



## A Critical Review of Dietary Laws in Judaism



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### Abstract

In this article, the author has already discussed laws in Judaism, that are the key dietary laws in Judaism, commentary of dietary laws, vegetarianism and Judaism, the slaughterhouse, and why there are special laws in Judaism. As a religion, contained; a great history, literature, culture and ritualistic customs it shows its identity among other world religions. Having vegetarian food has been appreciated in Judaism in its early history like other world religions. As the second step, it has been allowed for vegetarian and non-vegetarian food introducing some ethical instruction on the subject of kosher food, laws of ritual slaughter, slaughterer, torn apart for eating living beings. This can be considered as a norm in Judaism.

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## 1. Introduction

Judaism is one of the oldest religious traditions, born four thousand years ago, which extremely influenced both Christianity and Islamic religious traditions in their history. It is a monotheistic religion, followed by the Jews, based on the laws revealed to Moses and recorded in the Torah. The followers believe only in one god and therefore, it is called monotheism. Abraham, regarded as the father of Jewish nation, was the first Jewish person who made a covenant with God and God promised to lead them out of slavery from Egypt and to give a prosperous new land. His ancestors (Isaac, Jacob, Joseph, Moses) were named patriarchs. Moses was one of the most famous Jewish prophets, who led them to Mount Sinai and received the Ten Commandments.

This nation is rich in great customs and traditions such as *brit milah* (the covenant of circumcision), *bar mitzvah* and *bat mitzvah* (son/daughter obligated to the commandments when they are 13 and 12 years old respectively), *aufruf* (blessing for bride and groom), *Kiddushin* (the marriage ceremony), *taharah* (ritual purification), *shloshim* (thirty day periods of mourning), *yahrzeit* (anniversary of death). The Sabbath, the Jewish new year, the day of atonement, the festival of dedication and lights, holocaust remembrance day, the commemoration of the destruction of the holy temple, the festival of lots are some of their key holy days and festival days.

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Though there are different branches of Judaism in accordance with the followers' strong beliefs and where they come from, these are not the problems for its development. The Jewish people have shown supremacy by surviving amidst many hardships in their history.\*

Since we have some fundamental awareness about Judaism, we can turn to comprehend the concept of dietary law in Judaism and now let us pay attention to the following sub-topics.

- 1) Law in Judaism
- 2) Key dietary laws in Judaism
- 3) Commentary to dietary laws
- 4) Vegetarianism and Judaism
- 5) Slaughtering house
- 6) Why there are special laws for in Judaism
- 7) Conclusion

## 2. Materials and Methods

This article is presented based on qualitative analysis. The data were obtained through observation and interviews. The observations were conducted in a non-participant manner and interviews were conducted in a deep interview. The informants were determined purposively and snowball. Data processing was done in three stages included data reduction, data presentation, and data verification/conclusion.

## 3. Results and Discussions

### *Law in Judaism*

Though usually, we utilize, the term 'law' to introduce the commandments of Judaism, in actual fact, it seems a kind of religious ethics because there was no court of law in the history of Judaism except in its few early decades. There are two major types in law or commandments (*mitzvot*) named as written law and oral law which were written in the Torah, the first five books of Moses in the Bible and expounded by rabbinic teachers in the post-Biblical works, respectively. As a whole, there are 613 commandments in number and these can be divided into two major categories as positive *mitzvot* 248 and negative *mitzvot* 365. And again it can be divided into two; ritual *mitzvot*, turn around ceremonies and rites of Jewish life, like observing the Sabbath, eating kosher food, and practicing public worship and ethical *mitzvot*, demands a certain standard of behavior; that life is conducted in a moral manner. Further, there are other categories as well namely; laws in relation to God (*bein adam la-Makom*) and laws about relations with other people (*bein adam la-chavero*).

The dietary laws, most probably, are included in the negative *mitzvot*, at the same time, there is a deep relationship with positive *mitzvot* and all other kinds of categorizations of Jewish law as well.

