, Soviet authorities erected this large structure in the central part of the cemetery for public events and gatherings. The building has been unused for several decades and on February 12, 2015, the Lithuania Tribune announced that this edifice was to be reconstructed as a Congress Center.

Almost on cue there was another story in the same newspaper, on April 15, to the effect that "Jewish organizations and Lithuanian government agree on sensitive renovation in central Vilnius," meaning renovation of the Sports Palace. Lithuanian authorities announced that the cost of "painting and renovating the interior" of the forty year old building would be 25 million dollars, with 20 million coming from the EU.

Virtually everyone other than the Vilnius Jews and others who endorsed the project pointed to the \$25 million dollars as presaging far more than painting and interior renovation. Indeed, there has been talk of erecting an annex to the Sports Palace with tens of thousands of visitors coming to the facility each year.

A representative of the American Embassy inquired about the plans and was told, presumably with straight face, that there will be no construction within the cemetery boundaries and no digging or excavation.

We know better. We well recall the interactions which took place in 2005-2008. Then, the diversions and delays of Lithuanian authorities gave the impression of cooperation even as two apartment buildings were built in the Snipisek Jewish cemetery.

We are sophisticated enough to know that one doesn't spend \$25 million dollars on "painting and renovating." We also know that renovation activities will involve some incursion in the cemetery grounds. The storing of materials and equipment, the placement of tents and small structures, the travel of cars

and trucks, and the arrival of new materials and removal of old will all entail insult to the cemetery grounds.

The Snipisek cemetery houses remains which are over 500 years old. Bodies were not buried in caskets, and bones have been free to flow all this time with earth movement, construction activities, and weather. Every time the earth is pierced and with every heavy physical impact, there is a significant chance of desecration of the dead though crushing old bones and human remains.

As noted, the Sports Palace was built in 1971 with services and facilities which, at best, were consistent with the dismal Soviet construction standards of the time. A building suitable for large crowds who expect facilities and modern environmental comforts will require extensive additional pipes and conduits. No doubt these new features will be couched as serving health and possibly security needs, perhaps of an emergency nature as well. But they will be added, and they will entail excavation in the cemetery.

A center of this kind must make provision for the movement of large numbers of people on the outside, as well as seating inside. This requires electrical stanchions, fences, seating, security, and barriers, among other things. There will be a need for supports of all kinds, leading to intrusion into the ground below.

People arrive at events in cars and public buses. Lithuanian weather dictates that people not have to walk large distances, and this means parking lots in so-called buffer zones. Walkways, people movers, and driveways over cemetery grounds will all need to be implemented.

All of the above will despoil the cemetery. The subsequent use of the renovated Sports Palace for concerts, protests, celebrations and gatherings will desecrate it. The term "desecra-

tion" includes physically disturbing graves and tombstones as well as removing the sacredness of a cemetery. Black's Law Dictionary defines "desecrate" as "to divest (a thing) of its sacred character or to defile or profane (a sacred thing)."

The Snipisek Cemetery, one of Judaism's most sacred sites, should not be subject to public activities on its graves. No matter how decorous the crowds and how public spirited the event, a cemetery should be spared intrusions. Nobody would sanction such public gatherings in the Arlington National Cemetery and nobody should permit them in the Snipisek Cemetery either.

Fortunately there is a new element in play here. In August 2014, Congress passed a law which declared Desecration of Cemeteries as a violation of the International Religious Freedom Act of 1998. Hopefully, this will induce the State Department to take concerted action to protect the integrity of this Jewish cemetery.

Our task is clear. Through our rabbinic and communal organizations, we must inform our respective foreign offices, each in his own country, that we want the Snipisek Jewish cemetery to remain sacrosanct, with no "improvements," no changes, and no desecration. A cemetery is for prayer and solemn reflection, nothing more.

We must ask the EU that it not provide the 20 or so million dollars that Lithuania will be asking of them for their project.

Finally, we must reiterate that the cemetery should be returned to the Jewish people, to be operated and controlled by the rabbinic heads of *yeshivos* with antecedents from Lithuania as well as other rabbinic authorities with requisite knowledge in Jewish law regarding such sites. Only thus can we prevent further desecration and ensure that the cemetery will remain undisturbed forever.