

## ***Anthropos Metron versus Bous Metron? The Significance and Suffering of Animals in Regard to Sacrificial Rituals***



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**Abstract:** Humanity has practised animal sacrifice for the greater part of its history, from the time of the Neolithic Revolution. The ritual forms have varied, depending on the culture. They have also been subject to change, in connection with the development of human understanding and knowledge of animals, which is reflected in the ontological, cultural and moral status assigned to animals in the human world. Sacrificing animals involved not only killing them in a particular way – their treatment was sometimes sophisticated or ‘ritualistic’; often it was simply cruel. Human attitudes towards non-human living beings have also evolved in the context of animal killing and sacrifice. The treatment of animals reveals a great deal about human beings – in terms of their culture, beliefs, and morals. The article outlines this issue in a historical manner, referring to the practices adopted in selected cultural circles (in the Mediterranean Basin): ancient Mesopotamia and Greece, as well as in Judaism and Islam. The key findings of researchers are presented, along with the evaluations of philosophers, ethicists and anthropologists.

**Keywords:** Ancient Greece; animal sacrifice; buphonia; ritual slaughter; animal suffering; shechita; halal; Descartes; Kant; Spinoza; Hegel.

### **Introduction**

The pursuit and consumption of meat is one of the oldest and most common practices of our species<sup>1</sup>. Already in the Stone Age, meat was the most highly valued food, and its acquisition in hunting defined many of the behaviours in which human societies engage (Szyjewski 2016, 236–239). Our relationship with animals became even more important with the advent of agriculture and the parallel process of domesticating certain animal species. It was then that a unique form of activity appeared in our history: animal sacrifices. Such practices have been evident in the greater part of the areas inhabited by human beings throughout history, and they have continued without interruption until the present day. In the contemporary world, the followers of many religions still ritually slaughter animals. Like other religious practices, animal sacrifice has varied

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<sup>1</sup> This article was prepared under the “Best Student Grant” no. 032/39/UAM/0017 awarded by Adam Mickiewicz University, Poznań, Poland, in the academic year 2021/2022. The grant was carried out under the supervision of Prof. PhD habil. Ewa Nowak. The translation was made by Stephen Dersley. The author would like to thank them.

from community to community. The rituals have been influenced by their culture and followed the spirit of the times. Such rituals thus tend to be rather unique. They confront the worldview and religious vision of a given religious community with the necessity of taking the life of another being.

The central moment of ritual slaughter<sup>2</sup> is undoubtedly focused on the death of the victim. It is then that the crucial moment occurs. Not only does the human being come face to face with a different kind of living being, but he also takes the life of that being with his own hands. A being that does not understand what is happening to it, but undoubtedly senses the impending slaughter:

Observation of the behaviour of farm animals shows that in addition to the emotional arousal associated with local tissue or organ damage, they also experience and signal chronic psychological suffering, ante-mortem panic, and even a sense of threat and trepidation, categorically belonging to existential emotions (Nowak 2013, 64).

These feelings must be perceived by those performing the sacrifice. Derrida argued that experience provides a clear answer to the question of whether animals experience suffering: “No one can deny the suffering, fear, or panic, the terror or fright that can seize certain animals and that we humans can witness.” This impression is “old, supposedly natural” (Derrida 2008, 28), but under certain conditions its obviousness and certainty can be shaken. Space then opens up for perspectives that question the suffering of animals or refuse to allow them compassion. However, the proponents of such perspectives rarely deny the empirical manifestations of animal suffering. Derrida notes that even Descartes, who denied animals the capacity to feel pain, could not disavow this phenomenon. Indeed, Descartes did not assert that animals had no *life*, because he viewed life “as consisting simply in the heat of heart,” similarly he did not deny that they had “sensation, in so far as it depends on a bodily organ” (Descartes 1991, 366). The point is that he understood these two phenomena – life and sensation – in a purely mechanical way. They were merely external, physical activities, and no suffering or feeling of subjectivity was supposed to hide behind them. Just as a robot can give the impression of having emotions by imitating facial expressions, animals, in the eyes of man, could only convey illusory symptoms of suffering, especially as the understanding and cognitive assessment of the evidence provided by one’s own senses could be unreliable (and in fact were).

However, human beings are able to ignore the reality of animal cognition not only within the framework of pure science, but also within the framework of moral and legal regulations concerning the treatment of animals by man, society, popular or artistic culture, and religion. It can be assumed, with a high degree of probability, that animals were located so low in the hierarchy of entities of natural origin that man could sanction not only indiscriminate or sophisticated killing, but also the infliction of pain and other

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<sup>2</sup> The phrase ‘ritual slaughter’ will be treated here as a synonym for ‘animal sacrifice’ due to the fact that the sacrifices addressed in the article nearly always involve slaughter – the extraction of meat for consumption.

suffering – first in the process of hunting wild animals and the destruction of their natural habitat, and then with mass breeding, exploitation and industrial-scale slaughter. This insensitivity is not limited to Western culture, it did not arise from a ‘biblically’ grounded anthropocentrism. Many tribal communities, who killed animals in order to survive, had long known that animals were capable of feeling pain and suffering, yet they were not reluctant to “slash the tendons of elephants’ hind legs, paralyse with poisoned arrows, bludgeon victims, especially large ones like elephants or buffaloes, caught in pits” (Elżanowski 2018, 127).

