

A LOOMING THREAT?

A SURVEY OF ANTI-SHECHITA

AGITATION IN CONTEMPORARY

BRITAIN

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ABSTRACT

Following the comprehensive defeat of Jeremy Corbyn’s Labour Party in the 2019 General Election, many British Jews felt relieved that an “existential threat” had been vanquished. Subsequently, however, a different cloud has come on to the horizon: namely, the possibility of a ban on *shechita* – kosher slaughter – in the United Kingdom. This article argues that the legal status of *shechita* in Britain is more vulnerable than previously; and that a ban would have an antisemitic effect, regardless of the intention. The article examines the discourse employed by groups agitating for a ban (primarily animal welfare groups, secularists and the hard right) and the flow of ideas between them. It does not assume that opponents of *shechita* are motivated by antisemitism but argues that antisemitism is nonetheless a characteristic of anti-*shechita* agitation as a whole. The article concludes by assessing the likelihood of a ban being implemented in post-Brexit Britain.

Keywords:

Shechita, kosher meat, non-stun slaughter, animal welfare, secularism, hard right, Brexit, George Eustice, antisemitism

INTRODUCTION

In December 2019, following the defeat of Jeremy Corbyn’s Labour Party in the General Election, many British Jews felt relieved that an “existential threat”¹ had been vanquished. Within weeks, two subsequent events brought a different cloud on to the horizon. Those events were Britain’s formal exit from the European Union, and the appointment of George Eustice MP as the Environment Secretary.² The potential threat that they together herald, is a ban on *shechita* – kosher slaughter – in Britain. This article argues that such a ban would be antisemitic, in effect if not in intention; that there is a relationship between contemporary anti-*shechita* agitation and antisemitism; and that the combination of Brexit, and Eustice’s appointment, makes the legal status of *shechita* in Britain more vulnerable.

Outline

In Part I, I describe *shechita* and why it is controversial.

In Part II, I outline the legal framework governing *shechita*, including how this might change, post-Brexit.

In Part III, I examine two background areas: previous agitation in Britain, and agitation overseas.

In Part IV, I examine contemporary campaigns against *shechita* in the UK. These are pursued by three broad groups: animal welfare organisations; secularist groups; and the hard right. I consider the discourse employed by those groups, and the flow of ideas between them.

¹ Daniel Sugarman, “Yes, a Corbyn government could pose an 'existential threat' to the UK's Jewish community”, *Jewish Chronicle*, August 23, 2018, <https://www.thejc.com/comment/comment/yes-a-corbyn-government-could-pose-an-existential-threat-to-our-community-1.468763>

² UK Prime Minister (@10DowningStreet), “George Eustice MP has been appointed Secretary of State @DefraGovUK” Twitter, February 13, 2020, <https://twitter.com/10DowningStreet/status/1227975342620577793>

In Part V, I use a subjective and objective test to assess whether a ban on *shechita* would be antisemitic.

In Part VI, I explore the relationship between contemporary anti-*shechita* agitation and antisemitism, and touch on the vegan and vegetarian movements.

Finally, in Part VII, I assess the prospects of a ban being implemented in post-Brexit Britain.

Terminology

“*Shechita*” (an Anglicisation of a Hebrew word) is the Jewish, or *kosher*, method of slaughter. No kosher meat is stunned before slaughter.

“*Dhabiha*” (an Anglicisation of an Arabic word) is the Islamic, or *halal*, method of slaughter. Some halal meat is stunned before slaughter; some is not.

I use the umbrella term, “religious non-stun slaughter”, to describe *shechita*, and *dhabiha* where it is performed without pre-stunning.

Save where quoting others, I avoid the term “ritual slaughter”, because it echoes the charge of “ritual murder”, which is central to the blood libel. I expand on this in Part III(i) (“Previous agitation in Britain”).

PART I

WHAT IS *SHECHITA* AND WHY IS IT CONTROVERSIAL?

(i) What is *shechita*?

Shechita is the Jewish religious method of slaughtering animals so that meat is *kosher*, rather than *treif* (forbidden), for observant Jews. The animal is slaughtered by a single, swift

sweep across the neck with a long, very sharp knife. *Dhabiha* is performed in similar fashion, although with fewer knife-design requirements, and with the added element that an Islamic prayer is recited beforehand.

Shechita is described comprehensively in Stuart Rosen's article, *Physiological Insights into Shechita*, which was published in the house journal of the British Veterinary Association in 2004.³ A summary follows.

Firstly, *shechita* is part of a wider religious framework on how to treat animals well. This framework derives partly from the *Tanakh* (the Hebrew Bible, or Old Testament) and partly from the Oral Law (i.e. the Talmud). The rules regarding *shechita* have been developed with the precise goal of slaughtering an animal as rapidly and painlessly as possible.

The *shochet* (slaughterman) trains intensively for many years. In addition to licensing requirements which apply to all slaughtermen under UK legislation, he must be licensed by a Rabbinical Commission, which examines him yearly. He must apply, annually, for the renewal of that licence.

Shechita is performed with a very long, exceptionally sharp knife, called a *chalaf*. This must be kept free of nicks, sharpened with a whetstone, and checked for imperfections regularly. The incision, which should be uninterrupted, must be made at the point where it will sever the structures of the neck as cleanly and rapidly as possible. No tissues must be torn.

The incision causes immediate, rapid blood loss. This deprives the animal's brain of oxygen, causing irreversible unconsciousness within seconds.⁴ Rosen quotes studies which

³ Stuart Rosen, "Physiological insights into shechita." *Veterinary Record* 154, no. 24 (2004): 759-765.

⁴ The National Farmers Union cites examples of lambs slaughtered by *dhabiha* (in this author's home town) falling unconscious within six seconds. National Farmers Union, West Midlands Regional Livestock Board, Minutes of meeting of May 13, 2015, Minute 4. Available at <https://www.nfuonline.com/assets/49370>

record that before, at, and immediately after incision, the animals did not flinch or react in a way suggestive of any feeling of pain: “It can be deduced, therefore, that the incision itself is not painful”.⁵ Rosen likens this to surgeons who cut themselves during an operation but do not notice it until much later. Whilst cattle may take longer to fall unconscious (17 to 33 seconds in a good system⁶), they have also been observed not to struggle or appear distressed during this period.⁷ Once the animal is unconscious – and only then - it is hung up to die by exsanguination.

(ii) Stunning

Animals slaughtered by “conventional” methods are stunned beforehand. They may be stunned mechanically, by a captive bolt pistol which lands a heavy blow to the head. Some are stunned electrically. Some are made comatose with gas. Despite claims to the contrary, there is no clear evidence that any of these methods eliminate pain. The use of gas, for example, is controversial.⁸ Nor is it even clear that they are preferable to *shechita*.⁹ By contrast, *shechita* includes an integral stun: the severance of the blood vessels deprives the brain of oxygen, causing rapid unconsciousness. Rosen concludes that “Shechita is a painless and effective method by which to stun and dispatch an animal in one rapid act”.¹⁰

⁵ Rosen, “Physiological”, 762. See also Temple Grandin, ‘Euthanasia and slaughter of livestock’, accessed April 13, 2020, <https://www.grandin.com/ritual/euthanasia.slaughter.livestock.html>

⁶ JM Regenstein, “The Politics of Religious Slaughter—How Science Can be Misused.” *65th Annual Reciprocal Meat Conference* at North Dakota State University in Fargo, ND 2012, 3 (available at <http://repository.salaamgateway.com/images/iep/galleries/documents/201509141205512660.pdf>)

⁷ Temple Grandin, “Euthanasia and slaughter of livestock”, *Journal of the American Veterinary Medical Association*, 204 (1994): 1354-1360, available at <http://www.grandin.com/ritual/euthanasia.slaughter.livestock.html>

⁸ Lucy Hooker, “Is it cruel to stun animals with carbon dioxide?”, *BBC News*, July 5, 2018, <https://www.bbc.co.uk/news/business-44709905>

⁹ Josh Loeb, “Is shechita really any worse than waterbath?”, *Veterinary Record* 184 (2019): 604, <https://veterinaryrecord.bmj.com/content/184/20/604.1>

¹⁰ Rosen, “Physiological”, 764

Prior stunning is incompatible with *shechita*, because Judaism requires that the animal be healthy, and therefore unharmed, at the time of slaughter. All stunning methods injure the animal before the final act of killing, rendering the meat *treif*. (Some strands of Islam also prohibit pre-stunning in relation to *dhabiha*.) This includes even so-called “reversible” methods: studies have found that electrical stunning, for example, causes injuries, including some that are not immediately visible.¹¹ It is likely that even possible future methods which caused no (immediate) visible damage would be forbidden. In the current absence of any such methods, the point is in any case moot. Equally moot, at present, is the status within Judaism of lab-grown meat developed from animal stem cells: both whether such meat could be consumed by Jews, and whether the animals involved would require *shechita*.¹²

Some opponents of *shechita* argue that these rules were formulated before modern stunning techniques had been developed, and that they should be updated accordingly. Leaving aside considerations about how normative Judaism develops through internal rabbinic decisions and rulings, this argument is undermined by two passages in the Talmud. First, there is an account, set during the period of Second Temple Judaism, of a primitive form of captive-bolt stunning. This was swiftly stopped by the rabbis. Second, there is a discussion of convicted criminals being drugged, in order to mitigate pain, prior to execution. It follows that such drugs must have been known in ancient times. Yet there is no requirement, or even consideration, either in the Talmud or in later sources, that such drugs be administered to animals prior to *shechita*. Based on such discussions, the influential twentieth-century rabbi, Yitzchak Yaakov Weiss, strongly forbade stunning.¹³

¹¹ Ari Zivotofsky, "Government regulations of shechita (Jewish religious slaughter) in the twenty-first century: are they ethical?" *Journal of Agricultural and Environmental Ethics* 25, no. 5 (2012): 747-763 at 752

¹² Yehuda Shurpin, "Is the Lab-Created Burger Kosher?", Chabad Lubavitch Leeds, accessed June 7, 2020, https://www.judaismlive.com/library/article_cdo/aid/2293219/jewish/Is-the-Lab-Created-Burger-Kosher.htm/fbclid/IwAR2vWvq6ziEej0SCasSpf7Tq4w00DTRoCvKtb16VFL_FR-X5cH8_1-zLRUA#footnoteRef3a2293219

¹³ Zivotoksky, "Government regulations", 752

The prohibition on stunning has endured even in extreme circumstances. In the early days of the Third Reich, the Nazis banned slaughter without pre-stunning, effectively outlawing *shechita*.¹⁴ This prompted some German rabbis, notably Rabbi Jehiel Jacob Weinberg of Berlin, to scrutinise Jewish religious sources for permission for stunning. They consulted with Eastern European rabbis and even conducted scientific experiments to evaluate common stunning methods. Some rabbis reluctantly indicated they might consider allowing pre-stunning in the extreme situation that German Jews faced. None accepted stunning under normal conditions. However, a rabbinic consensus was swiftly reached, which rejected stunning even under Nazism; the community as a whole expressed a willingness to dispense with meat. Today, no known mainstream rabbinic authorities allow stunning before *shechita* in any circumstances.¹⁵¹⁶

(iii) Porging

Even if *shechita* is performed correctly, parts of the animal cannot be consumed under Jewish law: the sciatic nerve, blood, and certain fats which are located primarily in the hindquarters. Unless those parts are removed by a practice called “porging”, the hindquarters are considered *treif*. Worldwide, there are fewer and fewer trained “porgers”. Consequently, with the exception of a small amount of kosher meat slaughtered in Israel, the hindquarters

¹⁴ This is considered further in Part III(ii).

¹⁵ Zivotofsky, "Government regulations", 751

¹⁶ A small number of rabbis advocate *post*-cut stunning. However, this position is not normative within Judaism and, if implemented, would not satisfy those opponents of *shechita* who call for mandatory *pre*-cut stunning. See: Rabbi Dr S Yanklowitz, "Mandate to Stun Animals After Kosher Slaughter", *Huffpost*, updated December 6, 2017, https://www.huffpost.com/entry/mandate-to-stun-animals-after-kosher-slaughter-b_7193078?ncid=engmodushpimg00000006.

are sold on to the general market.¹⁷ Such meat is often unlabelled, causing controversy.¹⁸¹⁹

However, it is the fact that kosher meat is un-stunned, that has most exercised both legislators and campaigners. We consider the legislators next.

PART II

SHECHITA – THE LEGAL FRAMEWORK

(i) Past: before EU membership

Jews have lived in Britain, intermittently, since Norman times. It follows that *shechita* has been performed in Britain, on and off, for centuries. For much of that time, it would have differed little from other slaughter methods. However, as stunning techniques developed in the later nineteenth century, Parliament began to legislate accordingly. Byelaws made under the Public Health Act 1875 required that all animals be “effectually stunned”. The 1904 Admiralty Committee Enquiry recommended that all animals should be stunned before slaughter.²⁰ However, following pressure from the Board of Deputies of British Jews, 1915 byelaws exempted *shechita* from this requirement,²¹ as did the Slaughter of Animals (Scotland) Act 1928. The first UK-wide legislation governing *shechita* was the Slaughter of Animals Act 1933. This required all animals to be stunned before slaughter, but granted an exemption where an animal was “slaughtered without the infliction of unnecessary

¹⁷ Ari Zivotofsky, “Government regulations of shechita (Jewish religious slaughter) in the twenty-first century: are they ethical?” *Journal of Agricultural and Environmental Ethics* 25, no. 5 (2012): 747-763, at 750.

¹⁸ See, for example, Abul Taher & Amanda Perthen, “Meat from cattle slaughtered in 'cruel' kosher method is in your high street burger”, *Mail on Sunday*, updated May 8, 2014, <https://www.dailymail.co.uk/news/article-2581918/Meat-cattle-slaughtered-cruel-kosher-ceremony-high-street-burger.html>

¹⁹ For reasons of space, labelling has not been considered in this article, but it is the author’s intention to do so in the future.

²⁰ Emma Downing, “*Religious Slaughter of Animals*” (House of Commons Library: 2015) 6-7. Available at <https://commonslibrary.parliament.uk/research-briefings/sn07108/>

²¹ Tony Kushner, “Stunning Intolerance – A Century of Opposition to Religious Slaughter”, *Jewish Quarterly* 35, no. 4 (133, Spring 1989): 16-17

suffering... by the Jewish method for the food of Jews and by a Jew duly licensed for the purpose by [a] Rabbinical Commission.”²² An equivalent exemption (albeit without an equivalent licensing body) was granted to *dhabiha*.

(ii) Present: the current framework

After joining what is now the European Union (“EU”) in 1972, Britain became subject to European-wide legislation. All animals slaughtered in slaughterhouses must be pre-stunned, but member states may derogate from this and grant an exemption for the purpose of *shechita* and *dhabiha*.²³ Member states are not obliged to derogate from the general requirement by granting an exemption. Consequently, some, such as Denmark, have banned domestic religious non-stun slaughter. (The politics behind such bans are considered in Part III(ii)). However, EU rules about free movement of goods mean that such member states cannot prevent imports from elsewhere in the Single Market. Hence, for example, Danish Jews can still import kosher meat from, say, France. This framework will apply to Britain, at least until the end of the Brexit transition period (currently set for December 31, 2020).

