



**CENTRE FOR ADVANCED STUDY IN
INTERNATIONAL HUMANITARIAN LAW**

In collaboration with
**TEMPLE OF UNDERSTANDING INDIA
FOUNDATION**

ORGANISED

A WORKSHOP ON
**Interfaith Dialogue on The
Right to Dignified Disposal of
Dead Bodies in the times of
COVID-19: International
Perspective**

ON AUGUST 06, 2020

COMMEMORATING THE 75TH YEAR OF NAGASAKI ATTACK

Moderators

- Mr. A K Merchant, General Secretary, Temple of Understanding India Foundation.
- Ms. Vijaya Singh Gautam, Convenor, Centre for Advanced Study in International Humanitarian Law (CASH), RGNUL.

Speakers

- Dr. Shernaz Cama, Associate Professor at Lady Shri Ram College, Delhi University.
- Dr. Mohinder Singh, Professor and Director of the National Institute of Punjab Studies, New Delhi.
- Rabbi Ezekiel Isaac Malekar, Head of the Jewish Community, New Delhi.
- Swami Shantamananda, Head - Ramakrishna Mission, Delhi Center.
- Venerable Geshe Dorji Damdul, Director, Tibet House, New Delhi.
- Dr. Khwaja Iftikhar Ahmed, Founder President of the Interfaith Harmony Foundation of India.
- Fr. Felix Jones, Christian, Catholic Priest serving the Archdiocese of Delhi.
- Acharya Vivek Muni Maharaj, President of the International Mahavir Jain Mission, New Delhi.
- Dr. M. Elif Günçe Eskiköy, Forensic Specialist, ICRC.

Organizers

Centre for Advanced Study in International Humanitarian Law (CASH), RGNUL in collaboration with Temple of Understanding India Foundation.

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- Ms Sohini Bose, Member, CASH
- Ms Kopal Tewary, Member, CASH
- Ms Nalinaksha Singh, Member, CASH
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- Mr Vijay Mishra, Convenor, CASH
- Mr Parth Prachi Shrivastava, Member, CASH
- Mr Kshitiz Jain, Member, CASH

Date & Time

Thursday, 6th August 2020, 3:30-5:30 PM IST on Cisco Webex

OPENING ADDRESS



**MR SURENDER OBEROI,
REPRESENTATIVE, ICRC**

Delivering the inaugural address Mr. Surender Oberoi, representative of International Committee of Red Cross welcomed all the attendees. He emphasized the importance of the dignified disposal of the dead bodies and talked about the individual responsibility regarding the precautions which are to be taken into consideration while performing the last rites of the deceased. Giving the example of Lebanon, he also discussed the role of International Committee of the Red Cross (ICRC) in providing assistance to the people in need.

Talking about the COVID 19 situation, he discussed some measures to prevent contamination while performing last rites. These measures included providing PPE kits and body bags to the frontline workers so as to protect individuals from the virus. He emphasized that in no condition should the body of the deceased be touched by anyone without taking proper precautions. He also talked about how to deal with the emotions of the families and the loved ones of the deceased with full respect and empathy. The main focus as discussed by him, during these bleak times of COVID 19, is to minimise the risk of contamination and at the same time to pay the utmost honour to the sentiments of the families of the deceased.

Certain other measures suggested by him, regarding the religious rituals while performing last rites included sanitization of cemeteries, maintaining self-discipline and distance. He also proposed a training session be held for the volunteers. Question raised- Should a dead body of a person who died of Corona be allowed to be bathed or be injected with the preservatives? Should the ashes of the person who died of Corona be allowed to submerge into the flowing water? Key Message of the address- The main focus in the current situation should be on avoiding trauma and stigma while maintaining the dignity and respecting all the religious sentiments.

THE SESSION



DR MOHINDER SINGH, SIKH

Dr. Singh presented the Sikh perspective regarding the burial of the dead bodies. He began his address by offering the condolences to the families of the deceased who lost their loved ones due to the outbreak. While discussing the importance of a proper burial of the dead body, he has mentioned that Sikhism is known for its simplicity. As per the Sikh believe, "One must not cry at the death of its loved ones and every person must accept the divine decision". Mr Singh while talking about the importance of a proper burial of the deceased, said that like every other religion, the last rites of a person are sacrosanct in Sikhism as well. While elucidating on the last rites he mentioned that the body is first washed, then prayers take place after the

cremation, the ashes are then submerged into the running water.

