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Sr. Matthias Anglican Church, on the occasion of St. Francis' Feast Day

It was the historian Lynn White Junior who, in 1967, proposed that St. Francis be recognized as the patron saint for ecologists. White's essay, *The Historical Roots of our Ecological Crisis*, in the journal *Science*, likely was the first introduction to the scientific community broadly speaking of the radical ideas of Francis of Assisi, ideas that focused on the "virtue of humility", as White puts it, "not merely for the individual but for man as a species." Francis took individual organisms seriously, from Brother Ant praising the Creator, to the birds he preached to flapping and rejoicing, to the wolf he talked to "and persuaded him of the error of his ways" (White, 1967)

White wrote that Francis "tried to substitute the idea of the equality of all creatures, including man, for the idea of man's limitless rule of creation. He failed." Yet his ideas are not dead, and we see around us an increasing interest in and adoption of some of Francis' ideas about how we as humans need to relate to and honour those creatures we share the world with, and the very environment we all share.

But while Francis saw the animals as individuals each of which had their own role and place in the beauty of creation, within the Torah, the Five Books of Moses which forms what Christians call the Old Testament, animals are seen in a very different way and the injunctions for how humans should interact and treat animals come from a very different place from how Francis might have seen it.

But before I get into the weeds of a Jewish approach to the care of animals, let me offer my own interpretation of early bits of Genesis about the fifth day.

In Genesis 20: God said:

Let the waters swarm with a swarm of living beings, and let fowl fly above the earth, across the dome of the heavens!

21: God created the great sea-serpents. And all living beings that crawl about, with which the waters swarmed, after their kind, And all winged fowl after their kind. God saw that it was good.

22: And God blessed them, saying Bear fruit and be many and fill the waters in the seas, and let the fowl be many on earth!

And so, within the Jewish bible, we see an important truth: God love the invertebrates, blessing, as God does, the living beings that crawl about. The great 20th century British biologist J.B.S. Haldane, when asked by a group of theologians about what he could infer about the mind of the Creator through a study of his creation, is said to have quipped that the Creator, if He exists, has an inordinate fondness for beetles as they are the most numerous of all species. The beetles, their insect cousins, the worms and slugs, all were blessed with a role in Creation from the start. The rabbis noted this 1500 years ago or so, as we find in Midrash Rabbah Shemos 10:1 “Even those creatures you deem redundant in this world, like flies, bugs and gnats, nevertheless have their allotted task in the scheme of creation.”

And then later on God says in Gen 1:26 “Let us make humankind in our image, according to our likeness” (Vayomer elohim na’ase ’adam betzalmenu kidmutenu...). Who are the “us” and who is the “our”? While a great deal of commentary relates to the plural nature of the word “elohim” (one of God’s names), is it just the royal “plural”, or is God speaking for all of creation up to this point? The beginning of God’s creating is now nearly complete and the human’s entrance onto the newly created world’s stage is at hand. Can we not imagine God speaking to the rest of Creation, to the crawling things, the swimming things, the flying things, the running things, and saying, you are all created in My image, and so too will be the humans (Kool, 2010).

A caveat

The relationship between scripture, commentary and deed, between injunction and actuality, is not always close or particularly congruent, and I will not be making any argument for Judaism to have any particularly higher moral ground when it comes to relationships with animals. The fact that we can find commentary and sources that might indicate particular obligations towards animals may have other interpretations; indeed, all of Jewish history is people having “other interpretations”! And as in all traditions, there is often a significant gap between what we say we do, what we actually do, and what we should do.

Duties, obligations and responsibilities

Jewish tradition teaches that humans have duties, obligations and responsibilities to animals. These obligations are well established, with proof-texts coming from the Bible and great commentary over the centuries in Talmud and beyond. “Some eighteen different laws of the Torah call upon us to live in awareness of the fact that God's creatures require our care and deserve our attention” (Berman, 1992, ¶ 12).

We can learn about ways of being with animals through stories such as one that Yosef Ben Shlomo Hakohen recounts from biblical commentary relating a conversation between Shem, the son of Noah, and Abraham, the father of the Jewish people:

Shem and his family were in the ark during the great flood, and Abraham asked: "By what merit were you able to leave the ark and begin a new life?"

Shem responded: "Through the merit of acts of tzedakah [charity] that we performed in the ark."

Abraham then asked "To whom did you give tzedakah? There were no poor people in the ark; there was only you and your family."

Shem replied: "All night, we were busy feeding the livestock, wild creatures, and birds; in fact, we were too busy to sleep!"

And what does Abraham do with this knowledge?

