

Locusts, Giraffes, and the Meaning of Kashrut

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Throughout the ages, despite differences in culture and cuisine, Jewish kitchens around the world shared a commitment to *kashrut*—the classical rules regulating the Jewish diet. This religious lifestyle, known as “keeping kosher,” which is still observed in a great many Jewish homes today, encompasses a number of restrictions. Traditional Jews keep all meat and milk products separate; meat is salted before cooking; and animals must be ritually slaughtered before they may be eaten. But perhaps the most famous restrictions, and the ones most explicit in the Bible, are those laid out in Leviticus, which limit the kinds of animals that a Jew is allowed to eat. By eating only certain animals and not others, Jews all over the world have adhered to “the Tora of the beasts, and of the birds, and of every living creature that moves in the waters, and of every creature that creeps on the earth: To make a distinction between the unclean and the clean, and between the beast that may be eaten and the beast that may not be eaten.”¹

As unified as traditional Jews have been, however, in adhering to the Tora’s dietary distinctions between permitted and forbidden creatures, they were equally as diverse in explaining the meaning of *kashrut*, offering over the centuries a wide array of explanations. This is due in large part to the fact that the Bible itself, in distinguishing between permitted and

forbidden animals, gives no explicit explanation for the rules; rather, Leviticus 11 offers fairly opaque criteria for determining “pure” and “im-pure” creatures. This sense of mystery is itself compounded by the fact that different distinctions are made among different sorts of species. For example, when it comes to quadrupeds, we are informed that only an animal “with clefts through the hoofs, and that chews the cud—such you may eat.”² Jews, then, are permitted to partake of domesticated animals (*beheimot*) such as the cow, goat, or lamb, as well as of “wilder” species (*hayot*) such as the deer and the antelope, but are enjoined not to eat of the pig, camel, hare, or rock badger, which lack one of the two required signs, or of the horse, bear, or rhinoceros, which lack both. In the case of fish, the Bible permits only those with both fins and scales.³ Species of marine life lacking one of the two, such as the shark or catfish (which have no scales), or both, such as shellfish, are forbidden. The Bible takes another mysterious turn in its discussion of birds, giving no instructions for the determinations of permitted fowl at all, but instead merely listing those that are forbidden. “The following,” Leviticus declares, “you shall abominate among the birds,”⁴ going on to list the eagle, the falcon, the vulture, and the owl, among others. Whereas the Sages of the Talmud and other commentators suggest that all the forbidden birds are predators, the Bible never says this explicitly. The reader of the Bible is thus presented with a compendium of rules for kashrut determination, without any immediate explanation for them.

While the rules pertaining to “the beasts, the birds, and every living creature that moves in the waters” are familiar to every kosher-keeping Jew, it is often forgotten that the dietary prohibitions pertain to the world of insects, as well, and that the distinctions made among permitted and forbidden bugs are perhaps the most mysterious of all. The Bible does not, on the whole, appear to deem insects worthy of Jewish consumption; we are told that “all winged swarming creatures that walk on all fours shall be an abomination to you,”⁵ forever forbidding the bee and the butterfly as objects of Jewish culinary delight. We are later told that all insects that cannot fly are forbidden as well: “All creatures that swarm upon the earth are

an abomination.”⁶ Thus, the Bible explains, Jews are forbidden to ingest “anything that crawls on its belly, or anything that walks on all fours, or anything that has many legs,”⁷ referring respectively to creatures such as the worm, the ant, and the centipede. In Deuteronomy, where the laws of kashrut are reiterated, no mention is made of any exceptions to this last prohibition; yet, in the midst of the discussion in Leviticus, the Bible explicitly permits those insects that neither walk nor fly, but leap: “But these you may eat among all the winged swarming creatures that walk on all fours: All that have, above their feet, jointed legs to leap with on the ground.”⁸ The permitted insects, then, are “locusts of every variety, all varieties of bald locust, crickets of every variety, and all varieties of grasshopper.”⁹ Once again, however, no explanation is given for why these insects are allowed, and why they prove the exception to the general biblical ban on eating insect life.

The laws of kashrut, in other words, while having had an important impact on the life of the Jewish people, have never really been understood; no clear explanation has ever been given for why one may eat of the cow but not the camel, of the carp but not the catfish, of the turtle-dove but not the turtle. In what follows, I will suggest that perhaps the Bible does not elaborate on why these distinctions are made because it is less interested in our understanding God’s reasons for choosing these specific criteria than it is in our comprehending the larger importance of making such distinctions among all forms of life. Indeed, the careful reader of the Bible and its rabbinic interpretations will see that later on in Leviticus, the Bible *does* make it quite clear why keeping kosher is important—and why the Jewish dietary rules continue to remain relevant today.

II

To understand what kashrut really is about, it is important first to understand the problems associated with some of the explanations offered for it in the past. Among the great medieval Jewish philosophers, one explanation of kashrut was particularly popular: The Bible, it was often claimed, forbade the ingestion of all animals that are injurious to one's health. This explanation was offered, for example, by two of the greatest of medieval rabbinic figures: Maimonides, who lived in Alexandria in the twelfth century, and Nahmanides, who lived in Spain in the thirteenth. Both were physicians who wrote extensively not only on Jewish law and philosophy, but on medicine as well. In his *Guide of the Perplexed*, Maimonides, arguing that there exists a rational explanation for all Mosaic laws, insists that biblically forbidden foods are obviously unhealthy:

I say, then, that to eat any of the various kinds of food that the Law has forbidden us is blameworthy. Among all those forbidden to us, only pork and fat may be imagined not to be harmful. But this is not so, for pork is more humid than is proper and contains much superfluous matter. The major reason why the Law abhors it is its being very dirty and feeding on dirty things. You know to what extent the Law insists upon the need to remove filth out of sight, even in the field and in a military camp, and all the more within cities. Now if swine were used for food, marketplaces and even houses would have been dirtier than latrines, as may be seen at present in the country of the Franks.¹⁰

Nahmanides, in his commentary on the Five Books of Moses, notes that the biblical dietary restrictions result in the exclusion of all predators from Jewish cuisine, and insists that science lends insight into the Bible's ultimate intent. "Every bird of prey," he writes, is unfit for human consumption, "because its blood becomes heated due to its cruelty, and is dark and thick,

which gives rise to that bitter [fluid in the body] which is mostly black and tends to make the heart cruel.”¹¹ Nahmanides further notes that “it is possible that the reason for certain animals [being forbidden] is similar, since no animal that chews the cud and has a parted hoof is a beast of prey.” As for forbidden fish, he argues that those without both fins and scales “always dwell in the lower turbid waters... hence they are creatures of cold fluid, which cleaves to them and is therefore more easily able to cause death.”¹² (Strikingly, neither Maimonides nor Nahmanides offers an explanation for why, among all insects, only the locusts and grasshoppers are permitted.) Similarly, the anonymously authored *Sefer Hahinuch*, an important medieval enumeration and explication of the commandments, draws on both Maimonides and Nahmanides in arguing that with regard to the dietary laws, “it was therefore the great kindness of God toward us, his people whom he chose, to remove us from every food that is injurious to the body.... This is the rule to which I hold, according to the plain meaning, in every ban imposed on food, as we stated above.”¹³