The relevant English legislation is now the Welfare of Animals at the Time of Killing (England) Regulations 2015 (WATOK 2015).²⁴ These reflect the EU framework: all animals killed in slaughterhouses must be pre-stunned, with an exemption for animals killed by *shechita* or *dhabiha*.²⁵ Yet they also retain the wording of the Slaughter of Animals Act 1933: *shechita* may only be performed “without the infliction of unnecessary suffering”.²⁶ No such

²² Slaughter of Animals Act 1933, section 1(1)(b) & Schedule 1.

²³ European Convention for the Protection of Animals for Slaughter, 1979, articles 16 and 17; Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing, art. 5. This position is now set out in Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing, art. 4.

²⁴ Available at <http://www.legislation.gov.uk/ukxi/2015/1782/contents/made> (accessed April 13, 2020). There are equivalent regulations for Scotland, Wales and Northern Ireland.

²⁵ *Ibid.*, Regulation 27 & Schedule 3.

²⁶ *Ibid.*, Schedule 3, paragraph 1(c)

qualification is applied to “conventional” slaughter methods. David Fraser argues that *shechita* is thereby “legislatively marginalized”: “It is permitted and tolerated, but can never be juridically normalized. It remains ineffably Jewish... Tolerance in this guise is an operation in otherness and in othering”.²⁷ For Parliament, *shechita* is alien, and therefore inherently suspicious *ab initio*. This is despite the fact that Judaism (and, by implication, *shechita*) has a significantly longer presence in England than the Anglican Church!²⁸

Nonetheless, *shechita* can, at present, be lawfully performed in Britain. British Jews can also import kosher meat, whether from the EU or elsewhere.

(iii) Future? – post-Brexit

Post-Brexit, Parliament could both repeal the current exemption and, free from EU rules regarding the free movement of goods, either ban or (probably more likely) impose tariffs on imports of kosher meat.²⁹ As an example, tariffs on imported beef could start from 6.8%.³⁰ This would be on top of other factors which already make kosher meat considerably pricier than non-*kosher* alternatives.³¹

A domestic ban, particularly if accompanied by import tariffs, would therefore have drastic effects. Aside from making the performance of *shechita* a criminal offence, it would force observant British Jews to do one of four things: pay more for their meat; act against their conscience, either by eating non-kosher meat or stunning before slaughter; reduce their meat consumption, possibly to the point of becoming vegetarian; or, should they wish to do

²⁷ David Fraser, *Anti-Shechita Prosecutions in the Anglo-American World, 1855-1913* (Brighton, MA: Academic Studies Press, 2018), 205-209

²⁸ Didi Herman, *An Unfortunate Coincidence: Jews, Jewishness and English Law* (New York: OUP, 2011), 9

²⁹ A complete ban on both domestic production and imports would probably be viewed as an attack on religious liberty of unjustifiable magnitude.

³⁰ “EU and UK import tariff rates for selected beef products”, Agriculture and Horticulture Development Board, accessed June 12, 2020, <https://ahdb.org.uk/eu-and-uk-import-tariff-rates-for-selected-beef-products>

³¹ “Ask the Expert: Expensive Kosher Meat”, My Jewish Learning, accessed April 15, 2020, <https://www.myjewishlearning.com/article/ask-the-expert-expensive-kosher-meat/>

none of those things – emigrate! This immediately raises the possibility that, regardless of any *intention* behind a ban, it could nonetheless have an antisemitic *effect*: it could materially damage Jewish life in Britain. We return to this in Part V. Before then, however, we must consider another, disturbing possibility: that campaigns to ban *shechita* might attract not only people concerned for animal welfare, but also people wanting to hurt Jews; and that such campaigns might, whether intentionally or otherwise, attract and give voice to antisemitism. Such campaigns are considered in Parts III and IV.

PART III

BACKGROUND TO CONTEMPORARY CAMPAIGNS

Before considering contemporary British campaigns against *shechita*, we must briefly survey two preliminary areas: previous agitation in Britain; and similar agitation overseas.

(i) Previous agitation in Britain

Intermittent campaigns against *shechita* have been pursued in British courts, in the country, and through Parliament, since the 1850s. These are described in detail by Anthony Julius,³² Roger Charlton and Ronald Kaye,³³ Tony Kushner,³⁴ Brian Klug,³⁵ and David Fraser.³⁷ Five features stand out.

³² Anthony Julius, *Trials of the Diaspora: A History of Anti-Semitism in England* (New York: OUP, 2010), 341-344

³³ Roger Charlton & Ronald Kay, "The politics of religious slaughter: An ethno-religious case study", *Journal of Ethnic and Migration Studies*, 12, no. 3 (1985), 490-503, DOI: [10.1080/1369183X.1985.9975928](https://doi.org/10.1080/1369183X.1985.9975928)

³⁴ Tony Kushner, "Stunning Intolerance: A century of opposition to religious slaughter," *Jewish Quarterly* 36, no. 1 (1989): 16-20.

³⁵ Brian Klug, "Ritual Murmur: The undercurrent of protest against religious slaughter of animals in Britain in the 1980s." *Patterns of Prejudice* 23, no. 2 (1989): 16-28.

³⁶ Brian Klug, "The animal welfare lobby is wrong", *The Guardian*, June 11, 2003, <https://www.theguardian.com/politics/2003/jun/11/highereducation.research>

³⁷ David Fraser, *Anti-Shechita Prosecutions in the Anglo-American World, 1855-1913* (Brighton, MA: Academic Studies Press, 2018)

First, they have combined antisemitic and animal welfare positions in varying proportions.³⁸ This is true of both language and personnel. For example, a 1944 book called *Jewish 'Kosher': Should it be permitted to survive in a new Britain?* said, “the strangle-hold of the Jewish Rabbis [must be] relaxed” and, “The Jewish business is not slaughter – it’s murder!”³⁹ It claimed that most Jews would oppose *shechita*, but for “a crafty and obdurate rabbinical ring and mass hypnotism... there is money in kosher – oodles of it!” The author, Mary Dudley Ward, had links with both the Animal Defence Society and the RSPCA.⁴⁰ In 1968, the Race Relations Board warned the RSPCA itself regarding a pamphlet titled “Ritual Slaughter”, which alluded to “people whose practices contravene the moral requirements of a host community”.⁴¹

Second, the focus has changed, following the huge growth of Britain’s Muslim population since the 1950s. Before this, campaigns against *shechita* would incidentally also target *dhabiha*. This is now reversed. This was seen in the so-called “halal hysteria” episode, which climaxed in May 2014. In a period of heightened media reporting, supermarkets and restaurant chains were accused of selling or serving halal meat, without informing consumers.⁴² Save for controversies over halal, *shechita* might now receive little attention. This makes it difficult to consider the one without the other, although, for simplicity, this article addresses *shechita* alone where possible.

Third, these campaigns have never gained mass support. A 2015 petition for Parliament to ban religious non-stun slaughter attracted 118,956 signatures.⁴³ A contemporaneous petition

³⁸ Julius, *Trials*, 341

³⁹ Quoted in Julius, *Trials*, 342-343

⁴⁰ Quoted in Kushner, “Stunning Intolerance”, 18

⁴¹ Kushner, “Stunning Intolerance”, 19

⁴² John Lever, “Halal meat and religious slaughter: From spatial concealment to social controversy—Breaching the boundaries of the permissible?” *EPC: Politics and Space* 37, no. 5 (2019): 889-907 at 901.

<https://doi.org/10.1177/2399654418813267>

⁴³ “End non-stun slaughter to promote animal welfare”, UK Government and Parliament, Petitions, accessed May 12, 2020, <https://petition.parliament.uk/archived/petitions/64331>

opposing a ban attracted 135,408 signatures.⁴⁴ In Parliament itself, six private members' bills calling for restrictions on the practice of *shechita* were tabled between 1955 and 1984. Two were denied the usual first reading. None received a second reading.⁴⁵

Fourth, however, the issue could, in certain circumstances, ignite a fire. In 1947, when British Jews were already under pressure connected with events in Palestine, animal welfare groups started a broad campaign against *shechita*, targeting local councils and abattoir workers in particular. In August 1947, abattoir workers in Liverpool refused to handle kosher meat, triggering antisemitic riots. For Kushner, "There is little doubt that the animal welfare campaigns immediately after the war both intensified and legitimized hostility to Jews in what was an immensely difficult time for Anglo-Jewry."⁴⁶

Fifth, the history of anti-*shechita* agitation shows how "slippage into antisemitic stereotypes and discourses [has] manifested itself in unequivocal ways".⁴⁷ Anti-*shechita* agitation has often echoed older antisemitic tropes, notably the medieval blood libel, save that the Jews' victim is no longer an innocent Christian child, but now a defenceless animal. In 1962, a Lincolnshire vicar's protest about *shechita* included the question, "Can you wonder that the Little St Hugh legend arose in this diocese?"⁴⁸

This echo is heard even in the widely-used term, "ritual slaughter". This echoes the term "ritual murder",⁴⁹ which itself echoes the older Christ-killing and infant-killing libels, and, even further back, images of Israelite priests sacrificing animals in the Jerusalem Temple. In

⁴⁴ "Protect religious slaughter in the UK and EU", UK Government and Parliament, Petitions, accessed May 12, 2020, <https://petition.parliament.uk/archived/petitions/74830>

⁴⁵ Neville Kesselman, "Challenges to Shechita and its protection by government and legislation in late twentieth century Britain" (unpublished MA thesis, University of London, September 2001), 39

⁴⁶ Kushner, "Stunning Intolerance", 18

⁴⁷ Fraser, *Anti-Shechita Prosecutions*, 214

⁴⁸ Quoted in Julius, *Trials*, 343

⁴⁹ Anthony Julius, *Trials of the Diaspora: A History of Anti-Semitism in England* (New York: OUP, 2010), 341-342

2014, in a phrase loaded with such resonances, the *Daily Mail* characterised *shechita* as consisting of “‘cruel’ ritual ceremonies”.⁵⁰

Moreover, when the term “ritual slaughter” is juxtaposed with the term “humane slaughter”, a pointed contrast is drawn between: kind and cruel; civilised and primitive; advanced and backwards; new and old; “British” (or “English”, or “Western”, or, in a twist on theological supersessionism, “Christian”) and “foreign” (or “Jewish”); “Us” and “Them”. The word “ritual” also connotes something that is “pointless” or “heartless”.⁵¹ Whether consciously intended or not, the term “ritual slaughter” carries numerous negative implications about *shechita* – and, by extension, about the Jews who practise it.

These features are also manifest in agitation elsewhere.

(ii) Agitation overseas

Numerous countries have banned or otherwise restricted religious non-stun slaughter.⁵² Space prohibits a comprehensive survey. The following examples, however - with the obvious but unsurprising exception of Nazi Germany - are often referred to in contemporary British discourse.

a. Switzerland

In 1893, following a referendum, Switzerland became the first country in the world to ban *shechita*. During the referendum campaign, *shechita* was linked to the supposed killing by Jews of Christian children. An antisemitic cartoon depicted a Jewish David cutting the throat of a Swiss Goliath. Observers described the campaign as “antisemitism under the guise of

⁵⁰ Taher & Perthen, “Meat”

⁵¹ Klug, “Ritual Murmur”, 19, 21, 22

⁵² “Legal Restrictions on Religious Slaughter in Europe”, *Library of Congress*, accessed April 15, 2020, <https://www.loc.gov/law/help/religious-slaughter/europe.php>

humanitarianism". According to Michael Metcalf, "Many hoped that a ban... would help keep [migrating] Eastern European Jews out of the country and that it would push Swiss Jews out as well".⁵³ Although ostensibly an animal welfare measure, the Swiss ban was also clearly motivated by "ill-will towards Jews" and was intended, at least in part, as a means of "population control".⁵⁴

b. Norway

Norway outlawed *shechita* in 1929. The *Nationen* newspaper suggested that if Jews were "not content to eat the meat of Norwegian domestic animals slaughtered in good Norwegian fashion, they should leave Norway". One parliamentarian said, unchallenged, that, "We are under no obligation to expose our domestic animals to the cruelty of the Jews; we did not invite the Jews into this country, and we are under no obligation to supply the Jews with animals for their religious orgies". *Shechita* was not exempted from the requirement for pre-stunning. Yet the slaughter of domesticated reindeer was exempted, despite claims that it was worse, and even though it accounted for 15,000 animals annually - vastly more than the 300 cattle slaughtered by Norwegian Jews.⁵⁵

c. Nazi Germany

On April 21, 1933, shortly after taking power, the Nazis decreed that all animals should be stunned before slaughter, effectively outlawing *shechita* throughout Germany.⁵⁶ The 1940 propaganda film, "The Eternal Jew", directly linked this law with other anti-Jewish measures.

⁵³ Michael F Metcalf, "Regulating slaughter: Animal protection and antisemitism in Scandinavia, 1880–1941." *Patterns of Prejudice* 23, no. 3 (1989): 32-48 at 33-35.

⁵⁴ "Why is there opposition to shechita?", FAQ, Shechita UK, accessed 20 May, 2020. <https://www.shechitauk.org/faq/>

⁵⁵ Metcalf, "Regulating Slaughter", 37-39.

⁵⁶ *Gesetz über das Schlachten von Tieren* (Animal Slaughter Act) 1933, section 1, available at <https://bit.ly/3bKXc2O> (accessed May 20, 2020)

The film then segues to an infamous 1939 speech in which Hitler threatened "the destruction of the Jewish race in Europe".⁵⁷ The Nazi measure is the most notorious example of a ban on *shechita* being driven by ill-will towards Jews. It was reversed after World War Two.⁵⁸

d. Sweden

Sweden banned *shechita* in 1937. The parliamentarians who proposed the measure compared Judaism unfavourably to the Christian religion of the "white race", and stated that "if *shechita* is to take place at all, then let the Jews go home to Palestine and practise it there".⁵⁹ As in Norway, *shechita* was not exempted from the requirement for pre-stunning - but the slaughter of reindeer was.⁶⁰

e. Denmark

In February 2014, Denmark made pre-stunning mandatory, reversing previous exemptions granted to *shechita* and *dhabiha*. However, the Danish government admitted that this had no *de facto* effect. No religious non-stun slaughter had taken place in Denmark for the previous decade anyway. All such meat had been imported; this would still be allowed. Therefore, the ban "did not affect one animal".⁶¹ Robert Delahunty argues convincingly that the ban's true purpose was to strike a blow against the perceived cultural threat of Islam. This argument has particular force when one considers the numerous animal welfare concerns associated with

⁵⁷ "1940 Nazi Anti Semetic (*sic*) Propaganda - The Eternal Jew Ending", oipoom, YouTube, November 11, 2009. https://youtu.be/yNk_osZWScw

⁵⁸ David B Green, "On This Day in Jewish History: 1933: Nazi Germany Outlaws Kosher Slaughter", *Haaretz*, April 20, 2016, <https://www.haaretz.com/jewish/.premium-1933-nazis-outlaw-kosher-slaughter-1.5437764>

⁵⁹ Metcalf, "Regulating Slaughter", 43.