Abraham said to himself: "If they were able to leave the ark because of the tzedakah which they gave to livestock, wild creatures, and birds, then how much more would I accomplish if I performed acts of tzedakah for human beings who are created in the Divine image!" He then opened an inn for needy travelers (Genesis 21:33), and he provided them with food, drink, and escort. (Hakohen, 2005)

So we are taught that blessings can come from simple kindness to animals.

However, elsewhere, we are taught that we have **obligations** to show kindness to animals. Obligations to alleviate suffering in animals is derived from the teaching in Exodus 23:5, "And when you see the donkey of one who hates you crouching under its burden, restrain from abandoning it to him- unbind, yes, unbind it together with him." Here, one is taught to even collaborate with an enemy, with someone who hates you, in order to relieve **their** animal, not **your** animal, from suffering. And, the rabbis teach, you do it not for the enemy, but for the animal! The 14th century Spanish Rabbi Jacob ben Asher notes

Here you are faced with Hashem's teaching, which obliges you not only to refrain from inflicting unnecessary pain on an animal, but to help and, when you can, lessen the pain whenever you see an animal suffering even through no fault of yours. As the Oral Law explains, to release an animal of its burden is not only a duty of love towards the distressed owner of the animal; it is above all a duty towards the suffering animal. Even without the owner, or where the latter has himself caused the collapse of the animal by overburdening, yes, even if he wants to sit down passively by the side of the fallen animal, you have an obligation towards the animal to release it of its burden (Choshen Mishpat 272). (Hakohen, n.d.).

From this concern for the overloaded ass, the tradition teaches that we have to alleviate animal suffering. We also are taught to care for the animals that work for us, giving them priority in the order of feeding, as in Deut 11:15, "I will give you herbage in your field for your animals; you will eat and you will be satisfied." One's animal is to be fed before one is to eat. Indeed, not

only should the animal be fed first, but the rabbis of the Palestinian Talmud wrote, “a person is forbidden to purchase an animal unless he can assure an adequate supply of food on its behalf” (Bleich, 1986, p. 64).

Working animals have to be given a chance to rest. The laws of the Sabbath, so revolutionary in their injunctions that all humans, slaves and freemen and freewomen, need time to rest, to enjoy creation and to worship, and these laws apply equally to humans and to their animals, as in Exodus 23:12, “For six days you are to make your labour, but on the seventh day, you are to cease, in order that your ox and your donkey may rest”. The laws of the Sabbatical year allow all animals, both wild and domesticated, to have the freedom to eat in the fields left fallow, left to rest, as in Exodus 23:10-11, “For six years you are to sow your land and to gather in its produce, but in the seventh, you are to let it go and to let it be, that the needy of your people may eat, and they allow to remain, the wildlife of the field may eat”,

As the great 19th century German Rabbi Samson Raphael Hirsch wrote in a commentary to Exodus 32:12, “The Sabbath is a school for teaching the recognition of every other creature beside oneself as being equally a child and object of the same Creator; and this freeing of all creatures from the mastery of the human being is one of the objectives of the Sabbath” (Hirsch, 1962).

Prohibition of cruelty to animals

One of the seven Noahide commandments (Gen. 9:3-4) relates to the prohibition of cruelty to animals. The cruel and abhorrent practice of maiming or cutting off parts of a living animal and letting the animal suffer while, in a sense, the suffering animal kept the rest of the meat “fresh” was to be prohibited for all humans. The rabbinic interpretation of this “minimal

level of morality” was to prohibit eating an animal while its heart was still beating (Barilan, 2004, p. 94).

Genesis 49:6-7 is very clear about the abhorrence to be felt towards cruelty towards animals. In the Patriarch Jacob’s farewell to his sons, he offers a stinging rebuke to his sons Simon and Levi not only for their killing of men, but their maiming of animals¹:

... for when angry they slay men,
and when pleased they maim bulls.
Cursed be their anger so fierce!
And their wrath so relentless.

There is a story told by Rabbi Elazar Ezkari (d. 1600) about the Arizal - Rabbi Yitzchak Luria --the famous kabbalist and mystic of Tzefat, Israel.

The Arizal once looked at the face of a certain Torah scholar and told him, “Your face is marked by the sin of causing pain to animals.” The scholar was very disturbed. He investigated the matter and discovered that his wife did not feed their chickens in the morning but instead allowed them to wander through the yard and street to peck for food. He instructed his wife to prepare for them a mixture of bran-flour and water every morning. Shortly after he had done this he met the Arizal again and the Arizal informed him, without knowing about what he had done, that the sin was gone.

