

WEEKLY PDF DIGEST • 21 APRIL 2023

EDITOR'S LETTER

This week in *Mosaic*

Jonathan Silver looks back at the week

ESSAY



Why Is Europe Repressing Ritual Slaughter?

Countries across Europe are cracking down on ritual slaughter, making the position of observant Jews and Muslims there more tenuous. Is concern for animals really the motivating factor?

RESPONSES



Why Europeans Find Blaming the Jews Easier than Giving Up Meat

Europeans discomfited with the idea of animal cruelty could abstain from meat. But accusing halal and kosher butchers instead absolves the conscience and keeps the foie gras flowing.

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Podcast: Rick Richman on History and Devotion

The author of *And None Shall Make Them Afraid* stops by to talk about his new book and how history has a role to play in forming devotion to the Jewish people.

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Dear friends,

Food and faith

Passover is celebrated by families around a dining table and an elaborate meal, replete with special foods laden with religious significance. The Jewish tradition offers up matzah as an invitation for us to reinhabit our nation's primordial memories of slavery and oppression. It obliges Jews to eat only fitting foods and prohibits those foods in special combinations. Why does our tradition do all this? That question is a portal into deep matters of Jewish thought. The *Mosaic* contributor Meir Soloveichik, some years ago, composed a charming essay, "Locusts, Giraffes, and the Meaning of Kashrut," on some of them. In the process, he probes the work of another *Mosaic* contributor, Leon Kass, in his wonderful book, *The Hungry Soul: Eating and the Perfection of Our Nature*. (You can also listen to a discussion I had with Soloveichik about the essay on our website).

With this in mind, we turn to this month's feature essay in *Mosaic*, on the large subject of kosher food, and in particular on the subject of kosher meat, which must be slaughtered in a particular way. The professor and author Eric Mechoulan, focusing on the politics, economics, and moral sentiments of his countrymen in France, explained earlier this month why Europe is now repressing religious slaughter. In our first response to Mechoulan's essay, published this week, the writer Anael Malet wonders why Europeans find blaming the Jews to be easier than giving up meat themselves.

The American constitution and Israeli patriotism

A few weeks ago, I invited the editor and writer Yuval Levin to stop by our studio to discuss his *New York Times* essay on Israel's ongoing political crisis. In conversation, Levin singles out the political structure of America's constitution as resource to help Israelis think through their own national self-government. Levin does not, of course, think that Israel should simply adopt the American constitution, or any of its particular features. It is a sovereign nation with its own history and its own destiny, and no foreign document would suit its particular needs and character. But, in Levin's view, the American constitution contains important treatments of elemental concepts of democracy, equality, and representation—treatments that the women and men now called upon to establish wise political structures in Israel might be able to learn from as they structure their own political order.

And this week, I am joined in our podcast by the author Rick Richman to discuss his new book *And None Shall Make Them Afraid: Eight Stories of the Modern State of Israel*. His book offers, I think, a powerful answer to a complex political question. How does one engender patriotism? How do you form the souls of young citizens so that they come to see their own destiny

as bound up with the destiny of the nation? Richman's answer: teach them history. History, as he sees it, has an irreplaceable role to play in the formation of devotion to the Jewish people. It helps Jews see all that they owe by relaying the stories of all that their predecessors accomplished, and by implication, what Jews now have an opportunity and obligation to pass on to their own descendants. His new book, and our conversation, exposes us to the obligations that we owe to eight figures who were essential for Israel's founding and survival.

From the archives

Last week, the celebrated Israeli writer Meir Shalev passed away. A fixture in Israeli culture, Shalev was known for novels and children's books, which inculcated a kind of patriotism in another way, weaving together a love of Israeli culture and the land of Israel, a mastery of the Hebrew language, and a deep knowledge of Jewish tradition.

In 2020, the journalist Matti Friedman wrote a lovely review of Shalev's *My Wild Garden*, which he called "an exploration of the world at our feet, and an homage to plants who, unlike us animals, must live their lives rooted in the ground without moving." The book seems to be about gardening, but, as Friedman shows, Shalev's reflections—interspersed with stories from the Bible and ruminations about Hebrew—firmly plant him in Zionism's pioneer tradition and teach us much about the character of the Jewish state.

Something to listen to

On Tuesday, a friend of *Mosaic's*, the composer Daniel Asia, is presenting a musical celebration of Israel at 75 years. Featuring his music with a baritone, a violinist, and a pianist, the program will be performed live that evening and livestreamed on YouTube free to all.

With every good wish,

Jonathan Silver

Editor, *Mosaic*

Warren R. Stern Senior Fellow of Jewish Civilization



Animal-rights activists protesting kosher and halal slaughter in front of the Chancellery in Berlin, January 5, 2012. REUTERS/Thomas Peter/Alamy.

ERIC MECHOULAN

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About the author

Eric Mechoulan is a professor of history and geography in Paris. He doesn't eat meat..

Why Is Europe Repressing Ritual Slaughter?

Countries across Europe are cracking down on ritual slaughter, making the position of observant Jews and Muslims there more tenuous. Is concern for animals really the motivating factor?

Over the last decade, there has been a growing debate in Europe, initiated primarily by animal-rights groups and environmentalists, about the desirability of banning religious ritual slaughter in the name of animal welfare. This debate has caused concern among Jews not only in Europe but also in Israel and North America, as the ban means for them—and many Muslims—the end of the production of the only meat they can eat.

It is difficult for Jews not to see, lurking behind the argument against animal suffering, the sly face of an anti-Semitism that has always been able to drape itself in the ideals of the moment. This fear is legitimate, but we must also keep in mind that it should not obscure the legal, political, and economic dimensions of the problem. For, when looked at from the right angle, the seemingly narrow controversy over ritual slaughter widens into a prism for better perceiving how a continent and culture are being torn between contradictory values.

I. The Carnivorous Challenge

To understand the sensitivity of Jewish communities toward the issue of ritual slaughter, it is helpful to discuss some basic notions about their relationship with animals in general and meat in particular. That relationship is strikingly close. According to Genesis, man was originally made by God to be a vegetarian, as in the Garden of Eden, where “every green plant shall be food.” (Later, however, the consumption of meat became an integral part of Jewish worship.)

Secondly, the Torah strictly prohibits the mistreatment of animals. It is forbidden for any human being to cut off a limb of a living animal and to eat it. Jews are also obliged to feed their animals before themselves, to relieve their suffering, and in general to cause them the least pain. They must make them rest on Shabbat and it is prohibited to muzzle animals to prevent them from feeding themselves during their work. One may not harness together an ox and a donkey.

Further, it is by saving the animals in his ark that Noah discovers the meaning of the human condition: responsibility. Indeed, the permission to eat animals was granted to mankind only after the flood and only on condition that blood, considered as a carrier of life force, would not be consumed. This ban on blood is central to Judaism.

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Later, additional regulations appeared. After leaving Egypt, the Hebrews learned that they were only allowed to eat the meat of certain mammals, such as cows and sheep that have split hooves and chew their cud, and that they could partake of those specific animals that were permitted for sacrifice in the Tabernacle. Then, once they entered the land of Israel, Hebrews were allowed to eat “in every desire of [their] soul,” meaning even animals slaughtered outside the Tabernacle and outside the Temple for the pleasure of consumption. At this point, the Temple service became primarily sacrificial.

Now, the sacrifice (*korban*) was in no way an offering to God in exchange for benefits. It was in most cases a sin offering (*korban hatat*), which consisted of, after having unintentionally transgressed the law, making peace with oneself and getting closer to God by an act of giving. The meat of the animals slaughtered in that service was shared with those who had no land and therefore no basic food resources: the priests (*kohanim*), in charge of the ritual sprinkling of the blood.

