

## "Flexitarianism": A Jewish Way of Eating Meat?

Babylonian Talmud Bava Kamma 71b-72a	תלמוד בבלי מסכת בבא קמא דף עא עמוד ב
... and the reason why I [Rabbi Nachman] did not say this to you on the previous evening was because I had not yet partaken of a dish of beef [and therefore felt too feeble to arrive at a carefully thought out conclusion].	והאי דלא אמרי לך באורתא דלא אכלי בשרא דתורה

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- A. Peter Singer and "speciesism" – excerpts from *Animal Liberation*

### An explanation of speciesism

We commonly use the word "animal" to mean "animals other than human beings". This usage sets humans apart from other animals, implying that we are not ourselves animals – an implication that everyone who has had elementary lessons in biology knows to be false ... In the popular mind the term "animal" lumps together beings as different as oysters and chimpanzees, while placing a gulf between chimpanzees and humans, although our relationship to those apes is much closer than the oyster's. (p.xiv)

Speciesism – the word is not an attractive one, but I can think of no better term – is a prejudice or attitude of bias in favour of the interests of members of one's own species and against those of members of other species. (p.6)

### A call for equality

There are obviously important differences between humans and other animals, and these differences must give rise to some differences in the rights that each have. Recognizing this evident fact, however, is no barrier to the case for extending the basic principle of equality to nonhuman animals. (p.2)

### Equal consideration of interests

... equality must be based on the moral principle of equal consideration of interests rather than on the possession of some characteristic ... (p.237)

Racists violate the principle of equality by giving greater weight to the interests of members of their own race when there is a clash between their interests and the interests of those of another race. Sexists violate the principle of equality by favouring the interests of their own sex. Similarly, speciesists allow the interests of their own species to override the greater interests of members of other species. (p.9)

### Suffering = the fundamental starting-point for weighing up interests equally

“The question is not, Can they *reason*? nor Can they *talk*? but, Can they *suffer*?”  
(p.7 – quoting Jeremy Bentham, *Introduction to the Principles of Morals and Legislation*, Ch.17)

If a being suffers there can be no moral justification for refusing to take that suffering into consideration. No matter what the nature of the being, the principle of equality requires that its suffering be counted equally with the like suffering – insofar as rough comparisons can be made – of any other being. If a being is not capable of suffering, or of experiencing enjoyment or happiness, there is nothing to be taken into account. So the limit of sentience ... is the only defensible boundary of concern for the interests of others. (p.8)

### Bringing humans back down to earth with a (potentially offensive) bump

To avoid speciesism we must allow that beings who are similar in all relevant respects have a similar right to life – and mere membership in our own biological species cannot be a morally relevant criterion for this right. Within these limits we could still hold, for instance, that it is worse to kill a normal adult human, with a capacity for self-awareness and the ability to plan for the future and have meaningful relations with others, than it is to kill a mouse, which presumably does not share all of these characteristics; or we might appeal to the close family and other personal ties that humans have but mice do not have to the same degree; or we might think that it is the consequences for other humans, who will be put in fear for their own lives, that makes the crucial difference ...

... Whatever criteria we choose, however, we will have to admit that they do not follow precisely the boundary of our own species ... there will surely be some nonhuman animals whose lives, by any standards, are more valuable than the lives of some humans. A chimpanzee, dog, or pig, for instance, will have a higher degree of self-awareness and a greater capacity for meaningful relations with others than a severely retarded infant or someone in a state of advanced senility. So if we base the right to life on these characteristics we must grant these animals a right to life as good as, or better than, such retarded or senile humans. (p.19)

Powerful, if somewhat unpalatable, arguments. Rational.

Religion's elevated view of man seems to be the only influence which allows us to feel OK about eating meat. Is religion responsible for our speciesism?

### B. The pre-eminence of man: a classical Jewish position

Sha'arei Orah, Gate 6
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Rabbi Yosef Gikatilla, 1248-1310, Spain, **SO = a mystical work**

"God is good to all, and His mercy is over all His Works" (Psalms 145:9). Since God is merciful, how could he command that animals be slaughtered for food?

... The animal does not have a higher soul with which to grasp the deeds and might of God. Therefore, in the beginning of creation God assembled all the animals before Him and said to them: "Do you wish to be slaughtered and eaten by man, if by doing so you will ascend from the level of an ignorant beast to the level of a human being, who knows and recognizes God...?"