### a) Key dietary laws in Judaism

Dietary law of Judaism is based in Torah and its expanded exegeses performed by the sages and rabbis throughout its history. Traditionally, it is called *kashrut* and it explains what kind of food one can eat and what kind of food is prohibited to followers. There are eight key rules as follows;

- 1) All vegetables, fruits, grains, and nuts are kosher
- 2) A kosher animal is one that both chews its cud and has a cloven (split) hoof
- 3) A kosher fowl is a domesticated bird, such as a chicken, turkey, tame duck, and goose.
- 4) A kosher fish is one that has both fins and scales
- 5) An insects-winged, swarming creatures that creep on four legs, and all creatures that crawl on the earth – are not kosher
- 6) Eating meat food is not permitted
- 7) Some foods are considered neither dairy nor meat

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\* Read - Green Arthur (2004) A Guide to Zohar, Stanford, California: Stanford University press.

Matt Daniel C. (1995) The Essential Kabbalah: The Heart of Jewish Mysticism, New York: Quality Paperback Book Club.

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<https://sloap.org/journals/index.php/irjeis/article/view/488>

8) Wine production must be certified and supervised to be kosher

The above mentioned eight rules again can be categorized into three major groups as positive, negative and both positive and negative together. Number one is totally positive and number five is totally negative, the rest of the rules except number seven, what is doubtful whether to enter into one or the other kind of group, can be considered positive and negative together.

Before going to a detailed discussion on these commandments, it is better to cite, Carl S. Ehrlich from his *Understanding Judaism* because it would be helpful to comprehend the key points of dietary law in Judaism. “Jewish dietary laws (*kashrut*) are an expression of the sanctity of life. In the Jewish view, since vegetarianism is the ideal state, and the consumption of meat was a concession made by God after the flood, not all animals can be consumed. Those that can be killed as quickly and painlessly as possible – a creature that suffers unduly is not kosher (suitable, fit). Cruelty to animals, in general, violates basic Jewish ethical belief, hence Judaism outlaws hunting”.

b) Commentary to the key laws

All vegetables, fruits, grains, and nuts are kosher, the number one dietary law is the basic statement according to the food concept in Judaism. “Behold, I have given you every seed-bearing plant on the earth and every tree that has seed – bearing fruit; they shall be yours for food” (Genesis 1:29). It emphasizes the interrelationship between vegetarianism and Jewish people. Numerous religious leaders of Judaism late Chief Rabbi of Israel Shlomo Goren, and the first Chief Rabbi of pre-state Israel Abraham Kook believed vegetarianism, including Chief Rabbi of Britain Jonathan Sacks. This will be further discussed under the subtopic of vegetarianism and Judaism.

A kosher animal is one that both chew its cud and has a cloven (split) hoof (Leviticus ii: 3). The kosher animal should both chew its cuds, has a cloven hoof like cattle and sheep. Pigs, dogs, rabbits, and horses are *non-kosher* animals. The animals that naturally died or was killed by another animal should not be eaten. If the animal is kosher with the above-mentioned characteristics, there are some other necessities that should be followed such as the law of ritual slaughter, a person highly trained, skilled in the art of *shehitah* to provide the swiftest, most painless, most humane death for the animal. In *Checotah*, there are two other steps as “You shall not eat any manner of blood either from fowl or animal” (Leviticus 7:26) and “You shall not eat the fats of the ox, sheep, or goat” (Leviticus 7:23). For removing the blood from animals, a method named as “soaking and salting” is recommended by the tradition. At the same time blood is considered the symbol of life in the Torah and fatwas utilized as part of the ancient sacrificial rite.

Further, followers should not eat the hindquarter meat whether the animal is kosher. “The children of Israel shall not eat of the muscle, which is on the hollow of the thigh unto this day, because Jacob was injured at the thigh muscle” (Genesis 32: 33). Now there is a supervision system called *hashgachah* under the duly ordained and highly trained rabbis and it is sealed as *kashrut* food.