⁶⁰ R.J. Delahunty, "Does Animal Welfare Trump Religious Liberty - The Danish Ban on Kosher and Halal Butchering," *San Diego International Law Journal* 16, no. 2 (2015): 341-380 at 367

⁶¹ Shimon Cohen, "Don't underestimate how much damage the Shechita ban in Belgium does", *Jewish Chronicle*, January 15, 2019, <https://www.thejc.com/comment/comment/don-t-underestimate-how-much-damage-the-shechita-ban-in-belgium-does-1.478536>

Denmark's lucrative pork⁶² and mink industries,⁶³ which the country has not (yet) chosen to proscribe.

f. Belgium

In 2019, religious non-stun slaughter was banned in the Belgian provinces of Flanders and Wallonia. However, non-stunned meat could still be imported, both from the province of Brussels and from elsewhere in the Single Market.⁶⁴ Non-stunned meat would still be consumed; the only difference would be the location of the slaughter. As with Denmark, this raises questions regarding the motivation behind the ban.

Significantly, the Flemish ban had been initiated by Ben Weyts, a member of a right-wing Flemish nationalist party. In 2014, Weyts attended the birthday party of Bob Maes, a far-right politician who had sympathised with the Nazi occupation of Belgium in World War II.⁶⁵ Once again, it is hard not to suspect a motivation for the ban other than animal welfare.

At the time of writing, a challenge to the Belgian bans is before the European Court of Justice.⁶⁶

g. New Zealand

⁶² Kjeld Hansen, "Danish bacon: what happens when you push pigs to the limit?" *The Guardian*, November 30, 2019, https://www.theguardian.com/environment/2019/nov/30/danish-bacon-what-happens-when-you-push-pigs-to-the-absolute-limit?fbclid=IwAR0IfAQL8LqKwUUPq4Ppk8A_1jtwpGETltnb1RbiUSzRzWBbjceWbV4PMHs

⁶³ R.J. Delahunty, "Does Animal Welfare ", 372-378, 379

⁶⁴ Jeremy Rovinsky, "Don't Have a Cow, Flanders: Guidance for the European Court of Justice as it Considers the Flemish Parliament's Ban on Ritual Slaughter." *University of Detroit Mercy Law Review* 90, no. 180 (2019): 180-199 at 186

⁶⁵ Milan Schreuer, "Belgium Bans Religious Slaughtering Practices, Drawing Praise and Protest", *The New York Times*, January 5, 2019, <https://www.nytimes.com/2019/01/05/world/europe/belgium-ban-jewish-muslim-animal-slaughter.html>

⁶⁶ Yossi Lempkowitz, "European Court of Justice to hear next month appeal against ban of ritual slaughter by Belgium's Flemish and Walloon regions", *European Jewish Press*, March 5, 2020. <https://ejpress.org/european-court-of-justice-to-hear-next-month-appeal-against-ban-of-ritual-slaughter-by-belgiums-flemish-and-walloon-regions/>

New Zealand has a small Jewish community and a larger Muslim community.⁶⁷ It is a major producer of lamb, much of which is slaughtered by *dhabiha* for export to South East Asia and the Middle East.⁶⁸

Historically, New Zealand required all animals slaughtered for commercial purposes to be stunned first. This did not affect the halal industry, because all *dhabiha* performed in the country followed pre-stunning. However, an exemption enabled Jews to perform *shechita*.⁶⁹

In 2010, following experiments by veterinary scientists,⁷⁰ the Minister of Agriculture, David Carter, decided to repeal that exemption.⁷¹ The effects would have been severe. As New Zealand already prohibited the import of poultry, observant Jews would have been unable to eat chicken. It would have been possible to import red meat from Australia – but only at exorbitant prices.⁷² The Jewish community appealed to the High Court, claiming the ban violated their rights to religious freedom.

It emerged that Carter had been advised that to exempt *shechita* would jeopardise exports to halal markets. He also had a potential conflict of interest: he held shares in a company involved in that very trade. Before the legal case was heard in full, Carter backed down, allowing the continued practice of *shechita* in New Zealand.⁷³

⁶⁷ “Demography”, “New Zealand”, World Jewish Congress, accessed 19 May, 2020.

<https://www.worldjewishcongress.org/en/about/communities/NZ>

⁶⁸ “Halal”, Meat Industry Association, May 20, 2020, <https://mia.co.nz/what-we-do/trade/halal/>

⁶⁹ *Auckland Hebrew Congregational Trust Board v Minister of Agriculture*, HC Wellington CIV 2010-485-1423 [2010] NZHC 2185 (November 25, 2010) [3]. Available at [http://www.nzlii.org/cgi-bin/disp.pl/nz/cases/NZHC/2010/2185.pdf?stem=0&synonyms=0&query=title\(auckland%20hebrew%20near%20minister%20of%20agriculture\)](http://www.nzlii.org/cgi-bin/disp.pl/nz/cases/NZHC/2010/2185.pdf?stem=0&synonyms=0&query=title(auckland%20hebrew%20near%20minister%20of%20agriculture))

⁷⁰ Those experiments and, in particular, their flaws, are described in more detail in Part IV(i).

⁷¹ Hal Levine, “New Zealand’s Ban on Kosher Slaughtering”, *Ethnology* 50, no. 3 (Fall 2011): 59–78 at 63-64.

⁷² *Auckland Hebrew*, [5]

⁷³ David Fisher, “MP Carter makes quick u-turn”, *Herald on Sunday*, November 28, 2010.

https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10690598

This (attempted) ban differed from the European bans considered above. It was not obviously motivated by ill-will towards Jews. Like those European bans, however, it was seemingly driven by factors not solely connected to animal welfare.

The background to these bans should be remembered, as we consider contemporary anti-*shechita* agitation in Britain.

PART IV

CONTEMPORARY CAMPAIGNS IN BRITAIN

In recent years, various voices have expressed opposition to religious non-stun slaughter in Britain. They include: Richard Dawkins;⁷⁴ the journalist Harriet Sergeant;⁷⁵ Labour Leave campaigner Brendan Chilton;⁷⁶ Green Party co-leader Jonathan Bartley;⁷⁷ VoteLeave coordinator Jay Beecher;⁷⁹ the Prime Minister's father, Stanley Johnson;⁸⁰ the Conservative

⁷⁴ Richard Dawkins (@RichardDawkins), "Please sign petition <http://bit.ly/1rwNrY2> to end barbaric ritual slaughter without pre-stunning #stunB4slaughter." Twitter, April 30, 2014. <https://twitter.com/RichardDawkins/status/461608002022539264>

⁷⁵ Harriet Sergeant (@HarrietSergeant), "I turn on @BBCr4today to squeaks of outrage on fox hunting. Has anyone heard the same outrage from the BBC on ritual slaughter? No, I thought not. It's not the cruelty that counts. It's who's doing it." Twitter, July 4, 2019, <https://twitter.com/HarrietSergeant/status/1146695647912976384>

⁷⁶ Brendan Chilton (@BrendanChilton), "Hunting is viewed by many on the Left as cruel and is condemned. So why not oppose Halal in Islam and Shechita in Judaism-both cause animals unnecessary suffering and pain and are opposed by...." Twitter, December 28, 2018, <https://twitter.com/BrendanChilton/status/1078718982155366401>

⁷⁷ BBC North West (@BBCNWT), "Green Party co-leader Jonathan Bartley tells our political editor Nina Warhurst that he supports a ban on halal meat." Twitter, November 29, 2019, <https://twitter.com/bbcnwt/status/1200441913746378754?lang=en>

⁷⁸ Jonathan Bartley, "Letter to the Muslim Council of Britain", Green Party, November 30, 2019, <https://www.greenparty.org.uk/letter-to-the-muslim-council-of-britain.html>

⁷⁹ Jay Beecher (@Jay_Beecher), "Good to see Halal trending. Halal slaughter is evil & backward. People crying about Halal bread however should perhaps get a grip.& we should also be talking about Kosher methods of slaughter". Twitter, January 2, 2020, https://twitter.com/Jay_Beecher/status/1212715189411422208

⁸⁰ Tom Powell, "Boris Johnson's father calls for 'cruel' halal meat to be either banned or labelled", *Evening Standard*, August 10, 2016, <https://www.standard.co.uk/news/uk/boris-johnsons-father-calls-for-cruel-halal-meat-to-be-either-banned-or-labelled-a3316376.html>

Animal Welfare Foundation;⁸¹ the comedian Ricky Gervais;⁸² and former T’Pau singer Carol Decker!⁸³ These voices include individuals and groupings within the mainstream parties (albeit in contradiction to those parties’ official positions)⁸⁴; people on (what has become) both sides of the Brexit divide; and people outside politics altogether. For our purposes, we shall mostly consider organised campaigns rather than individuals. These fall into three broad categories: animal welfare groups; secularist groups; and the political hard right.⁸⁵ We will consider them in that order, because the animal welfare groups purport to have a *scientific* (and therefore respectable) basis for opposition to *shechita*, which is then cited by secularists and the hard right.

(i) Animal welfare groups

a. Claims

Various animal welfare groups support a ban on religious non-stun slaughter. Such groups include the Farm Animal Welfare Council (FAWC),⁸⁶ the EU’s DIALREL Project,⁸⁷ and

⁸¹ Conservative Animal Welfare Foundation (@ConservativeAWF), “We support the British Veterinary Association position on ending non stun slaughter. Our Co-Founder asked a question on how other countries have banned it at an animal welfare meeting...” Twitter, April 23, 2019, <https://twitter.com/ConservativeAWF/status/1120785979177099265>

⁸² Ricky Gervais (@rickygervais), “Denmark banned halal and kosher slaughter as minister quite rightly said “animal rights come before religion””. Twitter, August 6, 2017, <https://twitter.com/rickygervais/status/894288646655889408>

⁸³ Carol Decker (@caroldecker), “@mrjamesob RE Halal & Kosher .Not huge fan of medieval practices or cruelty .Shall we keep FGM & stoning because it's always been done?” Twitter, March 6, 2014, <https://twitter.com/caroldecker/status/441527745768873984>

⁸⁴ Going into the 2019 General Election, the only parties whose manifestos pledged to ban religious non-stun slaughter were on the hard right, plus the Animal Welfare Party. We return to this in Part IV(iii).

⁸⁵ A fourth group, consisting of pro-vegetarian and pro-vegan organisations, is considered in Part VI(iii).

⁸⁶ Farm Animal Welfare Council, *Report on the Welfare of Farmed Animals at Slaughter or Killing, Part 1: Red Meat Animals* (2003), accessed September 6, 2020,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/325241/FAWC_report_on_the_welfare_of_farmed_animals_at_slaughter_or_killing_part_one_red_meat_animals.pdf

⁸⁷ DIALREL, “Encouraging Dialogue on Issues of Religious Slaughter”, accessed September 6, 2020, <https://web.archive.org/web/20120620111659/http://www.dialrel.eu:80/>

⁸⁸ DIAREL Project, K. vol Holleben *et al.*, *Report on good and adverse practices – Animal welfare concerns in relation to slaughter practices from the viewpoint of veterinary sciences* (2010). Available at: https://www.vetjournal.it/archivio_pdf/2010/4069.pdf (accessed September 6, 2020)

the European Food Safety Authority (EFSA).⁸⁹ Space precludes considering their every claim, and the counter-claims made by the likes of Neville Kesselman,⁹⁰ Chanoch Kesselman,⁹¹ Stuart Rosen⁹² and Joe Regenstein.⁹⁴ In a British context, however, three key groups are the British Veterinary Association (“BVA”), the Royal Society for the Prevention of Cruelty to Animals (“RSPCA”) and the Humane Slaughter Association (“HSA”). In January 2014, ahead of a debate in the House of Lords,⁹⁵ these groups released a combined statement, which is still available on the RSPCA’s website. I refer to it as “the Joint Statement”. It is reproduced below as Image 1. It says that “all animals should be effectively stunned before slaughter” and that “Scientific evidence demonstrates that slaughter without pre-stunning comprises animal welfare”.

⁸⁹ European Food Safety Authority, *Opinion of the Scientific Panel on Animal Health and Welfare on a request from the Commission related to welfare aspects of the main systems of stunning and killing the main commercial species of animals* (2004), available at:

<https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2004.45> (accessed September 6, 2020)

⁹⁰ Neville Kesselman, “Challenges to Shechita and its protection by government and legislation in late twentieth century Britain” (unpublished MA thesis, University of London, 2001), available at <https://www.whatdotheyknow.com/request/31616/response/85872/attach/6/Part%2009%20Dissertation..pdf>

⁹¹ Chanoch Kesselman, “Shechita Conformity & Confrontation”, March 20, 2005, <https://www.shechitauk.org/shechita-conformity-confrontation/>

⁹² Rosen, “Physiological.” *Passim*.

⁹³ Stuart Rosen, “Shechita – Scientific Update 2015”, Shechita UK, accessed May 10, 2020, <https://www.shechitauk.org/wp-content/uploads/2016/02/Shechita - Scientific Update 2015 01.pdf>

⁹⁴ JM Regenstein, “DialRel – a critical review of their published recommendations”, Shechita UK, October 10, 2010, <https://www.shechitauk.org/dialrel-a-critical-review-of-their-published-recommendations/>;

⁹⁵ “RSPCA calls for all farm animals to be stunned before slaughter”, RSPCA, January 14, 2014, <https://news.rspca.org.uk/2014/01/14/rspca-calls-for-all-farm-animals-to-be-stunned-before-slaughter/>

Welfare at slaughter – joint statement of principles by the British Veterinary Association (BVA), Humane Slaughter Association (HSA) and the RSPCA

- **Scientific evidence¹** demonstrates that slaughter without pre-stunning compromises animal welfare.
- Our principle is that all animals should be effectively stunned before they are slaughtered.
- Food derived from animals slaughtered without stunning under the legal exemption, should be destined for the consumption by the specific religious communities according to whose beliefs the animals have been slaughtered. The size of these specific markets should determine the amount of non-stunned meat produced. Slaughterhouse operators must be able to demonstrate that the conditions for exemption from stunning are met.

If government is not to create a legal requirement for all animals to be stunned before slaughter, but intends to continue to allow an exemption for non-stun slaughter, then we would encourage it to explore a range of alternative options and actions to improve animal welfare and consumer awareness. These are not in order of priority and include:

- working with Government agencies, the appropriate authorities and stakeholders, to enhance enforcement of existing welfare at slaughter legislation where non-stun slaughter takes place
- immediate post-cut stunning
- ensuring sufficient time and facilities for the Official Veterinarian to be able to adequately monitor welfare when non-stun slaughter is taking place
- educating consumers about animal welfare at slaughter and giving them confidence when buying meat or meat products by:
 - providing them with reliable explanatory information about food labels or logos of assurance schemes that require stunning before slaughter, so they can make informed choices
 - introducing a simple logo for packaging to indicate meat obtained from non-stunned animals, or considering promoting labelling of existing farm assurance schemes which require stunning before slaughter
- meeting and working with representatives of the relevant religious communities
-

¹ Examples of relevant evidence: References for papers published in the New Zealand Veterinary Journal

Mellor, D.J., Gibson, T.J. & Johnson, C.B. 2009. A re-evaluation of the need to stun calves prior to slaughter by ventral neck incision: An introductory review. *New Zealand Veterinary Journal* 57 (2), 74-76.

