



THE ALEPH INSTITUTE

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Jewish Life Cycle Events: Death and Bereavement

Religious Laws Governing the Deceased

Jewish law is particularly complex with respect to the proper care and burial of the deceased. There are three primary components: the “watching over” the body until burial (the “*Sh’mira*”); the spiritual cleansing and thorough immersion in a *mikvah* (ritual bath) or water flow, of the body (the “*Tahara*”); and the burial itself (the “*K’vurah*”).

A qualified Rabbi should immediately be contacted upon the death of a Jew. That Rabbi will typically contact a qualified Jewish burial society (commonly known as the “*Chevra Kaddisha*” (the “Society of the Holy”) to handle all of the intricate details. Until qualified personnel can respond, institutional staff must be aware of the following:

- * Under Jewish law, the deceased may not be embalmed or cremated.
- * Post-mortem examinations (autopsies) are forbidden, except where a reasonable likelihood exists that such an examination will contribute to saving the life of another patient at hand, or where an autopsy is required by civil law (*e.g.*, where death resulted from foul play). Competent Rabbinic authorities should *always* be consulted in the case of a “required” autopsy.
- * Burial should take place as soon as possible after death, and must include all body parts and materials containing any flesh or blood of the deceased (*e.g.*, cloths, bandages, sheets, etc.).

Religious Laws Concerning Mourning the Dead

There are seven next-of-kin upon whose death one must observe the period of mourning: father, mother, son, daughter, brother and sister (whether from father’s side or mother’s side), wife and husband. CODE OF JEWISH LAW (“C.J.L.”) ch. 203 §1.

Any person who lost a relative for whom he is bound to observe the mourning period is called an “*Onen*” between the time of death until after the interment. An *Onen* must avoid all kinds of levity. C.J.L. ch. 196 §1.

It is the custom to observe a partial period of mourning even for other relatives during the first week until the Sabbath. This period includes refraining from bathing in warm water. C.J.L. ch. 203 §2.

The period of mourning begins as soon as the decedent is buried and the grave filled with earth. The mourner removes his shoes at the cemetery. C.J.L. ch. 204 §1. A rent in one’s garments must be made for the loss of a relative for whom one is required to observe a period of mourning. C.J.L. ch. 195 §1.

On the first day of mourning, mourners are forbidden to eat self-prepared food at the first meal. It is, therefore, the duty of neighbors to send food for that first meal, which is known as the “meal of condolence.” That meal traditionally should begin with eggs or lentils and a bagel, which are round and have no mouth (dent), just as the mourner presumably has no mouth (*i.e.*, the grief

About the Aleph Institute

In 1978, and on many additional occasions, Rabbi Menachem M. Schneerson, the Lubavitcher Rebbe, of blessed memory, called for attention to the Jewish population in prisons. Rabbi Schneerson, who was the first religious leader in history honored with the Congressional Gold Medal of Honor, spoke publicly and published entire treatises dedicated to the moral, ethical, spiritual and educational needs for men and women in those and other institutional environments. For example, a person going through prison with meaning and growth—though very difficult—leaves as a better, more productive and balanced citizen. Thus, the creation of the Aleph Institute.

Since 1981, the Aleph Institute, under the direction of Rabbi Sholom D. Lipskar, has provided valuable services to assist chaplains and institutional staff in meeting the legitimate religious needs of Jewish men and women in their care. The Aleph Institute provides answers to questions about mandated religious practices and ritual materials for daily and holiday observances. Aleph’s staff, affiliated Rabbis and rabbinical students provide visitations to Jews in institutional environments around the country and to military bases around the world. Over the years, Aleph has also supplied hundreds of thousands of religious texts and ritual items for use by individuals and chapels.

is so great that one cannot yet vocalize the loss). C.J.L. ch. 205 §1.

The “Shiva”

During the first seven days of mourning (the “Shiva”), a mourner is forbidden to perform any work, bathe, wear shoes, have sexual intercourse, study the Torah (except laws of mourning and sad Torah subjects), offer greetings, wear freshly washed garments, cut hair, or be present at any festivity. C.J.L. ch. 208 §1. Mourners are obligated to recite a special prayer for the dead—the “*Kaddish*”—three times daily. Such recitals must take place in the presence of a prayer quorum of ten adult Jewish males (a “*minyan*”).

During those seven days of mourning, a mourner is forbidden to sit on a regular chair or bench. C.J.L. ch. 211 §1.

If a person learns of the death of a relative, he begins to count the period of mourning from the day he becomes aware of the death. C.J.L. ch. 204 §5.

If one heard of the death of a relative for whom he is required to observe the rites of mourning within thirty days of the death, even on the thirtieth day, the tidings are “timely” and the mourner must rend garments and observe the seven days of mourning (counting them from the day the news is received). Such mourners must also observe the thirty days of mourning, counting them from that same day. The day when the news reaches him is governed by the same rules as apply on the day of burial. C.J.L. ch. 206 §1.

If a potential mourner hears of the death more than thirty days after the death, it is considered “delayed news” and the mourner need not observe the seven-day “*Shiva*” mourning for more than one hour. C.J.L. ch. 206 §2.

Mourning After the Shiva

Mourners are not permitted to cut their hair during the next thirty days of mourning (the “*Shloshim*”), whether the hair of the head, the beard, or any part of the body. A mourner for a father or mother waits 3-4 months before cutting any hair. C.J.L. ch. 211 §12.

The *Kaddish* is recited by the mourners three times daily for a period of eleven months in the first year after the decedent’s death.

Citations to Jewish Law

Citations to Jewish law throughout this report are to Rabbi Solomon Ganzfried, CODE OF JEWISH LAW: KITZUR [ABRIDGED] SHULHAN ARUKH, A COMPILATION OF JEWISH LAWS AND CUSTOMS (translated by Hyman E. Goldin, LL.B., annotated revised edition, Hebrew Publishing Company 1993) (“C.J.L.”), a copy of which can be ordered through the Aleph Institute or from any Jewish Bookstore. Jewish law frowns upon the use of the actual word representing the Creator’s name. Accordingly, references in this report to the Creator are indicated as “G-d.”

Information in this report is excerpted from the INSTITUTIONAL HANDBOOK OF JEWISH PRACTICE AND PROCEDURE, published by the Aleph Institute and highly recommended to chaplains and institutional staff working with Jewish men and women. Copyright © 1994 The Aleph Institute. All rights reserved.