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## **The environment in Jewish law**

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Responsibility Toward Pets

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## RESPONSIBILITY TOWARD PETS

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**QUESTION:** An elderly parent died and left, along with household items, a pet cat to which she was very much attached. His children wish to know whether they are responsible for the care of this cat, or whether they can give it away, or perhaps put it to sleep. (Laura Ellman, Kansas City, MO)

**ANSWER:** The prohibition against cruelty to animals goes back to biblical times and has been reinforced often in our tradition. It was permissible to use animals for work as long as they were not treated cruelly, to sacrifice them, but again in a manner that did not in any way prolong their suffering, and, of course, to consume them if the animal was slaughtered in an appropriate way and fit into the system of *kashrut*. Almost nothing has been said of the pets in the Jewish tradition, and so virtually all animals that were akin to our pets, such as dogs, were used as guard or watch animals. Dogs were traditionally considered unclean, mainly through their contact with corpses (Lev. 22:4). The dog was seen primarily as a scavenger, as already shown in Exodus. Cattle that had been killed by wild animals were thrown to the dogs. Elsewhere, male pagan religious prostitutes were referred to as "dogs" (Deut. 23:18). When the Talmud wished to be derogatory about Goliath, it provided him with a genealogy in which he was called the son of a loose woman who had intercourse with dogs (Sotah 42b; Rashi and commentaries).

Only in the post-Biblical book, *Tobit*, were there some favorable references to a dog (5:16, 11:4). The mishnaic and talmudic



literature understood the danger from certain kinds of dogs which were indistinguishable from wolves, especially in the evening (Kil. 1:6, 8:6; Ber. 9b). A dog was considered among the poorest of all creatures and often had to subsist entirely on scraps and as a scavenger (Shab. 155b). Dogs used in shepherding were viewed more favorably (Hul. 1:8).

On the other hand, the Talmud appreciated the atmosphere of safety created by dogs and suggested that one should not live in a town where the barking of dogs was not heard (Pes. 113a; Betza 15a). The potential danger of rabies was also recognized (Hul. 58b; Yoma 83b). Dogs were to be chained as they were considered dangerous (B.K. 79b; *Yad, Hil Nizkei Mamon* 5:9; *Shulhan Arukh, Hoshen Mishpat* 409). It was considered sinful to maintain a dog that was known to bite people (B. K. 15b), but one could let a dog run loose in harbor cities, presumably as an additional safeguard against lawless seamen (B.K. 83a). Enmity between human beings and dogs was mentioned in at least one passage of the Jerusalem Talmud (Ber. 8:8).

Hunting dogs were not mentioned in the Talmud but later by Rashi in his commentary (B.K. 80a). Dogs were sometimes kept as pets, and the Talmud in one place mentioned that if a woman spent her time entirely with lap dogs or on games (possibly chess), this was grounds for divorce (Ket. 61b).

Although cats were certainly known to ancient Israelites – after all they were considered sacred animals in Egypt – there was no mention of the domesticated cat in the Bible. The single reference in the post-biblical book of *Baruch* (6:22) may refer to a wild cat. The Talmud considered cats as loyal (Hor. 13a) in contrast to dogs. The principle purpose of keeping cats was to rid a building of mice (B.K. 80a) and other small animals (San. 105a), including snakes (Pes. 112b; Shab. 128b). They were, of course, dangerous to chickens and domesticated birds, as well as young lambs and goats (Hul. 52b, 53a; Ket. 41b). Cats also endangered babies (B.K. 80b). The limited intelligence of cats was blamed on their consumption of mice, which were supposed to decrease memory (Hor. 13a). In nineteenth-century Russia, a folk myth warned yeshivah students from playing with cats because that might diminish their memory. Cats were, on the other hand, seen as a model of cleanliness and modesty (Eruv. 100b). Once cats established themselves in a house, they rarely left and remained very loyal (Shab. 51b). Sometimes their fur was used, as it was particularly soft (B.K. 80b).

In the *halakhah* there is nothing that deals with the kind of special role that various pets have played in modern Western European and American life. As we can see, the care of animals was always an important part of our tradition. We would, therefore, say that the heirs are duty bound to either care for this animal that was important to their father or to find an appropriate home for it. They may certainly not put it to sleep or abandon it.