



## Kashrut:

### Eating as an Act of Choosing Life

*R. Yitz Greenberg – [ygreenberg@hadar.org](mailto:ygreenberg@hadar.org)*

#### Parashat Shemini 5781

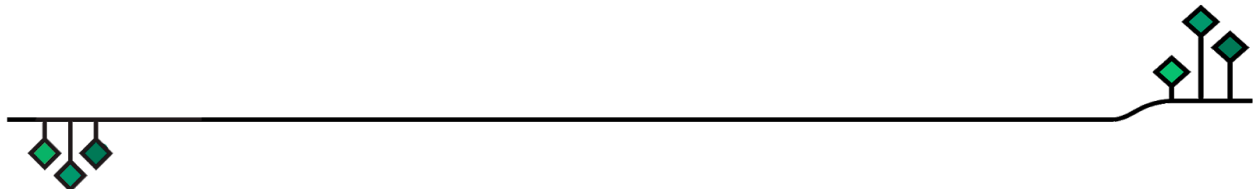
Our *parashah*, Shemini, contains one of the two clusters of laws in the Torah describing which animals, birds, and reptiles are kosher for eating and which are not.

Kashrut is one of the defining religious practices of Jewish tradition. Over the centuries, there has been strong criticism of the idea behind kosher food. Scoffers dismissed the laws as “Judaism of the belly.” The New Testament quotes Jesus as saying: “It is not what goes into the mouth that defiles a person—but what comes out of the mouth.”<sup>1</sup> Spirituality should be all about nurturing your mind and heart and directing them to meaningful purposes, not about satisfying your appetite or supplying nutrients to your body.

I beg to differ. The laws of Kashrut are an extraordinary paradigm of the Torah’s spiritual vision of an (ultimate) ideal world—and how to live in the real world as it is, while

---

<sup>1</sup> Matthew 15:11; Mark 7:15. The superiority of ethical/spiritual behavior was echoed from time to time over the centuries in Jewish traditional sources. Nineteenth century Reform criticism also echoed this theme: The Pittsburgh Platform in 1885 concluded that dietary laws “fail to impress the modern Jew with the spirit of priestly holiness...”



simultaneously upholding a higher standard, working towards the final *tikkun* (repair).<sup>2</sup>

Underlying this analysis is a fundamental thesis about Judaism: This is a religion that teaches that the highest value is life itself; that humans are called to join in a covenant-partnership with God to live on the side of life.<sup>3</sup> Starting in the present real world, we are to develop life to its maximum. We are to work to improve both nature and society to uphold all forms of life in all the dignity and value that we deserve. Finally, in every human behavior in life, there is a choice between life and death. The human calling is to maximize life and minimize death in every action to whatever extent possible.

Eating is manifestly a matter of life and death. If you do not eat, you will die. However, what you choose to eat and how you prepare the food can further increase the quotient of life or of death in eating. Hence, the Torah regulates food and its preparation to shape the experience of eating into an act of maximum health and reverence for life.

Crucially, the Torah's ideal of eating is vegetarianism—that is, that a person should not live by killing another sentient being. In the Garden of Eden narrative, not just humans, but all living creatures, are vegetarians. “God said I have given you all every herb bearing seed... and every tree on which is the fruit... to you for food. And to every beast of the earth and to every bird of the air and to everything... on the earth in which there is life, I have given every green herb for food...” (Genesis 1:29-30). According to Isaiah, in the Messianic age, when the world is totally repaired, then not just humans but animals will be vegetarian: “...the wolf shall live

---

<sup>2</sup> I learned the basic concept of eating kosher as a way of expressing reverence for life from an article by Jacob Milgrom which I came across in the 1960s. Over the years, I added some variations of my own. In his commentary on Leviticus, Milgrom has expanded his views into a comprehensive and persuasive characterization of the laws of Kashrut, *Leviticus*, vol. 1, pp. 643-742.

<sup>3</sup> See my book *The Triumph of Life* (forthcoming)



with the lamb... and the calf and young lion and the fatling together... and the lion shall eat hay like the cattle..." (Isaiah 11:6-7).

However, in the current real world, the Torah pivots and compromises with the human situation. After the flood, God concludes to live with humans' imperfections, to make concessions rather than uphold ideal standards by force, and to work with humans to repair the world gradually in order to attain the final perfections.<sup>4</sup> Given that humans need the protein and given that humans' hunting is central to their food sufficiency, God grants them the right to eat meat (Genesis 9:2-3).