The animals answered, "We accept and His mercy will be upon us." For when man eats part of an animal, the animal becomes part of man. Thus, the rite of slaughter is an act of mercy, for it enables the animal to transcend its former level and to enter the human level. The subsequent death of the human is actually life for [the soul of] the animal, for now it ascends to the heights of the angels ... If so, contemplate the mystery of animal slaughter, and you will realize that it is an act of God's mercy and compassion for all His creatures

**Kli Yakar, commentary to Genesis 9:2**

Rabbi Shlomo Ephraim Lunshitz, 1550-1619, Czechoslovakia

Every creature derives its food from the level beneath it. *Domem* (the mineral realm), the lowest existence, is self-sustaining. *Tzomei'ach* (vegetation) is nurtured by the earth. Every *baal chai* (animal) eats vegetation; and *adam* (man), the species endowed with speech, derives food from animals. When is this morally justifiable?

When a human being is involved in Torah study, he actualizes his highest potential and earns the distinction of being called "man." Lacking this, he is comparable to an animal. As such, by what right may he consume his peer, and what spiritual improvement can he confer upon his peer by eating it? For all food is transformed to the nature of the one that derives sustenance; and man, when he eats animal foods, effects the spiritual elevation of the animal. Now it attains the level of the species endowed with speech. However, a human who is comparable to an animal, what can he give and how can he improve what he has eaten?

A similar idea of elevation of animals through human intellect seems to be the basis behind this comment in the Talmud:

Babylonian Talmud Pesachim 49b	תלמוד בבלי מסכת פסחים דף מט עמוד ב
<p>It was taught: Rabbi [Yehuda HaNasi] said: An am ha'aretz [simple person] may not eat meat, for it is said, "This is the law [‘torat’] of beast and fowl" (Lev 11:45). Whoever engages in the study of Torah may eat the meat of beast and fowl, but whoever is not engaged in the study of Torah may not eat the meat of beast and fowl.</p>	<p>תניא, רבי אומר: עם הארץ אסור לאכול בשר (בהמה) שנאמר זאת תורת הבהמה והעוף כל העוסק בתורה - מותר לאכול בשר בהמה ועוף, וכל שאינו עוסק בתורה - אסור לאכול בשר בהמה ועוף</p>

Significantly, there are consequences to prioritizing the intellect as the "elevating force" sanctioning meat-eating. If you're not going to use your intellect, you have no right to eat meat. So already, it's getting a bit more nuanced.

And actually it is a lot more nuanced:

- Kohelet
- Joe's note

### C. Fundamental Torah texts and their interpretation

<b>Genesis 1:29</b>	<b>בראשית פרק א פסוק כט</b>
And God said: 'Behold, I have given you every herb yielding seed, which is upon the face of all the earth, and every tree, in which is the fruit of a tree yielding seed – to you it shall be for food'.	ויאמר אלהים הנה נתתי לכם את כל עשב זרע אשר על פני כל הארץ ואת כל העץ אשר בו פרי עץ זרע לכם יהיה לאכלה

<b>Ramban, commentary to Genesis 1:29</b> Rabbi Moshe ben Nachman, 1194-1270, Spain	<b>רמב"ן בראשית פרק א פסוק כט</b>
[This diet was the natural state of affairs] because animals who possess a vital soul [ <i>sentience?</i> ] have a level of superiority with regard to their soul which is similar to those who possess a rational soul: they make choices concerning their welfare and their means of sustenance, and they flee from pain and death.	והיה זה, מפני שבעלי נפש התנועה יש להם קצת מעלה בנפשם, נדמו בה לבעלי הנפש המשכלת, ויש להם בחירה בטובתם ומזוניהם, ויברחו מן הצער והמיתה.
For as it is written: "Who knows if the human spirit rises upward and if the spirit of the animal goes down to the earth?" (Ecclesiastes 3:21)	והכתוב אומר מי יודע רוח בני האדם העולה היא למעלה ורוח הבהמה היורדת היא למטה לארץ

