

## The Casket Controversy

*For you are dust and you shall return to dust*  
(*Beraishis* 3:19)

*'For the holy ones who are in the earth' (Tehilim 16) – When are they holy? When they are in the earth*  
(*Midrash Tehilim*)

*'Aron'...only occurs elsewhere as the container for the tablets...both are containers, not for something to be buried, but for something **to be received and kept**...According to that, "Aron" as a coffin is also a container in which the casing left behind by a human being is – temporarily – kept*  
(end of Rabbi Samson Raphael Hirsch's commentary to the Book of *Beraishis*)

### Question:

Is the original and ideal Jewish way of burial for the body to be placed directly in the ground, with the practice of using a casket only an accommodation that was made more recently because of legal pressures and partly resulting from the influence of Reform Judaism?

OR

Is the use of a casket actually the ideal and traditional Jewish way of burial, as indeed we find the use of an "Aron" recorded numerous times in the *Chumash* and in the words of our Sages?

### Answer:

This is a big debate among great *Torah* authorities, tracing back quite far, and continuing until very recent times in our *Halachic* literature.

### Sources:

#### **The Kol Bo's Position**

Perhaps the staunchest defender and supporter of burial in a casket is Rabbi Yekusiel Yehuda Greenwald, famed author of the *Sefer Kol Bo* on the laws of mourning. He asserts<sup>1</sup> that the Jewish practice always was to bury in a casket, and he adduces numerous sources that imply as much. Rabbi Greenwald indeed traces this practice all the way back to an allusion found in the very first narrative in the *Torah*: The *Midrash*<sup>2</sup> says that the reference to the "garden of **trees**" in the story of Adam's sin is an allusion to the fact that (after his sin would bring mortality to the world) "his descendants would be buried in **caskets of trees**" (i.e., of wood, as "*Eitz*" in Hebrew means both "tree" and "wood"). Rabbi Greenwald takes great offense at the contention of a contemporary rabbi<sup>3</sup> who wrote that burial in a casket is a recent innovation that comes from Gentile influence. Rabbi Greenwald exclaims, "How is it possible for a rabbi who has learned and studied a lot to write this way about a custom that is

mentioned in the *Torah*, by the Sages, by Maimonides, and the *Shach*<sup>4</sup> testifies that this was his community's custom, and so has the Jewish people practiced for thousands of years?!"

### **The Gesher HaChaim**

However, at around the same time that Rabbi Greenwald was writing to defend the use of caskets, another great rabbi was writing to defend the non-use of caskets, against a movement that was attacking it. Rabbi Yechiel Michel Tukachinsky, author of the classic *Gesher HaChaim* records<sup>5</sup> how the time-honored practice of carrying the deceased on a bed was coming under attack by the "youth" and by the "innovators" in the Land of Israel who sought to change the tradition. Indeed, he records how he and many other rabbis of his time took part in a debate, recorded in one of the Jerusalem newspapers, about whether the practice may be changed from carrying the deceased on a bed to in a casket. Among other things, Rabbi Tukachinsky writes, "Anyone who claims that in earlier times they carried the deceased in a casket *is in error*; in all the earlier generations the Jews had the custom to carry the deceased only on a bed..."

However, while it may seem initially that the *Gesher HaChaim*'s position is in direct opposition to that of the *Kol Bo* (cited above), the careful reader of his words will discern that this is not so. The *Gesher HaChaim* is only opposed to **carrying** the deceased in a coffin. He actually explicitly concedes that there is a valid custom to **bury** in a coffin<sup>6</sup> (i.e., to put the deceased into a coffin at the burial site). With regard to the actual burial, he echoes the attitude expressed in *Shulchan Aruch*<sup>7</sup> that it is merely *preferred* to bury directly in the ground, but that the use of a coffin is acceptable. In this regard, Rabbi Tukachinsky advances the use of a coffin with a removal bottom plank. The practice of the removal plank, in use by many today, has very early source, tracing all the way back to Nachmanides, in his work, *Toras HaAdam*, cited in the *Tur*<sup>8</sup>.

### **Complete (and Emotional) Opposition to the Use of an Aron**

Many others, however, went further than the *Gesher HaChaim*, and held that the use of a casket should be eschewed altogether – whether for transfer at the funeral and whether for actual burial. The *Aruch HaShulchan*, for instance, asserts that even though one *can* fulfill the *Mitzvah* of burial in a casket, nevertheless, "the **main Mitzvah** of burial is that the body should lie in the earth literally, and should return to the earth as it was..."<sup>9</sup>

Famous *Halachic* authority, Rabbi Malkiel Tannenbaum, author of Responsa *Divrei Malkiel*, goes a good bit further and asserts that even if there once was a valid practice to bury in caskets, since in "our" time this position is being espoused by those who want to imitate the Gentiles, it must be avoided (just as other practices that were originally considered laudable became forbidden when they became associated with idolatry, etc.<sup>10</sup>) Rabbi Tannenbaum concludes, "Therefore it is obvious that for us it is forbidden to bury in a casket because of the prohibition of following in the ways of the idolaters." Rabbi Hillel Poisic, in his responsum on the topic (see footnote 3) considers the use of a casket like "a scheme against G-d, similar to those who cremate" (!)

