

***Tza'ar ba'ale hayyim: Jewish Animal Rights Advocacy and Vegetarianism, from Rabbi Avraham Yitzhak Ha-Kohen Kook's A Vision of Vegetarianism and Peace to Jonathan Safran Foer***

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**Abstract**

*Tza'ar ba'ale hayyim is one of the fundamental principles in Jewish law, enunciated in the Bible and then accepted as a mandatory norm in Talmudic tradition, banning any form of unnecessary pain on animals, and requiring people to minimise physical and psychological animal burden, especially, but certainly not exclusively, in ritual slaughtering. Over the hundred years, following the development of meat industry aiming to maximise profits to the detriment of animal's fundamental rights, and with a dramatic impact on the natural environment, several rabbinical authorities have interpreted this principle in broader terms, recommending people to opt for vegetarian diets that are not only morally preferable, but also ethically more recommendable as environmentally more sustainable. The aim of this paper is to offer a succinct view on the meanings and interpretations of Jewish vegetarianism, from its biblical inception, through the rabbinical debate, to more recent interpretations among religious and secular authorities.*

**Animal Suffering: Not an Opinion, and Not an Option**

**The Theoretical Core of Jewish Vegetarianism**

***Tza'ar*: Certainly Not for Fun**

***We-nishmartem le-nafshotekhem*: For the Sake of the Living Body, and of the Planet**

## Animal Suffering: Not an Opinion, and Not an Option

*Tza'ar ba'ale hayyim*, literally “the suffering of living creatures,” is one of the most important Jewish ethical and moral concepts and a fundamental principle—together, for example, with the prohibition on making two species of animals work together (Deut. 22, 10), or removing the eggs from a nest in the presence of a mother bird (Deut. 22, 6-7)—concerning the treatment of living creatures, banning any infliction of unnecessary pain on animals. Not a commandment of Biblical origin but the outcome of rabbinical interpretations on the Torah (Exodus 23, 5, “When you see the ass of your enemy lying under its burden and would refrain from raising it, you must nevertheless help raise it”) *tza'ar ba'ale hayyim* is a concept of Jewish law whose premise is that since suffering inflicted on animals by human beings cannot be avoided completely (the rule of human beings over animals being a divine concession), any form of animal exploitation by humans is permitted if performed for legitimate (not for sporting, recreational or entertainment) purposes and as long as no unnecessary pain is inflicted. *Tza'ar ba'ale hayyim*—causing no unnecessary pain—is certainly not just a moral recommendation but a binding principle in Jewish law, a biblical norm—though formulated by the rabbis—whose application would then justify the violation of the norms of Sabbath, similarly to *piquah ha-nefesh*, the obligation of saving one’s life.<sup>1</sup>

If on the one hand the theoretical principles and the purposes of this norm are certainly clear (reducing or at least minimising an animal’s pain), what remains to be defined is “pain,” if refers purely and exclusively to the physical suffering inflicted upon the animal when it is being slaughtered, or if it includes the forms of physiologic distress than an animal might experience while alive. Should the latter be the case, virtually nothing coming from the modern meat industry could be considered kosher, since rabbinical control is temporarily limited to the final moments of the animal’s life, when it is ritually slaughtered, a cruel but relatively short moment. Many Jews and more recently rabbinical authorities are taking

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<sup>1</sup> For an analysis of *tza'ar ba'ale hayyim*, see Richard H. Schwartz, *Judaism and Vegetarianism* (New York: Lantern Book, 2001), 15-39; Jacob Ari Labendz and Shmuly Yanklowitz, eds., *Jewish Veganism and Vegetarianism: Studies and New Directions* (New York: SUNY Press, 2019), 243-248.

stricter stances on this issue. They are considering *tza'ar ba'ale hayyim* by looking at the entirety of the animal's life—from conception to death—an increasingly shorter period spent in cramped pens, deprived of natural light and forced to grow, often with no possibility of wandering in an open space with other animals, running, or mating. Are we really abiding by the rabbinical rules of minimising a creature's pain when we try to do so only in its final moments?

