

Guide to Jewish Cemetery



*Elements,
prohibitions and
how to conduct a visit*

I. WHAT IS A MATSEVAH?

Matsevah is a Hebrew word meaning stone or pillar. In Genesis 28:11 Jacob places a stone under his head and dreams of a ladder with angels ascending to heaven. This may be an obscure source of the use of the word *matsevah* as a tombstone. In biblical times, a *matsevah* was sometimes called a *tsiyun* (Hebrew for sign).

2. DOES TRADITION REQUIRE JEWISH GRAVES TO HAVE A TOMBSTONE?

The first mention of a Jewish tombstone is in Genesis 35:20 where *Jacob set up a pillar upon [Rachel's] grave* on the road to Bethlehem. Grave markers only became a standard burial practice during the Middle Ages, which was probably enforced by the belief that like soil, the stone added weight to contain any chance of the ghost leaving the body. Talmudic rabbis called a gravestone a *nefesh* (soul) as there was a Jewish mystical belief that a soul hovers over the place where its body is buried. The stone honors the soul by giving it a place to reside. As civilization grew less superstitious, the stone became associated with affection and respect. There were Jewish scholars during the medieval period who ruled in favor of a gravestone, most notably, Rabbi Solomon ben Aderet (1235-1310) of

Spain. His judgment may have been influenced by the Talmudic injunction that Kohanim not come into contact with dead people for fear of spiritual defilement. Jewish law also acknowledges that the erection of a physical monument helps mourners accept their loss.

3. WHY ARE MOST JEWISH TOMBSTONES SIMPLE IN DECORATION?

Jewish tradition does not favor displays of opulence. There are both obvious and esoteric reasons for this. Until the re-establishment of the State of Israel, the survival of a Jewish community was often at the whimsical discretion of the ruling power. During the Middle Ages, anti-Jewish prejudice shifted from the deicide charge to the idea that Jews were bent on revenge against the Christian world in the form of usury and price fixing. Wealthy Jewish communities were at risk of being held to ransom or of being destroyed by a mob of debtors. The wisdom of not flaunting one's good fortune extended to Jewish burial. A second argument against elaborate gravestones holds that in death *the rich and the poor meet together* (Proverbs 22:2) and the stone should reflect this. Thirdly, in a related belief, Orthodox Judaism holds

that modesty is necessary to create the levels of spirituality necessary to bring the Messiah. Ostentatious stones are sometimes viewed as undermining the belief in a Messiah and resurrection. Finally, a fourth argument in the Talmud in *Bereishit Rabbah* 82:10 by Rabbi Simeon ben Gamaliel posits that “we need not erect monuments for the righteous; their accomplishments are their memorials.” It is interesting that traditionally in Morocco and increasingly in Israel (notably in Mount Herzl Military Cemetery) Jewish graves do not have headstones but marble slabs positioned horizontally over the grave.

4. WHY ARE JEWISH HEADSTONES FAVOURED OVER FOOTSTONES?

Jewish gravestones are placed near the head because the brain is considered the most important part of the body. During the cleaning of a Jewish corpse, the head is washed first. Foot stones are used as an architectural device to add symmetry to the grave and to show visitors where the body is buried in order not to walk above it. Foot stones are small and are easier to move, which could result in a burial location being lost.

5. WHAT IS AN OHEL?

Ohel is Hebrew for tent. Rabbis and other important Jewish people are sometimes buried under a tent-shaped gravestone. According to Jewish law, any structure with a roof may be called an *ohel*. In ancient times, a tent was often used by royalty. Roman emperors would live in large tents during their campaigns. As Jews disfavor Roman tradition because of the associated pagan element, this is probably not the reason why rabbis are buried under an *ohel*. The reference in Genesis 18:6 to angels visiting Abraham in his tent may be a more valid suggestion for the practice. It is widely believed, however, that the stone *ohel* represents the Sanctuary that housed the Ark of the Covenant.

6. WHY DO SOME JEWISH TOMBSTONES HAVE FACING THAT RESEMBLES AN *ASHLAR* WALL WITH JERUSALEM STONE?

Ashlar is a thin, dressed rectangle of stone for facing walls rough or finished. Jerusalem Stone is cut in ashlar design. Walls on Jewish tombstones are usually associated with the Western Wall in Jerusalem and symbolize the desire of Diaspora Jews to return to the Promised Land. Jerusalem Stone was used to build many holy sites in Israel including the Western Wall (the remaining wall of the

Temple). It is not surprising that an *ashlar* wall is incorporated in the emblem of the city of Jerusalem.

Sir Ronald Storrs, Jerusalem's first British civil governor, recognized the need to preserve Jerusalem as a city of antiquity, and he drafted a law to preserve Jerusalem's architecture for centuries. The law required all buildings within municipal Jerusalem to be faced with Jerusalem Stone, limestone that has been quarried in that region for almost four thousand years. The wall symbol on Jewish tombstones may have a sandblasted facing to emulate the ancient look of limestone used in Jerusalem.