Did these sacrifices have a pedagogical purpose, allowing the Hebrews to realize that the object of the sacrifice could only be destined for others and not for a deity who had no use for it, and that the material needs of their

fellow Hebrews should be their own spiritual needs? And that, by the way, such a way of life formed an absolute difference from the surrounding peoples, who made offerings to their idols? This is what Maimonides assumed in the *Guide of the Perplexed*. Did the sacrifices have a cathartic function, of preventing violence by diverting “aggressive tendencies onto real or ideal victims, animate or inanimate but always not likely to be avenged,” as the rabbi Joseph Albo implied in the *Book of Principles* and the French philosopher René Girard thought? Whatever the answer, slaughter, in the Jewish view (although, of course, this is debated), remains an abnormal act, a concession to an imperfect world and that will end in the messianic era, when humanity will return to its original vegetarianism. Reflecting this, the rabbi Abraham Isaac Kook only ate meat on Shabbat, an exceptional event for an exceptional day.

In the meantime, the Jews have developed an extremely meticulous method of slaughter that meets the dual requirement of ensuring that the meat of an animal contains no blood and of limiting the suffering of the animal as much as possible. This happens by the cutting of the trachea, carotid arteries, and jugular veins all at once and without pressure. In this way, about 70 percent of the total blood of the animal is spilled. Yet if the animal is stunned beforehand, as is now common in non-kosher slaughter, only about 30 percent is spilled. Hence the importance of the animal’s state of consciousness at the time of bleeding. There is also a prohibition against consuming animals’ sciatic nerve in memory of the biblical forefather Jacob’s wrestling match as described in the book of Genesis. All this is so important that it occupies an entire Talmudic tractate, *hulin*.

It follows that the slaughterer (*shochet*), far from being the executor of the community’s dirty work, must be a scholar. This is impossible to explain to anyone who sees slaughter as solely the transformation of an animal into an object of human consumption. By taking a life to feed others, the *shochet* is responsible, to those who will eat the animal’s flesh, for ensuring that their consumption conforms to the norms on which the Jewish community is based. It takes him eight years of training to be able to change the status of the animal by an act that does not reify it but sanctifies it—that is to say, separates it from the material realm and shepherds it into the spiritual realm. Without the rite and the appropriate blessing, slaughter would be murder, just as without the prior Jewish blessing, the consumption of any product of nature is theft.

To give everything a meaning, to introduce one into the world where it does not exist, is characteristic of the Jewish approach to any act—including killing, one of the most degrading of all. In traditional Ashkenazi communities, the *shochet*, because he engaged in the most inhuman action tolerated by a human community, had to compensate for it with the most humane action possible: the duty of hospitality was incumbent upon him first and foremost.

After the animal has been killed as quickly as possible by the *shochet* (an act known in Hebrew as *shechita*) and the bleeding is complete, certain organs are checked by a specialist (*bodek*) to ensure that the animal is kosher. If the animal was not alive at the time of slaughter, or if the organs show signs of serious illness, it is considered carrion, forbidden for consumption. Today, animals declared unfit for Jewish consumption (which number more than 50 percent), are returned to the normal meat-processing circuit as soon as the veterinarian has given his approval. (The same is done for the hind parts containing the sciatic nerve.) It is quite possible that this obsession with ritually evacuating the blood was at the origin of the Christian accusations of Jewish ritual murder, recurrent since the Middle Ages. Indeed, in the Christian world, the killing of the animal, at best provided with a material soul, is a quite banal phenomenon; it raises no other question than that of limiting violence to what is strictly necessary in order not to give man a taste for it.

Muslims, on the other hand, borrowed their approach from the Jews by humanizing the killing of the animal as much as possible and by invoking God to grant themselves permission to kill it. However, one will not find in Islam as strict a code of rules as one finds in Judaism for the training of the slaughterer and the modalities of killing. Islamic ritual slaughter (*dhakat*), by cutting the throat (*dabh*) or by thrusting a blade into the supra-sternal fossa (*nahr*), is simpler than *shechita*. It does not involve any control of the animal before and after death, no specification of the quality of the killing instrument, and no professionalization of the slaughterer's function. Any Muslim man can slaughter an animal as long as he respects basic criteria of faith, conscience, and morality. The means to reduce animal suffering are left to individual discretion. Prior to the great revival of rigorism in Islam in the 1980s, many Muslim decision makers in developed countries even allowed the consumption of animals slaughtered by methods acceptable to other members of the "People of the Book" tradition.

For the broader European public and especially for European judges, Jewish and Islamic ritual slaughter methods fall into the same category. In reality, they are very different. This misunderstanding and its consequences will recur later in this essay.

The awakening of a certain social sensitivity about the particularly brutal practices in slaughterhouses is recent; until the 19th century in Europe, only Jews paid any attention to animal welfare. It should be borne in mind that the stoning or public torture of animals was an ordinary street spectacle in Europe until the 18th century. At the end of the 20th and especially in the 21st century, this sensitivity was considerably heightened, in particular because of the recurrent series of scandals such as the spread of mad-cow disease. Consumers have become increasingly attentive to production methods. This has led to an even stricter control of the production conditions of all foodstuffs and the development of new techniques to limit the suffering of animals intended for slaughter. And this in turn means Europeans no longer consider Jewish ritual slaughter an unnecessarily

fussy production but indeed a form of animal cruelty, even though very few people in Europe were at all interested in the issue until the 1960s.

Everything changed with the massive increase in the Muslim population over the last several decades. Today, Muslims represent about 7 percent of the European population—about 50 million people. The revival of Islam over that time, the radicalization of communities, has helped to put ritual slaughter back on the European public agenda. This phenomenon has also profoundly transformed the meat market, especially since Europe exports a considerable quantity of meat to Islamic countries, meat which must therefore be ritually slaughtered before shipping. At the turn of the century, the global halal market was estimated at 150 billion dollars annually, a huge number that gives some sense of why European producers might have some interest in meat export.

The sacrificial rite of Eid-el-Kebir played a special role in the transformation of public opinion. To commemorate Ibrahim's (Abraham's) sacrifice of the ram in place of his son, every Muslim father must kill an animal himself, though many prefer to delegate this rite. Then, one third of the meat is given in charity to the needy. Since Europe's slaughterhouses lack sufficient space to satisfy such widespread demand, since the male participants lack skill or experience in slaughter, and since the whole situation lacks the usual legal and sanitary and animal-welfare precautions, the Eid-el-Kebir festival offers Europeans the spectacle of a yearly massacre carried out in abominable conditions. Animal-welfare organizations have raised an outcry, and European states have gradually been forced to take appropriate measures by creating temporary slaughterhouses that meet minimum technical requirements to avoid scenes of sacrifice in fields or backyards. Still, these sites have in turn attracted the further ire of the animal-rights activists, who have tried to ban them. In 2015, however, a Belgian judge refused, arguing on the basis of religious freedom and on the grounds that Muslims strive to avoid animal suffering and respect public-health requirements.

II. The Limits of the Legal Framework

The main concern that is raised about ritual slaughter has to do with the state of the animal in the moment of death: primarily, whether it is conscious or not. Thus, in the second half of the 20th century, legislators across Europe progressively adopted the principle of stunning before killing, which is forbidden by Jewish law. The aim is to limit the animal's unavoidable suffering as much as possible, though reasons of hygiene, food safety, and the safety of slaughterers also play into the change. Jewish ritual slaughter, which, needless to say, is in the extreme minority of all animal slaughter on the continent, has been allowed to continue by virtue of a status of legal exception endorsed over decades by the European Convention on the Protection of Animals for Slaughter.