Nor was knowledge of animal suffering an obstacle to the cruel practices of industrial-scale livestock farming, which first developed in the USA in the late 19<sup>th</sup> century. American farmers “introduced beak clipping for chickens in the 1940s, and in the 1960s they began to clip their wings” (Elżanowski 2013, 274), not to mention factory farming or force-feeding geese to obtain raw material for foie gras production. On the other hand, empathy towards other living beings was the driving force behind the vegan/vegetarian movement. Already in antiquity, Plutarch wrote about how the sounds of a dying victim are in fact a lament, and he called for the adoption of a vegetarian diet (Helmbold 1957, 537–579). Nowadays, diets in which meat is renounced have “attracted more and more followers” (Hargreaves, Raposo, Saraiva, & Zandonadi 2021). At the same time, there are efforts to humanise the slaughter process and spare animals suffering. This was to be achieved by, for example, the introduction of an EU directive mandating that animals should be stunned before slaughter (Council Directive 93/119/EC, 1993).

It seems that these two perspectives (ignoring animal suffering in favour of human interests, or limiting human interests in favour of at least such basic interests of nonhuman living beings as freedom from pain and other suffering inflicted by humans) correspond to two behavioural strategies presented by Antoni Kępiński. This author distinguishes two attitudes that people adopt towards their environment: (1) the animistic attitude, which appears when “a common kind of experiencing (anima) links the individual with his/her environment,” and (2) the instrumental attitude in which “the environment is only an instrument for achieving some goal” (Kępiński 1987, 208). The animistic attitude is directed outwards, towards the Other; it tries to “understand him so that one can feel a community of experience.” The instrumental attitude has the subject and their benefits at its centre, “we do not care what the subject experiences,” so it allows us to exploit others different from us and treat them cruelly. Both approaches can also be observed in the sphere of human-animal relations. Animals have been – and continue to be – an extremely important part of the human environment. This has been the case since the appearance of homo erectus, and especially since the agricultural revolution, as a result of which animals and humans became even more closely linked through shared agricultural work.

Animal sacrifice is a practice that opens a window into the problem of human attitudes towards other living beings. In such rituals, humans are confronted with the necessity of killing another being, and this leads them to adopt a certain attitude towards

animals. However, ritual slaughter differs from other practices which involve killing animals. It reveals the perspective of a particular community in terms of human-animal relations. The fact that animal sacrifices take place under controlled conditions is very important. Although their performance necessarily involves the technical aspects of animal slaughter (for example, the removal of blood or entrails), it is not as subject to the requirement of efficiency as hunting is, for example. The latter takes place under variable and not fully controlled conditions, with the primary objective being to catch the fleeing prey. On the other hand, due to the religious nature of the whole event, animal sacrifices are, in terms of their structure and elements, far more representative of the worldview of a specific culture than secular slaughter is (after all, religion is in some ways a system of specific beliefs).

### **I. Subject or Object? The Ambiguous Status of Animals in Traditional Mesopotamian Cultures**

In ancient Mesopotamia, animal sacrifices were a key part of the service that priests were obliged to perform for their gods. Serving the gods was the purpose of human life; and just as every human being required food to live, so the anthropomorphic gods of Mesopotamia had to receive food from their worshippers. Consequently, an essential part of daily worship was the preparation of meals – usually two in the morning and two in the evening – which included the following products: bread, wine, fruit and meat from ritual slaughter (Abusch 2020, 56–60). The evidence suggests that Mesopotamian sacrificial practices were distinct from those of other cultures. However, these distinguishing characteristics are not strange and incomprehensible features, but rather the absence of elements commonly found in other religions.

An important source that provides an outline of the practices of the time is the Mesopotamian ritual texts known today as the *Daily Sacrifices to the Gods of the City of Uruk* (Pritchard 1978). This text presents regulations on the proper preparation of meals for the deities worshipped in the city of Uruk. Among them there is a very detailed section on animal sacrifices (the number of specimens destined for specific gods and their species are described in detail). In the text there is a noticeable lack of any instructions on the technique by which animals intended for sacrifice should be killed. Neither is there any description of any additional rituals or religious ceremonies connected with the procedure (the recitation of a specific prayer is an exception, but this element accompanies even the breaking of bread, so it does not distinguish animal sacrifice from other activities). Slaughter is not singled out as an exceptional act here: it is treated more on an equal footing with the other elements of meal preparation. Neither is there any mention of dividing the sacrifice into different parts, such as those intended for gods and humans. In ancient Mesopotamia, the whole animal was eaten by humans (after having

been previously sacrificed to the gods) (Katz 1992, 257). In other cultures, such a division entailed that animal sacrifice must be conducted with greater caution because certain parts of the food were forbidden. The absence of this aspect in Mesopotamia blurs the line between animal sacrifices and sacrifices of inanimate objects or materials.