“A kosher fowl is a domesticated bird, such as a chicken, turkey, tame duck, and goose” is the third commandment and birds must be slaughtered in a self-same manner ritually prescribed as an animal.

A kosher fish is one that has both fins and scales (Leviticus 11: 9) is the fourth dietary law. If some fish like shark, whale, porpoise, has both fins and scales or has one but not the other and all shellfish are also non-kosher. The way of slaughter differs from animal and fowl because it simply dies a natural death out of the water.

Principally, there are no substitutes to have insects-winged, swarming creatures that creep on four legs, and all creatures that crawl on the earth because all these are judged as non-kosher.

The sixth commandment, “it is not permitted to eat together meat foods” is the result of following rule mentioned thrice in its literature; “You shall not see the (boil) a kid in its mother’s milk” (Exodus 23: 19). In brief, this prohibition was further extended as dairy and meat products may not be eaten together, may not be prepared together in the same pots, and may not be eaten in the same plates, with the same utensils. Therefore, the Jews who follow the dietary laws have two sets of pots and pans, two separate sinks, even two separate refrigerators one for the dairy and other for milk but glass can be utilized for both dairy and meat. In the large Jewish public buildings such as synagogues, catering halls there are two separate kitchens as well. The time gap in between eating meat and dairy food for most strictly *kashrut*-observing Jews is six hours and for more lenient observers two hours. Some scholars point out this is one of the misunderstandings of Jewish dietary laws.

Some foods, called *parve* (neutral) are considered neither dairy nor meat. All fruits, vegetables, grains, and nuts are *parve*. Although it is strange fish and eggs are also regarded as *parve* but the non-kosher fish and eggs should not be eaten.

“Wine production must be certified and supervised to be kosher” is the last dietary law in Judaism. Though it seems like all wine is kosher because it is made of grapes or other fruits, as a matter of fact, it is not so. In Judaism

there is a need to be sure about the wine that they use for Jewish ritual purposes was never utilized by pagan worshippers. Therefore, rabbinic authorities strictly supervised and certified the tasks; the planting of vines, growing of the grapes, the harvest, the winemaking, the barreling, the bottling, and the pouring performed by Jewish people.

When we deeply pay our attention to the above-mentioned *kashrut* about the kosher and non-kosher food, there is no final agreement among all followers. It can be changed where they live and how they believe these laws. “Many American Jews adhere to the spirit of *kashrut*, but not to all of its laws. Some maintain a strictly kosher home but eat non-kosher food in restaurants. Some buy kosher meat and foods for their homes but do not have two sets of dishes. Some eat non-kosher meat but do not eat milk and meat together. Some avoid eating the biblically prohibited food such as bacon, ham, and selfish. Some do not observe the laws of *kashrut* at all, arguing that eating or not eating certain kinds of food has nothing to do with personal religious feeling or commitments”

At the same time, some followers are deeply firm on these. “For these Jews, regular *shechitah*, ritual slaughter, is not enough. The law requires that after the animal is slaughtered, it must be carefully inspected to determine that it is a healthy animal, fit for human consumption. The law permits certain lesions that have been determined as harmless. However, the strictest *kashrut*-observing Jews declare as kosher only an animal with smooth, lesion-free lungs, and with no questions or doubts about its physical worthiness. This super-inspected meat is called *glatt kosher* from the Yiddish word for smooth and Jews who eat only this meat are said to eat only *glatt*”.

These seriously strict *kashrut* observers go to examine that the milk-producing cows never eat non-kosher food nor has her milk mixed with any other non-kosher milk. This supervision is called *chalav Yisrael* means the milk of Israel. Though many liberal Jews are deeply committed to the observance of *kashrut* food, reject the demand for *glatt kosher* and *chalav Yisrel* dairy.