*Tza'ar ba'ale hayyim* was limited to the pain inflicted while the animal is being exploited for legitimate purposes or *le-shem shamayyim* (for the sake of heaven), in the fulfilment of religious duties (like using skin and leather to make tefillin/phylacteries). At the time of the Sages, one may argue, intensive farming and similar forms of “industrial” exploitation did not exist, and consumption of meat was certainly not as common as it is today. What would the Sages say about the modern chicken industry, for example, where the animals are systematically and indiscriminately mutilated, overfed, subjected to ever faster rhythms of sleep-wakefulness in order to increase their egg production? Where, consequently, they live less than a tenth of their natural life before being jammed into cages and transported to slaughter?

According to Rabbi Richard H. Schwartz, an authority on the Jewish vegetarian movement, there is no way to reconcile the production system of the modern food industry with Jewish law, especially the principle of *tza'ar ba'ale hayyim*, and he suggests fellow Jews to adopt a vegetarian diet:

The conditions under which animals are raised today are completely contrary to the Jewish ideals of compassion and avoiding *tsa'ar ba'alei chayim* [...]. Whereas the Torah mandates consideration for animals by prohibiting the yoking of a strong and weak animal together, veal calves spend their entire lives standing on slats, their necks chained to the sides, without sunlight, fresh air, or exercise [...]. Hence, in view of the horrible conditions under which most animals are raised today, Jews who eat meat raised under such conditions seem to be supporting a system contrary to basic Jewish principles and obligations.<sup>2</sup>

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<sup>2</sup> Schwartz, *Judaism and Vegetarianism*, 39.

Schwartz's reasoning may seem a bit too consequential, putting too much emphasis on an element that most rabbinical authorities would certainly not consider serious enough to ban meat from Jewish households. How many observant Jews would give up meat knowing that the animals that they are eating had been physically and mentally mistreated *before* being ritually slaughtered? (I suppose a tiny minority, unless the *shehita* has not been performed properly, in which case only *that* specific piece of meat would be momentarily thrown away).<sup>3</sup> Paraphrasing some old ads, you don't need to be Jewish to be vegetarian, and vegetarianism is not part of traditional Jewish religious values,<sup>4</sup> but if you are Jewish and want to become vegetarian, such a choice would certainly not clash with Jewish tradition and *halakhah* that would, on the contrary, offer valid reasons to consider it a perfectly ethically Jewish choice.

It is not the purpose of this paper to answer the numerous ethical and nonetheless halakhic questions concerning the different types of Jewish dietary habits, but rather to identify the ideological and theoretical principles that make vegetarianism and concern for animal welfare, Jewish values too. Instead of trying to cover the totality of such complex ethical issue, we will focus on two authors and sets of writings. Although chronologically, geographically, and culturally quite far from each other, they share the ethical *fil rouge* of vegetarianism: Rav Abraham Yitzhak Ha-Kohen Kook (1865-1935), one of the most important rabbinical authorities and leading spiritual figure in Israel, the "father" of Jewish vegetarianism, and Jonathan Safran Foer (1977), a Jewish American writer and novelist, the author of *Eating Animals* (2009) and *We Are the Weather: Saving the Planet Begins at Breakfast* (2019), two worldwide bestsellers and the most detailed and astute investigations yet of the moral-ethical meaning of a meat-based diet. Foer does not make use of Kook's exegetical tools—mostly analysis of biblical and

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<sup>3</sup> As in the case of the "kosher meat scandal" at Agriprocess, on which see below.

