



A PRESENTATION OF PARTNERS IN TORAH AND NATIONAL ASSOCIATION OF CHEVRA KADISHA

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Death, as uncomfortable a subject as it may be, is a fact of life. Recognizing that our time in this world is finite is reason enough to think about our mortality and the mortality of our loved ones. The fact that important decisions need to be made — or they will be made for us — is an even more compelling reason to think about its implications. One of those decisions, one that can have everlasting spiritual and familial consequences, is what will be done with our body upon its demise.

In this session, we will explore the underlying reasons for the Jewish practice of burying a deceased person.

INTRODUCTION

Betar, a large fortified city some 10 kilometers from Jerusalem, was at the center of a major Jewish revolt against Hadrian, an anti-Semitic Roman Emperor who ruled from 117 to 138 CE. To suppress the rebellion, Hadrian sent several of his battalions to capture the city. After a 3½-year siege the city fell, and thousands of its inhabitants — men, women and children — were put to death. To make matters worse, Hadrian prohibited the Jews from burying their dead. After several years, when Antoninus Pius succeeded Hadrian as Emperor, they were afforded a proper burial.

SECTION 1



SOURCE 1: TALMUD, TAANIT 26B AND 30B-31A

אמר רבן שמעון בן גמליאל, לא היו ימים טובים לישראל פחמישה עשר באב וכיום הכיפורים... בשלמא יום הכיפורים, משום דאית ביה סליחה ומחילה, יום שניתנו בו לוחות האחרונות. אלא ט"ו באב מאי היא? ...רב מתנה אומר יום שנתנו הרוגי ביתר לקבורה.

Rabbi Shimon ben Gamleil said: There were no more festive days for the Jewish people than the 15th of the month of Av and Yom Kippur... Now it is understandable that Yom Kippur is an especially festive day since it is a day of forgiveness and pardon. It is also the day on which the second tablets of the Ten Commandments were given. What, however, is the significance of the 15th of Av that it should be observed as a festive day? Rabbi Masna said, the 15th of Av is the day that the slain of Beitar were afforded burial.



DISCUSSION QUESTIONS

Among other events that occurred on that day¹, the 15th of Av marks the day when the thousands of corpses that lined the streets of Beitar — for years — were afforded the dignity of a proper burial. The occasion certainly warrants commemoration, perhaps even an annual commemoration. But why establish the day as a “festive day”?! Furthermore, the Talmud relates that this day is on par with Yom Kippur. What might it have in common with Yom Kippur?



SOURCE 2A: GENESIS 2:7

וַיִּצְרֶה אֱלֹהִים אֶת הָאָדָם עָפָר מִן הָאֲדָמָה וַיִּפַּח בְּאַפָּיו נִשְׁמַת חַיִּים.

And Hashem, G-d formed the man of dust from the ground, and He blew into his nostrils the soul of life.



POINT TO PONDER

The Torah introduces us here to the creation of man and relates that man was formed from dust and that G-d infused our bodies with a “*nishmat chaim*”, a living *neshama* (or soul). While the full understanding of this verse is beyond our grasp, we should nonetheless attempt to achieve a basic meaning of the verse’s meaning. Consider then two points: How are we to understand the concept of a soul? What might the term “soul of life” (instead of simply “soul”) mean?

1 See Taanit 30b-31a for other events that occurred on this day.



SOURCE 2B: NACHMANIDES TO GENESIS 2:7

היא רוח השם הגדול... כי הנופח באפי אחר, מנשמתו יתן בו.

It (the soul) is the spirit of the Great G-d... for when someone blows into someone else's nostrils, he gives of his own breath.



DISCUSSION QUESTION

The Torah (Source 2a) already informed us that it was G-d Who infused the body with a soul. What new insight does Nachmanides offer?²



SOURCE 2C RABBI MOSHE CORDOVERO, TOMER DEVORAH, CHAPTER 1

Rabbi Moshe Cordover was a 6th Century Kabbalist.

All Jews are related to one another, for their souls are united, and within each soul there is a portion of all other souls.



POINTS TO PONDER:

What are the implications of Rabbi Cordovero's teaching? Does this source shed light on our earlier question of why the 15th of Av is meant to be a festive day?