Yet a status of exception is not a status of right, and there is increasingly frequent questioning of the Jewish exception in the press and in the changing attitude of judges, in response to which the Jewish community has become increasingly nervous. In 2019, the Court of Justice of the European Union, whose function is to interpret EU law and ensure its uniform application in all member states, concluded that EU law does not allow products from animals that have been slaughtered without being stunned beforehand to be marked “organic.” The concept and appellation “organic,” the court concluded, implies that the welfare of the animal has been considered in every moment of its life, including its last, and not simply in the way it is raised and fed. In this way, it spontaneously extended the notion of “organic” far beyond what people tend to believe it means.

The EU had announced that it was going to devote more to combating anti-Semitism. To prove its good intentions, it started the year by upholding a ban on a central Jewish ritual.

Another ruling, made by the European Court of Justice on December 17, 2020, has caused even greater concern in Jewish communities. The ruling announced that the protections for animal welfare outlined by one of the primary treaties of the European Union must, in certain circumstances, give way to the even more fundamental objective of guaranteeing religious freedoms and convictions. Yet in the end the Court ruled that a decision by the Flemish government to mandate ritual slaughter only after stunning would ensure “a fair balance between animal welfare and freedom of religious worship.” This is a strange formula, as there is no balance in it at all, since for Jews and many Muslims, eating meat from animals that are stunned before slaughter is simply forbidden. The Simon Wiesenthal Center therefore decided this judgment was one of the ten worst anti-Semitic events worldwide in the year 2020. Ironically, the EU had announced that in 2021 it was going to devote more effort to combating anti-Semitism. To prove its good intentions, it started the year by upholding a ban on a central Jewish ritual.

Is the EU in charge here? Or do the individual member states retain their sovereignty on this matter? It’s a blend of both. The states remain sovereign—as long as their actions don’t break EU law. It is therefore up to the states to decide whether they wish to allow Jews and Muslims to benefit from an exception. Since the decision-making process of states is democratic, a majority vote in domestic parliaments is sufficient to end the religious exception and prohibit ritual slaughter.

Which means, inevitably, that the state of exemption rather than state of right will not be strong enough to protect ritual slaughter. Already, many individual states are moving to prohibition. Switzerland, Sweden, Norway, Iceland, Denmark, Slovenia, six Austrian provinces, and the Belgian regions of Flanders and Wallonia do not allow any exemptions from the stunning requirement. The idea is also gaining ground in Germany, the

UK, and the Netherlands. In Poland, the High Court reversed its own 2012 ban on ritual slaughter in 2014 following an appeal by the Union of Jewish Communities on the grounds of religious freedom. The economic stakes are high, since Poland is one of the main exporters of kosher and halal meat not only to the rest of Europe but also to Israel and Turkey. The production chain is fighting to keep this market of more than 5 billion dollars, but the parliament keeps coming back to put an end to it. There is one exception, at least: in Finland, a constitutional law committee this year voted, in the name of religious freedom, against a bill banning kosher and halal slaughter.

The evolution of the European attitude is dictated, on the one hand, by the conviction that ritual slaughter is cruel, and on the other hand by the idea that the law is meant to translate the expectations of a society in a given time and place into normative form. For Jews, this second stance is an absurdity: law should be reflection of a universal and absolute principle that does not have to be adapted to the tastes of the day. As for the first idea, the debate is complex. Some of the issues in it relate to the socio-technical context of the slaughterhouse—the way in which the work is mechanized, the pace of work, the know-how and tools of the slaughterers, the restraining devices, and so on, all of which affect animal welfare. Here we will focus on a couple of the main issues. The first concerns the reality of suffering during slaughter, and the second concerns the choice of which principle should prevail: animal welfare or freedom of religion.

In the 19th century, observers still considered Jewish slaughter to be more humane than ordinary slaughter. Today, secular scientists and experts argue the opposite. They estimate that mammals can remain conscious for two to six minutes of suffering after cutting, whereas Jewish and Muslim experts believe that these animals lose consciousness after ten to fifteen seconds. (*Dhakat*, which is less meticulous than *shechita*, makes the agony a little longer.) The Court of Justice of the European Union thus found in 2019 that methods of slaughter carried out without prior stunning are not equivalent to methods of slaughter after stunning, in terms of ensuring a high level of animal welfare at the time of killing.

To understand the debate, it is important to know that there are three stunning techniques used in slaughterhouses. The first is mechanical, caused by perforating the cranium by a metal rod—an act which sometimes happens imperfectly, causing great suffering. (It has a 2-to-54-percent failure rate in sheep and a 6-to-16-percent failure rate in cattle, according to studies by the French National Institute for Agronomic Research). The second method of stunning, intended mainly for sheep and poultry, consists of the application of an electric current to the head, a process known as electronarcosis. The third method, mainly used for pigs, involves inhalation of carbon dioxide which causes suffocation over several minutes.

As these descriptions indicate, stunning is almost a euphemism here. When animals are bashed in the head or ruthlessly choked, their suffering is doubled—they are victims of two cruel acts instead of one. The renowned animal-science professor Temple Grandin has even found that calves are more stressed when the hand of the stunner is waved in front of their face than when they are slaughtered properly in a kosher manner.

In the end, stunning is in most cases killing by another name. One does not survive a perforation of the brain or several minutes of gassing. Electronarcosis—the process of putting the animal into a stupor by running electricity through its brain—allows for a method of stunning that is in theory reversible. But in reality, it is not always reversible: plenty of animals die of electrocution in the process.

All this means that in addition to being doubly cruel, stunning, since it kills, is not a valid method of ritual slaughter. It is certainly unacceptable to Jews. To Muslims it's a little more unclear. Some Muslims accept electronarcosis because Muslim law is vague on the specifics of the subject.

There's a variant of the stunning debate that some think offers a space for compromise. In Austria, Estonia, Greece, and Lithuania, immediate stunning *after* bleeding rather than before is used—indeed, mandated—to anesthetize the animal during its last seconds of suffering. During the debate that preceded the vote on slaughter in the Brussels parliament, the representative of the Islamic community declared that post-incision stunning (as well as electronarcosis) was an acceptable compromise for Belgian Muslims. Some Conservative Jewish communities have likewise accepted this as a compromise. (Reform Jews as a general matter do not much care, since the movement has repudiated the binding nature of Jewish law in general, and the rules of kashrut within it.). But the representatives of Orthodox Judaism do not seem to be willing to go down this road because they are not certain that the animal will bleed as thoroughly. They also do not feel that they have the legitimacy to question a tradition that is several thousand years old, given the normative role of tradition in Jewish law.

In any case, by explaining to Jews and Muslims that they should stop ritual slaughter because stunning is reversible, by imposing technical conditions such as the size of the blade, the quality of the cutting edge, or the way the animal is moved after bleeding, European legislators—who are responding to and echoing public opinion—think they are being both logical and fair. Since the animal is not dead after electronarcosis, they argue, the slaughter becomes compatible with Jewish law.

This is where an essential problem arises, which the broader European public rejects but which is nonetheless obvious: the MPs are interfering in Jewish law. They are not simply saying that religious tradition or religious liberty must take a back seat to the protection of animals, but taking it upon themselves to decide what compromises Judaism should allow. In this way, they are stepping inside the religion and in effect defining Jewish

identity itself, in contradiction not only with Jewish law but also with the principle of separation of religion and state. Shimon Cohen, the campaign director for Shechita UK, a London-based organization that lobbies against *shechita* bans, expressed a widely shared amazement in Jewish communities that a secular court of law could or should assume the right to tell people if and how they can practice elements of their faith.