He pointed out the resentment people had after the cremation of Nirmal Singh Khalsa, a Padma Shri awardee who died of COVID-19 was delayed as residents of his native town in Punjab feared it would spread the deadly coronavirus in the locality.

He also touched upon few incidents of 1947. The partition of Punjab resulted in riots and chaos in the erstwhile state and during the riots many raped women committed suicide by jumping into the water streams. Even back then, no formal burial ceremony was done to perform the last rites of the deceased women.

While concluding, Mr. Singh also applauded the efforts made by various NGOs in Delhi and Chandigarh in giving proper burials to the deceased. He specifically mentioned Bhagat Singh Seva Dal, the organisation which is performing last rites of the unclaimed dead bodies with proper religious rituals.



**VENERABLE GESHE DORJI
DAMDUL, BUDDHIST**

Venerable Damdul started his address by terming COVID 19 as the common nemesis to humanity and all the religions. Progressing further, he discussed the repression that the world economy is facing due to the Pandemic. He showed his concern over the dismaying situation of people around the world. While expanding

upon Buddhist burial rites, he mentioned proper burial ceremony holds major religious significance as it marks the transition from this life to the next for the deceased. He said, in Buddhism it is believed that death is a natural part of life cycle and it simply leads to rebirth. He remarked that what we do today decides our tomorrow. Thus he showed his concern over improper burial as it may act as a hindrance to the reincarnation of the deceased person.

He has also mentioned *Vejjavatapada*, the medical Oath taken by Buddhist doctors and other professionals dealing with the patients. The oath consists of a preamble and certain articles relating to the confidential information of the patients. He said in Buddhism the right to touch and perform the last rites of the deceased is decided on the basis of certain factors which are calculated by the astrologers and experts. He concluded his address by validating the point put forth by Mr. Surender Oberoi about the importance of being practical in the current situation. He advised all the religious leaders throughout the world to propagate the importance of self-discipline for the larger public good.



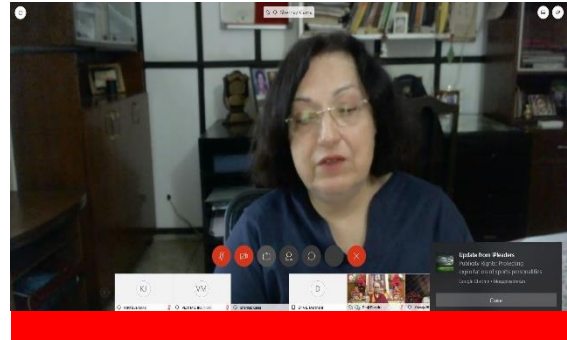
**DR KHWAJA IFTIKHAR
AHMED, ISLAM**

Mr. Ahmed represented the Islam faith. He started off by giving his heartfelt condolences to all the near and dear ones of those deceased due to COVID-19. He said there were two issues to be dealt with, regarding the burial of dead bodies.

One was the handling and burial of dead bodies, followed by mandatory rituals – if they can be modified during unprecedented or exceptional situations and the other being, protecting ourselves, our surroundings and humanity from this virus. He said that, in the eyes of humanity and all religious faiths, human being is the best creation and possession of the Creator or Almighty. So, respecting the human being and body, whether dead or alive, is to be prioritised. He continued by stating that after death of the human body, the Quran is recited “*Inna Lillahi wa inna ilayhi raji'un*” – we belong to Allah the creator and to Him shall we return. We have feelings and emotions for our deceased loved ones (during COVID) but it is important to hold our feelings and sentiments in times like these, and take necessary precautions in the interest of the body and those around it.