The absence of the division of sacrifice is also linked to the lack of any attribution of special meaning to blood, which is definitely a unique feature of Mesopotamian culture when compared with neighbouring societies. G. W. F. Hegel noted in his *Aesthetics* that the attribution of special meaning to blood is a manifestation of “reverence for life as such.” He drew attention to the presence of this phenomenon among the Jewish people, to whom “Moses, e.g., forbids the consumption of animal blood because life is in the blood” (Hegel 1988, 443). An example is ancient Greece, where it was believed that “blood is so essential for life that it is considered to be the centre of life itself” (Meletis & Konstantopoulos 2010, 2). Ancient Mesopotamia is unique in this respect – we find no traces of blood being assigned a significant role. The regulations pertaining to ritual do not specify special rules for handling it. Nor do the texts tend to interpret blood in a symbolic way (Abusch, 2002, 60–64; Katz 1992, 257). This is important, because by ascribing a unique role to blood we simultaneously distinguish all beings possessing it (including other animals besides humans), while assigning them all to a common category. In this situation, blood is an element that connects people with other beings, it creates an impression of similarity despite many differences. “In ancient Mesopotamia, human beings can shed animal blood more or less casually in the course of provisioning the gods. But both in the Bible and among the ancient Greeks men can shed the blood of beasts only within the parameters of a strictly limited set of procedures” (Katz 1992, 257).

The absence of these constraints in Mesopotamian culture entails that “animals, like bread, beer, and other offerings, are no more (or less) than the instruments by which human beings communicate with the gods and satisfy their needs” (Katz 1992, 258).

This statement is very bold, and we should not accept it only on the basis of the above information. It would be worth investigating whether the interpretation proposed by the quoted author finds supporting examples also in other spheres of the culture of ancient Mesopotamia. At the outset, it would be necessary to verify to what extent the above interpretation of animal sacrifices is consistent with the way the inhabitants of those territories themselves understood the meaning and significance of the outlined practices. A reflection of the views of those times can be found in the myth about the establishment of animal sacrifices, known to us today in the form of an epic entitled *The Story of Lugalbanda in the Mountain Cave*.

The epic tells the story of the Sumerian king Lugalbanda, who falls ill during an expedition and is left by his companions in a mountain cave. The king falls into a dream, during which the god Anzakar appears before him and asks him “The red bullock-who will tie it up for me? / Who will make its animal fat flow for me?” (Hallo 1983, 176). Moved by his dream, upon awakening Lugalbanda kills the indicated animal, prepares

its meat and holds a feast in honour of the gods. According to the myth, the killing of the relevant animals “is simply part of the procedure for provisioning the gods” (Katz 1992, 257) – although the prepared animal seems to be an essential element of the whole feast, no deeper significance is ascribed to the act of slaughter (this is particularly evident when comparing it to the Greek myth of animal sacrifice, which is considered later in this article).

It is not only in the sphere of ritual slaughter that an extremely instrumental approach to animals is evident. Hegel, already quoted above, noted that the cult of hunting is an activity that manifests the “debasement [of] the high dignity and position of the animal world” (Hegel 1988, 445). In cultures where the respect due to animals is beginning to disappear or has not yet appeared, killing them “counts as something lofty whereby the heroes fought their way to the rank of gods” (Hegel 1988, 447). These words perfectly capture the perspective present in Mesopotamia. Indeed, the apotheosis of the hunt was particularly widespread there. The imperial ideology and literature of those lands very often presented the king as an excellent hunter, and his ability to kill wild animals efficiently was supposed to be a sign of his superiority, power and might. In the passages of Mesopotamian literature that deal with the theme of hunting, animals have a strictly instrumental function. Their number, exotic origin and strength are only meant to highlight the outstanding achievements of the king, who was able to kill or entrap them. King Tiglat-Pileser I is said to have killed 10 elephants and 120 lions, and to have knocked down another 800 with his chariot. The literature of the period presents animals “as existing outside the boundaries of established order” (Collins 2002, 285), and thus destined to be subservient to the king’s authority. This also gave the ruler another way to display his power over animals – the creation of zoos, which were meant to represent the introduction of civilised order into the wild animal kingdom (although at the same time rare animals were meant to show the vast area of royal domination).

Emphasising the difference between animal and human nature repeatedly allowed humans to free themselves from a sense of moral obligations towards other living beings. Besides the worldview of ancient Mesopotamia, this perspective was also reflected in the thought of Benedict Spinoza. The Dutch philosopher believed that we only have duties towards beings of the same nature – this group cannot include animals other than humans, “since they do not agree with us in nature and their emotions are by nature different from human emotions.” In his view, we are permitted to do “what is useful for ourselves and use them at our pleasure and treat them as is most agreeable to us.” This account of human-animal relations also gives a specific meaning to the killing of animals, since resistance to this practice is “founded more in empty superstition and womanish compassion than in sound reason” (Spinoza 2018, 186). This view seems to correspond well with the attitude presented in ancient Mesopotamia. Since animals are above all different from us, there is nothing wrong with killing them, especially when this act is an element of religious duties.