Gibson, T.J., Johnson, C.B., Murrell, J.C., Hulls, C.M., Mitchinson, S.L., Stafford, K.J., Johnstone, A.C. & Mellor, D.J., 2009. Electroencephalographic responses of halothane-anaesthetised calves to slaughter by ventral neck incision without prior stunning. *New Zealand Veterinary Journal* 57 (2), 77-83.

Gibson, T.J., Johnson, C.B., Murrell, J.C., Chambers, J.P., Stafford, K.J. & Mellor, D.J., 2009. Components of electroencephalographic responses to slaughter in halothane-anaesthetised calves: Effects of cutting neck tissues compared with major blood vessels. *New Zealand Veterinary Journal* 57 (2), 84-89.

Gibson, T.J., Johnson, C.B., Murrell, J.C., Mitchinson, S.L., Stafford, K.J. & Mellor, D.J., 2009. Electroencephalographic responses to concussive non-penetrative captive-bolt stunning in halothane-anaesthetised calves. *New Zealand Veterinary Journal* 57 (2), 90-95.

IMAGE 1: BVA, HSA & RSPCA Joint Statement of Principles (highlighting added)⁹⁶

⁹⁶ "Welfare at slaughter – joint statement of principles by the British Veterinary Association (BVA), Humane Slaughter Associations (HSA) and the RSPCA", undated, last accessed September 12, 2020, <https://www.rspca.org.uk/documents/1494939/7712578/BVA-RSPCA-and-HSA-statement-on-welfare-at-slaughter.pdf/b1ca5917-46d2-923c-f9b8-acf44da06c46?t=1553271798127&download=true>

The scientific evidence that is cited consists of just four journal articles, published in the New Zealand Veterinary Journal (“NZVJ”) in 2009.⁹⁷⁹⁸⁹⁹¹⁰⁰ These articles report experiments conducted in New Zealand by, among others, Troy Gibson of the University of London’s Royal Veterinary College, and Craig Johnson of Massey University, New Zealand. The first article cited, an “introductory review”, summarises the others. I shall refer to them as “the Gibson/Johnson articles”. The experiments have been summarised as conclusive evidence that “calves do appear to feel pain when slaughtered according to Jewish and Muslim religious law, strengthening the case for adapting the practices [i.e. by stunning beforehand] to make them more humane”.¹⁰¹ They seemingly influenced the attempted New Zealand ban.¹⁰² They have been cited in UK Parliamentary documentation¹⁰³ and debate,¹⁰⁴ including by the now Environment Secretary, George Eustice.¹⁰⁵

b. Reservations

Several academics, however, have strongly criticised both the experiments and way they are reported. These criticisms are worth quoting at length.

⁹⁷ DJ Mellor, TJ Gibson, & CB Johnson, “A re-evaluation of the need to stun calves prior to slaughter by ventral-neck incision: An introductory review.” *New Zealand Veterinary Journal*, 57, no. 2 (2009): 74–76.

⁹⁸ TJ Gibson, CB Johnson, JC Murrell, CM Hulls, SL Mitchinson, KJ Stafford, AC Johnstone, and DJ Mellor, “Electroencephalographic responses of halothane-anaesthetised calves to slaughter by ventral-neck incision without prior stunning”, *New Zealand Veterinary Journal*, 57, no. 2 (2009): 77–83.

⁹⁹ TJ Gibson, CB Johnson, JC Murrell, JP Chambers, KJ Stafford & D Mellor, “Components of electroencephalographic responses to slaughter in halothane-anaesthetised calves: Effects of cutting neck tissues compared with major blood vessels”, *New Zealand Veterinary Journal*, 57, no. 2 (2009): 84–89.

¹⁰⁰ TJ Gibson, CB Johnson, JC Murrell, SL Mitchinson, KJ Stafford, DJ Mellor, “Electroencephalographic responses to concussive non-penetrative captive-bolt stunning in halothane-anaesthetised calves”, *New Zealand Veterinary Journal*, 57, no. 2 (2009): 90–95.

¹⁰¹ Andy Coghlan, “Animals feel the pain of religious slaughter”, *New Scientist*, October 13, 2009 <https://www.newscientist.com/article/dn17972-animals-feel-the-pain-of-religious-slaughter/>

¹⁰² Levine, “New Zealand’s Ban”, 62-63, 64

¹⁰³ Downing, *Religious Slaughter*, 16

¹⁰⁴ Lord Trees, HL Grand Committee Debate, January 16, 2014, Animal Welfare: Methods of Slaughter, col GC 195, available at <https://bit.ly/2M37j8N>

¹⁰⁵ George Eustice MP, WH Debate, November 4, 2014, Animal Slaughter (Religious Methods), col 168 WH, available at <https://www.theyworkforyou.com/whall/?id=2014-11-04b.147.0#g166.0>

Joe Regenstein, Professor of Food Science at Cornell University, said this in 2012:

The recent papers by Gibson *et al.*... are... a questionable piece of work. These papers have many serious limitations... The knife used was rather short—only 10 inches and the actual slaughter and the “pen” are poorly described. The special equipment used to restrain the animals is not shown. What about details about the actual cut – how many strokes and where on the neck?... The training of the slaughterman is not given... they do not give enough details to evaluate the religious slaughter... And... who sharpens a knife with a knife sharpener?... The papers are sloppy about how the words unconsciousness, insensibility, and undoubted insensibility are used... Words like suffering and psychological shock are used without definition or justification.... “wishy-washy” words, like “probably, likely, possibly” are used in the papers, yet the authors are publicly supporting a strong anti-religious slaughter position.¹⁰⁶

Dr Temple Grandin, Professor of Animal Sciences at Colorado State University, has written extensively on *shechita* and *dhabiha*.¹⁰⁷ Her criticisms of the Gibson/Johnson articles date back to April 2010.¹⁰⁸ They are repeated on her own website:

The knife used in this experiment was much shorter than the special long knives that are used in Kosher slaughter. The use of a shorter knife may possibly have had an effect on the painfulness of the cut. The author has observed that shorter knives, where the tip of the knife gouges into the wound during the cut, will cause struggling. An animal may also struggle when the wound closes back over the knife during the cut. Since the

¹⁰⁶ JM Regenstein, "The Politics of Religious Slaughter—How Science Can be Misused." *65th Annual Reciprocal Meat Conference* at North Dakota State University in Fargo, ND 2012, available at <http://repository.salaamgateway.com/images/iep/galleries/documents/201509141205512660.pdf> (accessed 16 April 2020)

¹⁰⁷ “Recommended Religious Slaughter Practices”, last accessed April 30, 2020, <http://www.grandin.com/ritual/rec.ritual.slaughter.html>

¹⁰⁸ Temple Grandin, “Getting religious with slaughter”, *Meat & Poultry*, April 1, 2010, <https://www.meatpoultry.com/articles/18665-getting-religious-with-slaughter>

calves were anesthetized, it was impossible to observe behavioral reaction during the cut.... The special long knife used in kosher slaughter is important. When the knife is used correctly on adult cattle, there was little or no behavioral reaction... Barnett et al (2007) reported similar reactions in chickens. Only four chickens out of 100 had a behavioral reaction. Grandin (1994) reported that the behavioral reaction of cattle was greater when a hand was waved in their faces compared to well done Kosher slaughter... Another factor that may have had an effect on pain was the use of a grinding wheel to sharpen the knife instead of a whet stone. There is a need to repeat this experiment with a Kosher knife and a skilled shochet who obeys all the Kosher rules for correct cutting.¹⁰⁹

Ari Zivotofsky of Bar Ilan University, Israel, wrote this in 2011 (emphasis added):

The Gibson study has zero relevance to shechita because the conditions he used did not mimic *shechita* in terms of the knife's size, sharpness, and smoothness.... The NZVJ papers give no details about the knife other than that it was 10 inches and machine sharpened, and **when directly confronted with that issue, Dr. Gibson did not try to claim that they were comparable to *shechita* knives (Gibson, personal communication; which makes one wonder why they would do this sort of experiment: actually, the eventual claim was that it was a preliminary set of experiments to test the systems being developed!)**. Unfortunately, until he was directly challenged the supposed relevance of the Gibson studies to *shechita* was implied (including in some parts of the papers) and his data has been used ad-nauseum

¹⁰⁹ "Discussion of research that shows that Kosher or Halal Slaughter without stunning causes pain", updated August 2017, <http://www.grandin.com/ritual/slaughter.without.stunning.causes.pain.html>

in anti-*shechita* statements and press releases and eventually by the New Zealand

government itself in their justification for outlawing *shechita*.¹¹⁰

Such strong criticisms suggest that the Gibson/Johnson articles are of questionable value with regards to formulating policy. They nonetheless constitute the *only* scientific evidence that is cited by the RSPCA, HSA and BVA in their Joint Statement. Notably, the Joint Statement is entirely silent regarding the criticisms made by Regenstein, Grandin and Zivotofsky, despite post-dating them by some time.

At the time of writing this article (September 2020), the Joint Statement still appears on the website of the RSPCA.¹¹¹ A 2019 RSPCA briefing cites one of the Gibson/Johnson papers uncritically,¹¹² as does a Policy Statement¹¹³ released by the BVA in August 2020.¹¹⁴ In each case, the paper that is cited is the “introductory review”,¹¹⁵ which summarises the others. Neither the RSPCA nor the BVA give any indication of the criticisms that have been made of those papers over the last decade, but instead present them as, so to speak, gospel truth. In a similar fashion, both organisations cite the claims of the FAWC, DIALREL and EFSA, yet make no mention of the challenges to those claims made by Chanoch Kesselman, Neville Kesselman, Stuart Rosen and Joe Regenstein.¹¹⁶¹¹⁷

¹¹⁰ Ari Zivotofsky, "Government regulations of shechita (Jewish religious slaughter) in the twenty-first century: are they ethical?" *Journal of Agricultural and Environmental Ethics* 25, no. 5 (2012): 747-763, at 755.

¹¹¹ It remains available at “Religious Slaughter”, RSPCA, last accessed June 24, 2020, <https://www.rspca.org.uk/adviceandwelfare/farm/slaughter/religiouslaughter>

¹¹²RSPCA, “Improving the welfare of farm animals at the time of their death: The campaign to end non-stun slaughter”, 2019, fn 5 (The article that is cited is Mellor, Gibson & Johnson, “A Re-evaluation”, which is an overview of the other Gibson/Johnson papers). Available at <https://www.rspca.org.uk/getinvolved/campaign/slaughter> (last accessed June 24, 2020)

¹¹³ BVA, “Policy statement – BVA position on the welfare of animals at slaughter”, 2020, 35, fn 106. Available at <https://www.bva.co.uk/media/3664/full-position-bva-position-on-the-welfare-of-animals-at-slaughter.pdf> (accessed September 6, 2020)

¹¹⁴ BVA, “Vets push for change on the welfare of animals at slaughter”, August 24, 2020, <https://www.bva.co.uk/news-and-blog/news-article/vets-push-for-change-on-the-welfare-of-animals-at-slaughter/>

¹¹⁵ Mellor *et al*, “A re-evaluation”.

¹¹⁶ RSPCA, “Improving the Welfare”, fn 1-3.

¹¹⁷ BVA, “Policy statement”, 35, fn 103-105

An HSA fact sheet, which purports to have been amended in July 2014, cites no evidence

that is directly relevant to *shechita* and makes no mention of the Gibson/Johnson articles

(Image 2).

did not make labelling compulsory. They stated that they would consider if this could be addressed through a voluntary system of labelling, but the chances of a voluntary system being adopted do not appear to be high.

HSA's view

Whilst respecting differing religious beliefs, the HSA's position on the pre-slaughter stunning of animals has always been unequivocal, all animals should be effectively stunned prior to being bled. Recent advances in the electrical stunning of cattle now make reversible stunning a practical option for all. This overcomes one of the main obstacles preventing a full uptake of pre-slaughter stunning.

As long as meat from animals slaughtered without pre-stunning is available in the UK (whether slaughtered in the UK or imported), we believe it should be clearly and accurately labelled as such.

The view of the HSA remains that all animals should be effectively stunned prior to being bled, because this precludes the possibility of suffering.

References

(1) Anil MH, Yesildere T, Aksu H, Matur E, McKinstry JL, Erdogan O, Hughes SI and Mason C 2004 Comparison of religious slaughter of sheep with methods that include pre-slaughter stunning, and the lack of differences in exsanguinations, packed cell volume and meat quality parameters. *Animal Welfare* 13: 387-392

(2) Anil MH, Yesildere T, Aksu H, Matur E, McKinstry JL, Weaver HR, Erdogan O, Hughes SI and Mason C 2006 Comparison of Halal slaughter with captive bolt stunning and neck cutting in cattle: exsanguination and quality parameters. *Animal Welfare* 15: 325-330

Humane Slaughter Association

blood, and it is claimed that far less blood drains from the carcass of an animal that has been stunned than from one that has been slaughtered without stunning*.

Meat fit for consumption by Jews is called kosher; unfit meat is called trefah. A carcass rejected by the religious authority as trefah may be passed as fit for human consumption by the FSA, and sold into the general meat market. In addition, Jews may only eat the hindquarters of cattle if certain blood vessels have been removed. This is known as porging. In the past this procedure was carried out in the UK and the rear quarters sold as kosher meat. However, this was stopped in the 1930s by the religious authorities and as a result the discarded hindquarters are now sold into the general meat market.

Halal – Muslim method of slaughter

Halal slaughter must be carried out by Muslims who hold an official slaughterman's licence but, unlike Jewish slaughtermen, they are not licensed by a religious authority. The Koran requires that for meat to be halal the animal must be alive at the time of slaughter, that God's name is invoked at the time the cut is made and that the blood is thoroughly drained from the carcass after slaughter. The knife used to make the cut must be undamaged and be of sufficient size and sharpness to ensure that each animal is slaughtered by a single rapid uninterrupted movement of the knife, resulting in the severance of both carotid arteries and both jugular veins.

There are differing views within the Muslim community with regard to stunning, and particularly head-only electrical stunning. This is where electrodes are placed on either side of the animal's head so that they span the brain, and an electric current of sufficient strength and duration is passed through the brain of the animal to immedi

* Research indicates that it can take far longer than three seconds for the animal to lose consciousness. Research also indicates that there is no significant difference in total blood loss between animals which are slaughtered without stunning, and those that are stunned before slaughter (1), (2)

Humane Slaughter Association

IMAGE 2: Extract from HSA factsheet on religious slaughter (highlighting added)¹¹⁸¹¹⁹

¹¹⁸ "Religious Slaughter: The Facts", HSA, accessed June 24, 2020, <https://www.hsa.org.uk/downloads/related-items/religious-slaughter.pdf>.