<sup>4</sup> Today, it would be unreasonable, other than politically incorrect and for some even offensive, to propose those ads. They consisted of a number of portraits of people that at that time would be considered non-Jewish (a Native American, a black boy and an Asian baby, an Italian-looking-like policeman, and so on) holding or chewing a sandwich made by the company Levy's (a traditionally Jewish surname). On the top and lower ends of the ads was written "You don't have to be Jewish to love Levy's real rye"; Stephen Coles, "Levy's ad campaign: 'You don't have to be Jewish' (1961-70s)," *Fonts In Use*, September 12, 2016. Accessed June 2, 2023 <https://fontsinuse.com/uses/14355/levy-s-ad-campaign-you-don-t-have-to-be-jewis>.

rabbinical sources—and Kook is in no way concerned with the environmental issues deriving from industrialised meat production. They arrive at similar conclusions, though, questioning not so much the legitimacy of eating meat, as its supposed necessity. While for Kook, reducing the consumption of meat would result in spiritual elevation, almost theurgically hastening the coming of the messianic times, for Foer turning vegetarian means eliminating an industrial system of food production that causes one third of the overall global warming. We, overfed, oversized Western people, Foer adds, not only no longer need meat to survive but, in contrast, we should give it up, as much as we can and as soon as possible. For the planet, for ourselves, and also to abide by the rule of *tza'ar ba'ale hayyim*.

### The Theoretical Core of Jewish Vegetarianism

If asked about the reasons for and principles behind Jewish vegetarianism, most vegetarian Jews would probably appeal directly to the Bible, claiming that human beings were created vegetarians and that eating was a divine concession, not an obligation. “God’s initial intention was that people be vegetarians,” affirms rabbi Schwartz in the opening chapter of his book. He then gives a long list of commentators and exegetes endorsing this proposition, clearly to show how vegetarianism is inherent to Judaism and perfectly consistent with Jewish tradition, quoting from Rashi (1040-1105), Ibn Ezra (1092-1167), Maimonides (1135-1214) and Joseph Albo (15th century), through Samson Raphael Hirsch (1808-1888), to Moses Cassuto (1883-1951)<sup>5</sup> and Rabbi Kook.

Rabbi Abraham Yitzhak Ha-Kohen Kook (1865-1935) is considered the most important rabbinical authority in the study of Jewish vegetarianism as a positive ideal from the Torah. His writings on Jewish vegetarianism published in Germany and in Switzerland between 1903 and 1910 were gathered and edited in 1973 by Rabbi David Cohen (1887-1973), one of his most illustrious pupils (“Nazir of Jerusalem”) but published only in 1983 under the title *A Vision of Vegetarianism*

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<sup>5</sup> “You are permitted to use the animals and employ them for work, have dominion over them in order to utilize their service for your subsistence, but must not hold their life cheap nor slaughter them for food. Your natural diet is vegetaria,” quoted in Schwartz, *Judaism and Vegetarianism*, 1.

*and Peace*. It was undoubtedly an evocative but misleading title, as vegetarianism is but a portion of a much wider analysis of the ideal relationship among God, the human being, and other forms of animal life. The premise of Kook's analysis is that eating meat was just a temporary concession that human beings were granted after the Flood. Because of their spiritual decadence and being unable to control their physical and emotional impulses, shedding the blood of animals would have resulted in far more ethically degraded behaviour.

For the average human being, eating meat is a minimum ethical concession, a sort of physical and ethical-moral relief valve to overcome natural impulses:

With the coming of the permission to eat meat, after the sacralization of the mitzvot by the giving of the Torah, [the Torah] qualifies [the permission], as suggested by the words, “[when] you say, ‘I shall eat meat’, for you urge to eat meat, you may eat whenever you wish. There is here a wise yet hidden rebuke and a restrictive exhortation, namely, that as long as your inner morality does not abhor the eating of animal flesh, as you already abhor [the eating of] human flesh [...] then when the time comes for the human moral condition to abhor [eating] the flesh of animals, because of the moral loathing inherent in that act, your surely “will not have the urge to eat meat,” and you will not eat it.<sup>6</sup>

Kook—a strictly halakhic man—never denied the juridical and moral legitimacy of eating meat, emphasizing, however, how restrictively this was conceded, the kashrut imposing several limitations whose main aim is to alleviate the animal's suffering. If Kook found vegetarianism preferable, and certainly not incompatible with halakha, why was he not vegetarian? Because Kook sticks to the well-established kabbalistic-mystical Lurianic concept of “elevation of the holy sparks,” according to which the elevation of the holy sparks/components contained in meat would be possible only if those who have already achieved a higher spiritual condition eat and use their energies for religious purposes, to perform mitzvot and

