



## Hierarchy, Kinship, and Responsibility

### *The Jewish Relationship to The Animal World*

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Under the biblical perspective, a change took place in the status of animals from what had prevailed in Babylonian and Egyptian cultures: animals were demythologized—as were humans. There are no animal deities in the Bible; there are no human deities in the Bible. Animal life was neither elevated nor degraded because of the demythologizing process. Animals were no longer worshipped, singly or collectively, but they were accorded an irreducible value in the divine pathos, which is expressed in the covenantal statements, in halachic decisions or laws, and in aggadic material. These three branches of Jewish expression determine the tradition known in Judaism as *tsa'ar ba'alei chaim* (cause no sorrow to living creatures). Aggadic material is made up of stories and legends, sometimes called *midrashim*, such as the story of how God led Moses to the burning bush because Moses ran to rescue a lamb who had strayed. Halachic material comprises a body of decisions regarding specific issues that have the binding effect

of law. Like any body of law, these decisions rest on precedent and authoritative statements, in this case by rabbis in the Talmud, or by rabbis throughout the centuries whose decisions are called “*responsa*.” However strong the aggadic tradition might be on any issue, halachic decisions take precedent in governing the behavior of the observant Jew, though they do not always express the underlying ethos of the tradition. As in any culture, sentiment is often stronger than law.

The biblical and Talmudic position with respect to animals is summarized in the statement by Noah Cohen:

The Hebrew sages considered the wall of partition between man and beasts as rather thin ... the Jew was forever to remember that the beast reflects similar affections and passions as himself. ... Consequently he was admonished to seek its welfare and its comfort as an integral part of his daily routine and instructed that the more

he considers its well being and contentment, the more would he be exalted in the eyes of his maker.<sup>1</sup>

The story the prophet Nathan tells David when Nathan chastises him for his behavior in stealing Bathsheba from her husband expresses the kinship the biblical Jew felt for animals, which embraced the animal as part of the family:

There were two men in one city; the one rich and the other poor. The rich man had many flocks and herds; but the poor man had nothing, save one little ewe lamb, which he had bought and nourished up, and it grew up together with him and with his children. It ate from his own food and drank from his own cup, and lay in his bosom, and was to him like a daughter. (Samuel 11, 12: 1-4)

Judaism accepts a hierarchical scheme to creation, but hierarchy did not exclude feelings of loving kinship. With respect to animals the rule might be stated as kinship yes, reverence no.

In the creation story, in the biblical terminology in the commandment of biological fruitfulness, and in the blessing of life given equally to the animals and to the human race, Rabbi Elijah Schochet sees a "unity of man and beast: since *ruach hayyim* ('spirit of life') can refer to both man and beast, as can *nefesh hayyah* ('living creature')." He points out that in the Book of Jonah the animals are clad in mourning sackcloth, "just like their human counterparts," and take part in the public ritual of mourning.<sup>2</sup> Such passages strike a modern reader as quaint, but they suggest the biblical sense of closeness between animal and human.

The other side of this relationship, which is inexplicable to the modern mind, is that retributive justice could be extended to animals: "Inherent in 'covenant' is 'responsibility,' and Scripture does not spare animals from responsibility for their deeds ... and at times animals would seem to be treated as though they were coequal

with men."<sup>3</sup> Inexplicable as this may seem to the modern mind, it suggests that animals had legal standing, as indeed their inclusion in the covenantal statements would make mandatory. The covenantal statements point not only to the animals' legal position, determining things that are due them such as proper food and care, but also to their position in the divine ethos and reflect the centrality of the animal in God's concern.

"As for me," says the Lord, "I will establish My Covenant with you and with your seed after you, and with every living creature that is with you, the fowl, the cattle, and every beast of the earth with you; all that go out of the ark, even every beast of the earth."

(Genesis 9:9-10)

And in that day I will make a covenant for them with the beasts of the field and with the fowls of the heaven, and with the creeping creatures of the ground. And I will break the bow and the sword and the battle out of the land and I will make them to lie down safely.