### **Mystical Reasons**

All of the sources that oppose caskets and advocate for direct in-ground burial, invoke, at least in a passing reference, the fact that the *Kabbalistic* literature strongly opposes the use of a casket. Rabbi

Yaakov Shaul Elyashar, the great *Rishon Letzion* at the turn of the twentieth century<sup>11</sup>, actually quotes some of these *Kabbalistic* sources in his responsum on the subject<sup>12</sup>. The *Zohars* that he cites state emphatically that only one who was entirely free of certain sins may be buried in a casket, but for others it is “a danger.” Rabbi Elyashar states, “After seeing these words of the holy *Zohar*, how can one’s hair not stand on end, and how can one find the audacity in his heart to leave the deceased in a casket?...The bottom line is, I believe, that it is not correct to bury the deceased in a casket – even in *Eretz Yisroel*, and certainly not in the Diaspora – because from this great and unnecessary pain and damage is caused to the deceased...”

### **The Will of Rabbi Yehuda HaNassi**

Most, if not all, of the sources advocating that the body of the deceased should be in direct contact with the earth invoke the will of Rabbi Yehuda HaNassi, as recorded in the *Talmud Yerushalmi* (end of *Masseches Kilayim*)<sup>13</sup>. The great redactor of the *Mishna*, Rabbi Yehuda HaNassi, left among his orders, “Let my ‘*Aron*’ be opened up to the ground” – a line which has been generally understood to refer to the practice of removing the bottom plank, so the deceased rests on the earth<sup>14</sup>.

How, then, can some authorities still promote the use of a casket?

From the fact that this practice was recorded only as the *special will of a great man* we can infer that this must not have been standard procedure for everyone else. In fact, if anything, this is a support for the position that normative *Halacha* is not to bury directly on the earth<sup>15</sup>. Thus, what to infer from the will of Rabbi Yehuda HaNassi remains a matter of debate.

### **Conclusion**

A careful reading of the sources cited will guide the reader to early records of both respective practices – burial in a casket and burial not in a casket (as well as the practice cited by the *Gesher HaChaim* of having the funeral procession without a casket, but burial with one). There are strong religious emotions and sources put forth on both sides of the issue, and we can only conclude with the simple words of the *Tur* on this subject<sup>16</sup>: “And in each place, they should do according to their minhag...some bury with an *Aron* and some without an *Aron*...”

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<sup>1</sup> *Kol Bo*, (3:2:15)

<sup>2</sup> *Beraishis Rabbah* 19

<sup>3</sup> That rabbi, a very great *Halachic* authority himself, was Rabbi Hillel Poisic, author of numerous seforim and editor of a rabbinic journal. Rabbi Poisic wrote in a number of his works that it is *forbidden* to bury in a casket. (See, for example *Teshuvos Hillel Omer, Yoreh Deah*, 216)

<sup>4</sup> Famous commentary on the *Shulchan Aruch* by Rabbi Shabsi Kohen Rappaport

<sup>5</sup> *Gesher HaChaim*, volume II, chapter 7

<sup>6</sup> See also the first volume of *Gesher HaChaim*, chapter 16 (1:3)

<sup>7</sup> *Yoreh Deah* 362:1

<sup>8</sup> *Yoreh Deah* 362

<sup>9</sup> *Aruch Hashulchan, Yoreah Deah* 362:1-2

<sup>10</sup> See Rabbi Akiva Eiger’s first gloss to *Shulchan Aruch Orach Chaim* chapter 89

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<sup>11</sup> The *Givat Shaul* neighborhood in *Yerushalayim* is named for him.

<sup>12</sup> See Responsa *Simcha L'Ish* (*Yoreh Deah* 1)

<sup>13</sup> Also cited in *Tur Yoreh Deah* 362

<sup>14</sup> Although this interpretation is far from unanimous – see *Kol Bo* (3:2:15)

<sup>15</sup> This argument is made by *Kol Bo* (3:2:15), Responsa *Tzitz Eliezer* (volume 5, *Even Yaakov* chapter 24), and numerous others.

<sup>16</sup> Beginning of *Yoreh Deah*, chapter 362