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<sup>6</sup> Rav Avraham Yitzhak Hacoheh Kook, *A vision of vegetarianism and peace*, edited by Rabbi David Cohen, translated, with additional notes, by Jonathan Rubenstein (from his unpublished rabbinic thesis, n.p., n.d.), 4-5, accessed June 2, 2023, <https://www.jewishveg.org/AVisionofVegetarianismandPeace.pdf>.

to study the Torah.<sup>7</sup> It follows that the *'am ha-aretz*, the average person should refrain from eating meat, as the sparks of holiness contained in it, once consumed, would not attain any higher spiritual position. This seems in contradiction with Kook's previous position on meat consumption as minimal ethical concession to prevent a moral and ethical downfall. This is what prevents Kook from embracing a coherent vegetarian ideal and turning it into a consistent form of religious orthopraxis. While waiting for the messianic times it is the kashrut that through its elaborate regulations raises "the consciousness of the Jewish people [...] with the aim of eventually guiding them back to the vegetarian regimen originally instituted by God in Genesis 1:29."<sup>8</sup> With the coming of the Messiah all these discrepancies will be resolved. With the coming of the Messiah, all living beings—human and animal—will have attained a higher spiritual and moral consciousness:

When humanity arrives at its goal of happiness and complete freedom, when it reaches that high peak of wholeness which is the pure knowledge of God and the sanctification of life fulfilled according to its nature, then the age of "the prompting of the intellect" will arrive, like a structure built on the foundation of "the prompting of the Torah," which is prior for the whole of humanity. Then human beings will recognize their relationship with all the animals, who are their companions in creation, and how they should properly be able, from the standpoint of pure morality, to combine the standard of mercy with the standard of justice in particular relation to [the animals], and they will no longer be in need of extenuating concessions, like the concessions [referred to in the Talmud by the phrase]: "The Torah speaks only of the evil inclination;" rather, they will walk the path of absolute good. "I will make a covenant for them with the

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<sup>7</sup> Richard H. Schwartz and David Sears, "The Vegetarian Teachings of Rav Kook," in Labendz and Yanklowitz, eds., *Jewish Veganism and Vegetarianism*, 217-231, 220. It's outside the scope of this short paper, it is still worth mentioning the position taken on this issue by the 19th century Lithuanian Musar movement, on which see Geoffrey D. Claussen, "Musar and Jewish Veganism," in Labendz and Yanklowitz, eds., *Jewish Veganism and Vegetarianism*, 195-216.

<sup>8</sup> Schwartz and Sears, "The Vegetarian Teachings of Rav Kook," 218.

beasts of the field, the birds of the air, and the creeping things of the ground; I will also banish bow, sword, and war from the land [...].<sup>9</sup>

If Kook had been aware of the environmental consequences of modern super-intensive farming, and especially of the inhumane treatment inflicted upon millions of animals slaughtered for the meat industry—some critics argued—he probably would have taken a more straightforward stance on vegetarianism. In Kook’s time, nothing that characterised the modern food industry existed: the physical and psychological distress of an animal was confined to its last few moments. If the aim of *tza’ar ba’ale hayyim* is to reduce the pain inflicted on an animal especially at the time of slaughter, how ethically and halakhically legitimate is the consumption of meat from animals forced to suffer from birth until death? In Kook’s “vegetarian” theory, meat is consumed to support the human body, and the death of animal is cruel but necessary. But what, however, if animal life is taken for gluttony, or, worse, for frivolous reasons like sport and leisure? This underpins the ethical legitimacy of meat consumption and is bringing a growing number of rabbinical authorities to adopt and recommend kosher meat-free diets.