<b>Genesis 9: 1-4</b>	<b>בראשית פרק ט</b>
And God blessed Noah and his sons and said to them, "Be fruitful, and multiply, and replenish the earth. And the fear of you and the dread of you shall be upon every beast of the earth, and upon every bird of the air, upon all that moves upon the earth, and upon all the fishes of the sea; into your hands are they delivered. Every moving thing that lives shall be for food for you; just as the green herb, now I have given you everything. But flesh with its life, which is its blood, you shall not eat.	כל רמש אשר הוא חי לכם יהיה לאכלה כירק עשב נתתי לכם את כל

<b>Babylonian Talmud Sanhedrin 59b</b>	<b>תלמוד בבלי מסכת סנהדרין דף נט עמוד ב</b>
Rav Judah stated in the name of Rav, "Adam was not permitted meat for the purposes of eating as it is written, 'for you shall it be for food and to all beasts of the earth' (Genesis 1:29-30), but not beasts of the earth for you. But when the sons of Noah came He permitted them the beasts of the earth as it is said, 'as the green grass have I given to you everything' (Genesis 9:3).	אמר רב יהודה אמר רב: אדם הראשון לא הותר לו בשר לאכילה, לכם יהיה לאכלה ולכל חית הארץ - ולא חית הארץ לכם. וכשבאו בני נח התיר להם, שנאמר כירק עשב נתתי לכם את כל

Not necessarily pointing to a vegetarian ideal...

**Rabbi J.D. Bleich (USA, 1936-), Contemporary Halachic Problems, p.238**

... this Talmudic dictum is simply a terse statement of the relevant law prior to the time of Noah but is silent with regard to any validating rationale. While the statement in question may well be compatible with a vegetarian ideal, it may quite readily be comprehended as reflecting entirely different considerations.

Indeed, the classic biblical commentators found entirely different explanations for the change which occurred with regard to dietary regulations. Thus, for example, R. Jacob ben Asher ... author of the Tur Shulchan Arukh, in his commentary on Genesis 1:29, explains that, prior to partaking of the fruit of the Tree of Knowledge, Adam lacked any desire for meat; only subsequent to eating of the forbidden fruit did man acquire a carnivorous nature. Hence the dispensation granted to Noah to eat the flesh of animals simply reflects man's transformed biological needs.

#### **Sforno, commentary to Genesis 6:13**

Italy, 1475-1550

"And behold, I am about to destroy them with the Earth... (Genesis 6:13)."

I will destroy them with the Earth. I will destroy [i.e. alter] the climate of the Earth and air after the Deluge. The angle of the Earth to the sun was altered, whereas previously the equinox was constant [day and night being of equal length]. As a result, immediately after the Flood the span of human life was shortened, since weather conditions and the fruits were no longer perfect as before.

It is for this reason that man was permitted to consume the meat of living creatures after the Flood.

So simply the result of a biological change.

#### **Sefer Ha'Ikkarim, Rabbi Yosef Albo (Spain, 1380-1444), Part III, Chapter 15**

*Man had to be allowed to eat meat because had come to the mistaken conclusion on a plant-based diet that he was no superior to animals and therefore started to act like an animal – which led to conduct resulting in the flood*

Eating meat is a non-ideal situation (although based on an instrumental argument, rather than on intrinsic value of animals). Meat-eating is a situation needing regulation – an argument made by a number of scholars about the actual laws of kashrut. Some go far as to say that kashrut system is designed to gently wean ourselves off eating meat altogether – e.g Rabbi Shlomo Riskin.

#### **Rav Soloveitchik stuff on the concession**

#### **The Emergence of Ethical Man, Rabbi J.B. Soloveitchik (USA, 1903-1993), pp.32-34**

A new relationship is established between man and animal, tension engendered by fear and dread. Animal is afraid of man, flees before him. Why? Because he has lost confidence in man; instinctively he feels animosity, evil designs, on the part of man. (p.34)

**Why? Deterioration in the nature of both man and animals is described in Ch.6 – as reason for the flood. Rav Soloveitchik focuses on the description in this chapter of the world as "corrupt"/ *hamas*.**

What was the nature of this "corruption"? Apparently, the word *hamas* implies not only ethical corruption, but natural as well. All creatures had overreached themselves. Certain processes developed that changed the nature of animal and man. These creatures acquired new drives and

began to display new demands that exceeded the limits set by divine will ... They began to stretch their hand out to something that did not belong them, to alien property. (pp.32-33)

Including the lives of other, weaker creatures.