7. WHY DO SOME JEWISH TOMBSTONES HAVE A SYMBOL OF A TREE?

On Jewish and Christian tombstones, the *Tree of Life* (*Etz Chayim* in Hebrew), or *Tree of Knowledge*, is often depicted as a pomegranate tree, as rising from a jar or mountain, or being guarded by a griffin. The tree is first mentioned in Genesis 2:9 where it is described as both a tree of good and evil, and as a tree of knowledge. God explains to Adam that eating the fruit from the tree will result in death. A snake convinces Eve that God is bluffing and does not want the first humans to become enlightened enough

to threaten His domain over the world. Eve eats the fruit and convinces Adam to do so as well. They suddenly find themselves aware of their nakedness, an image of paradise lost, and the pair is expelled from the Garden of Eden. The *Tree of Life*, especially one guarded by a griffin, suggests a return to paradise. Scandinavian mythology has a similar tree: Yggdrasil, a giant ash, has roots and branches that bind heaven, earth and hell together.

8. WHY DOES A BEAR SYMBOL APPEAR ON SOME JEWISH GRAVES?

As Jewish law prohibits human imagery on Jewish graves, bears, which can walk upright, are sometimes used to represent humans. The scouts who returned from Canaan to the Israelite camp with grapes are sometimes portrayed as two bears carrying a staff from which is hanging a cluster of grapes. Dov is Hebrew for bear. In Eastern Europe, Jewish names were often a hyphenated compound of Hebrew and Yiddish, for example, Dov-Ber.

9. WHY ARE PROTECTIVE IRON RAILINGS DISCOURAGED?

As iron railings are an Industrial Age architectural feature, it was a 19th century rabbi, Jacob Tennenbaum (1832-1897) of Hungary, who commented on them. He objects to their use for three reasons: first, iron railings constitute an imitation of Christian practice. It is noteworthy to mention that Judaism has many prohibitions against certain practices on the grounds that they are performed by people who are not Monotheistic, such as the Romans. Secondly, as all people become equal in death, an iron railing would be demeaning to poor families who cannot afford such protection. Finally, iron is a symbol of war and according to many is inappropriate for a cemetery.

10. ARE MAUSOLEUMS KOSHER FOR JEWISH BURIAL?

A mausoleum may be defined as a magnificent tomb. It should be noted that Abraham was buried in one. Talmudic law is quite specific about what constitutes a kosher mausoleum: Open burial above ground is prohibited as it is disrespectful to the body (for similar reasons Jews do not have a wake). If the structure is to stand above ground level, the coffin must be filled with soil with a mausoleum enclosing the grave. The requirement is then to bury the body in earth, either directly or indirectly. In the case of an *obel*

(see question 5), the structure is usually erected after burial and is, therefore, technically not a mausoleum. Above-ground burial is sometimes mandatory, such as in New Orleans which has a high water table.

II. WHY ARE TORAH SCROLLS BURIED IN THE CEMETERY?

In ancient times, worn out religious books were often stored in a secret room or attic in the synagogue called a *genizah*, for example, in the famous Fostat Genizah in Egypt that was built in 882. In time the room becomes too full to hold the material, which needs to be disposed of in a modest manner. Jews bury Torahs in cemeteries because these scrolls contain the written name of God, which is revered and never obliterated. Some large Jewish cemeteries have a special section where discarded religious material is occasionally brought for burial.

12. WHY DO JEWISH GRAVES TRADITIONALLY FACE EAST?

East is the traditional Jewish direction of Jerusalem because Jerusalem is east of Europe. When Jews pray they face east because it

is believed that prayers ascend via Jerusalem. Jews also pray facing east to personify their longing to return to Zion. Some Jewish cemeteries are designed to have the head facing east, but generally Jews are buried with their feet facing Jerusalem as custom holds that when the Messiah arrives, resurrected Jews need to know in which direction to walk. Some Lubavitch Jews are buried with a walking stick.

13. HOW CLOSE MAY JEWISH GRAVES BE SITUATED TO ONE ANOTHER?

The Gentile practice of burying dozens of corpses in a pauper's grave became more acceptable when the Plague ravaged Europe and bodies needed to be disposed of quickly. Jewish law forbids bodies to share the same grave; it is considered disrespectful. The law requires that bodies be separated by a minimum of six *tefachim* (handbreadths). While technically all that is required between bodies is a solid structure, the authorities created what is known as a “rabbinic fence”, an extra requirement so that the spirit of the original law would not be violated. There is a second reason for the six *tefachim* fence. The Talmud states that two solid surfaces are considered joined if there is less than three *tefachim* between them.

Therefore, if two coffins were placed a couple of inches apart, this would technically make one kosher wall.