¹¹⁹ Both "References" are articles about experiments relating to *dhabiha* rather than *shechita*. The 2004 article notes (at page 391) that "the Jewish method, Shechita, carried out using a special, long, extremely sharp knife, was not available as a treatment... a comparable study involving Shechita would be useful". The 2006 article notes (at page 329) that its findings "may not be applicable to Shechita". Both articles, in any case, focus on exsanguination rather than on animal welfare.

The HSA, at least, then, appears to have distanced itself from the Gibson/Johnson articles.

Yet they, along with the BVA and the RSPCA, provide surprisingly little (if indeed any) alternative *clear* evidence regarding the supposedly unacceptable levels of suffering caused by *shechita* in comparison to “conventional” slaughter methods.

c. Other concerns

BVA & RSPCA Joint Call, 2019

In 2019, the BVA and RSPCA (though not this occasion the HSA) issued a joint call for a ban on religious non-stun slaughter. The BVA referred approvingly to bans in other countries including Belgium, Sweden, Switzerland and Denmark. However, it omitted any of the political background to those bans (see Part III(ii)).¹²⁰

RSPCA Briefing, 2019

The RSPCA 2019 briefing, which we have already mentioned, likewise omits the political background to such bans.¹²¹ Its “FAQ” section also includes the following (emphases added):

Myth: Religious meat is **cruel** and needs to be banned

There doesn't necessarily need to be a ban on meat that is important to religious communities to ensure farm animals receive a **more humane** death. A proportion of

¹²⁰ “Joint call to end non-stun slaughter”, BVA, February 6, 2019, <https://www.bva.co.uk/news-and-blog/news-article/joint-call-to-end-non-stun-slaughter/>

¹²¹ RSPCA, “Improving the welfare of farm animals at the time of their death: The campaign to end non-stun slaughter”, 2019, 4 <https://www.rspca.org.uk/documents/1494939/7712578/Non+Stun+Slaughter+Briefing.pdf/dec09ee6-9766-bc17-bbd3-6b637472110d?t=1577097683819> (last accessed 12 September, 2020)

halal meat comes from animals that have been pre-stunned and certified as halal, which highlights that **more humane** slaughter practices and religious requirements can work together. **However, all kosher certified meat for the Jewish community comes from animals that have not been pre-stunned.**¹²²

The implication (possibly unintended) is that while some forms of *dhabiha* are “more humane” and therefore less “cruel”, no *shechita* is. “The Jewish community” is therefore implicated in slaughter methods which, according to the RSPCA, are uniquely – perhaps irredeemably – cruel and inhumane. At the same time, the RSPCA nowhere considers the possible antisemitic *effect* of a ban on *shechita*.

BVA 2020 Policy Statement

In its policy statement of August 2020, the BVA says, “Ultimately, we would like to see an end to all non-stun slaughter”. Where non-stun slaughter is to be permitted, the BVA calls for “improved regulation”.¹²³ Whilst on the surface this may appear conciliatory, a number of concerns remain.

The statement mentions that some European countries have banned non-stun slaughter altogether, yet once again omits the political background to those bans. It refers readers to the advocacy group *Shechita UK* for “information on the motivations for non-stun slaughter, and animal welfare concerns in Judaism”,¹²⁴ but says nothing about the range of motivations for a *ban* on non-stun slaughter.

¹²² *Ibid*, 4.

¹²³ BVA, “Policy statement”, 58

¹²⁴ BVA, “Policy statement”, 59, fn 175

The BVA proposes that the UK should follow a model used in Germany and Austria, whereby “the number of animals slaughtered without prior stunning does not exceed the demand of the UK’s religious communities”.¹²⁵ This consists of two elements: a ban on exports; and the requirement to apply for a permit. These will be considered in turn.

Firstly, the BVA argues that “exporting meat from animals that have not been stunned before slaughter is not in the spirit of the derogation [from the general requirement for stunning] which is intended to serve the UK’s religious communities”. The BVA therefore proposes that “the export of such meat should be prohibited by law”.¹²⁶ If such a ban were implemented, British producers would be unable to supply Jews and Muslims in those countries which have banned religious non-stun slaughter, such as Denmark. The BVA does not propose a ban on the export of meat slaughtered by any other method.

The BVA does not substantiate its claim about “the spirit of the derogation”. No such claim is made in WATOK 2015, nor in the accompanying Parliamentary “Explanatory Memorandum”.¹²⁷ Moreover, it is surely a ban on exports, rather than allowing them, that is contrary to the spirit of the derogation and the overall legislative framework. By way of reminder, that framework has been established by EU legislation. It requires all animals to be stunned before slaughter, but provides that member states may derogate from this requirement for the purpose of *shechita* and *dhabiha*. Member states are not obliged to derogate; consequently some, such as Denmark, have banned domestic religious non-stun slaughter. However, such states cannot also ban imports from within the EU. This framework maintains a level of religious freedom for Jewish and Muslim communities in such states, by preserving their access to kosher or non-stunned halal meat. This would clearly be

¹²⁵ BVA, “Policy statement”, 58

¹²⁶ BVA, “Policy statement”, 59

¹²⁷ “Explanatory Memorandum to the Welfare Of Animals at the Time of Killing (England) Regulations 2015”, accessed September 6, 2020, <https://www.legislation.gov.uk/ukxi/2015/1782/memorandum/contents>

undermined if some member states (e.g. Denmark) could ban domestic production and others (e.g. Britain) could simultaneously ban exports to those states! How this overall framework applies to Britain, may change after Brexit. Even then, however, the onus will be on the BVA to establish compelling grounds for a ban on exports.

Secondly, the BVA proposes that those who wish to perform non-stun slaughter, would need to apply for a permit.¹²⁸ This would only be granted upon receipt of evidence of the size of the domestic market the meat is intended to serve, the number of animals proposed to be slaughtered, and proof that abattoir staff meet the necessary level of competence. The proof of competence is unobjectionable and is indeed in line with an existing requirement in WATOK 2015.¹²⁹ The reference to the domestic market and the number of animals earmarked for slaughter clearly goes hand in hand with the proposed ban on exports.

Of greater concern, however, is a proposal that such a permit should stipulate “the application of an immediate post-cut stun after the initial neck cut”.¹³⁰ Although a handful of rabbis permit an immediate post-cut stun,¹³¹ this is not normative within Judaism, for the simple reason that it implies that *shechita* does not work as a swift and humane method of slaughter. It follows that if a permit stipulated an immediate post-cut stun, this would be unacceptable to the vast majority of Jewish religious authorities, effectively prohibiting *shechita* via the back door. Whether or not this is the BVA’s intention, it means that their proposals are significantly less benign to the practice of *shechita* in Britain, than might at first appear.

d. Summary of animal welfare campaigns

¹²⁸ BVA, “Policy statement”, 59

¹²⁹ WATOK 2015, Schedule 3, paragraph (1)(c)

¹³⁰ BVA, “Policy statement”, 59

¹³¹ Yanklowitz, “Mandate”

The episode with the Johnson/Gibson papers suggests that we should treat with caution any claim that “the science on religious non-stun slaughter is clear” – regardless of who is making that claim.¹³² One set of reported experiments is not necessarily a reliable guide to formulating policy generally. (It may of course be a guide to improving particular aspects of bad practice, such as the length of knife.)

However, the episode also demonstrates how questionable scientific claims can be enthusiastically received, over-interpreted, circulated widely and repeated uncritically - even at the highest levels, and even some time after they have been shown to be wanting. No wonder that Joe Regenstein laments that the Gibson/Johnson articles “are being used politically in Europe as the “proof” that religious slaughter is inhumane!”¹³³

It is also concerning how the BVA and RSPCA cite overseas bans as examples for Britain to follow, without giving any of the political background to those bans. Meanwhile, the RSPCA’s 2019 briefing appears to implicate the Jewish community in especial cruelty. None of the organisations consider the possible antisemitic *effect* of a ban. They would no doubt protest that they are concerned only with animal welfare issues. Nonetheless, they either fail to recognise the risk of their campaigns having antisemitic effects, or of appealing to genuine antisemites; or they judge that risk to be politically insignificant.

These concerns will be repeated - and amplified - as we examine the second and third groups which run organised campaigns against *shechita*: secularists, and the hard right, respectively.

¹³² The Gibson/Johnson papers are also cited uncritically in Compassion in World Farming’s Briefing on Religious Slaughter, available at <https://www.ciwf.org.uk/media/3818629/religious-slaughter-briefing.pdf> (accessed September 12, 2020)

¹³³ Regenstein, “The Politics of Religious Slaughter”, 4

(ii) Secularist groups

a. National Secular Society

The National Secular Society (“NSS”) “campaigns for the separation of religion and state and equal respect for everyone’s human rights, so no one is either advantaged or disadvantaged because of their beliefs.”¹³⁴ It advocates a ban on religious non-stun slaughter.¹³⁵

Their briefing on the topic, updated in October 2019,¹³⁶ declares that “the scientific consensus” is clear. It cites the RSPCA and BVA, yet gives no indication of the weakness of those organisations’ positions. It refers approvingly to the bans in Belgium, Denmark, Sweden, Norway, Switzerland and New Zealand. It gives no indication of the political background to those bans.

In a section headed, “Is opposition to non-stun slaughter discriminatory?”, the briefing states, “Advocates of religious slaughter often accuse its detractors of anti-Semitism and anti-Muslim bigotry in an attempt to shut down all argument.” This is a direct charge that advocates of *shechita* mobilise accusations of antisemitism dishonestly, in order to suppress “all” debate. The NSS says this happens “often”, yet gives no examples. This is an equivalent of what David Hirsh, in the context of the relationship between antizionism and antisemitism, has dubbed “the Livingstone formulation” (after its most infamous proponent, Ken Livingstone): “a means of refusing to engage with an accusation of antisemitism; instead it

¹³⁴ <https://www.secularism.org.uk/> (accessed May 20, 2020)

¹³⁵ “End religious non-stun slaughter”, NSS, accessed May 22, 2020, <https://www.secularism.org.uk/religious-slaughter/>

¹³⁶ <https://www.secularism.org.uk/uploads/religious-slaughter-of-animals-briefing-8.pdf?v=1570184337> (last accessed September 12, 2020)

reflects back an indignant counter-accusation, that the accuser is taking part in a conspiracy to silence political speech.”¹³⁷ Rather than taking seriously the possibility that a campaign against *shechita* might have an antisemitic effect, or that it might appeal to *bona fide* antisemites, the NSS simply dismisses it out of hand.

b. Humanists UK

Founded in 1896,¹³⁸ Humanists UK, which is secularist,¹³⁹ also supports a ban on religious non-stun slaughter.¹⁴⁰ It characterises *shechita* as follows: “the animal’s throat [is] severed using a sharp blade and it then dies slowly of blood loss, whilst being fully conscious.” This misrepresents how *shechita* works, namely by making the animal unconscious as rapidly as possible, and only then hanging it up to exsanguinate (see Part I(i)). Is this misrepresentation a - doubted unconscious - echo of the blood libel?

Like the NSS, Humanists UK cites the Joint Statement of the RSPCA, BVA and HSA uncritically. It also claims to have “extensively researched and lobbied high street shops and supermarkets in an attempt to curb their support for non-stunned slaughter and raise awareness of issues surrounding this.”¹⁴¹ Like the NSS, Humanists UK show no awareness of the potential antisemitic effect of such campaigns, nor of such campaigns’ history.

c. Matthew Syed

¹³⁷ David Hirsh, “The Livingstone Formulation”, *EngageOnline*, April 29, 2016,

<https://engageonline.wordpress.com/2016/04/29/the-livingstone-formulation-david-hirsh-2/>

¹³⁸ “Our History since 1896”, Humanists UK, accessed April 20, 2020, <https://humanism.org.uk/about/our-history-since-1896/>

¹³⁹ “Secularism”, Humanists UK, accessed April 20, 2020, <https://humanism.org.uk/campaigns/secularism/>

¹⁴⁰ “Animal welfare”, Humanists UK, accessed April 20, 2020, <https://humanism.org.uk/campaigns/public-ethical-issues/animal-welfare/>

¹⁴¹ *Ibid.*

In a comment piece in *The Times* in 2015, Matthew Syed articulates a secularist position at length.¹⁴²

Syed begins by saying that he loves meat, including “the occasional veal”, provided that it is “slaughtered humanely”, by which he means that animals should be pre-stunned. He therefore decries the exemption from stunning given to *shechita* and *dhabiha*.

This raises an intriguing question. Veal is associated with numerous animal welfare concerns, including: the early separation of calves from their mothers, causing severe distress to both; poor diet; the housing of calves on wooden slats without bedding material; transportation on long journeys across Europe; and being kept in a small crate without enough room to turn around.¹⁴³ One might reasonably ask why, if Syed is troubled by what happens in the final few moments of a comparatively small number of animals slaughtered by Jews and Muslims, he himself eats veal.

Syed asserts:

The right to religious freedom is not an absolute right to do what you like, whether killing animals inhumanely, barring gay couples from your B&B, or forcing your daughter into a marriage she doesn’t want. Religious customs, like secular ones, must operate within limits.

He warns that:

¹⁴² Matthew Syed, “The slippery note from halal meat to FGM”, *The Times*, January 1, 2015, <https://www.thetimes.co.uk/article/the-slippery-slope-from-halal-meat-to-fgm-p8vkkwqprb9>

¹⁴³ “Calves Reared for Veal”, Compassion in World Farming, accessed May 22, 2020, <https://www.ciwf.org.uk/farm-animals/cows/veal-calves/>

When those who make the laws start to grant exemptions, however well intended, it is not just animals that suffer; it is all of us. Just look at how this legislative fear of offending religious sensibilities has shaded into a deeper cultural impotence when it comes to standing up to crimes such as female genital mutilation, “honour” abuses and the more ludicrous aspects of Sharia. Look at how it has caused us to pull our punches on issues such as the burka.

As a “muscular” advocate of “secular liberalism”, Syed exhorts:

When people behave in illiberal ways; when they trample on the rights of others (human or animal); when they try to exempt themselves from the law, we should confront them. Indeed, religious freedom itself can only survive in a society when it is protected from the illiberal tendencies of others.

He concludes:

If religious groups wish to change the law, on animal slaughter or anything else, that is their right. But let them argue for it openly, like anyone else... And let us examine the arguments of religious groups on their merit, and without fear of being labelled antisemitic, anti-Islamic or anti-religious.

Matthew Syed sees himself as standing up for animal welfare as a “muscular liberal”. However, this leads him to some questionable stances. He connects a decades-old, specific, narrow and carefully caveated exemption granted to Jews and Muslims in the realm of

slaughter practices, with a “deeper cultural impotence” in the face of some undoubted social ills. He provides no evidence for such a connection. He explicitly charges observant Jews and Muslims with “illiberalism” and with “trampling on the rights of others”. He responds to an (implied) accusation of antisemitism (“without fear of being labelled antisemitic”) by pleading guilty to a lesser charge, that of offending Jewish and Muslim “sensibilities”. He does not take seriously the risk that a campaign against *shechita* might give voice to antisemitism. Nor does he consider whether, in this context, secular liberalism might need to be mobilised *in opposition* to antisemitism. Is he even aware of how campaigns against *shechita*, both in Britain and elsewhere, have historically mixed animal welfare with antisemitism? In Orwell’s words, is Matthew Syed – like the NSS and Humanists UK – playing with fire without knowing that it is hot?