(Hosiah 2:20)

Animals are included in the covenant which establishes the Sabbath:

The seventh day is a sabbath of the Lord your God; you shall not do any work, neither your son, nor your daughter, nor your male or female slave, nor your cattle, nor your stranger who is within your settlements.

(Exodus 20:10 and Deuteronomy 5:14)

Cohen extrapolates from the covenantal statements a doctrine of equality between humans and animals. "Does not the Bible itself treat them [animals] as humans with whom the Lord can execute treaties and covenants?"<sup>4</sup> Voltaire, who was no friend of religion, wrote, "the deity does not make a pact with trees and with stones which have no feelings, but He makes it with animals whom He has endowed with feel-

ings often more exquisite than ours, and with ideas necessarily attached to it.”<sup>5</sup> Not only are the animals included in the Sabbath covenant, but also the wellbeing of the animal is considered more important than the Sabbath, and many Sabbath laws could be suspended in order to come to the aid of a stricken animal.

Jesus’ observation that “God notes the fall of every sparrow,” expresses this traditional divine concern for the animals. God cares for and suffers over animal life. The nineteenth-century English clergyman Humphrey Primatt, who wrote one of the earliest tracts against animal abuse, believed that “Mercy to Brutes is a doctrine of Revelation. . . and Superiority of rank or station exempts no creature from the sensibility of pain, nor does inferiority render the feelings thereof the less exquisite.”<sup>6</sup> Not only mercy to brutes but also ultimate justice that would render equity and equality to animals was a doctrine of revelation for Rabbi Avraham Kuk, whose writings on the subject have become pivotal for Jewish vegetarians and animal rights advocates. Rabbi Kuk said:

The free movement of the moral impulse to establish justice for animals generally and the claim of their rights from mankind are hidden in a natural psychic sensibility in the deeper layers of Torah. . . Just as the democratic aspiration will reach outward through the general intellectual and moral perfection . . . so will the hidden yearning to act justly towards animals emerge at the proper time. What prepares the ground for this state is the commandments, those intended specifically for this area of concern.<sup>7</sup>

Being also a nomistic religion, Judaism is rich in laws governing the relationship between humans and animals. *The Encyclopedia Judaica* provides a good summary of these laws, beginning with the observation that “moral and legal rules concerning the treatment of animals are based on the principle that animals are part of God’s creation toward which man bears responsibility.

Laws and other indications in the Pentateuch make it clear not only that cruelty to animals is forbidden but also that compassion and mercy to them are demanded of man by God.”<sup>8</sup>

These laws make the effort to balance human need against what would constitute cruelty toward animals, and they consistently reveal the scope of Jewish concern regarding animals. As James Gaffney pointed out, “the fullest and most sympathetic treatment in any comparable religiously oriented encyclopedia in English is that of the *Encyclopedia Judaica*, a reminder that the Hebrew Bible laid foundations on which it was possible and natural to build.”<sup>9</sup> Any discussion of laws, however, inevitably involves interpretation, which itself depends upon which system of hermeneutics one uses to interpret passages in the Bible. Interpretations oscillate between whether human beings have an absolute duty to animals, or a relative duty depending upon human need, such as might be required in medical experiments or in eating meat.<sup>10</sup>

Furthermore, in establishing the biblical and later Jewish teaching on animals, we have from the outset the problem of interpreting the first document, Genesis: we are a long way from knowing what words such as “dominion” and “subdue” meant two and half millennia ago. Yoel Arbeitman, a scholar of Semitic languages, summarizes half a dozen meanings from other scholars of *rdh*, the Hebrew verb for “to have dominion,” as “to rule or shepherd in a neutral sense,” “to lead about,” “lead, accompany; master, punish . . .” “to be governed/controlled” as in “to tame.”<sup>11</sup> In attempting to understand with some confidence how the Bible viewed human beings vis-à-vis animals, Arbeitman parallels his effort to retrieve a final denotation of *rdh* with an effort to understand the Hebrew for “earth” (the substance Adam and other earth creatures are made from) and for “image” (*salem/salma*) the term used for the Hebrew resemblance to God. With reference to Hebrew, Syrian, Aramaic, and Assyrian texts, and gleanings from archeology

and philology, Arbeitman concludes resignedly that the effort does not yield much. "And that is the sum of what the ancient biblical texts will tell us": that humans and land animals are said to have been created from the same substance (*adamah* or earth), that God breathed a special life force (personality? soul?) into humans; that the concept of the human being was modeled on that of a statue, being three dimensional, and that the result is "a benign . . . patriarchal hegemony of Adam."