Commentator Joseph Karo acknowledges in his *Shulchan Aruch, Yorah Day'ah* Chapter 362, *Halachot Aveilot*, Law 3 that "You cannot bury two corpses next to each other, but only if there is a wall in between." He then asks if earth may qualify as a wall and resolves that six tefachim of earth is considered appropriate. His judgment is confirmed by Rabbi Abraham Zvi Hirsch Eisenstadt. There is a second commentator who approves the six *tefachim* fence. The Shach (Shabbsei Cohen) quotes the Bach (Rabbi Joel Sirkes, Chief Rabbi of Krakow in 1618-1640): "Even if it is impossible to bury in other places, it is still not allowed unless you know for sure that there are six *tefachim* in between the two caskets."

In Europe's Jewish ghettos, the communities faced a space problem and were sometimes required to bury bodies on top of one another. An example is the Old Jewish Cemetery of Prague, which in size is no more than a few hundred metres in each direction. Between 1439—1787, it is estimated that about 100,000 bodies were buried in this cemetery, in layers twelve deep. This, of course, posed a legal concern: if bodies could be humiliated by one another horizontally, would the same not happen if bodies were stacked one above the

other? In Joseph Karo's *S hulchan Aruch, Yorah Day'ah* Chapter 362, *Halachot Aveilot*, Law 4 he resolves that "You do not put two caskets one on top of the other. If it was done, we force the removal of the top one. But if there are six *tefachim* between them, it is allowed." Bodies must be buried at least six *tefachim* apart in any direction.

14. WHY ARE JEWISH CEMETERIES TRADITIONALLY NOT FOUND NEAR SYNAGOGUES?

Unlike churchyards, Jewish cemeteries are usually not found in close proximity to synagogues, because Kohanim are prohibited from coming into contact with dead people (see question 26). In some medieval Jewish ghettos, such as Prague, ghetto space was very limited and the cemetery was placed behind the synagogue. High walls were erected around the cemetery to delineate a barrier for the Kohanim.

15. WHAT IS THE CONNECTION BETWEEN JERUSALEM'S MOUNT OF OLIVES AND THE MESSIAH?

The Mount of Olives is a ridge running two miles along the Valley

of Jehosophat (biblical name for the Kidron Valley) that borders the eastern edge of the Old City of Jerusalem. The mountain has been used as a cemetery since about 2400 BCE, initially by the Jebusites and later by Jews, Christians and Muslims. It is considered the most famous Jewish cemetery in the world because many Jews believe that the Messiah will arrive from the Judean wilderness and come down from the mountain through the valley and enter Jerusalem through the Golden Gate. Joel (3:2): *I will gather all nations and bring them down to the Valley of Jehoshaphat.* Tradition holds that those buried on the mountain will be the first to be resurrected. Arabs sealed the Gate, as legend holds, to prevent a Jewish Messiah from entering Jerusalem. A related tradition holds that after resurrection, the pious will make their way to Israel by way of *gilgul mechilot*, or rolling through divine underground passages. Talmudic tractate *Ketubot* 111a, line 16, suggests that Rabbi Elai would be revived by rolling to the Land of Israel. Rabbi Abba Sala the Great asked if the rolling would be painful to the righteous. To which Abaye replied that divine cavities will be made for them underground.

PROHIBITIONS

16. ARE JEWS ALLOWED TO BUY A PLOT IN ANTICIPATION OF THEIR DEATH?

Jewish tradition disfavors preemptive funeral arrangements such as the purchase of burial plot for a sick person on the grounds that such an act may reduce a person's hope and speed up their demise. The practice, however, is not illegal in Jewish law as a pre-mortem purchase may be a practical necessity, as in the case of Abraham (Genesis 23) who bought the field of Mamre containing the Machpelah Cave for a family plot because there were no existing Jewish cemeteries. It is common practice for healthy people to buy plots, especially around a deceased family member, to allow families to be buried together.

17. WHY DOES JEWISH LAW PROHIBIT JEWISH CORPSES FROM BEING EMBALMED?

Embalming in Jewish law is not kosher because it delays decomposition and, therefore, violates the rule that Jews should return to dust. Embalming is an Egyptian custom designed to unnaturally delay decomposition. Joseph embalmed his father Jacob for the explicit purpose of taking him to the Machpelah Cave in Canaan. So as not to unnecessarily prolong returning the body to the earth, *Joseph*

commanded his servants the physicians to embalm his father rather than do it himself (Genesis 50:2).

18. WHY DO JEWS BURY THEIR DEAD AS SOON AS POSSIBLE?

Jewish law requires that the dead be given a speedy burial. The injunction is called *kevod ha-met* (honoring the dead). Deuteronomy 21:23 explains that *thou shalt surely bury him the same day*. In the age of air travel, a Jewish funeral may be postponed for a day or two to allow relatives to arrive, but never more than three days unless there are extenuating circumstances. There are mystical and basic health reasons for this. In Judaism, a body that is left unburied is considered to be humiliated. It is considered an affront to God to allow a human (in His image) to remain exposed to the mercy of elements. Some believe that as long as the body is unburied, the spirit of the deceased can be harmful to mourners. Before refrigeration in the Middle East, the hot Mediterranean climate would have caused the body to smell.