Hence, abiding by the necessary precautions mentioned by WHO, the Government and other authorities, five steps are taken to bury the dead COVID patients. First, the ritual of shrouding is followed: the body is properly bathed, preferably in hot water (normal water in summer), followed by wrapping up the body with cotton cloth. Next, funeral proceedings (*namaaz-e-janaza*) take place for 2-3 minutes. Prayers are then said for the departed soul. Usually the graveyard for the burial of the dead bodies is dug 4-6 ft down. Due to COVID, now it is made 10 ft deep and filled up with mud, to create an air-tight compartment. Precaution is taken to make sure that the body is covered, with no leaking fumes.

Thus, at a time of crisis like this, Mr Ahmed urged us not to differentiate between religions and to stand in unity with each other. He concluded by saying that follow rituals as much as possible as Islam provides the maximum flexibility in modifying the associated rituals as per need of the situation.



**DR SHERNAZ CAMA,
ZOROASTRIAN**

Dr. Cama spoke about the Zoroastrian faith. She said that this religion is predominant in western India, where they carry out the final rituals for the dead body in “Towers of Silence”. They feel that their last good deed to the Creator is to give their bodies to birds of prey and let them eat their bodies because for them, the soul is important and not the body. However, this kind of “air burial” that they have in the Towers of Silence is not possible during times of a pandemic, as advised by the head priest of the Parsis, Dr. Dastur Kotwal who is the wisest and senior-most priest. Therefore, even if they cannot follow the rituals of the *dakhma* system or if they have to change the system of burial, i.e., from air burial to a deeper grave, especially in a place like Bombay where there is no burial system, they ensure a dignified disposal of the body and peace to the soul. Usually, the family or volunteers carries the body to the coffin. However, during COVID, the family members can’t follow these procedures since most of them are over 60 years of age. So, the Zoroastrian priests and their volunteers do all the rituals in a traditional form, while also protecting the living from the virus in the dead bodies. In Mumbai or Surat, they wear PPE suits and use an electric crematorium (since fire is important in this faith) rather than an open fire to dispose the dead. In Delhi, the body is kept in a wooden coffin and buried deeper than normal. Dr. Cama emphasized that the soul supposedly craves for the blessings and chanting of prayers. So, they have 4 days of beautiful prayers for the

eternal soul and solace for the family at the Fire Temple. They cannot allow the elderly near the Fire Temple and have instead arranged for prayers on Zoom. They remember the soul for a period of 10 days, also known as *mukhtad*.

Dr. Cama wrapped up by saying that they have followed the rules but have made some changes to prevent causing further death due to this disease transmitted via acts catalysed by emotional feelings attached with the deceased or being excessively rigid about following rules stringently. They have emphasized on practicality and solace for the family of the dead.



**ACHARYA VIVEK MUNI
MAHARAJ, JAIN**

Acharya Vivek Muni talked about the problems encountered during the disposal of dead bodies during COVID and their solutions as followed by the Jains, in the Svetambar community. He said that these are trying times for the humanity, when lots of people have been affected and many have died. The body, mind and even the souls of people have been affected. The Jain community have had to make a few modifications in their funeral rites in regards to the same. First, the dead body is bathed and clothes are changed. Then it is buried.

All these are done while following social distancing. It is inconvenient for people

but nobody can avoid it owing to this unprecedented situation. The Acharya said that we have to be mentally prepared to change our lifestyles and religious rituals. Keeping our traditions in mind, according to the situation, we should take necessary steps for everyone's welfare. He suggested we should follow *ahimsa*; be vegetarian. He mentioned that, according to WHO, the Govt. and social media that the virus is from a bat. He opined that this pandemic may be a result of the destructive and carnivorous nature of man. God has built the human body to be vegetarian in nature; it is the carnivorous animals who have features such as sharp canines and bigger jaws to chew the flesh of other animals. Human beings are not supposed to do so. They are supposed to be vegetarians. The Acharya thus pleaded everyone to live and let others live, take care of self and others and respect self and others.



**RABBI EZEKIEL ISAAC
MALEKAR, JEW**

Rabbi Ezekiel Malekar was representing the Jewish faith in the panel discussion. The Rabbi in his presentation stressed upon the importance of a dignified burial for the deceased. He explained that Jews are a microscopic minority in India. In Judaism, the bereaved offer a respectful and venerable burial to the dead. He narrated the ordeals of a Jewish family in

Mumbai, which faced many obstacles in paying their respects to their deceased family member, amidst strict lockdown in Mumbai in wake of the COVID-19 pandemic. The family was not allowed to visit the cemetery due the fear of transmission of the virus.