European legislators are not simply saying that religious tradition must take a back seat to the protection of animals—they are taking it upon themselves to decide what compromises Judaism itself should allow.

Moreover, any questioning of *shechita* or limitation of the procedures of ritual slaughter is a way of reducing Jewish autonomy and impinging on the capacity of Jewish communities to self-structure. This obvious fact did not escape the attention of the Belgian Council of State, for whom “it is not in principle the task of the public authorities to pronounce on the legitimacy of religious beliefs or on the ways in which they are expressed, and that they therefore have no role in assessing the theological correctness of the convictions of the faithful or of certain currents of a religion.” Of course, in the region of Wallonia, Belgian MPs ignored this. They even disregarded the efforts of the president of the Israelite Consistory (the official representative of the Jewish community to the Belgian government), who had gone so far as to propose that slaughterers no longer be appointed by the Consistory but by a regional public body certifying their competence. (The idea was to retain kosher slaughter but give Belgian MPs the feeling that they were masters of the process.)

Therefore, if ritual slaughter is going to be saved, the Jews of Europe must work urgently on convincing the public, the MPs who represent it, and the judges who interpret the law that the ordinary consumption of food in accordance with religious criteria should be considered a religious practice and must be defined by the members of the religion and not anyone else.

In a 2019 resolution, the European Parliament sidestepped the issue. It called on member states “to introduce religiously compliant animal-slaughter programs in slaughterhouses, taking into account that a significant proportion of live animal exports are destined for Middle Eastern markets”—and also called on the Commission “to ensure that animals are stunned, without exception, before religious ritual slaughter in all Member States.”

The contradiction did not bother the members of the European Parliament. But it is obvious to many other, more aware actors. For many decades, European lawyers and judges had been at odds with the legislators who expressed in their parliaments the expectations of public opinion. The former defended freedom of religion and argued for the maintenance

of the religious exemption because they thought that their mission, as defined by the founding texts of European human and civil rights, was to protect minorities from the tyranny of the majority.

Today, this dam is breaking. European courts are gradually moving away from a defense of freedom of religion towards defining for themselves a framework for the methods of ritual slaughter. Likewise, they are moving from an absolute loyalty to neutrality in the assessment of the compulsory nature of ritual slaughter without stunning towards an assessment of the validity and legitimacy of religious beliefs as well as their methods of expression.

Last but not least, the orientation of key European legal texts on the subject has changed. Contrary to its title, the real objective of the 1993 directive “on the protection of animals at the time of slaughter or killing” was first and foremost to implement undistorted free competition in the European single market by establishing common standards “in order to ensure rational development of production and to facilitate the completion of the internal market in animals and products,” and then to guarantee the safety of food products. The basic idea, in other words, was that slaughter techniques should not act as technical barriers to trade across the continent, and that animal protection was a secondary objective. Although animal welfare is still not an explicit objective of such texts and treaties, public pressure is forcing it to be read into them, highlighting their fragility.

III. The Ideology behind the Law

European opponents of ritual slaughter sometimes denounce this economic reality as something that makes all consumers “accomplices” of Jewish and Muslim communities and practices. They are partly right. Remember that a large proportion of the animals slaughtered by *shechita* is eventually declared unfit for Jewish consumption. The same applies to the backs of kosher carcasses from which the sciatic nerve is no longer removed. Muslims, for their part, often favor the front parts and offal, leaving the back parts behind. Thus, a considerable amount of ritually slaughtered meat inevitably ends up in the sourcing channels of ordinary meat without any particular labeling. Consumers therefore cannot know whether their meat comes from animals slaughtered without prior stunning. Since the 1980s, this practice has made it possible for many small slaughterhouses to become economically viable.

Unfortunately, this structuring of the market, the absence of an Islamic consensus on the definition of halal, and the ease of obtaining a permit for ritual slaughter, have all led to an over-exploitation of the exemption from stunning. These abuses are dictated by economic motives unrelated to the religious demands of the communities concerned. The main thing for many slaughterhouses is to have only one channel of production and to

obtain maximum output from it, regardless of the ultimate destination of the meat. This is not illegal, but it plays with legality, since those who act in this way, many of them unscrupulous slaughterers in the halal sector, know that they are misusing the legal exception for ritual slaughter. In the sheep and poultry production chains in particular, maximum speed means maximum profit and maximum suffering. Sometimes they do not even wait for the death of the animal to start cutting it up.

On the one hand, because of the sloppiness of this part of the supply chain, many Muslim consumers are pushed towards meat slaughtered under clearer and higher standards, for fear of consuming meat improperly slaughtered in these unscrupulous slaughterhouses. On the other hand, some non-Jewish and non-Muslim consumers are outraged at the possibility of unknowingly consuming meat that has not been prepared to the standards they prefer and expect. This expectation was created by European authorities themselves. The European Commission writes that “member states must ensure that meat [from animals slaughtered without stunning] does not end up on the general market, including through appropriate labelling and traceability mechanisms.” This wish is perfectly legitimate since it is what consumers demand. At least that is what the proponents of labeling would have us believe, although a 2015 study by the same European Commission, concluded that “for most consumers, information on the method of slaughter was not an important issue until it was brought to their attention.” Hence the energy expended by animal-welfare groups to bring this information to the public’s attention. This right to choose one’s product on the basis of credible labeling is reasonable enough. But it poses several problems.

The natural reaction of the public is therefore: we can no longer know what we are eating because of the Jews and Muslims.

The first is simply technical. It is very complicated to ensure the veracity of labels given the wide variety of actors sharing a myriad of tasks between slaughter and distribution, some of which are in the private domain, others in the public domain. Drawing a line between these areas is a political act in itself. Furthermore, kosher or halal labels are applied at the discretion of producers and the religious communities they serve. They are not subject to any particular government protection, like the protected designations of origin famous for denoting certain wines, spirits, cheeses, etc.

The second problem is political. To indicate on the packaging of a piece of meat that the animal from which it comes has not been stunned clearly means that it has been slaughtered for Jews or Muslims. The natural reaction of the public is therefore: we can no longer know what we are eating because of the Jews and Muslims. During the Brussels debate, which ended with the exception for ritual slaughter being maintained, the Belgian MPs had to decide not only between freedom of religion and animal welfare but also between animal welfare and the risk of stigmatizing minority communities.

The third problem is related to animal welfare itself. Opponents of ritual slaughter know, of course, that Jewish and Muslim consumers will be forced to import kosher and halal meat if the exception is ended. In that case, there will always be a ritually slaughtered animal somewhere in the world to satisfy the needs of these communities. (Hence those worried meat exporters in Poland and Belgium, who don't want to lose important markets.) In essence, the issue here is to push the act of slaughter beyond Europe's borders, not to make it impossible. What these opponents want is the relief of their local conscience more than the welfare of the animals themselves.

This turns out to be a common feature of the animal-welfare debate. At the same time as ritual slaughter has become more objectionable, animals in Europe are still the subject of bloody games, particularly bullfights, which are part of "cultural traditions and regional heritage" according to European regulations and to which the regulation on animal welfare does not apply when they are killed "during cultural or sporting events." Noting this discrepancy, Islamic associations have tried, unsuccessfully, to have Eid-el-Kebir considered a cultural event. The European Commission has cautiously shied away from the subject on the grounds that "the European Union is not competent to deal with all aspects of animal welfare. This is the case, for example, with regard to [. . .] the use of animals in artistic or sporting events (bullfights, rodeos, circuses, dog or horse races, etc.)."

