

The Jewish Way in Showing Honor to Our Departed Loved Ones Upon Their Death

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Between Death and Burial: Aninut

(From: Martin Cohen, Ed. *The Observant Life: The Wisdom of Conservative Judaism*, p. 285)

Mitzvah of Tohorah

As he came forth from his mother's womb, naked shall he return to go as he came, and shall take nothing for his labor, which he may carry away in his hand. (Ecclesiastes 5:14) (further interpreted: Just as a newborn child is immediately washed and enters the world clean and pure, so one who departs this world must be cleansed and made pure through toharah/purification)

Mitzvah of the Burial Shroud (tackhrichin)

What [about] Rabban Gamaliel? — As it has been taught: At first the carrying out of the dead⁷⁴ was harder for his relatives⁷⁵ than his death [because of the great expense],⁷⁶ so that they left him⁷⁷ and ran away, until Rabban Gamaliel⁷⁸ came and adopted a simple style and they carried him out⁷⁹ in garments of linen, and [then] all the people followed his example and carried out [the dead]⁸⁰ in garments of linen. Said R. Papa: And now it is the general practice [to carry out the dead] even in rough cloth worth [only] a zuz.⁸¹ TB Ketubot 8b

Rehaba said in the name of Rab Judah: Whoever sees a corpse [on the way to burial] and does not accompany it¹⁶ comes under the head of 'He that mocketh the poor blasphemeth his Maker'. And if he accompanies it, what is his reward? R. Assi says: To him apply the texts: He that is gracious unto the poor lendeth unto the Lord,¹⁷ and he that is gracious unto the needy honoureth Him.¹⁸

R. Hiyya and R. Jonathan were once walking about in a cemetery, and the blue fringe of R. Jonathan was trailing on the ground. Said R. Hiyya to him: Lift it up, so that they [the dead] should not say: Tomorrow they are coming to join us and now they are insulting us! (Berakhot 18b).

Mitzvah of Keriyaḥ—from Shulhan Arukh, Yoreh Deah

When a person dies his close relatives are required to tear an upper garment at the neckline while standing; see 340:1-2,4,9-14,20,27-31,33-35. The tear should be a handsbreadth long and should not be repaired for 30 days; for a parent it should reach the chest and should never be repaired (340:3,9-10,12-16,19).

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Michael Katz

Aninut

The period from the time of death until burial is known as *aninut*, a term for which there is no exact English translation, and the mourners—or rather, those who will become mourners after the burial, i.e., the parents, siblings, spouse, and children of the decedent—during this initial stage of bereavement are called *on'nim* (singular: *onein* or *onenet*). Because these close relatives of the deceased are generally supposed to be charged with arranging the fu-

neral and subsequent burial of the deceased, the *halakhah* exempts them from the performance of all positive *mitzvot*, perhaps finding it in poor taste for people who have suffered the loss of such a close family member to be overly concerned with their own spiritual needs. Many people turn to the synagogue for solace during this period, but it is considered inappropriate to recite the Mourner's Kaddish until after the burial takes place. In addition, *on'nim*

Mitzvah of Burial in Earth/Coffin

In the sweat of your face shall you eat bread, till you return to the ground; for out of it you were taken; for dust you are, and to dust shall you return. (Genesis 3:19)

יֵשׁ בְּזֵיעַת אֶפְיֹךָ תֹאכַל לֶחֶם עַד שׁוֹבֶךָ
אֶל־הָאֲדָמָה כִּי מִמֶּנָּה לָקַחְתָּ
כִּי־עֹפֶר אֶתָּה וְאֶל־עֹפֶר תֵּשׁוּב:

And the dust returns to the earth as it was; and the spirit returns to God who gave it. (Ecclesiastes 12:7)

וְיָשׁוּב הָעֹפֶר עַל־הָאֲרֶץ כְּשֶׁהָיָה
וְהָרוּחַ תֵּשׁוּב אֶל־הָאֱלֹהִים אֲשֶׁר
נָתַןָּהּ:

And the time drew nearer that Israel must die; and he called his son Joseph, and said to him, If now I have found grace in your sight, put, I beg you, your hand under my thigh, and deal kindly and truly with me; bury me not, I beg you, in Egypt. Genesis 47:29

כֹּס וַיִּקְרָבוּ יְמֵי־יִשְׂרָאֵל לָמוּת וַיִּקְרָא
אֶל־בָּנָיו לְיוֹסֵף וַיֹּאמֶר לוֹ אִם־נָא
מָצָאתִי חֵן בְּעֵינֶיךָ שִׂים־נָא יָדְךָ
תַּחַת יְרֵכִי וְעָשִׂיתָ עִמָּדִי חֶסֶד וְאֱמֶת
אֶל־נָא תִקְבְּרֵנִי בְּמִצְרָיִם:

My colleague and friend Rabbi Bradley Shavit Artson points out that to voluntarily cremate a body after millions of Jewish bodies were cremated in the Nazi death camps is simply unthinkable. Moreover, the burial site itself becomes a place of comfort for the survivors, a place that would not exist if the body is cremated.

Cremation and Disinterment

Judaism regards the human body as a sacred trust from God that none has the right to desecrate or destroy, and this has been the view of Judaism since ancient times. Therefore, cremation, considered the ultimate expression of disrespect to the dead, is absolutely forbidden in all instances. In the light of

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The Observant Life: The Wisdom of Conservative Judaism...

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duty-bound to obey the wishes of their parents in this matter since cremation is explicitly forbidden under Jewish law and that Jewish tradition is completely clear that parents do not have the authority to instruct their children to violate halakhah. In this way, every effort should be made to discourage cremation. If the heirs feel, however, that they cannot go against the specific instructions of an otherwise lucid, now deceased, parent, such cremated remains may be buried in a Jewish cem-

etry. This validates the ancient principle that the wishes of the dead are to be considered a sacred trust by the living (cf. the tradition ascribed to Rabbi Meir preserved in the Talmud at BT Ta-anit 21a and other places), but in such a way that precludes any possibility of the Jewish community appearing to condone a decision that tradition considers abhorrent and which the Shoah renders incomprehensible. A responsum by Rabbi Morris Shapiro permitting wide rabbinic discretion in