He expressed dismay over the fact that due to the myths and rumours that have surfaced during the pandemic, the dead bodies of people who die of the COVID-19 virus are being treated as untouchable objects. He called out to the religious and spiritual leaders of the world to create an awareness among their communities about the pandemic, and the inalienable right of an individual to get a dignified disposal after death. The Rabbi opined that Article 21 of the Indian Constitution should be given an expanded meaning, and the right to a dignified life contemplated therein must extend to the person after his death also. A dignified disposal, done with care and sensitivity, is an important aspect of the Right to Life of a person. The Rabbi further stated that all the communities must be mindful that it might not be possible, during difficult times like these, to adhere to all the religious and traditional rituals for disposing off the dead bodies of our near and dear ones, and that this casts a responsibility upon the community leaders to convince their community to forego some rituals if it is necessary for the betterment of the society at large. In conclusion of his speech, he urged everyone to follow the *religion of humanity*.



FR. FELIX JONES, CHRISTIAN

Mr. Felix Jones was representing the Christian faith in the panel discussion. He observed that in Christianity, there is a belief in the everlasting nature of life. Hence, the living bid farewell to the deceased by offering a respectful burial, rather than eliminating the body. People ask God to be merciful to the dead, and pray that the God may raise up the mortal body to his Kingdom of Light, render a fair judgement, and forgive the dead's sins. During the Committal, a process when the body is lowered into the grave, the mourners pray for the Angels of God to receive the soul of the deceased, and wish that he is raised up in glory. The religious leader also drew the attention towards the judgements passed by the Madras and the Bombay High Court that had stated that a decent burial is an important facet of the right to life.



DR A. K. MERCHANT, BAHAI' I

Mr. AK Merchant was representing the Baha'i faith in the panel discussion. In the Baha'i faith, the human soul is considered immortal. Baha'i teachings tell us that in difficult times like these, we must follow the government regulations for the welfare of the community. Mr. Merchant recounted that in the Baha'i religion, it is believed that the soul and body are connected in the same manner as a beam of light shining on the mirror. Great respect is paid to the departed soul.

He also mentioned that every Baha'i should write a will, stating what should be done with the dead body of the testator after his/her death. The religion allows flexibility, and cremation is also permissible. Mr. Merchant observed that Article 21 allows every community full freedom to carry out their respective religious traditions.



DR M. ELIF GUNCE ESKIKOY, FORENSIC SPECIALIST, ICRC

Dr. Elif began by expressing her deep appreciation for the rich culture of India. She stated in her speech, she would summarize the speeches of all previous speakers. Then, she brought focus to the ICRC General Guidelines on the proper disposal of the dead. These guidelines have been published as collaborative efforts with Forensic specialists, WHO, GOI and ICMR. Further, guidelines for specific groups such as Islam, Hinduism have been shared in form of articles. ICRC has also circulated multiple posters towards the issue. These are acting as interim guidelines for management of dead in this period of crisis.

Dr. Elif stated that she was extremely happy that the over-all approach of all religious scholars was very flexible and adaptable to the new situation and the

common emphasis was on protecting the living. Next, Ms Elif stated that the proper management of the dead is a continuation of the medical care offered to COVID-19 patients. That being said, special attention must be paid to the physical and mental health and security of all those directly involved in the disposal process.

She further stressed on timely and reliable documentation of all dead bodies and their disposal. This would ensure easy traceability of the dead. In some cases, families may not be able to receive the body and such an event, the disposal must be documented even more carefully, so that the affected families can be directed to their loved ones later. The process should not be hasty, and stigmatization must be avoided at all costs. Dr. Elif also stated that any unnecessary contact with the bodies must be avoided and minimum protective measures such as gloves and masks must be used in the entire process. Further, if autopsy is required (usually not necessary since COVID deaths are classified as natural deaths), full PPE kits must be used. All possible precautions must be taken.