This medical approach to the Bible, so popular in the medieval period, was subjected to a withering and, in my opinion, convincing critique by the great Spanish Jewish exegete Don Isaac Abravanel. “Many have already thought,” Abravanel writes in his commentary on Leviticus, “that the prohibition placed by the Tora on forbidden foods is because of the health of the body and its healing, that the wrong foods lead to the development of hurtful fluids; and this is the opinion of Nahmanides.”¹⁴ The problem with this approach, he argues, is threefold. First, it turns the Bible into a medical textbook, one more concerned with cleanliness than godliness, and “this is not the way of the Law of God, nor its ultimate intent.”¹⁵ Second, Abravanel argues that Nahmanides’ account is empirically false: The Gentile nations, who have been eating foods that are purportedly noxious to their long-term health, are, if anything, healthier than most kosher-keeping Jews. “We see before our eyes,” he wrote, “that the nations that eat the flesh of the abominable swine and the rodent and other birds and animals and forbidden fish are all living today in a state of strength, and there is not a tired or weak

man among them.”¹⁶ Third, he concludes, if the Tora was truly concerned with regulating our diet out of health concerns, why did it not prohibit the eating of harmful vegetation? In sum, the medical explanation of kashrut, as time-honored as it may be, is difficult to accept.

A second theory of kashrut is of the sort propounded by the nineteenth-century German rabbinic leader Samson Raphael Hirsch, who attempted to refashion the medical approach into a philosophical form. Hirsch argues that while man is both body and soul, “the body of man should be the servant of his spirit.” This, he continues, can be accomplished only if the body “is not too active in a carnal direction, if it is passive and indifferent to its own desires, and if it is submissive to the demands of the soul.” Furthermore, the physical structure of man is influenced by “the kind of food he consumes,” and therefore vegetables are the most preferable food, as they are the most passive substance; thus we find that “all vegetables are permitted for food, without discrimination.” Next in order of desirability are those animals that are herbivorous and therefore nearer to the vegetable world. The Tora therefore permits animals that are herbivores and ruminants, and “spend a great deal of time in the absorption of food, which may be termed the vegetative activity of animals.” Similarly, Hirsch continues, the Tora forbade all fowl that are not passive in nature, such as birds of prey, as well as “lively artistic birds” such as songbirds or those that indicate artistry in building a nest. Finally, creepers and fliers are forbidden because ingestion of insects is dulling to the intellect.¹⁷

There are several problems with Hirsch’s theory. For starters, are all the permitted animals indeed more passive than the forbidden ones? Is the deer, for instance, truly more passive than the rabbit? One kosher animal whose flesh has become quite popular among American Jewry is the bison, expressly permitted in Deuteronomy. Yet can one really raise such an animal on a farm more easily than one raises a horse or pig? And what of the giraffe, a permitted animal that seems to lack the passivity of the decidedly non-kosher housecat? Similarly, Hirsch’s reflections on permitted fowl reflect his exposure to a rather limited range of cuisine; in fact, the list of kosher birds

includes many that are less passive and more “artistic,” such as the pheasant, partridge, quail, guinea fowl, and sparrow. Furthermore, Hirsch himself admits that when the Tora permits the ingestion of locusts despite its prohibition of most other insects, “the explanation for this is not clear.” In the end, Hirsch’s writings on kashrut are interesting, but the reader may be left with more questions than answers.

A more modern explanation for kashrut is put forward by a number of modern authors. First suggested by the anthropologist Mary Douglas, the approach assumes that “in general the underlying principle of cleanness in animals is that they shall conform fully to their class. Those species are unclean which are imperfect members of their class, or whose class itself compounds the general scheme of the world.”¹⁸ In what follows I will focus on one very interesting version of this approach, articulated by the philosopher Leon Kass, which, despite my disagreements, is nonetheless enormously helpful in formulating an explanation of the biblical dietary laws.

Kass begins by noting that at the outset of Genesis, God forbids the eating of meat, insisting that all creatures be vegetarians:

And God said: “Behold I have provided you with all seed-bearing plants which are on the face of all the earth, and every tree which has seed-bearing fruit; to you I have given it as food. And to every living being of the earth and to everything that creepeth upon the earth which has a living soul in it, I have given every green herb as food.” And it was so.¹⁹

God stresses the sanctity of creation and the value of all life by prohibiting man from eating any other living creature, and insisting that all creatures—from man to the lion to the eagle—eat nothing but vegetation. Keeping to this diet, Kass writes, “would disturb almost not at all the order of creation”:²⁰

Eating seeds and fruits does not harm the parent plants; eating fruit and discarding the seeds does not even interfere with the next generation. And the green herbs to be eaten by the animals are constantly produced by the

earth, almost as a head produces hair.... The disruptions caused by meeting necessity through eating would, in the idealized case, be negligible.²¹

At the same time, Kass notes, it is quite clear from the text that man, and beasts, are potentially carnivorous; the very fact that they need instruction in the art of eating indicates that “left to their own devices, their appetites might have extended to incorporate one another.”²² Man is thus appointed as steward of creation even as it is made obvious that he can become its destroyer:

In this very subtle way, the text hints that the harmonious and ordered whole contains within it a principle—life or, if you will, appetite, and eventually omnivorousness and freedom—that threatens its preservation as an ordered whole. Once again the biblical account speaks truly: Life is destabilizing and threatens itself; man does so in spades. Despite (because of?) being created in the image of God, man alone among the creatures—except for heaven—is not said to be good.²³

After the flood, the Almighty acknowledges that “the imagination of man’s heart is evil from his youth”²⁴ and grudgingly allows mankind to eat meat. Nevertheless, God insists that in order to reinforce the sanctity of all life, any “flesh with its life, which is its blood, you shall not eat.” The Levitical dietary laws, Kass suggests, build on the original rules in Genesis. Israelites are allowed to eat meat, but must restrict themselves to those animals that, in their own respective diets, appearance, or means of locomotion respect the original boundaries of nature. Thus, the Jews “are not to incorporate animals that kill and incorporate other animals.”²⁵ Kass also sees the requirement of cud-chewing as a conscious distancing from carnivorousness:

Cud chewers are so far from eating other animals that they finally chew and swallow only the homogenized stuff they have already once swallowed and raised: When the pig, a notorious omnivore, is declared unclean, the Tora says it is because “he does not chew the chew,” using the cognate

accusative construction (*vehu gera lo yigar*; Leviticus 11:7), presenting by implication, as it were, the ideal of the perfect fit of activity and object. The pig is a would-be ruminant gone bad: One should chew not life but chew—that is, that which is fit for chewing. The chew chewers are poles apart from that first accursed and most unclean animal, the belly-crawling serpent, which is in fact a moving digestive tract and which “voraciously” swallows its prey whole and live.²⁶

Furthermore, Israel is not “to incorporate or have contact with beings that do not honor in their motion the original separations of the world.”²⁷ For Kass, the laws of kashrut “build into daily life constant concrete and incarnate reminders of the created order and its principles and of the dangers that life—and especially man—pose to its preservation. In these restrictions on deformation and destruction, there is celebration of Creation—and of its mysterious source.”²⁸

How, then, are these specific biblical criteria to be accounted for? Kass, like others before him, notes that the signs of unclean animals relate to their form, their means of motion, and whether they eat other animals or not. It is worth quoting his explanation of the Levitical conditions of kashrut in depth:

Ruled out are: (1) Creatures that have no proper or unambiguous *place*; for example, the amphibians. (2) Creatures that have no proper *form*, especially the watery ones, (a) by virtue of having *indefinite* form, with fluid shapes, lacking a firm boundary defined, say, by scales—that is, jellyfish or oysters; (b) by having *deceptive* form, like eels (fish that do not look like fish); or (c) by having *incomplete* form—like the incompletely cloven-footed animals. (3) Creatures that violate proper *locomotion*, such as those animals that live in the water but walk as on land (lobsters); those that live on land but swarm as in water (“all the swarmers that swarm on the earth”—in Genesis 1, the swarmers belonged in the waters); those insects that have wings for flying but that nevertheless go on all fours, that is, walk (the insect leapers, though they have legs, are treated as more akin to the true fliers, and are clean); also, those with too many legs (centipedes) or no legs

at all (that go on their belly, for example, snakes, worms); and those that go on all fours, that is, on their paws (and thus use their hands as feet). (4) Creatures that violate the *original dietary code*, showing no respect for life—that is, the carnivorous ones. This consideration is especially evident (a) in the unclean birds, the identifiable ones being mainly birds of prey; and (b) in the requirement of chewing the cud, the mark of the ruminant animals that eat what God originally gave all animals to eat, the green herb of the earth.²⁹

Consider for a moment Kass' fascinating explanation of kashrut: What aspects of the dietary laws are left unexplained? No mention is made of the requirement that kosher fish have scales as well as fins; as such, not only shellfish and clams but also clearly defined marine life, such as the shark, are prohibited. Perhaps one might suggest that those fish seem less fully formed, and more naked, than those that have both fins and scales. But how are we to explain the locust, permitted amidst all the abominated insects?

Kass suggests that those insects that have wings but nevertheless walk are incongruous, and therefore forbidden, while the locust is akin to a flying insect and is therefore clean. Later in Leviticus, however, insects that lack wings and utilize legs as their primary means of locomotion are all forbidden. The Tora thus forbids all flying insects and all walking insects, but not the locust. This is surprising: It would appear that in a system that abhors ambiguity, locusts ought to be most detested of all; after all, they cannot be classified as a flying insect or as a scuttling creepy-crawler, but rather as something in between: The leaper. It is also worth noting that in forbidding most insects but allowing the ingestion of locusts, the Tora permitted the living creature perhaps most responsible for wreaking devastation and havoc on God's created natural order. As one scientist has commented, "this list of kosher insects includes creatures who destroy so much cultivated food that the scant meat they provide hardly compensates for the devastation they cause; their abundance is a curse rather than a blessing."³⁰ If, as Kass argues, the laws of kashrut celebrate creation through its prohibitions on animals that embody "deformation and destruction," the locust would

appear a prime candidate for such a prohibition. It seems, moreover, that the locust qualifies as a “swarmer,” which Kass suggests is unnatural outside of the water. Finally, it is also worth noting that if the Tora sought to forbid creatures that seem to defy the order of creation because they have wings but do not fly, then the most incongruous, and therefore forbidden, bird should be the chicken—a notion rendered impossible, if not by theology, then by centuries of Jewish tradition.³¹ The permissibility of the locust, it would seem, thus remains unexplained; none of the cited explanations for kashrut explains adequately the exclusion of the locust from the biblical ban on insects.

A still greater problem with Kass’ explanation, however, is noted by the author himself: The fact that permitted marine life prey on their fellow fish. Kass contends with the problem as follows:

The omission of a dietary criterion for the water creatures may be related to a fact perhaps embarrassing to my suggestion that carnivorous animals are, ipso facto, not to be eaten: Fish eat other fish. Yet this may really pose no great difficulty. Many cultures do not regard fish as animals—some peoples of the Far East call fish “the vegetable of the sea”—and this judgment is somehow also reflected in the fact that some vegetarians will eat fish. In the creation of fish in Genesis 1, God bade the waters “to swarm swarms” as if fish were a certain exuberant manifestation of the being of the seas themselves. Fish are certainly less separable from and independent of the waters than are the land animals regarding earth. The easier procedures of koshering fish are another sign that they are not regarded as full-blooded animals.³²

The problem, however, remains. While some cultures may see fish as mere marine vegetation, it is clear that biblical Israel is not such a culture. Adam, before his sin, was prohibited from partaking in marine life, being restricted only to vegetation. This indicates that fish were indeed a distinct, and inviolable, form of life. Indeed, God goes out of his way to permit Noah to eat fish after the flood, implying that allowing the eating of fish is

also a postdiluvian concession to man's bloodthirsty nature: "And the fear of you and the dread of you shall be on every beast of the earth, on every bird of the air, on all that move on the earth, *and on all the fish of the sea*. They are given into your hand. Every moving thing that lives shall be food for you. I have given you all things, even as the green herbs."³³ Fish, it appears, are not considered akin to vegetation by the Bible at all. Fish that eat other fish would seem to violate the values expressed by the Almighty in Eden; nevertheless, such fish are kosher.

Furthermore, insects were, according to the Bible, once forbidden to man, animal, and bird alike, yet many kosher birds feast on insect life. While Kass is correct that the birds prohibited by the Tora are by and large predators, the medieval Jewish Sages note that what is important is not *what* the bird eats, but rather *how* it eats it. A bird, to be defined as a forbidden fowl according to Jewish law, must claw its prey to death or eat it in some other "cruel" fashion. This is why the duck, for example, with its wide bill and webbed feet, is considered kosher, even as some types of ducks subsist largely on a diet of fish and insects, and thus violate the primordial dietary laws as much as the eagle. Furthermore, there is no question that the permitted insect-eating birds violate God's instructions to Adam far more than the prohibited pig, whose hooves are completely cloven, and whose only crime is that he does not "chew the cud."

There appears, therefore, to be something problematic in the idea that God's original commandment to the animals of Eden to refrain from eating each other lies at the heart of the Jewish dietary laws, and it would seem that a different answer must be sought. Kass makes several other points that are enormously helpful in this regard. First, he notes that the dietary laws in Leviticus are not the first time that the Bible employs dietary restrictions as a mode of symbolic expression. In Genesis, Jacob's struggle with an ethereal being, and the injury that he suffers in that encounter, are forever remembered by a ban on eating the leg-sinew of animals. We are thus provided with a model in which dietary laws serve, in Kass' words, "as symbols and reminders—in the highest instance, of the divine and our relation to it."³⁴

The Jewish diet, then, is utilized as an expression of the Jewish relationship with God.

Kass also points out that the Bible insists that the Jewish lifestyle generally, and its diet in particular, be seen as a reflection of its wisdom and chosenness:

Behold, I have taught you statutes and judgments, even as the Lord my God commanded me, that you should act accordingly in the land whither you go to possess it. Keep them therefore and do them; for this is your wisdom and your understanding in the sight of the nations, who shall hear all the statutes, and say, Surely this great nation is a wise and understanding people. For what nation is there so great, that has God so near to them, as the Lord our God is in all things that we call upon him for?³⁵

This passage, Kass argues, provides “biblical warrant” for a human attempt to divine God’s purposes in commanding kashrut; for, as he writes, the Bible makes clear that “though the law had to be revealed, once revealed anyone ought to be able to recognize it as wise.”³⁶

This important point, however, compounds the problem before us. The failure of centuries of Jews to explain sufficiently the specific dietary laws may indicate, as I will suggest further on, that their very purpose is one that we may not be meant to understand fully. At the same time, however, the Tora certainly indicates in the above passage that laws such as kashrut can be in some sense understood not only by the Jewish people, but by the entire world. We must seek an explanation that both exhibits the wisdom of kashrut as a whole and, at the same time, accounts for the mysteriousness of the details.