Is the Torah very happy about this change (in man being able to eat animals)? Somehow we intuitively feel the silent tragic note that pervades the whole chapter. The Torah was compelled to concede defeat to human nature that was corrupted by man himself and willy-nilly approved the radical change in him. *Hamas*, reaching out after a life, became habitual with man. At once the Torah began to regulate the "murder" of other lives, to restrict its practice by complicating its procedure. (p.34)

Numbers 11: 4, 18-20, 33-34	במדבר פרק יא
<p>And the mixed multitude that was among them <i>desired a desire</i>: and the children on Israel also wept again, and said, "Who shall give us meat to eat?"...</p> <p>... And say to the people, "Sanctify yourselves against tomorrow, and you shall eat meat: for you have wept in the ears of the Lord saying, 'Who shall give us meat to eat? For it was well with us in Egypt.' Therefore the Lord will give you meat and you shall eat. Not one day shall you eat, not two days, nor five days, nor ten days, nor twenty days, but a whole month, until it comes out at your nostrils, and it be loathsome to you: because you have despised the Lord who is among you, and have troubled Him with weeping, saying, 'Why did we come out of Egypt?'..."</p> <p>Rav S: So much disdain and contempt we find in no other story. The insistence upon flesh, this lusty carnal desire, arouses divine wrath.</p> <p>... And while the meat was yet between their teeth, before it was chewed, the wrath of the Lord was inflamed against the people, and the Lord smote the people with a very great plague. And He called the name of the place <i>Kivrot Ha'Ta'avah</i> ("Tombs of Lust"), because there they buried the people that lusted.</p>	<p>והאספסוף אשר בקרבו התאוה תאוה וישבו ויבכו גם בני ישראל ויאמרו מי יאכלנו בשר</p> <p>ואל העם תאמר התקדשו למחר ואכלתם בשר כי בכיתם באזני יקוק לאמר מי יאכלנו בשר כי טוב לנו במצרים ונתן יקוק לכם בשר ואכלתם</p> <p>לא יום אחד תאכלון ולא יומים ולא חמשה ימים ולא עשרה ימים ולא עשרים יום</p> <p>עד חדש ימים עד אשר יצא מאפכם והיה לכם לזרא יען כי מאסתם את יקוק אשר בקרבכם ותבכו לפניו לאמר למה זה יצאנו ממצרים</p> <p>הבשר עודנו בין שניהם טרם יכרת ואף יקוק חרה בעם ויך יקוק בעם מכה רבה מאד ויקרא את שם המקום ההוא קברות התאוה כי שם קברו את העם המתאווים</p>

#### The Emergence of Ethical Man, Rabbi J.B. Soloveitchik, p.36

Animal hunters and flesh-eaters are people that lust. Of course it is legalized, approved. Yet it is classified as *ta'avah*, lust, repulsive and brutish.

Deuteronomy 12:20	דברים פרק יב פסוק כ
<p>When God enlarges your territory, as He has promised you, and you say, "I <i>must</i> eat some meat," for you have a lust to eat meat, you may eat meat according to the demands of your soul.</p>	<p>כי ירחיב יקוק אלהיך את גבולך כאשר דבר לך ואמרת אכלה בשר כי תאוה נפשך לאכל בשר בכל אות נפשך תאכל בשר</p>

<b>Babylonian Talmud Chullin 84a</b>	<b>תלמוד בבלי מסכת חולין דף פד עמוד א</b>
Our Rabbis taught: "When God enlarges your territory, as He has promised you, and you say, 'I <i>must</i> eat some meat'" (Deut 12:20) – The Torah here teaches a rule of conduct, that a person should not eat meat unless he has a special appetite for it.	ת"ר : כי ירחיב ה' אלהיך את גבולך - למדה תורה דרך ארץ שלא יאכל אדם בשר אלא לתאבון

<b>Rabbi J.D. Bleich, Contemporary Halachic Problems, pp. 245-246</b>
The implication is that meat may be consumed when there is desire and appetite for it as food, but may be eschewed when there is no desire and, <i>a fortiori</i> , when it is found to be repugnant. The question is one of perspective. Concern arises only when such conduct is elevated to the level of a moral norm ... An individual's subjective repugnance at the prospect of consuming the flesh of an animal is an aesthetic response rather than a moral reaction. It becomes a moral position only when expressed in advocating the adoption of such norms of conduct by others as well. Jewish tradition does not command carnivorous behaviour; [but it also] rejects the notion that, at least during the current historical epoch, renunciation of the eating of meat should be posited as a moral ideal for mankind. Thus although "moral vegetarianism" finds no support in Jewish ethics, "aesthetic vegetarianism" is not incompatible with Jewish teaching.