But not only are we taught to **remove** suffering when it exists, to give rest and food, but we are also taught, under the Hebrew phrase *tzaar baalei chayim*, that we may not **cause** sorrow to living creatures. This is an “unequivocal prohibition” (Bleich, 1986, p. 64), and is derived from Deut: 25:4, “You are not to muzzle an ox while it is threshing grain.” It would be too cruel for the ox to have the food in front of his face while working; the animal must be free to consume what it needs while it carries out its work. To muzzle it would cause it sorrow.

The tradition goes even further than the cruelty of preventing an animal from eating, when it talks about the love that any animal feels for its offspring. The 12th century Spanish sage Maimonides, Moshe ben Maimon, in his *Guide of the Perplexed* (III, 48), reads Leviticus 22:28, “And an ox or a sheep - it and its young you are not to slay on one day”, as being about sparing the feelings of the mother animal by not forcing her to see the death of her offspring

...for in these cases animals feel very great pain, there being no difference regarding this pain between man and the other animals. For the love and the tenderness of a mother for her child is not consequent upon reason, but upon the activity of the imaginative faculty, which is found in most animals just as it is found in man. (cited in Bleich, 1986, p. 91)

Even when slaughtering an animal for food, Jewish law requires the ritual slaughterer to avoid causing unnecessary pain to the animal. From these particular teachings is derived the complex set of rules relating to the slaughtering of animals for food purposes. The concern for animal welfare as expressed in the laws of kashruth (Jewish dietary laws) have been misinterpreted, sometimes quite maliciously, for centuries. The humane slaughtering of animals for food takes up a great deal of Jewish writing and commentary and yet, most simply, is understood as a means for fulfilling the obligation of not causing sorrow to living creatures. The action of the ritual slaughterer is carefully proscribed: the knife used is called ‘an examined knife’, and must have not a single nick or imperfection that might otherwise prevent the virtually instantaneous loss of consciousness due to the severing of the carotid artery and catastrophic loss of blood to the animals’ brain, resulting in virtually instantaneous unconsciousness with minimal pain.

Cruelty to animals leads to cruelty to humans

But through all of this, I think it is still fair to say that there is an ulterior purpose which expresses a particular form of ethical relationships between humans and animals, and that

ulterior purpose has nothing to do with the animals at all. Judaism is very concerned with people, and with people in the here and the now.

The injunctions around the ethical standing of animals as being worthy of moral consideration may have another purpose than simply to focus us on animals and their welfare. To some commentators, the real issue here is the issue of human improvement. Cruelty to animals, the sages teach, teaches us cruelty to humans, while kindness to animals teaches kindness to humans. For example, the 13th century Catalan sage Nachmanides rejected Maimonides' reading of the passage earlier quoted regarding the killing of mother and young on the same day, and notes that the reason is, instead, to prevent men from becoming callous and cruel in the face of death. Maimonides himself also wrote, in regards to the injunctions in Genesis and Deuteronomy around eating meat taken from a living animal, "The reason for the prohibition against eating a limb cut off a living animal is because this would make one acquire the habit of cruelty".

Rabbi Samson Raphael Hirsch stressed the importance of educating children about the prohibition of *tzaar baalei chayim*:

Above all, those to whom the care of young minds has been entrusted, see to it that they respect both the smallest and the largest animal as beings, which like the human being, have been summoned to the joy of life and have been granted sensitivity. And do not forget that the boy, who, in crude joy, finds delight in the convulsions of an injured beetle or the anxiety of a suffering animal, will soon also be dumb towards human pain. (1962, p. 293)

All educators should find particular resonance with this passage stressing, as it does, the responsibility given to the teacher to teach an ethic of caring to their students. And as all of us as adults are teachers, our actions towards other life forms, in this formulation, convey great messages about how we also are to deal with each other.

Within Judaism, the proper relationship between humans and animals, and indeed between humans and nature, is less focused on the *rights* of nature or of the *rights* of animals *per se*, but instead, but instead is focused on the legal and ethical *duties* of humans towards nature (Schwartz, 1997). All of the examples I have provided, I hope, demonstrate that while there is little consideration of the **rights** of the animals, but instead there is a focus on the **obligations** of people.

And what are the obligations of humans towards other animals? Jewish tradition teaches that our obligations to animals are to both be kind, to exhibit care, and to refrain from cruelty. And yet, these duties are not done because of any inherent right the animal has, not solely for utilitarian reasons of protecting a particular economic resource like an ox or horse, but because, in the end, and I think that St. Francis might agree with me, kindness is good and cruelty is bad wherever it is exhibited, and that we care for animals and are not to be cruel to them not only because of our concern for them, but because we need to be able to care for and not be cruel to our fellow humans. The tradition teaches that as we are to the animals around us, so will we be to ourselves. What goes around, comes around.

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