III

Though it is often noted that the Bible, in distinguishing between pure and impure animals in Leviticus 11, gives no explanation for its dietary proscriptions, what is often overlooked is that while concluding its larger discussion of the rules of ritual purity in Leviticus 20, the text quite explicitly states the ultimate purpose of kashrut:

I am the Lord your God, who has separated you from the peoples. You shall therefore distinguish between clean beasts and unclean, and between unclean birds and clean: And you shall not make your souls abominable by beast, or by bird, or by any manner of living thing that creeps on the ground, which I have separated from you as unclean. And you shall be holy to me, for I the Lord am holy, and have separated you from the peoples, that you should be mine.³⁷

Israel is to distinguish and separate among the animals in order to express, and reinforce, its own distinctiveness from other peoples. Kashrut, then, is a symbolic expression of Jewishness: Israel distinguishes between kosher and non-kosher animals, permitted and prohibited fish and fowl, and ingestible and forbidden insects in order to remind itself, and inform others, of the separation between the Jewish people and the other nations of the world. While the Tora leaves as a mystery the reasons for the specific criteria of permitted animals legislated in Leviticus, it is explicit with regard to the overall purpose that these dietary distinctions are meant to achieve: A daily lifestyle that expresses Israel's chosenness. The nature of kashrut is thus at once mysterious and obvious; while God does not explain the importance of cud-chewing or leaping, of split hooves or scales, the Bible insists that it be perfectly clear to the non-Jew that the Tora-observant Israelite lives a life that reminds him constantly of his unique relationship with God. No other nation, the world will say, insists on expressing one's connection to

the divine through so mundane an act as eating; no other nation, the Bible insists, “has God so near to them, as the Lord our God is in all things that we call upon him for.”³⁸

Interestingly, an ancient text that grasped this underlying meaning of kashrut was also one that argued against its observance. The book of Acts depicts an early Church divided over the following question: Must all who wish to become Christians convert to Judaism first, and abide by the Mosaic law? Or did the death and resurrection of the Messiah make Jewishness unimportant? The apostle Peter is depicted as receiving a response to this question in a vision in which he is instructed by God to partake in non-kosher food:

The next day, as they were on their journey and coming near the city, Peter went up on the housetop to pray, about the sixth hour. And he became hungry and desired something to eat; but while they were preparing it, he fell into a trance and saw the heaven opened, and something descending, like a great sheet, let down by four corners upon the earth. In it were all kinds of animals and creeping things and birds of the air. And there came a voice to him, “Rise, Peter; kill and eat.” But Peter said, “No, Lord; for I have never eaten anything that is common or unclean.” And the voice came to him again a second time, “What God has cleansed, you must not call common.” This happened three times, and the thing was taken up at once to heaven.³⁹

Peter ultimately comes to understand this vision as declaring that God’s covenant is no longer limited to a particular people:

And Peter opened his mouth and said: “Truly I perceive that God shows no partiality, but in every nation any one who fears him and does what is right is acceptable to him.... To him all the prophets bear witness that every one who believes in him receives forgiveness of sins through his name.” While Peter was still saying this, the Holy Spirit fell on all who heard the word. And the believers from among the circumcised who came with Peter were amazed, because the gift of the Holy Spirit had been poured out even on the Gentiles.⁴⁰

Kashrut, Peter is informed, is no longer important because the distinction between Jew and Gentile no longer exists. This story, perhaps more than any other, indicates an understanding of what the Jewish dietary proscriptions were all about. If the separation of the animals is intended to remind the Jewish eater that he is “a treasure from among all the nations” and a member of a “nation of kingly priests, a holy people,” then kashrut expresses a philosophical untruth to one who believes that “there is no difference between the Jew and the Greek,” and that ultimately “all are one in Christ Jesus.” The Bible scholar Jacob Milgrom, who notes the importance of the verse in Leviticus 20, points out that in arguing for the abrogation of the Levitical dietary rules, Christianity demonstrates an understanding of this central aspect of Jewish observance:

It is also no accident that one of the early acts of Christianity was to abolish the dietary laws. Historians have claimed that the purpose was to ease the process of converting the Gentiles. This is, at best, a partial truth. Abolishing the dietary laws, Scripture informs us, also abolishes the distinction between Gentile and Jew. And that is exactly what the founders of Christianity intended to accomplish, to end once and for all the notion that God had covenanted himself with a certain people who would keep itself apart from all of the other nations. And it is these distinguishing criteria, the dietary laws (and circumcision), that were done away with. Christianity’s intuition was correct: Israel’s restive diet is a daily reminder to be apart from the nations.⁴¹

But why should the animal world be utilized as a reminder of our chosen status? Milgrom points out that throughout the Bible, animals are depicted as religious reflections, and ethical extensions, of human beings. An ox that gores a human being is put to death in the manner of a murderer; an animal with whom a human being engages in sexual relations is punished along with its human counterpart; Sabbath rest is required of animals as well as of their masters. (As we shall see later on, this tendency is repeated in the rabbinic tradition.) All this reflects the fact that man, while created

in the image of God, is also akin to an animal. Kass observes that according to Genesis, “God himself thought the animals sufficiently similar to man to have fashioned them as his possible companions; and subsequent parts of the biblical story (for example, the expulsion from the Garden; the Noah story) emphasize the common vulnerability and neediness of all that lives, human beings no less than others.”⁴² To observe life—no matter in how lowly a form—is to see a reflection of oneself. By choosing among animals, fish, fowl and insects, the Jew mirrors his own chosenness.

We are now able to understand why the Tora goes out of its way to permit some insects even as it prohibits most others. Because man sees himself in his encounter with other living creatures, it is critical that the Bible make distinctions among insect life as well. After all, one who merely refuses to eat all insects will avoid eating the forbidden fly, and bee, and ant, but he will also end up avoiding making the distinctions *among* insects required by the Tora. God wishes for the Jew, in encountering creation, and most specifically created life, to be confronted constantly by his Jewishness; it is therefore critical that he be permitted to eat some insects among the vast majority of those forbidden.

But even as it is obvious to both Jew and non-Jew that in choosing some animals and not others, we are reminded of God’s choosing the Israelites from among the families of the world, the criteria employed in making these choices—hooves, leaping legs, and scales—remain unexplained. Even as the Jew expresses his chosen status, he remains mystified by the method of expression. In this way, the laws of kashrut inspire not arrogance, but humility; for even as the Jews are informed that they are the chosen of God, they are immediately reminded that they are not themselves gods. They are elected, but not omniscient, utterly unlike the Almighty who chose them. Kass notes that although man is created in the image of God, and therefore “can discern the distinctions in things,” nevertheless “*we* have not made them separate. Neither have we that power of mind that registers the articulations of the world and permits us to recognize distinctions.” It is so “that we do not forget these qualifications,” Kass concludes, that the dietary

laws must “never be wholly transparent to reason.”⁴³ One might therefore suggest that in order to remain apart from the nations, the Israelites are obligated to remind themselves that they are unique; nevertheless, the mysteriousness of the laws of kashrut also reminds them that they are the servants of an all-knowing God, one who has separated them in order to serve as the Almighty’s messengers to the world.