But R Yosef Albo seems to be making a case for moral vegetarianism though...

<b>Sefer Ha'Ikkarim, Rabbi Yosef Albo (Spain, 1380-1444), Part III, Chapter 15</b>
Apart from the slaughter of animals entailing downright cruelty, outrage and teaching people the bad habit of needless bloodshed, the consumption of meat from some animals also induces a hardening of the soul and an indifference ... So when the Torah was given to Israel ... God forbade some animals... and even in the case of those which were permitted, the Torah was only addressing man's baser instincts... Our sages [Chullin 84a] interpret the verse "if you yearn to eat meat" as teaching proper behaviour: one should only eat meat if one has a craving for it. They thus make it very clear that the consumption of meat was only permitted when absolutely necessary.

#### D. Meat on Yom Tov?

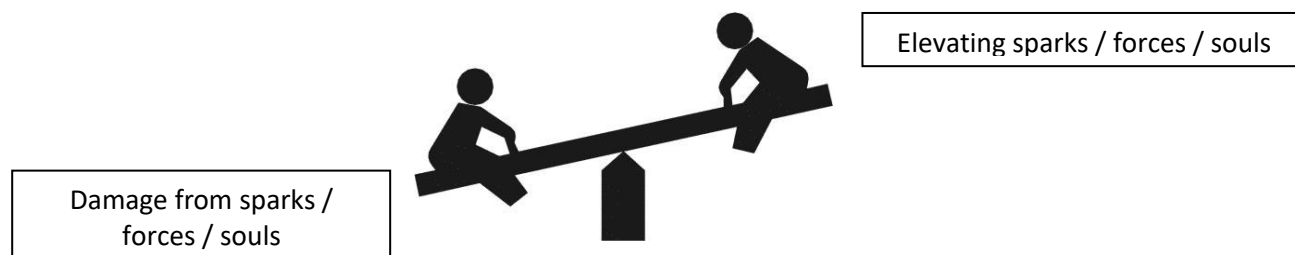
<b>Babylonian Talmud Pesachim 109a</b>	<b>תלמוד בבלי מסכת פסחים דף קט עמוד א</b>
Our rabbis said, 'A person is obligated to make his children and household rejoice on a festival, as it is written "And you shall rejoice on your festival". With what does he make them rejoice? With wine. R. Judah said, "Men – with what is appropriate for them, and women – with what is appropriate for them." What is appropriate for men? Wine. What is appropriate for women? R. Yosef taught: 'in Babylon, coloured garments; in Eretz Yisrael, ironed lined garments.  It was taught: R. Judah ben Beteira declared, 'During the time that the Temple existed there was no "rejoicing" other than with meat as it is said, "and you shall slaughter peace-offerings and	תנו רבנן : חייב אדם לשמח בניו ובני ביתו ברגל, שנאמר ושמחת בחגך, במה משמחם - ביין. רבי יהודה אומר : אנשים בראוי להם, ונשים בראוי להן. אנשים בראוי להם - ביין, ונשים במאי? תני רב יוסף : בבבל - בבגדי צבעונין, בארץ ישראל - בבגדי פשתן מגוהצין. תניא, רבי יהודה בן בתירא אומר : בזמן שביית המקדש קיים - אין שמחה אלא בבשר, שנאמר וזבחת שלמים ואכלת שם ושמחת לפני ה' אלהיך. ועכשיו שאין בית המקדש קיים - אין שמחה אלא ביין,

you shall eat there; and you shall rejoice before the Lord your God” (Deut 27:7); but now that the Temple does not exist there is no rejoicing other than with wine, as it is written “And wine that gladdens the heart of man” (Psalms 104:15).’