The hard right, who surely do know that fire is hot, are considered next.

(iii) The Hard Right

As seen previously, both in Britain and overseas, the hard right has long campaigned against religious non-stun slaughter. It is therefore unsurprising that a ban (or at least a restriction) remains a staple of hard right parties,¹⁴⁴ including the UK Independence Party (“UKIP”),¹⁴⁵ For Britain,¹⁴⁶ the English Democrats,¹⁴⁷ and the British National Party

¹⁴⁴ This term is used as a generic description for those parties which are broadly recognised as being further to the right on social and cultural issues than the Conservatives. It is recognised that those parties are not identical and that there are significant differences between them.

¹⁴⁵ “UKIP Policies, Agriculture and Animal Welfare”, UKIP, accessed April 22, 2020, https://www.ukip.org/ukip-manifesto-item.php?cat_id=29

¹⁴⁶ “Animal Welfare”, “Policy”, For Britain, accessed May 22, 2020, <https://www.forbritain.uk/policy/>

¹⁴⁷ The English Democrats, “*English Democrats Manifesto – Putting England First*”, paragraph 2.9.7 (https://d3n8a8pro7vhmx.cloudfront.net/englishdemocrats/pages/30/attachments/original/1569322456/EDP_Manifesto_Sept_2019.pdf?1569322456)

(“BNP”).¹⁴⁸ In 2019, following a “bitter intra-party dispute”, the “new” Social Democratic Party reversed its previous support for a ban, but still devotes three of its nine animal welfare policies to *shechita* and *dhabiha*.¹⁴⁹¹⁵⁰¹⁵¹

An apparent anomaly warrants brief consideration. Religious non-stun slaughter is on the radar of its founder, Catherine Blaiklock,¹⁵² yet the Brexit Party itself does not address the issue.¹⁵³ This may be due to the influence of its leader, Nigel Farage himself. When he was UKIP leader, Farage spoke against a ban on *shechita*, in the face of other voices in that party.¹⁵⁴

We will now examine three hard right parties more closely: the BNP; UKIP; and For Britain.

a. The BNP

The BNP is committed to the interests of the “Indigenous British”, i.e. “the first and aboriginal peoples of our British Homeland”¹⁵⁵. It pledges to ban “the inhumane ritual slaughter of animals on religious grounds”. By contrast, it pledges to hold “a sensible and mature discussion on fox hunting to ensure that not only foxes are protected, but the identity

¹⁴⁸ “Animal Welfare”, BNP, accessed April 22, 2020, <https://bnp.org.uk/policies/animal-welfare/>

¹⁴⁹ Patrick O’Flynn (@oflynnsocial), “sdp.org.uk/policies/animal-welfare/ Am delighted that first raft of SDP policy supports a ban on the non-stun slaughter of livestock. Brave and right.” Twitter, February 20, 2019, <https://twitter.com/oflynnsocial/status/1098272806322782210>

¹⁵⁰ Mary Harrington, “‘Cultural Christian’ is an empty idea”, *Unherd*, February 13, 2020, <https://unherd.com/2020/02/cultural-christian-is-an-empty-idea/>

¹⁵¹ “Animal Welfare”, Social Democrats, accessed September 12, 2020, <https://sdp.org.uk/policies/animal-welfare/>

¹⁵² Catherine Blaiklock BP (@blaiklockBP), “And shame on Britain for still allowing non-stun slaughter. Britain becomes a hotbed for it. 120m animals suffer excruciating pain for Halal and Kosher meat.” Twitter, August 9, 2019. <https://twitter.com/blaiklockBP/status/1159834006000558080>

¹⁵³ “Contract with the People”, Brexit Party, accessed April 22, 2020, <https://www.thebrexitparty.org/contract/>

¹⁵⁴ Josh Jackman, “I do not support shechita ban, says Nigel Farage”, *Jewish Chronicle*, March 17, 2015, <https://www.thejc.com/news/uk-news/i-do-not-support-shechita-ban-says-nigel-farage-1.65640>

¹⁵⁵ British National Party, *Constitution* (14.4a Edition, November 27, 2018), Section 3.2.1 & Schedule 2, <https://bnp.org.uk/wp-content/uploads/2019/01/bnp-constitution-14.4a.pdf>

and traditions of rural communities too”.¹⁵⁶ This is a clear double standard. Regardless of one’s views on fox hunting, there is a moral distinction between slaughtering animals for food, and hunting them for sport. The BNP takes heed of the “identity and traditions of rural communities”, but not of the “identity and traditions” of Jews and Muslims. This raises obvious questions regarding their motivation for wanting to ban religious non-stun slaughter.

A BNP leaflet on religious non-stun slaughter is reproduced as Image 3. It focuses overwhelmingly on halal, but the small print also refers to kosher slaughter. Aside from being luridly over-exaggerated, the description of religious non-stun slaughter is contradictory: if the animal is upside down when its throat is cut, how can blood then gush into its lungs? The leaflet also refers – albeit in a wildly overblown manner - to Dr Craig Johnson, co-author of the Gibson/Johnson articles.

¹⁵⁶ “Animal Welfare”, BNP



Halal Meat Shame on Britain!

Halal meat comes from animals that have been cruelly and ritually slaughtered.

- The animal enters the slaughter area fully conscious of other animals being slaughtered
- **It is tied up and winched upside down**
- A Muslim Imam recites a prayer from the Koran and cuts the throat of the animal with a knife
- The panic-stricken animal convulses, with its own **blood gushing into its lungs** and over its face and eyes
- This agonising death takes several minutes

10 million animals become victims of ritual slaughter in Britain every year!

*Source: Vival - 8 million for halal, 2 million for kosher

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The science

Award-winning scientist, **Dr Craig Johnson**, of New Zealand's Massey University, has proved beyond doubt that ritual slaughter is a painful and terrifying ordeal.

Published by The First Post, Tim Edwards, 16th Oct 2009

IMAGE 3: BNP leaflet on religious non-stun slaughter (highlighting added)¹⁵⁷

¹⁵⁷ The leaflet is undated but appears to have been produced in 2012: “BNP launches campaign against Islamification of Sunderland sandwich shops”, Bob Pitt, Islamophobia Watch, July 18, 2012, <http://www.islamophobiawatch.co.uk/bnp-launches-campaign-against-islamification-of-sunderland-sandwich-shops/>

In a 2018 tweet (Image 4), the party’s former leader, Nick Griffin, combines a graphic produced by the RSPCA, with the words, “Ban ritual slaughter - regardless of what 'religion' is used to 'justify' the torture. And boycott places that sell sacrificed meat!” The combination of the words “ritual slaughter”, “religion”, “torture” and “sacrificed”, clearly echoes the blood libel. These images also show how, as in older campaigns, ideas migrate from scientists and/or animal welfare groups, to the hard right.



IMAGE 4: Nick Griffin tweet¹⁵⁸

¹⁵⁸ Nick Griffin (@NickGriffinBU), ““Ban ritual slaughter - regardless of what 'religion' is used to 'justify' the torture. And boycott places that sell sacrificed meat!” Twitter, June 15, 2018, <https://twitter.com/NickGriffinBU/status/1007725378172006400>

b. UKIP

In 2015, UKIP announced that it would ban religious non-stun slaughter, but swiftly reversed this, apparently after the intervention of its then leader, Nigel Farage.¹⁵⁹ The party's then agriculture spokesman candidly hinted that the proposed policy had been aimed at Muslims, and that Jews were "collateral damage".¹⁶⁰

In 2018, activist Paula Walters announced that UKIP would now campaign decisively to ban religious non-stun slaughter in Britain. She cited the RSPCA, BVA and HSA in support. She referred approvingly to bans in Denmark, Belgium, Sweden, Norway and Switzerland, but said nothing about the political background to those bans. She said that were a ban to become law, Britain would "truly be a nation of animal lovers".¹⁶¹ The unspoken – and possibly unconscious – implication is that those who practice religious non-stun slaughter do not love animals and are not truly British.

Walters correctly stated that some halal meat is stunned, and that therefore, were UKIP policy to become law, Muslims would still be able to access halal meat. However, she nowhere mentions "Jews", "Judaism", "kosher" or "*shechita*". Walters possibly does not realise – and certainly does not say - that, because no kosher meat is pre-stunned, UKIP policy would particularly affect Jews. If she contemplated Jews at all, she presumably saw them as "collateral damage". In a post on the policy announcement on the *Kipper Central* website, an (unchallenged) below-the-line comment by "StuartJ" nevertheless combines two well-worn antisemitic tropes:

¹⁵⁹ Jackman, "I do not".

¹⁶⁰ Sandy Rashty, "Ukip's agriculture spokesman says he did not want shechita ban policy", *Jewish Chronicle*, February 3, 2015, <https://www.thejc.com/news/uk-news/ukip-s-agriculture-spokesman-says-he-did-not-want-shechita-ban-policy-1.64957>

¹⁶¹ "Paula Walters gives a heartfelt speech on animal welfare at the UKIP Conference 2018", Jeff Taylor, YouTube, September 24, 2018, , <https://www.youtube.com/watch?v=Z8PwxpQlwoc&feature=youtu.be> (particularly 3:00-5:00, 5:25-6:10, 10:45-11:20)

The reaction to watch for will not be the reaction to the ‘banning’ of halal slaughter, but the ‘banning’ of kosher slaughter. Expect a lot of noise to be made by the Zionist lobby, and plenty of accusations of “anti-Semitism” to be bandied around the place.¹⁶²

“StuartJ” uses the term “Zionist lobby” as a euphemism for “Jews”, despite the discussion being unrelated to Israel or Zionism. He also deploys the Livingstone Formulation: he responds to an (anticipated) charge of antisemitism not by taking it seriously, but by implying that it is dishonest, by his use of scare quotes around the term “anti-Semitism” and trivialising language (“bandied around the place”). Neither he, nor Paula Walters, considers the potential antisemitic effect of a ban.

c. For Britain

For Britain’s leader, Anne Marie Waters, has had a colourful political journey. A former director of the National Secular Society,¹⁶³ Waters twice attempted, unsuccessfully, to become a Labour parliamentary candidate, before joining UKIP in 2014.¹⁶⁴ In 2017, she stood unsuccessfully to become UKIP’s leader. She then left UKIP to found For Britain,¹⁶⁵ a party committed to the “End of the Islamisation of the UK”.¹⁶⁶

The party advocates a complete ban on religious non-stun slaughter. It concentrates overwhelmingly on *dhabiha* but also mentions *shechita*. It refers approvingly to bans in other

¹⁶² <https://kippercentral.com/2018/09/21/getting-tough-ukips-new-manifesto-calls-for-ban-on-ritual-non-stun-slaughter/#comment-13610> (accessed May 20, 2020)

¹⁶³ Companies House, “Anne Marie WATERS”, accessed May 6, 2020,

<https://beta.companieshouse.gov.uk/officers/rFq09rMxreUc5-e7vuuQhaIVXoY/appointments>

¹⁶⁴ James Bloodworth, “Meet Anne Marie Waters – the Ukip politician too extreme for Nigel Farage”, *New Statesman*, August 18, 2017, <https://www.newstatesman.com/culture/2017/08/meet-anne-marie-waters-ukip-politician-too-extreme-nigel-farage>

¹⁶⁵ Will Humphries, “Ukip loser Anne Marie Waters will start far-right party”, *The Times*, October 12, 2017, <https://www.thetimes.co.uk/edition/news/ukip-loser-anne-marie-waters-will-start-far-right-party-fsgps673r>

¹⁶⁶ “End of the Islamisation of the UK”, For Britain, accessed May 5, 2020, <https://www.forbritain.uk/issue/end-of-the-islamisation-of-the-uk/>

European countries (without mentioning the political background), and also to the RSPCA, BVA, National Secular Society and Humanists UK. Its website carries downloadable campaigning materials, comments from party activists and, at the time of writing, no less than ten videos on the issue.¹⁶⁷

The longest of these videos features a speech delivered by Waters in April 2019, which includes these words (emphases added):

If your identity involves *torturing sentient creatures to death* then your identity is what needs to change and you need to stop *torturing sentient creatures to death*... if your religion has elements that are so unacceptable in a compassionate society, it is your religion that has to change not us... *sadistic people, who are enjoying themselves by the way, hack at their necks while they are fully conscious*... My response to the religions and *the religious lobbies which have so much power over the politicians*... *your religion is calling for blood*, I am calling for compassion... We are led by moral cowards, cowards who will not dare to represent the decent majority in this country and tell *the Islamic lobby - and the Jewish lobby* for that matter- that what needs to change here is not us, what needs to change here is them... *bloodthirsty religions need to change*, we don't.¹⁶⁸

Waters combines explicit blood libel with the trope of an all-powerful Jewish lobby before which politicians cower. This is not so much slippage into antisemitic discourse, as full immersion.

¹⁶⁷ "HELP US STOP NON-STUN SLAUGHTER IN BRITAIN", For Britain, last accessed June 12, 2020, <https://www.forbritain.uk/halal/>

¹⁶⁸ "Animal Welfare Conference - Anne Marie Waters", The For Britain Movement, YouTube, April 13, 2019, <https://youtu.be/4Kyl7Kj51Mg> at 16:24-17:28; 18:18-18:40; 25:10-25:50; 29:00; 30:30-31:00; 31:50-32:30

Waters and For Britain also show how such staples can be harvested into an organised campaigning movement, which has seen party activists distribute leaflets, erect banners and run stalls in locations across the country.¹⁶⁹ One activist's poster states, "If you eat meat it has been cruelly killed and prayed over. There is no choice, ban halal/kosher". Alongside these words is a photograph of a dying animal with blood spattered on the wall behind it (Image 5). It is not obvious that the animal has been slaughtered by means of *dhabiha* or *shechita*. The combination of the words "cruelly killed", "prayed over" and "halal/kosher", along with a picture featuring a large quantity of blood, would appear to be another (possibly unconscious) echo of the blood libel.

The party also has banners which state that "We Brits love animals" and which protest against the "brutal ritual slaughter of our animals" (Image 6). Such statements imply that observant Jews and Muslims do not love animals and so are not truly British – perhaps, indeed, that they are less British than "our" animals, which For Britain claims to protect.

Finally, For Britain has staged protests outside a halal restaurant and a halal exhibition in London.¹⁷⁰¹⁷¹ One can imagine such protests causing consternation to ordinary Muslims. One can also imagine them being directed against Jewish targets.