Since scholarship on this subject is so unyielding, interpretation and tradition become crucial. The fact that Adam names the animals in second Genesis does not suggest to Arbeitman "dominion," but "bonding," "naming is the way of establishing a *relationship* to the other — not *dominance*, but a *bond* between them!" (emphasis Arbeitman's).<sup>12</sup> That with which we bond, we call by name. This interpretation is reinforced by the fact that in second Genesis the animals are created prior to Eve and are regarded as helpmates to Adam. God later decides that Adam needs a helpmate who resembles him — an obvious biological necessity in order to carry out the commandment "to be fruitful and multiply," as species naturally procreate only with themselves.

However, the general drift of the Jewish attitude in Western culture toward animals from biblical times through the Middle Ages to the modern era, is that they are not co-equal, though animals still inherit a significant position from the biblical stance toward them. Moreover, the paradigm shift from the concept of hierarchy to the concept of equality within the last century makes it difficult for the modern mind to accept the biblical and Jewish values regarding animal life because they are based on quasi-equality, or even inequality. Biblical and Talmudic laws embedded in the concept of hierarchy are often seen to function as life-threatening to all but the power-elite.<sup>13</sup> The concept of equality has such force in modern Western thought that laws based on hierarchical systems are peremptorily judged as unjust, though the parent-child

relationship is inescapably hierarchical. (Any other relationship for the child would be life-threatening.)

Regardless of what scholars may ultimately decide *rdh* means, Biblical and Talmudic laws regarding human responsibility for animals are embedded in the concepts of "dominion" and "hierarchy" which, in their turn, were modeled on the family; in turn, the image of the "good" father was modeled on the idea of God, as expressed by Jesus in the Sermon on the Mount. God has dominion, a parent has dominion, human beings have dominion. But the dominion granted to humans in Genesis is at once severely limited by the dietary injunction to be vegetarian. Even when permission to eat meat is granted after the flood, that permission has immediate restraints placed on it. Dominion is always of limited power, and hierarchy need not and did not exclude feelings of loving kinship in the Bible, as expressed in Nathan's admonishment to David. If Nathan's story did not reflect a common sentiment at the time, it would have had no meaning for David. Other stories, such as those revolving around the relationship of the shepherd to his sheep, dictated that it was the "unprotected" creature who merited the deepest sentiment of protectiveness, as expressed by the nineteenth century rabbi, Samson Raphael Hirsch.

There are probably no creatures who require more the protective divine word against the presumption of man than the animals, which like man have sensations and instincts, but whose bodies and powers are nevertheless subservient to man. In relation to them man so easily forgets that *injured animal* muscle twitches just like human muscle, that the maltreated nerves of an animal sicken like human nerves, that the animal is just as sensitive to cuts, blows, and beatings as man.<sup>14</sup>

Jewish law commands the righteous Jew to feed his animal(s) before he feeds himself because, the Jewish argument is, a human being

can understand hunger, but an animal cannot. However, animals do understand hunger. They understand thirst, appetite, sexuality, fear, and loneliness. The commandment is hortatory for the purpose of encouraging responsibility and behavior that leads to the idea of the *imitatio Dei* with respect to animals. The *imitatio Dei* depends upon the concept of hierarchy; indeed, derives from it. However, the precept of kindness to animals for the sake of the *imitatio Dei* leads some Jewish commentators to argue that the motive for concern for animals is human moral betterment, even though the covenantal statements reflect the centrality of the animal in God's concern. The depiction of the creation of fish, fowl, and animal in Genesis, is each species with its integrity, and substantiates the view that animals were regarded as integral subjects in their own right. God's delight in these creations, stated with blessing or with simple majesty, "And it was good," does not reflect a god who created animal life to be in bondage.