19. WHY DO JEWS NOT HAVE FUNERALS ON A SATURDAY?

The Jewish Sabbath runs from Friday evening to Saturday night. Shabbat

is treated as a celebration and described as a wedding. Just as we do not schedule a wedding on a somber day, Jews do not violate the sanctity of Shabbat with a funeral. As Jews are forbidden to bury their dead at night, the funeral is scheduled for Sunday.

20. HOW LONG DO JEWS GENERALLY WAIT BEFORE ERECTING A GRAVESTONE?

Today a Jewish gravestone is generally erected during the eleventh month before the end of the one year mourning period (*avelut*). The one-year delay before the unveiling allows the earth to settle so the stone will not sink. It is also unnecessary to erect a stone in less than one year as the deceased is well remembered during that time. In the Sephardi community the stone is sometimes erected after the first thirty days (*sheloshim*). Some Hasidim have a custom of erecting a stone immediately after the initial seven day mourning period.

21. DOES JEWISH LAW PROHIBIT HUMAN IMAGERY ON JEWISH TOMBS?

The practice of placing a graven image (an idol in the form of a body or face) on a Jewish tomb is strictly forbidden lest the image be used for idol

worship. The ruling is inferred from the Second of the Ten Commandments (Exodus 20:4): *Thou shalt not bow down unto them, nor serve them.* While centuries of Monotheism in Western society has removed the desire (the commentator Rashi calls it a craving) to worship idols, Jewish tradition is tenacious and Jewish tombstones bearing human imagery are exceptionally rare, an example reportedly being the tombstone carvings in the Jewish cemetery of Essaouira, Morocco. In designs where human beings would otherwise be represented, artisans have used metonyms, such as a pair of hands for the grave of a member of the priestly family, or an animal substitute.

22. DOES JEWISH LAW PROHIBIT JEWS WITH TATTOOS FROM BEING BURIED IN A JEWISH CEMETERY?

While Leviticus (19:28) forbids Jews from having tattoos (You shall not make any cuttings in your flesh for the dead, nor imprint any marks upon yourself), it is kosher for Jews with tattoos to be buried in a Jewish cemetery. The confusion may be the result of the above reference to the dead. Jews do not tattoo themselves out of reverence to God in whose Image they are supposed to have been created, and because tattooing was associated with idol worship. Ancient peoples would sometimes cut themselves when hearing of a dead relative. The practice probably

derived from the spilling of blood during a human sacrifice. Some idolaters had tattoos that represented their deity.

23. ARE JEWISH SUICIDE VICTIMS BURIED OUTSIDE CEMETERY WALLS?

The injunction does not require a suicide victim to be buried outside the cemetery but rather at the outer limits at least six feet from regular graves. Some Ethiopian Jews traditionally bury suicide victims outside the walls. In modern times, suicide victims are likely to be buried in the regular section as society has a greater understanding of mental illness. Some cemeteries even have special sections for suicide victims that kept the Sabbath.

24. MAY JEWS BE BURIED IN GENTILE CEMETERIES?

It is a *mitzvah* (commandment) for Jews to be buried in land belonging to Jews. However, this is not always financially possible, and the law allows Jews to be buried in a Gentile cemetery as long as they are visibly separated from the Gentile dead by a solid barrier or a definite space of no less than four cubits (72 inches). The injunction against being buried among Gentiles stems from a rabbinic ruling against burying Jews in a

place of idol worship.

25. MAY A GENTILE SPOUSE BE BURIED IN A JEWISH CEMETERY?

Jewish law does not allow Gentiles to be buried in a Jewish cemetery. In addition to the Jewish law that Jews must be buried on Jewish ground, it is considered disrespectful to the dead who may have specifically chosen to be buried in a Jewish cemetery and who now have no say in the matter. In their desire not to separate a Jewish and Gentile couple post-mortem (or force a Jew to accept burial in a Gentile cemetery next to their spouse), some authorities have ruled that a Gentile may be buried within a Jewish cemetery so long as their grave is separated by a barrier in the same way that a Jewish grave would need to be separated in a Gentile cemetery. Reform Judaism allows the practice on the opinion that it is not the cemetery that is sacred but the individual plots, and on the condition that Gentile symbols are not erected. The leniency is based on Talmud *Gittin* 61a which explains that for the sake of peaceful relations, Jews bury the Gentile dead. Some Reform authorities opine that if a Gentile clergy person is to perform the funeral service, it should not be

done in the cemetery.

26. WHY DO COHENS HAVE A PROHIBITION ON ENTERING CEMETERIES?

Kohanim once had duties in the Jerusalem Temple. They are forbidden to come into contact with dead bodies as *He that touches the dead ... shall be ritually unclean* (Numbers 19:11). The impurity is known as *tamai* and refers to spiritual rather than physical impurity. The method for making someone *tabor* (spiritually clean) was to immerse them in the ashes of a red heifer (we have lost the knowledge of what animal this is) mixed with water, and then sprinkling them with the twig of a hyssop plant (a small bushy aromatic medicinal herb) dipped in water. The *tamai* person then submerged themselves in a *mikveh* (ritual bath).