An instrumental approach to animals was also adopted in the legal sphere of

Mesopotamia. The legal status of animals has always been a problematic issue. In some cultures, they were treated more like objects, while some systems attributed to them a greater degree of subjectivity, making them more like humans. Even today, there are disputes in legal philosophy about the extent to which we can grant rights and duties to animals (Saskia 2020). These issues were also of interest to Mesopotamian lawmakers, and we can learn about their perspective from legal documents of the time, such as the Code of Hammurabi and the Laws of Eshnunna (Pritchard 1978). In both collections we find provisions covering situations in which an ox attacks a man or another ox. In such situations, the law of the time stipulated that the owner of the ox causing the damage should pay monetary compensation to the injured person, but the animal itself was ultimately not liable. Scholars (e.g., Finkelstein 1981) often contrast this view with the attitude presented in Exodus, where the agency of the animal is taken into account, and it can be prosecuted and sanctioned with the death penalty. This biblical perspective corresponds to the process referred to in contemporary legal philosophy as the de-reification of animals, which Tomasz Pietrzykowski describes as “the formal exclusion of animals from the legal category of ‘things’” (Pietrzykowski 2015, 250). Judaic law does not place animals in the category of objects or instruments, but precisely de-reifies them, creating a separate category in which rights are presumed to be conferred (for example, to rest on the Sabbath), as well as certain obligations or prohibitions (such as the previously mentioned situation of injuring a man or another ox). There are consequences for breaking them. Punishing an ox would make little sense in Mesopotamian law, where the lack of a de-reification process results in the legal status of animals being closer to things than to subjects.

In the Mesopotamian regulations, the absence of any notion of the animal’s liability reflects the general disposition in this culture toward an instrumental treatment of beasts; (...) the animal is simply the instrument that brings about death or injury, and is excluded from the compass of fault and responsibility. In Biblical law, by contrast, the animal does incur liability of a sort (Katz 1992, 260).

## **II. Criminalization and Myth. The Ancient Greek Perspective in the Context of Animal Slaughter and Sacrificial Rituals**

The beliefs of the ancient Greeks clearly specified man’s place in the world. There, as in many other cultures, humans found themselves in a dual relationship. On the one hand, they were subordinate to the gods who surpassed them in power, and on the other hand, they were elevated above the animals over whom they had some advantage or power (Vernant 1991). Such a hierarchy seems to have been permanently inscribed in Greek culture, but it was in some ways problematic: in practice, the boundaries between the three kinds of entities could be crossed – and repeatedly were. Creatures that defy the human-god and human-animal binary are ubiquitous in Greek beliefs. Centaurs,

harpies, minotaurs, satyrs, idolised heroes and demigods are present in many myths, and at the same time they occupy positions on the borders between different categories. While liminal beings are mainly found in mythology and artistic representations, heroes were additionally the objects worshipped in cults, the origins of which date back to the 10<sup>th</sup>–8<sup>th</sup> century BC (Lengauer 1994, 171). Pure species could also change their affiliation: hence the well-known stories of Lycaon who transformed into a wolf, of Hippomenes and Atalanta who became lions, or of Cyncus (*Κύκνος*) who was turned into a swan by the gods. Humans also had sexual relations with gods who took the form of animals (Zeus, for example, did this on several occasions), and the myth of Pasiphaë even tells of the conception of a child as a result of intercourse not with a god but with an ordinary bull.

Such fluid boundaries were more characteristic of the mythical past than of the conditions in which the Greeks themselves lived, although even here the divisions between different kinds of beings could be blurred. In the fifth century BC, the famous Spartan commander Lysander was regarded as a god during his lifetime, and there was also at that time “a cult of Sophocles as a hero in Athens” (Lengauer 1994, 173). Nevertheless, in everyday life the crossing of boundaries was the exception rather than the rule. The divine, human and animal realms seemed to be clearly demarcated. This situation characterised the world in which the Greeks functioned. The culture of the Greeks at the time, including beliefs and sacrificial rituals, fitted into this dichotomy. In this context, I am interested in people’s attitudes towards animals – also from the normative side. Suitable material for analysis in this regard is provided by the *buphonia* ritual, which, despite its peculiar character, “exemplifies the institution’s nature and clearly brings out many of the internal tensions within Greek sacrifice” (Vernant 1991, 298). Here, the relationship between humans and animals is the central element, the crux of the whole ritual.<sup>3</sup>

The *buphonia* ceremony took place in mid-summer, as part of the Diipoleia<sup>4</sup> festival celebrated in honour of Zeus. During the celebrations, the participants would bring a festively decorated bull to the altar of Zeus, on which grain had previously been scattered.

3 In other myths from a similar period the axis is different. Some even assume “the voluntary death of the sacrificial animal,” as Kerényi writes. He describes in more detail the practice of sacrificing a goat in one of the Dionysian rituals. Such an offering had to be made to Pythios, the Delphic oracle, whenever she was asked for advice or a verdict (Pythios, in turn, was involved in another Dionysian-type sacrificial ritual involving the quartering of animal bodies to commemorate the quartering of the god Dionysus). The animal itself had a role here: it shook its head and made noises interpreted as “signs.” The oracle was probably located in a volcanic area, smoke and steam rose from the ground. The animals that found their way there would inhale these fumes and behave peculiarly. According to one legend, it was animals, including wild chamois, that were supposed to have drawn people’s attention to the site and contributed to birth of the Delphic Oracle’s cult (Kerényi 1996, chap. II).