IV

The notion that Judaism uses the animal world as a medium for symbolizing the Jewish distinction from the nations sheds a great deal of light on the post-biblical, rabbinic writings on kashrut as well. A close reading of the talmudic discussion of the dietary laws reveals that the Talmud did, in fact, believe that kashrut was a primary medium for the expression of Jewish chosenness, and drew some striking inferences from this idea. In fact, when one approaches the Talmud with this in mind, what originally seemed like a hodgepodge of homilies and rulings can now be seen as a comprehensive presentation of a unified theory of kashrut.

Our analysis of the rabbinic approach begins by noting that the Sages built on the Bible’s depiction of animals as extensions of human beings. We mentioned above Kass’ observation that the closeness between the human and animal worlds is implied by God’s considering the animals possible mates for Adam. The rabbis of the Mishna, noting Adam’s exclamation upon encountering Eve, make this point in a striking way:

R. Elazar said: How are we to understand that which is written, “This one at last is bone of my bone, and flesh of my flesh. This one shall be called woman for from man she was taken”? This teaches that Adam had relations with every domestic and wild animal, but his mind was not at ease until he had relations with Eve.⁴⁴

Rabbinic interpretations such as these indicate the proximity, from God's point of view, of human beings and animals. As the Jewish theologian Michael Wyschogrod points out, "However great the gulf may seem from the human perspective, from the perspective of God who is infinitely above both humans and animals, the gulf is not as absolute as it seems to humans. It is, of course, true that only the human being was created in the image of God which at the very least means that humans are closer to God than animals. But it does not mean that the gulf between humans and animals is as absolute as that between humans and God. Humans and animals are both finite creatures and while, in the final analysis, only woman is the proper companion of man, animals are also companions though less than fully satisfactory ones."⁴⁵

The rabbinic depiction of animals as extensions of humanity is further indicated in the rabbis' belief that animals can manifest the values of their masters, both for good and for ill, and be punished along with them. For instance, in describing the debauchery that took place before the flood, the Sages ask why God, in destroying humanity, had to eradicate the animals as well. One answer given is that human misbehavior affected the animal world, so that "even cattle, beasts, and fowl consorted with dissimilar species."⁴⁶ A second answer given stresses that animals have no existence independent of man: "To what may this be compared? To a man who made a wedding feast for his son, and prepared all manner of food. Days [before the feast], his son died. He then stood up and knocked down the canopy, saying, 'I have done all this only for my son. Now, what do I need a canopy for? Similarly, God said, I have created the animals only for man; now that man sins, what do I need the animals for?'"⁴⁷

Indeed, no account of the rabbinic approach to the animal world can avoid mentioning the rabbinic tales of animals who adopted the ethics and piety of their masters. R. Hanina ben Dosa's donkey, for example, refused to eat grain provided it by thieves:

It once occurred that the donkey of R. Hanina ben Dosa was stolen by robbers, who hid it in a courtyard, and left it straw and barley and water—but it would not eat or drink. They said: Why should we leave it, that it may die and stink up the courtyard? They stood up and opened the gate and sent it out; and it wandered until it reached the home of R. Hanina ben Dosa. When it reached him his son heard its voice. He said to [his father]: Father, that sounds like the voice of our animal. He said to him, My son, open the door, for it is dying of hunger. He stood and opened the door, and left it straw and barley and water and it ate and drank. They [the Sages] therefore said: Just as the righteous of generations past were pious, so were their animals as pious as they.⁴⁸

Similarly, in an amusing story, R. Pinhas ben Yair's donkey is described as too religious for its own good:

R. Pinhas ben Yair was once traveling. He stayed at an inn, and they gave barley to his donkey—but it did not eat. They shelled it—but it did not eat.... Said he to them: Perhaps it is untithed. They tithed [the barley] and it ate. He said: This poor beast attempts to perform the will of its Creator and you feed it untithed food! His students said to him: But did our master not teach us that animal feed is exempt from tithing? Said he to them: And what shall I do with this poor fool [i.e., the donkey], that it is stringent on itself!⁴⁹

Building on this notion, the Sages argued that because animals are to some extent both extensions and mirrors of their masters, we can encounter animals that are worthy of emulation:

There once was a pious man who had a cow for plowing. After some time the man became poor and sold the cow to a Gentile. The Gentile plowed with it for six weekdays; on the Sabbath he took it out to plow, and it chafed under the yoke and did not want to work. He hit it but it refused

to budge. When he saw this, he went to the pious man and said: “Come take your cow, for six days I have worked with it, and on the seventh I have taken it out and it refused to do any work at all, and no matter how much I hit it, it refuses to budge.” When he said this, the pious man understood why it did not do work, for it had been trained not to work on the Sabbath. Said the pious man: “Come, and I will make it plow.” When he reached it, he said in its ear, “Cow, cow! When you were in my keep you would rest on the Sabbath; now that my sins have caused [my poverty] I have sold you to a non-Jew, please stand and perform the will of your master.” It immediately stood and sought to work. The Gentile said to the pious man, “I will not let you go until you tell me what you did, and what you said in its ear; maybe you bewitched it!” Said the pious man, “Such and such is what I said to him.” When the Gentile heard this, he paled, and shook, and judged to himself: If this [animal] that has no speech, intellect, or understanding recognizes its Creator, I whom God created in his image and gave intellect and understanding, shall I not recognize my Creator? He immediately converted and merited to study Tora, and he was called R. Yohanan the Son of a Cow.⁵⁰

Having concluded that the concept of animals as extensions of human social values is a prominent one in rabbinic literature, let us now return to our central subject. What, for the Mishna and Talmud, is the primary purpose of the laws of kashrut? The rabbis, in answering this question, cited the very passage in Leviticus 20 with which our own answer began, and founded their explanation of kashrut upon it. The most famous version of this passage is cited by Rashi in his commentary on that verse:

R. Elazar ben Azarya said: How do we know that one should not say, “I am disgusted by the flesh of swine, and I do not desire to dress myself in *kilayim* [forbidden mixtures of fabrics]”; rather one should say, “I do desire, but what shall I do now that my Father in Heaven has so decreed upon me?” The verse thus teaches us, “and I have separated you from the nations to be unto me,” that your separation from them shall be for my

sake, removing oneself from sin and accepting upon oneself the yoke of the kingdom of heaven.⁵¹