To avoid impurity, Kohanim must remain a minimum of six feet from the domain of the deceased, in other words., not only from the body itself but from an enclosure surrounding the body such as a mortuary room. The six foot rule does not apply to Gentile corpses which a Kohayn may only make himself *tamai* from by touch. In a legend, Rabbah bar Abbahu saw prophet Elijah in a Gentile cemetery. Bar Abbahu exclaimed that Elijah was a Kohayn to which Elijah responded that Gentiles do not defile.

The six-foot rule is a rule of thumb. The exact minimum distance that a *Kohayn* may come within a Jewish corpse is four *amot*. An *ama* is an ancient measure equivalent to one cubit, or 18 inches. 18 inches x 4 (*amot*) = 72 inches, and 72 divided by 12 inches (one foot) = 6 feet.

Kohanim may walk along Jewish cemetery paths providing it is possible to maintain the minimum required distance from the graves, and providing there are no trees overhanging both the graves and the path. Trees are considered as linked to graves through their connection to the soil. Some cemeteries take care to cut off branches overhanging the path.

Commentator Joseph Karo explains that a small barrier allows a *Kohayn* to come closer to a body than four *amot*. To approximately translate from his *Shulchan Aruch, Yorah Day'ah* Chapter 371, *Halachot Aveilot*, Law 5: “It is forbidden for a Kohayn to come within four *amot* of a [Jewish] corpse or a grave ... when there is no *mechitza* [separating barrier] of ten tefachim [handbreadths] high, or a ditch of ten *tefachim* deep. But if there is a *mechitza*, you may come as near as four *tefachim*.”

27. ALL JEWS TODAY ARE TECHNICALLY RITUALLY IMPURE, SO WHY IS THERE STILL A PROHIBITION ON COHENS ENTERING A CEMETERY?

In Joseph Karo's *Shulchan Aruch, Yorah Day'ah* Chapter 372, *Halachot*

Aveilot, Law 2 he states: “Contact with a non Jewish dead should also be avoided.” Is he inferring that in our post-Temple world the prohibition is not as serious? Rabbi Yechezkel ha-Levi Landau of Prague says that there may be room to be lenient because of a doubt: perhaps we can rely on the Ravid, an earlier commentator, who holds that all Jews are already *tamai* (spiritually impure). Later, Landau comments, “I rethought my words. Now I hold in my heart that maybe the Ravid did not say there is no prohibition, just that the transgression will not be punished.”

28. WHY DOES JEWISH LAW PROHIBIT CREMATION?

In Genesis 3:19, God tells Adam “for dust thou art, and unto dust shalt thou return.” Jews noticed that their Gentile neighbors would sometimes keep cremated remains in an urn or scatter the ashes. These remains would not reach an identifiable place of rest in the soil. Some Jews believe that resurrection is not possible if a body has been artificially disintegrated. In his fifth (unfinished) volume of his *Histories*, Roman historian Cornelius Tacitus (c. 56 CE-c. 117 CE) confirms that the Jews buried their dead instead of burning them. While cremation has been sanctioned by some Reform rabbis since about 1898, many Orthodox authorities compare the practice to burning a Torah scroll. After the Holocaust, when survivors returned to the death camps in the hope of

finding the remains of their relatives, they instead discovered ovens and found no trace of the ashes. This gave the prohibition on cremation renewed context. While Jewish law does not technically allow an intentionally cremated body to be interred in a Jewish cemetery, some authorities have given a more lenient interpretation as ashes will ultimately return to the earth.

29. WHAT IS THE GENERAL PROHIBITION AGAINST DISINTERRING THE DEAD (PINUI METV'ATZAMOT)?

Kevod ha-met (showing proper respect for the dead) is intrinsic to Jewish law as the dead cannot fend for themselves. Jewish bodies must generally be buried within a day of death and without a wake as a body that is unburied is considered to be humiliated. After World War I, authority Rabbi Yechiel Ya'akov Weinberg was asked if it is kosher to disinter a cemetery of Polish Jews and bury them in Germany on the grounds that their town no longer had Jews and the cemetery was at risk of being vandalized. Rabbi Weinberg argues that humiliating the dead is as serious as murder. "The removal of bones from one graveside to another ... is a matter that our rabbis and decisions in all generations have treated with great severity for we find that *Chazal* [Hebrew acronym for our great sages] were very insistent on the proper respect to be paid to the dead ...

the soul of a Jew feels great anguish over the pain and humiliation of a corpse". Weinberg refers to the *Kol Bo* (an important anonymous work concerning death in Judaism, probably written by Provence rabbi Aaron ben Jacob ha-Kohayn of Lunel, 1262-1325) which argues that the treatment of a corpse is an affirmation of the belief in the resurrection. The *Kol Bo* argues that the pain of disinterment is the result of trembling (in Hebrew *charada*) felt by the soul that it is being summoned for Divine judgment. This is based on (I Samuel 28:15) where Samuel asks when brought back from the dead: "Why have you agitated me?" The *Shulchan Aruch* (Joseph Karo 1488-1575) was also opposed to disinterring bodies which he saw as an offense to the dead.