4 As in Porphyry: “From that day to this, every Diipoleia at Athens, on the acropolis, these participants carry out the sacrifice of the ox in the same way. They put a cake and ground grain on the bronze table, and drive round it the oxen that have been selected for the purpose, and the ox that eats the offerings is cut down. (...) There are still families of those who perform the rite. One group, descended from Sopatros who struck the blow, are all called *boutupoi*, ox-hitters; others, descended from the man who drove the ox round the table, are called *kentriadai*, goaders; and those descended from the man who cut the throat are called *daitroi*, carvers, because of the feast which follows the sharing-out of the meat. Having stuffed the skin, and been brought to trial, they threw the knife into the sea.”



Attracted by the sight of the grain, the ox began to eat. The celebrants interpreted his behaviour as a religious offence because the altar was a sacred place and the grain on it belonged to Zeus, the god to whom it had been offered in sacrifice. Therefore, the ox had to be punished. Once the offence was discovered, the ox was felled with an axe blow and its throat was cut. After the ox's death, its meat was cooked and served at a great feast. Up to this point, the ritual was nothing special. What followed, however, was already incomprehensible in the eyes of the Greeks themselves. In the next part of the ritual, the skin of the dead bull was stuffed in such a way that it resembled a living animal. A dummy bull was then harnessed to a plough and ploughing was simulated.

This peculiar spectacle was followed by a trial, the task of which was to establish who had killed the ox. One by one, the people who had taken part in the ceremony were accused and blamed. Finally, the murder weapon used by the human perpetrators of the slaughter was accused. It was the 'implement' that the court found 'guilty' in its verdict. The 'punishment' (execution) consisted of throwing the tool into the sea (after Lengauer 1994).

In order to understand what meaning the Greeks attributed to this whole practice, it is necessary to refer to the myth that explains the origins of the celebration of *buphonia*. This myth is presented by Porphyry, in his *On Abstinence from Killing Animals* (Clark 2000). He tells the story of Sopatrus, an Attic farmer, who one day while worshipping the gods, deposited fruit and grain on an altar he had built. Unfortunately, these gifts were destroyed by a farm animal – an ox. The farmer, as an eye-witness of this event, became furious and killed the 'guilty' animal. In the aftermath of this act, however, he began to feel remorse.

To alleviate this feeling, the farmer went to the Oracle of Delphi for advice. The oracle recommended that he repeat the entire ritual. This time, the killing of the ox was to be an act which dedicated the animal to the deity, an act legitimised by the divine will, or divine law. The story of Sopatrus contains interesting elements. Among other things, it places emphasis on:

(1) the relationship of man to animals, in this case a farm animal that was used by humans and at the same time transported by them into another, sacred dimension;

(2) human activity in relation to these animals, resulting in the death and suffering of animals, but not for the purpose of human survival and food acquisition;

(3) moral conscience and moral self-reflection in the perpetrator, concerning the treatment of animals that resulted in their death;

(4) the function of divine law (religious sanction) with a symbolic power superior to human moral law and even earthly established law, i.e., social and political institutions. The protagonist experiences a sense of personal guilt or moral responsibility in connection with his act and its consequences for the animal, but thanks to divine intervention and sanction he is cleared of guilt and responsibility, and ultimately acquitted.

The judicial processes used by the Greeks to deal with the murder of a human

being thus provided a developed mechanism for shifting the blame to inanimate objects (the implements of the crime). However, the presence of such a mechanism in *buphonia* is problematic, since here it is not another human person who was put to death at the hands of a human, but an animal. It was this fact that needed to be clarified by means of the relevant myth. Here, a lawsuit brought against the perpetrator of an animal's death makes sense "only if one treats human and animal deaths as equivalent" (Lengauer 1994, 85). Attempts to equate the value of human and animal death (not a natural death, however, but one inflicted on animals by humans – in the context of their social, cultural, religious, etc. practices, governed by rules other than the laws of nature) were known to the ancients, including philosophers promoting vegetarianism. This equivalence could be based on different lines of argumentation, both speculative or normative, and referring to experience. The first group included Pythagoras and Empedocles, for whom belief in reincarnation was linked to the thesis that animals could be inhabited by human souls. "Consequently, to use such a creature for food is murder" (Clark 2000, 123). Such a conclusion was supposed to have led these two philosophers to renounce the consumption of meat.

Plutarch's comparison of the killing of an animal with murder is different; he refers to the sight of death, and thus its aspects which arouse a range of impressions and emotions – from aesthetic to moral. Plutarch presents descriptions intended to make the viewer of the phenomena in question (and the reader of his descriptions, which after all stimulate the imagination) feel abhorrence for the processes of slaughter and death, and to make them reflect on the role that man played in them "call food and nourishment the parts that had a little before bellowed and cried, moved and lived" (Helmbold 1957, 541). Plutarch is careful to show that it is only through elaborate procedures designed to process animal flesh, which was, after all, originally *their* flesh, and thus by seasoning, cooking and presenting meat dishes to satisfy human tastes, that humans are able to forget that what they are about to consume is in fact flesh, an integral part of living animal being that has been murdered.

However, while such arguments in philosophical discourse in favour of vegetarianism tend to be acceptable, equating the killing of an animal in ritual slaughter with murder goes against not only the main purpose of the practice (i.e., to obtain meat for consumption), but also the peace of conscience of the participants in the ceremony. For they are, in this situation, in danger of being tainted and therefore condemned in the eyes of the gods:

The *bouphonia* brings the slaughter of animals within the compass of this same ideological scheme, and makes clear an implied equivalence between animal and human life which is ultimately resolved into a hierarchy between them. The slaughter of animals by human beings is first criminalized and then legitimized by means of its transfer into the judicial realm. In this way, the judicial procedure divides the world of men from that of beasts, and it serves also as the means for establishing the proper, hierarchical relation between them (Katz 1992, 256).