This permission is a concession which undercuts the sacredness of life; therefore, a restriction is placed on meat eating (Genesis 9:4). Note that the laws of Kashrut are all about **restrictions on meat eating**. All vegetables and mineral foods are kosher for all humans to eat at all times. The first law of Kashrut is on **all human beings**, not just Jews. All humans are prohibited to eat blood. Blood is forbidden to eat because it is understood to be the carrier of life.<sup>5</sup> Obeying the ban on eating blood is humanity's acknowledgement that ideally it should not kill other living beings for food. We eat the meat but the blood is not ours to consume; the life belongs to God. This restriction restores some of the sense of the sacredness of life which was weakened by acceptance of meat eating. Thus it is a step from the present flawed reality toward the final stage when life will again be untouched and supreme.

---

<sup>4</sup> See my essay on Parashat Noah, "Covenant," available here: [www.hadar.org/torah-resource/covenant](http://www.hadar.org/torah-resource/covenant).

<sup>5</sup> See Leviticus 17:11 which explains that this is the reason for the Torah's strict prohibition of Jews from consuming blood (when it bleeds away, living things die). I leave it to my reader's speculation as to what process of hatred and distortion took a religion that strictly forbade blood consumption to all human beings and libeled and demonized it with the false charge that Jews kill children and bake their blood into their sacred food, *matzah*.



When the Jews enter the covenant of Abraham (and later at Sinai), they commit to be an avant garde, a kind of “lead partners” in the universal covenant with humanity. We commit to push harder toward the final stage by holding ourselves to a higher standard right now. Therefore the Jewish laws of Kashrut apply many more restrictions on meat eating. Note again that there are no restrictions on eating vegetable or mineral products. Thus the Jewish religious diet tries to amplify the sacredness of life over and above that of the surrounding cultures, even when permitting meat eating.

The additional restrictions are calibrated to the level of life that one is consuming. The less developed forms of life (which appear earlier in the Creation narrative) are less restricted. The lowest form of life permitted to eat under kosher laws is fish. There is only one general restriction on fish. Only a few species are permitted, those that have fins and scales (Leviticus 11:9-12).<sup>6</sup>

If one wants to eat flesh of the next level up of life, that is, birds, then there are **two** general restrictions. One is, again: only a limited number of species are permitted. The Torah does not give signs that identify a kosher species (like fins and scales among fish).<sup>7</sup> In the talmudic discussion, however, the Rabbis say that there is one definite marker of non-kosher bird species: ones with a prominent strike talon.<sup>8</sup> This shows that the bird is a predator which lives

---

<sup>6</sup> Jacob Milgrom assesses—in my view, correctly—that the markings of kosher fish species are simply a way of highly restricting the number of species that one can eat. See Milgrom, *Leviticus*, vol. 1, pp. 643-743, especially p. 661.

<sup>7</sup> In the absence of definitive signs for a kosher bird species, observers of Kashrut have generally been willing only to eat species that were known to be kosher by tradition passed on from one generation to another. When the New World (America) was settled, the turkey bird was discovered. The turkey had to undergo quite a process of vetting and review by halachists until it won through and was accepted as a kosher species. I presume that turkey lovers should offer thanksgiving that the bird made it into the kosher pantheon.

<sup>8</sup> Mishnah *Hullin* 3:6.

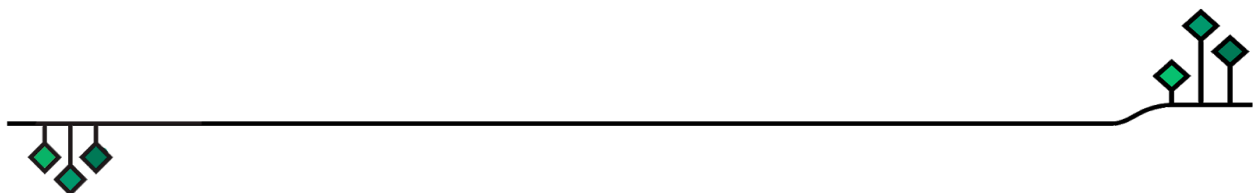


primarily by hunting other birds and smaller animals. Such a species which lives primarily by killing is *ipso facto* not appropriate eating for a people which seeks to uphold the sacredness of life.

The second general restriction on eating flesh of birds is that there is a specified ritual of slaughter by which it must be killed. This method of *shehitah* involves cutting the jugular vein and the esophagus with a perfectly sharpened knife (i.e. totally smooth edge, clean, instant strike, not a tearing gradual motion). The knife slash cuts off the flow of blood (and air) to the brain causing instant loss of consciousness. In other words, the bird must be put to death swiftly and painlessly. If the bird dies by beating, wounding, crushing, etc. then its death is slower and its suffering greater and it is not permissible to eat it. Again, the process of Kashrut minimizes death and suffering - thus upholding the preciousness of life even in the face of eating meat.