The *Shulchan Aruch* (commentator Joseph Karo) argues that there are four situations where disinterring the dead is considered legal: (1) *kever avot* (ancestral grave), where a corpse may be reburied in a family plot; (2) where the deceased wishes to be buried in Israel and for financial or logistical reasons the request is delayed; (3) conditional burial where it is clear the site is temporary, for example, if the deceased had to be temporarily buried in a Christian cemetery or if they had to be buried on land or in a family plot without the owner's permission. Conditional burial is based on the Jerusalem Talmud (*Mo'ed Katan 1:5*) which describes the practice of burying Jewish bodies in deep pits (*mahamorot*) and waiting for the skin to dissolve before removing the bones for

reburial in cedar coffins (*rozim*); (4) unprotected grave, where continued burial would result in damage by vandalism or construction, for example, the 1958 removal of Rabbi Meir Szapiro's remains from the Old Cemetery of Lublin to *Har ha-Menuchot* in Jerusalem before the construction of Lenin Street was to damage half of the Polish cemetery.

A fifth reason, not advocated by the *Shulchan Aruch*, argues that a grave that interferes with the rights of the public may be removed (*nezek harabim*, or damage to the public). This is a controversial ruling as public rights may include archaeological digs and public access to private buildings. The problem of construction, archaeological digs and ancient cemeteries is especially prevalent in Israel where excavators have come into conflict with Orthodox Jews at sites including Beit Shearim and French Hill in Jerusalem. Jewish law is not so much concerned with building over a grave site as with deriving benefit from the grave (*issur ha-na'eh*), specifically from soil that may have traces of human remains. Rabbi Shad Yisraeli (1910-1995, former member of Chief Rabbinate Council in Israel) opined that only the first three *tefachim* (handbreadths) of soil over the body constitute a grave, the remaining soil only for leveling the ground. His opinion is validated by the *Chazon Ish* (Rabbi Avraham Yeshayahu Kareiitz, 1878-1953). In his *Netivot ha-Mishpat*, Rabbi Jacob Lorberbaum of Lissa argues that so long as the sacred dirt remains submerged, one derives no benefit.

30. WHY IS THE PRACTICE OF PLACING FLOWERS ON JEWISH TOMBS DISCOURAGED?

In the Talmud in *Beitza* Chapter 1 Page 6A, Rashi comments that it was a custom to place myrtle branches on a coffin to beautify it and honor the dead. Jewish law does not object to the practice but tradition disfavors it because it is a Gentile custom. In Judaism, the dead are considered to be poor, as in death everyone is equal. Adornments like flowers suggest the opposite. The Talmud says that the purpose of funeral flowers is to have their fragrance offset the odor of the body during a wake. Jews living in the Arab world would probably have little problem with funeral flowers as it is only a usual practice among Christians. Some Spanish Jews follow the Gentile custom of placing flowers on Jewish graves.

31. WHY ARE SOME RITUAL ITEMS NOT BROUGHT TO A JEWISH CEMETERY?

Commentator Joseph Karo's *Shulchan Aruch* prohibits Jewish ritual items from being brought into the cemetery. These items would include Torah scrolls and *tephilin* (phylacteries), but for practical reasons do not include prayer books. He bases his ruling on Proverbs 17:5 which states, "Whoever mocks the poor blasphemes God." In Jewish tradition, the

dead are considered to be poor, as in death everyone is equal. As the dead can no longer perform the *mitzvot* (commandments) associated with ritual items, the presence of such items constitutes a mockery of the dead.

32. DOES TRADITION ALLOW PREGNANT WOMEN TO VISIT CEMETERIES?

While there may be mystical suggestions that demons roaming the cemetery may harm or possess an unborn child, the official legal reason specifically relates to women of the priestly family. If the mother was a significant distance inside the cemetery and she suddenly gave birth, her baby could become *tamai* (spiritually impure) from contact with the dead. See question 26 for a detailed explanation of ritual impurity.

While there is no prohibition on pregnant women entering cemeteries, rabbinic authorities are concerned about a possible effect of trauma on a pregnant mother who attends a funeral.

33. WHY IS EATING AND SMOKING DISCOURAGED IN A JEWISH CEMETERY?

Proverbs 17:5 states, "Whoever mocks the poor blasphemes God." In Jewish tradition, the dead are considered to be poor, as in death everyone

is equal. As the dead can no longer eat, the presence of food and cigarettes constitutes a mockery of the dead. Jewish mysticism acknowledges that the dead may express a desire to perform physical actions like the living. Some mystical authorities hold that the dead return to their synagogue at night to eat. The belief may be based on the idea that the dead are unable to perform *mitzvot* (commandments). Many of these commandments are associated with eating rituals. On Passover, Jews leave a cup of wine near an obscure open entrance such as a window or door for the prophet Elijah. The idea is to refrain from embarrassing an unearthly being by exposing them to human beings, just as Jewish law considers an unburied body as being humiliated.

