

## *Chaim Shel Torah* ~ חיים של תורה

A publication of the Eretz HaChaim Kollel  
in conjunction with Eretz HaChaim Cemetery

לע"נ שמואל גבריאל בן הרב יוסף צבי זצ"ל<sup>1</sup>

### BURIAL IN THE LAND OF ISRAEL

"זעקתי אליך ה אמרתי אתה מחסי חלקי בארץ החיים"

*"So I cry to You, Hashem; I say, 'You are my refuge, all I have in the land of the living.'" (Tehilim 142)*

The Torah describes the painstaking efforts of our patriarch Avraham in acquiring Mearat Hamachpeila as a burial place for himself, our matriarch Sarah, and the rest of his family. Avraham's purchase of Mearat Hamachpeila, the first kinyan (acquisition) in Eretz Yisrael, served as a blueprint for future generations to aspire to live and ultimately be buried, P'achar arichat yamim, in the Land of Israel. Indeed, Yaakov Avinu and Yosef Hatzadik pleaded with their respective family members to swear that each of them would be buried in Eretz Yisrael (Bereishit, 47:29-30, 50:25). Moshe Rabeinu, on the other hand, mournfully lamented that he did not merit kevura in the Land of Israel (Rashi Devarim 4:22). Rambam (Yad, Melachim 5:11) notes that throughout the generations, our Sages in the diaspora went to great lengths to bury the deceased in Eretz Yisrael and that to do so is to follow the paradigm of Yaakov Avinu and Yosef Ha'tzadik.

"Why did the Patriarchs prefer burial in the Land of Israel?" – (Midrash Rabbah, Parshat Tzav, 5)

Our Sages of blessed memory describe in great detail the many merits of being laid to rest in the Land of Israel. Midrash Rabbah (ibid) cites R' Elazar who explains that even if a person did not merit *living* in Eretz Yisrael, being buried in the Land achieves atonement for the deceased, as the Torah states "and the soil [of Israel] shall provide atonement for His nation [of Israel]."

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The Midrash also cites R' Chelbo who explains that those buried in the Land of Israel will be the first to come to life at the time of Techiat Hamaitim (see also Shevet Ha'Levi 2:207).

Similarly, the Talmud (Ketubot 111a) explains that those who are buried in the Land of Israel are certain to merit Techiat Hamaitim as they are considered to be buried "B'Eretz Ha'Chaim – in the land of the living." The Talmud continues, "to be buried in the Land of Israel is as though one is buried under the Altar." Meam

<sup>1</sup> Shmuel Gavriel Konig was born in Szerencs Hungary in 1928. After losing his entire family (8 siblings and both parents) in Auschwitz, he miraculously survived and started a new life in the United States with his wife, Faigy Konig שתחיה. Together, they raised 5 children, 26 grandchildren and countless great-grandchildren, all of whom are *shomrei Torah u'mitzvot*. He was admired by all who knew him for his mastery of Torah, strict adherence to *Halacha*, and the warmth and respect with which he treated others. Mr. Konig passed away on the 27<sup>th</sup> of Sivan 5778 – Yehei Zichro Boruch

Loez (Va'Yeichi 47:31) describes that the souls of those buried in Israel will "rise directly through the gates of heaven...the soul will be freed of the pain of gilgul mechilot and chibbut hakever."

## A HALACHIK PERSPECTIVE

Many of the aforementioned sources are manifest throughout the great halachik works and responsa. Shulchan Aruch (Yora Deah, 363:1) rules that despite the strict Halachik prohibition of exhuming a deceased body, one may do so in order to move the deceased from Chutz L'aretz to Eretz Yisrael. Likewise, Ha'Chacham Rav Ovadia Yosef states that disinterring a deceased in Chutz L'aretz and reintering in Israel is not only permissible but is a mitzvah (Yabia Omer, Yoreh Deah, 7:39).

Maharal Bach (Sh'eilot U'teshuvot 63) rules that if an individual, or even a Torah Scholar, fails to specify his preference with respect to kevura, his family and/or the community may presume that his wish is to be buried in Israel. HaRav Tzvi Pesach Frank (Sh'eilot U'teshuvot Har Tzvi Yora Deah 274) describes burying a deceased from Chutz L'aretz in Israel not only as a mitzvah but also as a special honor to the Land of Israel. Indeed, he invokes the words of our Sages, "those who honor the Land of Israel will soon merit to see the Land in its most joyous state."

As noted, the Torah is replete with statements and descriptions underscoring the importance and merits of burial in the Land of Israel. Whether because of the Land's inherent holiness which provides atonement, the haste with which those buried in Israel will experience Techiat Hamaitim, or the demonstration that regardless of where an individual lives, his/her ultimate home is in the Land that Hashem promised to our forefathers, Jews throughout our history made great sacrifices to be buried in Eretz Yisrael.

Nowadays, with the ease of travel and communication, the opportunity to be buried in Israel and continue the legacy of our forefathers is more accessible than ever before. Eretz HaChaim Cemetery has been assisting Jews from the Diaspora to acquire a befitting final resting place in the Land of our Fathers for over 50 years. Many Torah giants as well as leading organizations, yeshivot and congregations from around the world have secured specific areas to benefit their members and loved ones.



## The Eretz HaChaim Kollel



Eretz HaChaim is the only cemetery in Eretz Yisrael with a full time Kollel on premises. Kollel members pray and study advanced Talmud and Shulchan Aruch throughout the week. The Kollel affords families and loved ones many unique sponsorship opportunities including arranging Kaddish recitations, Hazkarot, Tehillim recitations at a time of eit ratzon, and learning of Mishnayot or Gemara in memory of loved ones.

For sponsorship opportunities, scheduling of tefilot, minyanim, and/or Torah study, or to sponsor a Chaim Shel Torah article, please call 718.437.2200 or email [info@eretzchaim.org](mailto:info@eretzchaim.org).