The killing of animals practised in *buphonia* was thus dangerously close to murder. The fact that the sacrificed ox is an agricultural animal is not irrelevant here. The Greeks had no qualms when it came to killing wild animals. They could be the object of a hunt and no special justification was required. However, an agricultural animal was a helper of man, it shared with him the toil and hardship of working in the field, and so it was united with humans in the brotherhood of labour and common effort. For this reason, killing such a being is perceived as all the more terrible, it becomes a kind of betrayal. It is worth noting that the majority of Greek animal sacrifices were of this problematic character, as generally agricultural animals, such as goats, pigs or bulls, were sacrificed (Vernant 1991, 298).

In the situation described above, the proximity of animals and humans did not lead to the Greeks' having greater empathy towards the former. The blurring of boundaries was rather a source of anxiety and fear, for it confronted the Greeks with the problematic ethical nature of meat consumption. The threat of taint became so dangerous in their eyes that instead of paying attention to the pain of the living beings that were slaughtered, they focused on their own fear, which hid the "responsibility that the participants in the ritual clearly want to avoid" (Lengauer 1994, 85). This fear was so overwhelming that they were unable to attend to the suffering of others. Thus, blurring the boundaries that separate humans from animals need not always be beneficial. Emphasising proximity to other living beings can indeed arouse empathy in humans, but the opposite effect is also possible. In the case of *buphonia*, it provoked fear and a desire for separation.

### **III. "Whoever Is Righteous Has Regard for the Life of His Beast" (Proverbs 12:10)**

*Shechita*, as a method of ritual slaughter practised in the Judaic tradition, was subject to a long process of development and reform. The first mentions in Judaism of special recommendations for animal sacrifices appear already in the Book of Deuteronomy, where we find the prohibition on consuming blood. This has its origins in the fact that "*in blood is life*" (Deut. 12:23). At the same time, attention is drawn to the need to perform the slaughter in a special manner, "*as I have instructed you*" (Deuteronomy 12:21). However, the text does not provide a description of the prescribed procedure. It was developed in the following centuries and passed down in the oral tradition, and the regulations concerning it were written down in the Late Talmudic Period. Later, *shechita* was codified by Maimonides (Maimonides 2003) and Joseph Karo (Ganzfried, Klugman, Weiss, & MHF 2008), among others. Both authors put the previously existing rules in order, but also make some improvements. For example, the Mishnah gives a list of eighteen *terefah*, while in Maimonides we find as many as seventy (Danby 1933, 517). Thus, as can be seen, *shechita* was not a practice that arose at one particular historical moment and has remained unchanged ever since. It underwent transformations and a process of refinement, while

still retaining its unique character.

What gives *shechita* its unique character, distinguishing it from the rituals of other cultures, is the care taken over the technique and procedure of slaughtering the animal, as well as the importance attached to minimising animal suffering. The Talmud, abounding in examples of bad practices, i.e., improper slaughter, makes this clear. These passages are intended to sensitize the *shochet* (the person authorized and trained to perform proper slaughter of animals) to the mistakes that can be made while performing the sacrifice. The anatomical knowledge of the authors of the Talmud can be surprising (for example, they pay great attention to the structure of the animal's throat). They attached great importance to the proper and thorough handling of the animal's body. Great emphasis is also placed on the quality of the slaughtering tool. It must be a knife with an elongated blade and its sharpness must be checked on each occasion. The competence of the person performing the sacrifice is also taken into account. Certain groups are excluded because of their low level of responsibility and the lack of adequate skills required to perform the task correctly (Danby 1993, 513–529). All these elements seem quite unique when comparing *shechita* with *buphonia*. The emphasis is on the procedural aspect, the smooth performance of the whole process, and this definitely has an impact on the experience of the dying animal. There is no expiation from guilt or responsibility. The central focus of the practice is to spare the suffering of the victim and to perform the whole procedure according to the rules.

It is worth noting that in Judaism concern for animal welfare is not limited to slaughter practices. It is a phenomenon embedded in the broader context of Jewish relations with other living beings. The Torah repeatedly commands kindness and care towards animals. Man is obliged to give them rest on the Sabbath and to help them when they fall. The Toraic commands also prohibit cruelty to animals, such as eating parts of a live animal or tying the muzzle of a thrashing bull. Although in our eyes these provisions appear to be motivated by animal welfare, a rival interpretation is provided by Nachmanides and Maimonides. In their view, “these commandments are not a matter of extending mercy to animals,” however, “they are decrees upon us to guide us and to teach us traits of good character” (Nachmanides 1971, 271 after: Katz 1992, 276). If this interpretation is correct, then the aforementioned biblical recommendations are anthropocentrically oriented – they are only indirectly aimed at the welfare of animals. This situation would be analogous to the perspective we find in the thought of Immanuel Kant.