VISITING THE CEMETERY

34. WHAT IS THE KADDISH PRAYER?

Kaddish derives from *kadosh*, the Hebrew word for holy. The prayer sanctifies God's name. It makes no mention of death because it is believed to have been written in Temple times for recital after Torah study. The *Kaddish* prayer (except for the last Hebrew verse) is written in Aramaic, the equivalent of Yiddish in the ancient world. Aramaic became the vernacular of Babylon and Palestine for nearly a thousand years (c. 5 BCE to the end of the Talmudic period). The first known reference to *Kaddish* as a prayer for mourners is in the *Or Zama*, a book written by Rabbi Isaac ben Moses of Vienna (1180-1266) who regarded *Kaddish* as a good prayer for mourners whose faith was tested. The idea was encouraged by 13th century Kabbalists (Jewish mystics) who believed that the prayer has the power to redeem souls. This may be based on the legend that Rabbi Akiva helped redeem a soul from hell by teaching a man's son. The inference is that remembering the dead gives them peace.

35. ARE THERE SPECIFIC TIMES WHEN JEWS MAY NOT VISIT THE CEMETERY?

Many cultures believe that demons are active in cemeteries at night, which is probably why many horror films are set after dark. Maimonides

argues that there is little reason for a sane Jew to visit a cemetery at night. In light of centuries of persecution following accusations of Jews committing blood libels and being vampires, Maimonides gives prudent advice. Catholics traditionally visit their relatives in the cemetery at night on All Souls' Day. Jews traditionally visit the cemetery during daylight hours in the intermediate period of the High Holy Days in September. There is one dispensation, however, that allows for a late night prayer service, *Tikun Rachel*, to be held at the grave of Rachel near Bethlehem. Tradition connects the matriarch with late-night Torah study. Jews usually do not visit the cemetery in the first year following the death of a relative as it is considered counterproductive to mourning. This is not a legal requirement as much as a tradition, because Sephardi and Israeli Jews sometimes hold an unveiling within a year for practical reasons.

36. ON WHAT DAYS ARE JEWISH CEMETERIES LIKELY TO BE CLOSED?

It is disappointing to travel a good distance to an old Jewish cemetery to find it locked up behind high walls. The reason for the padlock is not to keep out legitimate visitors such as relatives and genealogists, but because Jewish cemeteries are hot spots for vandalism. Some old East European Jewish cemeteries are permanently padlocked because the community

does not have the resources to employ a gatekeeper. The community leader will sometimes leave a contact telephone number on the wall near the entrance and is usually more than happy to come out and give you a tour with the unspoken understanding that you make a donation to help maintain the cemetery. Jewish cemeteries are closed before sunset, on Jewish festivals and on *Shabbat* (Friday evening to Saturday evening). While the daylight hours of Friday are not part of *Shabbat*, the cemetery may close early, if open at all, on this day, to make administration easier for the community. In Israel, Sunday is a normal business day. In the Diaspora, the best time to visit a Jewish cemetery is Monday to Thursday between 10am—3pm, bearing in mind that in Eastern Europe in winter, the sun may set as early as 3pm. It is best to call ahead.

37. WHY ARE MEN ASKED TO WEAR A HEAD COVERING INSIDE A JEWISH CEMETERY?

A Jewish man is required, by tradition, to cover his head in public. The Jewish head covering is called a *yarmulka*, which is an acronym for the Hebrew *yorei malkali*, or *fear of [respect for] the Heavenly King*. Jews cover their heads to acknowledge their submission before God. As a funeral is considered to be a public gathering, Jewish men are traditionally required to wear a head covering in a cemetery. There is an

underlying mystical reason, of course, as with many Jewish traditions. In question 27, it is explained that today all Jews are *tamai* (spiritually impure). Jewish corpses are considered to be *tahor* (spiritually clean) as the *Shechinah* (Divine Presence) is said to rest over them. A head covering is used to acknowledge that one is in the presence of the Divine, just as Moses removed his sandals before the burning bush.