### ***Tza’ar*: Certainly Not for Fun**

Soon after World War II, Kook’s writings generated a lively debate among Jews, secular thinkers, and rabbinical authorities, some of whom felt morally and environmentally obligated to rectify the human being/animal relationship, overcoming the boundaries of speciesism and reconsidering the meaning of the biblical idea of God having given man dominion over Creation. Such ideas moved across Jewish denominations, from reform, through modern orthodoxy to

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<sup>9</sup> Kook, *A Vision of Vegetarianism and Peace*, 12; Schwartz and Sears, “The Vegetarian Teachings of Rav Kook,” 222-224, argue that Kook would have probably rectified his position on meat and vegetarianism, if he only knew about the environmental consequences and especially the brutalities committed against millions of animals every day in the modern intensive farms and food industries: “One can only wonder what his view would have been today if he were aware of the diseases, soaring medical costs, increasing environmental hazards, widespread hunger, cruel treatment of animals.”



Chassidism.<sup>10</sup> Unlike other forms of pro-animal advocacy that fiercely opposed any form of animal-based diet, Jewish vegetarianism and pro-animal welfare never claimed moral superiority or indisputable truth, defining itself as an easier way to grow spiritually in accordance with the teachings and main ideological tenets of Judaism.

Exploiting animal *le-shem shamayim* or for any other purpose concerning the physical and mental welfare of human beings is legitimate, provided that necessary measures are taken to alleviate animal suffering. What, however, is *tza'ar* when inflicted for a non-vital, but still socially largely accepted and historically grounded reason? A very important precedent is offered by a *she'elah* (answer to a religious legal question) that Rabbi Ovadiah Yosef—a leading rabbinical authority and Rishon le-Tzion (chief rabbi) of Israeli Sephardic Jews since 1973—issued on the legitimacy of bullfighting.

In 1986 a group of orthodox rabbis was invited to an international conference in Spain where they would attend a *corrida*, a bullfight, a fundamental element of Spanish and Iberian culture. Asked about the legitimacy of bullfight, Ovadiah Yosef did not hesitate to condemn it as the expression of “a culture of sinful and cruel people,” a gruesome event based on maximum exploitation of animal suffering, standing in stark contrast and direct opposition to the principle of *tza'ar ba'ale hayyim*.<sup>11</sup> Making the animal suffer—unnecessarily, from a halakhic standpoint—and even deliberately prolonging it—argued Yosef—is not an ancillary event in bullfight, something that can be limited or even eliminated, but a quintessential component of the show.

Yosef forbade Jews from taking part in a bullfight, directly either as bullfighters or as part of the staff or indirectly as part of the audience. This latter role would contribute to the public transgression of a fundamental Jewish value, *moshav letzim* (from Psalm 1:1, “the company of the insolent”).<sup>12</sup> Whereas the main

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<sup>10</sup> David Sears, *Compassion for Humanity in the Jewish Tradition: A Source Book and the Path of Baal Shem Tov: Early Chassidic Teachings and Customs*, Northvale, N.J., Jason Aronson, 1998.

<sup>11</sup> “Bullfighting and Visiting a Zoo by Rabbi Chaim Jachter,” *Torah Academy of Bergen County* 11 (2001/5762), accessed June 2, 2023, <https://www.koltorah.org/halachah/bullfighting-and-visiting-a-zoo-by-rabbi-chaim-jachter>.

<sup>12</sup> For more information on Yosef’s condemnation of bullfighting and other related matters (hunting and visiting zoos), see “*Tza'ar Baalei Chaim* –Is It Permitted to Watch a Bullfight? A

problem here is the total lack of measures to alleviate the pain of an animal—exacerbated by the spectacularizing of its death—what makes a corrida an illegitimate form of animal exploitation is its complete needlessness.

