

Liad Strolov**The Access of the Living person who Died to Justice –
Preliminary Instructions for Care after Death**

This article deals with a person's access to justice after his death, considering the treatment his body gets. The article shows that the legal default is that the burial is done locally and according to the person's religion. Although men and women are theoretically free to choose an alternative an alternative burial method, the law makes it very hard to opt out of the default rule.

Moreover, unlike the long-term execution of wills, the typical burial ceremony takes place few hours after death and, therefore, the burial wishes of the deceased, even in cases in which they were expressed explicitly beforehand, are often ignored.

My argument is that this situation resembles a market failure that calls for legislative intervention. I propose a legislation that would establish a public registration system that will enable every individual to opt out of the default rule by indicating an alternative after-death body treatment. The legislation I propose will also oblige all hospitals to refer the bodies to the treatment indicated in this mechanism.