שנאמר ויין ישמח לבב אנוש

Opinions range from yes, to no, to not an obligation but a mitzvah if you do partake

#### E. A Kabbalistic see-saw



- *Tikkun*: elevating the Divine sparks (*nitzotzot*) – may be a reason for needing to eat meat. Why? When performed in a spirit of holiness, eating meat can release these trapped sparks and can refine impure forces.

E.g. “When one eats fat beef or drinks spiced wine in order to expand his consciousness for the sake of God and His Torah, or in order to fulfil the precept of delighting on the Sabbath and Festivals, the vital force within the meat and wine that had been under the influence of the realm of impurity is spiritually refined and ascends to God like a sacrificial offering.”

(Rabbi Shneur Zalman of Liadi, *Likkutei Amarim - Tanya*, 18<sup>th</sup>/19<sup>th</sup> century)

- But this enterprise is a risky business – if you are unable to elevate the sparks trapped in the food, you may be harmed by them.  
(Rabbi Chaim Chizkiyahu Medini, *Sdei Chemed*, 19<sup>th</sup> century)
- Those seeking spiritual perfection should avoid eating meat – according to Rabbi Moses Cordovero (*Shi’ur Komah*, 19<sup>th</sup> century). Why? Following the principle of the transmigration of souls: the soul of a wicked person may be present in a slaughtered animal and exert a negative influence over the person who consumes the animal.

#### F. Modern approaches

- a. Rav Avraham Yitzchak HaCohen Cook (1865-1935): *vegetarianism as an ideal*

##### **Background to Rav Cook’s approach**

The Messianic Age / End of Days as a spiritual paradigm

**Talei Orot (“Dewdrops of Light”)** – an essay which first appeared in 1910

... the basic principle immanent in the reasons for the commandments points to the future.

A major thread that runs through Rav Kook's thought is a teleological principle also found in the works of Rabbi Nachman of Breslov (whose thought exerted a major influence on Rav Kook). From this vantage point, the Messianic Age is not only a political goal achieved by the cumulative religious efforts of the Jewish people – it is a spiritual paradigm that illuminates the exile from without, and, in so doing, increases the momentum of the redemption, particularly as the End of Days draws near. In Rav Kook's conception, Zionism (at that time a fledgling movement to bring about the return of the Jewish people to their national homeland) was understood to be a Messianic undertaking. A corollary of this utopian vision was the resurgence of interest in vegetarianism as the "Messianic diet," recalling the mystical kinship between humans and animals that characterized the Garden of Eden, and anticipating the enlightened future world order.

### **"A Vision of Vegetarianism and Peace" – Hazon Hatzimhonut VeHashalom**

Edited by Rabbi David Cohen – the "Nazir" (a disciple of Rav Cook). Never took a formal vow of *nazirut*, but adopted the behaviour of one.

Translated by Jonathan Rubenstein

HHV is a compilation of excerpts from two of Rav Cook's essays:

- Afikim Banegev (Streams in the Desert) – published in serialized form 1903 & 1904
- Talele Orot (Dewdrops of Light) – published 1910

Not essays specifically on "vegetarianism", but rather dealing with broader concerns of man's duties to animals. The title HHV is Rabbi Cohen's.

#### A natural moral vision

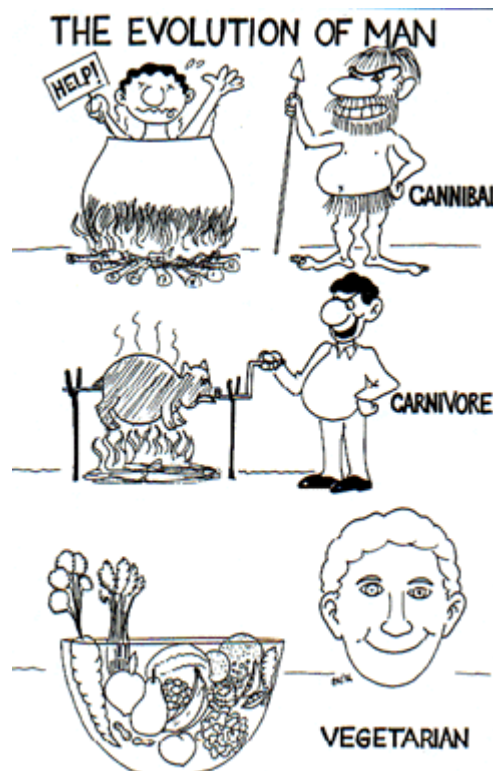
There is one essential branch of higher human progress which exists at this time, according to the present state of our culture, only as the appealing dream of certain radical idealists: namely, the natural moral aspiration, owing to the human sense of uprightness, to pay particular regard to the rights of animals, in the fullest sense. (p.1)