Even more hypocritically, hunting is still permitted in Europe—the organization of an event, usually collective, during which individuals take pleasure in tearing the flesh of living animals with lead shot and inflicting suffering on them leading to their death. The same might be said for fishing and angling. When petitioners asked how Belgium could allow hunting but prohibit ritual slaughter, the European Court of Human Rights replied that hunting was a cultural tradition and therefore entitled to protection. The Court of Justice of the European Union elaborated on the same theme, arguing that animals killed during cultural or sporting events or in the context of hunting or fishing activities are not subject to compulsory stunning, since the former are not intended to produce foodstuffs and that the latter would lose all meaning if the animals were stunned.

Rarely has the absurdity of value preferences in the West been better understood.

Further examples proliferate. The Norwegians, who prohibit ritual slaughter, practice whaling, which inflicts all imaginable suffering on these highly intelligent cetaceans. As for the Danes, they slaughtered more than ten million COVID-infected minks under abominable conditions on government orders. And what about the appalling massacre of pilot dolphins in the Faroe Islands, a self-governing nation under the external sovereignty of Denmark? Following the age-old tradition of *grindadráp*, encouraged by the local government, boats drive the dolphins into a bay and they fall into the hands of fishermen on land, who enter the water up to their waists and

kill them with knives in a blood-red sea. A petition with almost 1.3 million signatures demanding a ban on these slaughters only resulted in a promise from the authorities to limit the killing to 500 animals per year. Not to mention the lobsters that are boiled alive in water everywhere.

Hunting is permitted in Islam (not all the time and not everywhere) and even the killing of an animal by a trained dog is allowed. But all forms of hunting are forbidden in Judaism: a man cannot profit from a being that has suffered.

Paradoxes and contradictions go far beyond the sordid euphemism of “stunning.” In fact, the invocation of freedom of religion may be a poor line of defense on the part of the communities affected by the ban on ritual slaughter. It is possible to imagine a religion that worships by making animals suffer (there have been such religions, as there have been human sacrifices). Some religions authorize or prescribe acts that are forbidden on European soil: forced or underage marriages, polygamy, ritual mutilations, legal amputations, etc. For Jews, whose law is based on responsibility towards others and, secondarily, towards animals, the incomprehension comes from the reversal of the situation. European Jews are divided between amazement, anger, and concern. To them, a civilization that has been morally backward for thousands of years suddenly explains that they have become archaic in their practices and that animals have rights.

Though it may sound surprising to some, this dimension of the debate is essential. In Judaism, humans have rights because they are essentially different from animals in their ability to be responsible for their actions. Human rights are the natural outcome of thinking rooted in the universalism of Jewish law. On the other hand, being alive or sentient (i.e. able to perceive through the senses) does not grant any rights. For the last decades, libraries have been written about animal rights. This is nonsense under Jewish logic: animals have no rights. Humans, on the other hand, have *responsibilities* towards animals, deep ones explained clearly and seriously in many Jewish texts. The enlightened West now disagrees, and assigns animals the fundamental rights that to Jews come with belonging to the human species. Can we imagine a being with rights being directed to a slaughterhouse? This is what the debate is about.

In the end, it is hard to disentangle these campaigns from anti-Semitic sentiment. This has been the truth for a long time, long before animal welfare was such a popular cause. More than 60 percent of the Swiss electorate voted against ritual slaughter in 1893 after a clearly anti-Semitic press campaign. (Though it is interesting to note here how business interests have again tried to counteract popular sentiment. In 2001, in the name of religious freedom as well as money, the Swiss Federal Department of Economic Affairs, supported by the Federal Commission against Racism, tried to repeal the ban. In the end, the Swiss Animal Protection Service succeeded in preventing that measure. Then that service overstepped, by proposing a ban on the import of meat from non-stunned animals. The

executive branch refused, arguing that an import ban would be contrary to the principle of non-discrimination enshrined in several articles of a major international trade treaty.)

In any case, the Swiss anti-Semitism campaign was followed over 100 years later in France. Just last year, in the election for the French presidency, the Green party and National Rally (extreme right) candidates committed themselves “in the name of animal dignity” to ban ritual slaughter. The latter went further by again proposing to ban the import of kosher or halal meat as well. Such initiatives are obviously intended to make life difficult, if not impossible, for Jews and Muslims. (They are also contrary to a very explicit EU regulation of 2009: “a Member State may not prohibit or impede the putting into circulation on its territory of products of animal origin from animals which have been killed in another Member State on the grounds that the animals concerned have not been killed in a manner which complies with its national rules which aim to ensure greater protection of animals at the time of killing.” Again, free trade is at the heart of the Union.)

In truth, *shechita* has always been central to anti-Semitic discourse and practice in Europe. On April 21, 1933, the Nazi regime passed a law banning ritual slaughter and imposing electric stunning to ensure animal welfare. It contained no reference to Jews, yet, of course, it was all about them. This Nazi law was more respectful of animals than the texts promoted by animal advocates in the 21st century, as it also prohibited cooking fish and crustaceans without first stunning them. When asked by German Jews what to do, the rabbi Y.Y. Weinberg from Berlin confirmed the prohibition against eating non-ritually slaughtered meat, but pointed out that he did not see the Nazi legislation as specifically anti-Jewish. But it cut against Jewish values on a deeper level. He believed, he said, that the ban on slaughter would continue after the fall of the Third Reich because the moral motivations behind the law, however flawed, were part of a fundamental trend. He understood, in other words, that the apparent respect for the animal at the expense of the humanization of its slaughter by man—which ritual slaughter represents—was part of a cult of nature that was making its way into the European mind. What’s more, he understood that Nazi paganism was the violent form of such a more subtle and deeper paganism.

We can even assume that there is a partly unconscious Pauline underpinning in the desire to prohibit ritual slaughter, since Christians have always reproached the Jews and then the Muslims for sacrificing animals for meat, thus inventing justifications to killing instead of simply killing them to eat them. For Christianity, the only truly meaningful sacrifice is that of Christ, the Lamb of God. From this perspective, surrounding the killing of animals for food with legalisms constitutes a sort of Pharisaic hypocrisy: if you intend to take a creature’s life for your own nourishment, don’t try to sacralize the act with elaborate ritual. The same is true for the circumcision of the flesh instead of the heart. It is therefore no coincidence that the banning of ritual circumcision is already taking shape in many European

countries in the name of the child's freedom of choice as a "next step" against Jewish—and Muslim—life.

We are thus gradually discovering that it is not so much the suffering of the animal that is at the heart of the debate on the ban on ritual slaughter but rather a certain idea of suffering—or a certain ideology that chooses certain sufferings over others. In a world where euthanasia is becoming more and more legitimate, even commonplace, the idea that human life should be protected is receding day by day. Not that Judaism ascribes to the absolute idea of life being sacred in the Christian sense; there are certain situations where it is preferable to renounce it than to renounce one's humanity. But it remains a value to be defended, where secular Europe gradually sees an archaism. As the former French MP and minister Amélie de Montchalin put it, "There is an age when one becomes a very important financial burden for society, when the question of the early end of life must be asked; we must put an end to the taboos." Europeans thus increasingly favor making sure humans die quickly, while protecting animals from suffering. If one day human slaughterhouses are once again organized in Europe, which is seeming likelier by the year, they will resemble the aseptic and peaceful euthanasia centers of *Soylent Green* more than the Nazi camps.

It is not so much the suffering of the animal that is at the heart of the debate on the ban on ritual slaughter but a certain idea of suffering—or a certain ideology that chooses certain sufferings over others.