### c) Vegetarianism and Judaism

As we have exteriorly discussed that there is an interrelationship with Judaism and vegetarianism of the same time have to keep in mind that there is a good affiliation with vegetarianism as with most of the famous world religions too. A few examples are given below:

- 1) Jainism has strongly recommended all of its followers to observe lifelong vegetarianism based on the principle of nonviolence (*ahimsa*).
- 2) In Hinduism, vegetarianism is an integral part of its many schools and especially Vaishnavism can only have vegetarian food. *The Bhagavatgīta*, the great text of Hindus, does not admire the non-vegetarian food because it promotes sloth, ignorance and undesirable mental states called *tamas* in Sanskrit. Vegetarian food is helpful for spiritual progress. At the same time, there are some sects of Hindu followers who eat meats. That is why most of Shaivite Hindus eat meat called *jhatka* meat (*ghātaka* in Sanskrit); from an animal that has been killed by a single strike of a sword or ax to sever the head.
- 3) A lay disciple to become a Buddhist has to agree to pursue the five precepts and refraining from killing living beings is its first and foremost rule. In relation to the Buddhist perspective of universal love (*mettā*), there is no justification to kill any living beings. Nevertheless, in early Buddhist texts, there is no specific rule, which prohibits eating fish or meat except certain living beings; human being, elephant, horse, lion, snake, dog etc. The Buddha allowed for monks and nuns to have meat which was not seen, not heard and no suspected that animal had been killed for them. It seems that the Buddha has motivated for vegetarian food because it is very rare to find such a pure meat purify above cited three facts. But the Mahāyāna Buddhist stream has especially focused and followed having vegetarian food up to now. There is a tradition among Mongolian Buddhists to say *om maṇi padme hūm*, the famous *mantra* in Mahāyāna and Vajrayāna Buddhist followers, into the ear of the animal before killing it. In Sri Lankan Buddhist culture most of lay and monks disciples do not follow vegetarianism.
- 4) In Christianity, several Christian monastic traditions such Desert Fathers, Trappists, Benedictines, Cistercians, and some esoteric traditions are highlighted and encouraged vegetarianism. According to the Bible, after the creation of the world, God said “I gave you every seed-bearing plant on the face of the whole earth and every tree that has fruit with seed in it. They will be yours for food. And to all the beasts of the earth and all the birds of the air and all the creatures that move on the ground – everything that has a breath of life in it- I gave every plant for food” (Genesis 1: 29,30)
- 5) The term *halal* means permissible and its opposite term *haraam* introduce the dietary law in Islam.
- 6) According to the above explanations, it is very clear that most world religions would like to recommend or appreciate vegetarianism or recommend some kind of limitation to eat fish and meat.

- 7) The dietary laws in Judaism prove that there are six laws out of eight directly interrelated with eating meat, fish, and egg, it means seventy-five percent of the dietary laws are about non vegetarian food. We have already discussed under Christianity, the words of God in Genesis 1: 29. The standpoint of some classical Jewish Bible commentators above utterance, the key idea of God was for mankind to be vegetarian but later He gave permission because of the weak nature of humans. Richard H. Schwartz, the author of *Judaism and Vegetarian*, in drawing attention to this says. "There are many indications in the Jewish tradition that point toward vegetarianism. The first dietary law (Genesis 1:29) allowed only vegetarian foods. When permission to eat meat was given as a concession to people's weakness, many prohibitions and restrictions were applied to keep alive a sense of reverence for life. After the Exodus of the Children of Israel from Egypt, a second non-flesh diet was introduced in the form of manna. When the Israelites cried out for meat, God was angry. He finally relented and provided meat, but a plague broke out and many Jews died. According to Rabbi Abraham Kook, the first chief rabbi of pre-state Israel based on the prophecy of Isaiah. ("...the lion will eat straw like ox..."), people will again be vegetarians in the time of the Messiah".

According to his explanation, God not only advised not to eat meat but also He explained the awful consequence of eating meat. "Maybe God is warning us: "I prefer that you do not eat meat. But if you choose to eat meat, there will be a penalty – your lifeblood will require." In other words, if people choose to live amid violence, by slaughtering and eating animals, they must pay a penalty – their lives will be shortened. This speculation is consistent with a decrease in biblical lifespans that occurred after permission to eat meat was given, and also with modern research in health and nutrition". It is interesting that the Buddha uttered in the *Cullakammavibhanga sutta* of the *Majjhimanikaya*, killing living beings is one of the reasons for diminishing the life spans.