There is no doubt in the mind of any enlightened thinker that the "dominion" spoken of in the Torah (Gen 1:28) cannot refer to the dominion of a tyrannical ruler who treats both subjects and servants cruelly in order to satisfy his personal, arbitrary desires. It is unthinkable that there should be an institution of servitude as ugly as this, stamped with an eternal seal in the world of a God who is good to all ... (p.2)

#### A future-oriented vision

With the coming of the permission to eat meat ... the Torah qualifies the permission (Deut 12:20) ... There is here a wise yet hidden rebuke and a restrictive exhortation, namely, that as long as your inner morality does not abhor the eating of animal flesh, as you already abhor the eating of human flesh, then when the time comes for the human moral condition to abhor eating the flesh of animals, because of the moral loathing inherent in that act, you surely will not have the urge to eat meat, and you will not eat it. (pp.4-5)

#### Future purpose of the moral allowance to eat meat



Humanity will come to the profound recognition of its superiority in relation to animals, so that its spirit will be elevated to the highest moral aspirations ... by means of the sanctification of actions and superior character traits. The final result will be the triumph of absolute moral truth, when the knowledge of God will truly be present throughout the earth, until humanity will no longer have any need for any moral concession (p.10)

#### FOR MY NOTES

while the permission to eat meat is meant to establish, through the strict separation of human beings and animals, the distinctive moral stature of humanity, once that stature is attained "the prompting of the intellect" will enable the human species to transcend that separation and embrace with justice its companions in creation (Section 12).

#### But vegetarianism is not for now

The divine wisdom perceived that humanity had fallen from its (original) moral state, and that until it has risen to its previous stature ... the high level of morality inherent in the recognition of the rights of animals is not expected of general humanity.

... How ludicrous it would be if humanity, as long as its impurities are within it, would hypocritically turn to a farfetched way of righteousness, showing itself to be righteous only with regard to animals, as if all accounts between human beings, created in the divine image, had been settled, as if everything had already been set aright, and the rule of evil and falsehood had been banished; as if hatred between peoples, national rivalries, racial animosity, and family strife, which cause so many mortal casualties and spill so much blood – as if all these had already disappeared from the earth, and the only way left in which to elevate human piety was to attend to the establishment of a moral foundation in regard to animals. (p.6)

... When the animal-like craving to eat meat would become overpowering, it would then make no distinction made between the flesh of human beings and the flesh of animals [if both were forbidden to eat equally] ... The eating of human flesh would become so natural that, once the wide gap between human beings and animals, in terms of the relative value of their lives, has been breached, there would no longer be any trace of natural abhorrence to this practice, which humanity in its improved state possesses at the present time. (p.7)

↓

Picking up from R. Joseph Albo here

People talk about Rav Cook only eating meat on Shabbat – but this was not because he felt one *should* positively eat meat on Shabbat. Rather, his way of ensuring that pure vegetarianism remained an ethical ideal.

#### **Contrast with Peter Singer**

**Preface to translation of A Vision of Vegetarianism and Peace, p.39 – Jonathan Rubenstein**

The view expressed [by Singer] challenges a strict hierarchy like Rav Kook's, in which there is a wide gap between the human species and the rest of the animals. Rav Kook is not the first to distinguish between the elevated moral stature of which humanity is capable and the "lowly" level of the "beasts".

- b. Rav Joseph Ber Soloveitchik (1903-1993): *man's basic harmony with nature – as expressed in halacha*

Numbers 18: 13, 15	במדבר פרק יח
<p>The first fruits of everything that is in their land, which they bring to God, shall be yours ; every pure person in your household may eat it...</p> <p>... Every first issue of a womb of any flesh that they offer to God, whether man or beast, shall be yours; but you shall surely redeem the firstborn of man, and the firstborn of an impure animal shall you redeem.</p>	<p>בכורי כל אשר בארצם אשר יביאו ליקוק לך יהיה כל טהור בביתך יאכלנו</p> <p>כל פטר רחם לכל בשר אשר יקריבו ליקוק באדם ובבהמה יהיה לך אך פדה תפדה את בכור האדם ואת בכור הבהמה הטמאה תפדה</p>

First fruits, together with first born animals and first born humans, all have to be consecrated to God.