Let us analyze this extraordinary statement. R. Elazar is remarking on two forbidden things: Pork, which it is forbidden to eat; and *kilayim*, a garment made out of wool and linen that, according to Leviticus, it is forbidden to wear. For the Talmud, both prohibitions are paradigmatic examples of the *hok*, the divine commandment the reasons for which are not readily accessible to man. Jews, R. Elazar insists, ought not to see these substances as inherently abhorrent; one should, he argues, express a desire to eat pork and to wear *kilayim*. Rather, the Jew is to refrain from these actions only out of a desire to dedicate himself to and obey God. But R. Elazar could have chosen any number of commandments that are similarly mysterious to make this point, and founded his statement on any number of biblical verses that demand a Jew's dedication to God. Yet the mishnaic sage focuses on two prohibitions that obligate *separation* or *distinction*: Separating the forbidden and permitted animals and distinguishing between two materials in the creation of cloth. The commandments, he asserts, must be kept as a fulfillment of God's having demanded our separation from the nations and our cleaving unto him. The prohibitions of kashrut and *kilayim*, R. Elazar stresses, are to be understood not as the banning of the inherently abominable, but rather as instructions to be obeyed out of a desire to express the unique Jewish dedication to God, which was effected by God separating one people from all others. The Tora, when it comes to commandments such as these, leaves the Jew in the dark as to why God prohibited the pig and not the deer, and why wool cannot be mixed with linen but cotton can. But our ignorance in this regard, R. Elazar insists, is essential, for only then can Jews observe these laws as expressions of Jewish chosenness. Contra Nahmanides and Maimonides, one is to see the flesh of forbidden fish or fowl not as disgusting, or deadly, but as delicious. Any other motivation in keeping these commandments would, R. Elazar argues, detract from their

primary purpose: Expressing, and effecting, the separation of the Jewish people from the nations.

Interestingly, Maimonides himself takes note of this rabbinic statement not in his *Guide of the Perplexed* but in his earlier work: His commentary on the Mishna. Noting that the philosophers insist that the virtuous man must not only act ethically, but *desire* the right and the good, Maimonides asks how the rabbis can assert that one ought to desire to sin, and to refrain only because of God's command. He answers that the rabbis are talking about commandments that have no ethical basis at all, but are purely religious in nature:

But they are in fact both true, and there is no disagreement between them at all. And that is that the evils which are considered evil by the philosophers, regarding which they said that one who does not desire them is greater than one who desires them but overcomes his urge regarding them, these are the things which are well known by all men that they are evil, such as murder, theft and usury, and to harm one who did not harm him... and it is these commandments regarding which the Sages said that had they not been written they would have been worthy of being written, and they are called by some of the later [Jewish] Sages the "rational commandments," and there is no question that the soul that desires any of these things, and is drawn to them, that it is lacking; and that the greater soul will not desire any of these things from the beginning, and not be distressed in refraining from them. *But the things regarding which the Sages said that one who overcomes his urge is greater, and receives more reward, those are the non-rational laws, and it is true that had the Tora not commanded these they would not be evils at all, and therefore the Sages said that he should not refrain from desiring them.*⁵²

Maimonides, in his commentary on the Mishna, thus draws an important distinction. It is only, he argues, when it comes to laws for which no obvious reason exists that one ought to desire to violate them. The rabbis, in arguing that one can desire to eat swine, are choosing a commandment that is in no way ethical, but rather spiritual or symbolic. His comments, however, clearly contradict his own interpretation of kashrut in his *Guide*,

in which he insists that the laws of kashrut are perfectly rational, and therefore, it would seem, one ought to adhere to the Levitical diet whether or not it was commanded by God. If pork is prohibited because its ingestion would inevitably turn one's house into a toilet, how could one virtuously desire to partake in pig meat? The obvious conclusion, the younger Maimonides might have said, is that there is nothing medically dangerous about non-kosher food at all; rather, particular animals have been chosen for the Jewish diet in order to serve as an expression of Jewish chosenness. In fact, the implication is that the only motivation for abominating pork is the Almighty's prohibiting it to the Jewish people, so that it may express its having been chosen by, and its dedication to, God.

It appears, then, that in the post-Temple era both Jews and Christians utilized kashrut as a metaphor for God's relationship with the Jewish people, and with the world. Peter, in abrogating kashrut, proclaimed the disappearance of all distinction based on descent, and the replacement of the nation Israel with the Church. As Christianity became the religion of the Roman Empire and spread to nations of all ancestries, the church believed Peter's prediction to have proven true. The persecuted and exiled state of the Jewish people was, from the age of Augustine, taken as further confirmation that God's favor was on the Christian faithful, and not on the physical descendants of Abraham. The Jews, meanwhile, their Temple in ruins, wandered the face of the earth. No longer were they separated from the rest of humanity by the borders of their holy land. In their suffering, Israel looked to Leviticus as a source of insight and consolation, knowing that just as God can choose a minority of the animals for the Jewish table, the Jews, despite being a persecuted and exiled minority, can remain the chosen of God. Exiled throughout the world, the Jewish people stubbornly clung to kashrut, insisting that its chosenness was unchanged. Not only by the words that came out of their mouths, but also by the food that entered them, Jews steadfastly proclaimed that the verse with which kashrut is explained remained eternally true: "And I have separated you from among the nations, to belong to me."⁵³

V

Having studied much of the rabbinic perspective on animals and on kashrut, we are now able to appreciate what may be its most important point of all, and what initially seems to be a bizarre hypothetical *halachic* scenario can now be understood as a profound statement about the nature of Jewish, and human, identity. In a Mishna that has provoked centuries of halachic debate and commentary, the rabbis present us with the following question: Suppose a cow gives birth to a horse, or a camel, or a pig. The supposition is not as strange as it may first seem. Let us imagine that, by birth defect or genetic mutation, a permitted animal produces offspring that lacks one of the criteria of kashrut: Its hooves are not completely cloven or it lacks the ability to fully chew its cud. This hypothetical case is invaluable, for it allows us to examine whether the approaches quoted above are consistent with the rabbinic approach to kashrut. How would the several schools of thought that we have discussed regard this seeming non-kosher animal that was born to a kosher mother? For Nahmanides, the animal whose habits are akin to those forbidden ought to be similarly unhealthy and similarly shunned; Rabbi Hirsch, who argued that only the ruminant is similar enough to the vegetable world for Jews to eat, should insist that the animal that does not chew its cud is a philosophical symbol of the carnal and ought to be prohibited. For those modern writers who argue that the Bible abhors ambiguity and boundary-crossing, one ought to abominate this creature that, like the pig, is a ruminant gone bad: One that ought to act like a cow but does not. Neither the medieval medical interpretation, nor the Hirschian symbolic interpretation, nor the modern approach can justify allowing the eating of this animal solely based on its origin. Yet that is precisely what the Mishna does:

A cow that gave birth to a form of donkey... what is its status regarding eating? A pure animal that gave birth to one akin to an impure animal, it is permitted for eating, and an impure animal that gave birth to the form of a pure animal, it is prohibited for eating. For one that is born to a pure animal is pure, and one born to an impure animal is impure.⁵⁴

This principle is further codified by Maimonides himself in his *Mishneh Tora*.⁵⁵

What is the reasoning behind this rule? Later halachic literature would explain that criteria such as cloven hoofs and cud-chewing are not the cause of an animal's kosher status, but merely signs by which man can, in general, differentiate between kosher and non-kosher animals. But once we distinguish among species, then it is the essence of one's transmitted heritage, and not one's particular biological characteristics, that are of primary concern: As one of modern Jewry's foremost talmudic scholars and bioethicists, J. David Bleich, put it, identity in Jewish law is determined first and foremost not by how a subject is manifest, but rather by descent:

The matter of identification as a member of a species is best summed up in a pithy comment attributed to R. Chaim Soloveitchik. It is reported that R. Chaim explained a certain halachic concept by posing the following query: Why is a horse a horse? The answer is that a horse is a horse because its mother was of that species. For that reason the Mishna, Bechorot 5b, declares that the offspring of a kosher animal is kosher even if it has the appearance and physical attributes of a non-kosher animal and, conversely, the offspring of a non-kosher animal is non-kosher even if it has the appearance and physical attributes of a kosher animal.⁵⁶

Thus, Bleich concludes, the halachic identity of an animal is ultimately "determined not by distinguishing characteristics, but by birth."⁵⁷

An animal, then, that is born to a cow remains a cow, no matter how much its biological traits suggest otherwise. In analyzing whether an animal

is kosher, it is its origin, not its attributes, that is critical. And though such a notion seems irreconcilable with the first three approaches to kashrut that we discussed, it is quite consistent with the approach we have suggested above. If kashrut is first and foremost an expression of chosenness and Jewish identity, then our manner of separation among the animals must express that one's identity is dependent not only on how one acts, but also on the identity of one's parents, ancestors, and nation. If, as we have been arguing, the rabbis took for granted that our manner of animal classification must mirror, and reinforce, the way we see ourselves, then kashrut implies an important Jewish approach to Jewishness, and to the determination of human identity. After all, while a Jew is obligated in hundreds of commandments, his abandonment of Tora observance does nothing to affect his election. One is a Jew as long as one's parents, or at least one's mother, are Jewish.⁵⁸

It is crucial to stress that, despite the emphasis on one's ancestry, the definition of Jewish distinctiveness is not a racial one. It is not a question of one's genetic makeup at birth—for indeed, this is explicitly dismissed in the case of the animal that is born with traits that would seem to render it non-kosher. What is suggested, rather, is that there is something other than genetic reality that is transmitted from one's parents: A kind of familial identity that makes us part of a specific collective, a nation, passed from one generation to the next. Membership in the chosen people is indeed something that one inherits and cannot repudiate regardless of his beliefs or actions: It is a covenantal obligation that is binding on the Jew from one generation to the next, and which inevitably links each Jew to future generations. At the same time, however, it is a covenantal identity that is open for others to join: A non-Jew may convert to Judaism, entering into the covenant of this nation, and binding himself not merely to the same set of obligations, but to that essential, chosen community, an identity which he then passes on to his children. Jewish identity is thus inherently open to all, regardless of their biology. Yet it is also, indeed primarily, transmitted from parents to children—not as genetics, but as membership in a familial and national community.

In this respect, Judaism's approach to identity differs drastically from both that of Christianity and the Enlightenment. For Christianity, one determines on one's own whether one is a member of God's covenant. Jewish theologian Michael Wyschogrod notes that it is for this reason that infant baptism has always been controversial, because "infant baptism seems to minimize the role of faith in Christian identity, as infants are not capable of faith commitment."⁵⁹ Moreover, even those Christian denominations that practice infant baptism insist that "faith—even if fully realized years after the initial baptism—is the key to Christian identity." One is on the whole autonomous in the determination of one's identity, and one's familial and national past is by and large irrelevant to this determination. The Christian approach to identity, Wyschogrod suggests, is somewhat similar to the approach taken by the intellectuals of the Enlightenment:

The Enlightenment's understanding of human identity, while not focused on faith in Jesus, shares with the Christian view the focus on human autonomy. Each rational human being chooses her own identity. Aspects of one's identity not of one's own choosing, such as sex, nationality, and age, are deemphasized. Instead, a person is depicted as largely responsible for her identity as a result of choices made. The major difference between the Christian and Enlightenment views is that in the Christian view, God's grace plays a controlling role in the decisions human beings make. But if we can bracket the doctrine of grace, both the Christian and Enlightenment views depict a human being defined by the choices made and the life led. It is not the condition a person is born into that matters, but what the person makes of the condition in which she finds herself.⁶⁰

Through its abrogation of *kashrut*, Christianity stressed that one's familial and national past is by and large immaterial to what is important about one's identity in the present; the Enlightenment scholars, in their own way, agreed. In contrast, Judaism stresses that God chooses a family and a nation; one's covenantal identity is determined not by how one acts but by one's heritage. Though this may seem counterintuitive, and troubling, to

the modern mind, Wyschogrod suggests that by sanctifying people not only based on individual faith, but also on familial and national bonds, God teaches the world what it means to be human. Jews insist that human beings are born with a history, and a family, and these are important aspects of one's identity. One cannot just cut oneself off from one's political past; rather, one serves God with one's entire identity, familial and national. This, Wyschogrod writes, indicates that God wishes us to serve him in "the fullness of our humanity,"⁶¹ utilizing every aspect of our identity in our worship of the Almighty:

To believe that the individual can be lifted out of his nation and brought into relation with God is as illusory as to believe that man's soul can be saved and his body discarded. Just as man is body and soul, so man is an individual and member of a nation. To save him as an individual and to leave the national social order unredeemed is to truncate man and then to believe that this remnant of a human being is the object of salvation. The national election of Israel is therefore again a sign of God's understanding of the human predicament and the confirmation of and love for that humanity.⁶²

The election of Israel prefigures the election of all of humanity, teaching them that one's past—familial and national—is not irrelevant to our service of God. Kashrut, for the rabbis, expresses this message; the dietary laws are a symbolic expression not only of an individual's Jewishness, but also of the collective familial and national nature of that chosen status.

With the abrogation of kashrut Christianity announced to the world the extension of God's covenantal favor to the entire world, and the irrelevance of family and nationality. This, they believed, set the stage for the second coming of Christ, in which the whole world would worship God as one. Judaism, too, believed quite strongly that one day God would elect the nations of the world as he did the Jewish people; yet at the same time, Israel insisted that the distinctions among the nations would never disappear.

Even as the prophets proclaimed that there will come a day “when God will be one and his Name one,”⁶³ they also insisted that there will be multiplicity amidst monotheistic unity. At no point will God’s covenantal love require that man declare the irrelevance of his heritage, of familial and national status. Though now all are chosen, the distinction between nations remains, and the nations will serve God in the fullness of their humanity:

On that day there will be an altar to the Lord in the midst of the land of Egypt, and a pillar to the Lord at its border. It will be a sign and a witness to the Lord of hosts in the land of Egypt; when they cry to the Lord because of oppressors he will send them a savior, and will defend and deliver them. And the Lord will make himself known to the Egyptians; and the Egyptians will know the Lord in that day and worship with sacrifice and burnt offering, and they will make vows to the Lord and perform them. And the Lord will smite Egypt, smiting and healing, and they will return to the Lord, and he will heed their supplications and heal them. In that day there will be a highway from Egypt to Assyria, and the Assyrian will come into Egypt, and the Egyptian into Assyria, and the Egyptians will worship with the Assyrians. On that day Israel will be the third with Egypt and Assyria, a blessing in the midst of the earth, whom the Lord of hosts has blessed, saying, “Blessed be Egypt my people, and Assyria the work of my hands, and Israel my heritage.”⁶⁴

Even when God makes a covenant with the entire human race, nevertheless his love will be directed not at *humanity*, but at *the distinct nations that humanity comprises*. This concept—of a messianic age in which the sovereignty of nations is preserved—is one utterly absent in Christian eschatology. The Jewish political theorist Daniel Elazar once noted that in contrast to passages such as these, Christian texts are devoid of any vision of the endtimes that involves nations as distinct entities:

God’s response to the Tower of Babel suggests the decisive biblical rejection of the world-state as a single entity. At no point does the Bible

diverge from this position. Later prophecies regarding the messianic era call for or forecast what properly may be termed a world confederation of God-fearing nations federated through their common acknowledgment of God's sovereignty and dominion, with Jerusalem, where all go up to worship God, as its seat. Such a confederation is like the original confederation of Israelite tribes writ large; it is the antithesis of the world-state attempted through Babel or projected for the future as the Roman or Christian ecumene that will unite all nations into one people. The biblical position has remained that of the Jewish political tradition ever since, in opposition to the ecumenical stance of much of Christianity.⁶⁵

It appears, then, that kashrut, in expressing the importance of distinguishing among the animals, is a message that is at once particular and at the same time universal. By keeping kosher, Jews express the belief that they are chosen, separate from the nations until the end of time. Yet at the same time, the way Jews approach the animal world teaches us a great deal about how God approaches humanity, and what Jews were chosen in the first place to represent to the world.

