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A Taste of Unexpected Jewish-Muslim Cooperation

Jews and Muslims fight together against European governments for the right to kosher meat slaughtering

July 20, 2020 | Yossi Aloni



The Court of Justice of the European Union in Brussels has begun to discuss for the first time the legality of kosher meat slaughtering in Europe. The tribunal will discuss the legality of the ban imposed by two provinces in Belgium (Wallonia and Flanders) on kosher slaughter. There are grave





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concerns in European Jewish communities: If the Court of Justice rules that the ban is legal, the decision will have implications for a number of other European countries that will also ban kosher slaughter.

In 2009 the European Union (EU) set its current regulation for the **humane, painless slaughter of animals**. The regulation stipulates that animals must be first stunned before slaughtering them, with one exception: slaughter for religious reasons such as kosher (Jewish) or *halal* (Muslim “kosher”) in which stunning is forbidden. However, the EU *left an exception* that member states are allowed to impose additional restrictions beyond those set out in European regulation to ensure better protection for animals.

Following the regulation, a number of European countries indeed added more restrictions, and they banned slaughter without stunning – including Denmark, Slovenia, Sweden and most recently the two Belgian provinces. The Jewish community in Belgium has petitioned the Belgian Constitutional Court, arguing that legislation in Wallonia and Flanders is contrary to European regulation but also to other European conventions on human rights and freedom of religion – in that it cancels the legitimacy that the regulation that permits religious slaughter. The Belgian Constitutional Court referred the case to the European Court of Justice and sought to examine whether Belgian legislation is in line with EU legislation.

The hearing in the Court of Justice has been delayed due to the coronavirus and will take place this week for the first time. Jewish communities in Europe fear that if the Court of Justice approves the legality of Belgian legislation,



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past, bills have been raised in a number of European countries to ban such slaughter, including in Germany. The initiatives usually come from animal rights organizations but in recent years more and more, from nationalist organizations seeking to harm Muslim immigrants by making *halal* slaughter illegal.

“Most of the center of gravity is against the Muslims, but they have not forgotten the Jews,” says Adv. Meir Linzen, president of the International Organization of Jewish Lawyers and Jurists, an organization that has submitted its position to the Justice Court against a ban on kosher slaughter in Belgium. Their position paper – written by Jewish jurist Professor Joseph Weiler – calls to overturn the ban on Jewish (and Muslim) religious slaughter, while recognizing the need to take better measures to reduce animal suffering.

The paper explains that preventing a religious community from eating in accordance with its religious obligations violates their right to freedom of religion, and that the requirement for stunning before slaughter is in essence a discriminatory requirement, as it does not harm most EU citizens but only certain minority communities. Adv. Linzen explained that the prohibition is liable to cause severe harm to Jewish communities, and to undermine Jewish life in EU countries which would impose such a ban.

Linzen added that the organization calls on the tribunal to rule that the ban is inconsistent with EU law, including the Charter of Fundamental Rights of the European Union, and the European Convention on Human Rights and Fundamental Freedoms. “The position that the Christian majority should be





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considered over the other religious minorities can lead to an anti-Semitic position. We believe that religious freedom cannot be compromised, and part of that freedom is carrying out religious rituals even if they do not meet the standards of the liberal Christian majority.”

The European Commission recommended that the Court return the case to the Belgian Constitutional Court without ruling that the legislation was invalid. Some interpret the Commission’s position as legitimizing the disqualification of kosher slaughter.

The Jewish community in Belgium initiated the legal appeal. It clarified that there are no substitutes for kosher slaughter, and that it fears a ban on even the import of kosher meat from other countries. And even if the import was allowed, it fears not being able to ensure a regular supply of imported kosher meat.

An Extraordinary Joint Jewish/Muslim Statement

The President of the Committee of European Rabbis, chaired by Rabbi Pinchas Goldschmidt and the Saudi cleric, Sheikh Muhammad bin Abdel Karim al-Issa, Secretary-General of the World Muslim League and President of the International Islamic Halal Organization, **issued an extraordinary joint statement opposing attempts to ban kosher slaughter and halal**





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slaughter:

“Food plays an important role in our religious life, and the way we prepare food represents a central part of our faith. Throughout history religious bans have been used to increase the migration of individuals from certain religious groups. Today Muslims are increasingly the target of such legislation. For example, we have seen prohibitions proposed by the far right in the Netherlands following Muslim immigration from the Middle East. *These prohibitions are unjustified whether they are directed against the halal of the Muslims or the kosher food of the Jews or both.*

“Each such prohibition violates the basic principles that Europe represents such as religious freedom. Hurting the religious practices of minority groups in this way will affect relations between the communities and jeopardize social cohesion. The tribunal should take into account the historical intentions of such a ban, and consider setting a precedent on the issue. If the ban is accepted in Belgium, the message the court will send to religious minority communities is clear: you are not welcome. Religious groups cannot be expected to remain in Europe and thrive as contributing members in their communities, if their food consumption is *treated as a crime*. We urge the court to take into account the needs of religious communities in their judicial decision and the interests of building a Europe of diversity and inclusion. “

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