#### IV. Immanuel Kant

In Kant's view, man is a being that is distinguished from animals by his self-awareness, which enables him to engage in self-reflection. Thanks to this capacity, there are free choices within the range of human possibilities. Other animals are not separated from us by species since “they are still of the same genus as human beings (as living beings)”

(Kant 2000, 328). Due to their possessing free will, humans are able to transcend the determination of the natural world. In this way, humans are the only animals that function in moral relations, “since morality is exactly the realm of free choices” (Varden 2020, 158). This exclusivity of the moral realm means that the “human being has duties only to human beings (himself and others)” (Kant, 1991, 237). Although this is a conclusion that we also find in Spinoza, the conclusion drawn from it by Kant are different – acts towards animals are not morally indifferent, since cruel treatment of animals “uproots a natural predisposition that is very serviceable to morality in one’s relations with other men” (Kant 1991, 238). In this way, inhumane treatment of non-human living beings violates the duties we have towards humans and ourselves, thus we have a “duty to refrain from this” (Kant 1991, 238). Given this, according to Kant, man is able “to kill animals quickly (without pain) and to put them to work that does not strain them beyond their capacities (such work as man himself must submit to)” (Kant 1991, 238).

Although Kant’s rationale for creating recommendations for appropriate human treatment of animals is anthropocentric, he goes a step further than Descartes. Kantian ethics is not only inclined to spare animals suffering; it also recommends showing them gratitude “just as if they were members of household” (Kant 1991, 238).

## V. Back to Judaism

This perspective coincides with the ethical requirements presented by the Torah. Nachmanides’ interpretation does not question the values inherent in Judaic morality governing the treatment of animals. However, such a view of human attitudes towards animals can be viewed as problematic. After all, more ethical treatment of animals is driven by human interests rather than their own rights as living beings. But let us keep in mind how much progress the *shechita* procedure (which is also found in archaic Judaism) constitutes in the history of animal sacrifices. Just as Kantianism clearly surpasses Cartesianism in the empathic attitude of humans towards other living beings, Judaism in relation to Mesopotamian (and also Greek) cultures represents a clear advance towards an openness to the needs, welfare, and subjectivity of animals, including consideration for their suffering.

The attitude we find in Judaism stands in opposition to that found in ancient Greece. While in *buphonia* the participants are focused on their own responsibility and the need for purification, the Jew people turned their attention to the animals they killed, trying to spare them pain throughout the process. As already mentioned, fear and ethical doubts prevented the Greeks from focusing on others; they did not have sufficiently stable ground to feel safe. It would seem that this is, in a way, the opposite of what we observe in Judaism. The ethical permissibility of slaughtering and eating meat comes directly from divine sanction. Yahweh in Deuteronomy clearly states that the Israelites “may eat as much of it as you want” (Deuteronomy 12:20). Also, when making a covenant with Noah, the

Lord tells him that all living creatures “will be food for you” (Genesis 9:3). Thus the Jewish people need not be preoccupied with the question of whether slaughter is akin to murder. It was permitted by God, and one need only adhere to God’s regulations governing the process. This created excellent conditions for the development of increasingly humane slaughter, in accordance with the accepted principles of caring for the welfare of animals and alleviating their suffering.

## VI. Modernity and Tradition. Controversy over Halal

In Islam, as in Judaism, all meat consumed must come from ritual slaughter. The Quran itself, however, does not mention the method by which animals must be slaughtered. More precise information on this matter is only found in statements attributed to Muhammad, which have been compiled in the hadith accounts. “According to Islamic tradition, the conventional method used to slaughter the animal involves cutting the large arteries in the neck along with the esophagus and trachea with one swipe of non-serrated blade” (Aghwan 2019, 225). From a technical point of view, the method does not appear to be very different from *shechita*, but Muslim ritual slaughter deserves to be singled out for its social context. Islam is the fastest growing religion in the world: today, its followers account for 24.9% of humanity, while according to the Pew Research Center it is expected to equal Christianity in terms of number of followers in 2070 (Pew Research Center 2011). This fact has important consequences – with such a scale of demand for meat, Muslim slaughtering had to be industrialised in order to meet the ever-growing demand. The industrialisation of *halal* slaughter has had a negative impact on the quality of its performance, with irregularities affecting the treatment of the animals. This can include, for example, damage to the cervical nerves, resulting in rapid deregulation of organ function and motility (see Nowak 2013, 79), suffering resulting from a knife that is too short (Grandin 2017) or blood entering the lungs, the amount of which “varies from 36% to 69%” (Grandin 2017). This is particularly relevant because Muslim slaughter practices (like *shechita*) do not stun animals before killing them.

Thanks to the growing interest in animal welfare and our knowledge of animal life and physiology, the search for methods to make slaughter more humane has also intensified. One of the existing solutions is stunning, which “causes loss of consciousness and insensibility without pain, including any process resulting in instantaneous death” (European Council Regulation EC1099/2009). Stunning thus spares the animal the suffering resulting from death itself and the shortcomings of industrial slaughter. It makes such a significant difference that “stunning before slaughter is a statutory requirement in the EU” (The EFSA Journal 2004). However, this requirement does not apply to Islamic ritual slaughter, whose adherents, due to tradition and the absence of any mention of stunning in the Islamic holy books, do not always accept the introduction of possible innovations. There is therefore a conflict between the current state of scientific knowledge and secular requirements, and the practice of religious slaughter and tradition, which was formed even before the relevant knowledge on stunning existed.

