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Testimony in opposition to HB 5354 An Act Concerning Terramation March 8, 2024

Senator Lopes, Rep. Gresko, and members of the Environment Committee:

Let us not be fooled by euphemisms like “natural organic reduction” and “terramation.” HB 5354 seeks to promote human composting—the disposal of deceased human beings as if they were garbage to be recycled into soil and fertilizer. We are dealing with a profound devaluation of human dignity when we treat the human body in this manner, even if some people willingly consent to it.

I am Jewish, and come from a tradition where natural burial in the earth upon death is a mitzvah—an obligation. [Traditional Jewish funeral practices are almost entirely consistent with green burial](#), neither hastening nor interfering with the natural decomposition process. Our *halacha* does not permit environmentally damaging practices like embalming or metal caskets—only plain pine without nails, or no casket as is the custom in Israel. Cremation is even more strongly forbidden to us—something that was done to our people by the most murderous antisemitic regime in history and not something we would consider for ourselves. Reducing human bodies to soil and fertilizer through human composting reminds us of those of our martyrs whose bones were also turned into fertilizer, whose fat was turned into soap, and whose skin was flayed off and turned into lampshades.

This analogy is widely shared in the Jewish community. Rabbi Yaakov Klass, presidium chairman of the Rabbinical Alliance of America is quoted in *The Jewish Press*: “[This is just another more modern form of cremation anathema to Jewish law. Weren’t six million Jews killed during World War II enough? Must we imitate the Nazis in our zeal for a green world?](#)”

Yael Davidowitz of the Chevra Kadisha of South Jersey as well as [Last Kindness](#) writes of alternatives to burial: <https://lastkindness.org/you-are-not-a-banana-peel>

Let’s take a quick look at those alternatives to burial. **Cremation** incinerates the body, obliterating it to the point that even its DNA is destroyed. **Alkaline hydrolysis** uses lye to reduce the body to a goop that is simply disposed of through the sewer system. Once used solely by serial killers and drug cartels, this method is now legal in 20 states. **Human composting**, the latest “advance” in disposing of the deceased, is currently legal in just six [now seven—SM] states.... A response to the oversized carbon footprint of cremation, human composting involves putting a human body into a rotating steel drum that turns it into one cubic yard of dirt in just a few weeks time. The common effect of these disparate methods is to deny the body any sense of sanctity, to obliterate it as quickly and as thoroughly as possible.

Some things are, indeed, garbage, but not everything. Both a Torah scroll and a human body are physical objects; they do not last forever. But when a Torah scroll becomes unusable, when it has fulfilled its purpose here on earth, we gently bury it in the ground. We don't toss it into a blue recycling can, and we certainly don't burn it or flush it or use it as fertilizer for our garden.

The human body, with its spark of G-dliness, is even more precious, more holy, than a Torah scroll. And yet it has become acceptable to dispose of as if it were as ordinary as a banana peel.

In contradistinction to green burial, there is nothing “natural,” “organic,” or even gentle about human composting. After most of the flesh has decomposed, at least some bones need to be pulverized just as with cremation. With regard to proponents' claims that green burial still takes up cemetery space, this issue is a red herring. According to the National Association of Chevra Kadisha (NASCK), [it would take 10,000 years to fill up a mere 1% of the United States' land with cemeteries, even if every American chose to be buried.](#) As Doron Kornbluth points out, [“burials in the U.S. use far less land per year than the construction of new Walmarts.”](#)

The libertarian argument will be made that human composting is merely another “end of life choice” that we should respect no matter how offensive we may personally find it to be. I am certainly loathe to tell others how to live their lives and have no intention to impose my beliefs and practices on others. Nonetheless, in this case, I believe we need to draw a line, as this practice will inevitably impinge on the rights and dignity of others.

If we allow deceased human beings to be reduced into soil and fertilizer, then there is no way to stop the co-mingling of human compost with other soils and fertilizers and the sale and use of human compost to grow food. Section 1 (i)(1) of HB 5354 allows for the “retention” of the composted remains if they are not scattered or buried, and there are no criminal penalties for using human compost to grow food or to sell it for commercial use. Of the seven states that have authorized human composting, only [Colorado](#) has a restriction on the sale of “human compost” or of its use in the food supply. In any case, I believe such a provision will prove to be entirely unenforceable, as there is no way to distinguish human compost from other soils, especially when they are mixed together. Will we be compelled to become unwitting existential cannibals, unable to know if we are consuming produce tainted with human compost? Soylent Green is no longer futuristic—it is here now.