² One explanation: Nachmanides is teaching not only the source of the soul but its essence. As G-d is a spiritual being, not tied to a body or form, so too is the soul. And as G-d is eternal, so too is the soul eternal — and not subject to death. This also explains the second “Point to Ponder” in Source 2a. See further Chizkuni commentary to this verse.

SECTION 2

The following sources convey the Torah's directive to bury a dead body

SOURCE 3A GENESIS 3:19

כִּי עָפָר אַתָּה וְאֶל עָפָר תָּשׁוּב.

For you are dust, and to dust shall you return.

SOURCE 3B: DEUTERONOMY 21:23

כִּי-קָבֹר תִּקְבְּרֵנוּ בַּיּוֹם הַהוּא.

You should surely bury him on that day.³

SOURCE 3C: JERUSALEM TALMUD, NAZIR 7:1

"תִּקְבְּרֵנוּ" כּוֹלּוֹ וְלֹא מִקְצָתוֹ. "תִּקְבְּרֵנוּ" מֵיכֵן שְׂאֵם שִׁיר מִמֶּנּוּ לֹא עָשָׂה כְּלוּם.

The entire body must be buried. If only a portion of the body is buried, nothing was accomplished.

NOTE

By Jewish law, the entire body, including blood that may have spilled at the time of death, must be buried. This obviously precludes cremation which, as is clear from Source 3c, accomplishes nothing. In fact, as can be gleaned from the upcoming sources, cremation not only destroys the body, it causes permanent and irreparable harm to the person's soul.

³ By Jewish law, the burial must take place as soon as possible, ideally on the day of death. Under certain circumstances, a funeral may be briefly delayed. A Rabbinic authority should be consulted for guidance in this matter.

SECTION 3

The following sources address the separation that occurs at death between the body and the soul and what happens to the soul at that point.



SOURCE 4A: KOHELET (ECCLESIASTES) 12:7

וַיָּשׁוּב הָעֶפְרָר עַל-הָאָרֶץ, כְּשֶׁהָיָה; וְהָרוּחַ תָּשׁוּב, אֶל-הָאֱלֹקִים אֲשֶׁר נָתַנָּהּ.

The dust will return to the ground as it was, and the spirit will return to God who gave it.



POINTS TO PONDER

Consider this: Source 2a, 3a, and 4a make reference to man's origin from earth ("dust from the ground"). What is the significance of this idea? Further, Source 4a initially describes the process of the body's return to the ground as it was (its original and natural state). It then describes the process of the soul's return to its source, G-d. What inference may be drawn from the sequencing of these two steps?⁴



SOURCE 4B: ZOHAR: SECTION 3, PG 88B

וְכָל זְמַנָּא דְלֵא אֲתַקְבֵּר גּוּפָא, נִשְׁמַתָּא לֵאוּ עֲאֵלֵת קַמִּי קוּדְשָׁא בְרִיךְ הוּא... וְכָל כְּמָה דְגּוּפָא לֵא אֲתַקְבֵּר, צַעֲרָא הוּא לְנִשְׁמַתָּא.

As long as the body isn't buried, the soul is not brought before G-d... While the body isn't buried, the soul experiences pain.⁵



POINT TO PONDER

How do you understand the Zohar's teaching? If the person is no longer alive, what "pain" can he possibly experience?



SOURCE 4C: ANAF YOSEF IN EIN YAAKOV TO TALMUD, TAANIT 30

הַקְּבוּרָה אֵינָהּ רַק צוּרֵךְ הַגּוּף אֲלָא אַף צוּרֵךְ הַנְּפֶשׁ. כִּי כָּל זְמַן שֶׁלֵּא יָשׁוּב הָעֶפְרָר אֶל הָאָרֶץ לֵא תָּשׁוּב הָרוּחַ אֶל אֱלֹקִים.

Burial is not merely essential for the body, it is essential for the soul. As long as the body is not returned to the earth, the soul will not return to G-d.

⁴ The Torah is apparently conveying the idea found in Source 4B, that the soul is not returned to G-d until the body is buried.

⁵ The idea that the soul experiences pain can be seen from Job 14:22 "But his flesh pains him and his soul mourns for him."

SECTION 4

The following sources address the innate sanctity of both Torah Scrolls and human beings. The first source takes this one step further, demonstrating how their sanctity remains even after their objective usefulness has departed.