38. WHY DO MANY JEWISH CEMETERIES HAVE HAND-WASHING FACILITIES AT THE ENTRANCE?

Many cultures view water as a means of spiritual purification. Judaism is no exception. In Temple times, the method for making someone *tahor* (spiritually clean) was to immerse them in the ashes of a red heifer (we have lost the knowledge of what animal this is) mixed with water, and then sprinkle them with the twig of a hyssop plant (a small bushy aromatic medicinal herb) dipped in water. The *tamai* (spiritually impure) person then submerged himself in a ritual water pool called a *mikveh* to complete his purification. In the Talmudic period, Jews washed before entering a cemetery in order to be pure while praying at a grave. In Jewish mysticism, the concepts of clean and unclean do not necessarily follow the physical laws. In Jewish law, pure objects can sometimes make living people impure. A cemetery, while pure in nature,

causes impurity for *Kohanim*. Some authorities believe that demons are unable to find their way out of a cemetery unless guided by a person who does not wash them away upon leaving. This may be the reason why the custom today is to wash upon leaving rather than upon entering a cemetery. Jews traditionally do not dry their hands after leaving the cemetery so as not to give the impression of wiping away memories of the deceased. The hand washing facilities at the entrance of many Jewish cemeteries suggests that, while Temple purification no longer exists, Jews strive to purify themselves. There may, of course, be medical reasons relating to the Plague for the custom of hand washing, but Christian cemeteries typically do not have hand-washing facilities.

39. WHY ARE PEBBLES PLACED ON JEWISH GRAVES?

In ancient times, before gravestones, people marked a ground burial with a cairn (a mound of stones). As weather eroded the cairn, visitors would sometimes add new stones. The Jewish practice of placing a pebble on a grave is to remind the dead that the living have not forgotten them. In Jewish lore, souls are believed to be aware of the living world. In his *Be'er Heitev* commentary on Joseph Karo's work *Shulchan Aruch*, 18th century rabbi Judah ben Shimon Ashkenazi of Germany refers to pebbles in a quote from a 14th century source, Rabbi Shalom ben Isaac

of Wiener-Neustadt, Austria (known as the *Derashot Maharash*): "a pebble or some grass on the monument."

40. WHY IS GRASS SOMETIMES PLACED ON A JEWISH GRAVE?

The origins of this medieval practice are clouded. Grass became associated with mortality in 11th century France and Germany and evolved into an amulet against demons. The association may have come from two Jewish sources: Psalm 103:15 which states that "As for man, his days are as grass...". In Job 2:12, grass is used as a symbol of sorrow and resurrection. Rabbi Benyamin Ze'ev of Arta, a Greek authority, reminds us that during the resurrection the dead will rise as grass. In the 16th century, Rabbi Moses Isserles of Krakow refers to the unusual custom of tossing grass while walking, pausing and sitting several times to confuse demons who attempt to follow Jews out of the cemetery. At least one Christian medieval authority banned the practice which it believed was a magic ritual.

There are several suggestions why some people tear up grass and throw it over their shoulders on leaving a cemetery. The act of tearing up grass could simply be a symbol for the breaking of life. In fact, a common symbol on a Jewish tombstone is the broken limb of a plant. Another

symbolism is that just as grass grows back, so will the deceased live again after resurrection. A third idea holds that grass represents agricultural products, the basic food of most living creatures. By uprooting grass, we show the deceased that they no longer need food.

There are specifically Jewish arguments for the custom. Jewish law forbids material benefit from cemetery grounds (*issur ha-na'eh*), for example, the eating of fruit from cemetery trees or using these trees for wood. Tearing grass reminds us of the prohibition. Grass may also symbolize the hyssop plant used in the purification of Jewish priests in Temple times, when a cemetery visit could cause members of the priestly line to become impure. According to Kabbalah (Jewish mysticism), the soul escorts the body until burial. In other words, only an act of the living causes the soul to depart. Throwing grass is a signal to the soul to leave.

4I. WHAT IS THE CONNECTION BETWEEN METAL OBJECTS AND JEWISH CEMETERIES?

Eleazer ben Judah of Worms (1160—1238) was the first to note the custom of tossing metal (especially iron) in a cemetery, which is no longer observed. Superstition holds that metal is supposed to keep spirits at bay. A later related tradition was to place a metal key to the local synagogue

under the pillow of a dying person to lengthen their life. Metal padlocks have been found inside graves in the Old Jewish Cemetery of Lublin.

42. WHY ARE JEWS ENCOURAGED TO GIVE CHARITY AFTER A FUNERAL?

Proverbs 11:4 says that “righteousness saves from death” (*tsedaka tatzil mi-mavet*). At a Sephardi funeral, a charity box is sometimes passed around.

43. DO JEWS HAVE AN ALL SOULS DAY?

In Talmudic times, it was customary for Jews to visit the cemetery on fast days (not all Jewish fasts fall on days when Jews abstain from work). Ashkenazim (Jews from northern Europe) traditionally visit the cemetery before holy days in the Hebrew month of Elul (which precedes the month of Tishrei which has several holy days) and on the intermediate days before the High Holy Days in September. The ten intermediate days between the Jewish New Year (*Rosh Hashanah*) and the Day of Atonement (*Yom Kippur*) are called the ten days of repentance (*aseret yemei teshuva*). During these days, tradition holds that one's good and bad deeds become magnified. At the end of the ten days, one is either

sealed in the Book of Life or one is marked for death. Jews visit the cemetery to ask the dead to testify for them. In Surinam, a tradition developed to visit the cemetery directly after the early morning synagogue service where *hashkabah* (memorial) prayers would be said.