"Apparently the Torah was in principle opposed to the eating of meat. When Noah and his descendants were permitted to eat meat this was the concession of the conditional prohibition of on the blood. This prohibition implied respect for the principle of life [" for the blood is the life"] and an allusion to the fact that in reality all meat should have been prohibited. The partial prohibition was designed to call to mind the previously total one".

The history of Judaism does not lack the arguments of Jewish vegetarians. According to some scholars, standpoint eating meat was not its early practice and it was introduced after the great flood by God "Every moving thing that lives shall be yours to eat; like the green vegetation, I have given you everything." (Genesis 9:3). If it is so, eating meat was not communal or general and it was a special command because of some natural disasters. It seems that if there are vegetarian foods there is no permission of God to eat meat but the problem was the greediness of human beings to use animals for food.

#### d) Slaughterhouse

Slaughterhouse or *shechitah* is the recommended place for killing animals or fish for human consumption in a ritualistic manner. It is indicated in the Torah, the book Deuteronomy. According to the Jews, the key purpose of the slaughterhouse is to kill animals for food in a human way. It is done by a slaughterer, highly practiced and skilled in the art of *shechitah*. Amy Fitzgerald points out its history under three highlighted periods. "The first began with increasing concerns about animal slaughtering in the eighteenth century and resulted in "public slaughterhouse" reforms, which marked the beginning of the concentration of animal slaughter and its movement away from the gaze of the public. Second, slaughterhouses became industrialized, as exemplified by the development of notorious Union Stockyard in Chicago during the late nineteenth century. Finally, during the latter part of the twentieth century, slaughterhouses in the United States were relocated to small rural communities, which began to exhibit negative consequences".

#### e) Why there are special dietary laws in Judaism

As we have already discussed the key points of dietary laws in Judaism, it is good to pay attention as to why such laws have been recommended by God for Jewish people or why Jewish people like to follow these laws, because modern scholarship does not like to accept all these rules recommended by God himself. Most of the modern scholars like to say there is good enough relationship with health science. I would like to categorize all those points into two as follows;

1. Popular standpoint
2. Religious standpoint

As I have already mentioned that the most popular standpoint is there is a good relationship with real science. It is good to quote here, "A popular notion is that the laws of *kashrut* are laws of cleanliness, the law of health and

hygiene. The connection is that by observing the laws of *kashrut* – not eating pork (which uncooked or undercooked can cause serious illness) and not mixing milk and meat (which may easily spoil and cause sickness) – Jews will be assured of good health”.

It is interesting to talk that eating pork meat is directly prohibited by Allah to its followers. “He has only forbidden you carrion, blood, and pork and what has been consecrated to other than Allah. But anyone who is forced to eat it-without desiring it or going to excess in it-commits no crime. Allah is Ever-Forgiving, Most Merciful” (Qur'an, 2:173). Generally, since pigs always eat and play with its own excrement, it produces more antibodies in its body than other animals. Further, it produces far higher levels of growth hormone in its body than other animals and human beings. These are cumulated in the pig’s muscle tissue and its meat contains high levels of cholesterol and lipids. Due to these significant amounts of antibodies, hormones, cholesterol, and lipids in pork represent a serious threat to human health. Having this meat with excessive quantities of growth hormone, the human body puts on excessive weight and then suffers physical deformations. In addition to that, there is the "trichina" worm, that is frequently found in pork and when it enters the human body, it settles directly in the muscles of the heart and represents a possibly fatal threat.