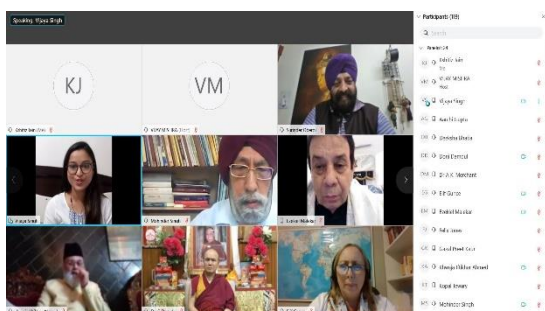
Ms. Elif continued that the webinar signifies the importance of religious leaders for their communities. Therefore, they can represent modified rights for their communities and help them cope with their grief without exposing them to the virus. The key factor for dignified disposals is effective management.

Lastly, Dr. Elif stated that we all must learn from this pandemic and ultimately improve our process. The pandemic is not just medical but a humanitarian disaster. A dignified disposal is essential because dignity does not end at death. It is important to protect the families' right to grieve and pay respects. It is necessary for the communities who are going through extraordinarily traumatic experiences. She concluded by stating that only respect will help heal the communities from this trauma.

Q&A SESSION

Q1. Question to Dr. Shernaz Cama, Zoroastrian- “You said that the body is given to the birds because the soul is the most relevant thing for your community. So, why do you let the body be eaten when the body is the temple of the soul?”

A1. It is the soul or the rooh that matters since the body itself is on a journey. Good deeds are most important and the last good deed you do is give that body you have cherished your entire life to birds who are driven away. Zoroastrianism began in a desert where basic resources such as wood and water are precious and this is a key value, even today. Once you no longer need the body, why not use it for a bigger purpose?



Q2. Question to Venerable Geshe Dorji Damdul, Buddhist- (However, due to his unavailability, the question was answered by Merchant Sir) - “Does the karma of a person affect the way he has been disposed of? Is it written in his destiny to be disposed of without rituals of incarcerations?”

A.2 The Buddhist belief of life revolves around death and rebirth and karma is central to the ideology. Therefore, disposal of death is done with dignity because soul is still in the process of purification and the person will be able to

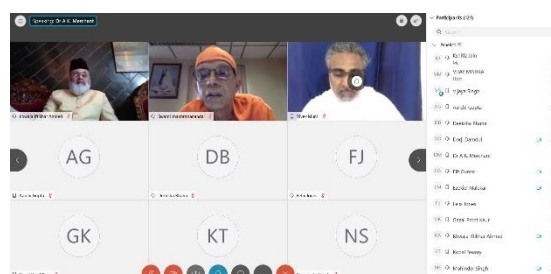
live a life better than before. Eventually, s/he will be able to escape this cycle of life and death and move on to a higher purpose.

Q3. Rabbi Ezekiel Isaac Malekar (Jew) - “Does the idea of mass graves not sit well with the idea of dignified disposal in your religion?”

A3. Mass graves are firmly not allowed in Judaism. Each grave has to be at a distance of 6 feet from the other and even in Israel, this is not allowed. Mass Burial is strictly against the faith.

Q4. Mr. AK Merchant- “Can a unique way be adopted for dignified disposal of dead bodies in sync with their religious rituals?”

A4. Every religious text signifies life and god, and likewise when the life span is over, individuals should be treated with dignity. Soul is everlasting but, if the body is not treated as per holy commands, the soul is affected. Since the body is like a vehicle for the soul, it is necessary for the body to be disposed of in accordance with religious scriptures. Further, the individual is very special to the family and could be a mother, father, son etc. Conclusively, all scriptures unanimously emphasize dignified disposal as they are the last rights of a person.



CONCLUSION

The event saw a warm number of participants from all over the streams and professions. Event proved crucial for the propagation of the views of religious leaders over the said issue. As current times are challenging and people are finding it hard to cope-up with, a sermon of courage from such religious leaders reinstalled faith and courage in the community at large. The webinar also catered to the legal questions of various attendees by having a constitutional and International perspective to it.