

Burial in the Ground?

Genesis 3.19: עֵפָר אַתָּה וְאֶל־עָפָר תָּשׁוּב׃
“You are dust and to dust you will return.”

The Torah legislates this norm at Deuteronomy 21:22-23:1

לֹא־תֵלֵין נִבְלָתוֹ עַל־הָעֵץ כִּי־קָבֹר תִּקְבְּרֶנּוּ בַיּוֹם הַהוּא
“Do not leave his corpse hanging on the post overnight. Rather you must bury him that same day.”

the essential mitzvah is the prohibition against הלנת המת, leaving a body unattended

while permanent in-ground burial [קבורת שדה in modern Hebrew parlance] has become the exclusive Jewish practice, it was not always the case. Jews have used various methods to fulfill the demands of לא לָאֵלֶּיךָ וְלָאֵלֶּיךָ תִּשְׁבָּר וְלָאֵלֶּיךָ תִּשְׁבָּר and to return human bodies to the earth. In the words of Tur [YD 362]: “In every place according to its own custom.”

Not all lands are the same. In a place which is hot and dry like the Land of Israel they place the dead body in a cave and add no earth whatsoever, for they rely on the abundant dry heat to desiccate the body and prevent maggots. But in Babylonia, which lacks dry heat, the custom is to bury a body in a coffin and place earth on the eyes and the face. If it is the rainy season, we bring dry earth [i.e. not mud] to place upon the face, then cover the face with a garment, and place additional earth on top of the garments covering all the body. Once that earth has reached the height of a tefah, we place a board to close the casket, then continue heaping up much more earth until it reaches the height of a cubit or more. The reason we place earth upon the body is that earth is its healing, as it is said, unto the earth you shall return. - R Natronai Gaon (d. 861)

In a Coffin?

In y. Kilayim 9.3 (41b), R. Yehuda HaNassi is quoted as requesting that the lower boards be removed from his coffin, so that his body decompose directly into the ground. Based upon this, Nachmanides [Torat HaAdam 2:117] writes that “the optimal mitzvah is burial literally in the earth.” R. Yosef Karo reports this as law [SA YD 362.1]: “If one places the body in a coffin and buries it in the earth, one has not violated the prohibition. Nonetheless, it is best to bury in the earth directly.”

T. Ohalot 2.2 and b. Niddah 27b discuss ceramic and stone coffins, without criticism.

The Talmud states that the wealthy were carried to the grave on a fancy bed [דרגש], while the poor were carried in a simple box [כליכה]. Since the poor were embarrassed by this social gradation even in the moment of death, which should be the great equalizer, the Sages mandated that all be carried out in a כליכה.

Alone?

M. BB 6.8 limits the number of niches per cave in order to ensure a distinct place for each person. Semahot 13.8 states that two individuals nor their bones should not be buried in a single grave. Rambam Avel 14.16 ביין ביינן, and SA YD 362.4 codify this as law, regarding such mingled burial as disgrace.

In practice, lack of adequate space often prevented complete separation. Archaeological findings show that ancient Palestinian graves mingled bones, apparently grouping them into family piles. This was also common in biblical times, giving deep meaning to the idiom that the dead “lie with their ancestors.” In early modern times, R. Jacob Reischer [1670- 1733, Shvut Yaakov, 2.95] reported from central Europe: “Go examine the people’s practice throughout all Israel’s diaspora, for they bury one next to another and one on top of another, even though this does not conform to the law” of separating graves. This practice is instantiated in famous European cemeteries, like Prague and Vilna.

Forever?

the norm among ancient Palestinian rabbis was not קבורת שדה at all, but two-stage burial: depositing a person's remains in a temporary grave or in a cave, then after the flesh decomposed, gathering the bones and re-burying them in a family plot, either within smaller stone boxes called ossuaries or in no box at all.

archaeological findings confirm that secondary burial was practiced even in biblical times and was dominant among Palestinian Jews until Amoraic times, in the 5th century CE.⁹ This method is described as ליקוט עצמות or “bone-gathering,” and is attested in numerous texts, including m. MQ 1.5 and m. Sanhedrin 6.5, and the associated Yerushalmi, as well as the extra-Talmudic tractate Semahot. An excellent description of the practice comes from y. MQ 1.5 (5a): “Initially they buried people in ditches. After the flesh decomposed, they would gather up the bones and bury them in coffins.”¹⁰ R. Yosef Karo quotes this passage verbatim at SA YD 363.4, affirming that this practice is permitted “where it is local custom.”

alternative methods of cremation and above-ground burial do not violate הלנת המת, do not expose a body to the abject disgrace of public decomposition, and do not constitute ניזול המת, desecrating a body.

“The principle is that anything done for the honor or benefit of the dead is not to be considered disgraceful.” - Rabbi Davi ibn Zimra (RaDBaZ) Egypt, early 16th century

Cremation?

Once cremation became an efficient industrial technology in the late 19th century, a few rabbis favored it. R. Hayim Castiglioni, chief rabbi of Rome, endorsed cremation not only in theory but in practice: upon his own death in 1911 he was cremated and his ashes buried in the Jewish cemetery in Trieste.