As these examples show, more than a case of intentional anti-Semitism, in the sense that the Jews are being targeted by measures intended to make their life difficult, the ban on ritual slaughter is essentially the result of a growing disjunction between Jewish ideals and those of the West. Between the second half of the 18th century and the Second World War, the integration of Jews into European society and the claim of universalizable principles by the civilization that welcomed them had given the impression to many Jews of a kind of "end of history," of reconciliation justifying all forms of assimilation. Even though the Shoah was an unimaginable reminder, many Jews still want to believe that their values and those of the secular West are the same, and that those values had flourished after the defeat of Hitler, ensconced in the ideals of human rights. But the abolition of the ethical centrality of the human, the pagan sacralization of nature, the idea that animals have dignity and rights, the fight against suffering that justifies euthanasia, not to mention other social abuses, show that the rapprochement between the moral values of the two was perhaps only an accident of history. More and more Europeans will define their identity by belonging to a democratic society of informed consumers rather than by reference to universal principles.

Among the supporters of the ban on ritual slaughter, the distinction between anti-Semitic intentions, those that serve the interests of anti-Sem-

ites, and those that are influenced by anti-Semitic ideas without their authors even realizing it, is therefore subtle. This proves the extraordinary solubility of anti-Semitism in all ideologies.

In the ritual ban case, the Jews are in a way collateral victims of the effects of Islamic immigration and the European reaction to it, of the consequences of business strategies in the breeding sector, of the ignorance of judges, and of the evolution of ideologies alien to their values. Industrial and judicial actors have encroached on the field of religious norms, blurring the boundaries separating religion, politics, and economics.

Instead of accepting the idea that there are only imperfect and negotiated solutions in this matter, and that a reasonable accommodation involving the emendation of the legal norm at the margin is probably the best solution, community representatives and animal-welfare advocates are launching into an ideological battle the radicalization of which can only benefit the slaughter industry and Muslim extremists. Indeed, the regulation of ritual-slaughter practices, especially in the context of Eid-el-Kebir, or even their prohibition in many European countries, allows Muslim fundamentalists to prove that European civilization is betraying its promises of freedom of worship, that it is therefore Islamophobic, and that their aim to destroy it is legitimate.

The issue of ritual slaughter is above all an opportunity for Jews to discover the extent to which Western civilization is going off course and to ask themselves what role they should play in it—or more precisely whether they still have a role to play before the advent of the messianic era which will impose universal reconciliation and vegetarianism. In the meantime, it must be acknowledged that not all animal lovers are anti-Semites. But many of them hate Jews, and, as it happens, the more rights animals have, the fewer rights Jews have.



A kosher butcher in France. BSIP/Universal Images Group via Getty Images.

ANAEL MALET

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About the author

Anael Malet is a PhD student at Bar Ilan University and a Krauthammer fellow at the Tikvah Fund.

Why Europeans Find Blaming the Jews Easier than Giving Up Meat

Europeans discomfited with the idea of animal cruelty could abstain from meat. But accusing halal and kosher butchers instead absolves the conscience and keeps the foie gras flowing.

Like many people who have browsed online videos about the reality of the meat industry, I was shocked, disheartened, and disoriented by what I saw. The vile treatment inflicted on animals in slaughterhouses, not just during the slaughter but before and after, along with the flouting of basic rules of decency and hygiene, grieved my heart.

Yet there is no doubt in my mind that, as Eric Mechoulam contends in his thought-provoking essay, the arguments being made in Europe against ritual slaughter are not directed at these very real problems. The effort to ban ritual slaughter, whether of the kosher or the halal variety, is based on the preposterous belief that inflicting death can ever be painless or clean. In truth, European societies prefer to accuse Jews and Muslims of animal cruelty than to look to their own failures—failures that, to be fair, the religious meat market is guilty of exploiting.

Killing an animal is a gruesome, heartbreaking act in itself, regardless of the method. And as Mechoulam makes clear, stunning—the favored technique for making slaughter more humane, which violates the laws of kashrut—in no way solves the problem, and introduces cruelties of its own.

While scientific research on animal suffering has been inconclusive, the facts show that the meat industry’s real problem isn’t ritual slaughter, but

a general disregard for basic moral and sanitary rules that can be found in ritual as well as in mainstream slaughterhouses. If ritual slaughter has attracted scrutiny, it is because unscrupulous businessmen have instrumentalized the European legal exceptions that allow it so that they can make slaughtering animals quicker and, therefore, cheaper.

Thus, Mechoulan's argument that anti-Semitism explains, at least partially, the focus on *shechita* makes much sense, but needs some qualification: more than Europe's problematic relationship to Islam or Judaism, the bans on ritual slaughter point to a lack of a genuine understanding of the meaning of religion in society and of what freedom of religion should entail.

To understand why this is so, it's necessary to examine the highly variegated ideological sources of the movement to outlaw ritual slaughter in Europe. In France, for instance, opposition to the practice may be the sole point of agreement between the nationalistic Marine Le Pen on the far right and the vegetarian animal-rights advocate Aymeric Caron on the far left. There are at least four different categories of anti-ritual slaughter activists in Europe: nationalists, animal-rights activists, anti-religion secularists, and consumer-rights defenders.

The movement to ban ritual slaughter has thus created a broad right-to-left consensus among people who otherwise agree on nothing. More than actual anti-Semitism, what brings together this eclectic group of intellectuals, politicians, and activists is their common and shallow grasp of religion and their corresponding insensitivity to protecting religious freedom.

Indeed, when we look at their rhetoric, a common thread is the assumption that religion is not the foundation of human life and dignity but rather a replaceable good that can, and should, take a backseat to more important concerns. Take the aforementioned Aymeric Caron, one of France's most vocal activists against ritual slaughter: citing Arthur Schopenhauer, Caron understands biblical religion to be the source of man's violent domination of nature and animals. He sees anyone who denies humans are nothing more than another species of animal as the equivalent of those 17th-century religious fanatics who denied that the earth is round.

At the opposite end of the political spectrum, Marine Le Pen, leader of the far-right National Rally, opposes ritual slaughter on grounds of *laïcité*—a uniquely French version of secularism that involves the removal of religion from public life. (Le Pen's strict construction of the *laïcité* somehow makes an exception for Catholicism.)

Finally, for consumer advocates, religion is at best a matter of individual preference, at worst a product of a backward state of mind, and should not under any circumstance trump other concerns. The common denominator of these cases is a failure to treat religion with any seriousness—if not contempt for religion altogether.

At the same time as these attitudes to religion are gaining purchase not just in France but in Europe more broadly, the European Union courts' commitment to protecting freedom of religion has been deteriorating.

Religious liberty is protected by the EU's founding texts. In particular, the 1950 European Convention provides broad guarantees granting special protection not only to religious belief but also to religious practice, in its collective as well as individual dimension. Thus Article 9 states: "Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others, and in public or private, to manifest his religion or belief in worship, teaching, practice, and observance."

In the foundational 1993 *Kokkinakis* case, the European Court for Human Rights (ECHR) supported a robust interpretation of religious freedom against the Greek state, which had tried to limit proselytizing activities on its territory. But some 25 years later, in its December 2020 judgment on ritual slaughter, the European Court of Justice (EUCJ) found that the Belgian regions of Flanders and Wallonia could prohibit ritual slaughter without prior stunning, and thus that religious freedom could be legitimately limited. What happened?

It is true that European law has always recognized limits on the protection of religious practices. The above-quoted Article 9 of the European Charter clarifies that "Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health, or morals, or for the protection of the rights and freedoms of others." Thus, in 1986, the ECHR found that the ruling of the British courts forbidding members of a Druidic group to perform a ceremony at Stonehenge during the summer solstice was justified on the grounds of public order. (The ceremony had attracted many curious onlookers in the past and caused disruptions and damage to the historical monument.)