The Emergence of Ethical Man, Rabbi J.B. Soloveitchik, p.47 & p.44
<p>Here we grasp one of the most characteristic features of the Jewish anthropological philosophy. The deep feeling of man's basic harmony with organic nature – a harmony emerging from uniformity – is the most salient feature of that philosophical formula. Man may be the most developed form of life on the continuum of plant-animal-man, but the ontic essence remains identical.</p> <p>Human life is evaluated as the apex of the bio-pyramid – what was termed <i>tzelem</i> – and plant as its base. But the difference consists only in degree, not in kind. Therefore all organic life was included in the sacral act of offering life to God.</p>

- c. Rabbi David Rosen (1951-): *modern-day realities of the meat trade affect halachic decision-making*

Vegetarianism: An Orthodox Jewish Perspective An article in <i>Rabbis and Vegetarianism: An Evolving Tradition</i>
<p>Any halachic argument cannot deny that Judaism does allow for the consumption of meat. Yet of course it does so under very controlled conditions and criteria. These refer not only to the way in which the animal is slaughtered, but also concern the treatment of the animal up until that moment. However, even if there have been times and places when these standards may have been met, the current treatment of animals in the livestock trade definitely renders the consumption of meat as halachically unacceptable as the product of illegitimate means.</p>

Halachic flexibility etc.

Consequentialist reasoning

All these approaches are still v.different from Singer – even pro-vegetarian arguments in Jewish sources come to their conclusion based on the high ethical requirements demanded of humans as humans, and distinct from animals

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### Appendix: Meat on Yom Tov

- According to most authorities, throughout the period during which the Temple stood, there was an absolute obligation, at least on the part of males, to partake of the flesh of the festival offering.
- The juxtaposition in a single verse of the commandments concerning the peace-offering and the obligation regarding rejoicing is regarded by the Gemara as establishing the principle that the "rejoicing" in the festival that is explicitly commanded (Deut 16:14) is that of partaking of the meat of the sacrifice.
- Now that the Temple is destroyed, the obligation is a matter of dispute.
- Rambam holds that one is obligated to eat meat on *yom tov* even after the Temple's destruction. [Rambam, *Sefer ha-Mitsvot, Mitsvot Aseh*, no. 54 and *Mishneh Torah, Hilkhhot Yom Tov* 6:18.]
- Many other Rishonim disagree: *Ritva* to *Kiddushin* 3b and *Rashba* in his *Teshuvot #176* explain that since there is no festival-offering today, there is no requirement to eat meat in order to fulfill the mitzvah of *simhat yom tov* (which seems to accord with the meaning of the Gemara)
- More than this, Tosafot in *Yoma* 3a and Rabbenu Nissim in *Sukkah* 42b cite the gemara in *Pesachim 71a* which indicates that even while the Temple stood, when the sacrificial animal could not be cooked i.e. on Yom Tov that fell on Shabbat, the obligation to rejoice was fulfilled by donning clean clothes and drinking aged wine. I.e. even during the Temple period, the eating of meat was not an absolute requirement.

- **An aside**

This issue is especially important regarding conversion: If eating meat on *yom tov* is a *hiyyuv* (obligation), then a vegetarian would not be allowed to convert, since a convert is not accepted if he fails to accept any provision of Jewish law. Yet, according to the above presentation, a convert who is a vegetarian does have sources upon which to rely with regard to the *hiyyuv* of *simhat yom tov*.

- **Conclusion**

Eating meat on Yom Tov can in no way be presented as a straightforward Halachic obligation – the majority of sources quite clearly show that it is not.

However, it is important to note that the rabbis did feel that eating meat gave rise to joy – given that *Sanhedrin 70a*, declares that it is forbidden to eat meat or to drink wine on the day preceding the ninth of Av. This prohibition was later extended to prohibit the eating of meat beginning with the first day of Av.

Therefore, whilst not an obligation, eating meat on Yom Tov would most likely be considered by the rabbis to be a choice way of fulfilling the mitzvah of rejoicing on yom tov.