Having taken note of Yosef's decision on bullfighting—one of the cruelest forms of animal exploitation—some rabbinical authorities started looking at animal exploitation from a much wider standpoint, looking at the totality of the animal's tortured existence. While kosher in strictly halakhic terms, how Jewishly ethical is to eat meat of animals that were confined to cramped cages that did not allow them to move, and that were overfed or forcibly impregnated? At the time of the Sages, today's meat industry was inconceivable. Even when properly executed, shehitah, as any form of inflicted death, is painful for the animal, especially when performed in an industrial environment where animals are terrorized by being forced to watch other animals being slaughtered.<sup>13</sup>

Rabbi Asa Keisar—Israel's "national voice for veganism as a religious ideal"—has no doubts about this issue: modern methods of breeding and farming are simply incompatible with the criteria of dignity and respect codified by the Sages. While not denying the legitimacy of eating meat, Keisar underlines how this is just a concession, something that is permitted but not required. His manifesto, *We-lifney 'iver* (Before the Blind)<sup>14</sup>—a systematic and comprehensive analysis of the most important biblical and rabbinical sources — has circulated widely in Israel, reaching orthodox yeshivot/rabbinical schools and secular milieus. It has also

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Responsum of Harav Ovadiah Yosef, zt"l, based on Yechaveh Da'at 3:61," *Olami Resources*, accessed June 2, 2023, <http://nleresources.com/kiruv-and-chinuch/nle-gemara/permitted-watch-bullfight/#.YrlwJyoRrrc>. Interesting to note that, while openly condemning hunting, especially when practiced for recreational purposes, Yosef allowed the visit to zoos, whose animal variety and diversity would teach visitors about G-d's greatness.

<sup>13</sup> A very accurate study on the physiology of animal pain when ritually slaughtered is offered by Sara Rota Nodari and Stefano Cinotti, "Stato delle conoscenze sul dolore animale nella macellazione ebraica," in "Gli animali e la sofferenza. La questione della *schechitah* e i diritti dei viventi," eds. Laura Quercioli Mincer and Tobia Zevi, *La Rassegna Mensile di Israel* 78, no. 1-2 (2012): 181-191.

<sup>14</sup> From Lev. 19, 14 "You shall not insult the deaf, or place a stumbling block before the blind. You shall fear your God" [emphasis mine]. The book was published in 2016, with a second expanded edition that appeared in 2018, *We-lifney 'iver ha-shalem*. The text can be downloaded for free from Rabbi Keisar's website at: <https://asakeisar.com/en/>, accessed June 2, 2023. The book was endorsed and approved by leading rabbinical authorities such as Rabbi David Rosen, former Chief Rabbi of Ireland, Rabbi Moshe Zuriel, Rabbi Daniel Sperber, and Rabbi Nathan Lopes Cardozo.

sparked a lively debate also among ultra-Orthodox Jews. A vegetarian, or even better a vegan diet involving absolutely no form of animal exploitation—Keisar affirms—should undoubtedly be preferred, and use of animal products be totally avoided, unless necessary for the fulfilment of religious duties (including saving one’s life), and unless they are processed according to proper kosher methods. If we consistently stick to Maimonides’ principle that “there is no difference between the grief of a human and the grief of an animal,” and ask ourselves what justifies treating animals in ways that would be horrific if done to humans, we can see the ethical and moral discrepancy that is created when one accepts this model of production.<sup>15</sup>

According to Rabbi Simchah Roth—another prominent figure in the rabbinical pro-animal front—*shehitah*, like the whole of the slaughtering practices aiming to minimize the pain of the animal, should no longer be considered acceptable methods of terminating an animal’s life, especially compared to other forms of non-ritual slaughter in which death is inflicted quickly. Aiming to optimize the times of production and then to offer a competitive product, the meat industry applies systems of production that according to Rabbi Roth are totally incompatible not only with *tza’ar ba’ale hayyim* but with the core aims of ritual slaughter that should take place in a physical environment that minimizes the animal’s awareness of its impending death. This is unavoidable in the meat industry where the animals, adds Roth, like links in a production chain, are aligned, pushed, and killed in an appalling carousel of death. The recent scandals that involved a considerable portion of North America’s most important kosher meat industries might be explained exactly in these terms, as the obvious and unavoidable outcomes of massive production of meat.<sup>16</sup> While in the past the consumption of meat was occasional, now, adds Roth, this can no longer be considered a necessity (and therefore justifiable as part of *tza’ar ba’ale hayyim*), but a choice, or rather, a wrong option, especially given the lack of natural resources

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<sup>15</sup> Rabbi Keisar summarizes this in a short video, *Asa Keisar - Cruelty to animals*, accessed June 2, 2023, <https://www.youtube.com/watch?v=iNiTIMiZcwU>.