But the 2020 judgment in the case of the ritual slaughter ban in Wallonia and Flanders constituted a radical departure from such limited carve-outs in suggesting that religious freedom can be balanced with other "values" of society—here, animal welfare. Indeed, it is interesting to note that in the case of ritual slaughter, none of the boxes justifying "legitimate interference" mentioned in Article 9 have been ticked. Rather, for the first time, the protection of religion was not seen as a fundamental right that only superior interests can supersede, but as a value to be balanced against other values.

The 2020 decision was not a watershed but the culmination of a slow evolution of European jurisprudence on religious freedom since the beginning of the 2000s, that legal scholars like Jeroen Temperman of the University of Rotterdam have interpreted as a gradual degradation of the protection

of religious freedom in Europe. In particular, Professor Temperman and his colleagues have criticized the ECHR's introduction of a new principle, the "margin of appreciation." This principle leaves it to the state to determine whether a limitation on freedom of religion is necessary, thus endorsing a reality in which the protection of religious freedom is a matter of a particular government's political and cultural preferences.

This doctrine has allowed EU member states to enact many restrictions on religious practice without the intervention of the ECHR—restrictions that the American public would consider shocking. At the same time, when the court has decided to intervene, it has done so in a highly irregular and unprincipled manner, for example, by saying that crucifixes in public schools in Italy were cultural and thus permitted, while a headscarf worn by a female Muslim teacher in Switzerland was a "powerful symbol" that could have a strong influence on impressionable young children and thus could be forbidden.

This confused jurisprudence reflects not a mere legal problem but rather the cultural indecision Europe is sinking into when it comes to defending the importance of religion in society. The proof is that while the European Court has been effective in protecting religious freedom within closed-off communities, it has been much less successful in protecting religious freedom in cases where religion was displayed in mixed or public areas.

Thus the ban on ritual slaughter in Europe must be understood in the context of cultural estrangement from religion in European societies. This estrangement explains both the shared opposition to ritual slaughter across the widest political spectrum, and the flimsiness of the EU courts' protection of religious freedom. European religious representatives have long been decrying this situation. Pinchas Goldschmidt, the president of the Conference of European Rabbis, did so most strongly, declaring in 2022: "We must have the freedom to observe our faith. It is alarming to note that this fundamental right is today threatened in several European countries."

But the problem is that in this context of estrangement from religion, an authentic, universal, and lay voice advocating the value of religion for society is seriously lacking. Conservative politicians like Giorgia Meloni in Italy, Marine Le Pen in France, and Viktor Orban in Hungary—all of whom have posed as the superheroes of the "Catholic heritage of Europe"—have not defended religion per se, or even Christianity as a religion, but only the cultural attachment to Christianity. In that regard, they are more secular-nationalistic than they are conservative in the Anglo-American sense of seeing religious tradition as contributing to moral and social wellbeing. A voice like that of President Biden, who in his electoral campaign praised the bedrock values that Christianity brings to society, is almost non-existent in Europe.

As a result, religious representatives—rabbis, priests, imams, pastors, or the pope himself—remain the sole voices reminding of religion’s importance for society as a whole. They alone must advocate for the political, social, and cultural virtues of religious practice, devotion, ritual, and tradition for holding society together and offering an alternative, transcendent, and traditional grounding for morality.

Unfortunately, when it comes to defending ritual slaughter, this situation has become extremely impractical. Religious representatives are nowadays invited into the European public conversation only to defend their stances on issues that particularly or exclusively concern their own religious communities. This tendency in turn reinforces the perception that clergy and religious lay leaders are only interested in narrow communal concerns, and neither they nor their respective faiths have anything to contribute to society as a whole. The result is a vicious cycle of the marginalization of religion.

The great Berlin-born American historian Peter Gay sought to explain Voltaire’s anti-Semitism with the claim that he “struck at the Jews to strike at the Christians.” That is, the anti-clerical and anti-Christian *philosophe* saw Jews as the progenitors of the church’s ideas, and as a safe target in a deeply Catholic society. Something similar is now happening, but in reverse: as the decline of religion continues apace, respect for religion as such declines as well, and the desire of Jews (and Muslims) to maintain their religious practices seems increasingly parochial and problematic. Why protect the rights of religious people at the expense of the rights of animals? Unlike Christianity, Judaism and Islam won’t be defended as part of Europe’s “cultural heritage.” And as in Voltaire’s time, Jews make the best targets. Blaming them is a lot easier than giving up meat.



From *Visual History of Israel* by Arthur Szyk, 1948. Wikimedia.

JONATHAN SILVER
AND RICK RICHMAN

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About the authors

A weekly podcast, produced in partnership with the Tikvah Fund, offering up the best thinking on Jewish thought and culture.

Jonathan Silver is the senior director of Tikvah Ideas, where he is also the Warren R. Stern Senior Fellow of Jewish Civilization. The editor of *Mosaic*, he is also the host of the Tikvah Podcast on which he has hosted hundreds of writers, rabbis, educators, military officers, artists, and political figures, including members of Israel's Knesset, the U.S. Senate, and the prime minister of Israel.

Rick Richman is a resident scholar at American Jewish University. In February 2023, Encounter will publish his next book, *And None Shall Make Them Afraid: Eight Stories of the Modern State of Israel*.

Podcast: Rick Richman on History and Devotion

The author of *And None Shall Make Them Afraid* stops by to talk about his new book and how history has a role to play in forming devotion to the Jewish people.

Podcast: Rick Richman

Patriotism—or one form of it at least—is an acknowledgment of the obligations that flow from recognizing all that one owes to previous generations and what they undertook and passed down.

And if one wanted to inculcate that form of patriotism, how would one do it? Rick Richman has a simple and powerful answer to that question. A regular *Mosaic* author, Richman recently published *And None Shall Make Them Afraid: Eight Stories of the Modern State of Israel*, a book that tries to foster connection to Israel and the Jewish people by telling stories from the past.

Richman's answer: teach history. History, as he sees it, has an irreplaceable role to play in the formation of devotion to the Jewish people. It helps Jews see all that they owe by relaying the stories of all that their predecessors accomplished, and by implication, what Jews now have an opportunity and obligation to pass on to their own descendants

Three Decades after His Death, Joseph Soloveitchik's Writings Are a Reminder That Judaism Can Weather Any Intellectual Challenge

APRIL 17, 2023

From Jeffrey Saks
at *Tradition*

This year, April 9 was—on both the Hebrew and the Gregorian calendars—the 30th anniversary of the death of Rabbi Joseph B. Soloveitchik, one of the most outstanding thinkers, and Orthodox spiritual leaders, of postwar American Jewry. **Jeffrey Saks** reflects on the legacy of this great teacher, whom he refers to, as is convention, as “the Rav,” the *rabbi par excellence*.

Arriving at my own commitment to Jewish life and observance during those twilight years when he was no longer on the public stage yet omnipresent in American Modern Orthodoxy, much of who I became as a religious person was shaped by the Rav’s Torah and thought as filtered through his students and his writing. If, as C.S. Lewis was purported to have said, “we read to know we are not alone,” I read the Rav to know that I was not alone in my loneliness.

Among the most important lessons that I took away from those years was, first, the idea that we have nothing to fear. Torah (or perhaps in the Rav’s term, *halakhah*, broadly defined) would be more than capable of grappling with whatever challenge may arise in my adolescent (and later more mature) mind; and even when the answers are not always readily apparent, I could take comfort in the idea that others before me had thought about the problem, continued to think about it, and, in the paraphrase of some Yiddish expression I could not then have known, it would not prove fatal.