The next question is why was attention paid to health by a god or religious teachers to their followers and can it have happened? In brief, the answer is, it can be and we have to consider the question ‘why’ it was. Even though, in the modern societies, the religious countenance is very profound and cannot be rapidly comprehended. In the early history of human beings, the countenance of religion was broader than the present era with some objects because there was no scientific research. As we know most of the religious teachers’ thoughts are not only talk about life beyond or after death but also they have taught the successful way of worldly life. Temple in English, *āśrama* in Sanskrit, or *ārāma* in Pali, whatever its name, these religious centers were the educational centers of theology, liberation, social sciences, politics and law, health science, geography, logic and epistemology, economics, ecology, esotericism and so on. In medical science, both modern and traditional indicates two purposes; prevention or prophylaxis and therapy. Religious teachers, most probably paid attention to methods of prevention.

Religion was the most powerful organization, especially in the past, generally, at present, that was mediated even though to proclaim king. This power of religion has been utilized in both good and bad and it could be based on the teachings of the prophets or religious mythology. “The idea of America, God’s own country, the land of the free, has united a vast and disparate nation and stirred a healthy devotion to it” is one of the good examples for use in a good manner. In Christianity Jesus is regarded as God, the second Person of the Godhead living in a human life. Therefore, Christianity was founded by God in person and it is God’s own religion, uniquely superior to all others. “This conviction was used to validate Europe’s conquest of most of what today we call the Third World, carrying off many of its inhabitants as slaves, exploiting its economies and destroying its culture.” That is one example of abuse. According to the religious standpoint of view, there are other reasons not to allow eating pork or some special meat and fish, in brief for dietary laws. There are five reasons in number as follows;

- a) Compromise
- b) Identity
- c) Humanity
- d) Humility
- e) Ethical behavior

It can be seen as two ways of instructions of God to humankind for food. Some contend God allowed to eat plants, fruits, and meat and in the other God allowed only plants and fruits for food but not use of animals. According to the first purpose, compromise, in the more perfect world no one can kill living beings for food but until that perfect world, one who can kill them should follow the ritualistic instructions, recommended in Judaism.

Observance of *Kashrut* helps to identify who is a Jew. In the history of the Jewish people, they needed to keep apart from their pagan neighbors. On the other hand, it is not only supportive to practice religious dietary laws but also reminds to Jews three or more times per day the idea of God in the dining table.

According to the Judaism, humankind was elevated by God far higher than any other creation formulated by Himself. Choosing kosher food and observance *kashrut* helps to continue the celebration of humanity.

The concept of humility reminds mankind of the sources of food and how it came up to the table. The Torah indicates, “Do not take advantage of a hired man who is poor and needy, whether he is a brother Israelite or an alien living in one of your towns. Pay him his wages each day before sunset, because he is poor and is counting on it.” (Deuteronomy 24: 14, 15). In the contemporary Jewish society can be seen gigantic discussion regarding rights of laborers. If production is not made under conditions of good treatment to workers they are also not kosher. Further,

the Jewish Food movement has also taken on hunger and access to nutritious food as a critical issue. According to them, there are over 1 billion hungry people on the planet, more than ever before in history.

The last point of ethical behavior shows gradual norms because basically, God did not allow people to kill animals for food and but later it was allowed because of some historical reasons. Not to kill living beings for food is the most appreciated level and then if someone needs to kill beings for food there is some guidance to do that kind of good thing in a manner.

As we know, there is no reason regarding some commandments that have been given in the Torah as to a why God did so. Religious teachers like to say that to obey these rules help to develop a sense of discipline and self-control. It is just like 'I do not eat pork because God said so' and there are no logical reasons. Therefore, sometimes the significance of Jewish dietary law becomes of little value.

#### 4. Conclusion

In this article, we have already discussed laws in Judaism, that are the key dietary laws in Judaism, commentary of dietary laws, vegetarianism and Judaism, the slaughterhouse, and why there are special laws in Judaism. As a religion, contained; a great history, literature, culture and ritualistic customs it shows its identity among other world religions. Having vegetarian food has been appreciated in Judaism in its early history like other world religions. As the second step, it has been allowed for vegetarian and non-vegetarian food introducing some ethical instruction on the subject of kosher food, laws of ritual slaughter, slaughterer, torn apart for eating living beings. This can be considered as a norm in Judaism.

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