Rabbi Kuk interpreted human dominion as an evolutionary process, a necessary stage in which the human identity sorts itself out from the animal world. Nevertheless "dominion," however benignly interpreted, is an omnipresent temptation to power. Hence, Rabbi Hanina cautioned, "If we deserve it, we will have dominion; if not, we will descend to the lowest depths," making "dominion" a moral issue. Aggadic tales, such as the story of creation which points out that the mosquito was created before humankind, are intended to deflect human arrogance. Dominion can be a source of evil, but within Jewish piety, the Jew was always to remember that his own position rests on God's grace and that his life is only as valuable as his behavior is moral, particularly with respect to animals.

Justice for animals in Jewish tradition flows from these two primary sources, one divine, the other human. Animals are part of the divine economy and partake of God's just world, God's blessing and delight. This justice is given to animals through God "who opens His Hand and feeds all," who has designed each creature so that

he is capable of preserving his life. Justice for animals is built into the divine order of the world from the very creation of the world. God, just and merciful, did not create creatures for evil reasons or purposes, but so that "good should be done to the animal."<sup>15</sup> These central statements of faith posit the place of the animal within the Jewish world view and make it impossible to subtract the theoretical and theological dignity of animal life from the Jewish concept of God Who found them good.

Two tales, the first aggadic and the second biblical, enforce the centrality of the animal in the unfolding of Jewish destiny: God's choice of Moses to lead the Jewish people out of Egypt because Moses goes to rescue a lamb that leads him to the burning bush; and Eliezer's choice of Rebecca to be the wife of Isaac because Rebecca says to Eliezer, "Drink and I will also water your animal." Concern for the animal in both tales is not merely a nice sentiment or only a moral quality; it points to historic destiny.

The laws concerning animals have been summed up in many places and would be too numerous to cite here. Biblical, Talmudic, and post-Talmudic literature are replete with them, but they indicate a consistent pattern, as Noah Cohen points out in his analysis of them: "examination of the biblical, talmudic, and medieval jurisprudence concerning the lower creatures reflects a coherent system of humane legislation whose purpose is to defend the sub-human creation and to make humans more human."<sup>16</sup> As with any body of law, however, these laws too rest on precedent and interpretation, and the protection they afford animals may vary from time to time, not only among Jews but also among Christians. Paul allegorized the law which prohibits the muzzling of the ox when he treads out the corn in the fields (Deuteronomy 25:4), claiming that the ox was only a symbol for the human. The law which states that "If thou seest the ass of him that hateth thee lying under his burden, thou shalt forebear to pass by him; thou shalt surely release it with him," (Exodus 23:5) can be interpreted to suggest that its pur-

pose is not the protection of the animal, but to inculcate the practice of mercy in the human being: "to make humans more human."<sup>17</sup> On the other hand, except for Paul, an elastic interpretation is never applied to the law concerning the muzzling of the ox. James Gaffney, in his criticism of Paul's allegorization of this law, states:

The passage about the ox was as nonallegorical as everything else in the book of Deuteronomy, where it is found as part of the law of Moses. Like certain other passages in that same book, it is plainly intended to be read as a piece of divine legislation in behalf of animals, despite some inconvenience to human greed. . . . It is indeed "for oxen that God is concerned," and to at least that extent he "does not speak entirely for our sake." The Mosaic law does envisage animal interest, does legislate animal rights, and to that extent does represent animals as moral objects.<sup>18</sup>

