

More on Shechita

by: Rabbi Jeremy Rosen

It comes as no surprise to me that more European countries are trying to make life difficult for Jews in various ways. But how should we react? Is it worth fighting prejudice? Should this be an issue of freedom of religious practice? But then what are the boundaries? The increasing attempts to restrict Shechita (Jewish ritual slaughter) and ban circumcision are creating such a negative climate for Jews that they reinforce the strong arguments for having a homeland where we can practice our religion unimpeded. However, as with many issues of religious practice, it is not that simple, because sometimes they appear to conflict with other moral and ethical imperatives.

There are those who think this is a matter for no compromise. Belgium is a strange little country where rival parties scrap over meagre rewards. It has three separate regions, five provinces, and three official languages. The parliament of French-speaking Wallonia has voted to ban ritual slaughter. Of all the major issues it has to deal with—economic, social and safety—this seems to be its priority. Now we know it is not really about cruelty to animals. Because if it were, then they would ban animal slaughter altogether (which, as my readers know, I am all in favor of, though it's not going to happen in my lifetime).

Look at the countries who have banned Shechita: Switzerland in 1893, Norway in 1930, Nazi Germany in 1933, and Sweden in 1937. None known for their love of Jews. The EU is now preparing to ban Shechita across the board unless animals are stunned, and it will require that kosher slaughtered meat be labelled as such when passed on to the wider market.

The new angle is the requirement to stun an animal before killing it. Up to now Judaism has rejected stunning on the grounds that it doesn't help animals and actually injures organs which make the animal unacceptable. Anyone who has seen the stunning process in action knows that the failure rate of stunning runs between 10-20% when equipment is perfectly clean, up-to-date, and free of interference—which it rarely is. Like the electrocution of humans, stunning can take time and cause great pain. Whereas cutting the supply of oxygen and blood to the brain causes instantaneous loss of consciousness. So, given that we are dealing with prejudice here, how should we react?

One way of course is to fight it using whatever political influence one has. The only way of doing this with a chance of success in Europe nowadays is to ally with the Muslim communities on matters of religious freedom. Which Jews have done hitherto. It is votes that decide policies. The trouble is that more and more Muslim authorities are now considering permitting stunning. So that Jewish power on this issue is even further diluted.

Muslim religious slaughter, called Dhabihah, is similar to Shechita, but far less strict or rigorous, so that kosher slaughter meets Muslim standards, but

not vice-versa. The Jewish market is relatively small. After slaughter animals are examined, and if found defective in some way that matters in Jewish law, they are usually sold to non-Jewish butchers. So too are parts of the animal we are not allowed to eat. Labelling meat as coming from Jewish sources could drive down its value on the wider market and that would raise the cost of local kosher meat.

The other option, as already happens in those Aryan Northern European states that ban Shechita, is to import kosher meat from areas that do not ban it. Or, of course, one could move either east to Israel or west to Britain or the USA, where there is no problem.

My brother-in-law Dr. Henri Rosenberg has campaigned for a different approach. He argues that there are strong halachic grounds for allowing stunning. Instead of campaigning against stunning, which threatens our common alliance with Islam, it would be better to accept the new reality. Indeed, this debate took place first in response to Hitler's ban (Y.Sh). The prominent rabbis of Eastern Europe were consulted. Although there was a case to be made that stunning did not contravene Jewish law, the overwhelming body of opinion was that one should not make concessions on principle, for fear that showing weakness would encourage other demands. In other words, a meta-legal argument rather than a legal one.

Since we are not dealing with a Hitler, but a lower and less pernicious form of prejudice, my brother-in-law argues one ought to consider making concessions rather than face defeat. While I respect his opinion and his guts in supporting his position in public, I want to present an alternative point of view.

We Jews have always split between the fighters and the compromisers. Israel is usually associated with fighters and the Diaspora with compromisers (or appeasers, depending on whose side you take).

There is a principle in Jewish Law called Chanifa—literally a law against groveling or sycophancy. The Talmud discusses it in tractate Sotah (41 a&b) in the context of standing up to Roman authority. This is supported by some great authorities from the Medieval Rabbeynu Tam to the more recent Rav Moshe Feinstein. Should one grovel or stand up and fight, as we have often had to do in the past? Should we compromise or stand firm on principle? Will we look weak if we concede, even on issues that are not essential? Perhaps the Europeans should consider a campaign of civil disobedience, fighting restrictions on our religious practices on the competing principle of denying our human rights.

In 1936 Poland banned Shechita. The Bobov Chasidim led a campaign of resistance—a boycott that hurt the government's revenues and had Jews going without meat until the powers relented.

There is a similar problem with circumcision. Would it make any difference if children were anesthetized? There is a move in Norway to ban circumcision of boys under the age of 16 and several other measures which have been blasted as an attack on minorities. Advocates claim that circumcision results in

mental and physical harm to children and is a serious violation of human rights. Spurious arguments about psychological damage are childish. We might as well ban parenthood for the psychological damage parents do to their children. Besides, we circumcised Jews seem to be doing pretty well. And I haven't heard anyone complain that it is his brit that has ruined his sex life. The problem there is that we insist on circumcision within eight days, whereas in Islam the ritual is done much later, around 13. I bet no one dares suggest that that's why Muslims are more prone to violent jihad! And there's absolutely no comparison to the horrific female mutilation (it is not **circumcision**, by definition) where a pleasure giving organ is removed altogether. The arguments on both issues, Shechita and circumcision, are less scientific than ideological.

To complicate the issue, there are problematic aspects of Shechita that apply even where anti-Semitism is no argument. I would like to see the rabbinate in the forefront of urging humane methods of the sort that Dr. Temple Grandin advocates. This week, Israel's Ministry of Agriculture and Rural Development has decided to put its foot down banning unacceptable hoists and shackling for slaughterhouses in Israel and for imported shechita. Why, you might well ask, didn't the Chief Rabbinate do it? Sadly we know the reason why. Cruelty to animals, though a biblical law, is universally minimized in many very Orthodox communities.

On the other hand a Californian judge has just thrown out a human rights suit against Chabad over swinging chickens over people's heads in the ceremony of Kapparot before Yom Kippur. The judge refused to allow the suit on the grounds that one ought not to ban a longstanding religious custom. I wish he hadn't. Kapparot are quite unnecessary and cruel to chickens. Sometimes we need to be rescued from our own blindness. But this illustrates perfectly the difference between Europe and the USA. One culture respects Judaism (perhaps too much); the other does not.

The arguments in Europe are clearly political rather than humane. I wonder if we should not just ignore them, instead of trying to plea. Why would we want to live in such countries anyway? When empires are intolerant of different religions or ideologies, they have always declined. When they have been tolerant, they have flourished. Mainland Europe's antipathy towards Judaism is a sure sign of its moral decline. Time to move.