<sup>16</sup> I am referring here to the scandal that involved Agriprocessors, the biggest meat industry in the world, where abuse of animals was so routine to turn kosher meat unkosher. See Aaron Gross, “When Kosher Isn’t Kosher,” in *Tikkun* 20, no. 2 (2005): 52-55. Worth mentioning is finally Foer’s investigation on the kosher meat industry, *If This Is Kosher...*, accessed June 2, 2023, <https://www.youtube.com/watch?v=WviIOioAYMo>.

and dramatic worsening of environmental conditions caused by intensive farming, as well as in consideration of the numerous health issues caused by meat-based diets.<sup>17</sup> It is not for ethical and environmental reasons, according to Roth, that one should “egoistically” give up meat but rather for the sake of one’s health.<sup>18</sup>

### ***We-nishmartem le-nafshotekhem: For the Sake of the Living Body, and of the Planet***

As shown by recent scientific research, meat production and intensive farming are both responsible for the current environmental crisis, contributing at least to one third of all global warming. If every human is required to protect and respect his or her own body—a microcosm of God’s creation—according to the principle of וּנְשַׁמְרְתֶם מְאֹד לְנַפְשׁוֹתֵיכֶם (lit. “for your own sake, therefore, be most careful,” Deut. 4, 15), one also protect and respect the environment, a common good from which all have the right to benefit.

Should the masters of the Palestinian and Jerusalem Talmud be living today—in a time of food and nutrient overabundance, at least in the Western world—

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<sup>17</sup> For more information on Simchah Roth’s call for vegetarian and vegan diets, “An Interview of Rabbi Simchah Roth,” *JVC*, accessed June 2, 2023, <https://www.jvs.org.uk/2013/08/24/an-interview-of-rabbi-simchah-roth/>. Roth’s call for vegetarianism among Jews echoes what Peter Singer wrote in his pioneering book on animals’ rights, *Animal Liberation: A New Ethics for our Treatment of Animals* (New York Review-Random House, New York, 1975). The quotation here is from the 2009 Harper Perennial Modern Classics edition, 233-234: “[...] meanwhile, those who do not wish to eat meat slaughtered contrary to the current teachings of their religion have a simple alternative: not to eat meat at all. In making this suggestion, I am not asking more of religious believers than I ask of myself; it is only that the reasons for them to do it are stronger because of the additional suffering involved in producing the meat they eat.”

<sup>18</sup> This is how Roth summarizes why Jews should opt for a vegetarian or vegan diet: “Modern mass-slaughter of animals constitutes cruelty to animals [צער בעלי חיים] which is forbidden by the Torah; consumption of animal products contravenes the command of the Torah to maintain ourselves in good health [ונשמרתם מאוד לנפשותיכם]; religious Jews should stop eating animal products (meat, eggs, milk etc) in order to lessen greatly the damage we are doing to the planet [שלא תקלקל ותחריב את עולמי]; if religious Jews adopt a vegan diet, they will be greatly contributing to promoting righteousness and justice in the world [צדק צדק תרדף] and to a hastening of the messianic age, Rabbi Simchah Roth, “Why an observant Jew should follow a plant-based (vegan) diet,” *The Virtual Bet Midrash*, December 19, 2010. Accessed June 2, 2023, <http://www.bmv.org.il/v/vegan.html#02>.

wouldn't they be recommending a meat-free diet?<sup>19</sup> Probably not, as intensive farming and meat production is not the leading factor in the general environmental dramatic changes, and banning meat would probably lead to widespread unrest among observant Jews. While probably not so easily justifiable in strict legal-halakhic terms, a ban on meat can certainly be ethically understood, a vegetarian diet not only fully complying with the principle of respecting animal life and avoiding unnecessary suffering (*tza'ar ba'ale hayyim*), but also morally aligning with the notion of *we-nishmartem le-nafshotekhem*, the prohibition to harm ourselves. If not ethically for ourselves and for the benefit of our own body, becoming vegetarian should be more than ever before an urgent moral issue.

