

A SNAG IN THE TRADITION OF CHECKING KNIVES

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A Mystery

Cochin is a harbour city in Southwestern India that has hosted a Jewish community for centuries. In 1949, this community was well-connected to the outside world, and was itself internally diverse, weaving together (or in some cases attempting to keep separate) many strains of Jewish tradition and background.¹ Nevertheless, in that year, a Cochini Jew named Ruby Daniel was astonished by the practices of Israeli *shohatim* (kosher slaughterers):

I had to go every Thursday to Kiryat Shemonah and stand there with hundreds of people waiting to buy chicken. I hate the smell of the chicken and the place where they clean it, and I hate all the *shohetim* [sic] there too. They had three or four knives, but I never saw them examining the knife as a *shohet* should. My grandfather used to sharpen the knife and put it on his tongue to find out if there is any flaw.²

Daniel describes the experience of a geographic immigrant, but so too is the experience of the immigrant from rabbinic literature to modern practice; for every codification of Jewish law from Rambam (Maimonides, 1135-1204, Spain and North Africa) to the *Simlah Hadashah* (by R. Alexander Sender Schorr, early 18th Century, in Ukraine)³ requires 24 checks of the knife for every animal killed,

¹ Ruby Daniel and Barbara C. Johnson, *Ruby of Cochin: an Indian Jewish woman remembers* (Philadelphia: JPS 1995), p. 13.

² Daniel *et al.*, p. 110.

³ Rambam, *Mishneh Torah*, Hilkhoth Shehitah 1:18; *Simlah Hadashah*, 19:7.

12 on flesh and 12 on a fingernail, in order to detect flaws on the blade (*pegimoth*, *i.e.* small serrations). Today it is usual to check only on a nail, but even such a check is largely waived in a factory setting. Since Daniel's encounter at Kiryat Shemonah, the transformation has become nearly total; few today have had the sort of life experience that would lead them to be surprised at the status quo. What accounts for this change, which has transpired almost entirely outside the world of textual legal reasoning?

Checking Knives in Rabbinic Literature

The Babylonian Talmud describes a variety of acceptable ways of checking a knife, which by the sixth generation of *Amoraim*,⁴ more or less coalesced into one multi-faceted method of checking:

במערבא בדקי לה בשימשא בנהרדעא בדקו לה במיא רב ששת בדק לה
בריש לישניה רב אחא בר יעקב בדק לה בחוט השערה בסורא אמרי
בישרא אכלה בישרא לבדקה אמר רב פפא צריכא בדיקה אבישרא
ואטופרא <ואתלתא רוחתא> ... רבינא ורב אחא בריה דרבא הוו יתבי
קמיה דרב אשי אייתו סכין לקמיה דרב אשי לבדקה אמר ליה לרב אחא
בריה דרבא בידקא בדקה אטופרא ואבישרא ואתלתא רוחתא אמר ליה
יישר

In the West, they would check it [the knife] in sunlight; in Nehardea, they checked it in water. Rav Shesheth checked it with the tip of his tongue. Rav Aha bar Yaakov checked it with a strand of hair. In Sura they say, "It eats flesh, so check it on flesh." Rav Papa said, "It needs checking on flesh, on nail, and in three directions." ... Ravina and Rav Aha the son of Rava were sitting before Rav Ashi. They brought a knife to Rav Ashi to check. He told Rav Aha the son of Rava, "Check it." He checked it on nail and on flesh and in three directions. He said to him, "Well done."⁵

⁴ Talmudic scholars of the Gemara stratum, *i.e.* approximately 200-500 CE.

⁵ BT Hulin 17b.

This discussion, however, seems to be relatively vague. One explanation for the vagueness might be that, as a general matter, writers don't provide details for commonplace activities—unless they are concerned that future readers won't understand. Thus, perhaps, these *Amoraim*, who experienced animal slaughter as the skilled but ordinary activity of householders, no more thought to explain what they meant by “checking in sunlight” than we would think to explain that writing “by hand” involves pen and paper. Additionally, Amoraic teachings were transmitted face-to-face, bolstered by tone and gesture and pre-existing emotional and cultural connection between a living student and a teacher.⁶ Rav Ashi's interaction with Ravina and Rav Aha illustrates how tactile and immediate teaching often was. So it is not surprising that the detail conveyed in our text is not of the elaborate nature typical of post-Medieval rabbinics.

Alternatively, one must also consider this: broad language may well indicate broad requirements. As a parallel case, Talmudic and Medieval descriptions of how letters ought to be written for ritual documents are minimal, focusing on legibility. Paleographic evidence shows that the halakhic language was broad, not for esoteric reasons, but because it accommodated a wide variety of writing styles. As standard scripts emerged over time, halakhic language to describe these scripts became increasingly specific.⁷ The

⁶ I discuss this further in “An Oral Torah,” published in *Conversations*, issue 26, Autumn 2016/5777.