We already have seen ashes from cremations being turned into a commodifiable product. In [“Ashes to Ammo: How to Reload Your Dead Loved One,”](#) NPR reported back in 2011 on an Alabama company, “Holy Smoke,” which sells bullets composed with ashes from cremations. The price 12½ years ago was \$850 per case. Human composting threatens to vastly expand the volume and marketability of human remains. A composted human body yields [500-1000 pounds](#)—one cubic yard, enough to fill a pickup truck—of nutrient-dense soil, compared to a mere 4-7 pounds of ash from cremation. This soil is already being used in forests and other places where people are unknowingly stepping on composted human remains. We also have [testimony](#) from the Maine Organic Farmers and Gardeners Association (MOFGA) on the bill in that state implying they wish to use human compost in organic farming. No matter how much proponents may assert that human compost will not

be used for agricultural or retail use, human nature is such that if the law does not explicitly forbid and penalize the action, it will happen, especially when there is a strong desire for it, no matter how creepy, and particularly if there is money to be made. Nothing in HB 5354 will stop human compost from being sold on the shelves of Home Depot, and there are clearly plenty of willing buyers eager to grow food in human compost and sell or share that food without necessarily informing those consuming it.

This is also a religious liberty issue. Halacha strictly forbids deriving benefit (*issur hana'ah*) from a corpse, unless it is necessary to save a life. A relatively permissive 2017 [teshuva](#) from the Conservative movement by Rabbi Jeremy Kalmanofsky cites this as the definitive reason for objecting to human composting:

... the production of usable compost raises the objection that these processes intentionally use dead bodies for tangible benefit. Even if natural soil is מותר בהנאה [permissible to benefit from], it is dishonorable to eat fruits or pick flowers growing directly above graves, nourished partly by decomposing human flesh. That certainly describes [human composting], in which the soil produced is directly linked to the dead bodies entombed in its core.

The prohibition on הנאה seems ... decisive against the Urban Death Project, whose central theory is to turn people's bodies into socially, economically, agriculturally useful fertilizer which consumers could obtain. [Katrina] Spade may find it charming to imagine her deceased neighbors "pushing up the daisies" in her garden. But this is incompatible with Jewish norms of reverent treatment of the dead.

Will rabbis need to inspect every farm to ensure that no human compost is used in order to certify that the farm's produce is kosher? What are the implications for *kohanim*—Jews who are descendants of Aaron—who have added restrictions in terms of having to avoid being in the same place as a corpse, save for burying an immediate family member or someone who has no one to bury them (*met mitzvah*)? Questions have already been raised on this matter ([here](#) and [here](#)). And what about other religious faiths (e.g., Islam) that may have similar objections to this involuntary benefit from human compost?

And finally, since radical environmentalists see human composting as better for the Earth than even green burial, we are likely to face a future where being composted upon death will not be a choice but rather a duty, and those who cling to burial will be stigmatized as enemies of the planet and pressured into being involuntarily composted, especially if they are of limited financial means or people of color. Human composting is part of "deep ecology" extremism which views humans as the enemy of the planet. It is in opposition to the mainstream perspective which views humanity as the pinnacle of Creation and commands us to guard our environment because doing so is necessary for human flourishing. We must never sacrifice human dignity on the altar of "deep ecology." We must never reduce the fundamental dignity of the individual to a crude utilitarian calculus.

Thus the issue here is not, as proponents would have it, that some "very religious" people would deny others their funeral choices. The primary issue is that this choice threatens to ride roughshod over the rights of others, whether religious or secular, who have strong moral objections to deriving benefit from dead bodies without their knowledge or consent to a far greater degree than we already have with cremation or alkaline hydrolysis. It violates

a strong cross-cultural taboo against benefiting from corpses which, especially in light of the Shoah, we should not broach, even if consensual. Please reject HB 5354, and instead, please consider legislation to prohibit the use of human remains disposed of by any method to be used for agricultural or commercial purposes. Thank you.