In 2009, *Eating animals* offered a critical analysis of what it means to eat animal products in an industrialised world, unveiling dramatic truths about the conditions in which animals live and die in the intensive farming system. If what we eat means something and our choices mirror our ethical positions, eating meat from the food industries and intensive farming means accepting, and tacitly supporting a system in which the animal is conceived and treated like an object, a link in an industrial chain. As a young Jew escaping Nazi occupation, Foer's grandmother refused non-kosher meat that a merciful Russian farmer offered her, despite the exceptional circumstances and the fact that it could save her life:

A farmer, a Russian, God bless him, he saw my condition, and he went into his house and came out with a piece of meat for me.”

“He saved your life.”

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<sup>19</sup> Difficult to say, and clearly a rhetorical question. It is interesting to know, for example, that an extremely dangerous habit like smoking - whose threats to human health have scientifically been proved and are nowadays universally well known - even though banned by rabbinical authorities, is still part of everyday life of many observant Jews, especially in the ultra-Orthodox milieus. The Rabbinical Council of America issued the ban in 2006 and it is available online at the following link: [http://www.rabbis.org/pdfs/Prohibition\\_Smoking\\_Full\\_Translation.pdf](http://www.rabbis.org/pdfs/Prohibition_Smoking_Full_Translation.pdf) [22 September 2022]. The ban was “inter-denominational,” similar bans have been issued also by Conservative and Reform rabbis, on which see <https://responsafortoday.com/en/smoking-in-jewish-law/> [22 September 2022]. A significantly more lenient - and I would personally say also ambivalent - position is taken by Chabad authorities: [https://www.chabad.org/therebbe/letters/default\\_cdo/aid/2084783/jewish/Why-Dont-the-Rabbis-Ban-Smoking.htm](https://www.chabad.org/therebbe/letters/default_cdo/aid/2084783/jewish/Why-Dont-the-Rabbis-Ban-Smoking.htm); last, but certainly not least, see rabbi Alberto Somekh's, “Vietato Fumare,” *Morasha*, February 7, 2017. Accessed June 2, 2023, <https://morasha.it/vietato-fumare/>.

“I didn’t eat it.”

“You didn’t eat it?”

“It was pork. I wouldn’t eat pork.”

“Why?”

“What do you mean why?”

“What, because it wasn’t kosher?”

“Of course.”

“But not even to save your life?”

“If nothing matters, there’s nothing to save.”<sup>20</sup>

The point here is that abiding by the rules of kashrut and other biblical-rabbinical norms, is not to overcome the boundaries and limits of a “self” defined by a set of non-negotiable values. What we are facing today is a similar dilemma, one defined by completely opposite terms: though we understand that meat does not grow on trees and that what makes meat so affordable today is a production system based on massive deforestation and over-exploitation of animals and natural resources, our priority remains the satisfaction our most immediate needs, even to the detriment of our own existence. The rules of kashrut whose primary aim is to minimize animal pain, cannot be reconciled with this production system, as shockingly shown in the Agriprocessor scandal, where production was optimized at the expense of animal welfare and, paradoxically as it might seem, in complete disregard of rabbinical and kashrut rules. As Foer explained in *We Are the Weather: Saving the Planet Begins at Breakfast* (2019), we live in a time of glaring idiosyncrasies and contradictions, one side being perfectly aware of what must be done, but acting as if in a time of war; instead of turning lights off and rationing food, we keep the lights on and eat whatever we want. Medical and environmental data have expressed a unanimous verdict: eating meat is not only no longer necessary for the vast majority of Western people, at least, but also a leading factors in our own physical and general environmental crisis. We should give up meat now. If not now, when?

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<sup>20</sup> Jonathan Safran Foer, *Eating Animals* (London: Penguin Books, 2018), 16-17.

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