Too often the meanings and values of words, concepts, and laws retreat into the political and sociological mire of translation, while the problems of interpreting the Bible are further refracted through a myriad of disciplines such as anthropology, archeology, and philology. A common difference, for example, between Hebrew and non-Hebrew texts is in the translation of "living things" (in reference to animals) or "living beings." As Arbeitman points out, "It should be stressed that the application of non-life in the standard English renderings of 'crawling things,' 'living things,' which occur in some translations, has no basis in the Hebrew."<sup>19</sup> A restoration of the original intention and understanding of Torah passages concerning animals would provide a necessary clarification and a foundation for those who are concerned with what the Bible has to say about animals. The law concerning the muzzling of the ox appears in the same passage of divine legislation regarding the treatment of the poor, but no interpretation exists suggesting that concern for the poor deflects from the status of the poor as moral

objects. Torah does not make this distinction. Why should we? In both cases, compassion is dictated by how a righteous Jew should behave (compassion is embedded in righteousness), but it doesn't follow that such behavior reduces the object of compassion.

Though these laws have been variously interpreted, they continue to establish protection as can be seen in two recent rulings, based on interpretation of halakhic laws: Rabbi David Ha-Levy's decree that the manufacture of fur and the wearing of fur violates the precept of *tsa'ar ba'alei chaim*, and Rabbi Moishe Feinstein's condemnation of veal. In his *responsa*, Rabbi Feinstein does not conclude that the veal calf is non-kosher because the laws regarding what is kosher and what isn't derive from a different halachic branch from the laws regarding *tsa'ar ba'alei chaim*, but he does conclude that the raising and the eating of the veal calf is a violation of *tsa'ar ba'alei chaim*:

It is definitely forbidden to raise calves in such a manner because of the pain that is inflicted on them. . . . a person is not permitted to do anything he wants to his animals which would cause them pain, even if he would profit from these things, except for those things which are for his direct benefit such as slaughtering them for food and using them in his work.<sup>20</sup>

Rabbi Feinstein, as had the Reverend Humphrey Primatt, and most animal rights advocates up to the twentieth century, regarded meat as a dietary necessity and exempted the slaughtering of animals from laws pertaining to cruelty. In Judaism, the elaborate laws of *shechitah* (ritual killing) evolved so that animals would be slaughtered for food in the most humane manner possible. Up until 1906 and the passage of federal laws which required the shackling and hoisting of animals, *shechitah* was the least painful way to slaughter food animals. But the laws failed the animals (in spite of the prohibition against tying an animal's hind legs) when the rabbis accepted the federally mandated shackling and hoisting

of animals, and eventually the evils of factory farming. Rabbi David Rosen has called this submission to the modern practices in rearing and slaughtering of farm animals, "a flagrant violation of the prohibition" of *tsa'ar ba'aalei chaim*.<sup>21</sup>

Permission to eat meat is, in Eric Katz's view, the "dark thread" that runs through the millennial tradition regarding the Jewish view of animals. He laments that "It could have been otherwise: Jewish law could have commanded vegetarianism," and he sees in this refusal to "command vegetarianism," an ultimate anthropocentrism.<sup>22</sup> But Judaism does not command either eating meat or vegetarianism. The choice is optional, though eating meat was traditionally viewed darkly by the rabbis, and the desire to eat meat was regarded as "lust": is there a decree demanding of man that he butcher and consume the flesh of fauna? Should meat be part of his standard normal diet? Not at all. Quite the contrary. The crucial passage in Deuteronomy reads: "When the Lord thy God shall enlarge thy border, as He hath promised thee, and thou shalt say: 'I will eat flesh,' because thy soul desireth to eat flesh; thou mayest eat flesh, after all the desire of thy soul!" Now rabbinic tradition perceives in this text a clear indication that it is man's desire to eat flesh, not God's decree that he is to do so, and attributes an unflattering connotation to this lust for flesh.<sup>23</sup>

What Torah commands is that *if* you eat meat, then you must sacrifice the animal properly, and the laws of *shechitah* built on this. That there was only one designated temple in which a Jew could sacrifice an animal is regarded by some scholars as an effort to limit sacrifice and the eating of meat. Other scholars believe that Jews in the Diaspora, living in the Greek and Roman worlds during the late biblical centuries, may not have eaten meat at all, since there was no way for them to sacrifice their animals properly, except on the three festival occasions when they may have made a pilgrimage to the temple in Jerusalem.