However, the substantial majority forbade cremation, with many forbidding burying ashes in a Jewish cemetery. Still, Castiglioni and others had their arguments, citing Tosafot to b. Hullin 125b s.v. yachol which states that while it is not the custom to burn a human body , אין דרך לשרפו ליכא הכא בזיון המת – It is untraditional but evidently not forbidden. Another Rabbi, R. Avraham Gombiner [Magen Avraham 311.3] asserts that “ there is no disgrace to the dead when the body is burned.”

Cremation: it requires fuel, usually natural gas, to heat crematoria to between 1500-1900 degrees Fahrenheit, adding greenhouse gases. Human bodies often contain toxins (e.g. mercury from dental fillings) which can be released into the atmosphere during burning.

How it adds up

Compared to practices such as those that include embalming, ornate caskets and concrete vaults, traditional Jewish practices are as green as those suggested by alternative burial advocates. We typically bury unembalmed remains in simple, biodegradable wood caskets. As noted, we could also use woodchip, cardboard or plant fiber coffins that would degrade even faster, or even better, use no coffin at all.

But there are still significant economic dimensions to Jewish burial traditions. The cost of graves and memorial stones, cemetery care over time, the services of the funeral home, caskets, shrouds can all add up. Might other methods be more economical? Should that matter? Cremation is cheaper than burial, often by \$2,000-\$4,000. Mausoleum burial tends to be much more expensive than interment, often by more than \$10,000.

Hesed Shel Emet was founded in Portland in 2017 to ensure that all Jews in Oregon would be buried in dignity regardless of means. It is supported by many rabbis, congregations, Jewish organizations and individuals, throughout the state.

Some Modern Methods - are they Kosher?

Alkaline hydrolysis literally means “decomposition in water,” and is marketed as “green” “flameless” or “water cremation.” Cremation and alkaline hydrolysis [AH] have the same basic idea: dissolving the body in an external medium. Instead of intense heat, AH uses a solution of 95 percent water and 5 percent alkali, either sodium hydroxide or potassium hydroxide. The body is submerged in the solution and – depending on how high the temperature and pressure – the body’s soft tissue dissolves within three to 12 hours, washing into an inert, sterile solution, which can be discharged safely into municipal sewer systems. AH leaves a residue of decollegated and disarticulated bones.

against the background of the ancient two-stage burial, in which the flesh is not abandoned to public disgrace as it breaks down, and the essential burial happens to the bones. In contemporary AH, while some bone matter would be dissolved, the process would yield bones one could bury amid family plots in much smaller graves.

R. Yosef Molkho [Shulhan Gavoha, to YD 362 n.2], relates that when he moved from Salonika to Jerusalem in 1748 he found this common practice among the rabbinic class: “I, the author, have witnessed here in Jerusalem that great sages and pious people have commanded before their deaths that a *tefah* of lime be put all around their bodies, above and below and on each side, to speed the decomposition. And so have I commanded in my will that they should do the same to me.”

Composting

Kohelet 12.7:

וְיָשָׁב הָעָפָר עַל־הָאָרֶץ כְּשֶׁהָיָה וְהָרוּחַ תָּשׁוּב אֶל־הָאֱלֹהִים אֲשֶׁר נָתַנָּה:

“the dust returns to the earth as it was before, and the spirit returns to God who gave it.” Traditional Jewish burial is, more or less, composting.

One example of human composting is being initiated in Oregon in the “Urban Death Project.” This proposal, also far from actual construction, seeks to compost human bodies in a three-story pile of carbon- and nitrogen-rich organic material, like wood chips and alfalfa, aerated automatically by the structure itself. The bodies would be laid at the top of the pile, and decompose as they sink down. At the bottom of the structure, families could return after about two months to collect compost containing the residue of their loved ones. Farms and city governments could also make use of the compost, according the UDP website.

<https://recompose.life>

According to the Centers for Disease Control, the bodies of 21st century people are full of **all kinds of toxins** — BPA, heavy metals, volatile organic compounds, preservatives, pesticides, the byproducts of disinfectants and so much more. Mushrooms put out enzymes that break down organic material and remediate toxins in the soil — they've even been touted as the answer to cleaning up everything from **nuclear meltdowns to oil spills**. And the varieties of fungi that can do this aren't fancy or rare — lots of edible varieties like shiitakes and oyster mushrooms are great at cleaning soil. Now you can buy a suit Lee likens to "ninja pajamas" covered in a netting laden with mushroom spores and other elements that help decompose, remediate toxins and deliver nutrients to plant roots.

<https://science.howstuffworks.com/environmental/green-science/mushroom-burial-suit.htm>

The Honor Due to the Dead

Radbaz declares that the righteous should let “nothing but time” affect decomposition. Nonetheless, he declares the practice of adding lime permissible: “The principle is that anything done for the honor or benefit of the dead is not to be considered disgraceful.”

R. Moshe Feinstein wrote, “honor or disgrace should be evaluated based on the intention of the actors” [Iggerot Moshe YD 1.247].

Shiva would begin once the family had “turned its face from the dead,” that is when members had no more immediate action to take to dispose of their loved one’s remains.

This teaching is based on resources offered in a study by Rabbi Jeremy Kalmanofsky, 2017

<https://www.rabbinicalassembly.org/sites/default/files/public/halakhah/teshuvot/2011-2020/alternative-burial.pdf>