¹⁶⁹ See the photographs at "Our Volunteers in Action!", <https://www.forbritain.uk/halal/> (accessed May 22, 2020)

¹⁷⁰ "FOR BRITAIN ANTI HALAL PROTEST 10/08/2019", BUSKA PATRIOT, YouTube, August 12, 2019, <https://www.youtube.com/watch?v=mgdcwQTEGvc>

¹⁷¹ The For Britain Movement, "For Britain are today protesting at the halal expo in Kensington, West London", Facebook, June 27, 2019, <https://www.facebook.com/TheForBritainMovementPoliticalParty/videos/309196243140857/>



IMAGE 5: Poster displayed by For Britain activist¹⁷²

¹⁷² For Britain, last accessed June 24, 2020, <https://www.forbritain.uk/wp-content/uploads/2019/10/EGILwC7XUAADsZk.jpg>



IMAGE 6: For Britain demonstration with banners (highlighting added)¹⁷³

(iv) Common themes

What common themes emerge from this study of contemporary anti-*shechita* agitation in Britain?

First, it is frequently a subset or afterthought of anti-*dhabiha* agitation.

Second, the evidence base relied upon is surprisingly weak. Nevertheless, the episode with the Gibson/Johnson articles shows how far questionable scientific claims can travel.

¹⁷³ For Britain, accessed June 24, 2020, https://www.forbritain.uk/wp-content/uploads/2019/10/photo_2019-10-05_22-52-54.jpg

Ironically, given that they are deployed in campaigns against a religious practice, those articles resemble a foundational myth.

Third, as previously (see Part III), we see a migration of ideas between different groups. Overseas bans, which derive at least partly from antisemitic or Islamophobic campaigns, are cited approvingly by British animal welfare organisations and secular liberals, who are in turn cited by the British hard right. All three British groups are silent on the political background to the overseas bans. This dynamic is represented in Diagram 1:



Diagram 1: flow of ideas between various groups¹⁷⁴

The direction of travel is not only one-way. In September 2019, the National Secular Society, possibly unwittingly, tweeted a link to a petition initiated by UKIP’s Paula Walters.¹⁷⁵¹⁷⁶

Fourth, we see “slippage”, from a scientific and political discussion of different slaughter methods, to a discourse that sometimes echoes, and sometimes explicitly articulates, classic antisemitic tropes. Those tropes include the blood libel, the motif of Jewish power, and the

¹⁷⁴ Author’s own creation, May 21, 2020

¹⁷⁵ National Secular Society (@NatSecSoc), “Govt says it “respects the rights of Jews & Muslims to eat meat prepared in accordance with their beliefs” in response to a petition calling for an end to non-stun slaughter....” Twitter, September 4, 2019, <https://twitter.com/NatSecSoc/status/1169189768242106368>

¹⁷⁶ Paula Walters, Facebook communication with author, May 7, 2020.

implication that Jews do not love animals and are not truly British. There is a general failure to consider that a ban on *shechita*, regardless of intention, might have an antisemitic *effect*.

The Livingstone Formulation is used to dismiss concerns about antisemitism, without taking them seriously.

In summary, contemporary agitation resembles that of previous eras: it combines animal welfare with antisemitism. This leads us back to the question we asked earlier: were such agitation to succeed, would a ban itself be antisemitic?

PART V

WOULD A BAN ON *SHECHITA* BE ANTISEMITIC?

(i) A subjective test: perceptions

We saw, in Part II(iii), that, regardless of intention, a ban on *shechita* in Britain - particularly if combined with either a ban, or tariffs, on imports, - would have an antisemitic effect. It would make Jewish life in Britain significantly harder. It would criminalise the practise of *shechita*. It would certainly be perceived negatively by many British Jews. In 2014, the Institute for Jewish Policy Research (“IJPR”) surveyed 1,468 British Jews, of varying levels of observance, on various issues, including their views on a ban on *shechita*. Two-thirds would see a ban on *shechita* as a “fairly big problem”. Most of those (and half of all respondents) would view it as “a very big problem”. Fewer than 20% would view it as “not a problem at all”. The IJPR remarked, “It is highly probable that any move in this direction would be commonly perceived as an assault on Jewish life”.¹⁷⁷ Fraser comments

¹⁷⁷ LD Staetsky & Jonathan Boyd, *The Exceptional Case? Perceptions and experiences of antisemitism among Jews in the United Kingdom* (Institute for Jewish Policy Research, 2014), 17-18, 35. Available at https://www.jpr.org.uk/documents/Perceptions_and_experiences_of_antisemitism_among_Jews_in_UK.pdf

that even non-observant Jews would experience a ban on *shechita* as “specifically targeting aspects of their identity that are Jewish”.¹⁷⁸ As Dr Isador Grunfeld has stated, campaigns against *shechita* are perceived as attacks on Jewish identity *per se*: “For to say that the Jewish method of slaughter is a great cruelty, means to brand the Jews as a cruel people”.¹⁷⁹

Elsewhere, this is how one man viewed New Zealand’s attempt to ban *shechita*:

In 82 years, my Jewish identity has never before been challenged. I have always considered myself to be a New Zealander of Jewish persuasion. It has never before been an issue of the two not being compatible...The impact of the ban on *shechita* is twofold. It diminishes my lifestyle, and is a disincentive for our children and their families to visit...New Zealand may now be seen to be an anti-Semitic country and, as a New Zealander, I deeply resent this implication.¹⁸⁰

Other New Zealand Jews said a ban would make it difficult for their community to attract youth leaders and rabbis, that observant families would be forced to leave the country, and that few Jews would want to migrate there.¹⁸¹ For this small Jewish community, a ban on *shechita* was perceived to be an “existential threat” comparable to that feared by British Jews in connection with Jeremy Corbyn’s Labour Party.

The leader of an Orthodox community in Antwerp said this about the Belgian bans:

¹⁷⁸ Fraser, “*Anti-Shechita Prosecutions*”, 201

¹⁷⁹ Quoted in: Michelle Hodkin, “When Ritual Slaughter Isn’t Kosher: An Examination of Shechita and the Humane Methods of Slaughter Act,” *Journal of Animal Law* 1 (2005): 129-150 at 139

¹⁸⁰ Hal Levine, “New Zealand’s Ban”, 64.

¹⁸¹ “OPINION - Philip Carmel: Marking Shechita is Marking Jews”, World Jewish Congress, November 4, 2010, <https://www.worldjewishcongress.org/en/news/opinion-philip-carmel-marking-shechita-is-marking-jews>

The problem is the message it sends. It tells Jews: We don't want you here.¹⁸²

Unsurprisingly, bans in mainland Europe have an extra – and darker - resonance. The owner of a kosher butcher's shop in Antwerp said:

You have to know that Hitler's first law against the Jews was that we were not allowed to slaughter the way we slaughter for kosher. I still have customers that were in World War Two. There's (*sic*) no words to describe what they feel.¹⁸³

(ii) An objective test: discrimination

Such subjective perceptions alone, however – while clearly powerful and significant – do not automatically mean that a ban on *shechita* would be antisemitic. An objective test would consider whether a ban would be an unjustifiable form of discrimination against Jews. It would consider this not only in respect of a complete ban, but also in respect of a partial ban such as that outlined in the BVA's 2020 Policy Statement, which proposes permitting *shechita* for domestic purposes only but prohibiting exports.¹⁸⁴

Here, the paucity of clear evidence that *shechita* causes significantly – or indeed any – greater pain than slaughter methods which involve pre-stunning, becomes crucial.¹⁸⁵

¹⁸² Charles Bremner, "Muslims and Jews unite in anger at ban on ritual slaughter", *The Times*, January 7, 2019, <https://www.thetimes.co.uk/article/84d0ca82-11de-11e9-94cd-1357d20693b3?shareToken=d506448be12e4c4aff116017a7e51f16>

¹⁸³ "New slaughter laws are 'an attack on our religion'", *The Food Chain*, BBC, August 28, 2019, <https://www.bbc.co.uk/programmes/p07lsrdg>, 00:43-01:01

¹⁸⁴ See Part IV(i)c ("Other concerns")

¹⁸⁵ See Parts I and IV(i)

Moreover, even if it were demonstrably true that pre-stunning significantly reduces pain – this would only be the case where it was performed successfully. This is by no means always the case. For example, failure rates of captive bolt stunning can have a failure rate of 3% to 5%,¹⁸⁶ although rates of 12.5% have also been recorded.¹⁸⁷ A 2016 report of the UK's Food Standards Agency highlighted thousands of occasions of animals either being stunned inadequately, or not at all. This led to instances of pigs and chickens being immersed in scalding hot water – in order to soften the skin and remove feathers or hair - while still alive.¹⁸⁸ Against this backdrop - let alone the bigger picture of suffering inflicted on animals throughout their lifetimes by factory farming - it is hard to justify a selective ban on *shechita*. If there is no perfect means of slaughter, it follows that a variety of acceptable methods, including *shechita*, can coexist. To permit other methods but to ban Jews from practising *shechita* (or even to allow it for domestic purposes but prohibit exports) would indeed be an unjustifiable form of discrimination, and therefore antisemitic - not only by subjective perception, but also on an objective basis.¹⁸⁹

We can now start drawing the various threads together.

PART VI

THE RELATIONSHIP BETWEEN CONTEMPORARY ANTI-SHECHITA

AGITATION AND ANTISEMITISM

(i) Summary

¹⁸⁶ Josh Loeb, "Pre-slaughter stunning: what's on the horizon?" *Veterinary Record* 183, no. 23 (2018): 710-712 at 710.

¹⁸⁷ S Atkinson, A. Velarde, and B Algers. "Assessment of stun quality at commercial slaughter in cattle shot with captive bolt." *Animal Welfare* 22, no. 4 (2013): 473-481.

¹⁸⁸ Andrew Wasley & Josh Robbins, "FSA: 4,000 major breaches of animal welfare laws at UK abattoirs in two years", *The Guardian*, August 28, 2016, <https://www.theguardian.com/environment/2016/aug/28/fsa-4000-breaches-animal-welfare-laws-uk-abattoirs-two-years>

¹⁸⁹ Zivotofsky, "Government Regulations", 757

In Part I, we saw how *shechita* has been developed as a humane and swift means of slaughter within a religious framework, but is controversial because animals are not stunned beforehand.

In Part II, we considered the legal framework, noting possible changes, post-Brexit. We considered how a domestic ban on *shechita*, particularly if combined with either a ban or (more likely) tariffs on imports, could have an antisemitic effect – regardless of intention.

In Part III, we surveyed previous anti-*shechita* agitation in Britain and overseas. We saw how such agitation has combined antisemitism and animal welfare positions in varying proportions; how the language of such campaigns has often been explicitly antisemitic; and how many overseas bans have been implemented for reasons that are not solely connected with animal welfare.

In Part IV, we surveyed contemporary British agitation. We noted the weak evidence base; the flow of ideas between various groups; and the “slippage” into antisemitic discourse – particularly, though not only, the blood libel.

In Part V, we used two tests to consider whether a ban on *shechita*, if implemented, would be antisemitic: a subjective test based on Jewish perceptions; and an objective test which identifies a ban on *shechita* as an unjustifiable form of discrimination against Jews.

(ii) Contemporary anti-*shechita* agitation and antisemitism

Clearly, it does not follow from the above, that every supporter of a ban is an antisemite.

It would be surprising if this were the case. Surveys have shown that the number of committed antisemites (people with multiple negative views about Jews) in Britain is around

5-6% of the population, spread broadly across the political spectrum.¹⁹⁰ It is more likely that the vast majority of supporters of a ban are motivated by a concern for animal welfare. It is probably unsurprising if such people take the claims of the BVA and RSPCA at face value; if they are unaware of the shortcomings of the Gibson/Johnson articles; if they have not considered the implications of a ban for British Jews; or if they are unaware of, say, the dark background to bans elsewhere.

However, this does not mean that there is no relationship *at all* between contemporary anti-*shechita* agitation as a whole, and antisemitism. Three overlapping aspects are relevant: intention and effect; discourse; spectrum and boundaries.

a. Intention and effect

Antisemitism is not only a matter of intention or of conscious hatred of Jews. It is “also, and primarily, a matter of what people *do* and of what consequences their actions have”.¹⁹¹ Regardless of the intentions of campaigners, a ban would have an antisemitic *effect*: it would harm Jewish life and would unjustly discriminate against Jews. Yet even where campaigns do not lead to a ban, our survey of anti-*shechita* agitation – past and present, home and abroad – shows that it attracts, and feeds into, antisemitism – again, whether that is intended by campaigners or not. A prime example is Paula Walters’ 2018 UKIP speech. Walters referred to the BVA, RSPCA and HSA, all of whom would disavow antisemitic intent. Walters herself says nothing at all about Jews, Judaism or *shechita*. Her speech nonetheless generated antisemitic commentary on the *Kipper Central* website.¹⁹² Similarly, the RSPCA, BVA, National Secular Society and Humanists UK would all deny antisemitic motivations, yet are

¹⁹⁰ Ben Gidley, Brendan McGeever and David Feldman. "Labour and Antisemitism: a crisis misunderstood." *The Political Quarterly* (2020), 2-3

¹⁹¹ David Hirsh, *Contemporary Left Antisemitism* (Abingdon: Routledge, 2017), 138

¹⁹² See Part IV(iii)b (“UKIP”)

cited by For Britain – whose leader, Anne Marie Waters, articulates the blood libel in explicit and lurid terms.

b. Discourse

British culture has, over the centuries, accumulated a (regrettably) large reservoir of stereotypes and negative views about Jews, from which people can draw at ease, to address a problem they care about. It can be drawn on consciously or unconsciously; “antisemitism can be present in the absence of recognisable, committed ‘antisemites’”.¹⁹³ This reservoir includes the blood libel and associated tropes of Jewish cruelty.

We have noted how often anti-*shechita* agitation – past and present, domestic and overseas – has mirrored such tropes. Sometimes this is obvious and explicit – as with Nick Griffin and Anne Marie Waters.¹⁹⁴ More often, it is an echo: the widespread use of the phrase “ritual slaughter”; misrepresentations of how *shechita* works (notably, the inaccurate claim that the animal bleeds to death while still conscious); possibly even the over-praising of alternatives and the eagerness to believe and circulate (flawed) negative scientific reports about *shechita* (or not about *shechita*, as the case may be).¹⁹⁵

It is unlikely that this echo is coincidental: it occurs too often. It is hard to prove that it is conscious: this would in any event be vehemently denied. It is, more likely, an unconscious “reach for the reservoir”. How and why this “cultural unconscious” works, and how and why it so often recurs, is a feature of the dynamic between anti-*shechita* agitation and antisemitism which warrants further study. Regrettably, few anti-*shechita* campaigners seem prepared to consider it.¹⁹⁶

¹⁹³ Gidley *et al*, “Labour and Antisemitism”, 4

¹⁹⁴ See Part IV(iii)

¹⁹⁵ See the comments of Ari Zivotofsky at Part IV(i).