As with the laws concerning animals, there is a plethora of laws concerning *kashrut* (Jew-

ish dietary laws), which indicate that the rabbis were not comfortable with eating meat. There are Talmudic passages critical of eating meat. "Man should not eat meat, unless he has a special craving for it and then should eat it only occasionally and sparingly" (*Chulin* 84a). "A man should not teach his son to eat meat" (*Chulin* 84a). Meat is never included in the seven sacred foods of *eretz Israel*: pomegranates, wheat, barley, olives, dates, fig honey, and grapes. There is no special prayer for the eating of meat, as there is with wine, bread, and vegetables. The rabbis believed that the laws of *kashrut* were intended to teach us reverence for life and to refine our appetites. Even so arcane a law as the prohibition against "seething a kid in its mother's milk" was interpreted by Philo of Alexandria (first century CE) to inculcate human kindness: What, he argued, is more revolting than that an animal should be cooked in the substance that was given to its mother for the animal's life? Central to Jewish mysticism is the role that vegetarianism plays in messianic expectations: here vegetarianism functions in the concept of Jewish mystical time which chronicles human development from the vegetarian state in the Garden of Eden to the Messianic age when it is believed we will be vegetarians again. Rabbi Kuk regarded the Edenic commandment to "eat nuts, herbs and green things," as symbolic of Torah's intention of ultimate justice for the animal. In his inaugural speech as president of the Reconstructionist College, Rabbi Arthur Green prophesied that vegetarianism will be the next *kashrut* of the Jewish people, and Rabbi Arthur Hertzberg has declared that a slow but certain movement toward vegetarianism for Jews is taking place:

Judaism as a religion offers the option of eating animal flesh, and most Jews do, but in our own century there has been a movement towards vegetarianism among very pious Jews. A whole galaxy of central rabbinic and spiritual teachers including several past and present Chief Rabbis of the Holy Land have been affirming

vegetarianism as the ultimate meaning of Jewish moral teaching. They have been proclaiming the autonomy of all living creatures as the value which our religious tradition must now teach to all of its believers. ... Jews will move increasingly to vegetarianism out of their own deepening knowledge of what their tradition commands as they understand it in this age.<sup>24</sup>

For Rav Kuk this development is the meaning of the Edenic diet and of that justice for animals which he lovingly and perceptively found buried in the deeper layers of Torah.

A theological/nomistic relationship flows between the laws (*halakhah*), the magisterial cre-

ation of animal life (as well as of earth) in Genesis, and the covenantal statements in the Bible, because in Judaism the laws governing responsibility to animals derive from the animal's place in the divine economy, assured by the covenantal statements, by the Jewish view of creation, and the Jewish view of a just and compassionate Creator. The stress of these laws with respect to the Jew is summed up in the question: How should the righteous (just) Jew behave toward animals, and the answer lies in the concept of the "*imitatio Dei*." The just and merciful human behaves toward animals as a just and merciful Creator behaves toward humans.

## NOTES

1. Noah J. Cohen, *Tsa'ar Ba'alei Hayim: The Prevention of Cruelty to Animals—Its Bases, Development, and Legislation in Hebrew Literature* (Nanuet, New York: Feldheim Publishers, 1976), p. 1.

2. Elijah Judah Schochet, *Animal Life in Jewish Tradition: Attitudes and Relationships* (New Jersey: Ktav, 1984), pp. 53–54.

3. *Ibid.*, p. 54.

4. Cohen, *Tsa'ar Ba'alei Hayim*, p. 1.

5. Voltaire, *Treatise on Tolerance*, ch. 12, ed. Simon Harvey (New York: Cambridge University Press 2000).

6. Reverend Humphrey Primatt, *The Duty of Mercy and the Sin of Cruelty to Animals* (Edinburgh, 1834), pp. viii, 14–15.

7. Rabbi Kuk's major work on this subject, *A Vision of Vegetarianism and Peace*, still awaits a definitive translation from Hebrew to English. To date, the best translation and interpretation is in an unpublished thesis by Rabbi Jonathan Rubenstein.