Second, and more significantly, the Rav’s model created a permission structure for faith. It offered the promise that motivated by love and not fear, my decisions leading in one direction did not mean severing ties with the world, family, and a version of my own self. The Rav’s message allowed me entrée to the covenantal community knowing that I could remain “at home,” and even be called back to the majestic realm; it bound the two sides and selves together with the “connective ivy” of the *halakhah*. It is my belief that the power and impact of the Rav’s teachings, in these ways and other future directions that we may scarcely be able to imagine today, will continue to vivify Jewish life and learning for many, many generations to come.

The Latest Work of Academic Anti-Zionism Argues That Jews Are Wrong to Seek Security

APRIL 19, 2023

From Cole Aronson
at *First Things*

In his recent book *The No-State Solution: A Jewish Manifesto*, Daniel Boyarin—a distinguished professor of ancient Judaism at the University of California, Berkeley—takes old arguments against Zionism and dresses them up in the trendiest of academic clothing. The Jews, he contends, should celebrate their religious and national heritage, but realize that they are a thoroughly diasporic people who should embrace “not the promise of security, but rather the highly contingent possibility of an ethical collective existence.” **Cole Aronson** writes in his review:

One might propose that Jewish Zionists didn't like life in Europe because Gentile mobs—often with the acquiescence or support of Gentile overlords—had abused, expelled, and killed Jews over and over again for centuries. Occasionally, Boyarin concedes that Jewish life before Israel was not all peaches and cream. But according to *The No-State Solution*, the thing most urgently to be remedied is not the misery or precariousness of Jewish life in the Diaspora, but that Jews came to *associate* misery and precariousness with life in the Diaspora. Western Gentiles not only made the Jews suffer; they also—the devils—confused the Jews into thinking that their suffering was due to their lack of a state with which to defend themselves against their enemies. If only Herzl, Weizmann, and Jabotinsky had realized the European imperialist source of their opposition to Jewish statelessness!

Early on, Boyarin asks: “What kind of social identity do we want for the Jews?” Good question. But without an analysis of the current Israeli answer and some thoughts on the likely consequences of other answers, Boyarin should not expect a serious hearing for his own. What Boyarin calls a “question of values” is not analyzed with respect to his progressive values or any other values. He doesn't assess the costs and benefits of his proposed binational state in Palestine for the “Jews who live and breathe” there. He doesn't do it for Palestinians, either.

In Boyarin's view, for Jews to keep others safe is the ethical thing, whereas for Jews to do the one thing proven to keep themselves safe is at best the “secure” thing, at worst the “racist” or “fascist” thing.

America Must Confront the Threat of a Nuclear Iran

APRIL 17, 2023

From Seth Cropsey
at *American Purpose*

While Tehran moves ever closer to building atomic weapons, its proxy forces are gaining in strength throughout the Middle East and its arsenal of sophisticated missiles and drones is growing larger and deadlier—all with the support of both Russia and China. **Seth Cropsey** examines this development in light of Iranian and American grand strategy, while cautioning that Israel's chances of knocking out the Islamic Republic's nuclear program—as it did Iraq's in 1981 and Syria's in 2007—are growing slimmer by the day:

Israel no longer has a great enough margin of military superiority to be able to [take aggressive action against Iran's nuclear facilities] without serious risks. Unlike in 2013 or 2018, Iran now has offensive military capabilities. Israel has prevented Iran from fully rebuilding Hizballah, conducting a large-scale interdiction campaign against Iranian supply lines in Syria and likely working with the [Kurdish] peshmerga in Iraq. But as Russia's war in Ukraine demonstrates, Iran's unmanned aerial systems and loitering munitions are cheap, mobile, and effective.

Taken alongside [Iran's] 2019 attacks on the Saudi oil installations of Abqaiq and Khurais, it is obvious that Iran can respond to any strike with large-scale strategic bombardment. Moreover, Iranian cruise and ballistic missiles can now target sites throughout the Middle East and, if deployed to Iraq or Syria, hit Western bases in Cyprus and ships throughout the Levantine basin. Iranian air defenses, while currently still porous, are improving with the development of S-300-style air defenses and, quite likely, Chinese technological support.

Iranian breakout, meanwhile, would be immensely destabilizing to the region. It would provide Iran a nuclear umbrella under which it could intensify its proxy activities. . . . The most critical impact, however, would be on Iranian prestige. As a nuclear power with links to Beijing and Moscow, Tehran would become a bona-fide international force. It would be capable of dealing as a near-peer with the other authoritarian powers on the Eurasian landmass, thereby contributing to its goal of regional Islamic revolution. The United States would thus face three major-power threats in Eurasia, not two.

But, Cropsey goes on to argue, the U.S., acting in concert with Israel, has the ability to prevent such a grim scenario.

Despite Its Founders' Hopes, Israel Will Never Be a State Like Any Other

APRIL 17, 2023

From Elliott Abrams
at Washington Free
Beacon

In *Impossible Takes Longer: 75 Years after Its Creation, Has Israel Fulfilled Its Founders' Dreams?*, Daniel Gordis seeks to answer the question posed in the subtitle; he is sanguine, although reservedly so, in his conclusions. Among the sweeping array of evidence Gordis musters of the Jewish state's success is its consistently high rankings in the annual World Happiness Report. "But," observes **Elliott Abrams** in his review, "the goal of Zionism wasn't happiness; it was survival." It has achieved this goal as well:

Israel's Declaration of Independence states that it is "the natural right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign state." As Gordis writes, "we begin with an extraordinary fact—extraordinary in part because it now seems entirely natural—that the Jewish people can defend itself." This is a complete inversion of the historic reality Jews had faced for 2,000 years. As Gordis says, "Power has done what it was meant to do: Jews are no longer victims on call."

Gordis . . . argues that "Israel's founders took upon themselves an impossible task" and "to a great degree, they succeeded." They changed the existential condition of the Jewish people, after 2,000 years of statelessness and vulnerability. They did not create a state that is, in the words of their Declaration of Independence, "like all other nations," but that is due to the enduring hostility that led to the denunciation of Zionism as racism in the United Nations, to wars in 1948, 1956, 1973, and to endless terrorist attacks that continue to this day.

Yet even without the vicious hostility, could Israel ever have been a "normal" state? Given the unique history of the Jewish people and of the new state of Israel, and given the waves of immigration that have formed the new society, Israel was never plausibly going to be "like all other nations."

The Lost Library of the Jews of Singapore

APRIL 19, 2023

From Shalem College
at Shalem College

While living in Singapore, an Israeli student named Mordy Miller made a surprising discovery perusing the shelves of the synagogue library. **Shalem College** reports:

The book he had picked up, he realized, was more than a hundred years old: printed in Baghdad—to which most Singaporean Jews, who arrived from their then-home in Calcutta in the late 18th and early 19th centuries, trace their lineage—it told the history of Singapore’s Jewish community, but from a religious standpoint.

“There’s lots of research about this community, but almost exclusively from an economic, political, or sociological point of view,” explains Miller, who is pursuing his doctoral thesis on Kabbalah and Israeli politics . . . at Ben-Gurion University of the Negev. “This book, though, described the community’s unique religious traditions; so far as I knew, there was nothing else like it. I asked the synagogue’s rabbi if there might be any more, and when he said yes—I couldn’t resist.”

What happened next was a months-long “real” treasure hunt, Miller says, to boxes underneath stairwells and in the synagogue’s basement. The search—since titled the Singapore Genizah Project—eventually extended to the city’s other synagogue, too. In the end, Mordy and a team of community volunteers managed to unearth nearly 700 volumes—the world’s most authoritative collection on the city’s Jewish history.

Many of the oldest volumes are in Arabic written with Hebrew letters, or—more unusually—in Hebrew written with Arabic letters. One of the most popular books seems to have been the Zohar, reflecting the mystical text’s importance to Iraqi Jewry.