¹⁹⁶ After: Hirsh, *Contemporary Left Antisemitism*, 207

c. Spectrum and boundaries

Contemporary anti-*shechita* agitation consists not of a single movement but of different streams – animal welfare groups, secularists, and the hard right (parts of which are openly antisemitic, and whose motives for opposing *shechita* are, at least in part, based on ill-will towards Jews). The first two streams exist, and need to be understood alongside, the third. Ideas and concepts migrate across the various streams. Rhetoric and images which are not formally or intentionally antisemitic, escape the control of those who create them, and are then deployed by *bona fide* antisemites in the third stream. The most salient example is how the output of Craig Johnson, and the RSPCA, is appropriated by the BNP and Nick Griffin respectively.¹⁹⁷

Non-antisemitic opponents of *shechita* would doubtless protest that this imputes them with guilt by association. Yet they operate in an area where - historically and currently, in Britain and elsewhere – campaigns against *shechita* have combined both animal welfare and antisemitism. They largely fail to see this context as significant. They exercise insufficient care in setting boundaries between a legitimate scientific comparison of different slaughter methods (and the implications for policy), and ill-will towards Jews. The clearest example of this is the way in which, across the board, overseas (and particularly European) bans are presented as examples for Britain to follow, without mentioning any of the antisemitic political background to those bans. Put differently, and bluntly, non-antisemitic opponents of *shechita* can scarcely complain about their own output being cited by Nick Griffin and the

¹⁹⁷ See Part IV(iii)

BNP, when they themselves approvingly cite European bans on *shechita* which owe much to Nick Griffin's European equivalents.¹⁹⁸

In short, while not every supporter of a ban on *shechita* is antisemitic, antisemitism is nonetheless a characteristic of anti-*shechita* agitation as a whole. "Antisemitism is not only a hatred of Jews; it is also norms, practices and discourses which discriminate against Jews".¹⁹⁹²⁰⁰ It also seems likely that, were the scientific picture to change and *shechita* proven to be demonstrably and significantly inferior to other slaughter methods, making a ban more objectively justifiable, anti-*shechita* agitation would *still* attract antisemites. Whatever merits a ban may or may not have in the abstract, the issue (similarly, perhaps, to campaigns against circumcision)²⁰¹ cannot be separated from real-world anti-Jewish sentiment.

(iii) Vegetarian and vegan agitation: an exception to the rule?

There is a further stream of anti-*shechita* agitation which, at least in theory, does *not* discriminate against Jews: namely, campaigns based on vegetarianism or veganism. These do not single out *shechita* alone but campaign either to end *all* slaughter, or to end the consumption of all animal products full stop. This is the goal of groups such as PETA

¹⁹⁸ For a rare exception this, see: Chris Sloggett, "Defending one law for all is the only sustainable way to beat reactionaries of all stripes", January 10, 2019, <https://www.secularism.org.uk/opinion/2019/01/defending-one-law-for-all-is-the-only-sustainable-way-to-beat-bigotry>. Sloggett recognises that "bigots", including Ben Weyts, "sometimes weaponise non-stun slaughter". In the same piece, however, Sloggett refers to the bans in Denmark, Norway, and Sweden – without giving any of the background.

¹⁹⁹ David Hirsh, "Why BDS is antisemitic", *Engage*, July 1, 2016, <https://engageonline.wordpress.com/2016/06/01/why-bds-is-antisemitic-david-hirsh/>

²⁰⁰ Here, the reader may notice the similarities with the relationship between antizionism and antisemitism: see Hirsh, *Contemporary Left Antisemitism*, 184-219. One obvious difference is that whereas antizionism singles out the Jewish state for particular attention, contemporary anti-*shechita* agitation is often a subset of a campaign that primarily targets the Islamic practice of *dhabiha*.

²⁰¹ Jennifer Lipman, "Foreskin man takes on Monster Mohel in comic", *Jewish Chronicle*, June 3, 2011, <https://www.thejc.com/news/world/foreskin-man-takes-on-monster-mohel-in-comic-book-1.23551>

(People for the Ethical Treatment of Animals)²⁰² and Animal Aid.²⁰³ It is also the long-term goal of the Animal Welfare Party, which holds a council seat in Cheshire,²⁰⁴ and which supports a ban on religious non-stun slaughter as part of a far wider slate of animal welfare policies.²⁰⁵ Elsewhere, however, the party has supported a ban on *all* slaughterhouses.²⁰⁶ its dream is for everybody to become vegan. This distinguishes it from those parties that focus solely on *shechita* and *dhabiha*.

Since such groups want to stop *all* slaughter, rather than *shechita* and *dhabiha* only, they are arguably non-discriminatory. (One might liken them to that very small group of people, such as the late Steve Cohen, who consider all national movements racist and so oppose all nation states on principle, rather than singling out Zionism and the state of Israel for unique opprobrium.²⁰⁷) The number of Jews in such movements is growing.²⁰⁸²⁰⁹

Two caveats must nonetheless be made.

The first is that some within these groups compare factory farming and slaughterhouses with the Holocaust. Such comparisons, which are contentious to say the least, cause Jews within those movements great distress.²¹⁰

²⁰² PETA UK, accessed June 6, 2020, <https://www.peta.org.uk/>

²⁰³ Animal Aid, "Why Veganism", accessed June 6, 2020, <https://www.animalaid.org.uk/veganism/why-veganism/>

²⁰⁴ "2019 Local Elections", Animal Welfare Party, accessed April 23, 2020, <https://www.animalwelfareparty.org/current-elections/2019-local-elections/>

²⁰⁵ "2019 General Election", Animal Welfare Party, accessed April 22, 2020, <https://www.animalwelfareparty.org/current-elections/2019-general-election/>

²⁰⁶ Animal Welfare Party (@AnimalsCount), "Making the case that animals' lives matter with this strong turnout at the March to Close All Slaughterhouses today in central London". Twitter, 8 June 2019, <https://twitter.com/AnimalsCount/status/1137337563696566274>

²⁰⁷ Steve Cohen, *That's Funny, You Don't Look Anti-Semitic* (EngageOnline, 2nd ed., 2008), from the foreword by Jane Ashworth, available at <https://engageonline.wordpress.com/2015/11/05/thats-funny-1/>. Clearly, this is not a precise parallel because those who campaign against *shechita* also, usually, campaign against *dhabiha*.

²⁰⁸ JVS (Jewish Vegetarian Society), accessed June 6, 2020, <https://www.jvs.org.uk/>

²⁰⁹ Oliver Holmes, "'There is no kosher meat': the Israelis full of zeal for going vegan", *The Guardian*, March 17, 2018, <https://www.theguardian.com/world/2018/mar/17/there-is-no-kosher-meat-the-israelis-full-of-zeal-for-going-vegan#:~:text=Adam%20and%20Eve%20were%20vegans,anywhere%20else%20in%20the%20world.>

²¹⁰ Richard H Schwartz, PhD, "Should the Mistreatment of Animals Be Compared to the Holocaust?" Jewish Vegetarians of North America, accessed June 6, 2020, <https://www.jewishveg.org/schwartz/holocaust.html>

The second caveat is that such groups still operate alongside the other campaigners we have examined. Here, it is instructive that the Animal Welfare Party has praised the Danish ban uncritically.²¹¹ It has also interacted on Twitter, apparently cordially, with a UKIP supporter of a ban who sees the Animal Welfare Party as an ally (Image 7). It is therefore a challenge, even for vegetarian and vegan groups, to firewall their own campaigns for a ban, from those pursued by other actors with different motivations.

²¹¹ Animal Welfare Party (@AnimalsCount), “Denmark’s ban on halal & kosher slaughter is step in right direction for #animalwelfare but only real cruelty-free lifestyle is plant-based”, Twitter, February 18, 2014, <https://twitter.com/AnimalsCount/status/435866335025709056>

BBC Daily Politics and Sunday Politics @daily... · Jun 6, 2017
What is the @AnimalsCount party offering voters at #ge2017?

BBC Two - Daily Politics, 06/06/2017, What are ...
General election 2017: Animal Welfare Party leader Vanessa Hudson
bbc.co.uk

Cllr James Dalton 5 @CllrDalton · Jun 6, 2017
I advocate the ban of non-stun slaughter. Ban Halal from all schools. Do they agree? @BBC **vote #UKIP 4 animal welfare** - she should join us!

Animal Welfare Party @AnimalsCount
Replying to @CllrDalton @daily_politics and @BBC
An end to all slaughter without prior stunning is included in our key policies and on our election leaflets.

2017 General Election Manifesto - Animal Welfare Party
AWP's Key Policies for the 2017 General Election Increase penalties for those convicted of animal abuse. End the ...
animalwelfareparty.org

10:54 PM · Jun 6, 2017 · Twitter Web Client

2 Retweets 2 Likes

Cllr James Dalton 5 @CllrDalton · Jun 6, 2017
Replying to @AnimalsCount @daily_politics and @BBC
Excellent. A full ban on Halal & Kosher slaughter then. & transport of live animals across from/to the continent? A ban on Halal in schools?

IMAGE 7: Twitter interaction between the Animal Welfare Party and a UKIP councillor (highlighting added)²¹²

For our purposes, it remains only to consider the prospects of a ban being implemented in contemporary Britain.

²¹² Twitter, June 6, 2017, <https://twitter.com/AnimalsCount/status/872210049598459904>

PART VII

INTO THE PRESENT: IS *SHECHITA* IN BRITAIN SECURE?

(i) A minority concern

Even to ask the above question may seem absurd. All previous legislative attempts to ban *shechita* have failed (see Part III(i)). Not a single Parliamentary seat is currently held by a party committed to a ban. UKIP received a national vote share of 0.1% in the 2019 General Election.²¹³ For Britain has just two council seats throughout Britain.²¹⁴ The Animal Welfare Party has only one. Several petitions on the topic were submitted to Parliament under the 2017-19 government: the most “successful” attracted just 45,924 signatures.²¹⁵ By comparison, 6,103,056 people signed a 2019 petition calling for Britain to remain in the EU.²¹⁶ Religious non-stun slaughter is not obviously of pressing importance to the British public.

In July 2019, David Rutley MP explained the Government’s position, which was to preserve the current exemption from stunning, but require all meat products to be labelled, enabling consumers to make a choice.²¹⁷ There is no indication that this position has changed.

Why, therefore, might *shechita* be vulnerable? There are two reasons: Brexit; and the appointment of George Eustice as Environment Secretary.

²¹³ House of Commons Library Briefing Paper, *General Election 2019: results and analysis* (Number CBP 8749, 28 January 2020), <http://researchbriefings.files.parliament.uk/documents/CBP-8749/CBP-8749.pdf>, 22.

²¹⁴ Serina Sandhu, “Local elections 2019 result: Far-right For Britain Movement wins first elected councillors”, *Inews*, updated September 6, 2019, <https://inews.co.uk/news/local-elections-2019-results-for-britain-movement-council-seats-hartlepool-epping-forest-far-right-502661>

²¹⁵ “Published Petitions” (search for “slaughter”), UK Government and Parliament, Petitions, search performed May 11, 2020), <https://petition.parliament.uk/archived/petitions?q=slaughter&state=published&parliament=3>

²¹⁶ “Revoke Article 50 and remain in the EU”, UK Government and Parliament, Petitions, accessed May 12, 2020, <https://petition.parliament.uk/archived/petitions/241584>

²¹⁷ David Rutley MP, HC Deb (WH), July 2, 2019, Religious Slaughter of Animals, vol 662, available at <https://bit.ly/2O2RWP8>

(ii) Brexit

As we saw in Part II, Brexit will make it possible not only to ban *shechita* domestically (which could of course be done without leaving the EU), but also to ban or - more likely - impose tariffs upon imports. There is currently little political will for such a measure. What is unknown, however, is the ultimate political fall-out of Brexit – particularly if it causes sharp economic decline and heavy job losses. David Hirsh has predicted that, in this scenario, some will scapegoat Jews.²¹⁸ This could manifest itself in campaigns against *shechita*.

Another risk is that Brexit descends (further?) into fights over British identity. We have seen how the hard right construes Britain as a “nation of animal lovers”, with which *shechita* is supposedly inconsistent. This idea also appears in more mainstream circles. Conservative MP Andrew Rosindell has written that “the refusal of certain religious groups to stun animals prior to slaughter” is “unfair, unnecessary and, frankly, un-British”.²¹⁹ Conversely, the journalist Stephen Daisley has argued that a ban itself would be un-British.²²⁰ An intensified culture war over “Britishness” could include battles over *shechita*.

(iii) George Eustice

On February 13, 2020, George Eustice MP was appointed as the UK’s new Environment Secretary. Eustice has previously expressed his opposition to an outright ban on religious

²¹⁸ David Hirsh, “Dangerous lure of the modern populist parties”, *Jewish Chronicle*, November 15, 2019, <https://www.thejc.com/comment/analysis/dangerous-lure-of-the-modern-populist-parties-1.493179>

²¹⁹ “Andrew Rosindell MP: Traditional religious slaughter (*sic*) methods are unfair, unnecessary and, frankly, un-British”, *Conservative Home*, March 14, 2014, <https://www.conservativehome.com/platform/2014/03/andrew-rosindell-mp-traditional-religious-slaughter-methods-are-unfair-unnecessary-and-frankly-un-british.html>

²²⁰ Stephen Daisley, “Banning Halal and Kosher slaughter would be un-British”, *The Spectator*, November 1, 2019, <https://www.spectator.co.uk/article/banning-halal-and-kosher-slaughter-would-be-un-british>

non-stun slaughter. However, he has also said that MPs should be allowed a free vote on the issue.²²¹

(iv) A looming threat?

Should Eustice get his wish, it is hard to predict how MPs would vote. However, one can easily picture the wider debate. Animal welfare groups, along with the National Secular Society and Humanists UK, would lobby the government and MPs intensively. Opinion pieces in *The Times* would insist that “religious sensibilities” should come second to animal welfare. For Britain would intensify its public campaigning, probably assisted by others on the hard right. Its campaigns would focus predominantly on *dhabiha* but also target *shechita*. Many would mention the Gibson/Johnson articles, but not those papers’ shortcomings. Many would insist that “criticism of ritual slaughter is not antisemitic”, yet also present hard-right-inspired overseas bans as examples for Britain to follow. Halal and kosher abattoirs, restaurants and shops would come under pressure.

Should such a campaign coincide with Brexit going wrong, and a search for scapegoats, and an intensified culture war about “Britishness” (let alone possible renewed tensions between Israel and the Palestinians), the atmosphere could become fraught. As we saw in Part III(i), there is a precedent for the issue of *shechita* combining with other manifestations of anti-Jewish sentiment, to trigger physical hostilities towards British Jews.

Such a scenario may seem remote, but is far from impossible, given the volatility of British politics in recent years. We have after all seen how antizionism, and an associated form of left-wing antisemitism, has moved from the fringes of the British left, to the front and centre of the Labour Party. The ultimate political fall-out of Brexit, let alone of COVID-19,

²²¹ Simon Rucker, “New food minister has previously challenged shechita”, *Jewish Chronicle*, February 13, 2020, <https://www.thejc.com/news/uk-news/new-food-minister-has-previously-challenged-shechita-1.496820>

remains unpredictable. British Jews may therefore soon be facing another antisemitic campaign: this time, one directed against the practice of *shechita*.

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