We live in an age when the modern Jew is often alienated from, or downright resentful of, his Jewish heritage. Rabbi Shlomo Carlebach, reflecting on his visits to American campuses, once reflected that "I ask students what they are. If someone gets up and says, I'm a Catholic, I know that's a Catholic. If someone says, I'm a Protestant, I know that's a Protestant. If someone gets up and says, I'm just a human being, I know that's a Jew."⁶⁶ But what Jews such as these miss is that in claiming to be nothing but a human being, they deny not only their Jewishness but their very humanity. "Nothing could be more striking," notes Britain's former chief rabbi, Jonathan Sacks, "than the fact that a people whose very reason for being in the past was to be different, chosen, particular, should today define itself in purely universalist terms, forgetting—surely not accidentally—that it is precisely in our particularity that we enter and express the universal human condition."⁶⁷ The laws

of kashrut have reigned in Jewish kitchens for millennia, but it is today that the message they embody is most desperately needed. The laws of kashrut are no mere cultural curiosity, but rather a reminder to each and every Jew of all that his people has been—and all that God has called it to be.

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Notes

1. Leviticus 11:46-47.
2. Leviticus 11:3.
3. Leviticus 11:9.
4. Leviticus 11:13.
5. Leviticus 11:20.
6. Leviticus 11:41.
7. Leviticus 11:42.
8. Leviticus 11:21.
9. Leviticus 11:22.
10. Moses Maimonides, *The Guide of the Perplexed*, trans. Shlomo Pines (Chicago: University of Chicago, 1963), p. 598 (3:48).
11. Nahmanides, *Commentary on the Torah: Leviticus*, trans. Isaac B. Chavel (New York: Shilo, 1971), p. 140 (11:13).
12. Nahmanides, *Leviticus*, 11:9.

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13. *Sefer Habinuch*, commandment 154.
 14. Don Isaac Abravanel, *Commentary on Leviticus*, 11:13.
 15. Abravanel, *Commentary on Leviticus*, 11:13.
 16. Abravanel, *Commentary on Leviticus*, 11:13.
 17. Samson Raphael Hirsch, *Horeb*, trans. Isidor Grunfeld (New York: Soncino, 1962), par. 454.
 18. Hirsch, *Horeb*, par. 454.
 19. Genesis 1:29-30.
 20. Leon Kass, *The Hungry Soul: Eating and the Perfecting of Our Nature* (Chicago: University of Chicago, 1999), p. 206.
 21. Kass, *The Hungry Soul*, pp. 206-207.
 22. Kass, *The Hungry Soul*, p. 207.
 23. Kass, *The Hungry Soul*, p. 207.
 24. Genesis 8:21.
 25. Kass, *The Hungry Soul*, p. 220.
 26. Kass, *The Hungry Soul*, p. 220.
 27. Kass, *The Hungry Soul*, p. 221.
 28. Kass, *The Hungry Soul*, p. 221.
 29. Kass, *The Hungry Soul*, p. 218.
 30. Newtol Press, "Kosher Ecology," *Commentary*, February 1985, p. 55.
 31. Robert Alter, "A New Theory of Kashrut," *Commentary*, August 1979, p. 50.
 32. Kass, *The Hungry Soul*, p. 219n.
 33. Genesis 9:1-3 (emphasis mine).
 34. Kass, *The Hungry Soul*, p. 213.
 35. Deuteronomy 4:5-7.
 36. Kass, *The Hungry Soul*, p. 198.
 37. Leviticus 20:24-26.
 38. Deuteronomy 4:7.
 39. Acts 10:9-16.

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40. Acts 10:34-35.
41. Jacob Milgrom, *The Anchor Bible: A New Translation with Introduction and Commentary* (New York: Doubleday, 1991), p. 726.
42. Kass, *The Hungry Soul*, p. 60.
43. Kass, *The Hungry Soul*, pp. 224-225.
44. Yalkut Shimoni 247.
45. Michael Wyschogrod, *Abraham's Promise: Judaism and Jewish-Christian Relations* (Grand Rapids, Mich.: Eerdmans, 2004), p. 109.
46. Pesikta Zutra, Genesis 6:12.
47. Sanhedrin 108a.
48. Avot de Rabbi Natan 8.
49. Hulin 7b.
50. Pesikta Rabati 14.
51. Rashi on Leviticus 20:26.
52. Maimonides, *Commentary on the Mishna*, Avot 6, introduction (emphasis mine).
53. Leviticus 20:26.
54. Bechorot 6a.
55. "A pure animal that gave birth to [an animal] akin to an impure animal—even if it does not have cloven hooves, and does not chew the cud, but is akin to a horse or a donkey in every way—it is permitted for eating. When is this true? When it gives birth before us. But if one left a pregnant cow in its stall, and came and found what looks like a pig wrapped around it—even if it is nursing from it—it is not certain [if it was actually born from the cow], and therefore prohibited to eat, for perhaps it was born from an impure animal, and merely wrapped around it." Maimonides, *Mishneh Torah*, Laws of Forbidden Foods, 1:4.
56. Quoted by Rabbi Chaim Jachter, *Torah Perspectives on Cloning—Part 1*, www.kolTora.org/ravj/14-6%20Cloning%201.htm.
57. Jachter, *Torah Perspectives*.
58. See Meir Soloveichik, "The Jewish Mother: A Theology," *Azure* 20 (Spring 2005), pp. 99-115.
59. Michael Wyschogrod, *The Body of Faith: God in the People Israel* (Lanham, Md.: Jason Aronson, 1996), p. xvii.
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60. Wyschogrod, *The Body of Faith*, pp. xvii-xviii.
 61. Wyschogrod, *The Body of Faith*, p. 177.
 62. Wyschogrod, *The Body of Faith*, p. 67.
 63. Zacharia 14:9.
 64. Isaiah 19:19-25.
 65. Daniel J. Elazar, *Covenant and Polity in Biblical Israel: Biblical Foundations and Jewish Expressions* (New Brunswick: Transaction, 1995), pp. 118-119.
 66. Quoted in Jonathan Sacks, "Love, Hate, and Jewish Identity," *First Things*, 77 (November 1997), pp. 26-31.
 67. Sacks, "Love, Hate, and Jewish Identity," pp. 26-31.