8. Zvi Kaplan, "Animals, Cruelty To," *Encyclopedia Judaica* 16 vols. (Jerusalem: Keter, 1971), 3: 6. Pages 6–22 give a usefully succinct summary of these laws and a description of the biblical human/animal relationship. Also see Richard Schwartz, *Judaism and Vegetarianism* (New York: Lantern Books, 2001) pp. 19–29.

9. James Gaffney, "The Relevance of Animal Experimentation to Roman Catholic Ethical Methodology," in Tom Regan, ed., *Animal Sacrifices: Religious Perspectives on the Use of Animals in Science* (Philadelphia: Temple University Press, 1986), p. 160. For an example of such various interpretations, see in the same publications, Rabbi J. David Bleich, "Judaism and Animal Experimentation," p. 61.

10. Yoël Arbeitman, "In All Adam's Domain," in Roberta Kalechofsky, ed., *Judaism and Animal Rights: Classical and Contemporary Responses* (Marblehead: MA: Micah Publications, 1992), pp. 34–35.

11. *Ibid.*, p. 34. For further discussion of "dominion," see Schwartz, *Judaism and Vegetarianism*, pp. 1–39.

12. Arbeitman, *Judaism and Animal Rights*, p. 34.

13. Steven Wise, *Rattling The Cage: Toward Legal Rights For Animals* (Cambridge, MA: Perseus Books 2000) suggests, in the mode of modern argumentation, that "dominion" invariably reduces the dominated creature to a "non-thing." The author defines "dominion" and "hierarchy" as responsible for the "legal vacuum" in which animals now exist, though animals in the past have occupied various combinations of status (legal/divine, semi-divine and legal/non-divine) in hierarchical cultures.



14. Samson Raphael Hirsch, *Horeb*, chap. 60, section 415 (New York: Soncino Press, 1962), p. 292.
15. An example of moral wrestling with the animal issue can be seen in Rabbi Sherira Gaon's tenth-century letter on this issue, "Sherira Gaon Defends the Rights of Animals," in Franz Kobler, ed., *Letters of Jews Through the Ages*, 3 vols. (Philadelphia: Jewish Publication Society, 1952) 1:121.
16. Cohen, *Tsa'ar Ba'alei Hayim*, p. 105.
17. For variation in interpretation, see Bleich, "Judaism and Animal Experimentation," In Tom Regan, ed., *Animal Sacrifices: Religious Perspectives on the Use of Animals in Science* (Philadelphia: Temple University Press, 1986), p. 65.
18. Gaffney, "The Relevance of Animal Experimentation," p. 151.
19. Arbeitman, *Judaism and Animal Rights*, p. 41. J.R. Hyland, *The Slaughter of Terrified Beasts: A Biblical Basis for the Humane Treatment of Animals* (Florida: Viatoris Ministries, 1988), has a detailed analysis of misinterpreted (and mistranslated) passages regarding animals.
20. Rabbi Moshe Feinstein, "Igros Moshe," *Even Ha-Ezer*, vol. 4, responsum 92 (New York: Moriah, 1963), pp. 164-65.
21. Rabbi David Rosen, "Vegetarianism: An Orthodox Jewish Perspective," in Roberta Kalechofsky, ed., *Rabbis and Vegetarianism: An Evolving Tradition*, (Marblehead, MA: Micah Publications, 1995) p. 53.
22. Eric Katz, "Sounds of Silence," *Judaism and Animal Rights*, pp. 56-59.
23. Schochet, *Animal Life in Jewish Tradition*, p. 50.
24. Rabbi Arthur Hertzberg, "The Jewish Declaration on Nature," Address on the 25th Anniversary of World Wildlife Fund. Reprint: Roberta Kalechofsky, *Vegetarian Judaism—A Guide for Everyone* (Massachusetts: Micah Publications, 1998) p. 189.

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