This conflict is particularly sensitive because it touches on issues of religious and racial identity. The position of both sides is therefore somewhat fraught. The European Union wants to do its best for animal welfare while respecting the rights of religious minorities, and Muslim communities want to maintain their key traditions without getting into legal conflicts. Muslim morality may be at odds with that of the European Union on some issues<sup>5</sup>, for at the end of the day, it is also underpinned by the authority of faith, and that is the overriding value. If Islam conflicts with the use of stunning before slaughter, it will be more important for believers to obey the precepts of religious doctrine. It is difficult here to evaluate both approaches – which moral system (outside the legal sphere) is better or worse. It would be a mistake to assume that acts considered good within a given morality are so independently of that morality. Meanwhile, everything depends on what values and goals are recognised by the group holding a given worldview. As Gilbert Harman postulates, “morality arises when a group of people reach an implicit agreement or come to a tacit understanding about their relations with one another” (Harman 1975, 3). This perspective makes it possible for specific behaviours to be “wrong in relation to one agreement but not in relation to another.” From the perspective of moral relativism, specific practices acquire moral meaning only in relation to specific values or assumptions, and there can be no distinction between better and worse perspectives; there are only approaches that adopt different points of reference.

Nevertheless, it should be borne in mind that the Muslim system of morality is not entirely dissimilar to the European Union’s perspective, especially when it comes to concern for the welfare of animals. “The Quran and Hadith emphasize the need for Muslims to protect the welfare of animals in their care” (Fuseini, Wotton, Hadley et al. 2017, 303). Ultimately, *halal* was intended to be a humane method of slaughter that stemmed from concern for animals. For the debate on the possibility of introducing stunning in ritual slaughter, it is first necessary to understand the common values on the basis of which dialogue and agreement is possible. One of the reasons cited by Muslims against the introduction of stunning is the “belief that some new slaughter techniques (e.g., preslaughter stunning) are cruel” (Fuseini, Wotton, Hadley et al. 2017, 302). Another reason is doubts about the impact of such practice on the condition of the animal, especially whether they may be the direct cause of death (WHO 1997). We already have a lot of information on this topic and a body of studies. What is needed is openness and informed debate through which a consensus can be developed. Ultimately, both groups care about helping animals in the best way possible.

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<sup>5</sup> Official statements on the values of the European Union can be found, inter alia, in Charter of Fundamental Rights of the European Union.

## VII. Conclusions

The practices associated with ritual sacrifice bring together many problematic issues that have arisen in the field of animal ethics. The crux of most of these problems is animal rights. It is difficult to speak about universalism here: some communities were favourably disposed towards animals and their needs (Judaism), while others refused to grant them rights (e.g., Mesopotamia). Such divergence raised questions regarding the premises from which the necessity of the humane treatment of animals is inferred. If Spinoza's and Kant's views are taken as examples, it is clear that the mere capacity of animals to feel pain does not necessarily induce people to treat them with more respect and spare them suffering. Hence a more problematic issue is revealed – one related to the historical and cultural relativism of moral systems (which Harman pointed out) and their axiological foundations.

When animal rights are postulated to be the consequence of a particular worldview, the problem of the relativity of different viewpoints arises. The distinction between humans and animals could be conventional and blurred, yet at the same time it could be treated as substantive and inscribed in the very structure of reality. All positions, including indirect ones, are connected with concrete problems. In Mesopotamia, people distanced themselves from animals (and thus avoided evaluating their treatment of animals) and forgot about their suffering, which led to the reification of non-human living beings in their culture. In contrast, when the Greeks saw the great similarity between animals and humans, they became frightened of the consequences of their actions, which meant they focused on their own moral security, but not on minimising the pain of the creatures they killed and sacrificed. As I have shown above, the judicial verdict and the laws of the oracle allowed them to silence their guilt, their sense of responsibility, and their remorse. Then, the Jewish people, who – in contrast to other cultures – tried to minimize the harm inflicted on animals during slaughter, adopted strict rules and granted certain rights to animals. However, as Nachmanides demonstrated, they did this for the sake of human gain, not for the sake of the natural subjectivity of animals or their inherent dignity. The same happened in Islamic culture.

The diversity of these culturally determined approaches is interesting in itself. In this article, I have explored the role of myth, the content of beliefs and practices, and the human legitimisation of rituals and cults provided by oracles. This legitimisation, as in the case of the *buphonia* ritual involving animal sacrifice, absolved those who conducted the sacrifices from the responsibility for killing other living beings; it purified their consciences. Depending on the interpretation, myths performing this purifying and symbolic role – that is, of transforming a certain real activity into an activity with sacral (or magical) properties, thus transcending the everyday and profane reality – were and are evaluated positively (e.g., C. Lévi-Strauss) or negatively (e.g., R. Girard). In extreme cases, some of the myths “see human culture as *id*, literally, it had fallen from heaven, completely



disregarding the similarities between human and animal culture” (Adams & Girard 1993, 21). It cannot be ruled out that these myths gave rise to archetypes that continue to ‘justify’ the human killing of animals to this day, on an increasingly subconscious level, in a reality above which ‘heaven,’ and the sacred that demands animal sacrifices, no longer hover.

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