SOURCE 5A: EIN YAAKOV TO TALMUD SANHEDRIN 46B

טעם הקבורה היא משום שהגוף הוא כמו ספר תורה שבלה שטעון גניזה.

The reason to bury the body is because it is like a worn out Torah scroll which needs to be stored away.

DISCUSSION QUESTIONS

E in Yaakov seems to be using circular reasoning. Why bury a body? Because that's what you do with a worn out Torah Scroll. But why do we bury a Torah scroll? Further, what does a lifeless body have in common with a Torah scroll, one of the most sacred objects in Jewish life?

SOURCE 5B: TZITZ ELIEZER, RESPONSE 17:39 (PARAPHRASED)

If both a person and a Torah Scroll fell, which should be lifted first? The question is which of the two is more degraded by remaining on the ground. In my opinion, the Torah scroll should be lifted up first... A healthy person lying on the ground isn't degraded.

SOURCE 5C: INCIDENT IN THE TOWN OF PAKS, HUNGARY

Cited in Mazkeret Paks, Vol. 1, Chapter 5

Rabbi Yoel Ungar tripped on a rock and fell to the ground together with the Torah scroll he was holding in his hand. His student promptly picked Rabbi Ungar up and then picked up the Torah scroll. The local Halachic authority Rabbi Yitzchok Zvi Sofer was asked whether the student acted appropriately in lifting the Rabbi before the Torah scroll. He ruled that if Rabbi Ungar was degraded because of the fall, the student acted properly as the rabbi, like all human beings was created in the image of G-d.⁶

DISCUSSION QUESTIONS

Tzitz Eliezer (Source 5B) clearly disagrees with Rabbi Sofer's ruling (Source 5C). Can you see a principle which they do agree upon? What relevance does this principle have with regard to the idea expressed in Source 5A?

⁶ Note: This is based on the verse in Genesis 1:26 and Genesis 9:6 which state that man was created in the image of G-d.



What is Judaism's Understanding of Cremation?

By Jack Sanders, Sacramento, California

From <https://jewishdeathandmourning.wordpress.com>

Jewish Law does take a strict view with regards to cremation. Regular internment in the ground is considered the honorable and beneficial method of laying the departed to rest, and is the fulfillment of a positive Biblical commandment (a 'mitzvah'). As such, it would be most unfortunate to deprive the deceased of this procedure by subjecting the body to cremation.

The better one understands the underlying ideas and processes of a burial, the more one can appreciate why cremation is no substitute. To illustrate, let us take a moment to examine the physio-chemical differences between an organism which decomposes in the earth, and one which is consumed by fire. As the process of decomposition begins, the elements of the organism are broken down; *but they by no means disappear*. In fact, its inherent components remain, but are merely returned to and absorbed by the surrounding earth.

In the case of a decomposing plant, for example, its minerals and nutrients are retained in the ground. These elements — which remain in the soil — actually provide sustenance and life to whatever seedlings should sprout in this area. The original elements give life once again and regenerate in the form of new vegetation.

What would happen to the same plant should it be consumed by flames? The entire organism would undergo a radical physical change. Reduced to ash, its inherent organic materials would by and large be whisked away into the atmosphere and disappear. No new, significant life would be affected through its termination.

Rabbi Yechiel Michel Tukachinski (*Gesher Hachaim*, vol. 2, ch. 13; see also vol. 1, 16:9) explains the ritual of burial against this backdrop. One of the tenets of our faith is the principle of '*Techiyas hameisim*', the resurrection of the dead. As sorrowful as the burial procedure is, the Jew knows deep down that he will see his loved one once again, in a future era. Not only does the soul live on, but it will one day return to its remains, and the body itself — rejuvenated and reunited with its soul — will return to life.

The individual — body with soul — will rise again. *The very elements that had constituted his original body will be reconfigured and rebuilt*, just as a plant is replenished from the nourishment of the original materials. And so the essentiality of burial should be apparent. Through it, the Jew reaffirms his belief that this body is resting in only a temporary fashion. One day these very elements will rejoin to once again walk this earth. Why consign the body to flames, which will only serve to discard these elements? Instead, the Jewish nation preserves them through the noble institution of burial.

For more information on Jewish burial and about cremation, please visit www.peacefulreturn.com