The highest level of evolved life of permitted kosher food is land animals. Here there are **three** general prohibitions that restrict the meat eating. The first again is a species restriction. Only animals that chew the cud and have a split hoof (ungulates) are permitted. There are very few species that fall into this category. We know that chewing the cud (that is having a second stomach and rechewing and digesting the food) is because the animal's diet is strictly vegetarian which is more difficult to digest. It follows that all kosher animals are herbivores. They are not carnivores, **not** hunters.

This begs the question: Why should a peaceable, non-predatory animal be consigned to be eaten? What kind of reward is that for being of a gentle nature? One possibility is the Torah's



deeper message is that “you are what you eat.” Eating predators instills aggression, be it physiologically or psychologically.

The second general restriction with animals is the requirement of *shehitah* to insure a swift, painless death.<sup>9</sup> Since cattle and larger animals are more difficult to slaughter, hoist and shackle treatments were developed to hold the animals down. Some of these procedures were painful and harmful to animals so kosher slaughterhouses changed over to holding pens which are more humane. Some fundamentalist Orthodox slaughterhouses were slower to make these adaptations, leaving some stain on the reputation of kosher slaughter. Nevertheless, the kosher slaughter laws clearly are intended to respect animal life and minimize its pain.

The third general restriction placed on eating meat of animals was in the method of preparation. Even properly slaughtered meat can not be mixed or cooked with milk (or served with dairy either). The symbolism is clear. Meat is the flesh of a killed animal. Milk is the nurture of life, especially mother’s milk.<sup>10</sup> Life is life and death is death and ‘never the twain shall meet’ is a good articulation of the halakhic approach. In Jacob Milgrom’s words, the

---

<sup>9</sup> In recent decades, some animal rights groups have zeroed in on kosher slaughter and demanded that animals be stunned before killing them. Stunning has been rejected by almost all Orthodox decisors on the ground that it is impossible to tell if the stunned animal is alive and healthy, which is a requirement at the moment of slaughter. In any event, defenders of *shehitah* argue that it is as swift and painless (and as potential failure free) as stunning. The fact that anti-Semitic elements joined this attack (and anti-immigrant and anti-Muslim groups joined in recent decades) has left the argument unresolved and *shehitah* under fire in modern Europe. One hopes that the anti-Semites will not win out and that further improvement of procedures should meet the legitimate tests of reducing animal suffering, while upholding religious freedom.

<sup>10</sup> In the Torah, the verse on which the prohibition of preparing meat and milk together is based cites: “Do not cook a kid (goat) in its mother’s milk.” (Exodus 23:19; Exodus 34:26; Deuteronomy 14:21). Milgrom describes this prohibition under the rubric “The Ethical Foundation of the Dietary System,” *Leviticus*, vol. 1, pp. 737 ff, especially p. 741. Although the core prohibition of the Torah seems to refer only to animals, by the Rabbinic period it was applied to birds as well.



tradition is objecting to “the fusion and confusion of life and death **simultaneously.**” The covenant asks its members to see life and death forces in binary opposition to each other and one must not blur the lines between them. Once the choice is stark and clear, the covenant participant is instructed to “choose life.”

Every day, in every food preparation, in every meal - by not eating unthinkingly, or consuming whatever is at hand, or the standard food of the society, the kosher practitioner proclaims commitment to the supremacy of life. The selection of food proclaims that s/he/we are on the way to a vegetarian lifestyle and an age when humans will not raise their hands to kill another - be it animals or humans.

POSTSCRIPT: The dietary laws and their thrust to uphold life and proclaim its preciousness should not be seen as static. Thus the principles of kosher should be applied to the type of food we eat now. Many people have given up meat in recognition that cattle ranching and meat preparation place enormous strain on the environment, so it is time to move a step closer to the Messianic standard. A new school of religious behavior has arisen, calling itself eco-kosher. It defines what it will eat or not eat by the impact of the food gathering on the environment. Participants won't eat even kosher fish if the species is overfished. I accept this as a valuable supplement to kosher eating. Others offer eco-kosher as an alternative regimen for eating designed to maximize the preciousness of life. I also propose adding additional criteria for kosher: Healthy eating (no sugar or salt), proper payment and health protection for agricultural workers, humane treatment in animal rearing and in bringing them to market and slaughter. The basic model remains: To turn food preparation and eating into a way of living that upholds the preciousness of life.