⁷ Standardisation down to the last minutiae of letters is so recent a phenomenon that I have had the opportunity to observe a great diversity in Torah scroll scripts first-hand in the course of my work in *soferuth STAM* (ritual calligraphy). Conversations with expert scribes at Machon Ot, a non-profit *soferuth* institution based in Jerusalem, have confirmed that as recently as 100 years ago, German scribes were writing in a style that today would be described unhesitatingly as Sephardi. This was contemporaneous with a variety of other styles in Europe alone. Manuals such as Salomo Ganzfried's *Qeseth HaSofer* (c. 1831, c. 1871) had been long-published, but evidently were not regarded as authoritative. For an introduction to script diversity in previous time periods, see Jerusálmí, Mark F. “Paleography of Four Modern Hebrew Scrolls: Analysis of Their Script in View of Earlier Writings” (Master's thesis

same relationship between language and action is likely to be at work in *shehitah* (kosher slaughter) literature, too. It is not necessary to imagine that an arcane sun-checking procedure lies hidden behind the laconic directive to look at the knife in sunlight; perhaps it really does just mean to check it in sunlight.⁸ Our text already indicates awareness of a broad variety of techniques, which it records without censure, establishing some tolerance of variety. We can also see that the sages of the Talmud are perfectly capable of using rich, close description when they think it is called for: for instance, in defining where a knife may be placed on the animal's body (*i.e. meqom shehitah*).⁹

What aroused the curiosity of Medieval commentators such as Rashba (Barcelona, 1235–1310) and Ramban (Nahmanides, Catalonia, 1194–1270) – among others – on the subject is ultimately a separate point: On the following *daf* (page), the Talmud discusses that flaws must be of a certain size before we consider them troubling, and that that size is *hagirath tsiporen* (large enough to snag a fingernail).¹⁰ If so, why check knives against anything but a fingernail? Ramban resolves the problem in the following way:

ו"ל דאמוראי נינהו דלמאן דאמר אבישרא ואטופרא וחוט השערה
 ושמש' ומיא אפי' פגימה קטנה שבקטנות שאין הצפורן חוגר בה פוסלת
 It seems to me that there is disagreement among the
 Amoraim, and that one who would say to check on
 both flesh and nail, a strand of hair, sunlight, and
 water, would also say that the very smallest flaw is
 problematic, even if it would be insufficient to snag
 a fingernail.¹¹

submitted to the Jewish Theological Seminary – University of Jewish Studies of Budapest: 2016).

⁸ For a parallel in checking things by sunlight, see this term in Talmudic literature regarding *hilkhoth nidah*, *e.g.* BT Nidah 25b, where the common-sense, practical reasons for this approach are even more apparent.

⁹ BT Hulin 18b-19b.

¹⁰ BT Hulin 17b.

¹¹ *Hidushei HaRamban* to BT Hulin 17b, *s.v. Wekhol pegimothan*.

Is Ramban saying that the non-nail checks are more precise methods of detection? This would be strange. I checked many knives using my best approximation of early Amoraic methods. Since this approximation may not be exact, the results should be taken with a grain of salt; however, neither must we fall back on the comforting refrain אין אנו בקיין (*ein anu beqiyin*, “we have no expertise [nowadays]”),¹² which too often permits us to clap our hands over our ears when history is speaking.

Although a detailed tabulation of the results of my experiment can be checked in the Appendix of this article, in brief, some non-nail checks were shown to be less exacting, namely, examinations *via* flesh, tongue, and water. Others were found to be of equal precision, such as examinations *via* hair and sunlight. These results have been partially confirmed by modern Sefaradi and Yemenite *shohatim*, who agree that flesh is less sensitive than nail.¹³ Returning to Ramban with this information, it is apparent that he is not contrasting what is felt by a fingernail to what is felt by flesh, but rather is contrasting what will *catch* a fingernail to what is *felt* by flesh: *hagirah*, snagging, is a minimal measurement that applies only to fingernails. A person feeling a knife on their tongue or dragging it carefully across their skin is given no minimal boundary by halakhah: In this vulnerable state, every sensation from the blade is felt as significant.

This window to the significance of feeling and endangerment allows us to view the problem which Ramban leaves unarticulated: Why would Rav Ashi and the later *Amoraim*, who require checking on flesh, simultaneously require checking on the fingernail? Only two possibilities exist: that one method is more precise than the other, or that they are approximately the same. So why should anything other than the best check be mandated? If our concern is only the size of a potential flaw, there should never have

¹² Catchphrase of the Rema (Moses Isserles of Poland; d. 1572) in his commentary throughout the Shulhan Arukh and Hilkhoth Shehitah in particular; invoked ever since in various Ashkenazi texts.

¹³ Yitzhaq ben Nisim Ratzabi, *Or HaHalakhah: Osef Minhagei Qehilath Qodesh Teiman al Shulhan Arukh Yoreh Deah* (Jerusalem: Or HaHalakhah 2012), 18:2; R. Yaaqov Peretz, *Sikumim leShulhan Arukh Yoreh Deah* (2009), *Siman* 18.

been a reason to prescribe both flesh and nail, as one or the other would have always been superfluous.

We must conclude that Jewish law came to require both flesh and nail for reasons other than simple size detection. Indeed, this is clear in a number of places in our *sugiyah*, most tellingly the saying of the people of Sura: “since it cuts flesh, check it on flesh.” Tosafoth¹⁴ expand:

אבישרא משום ושט ואטופרא משום קנה

On flesh because of the esophagus, and on nail
because of the trachea.¹⁵

The parallel, clear to those familiar with animal and human physiology, perhaps requires some clarification for a modern audience: the esophagus, like flesh, is soft, whereas the trachea is made of stiff cartilage, and so is more like a fingernail. Rashi (France, 1028-1105) calls checking on flesh *iqar bediqathah* (“the critical part of its [the knife’s] check”), even as he describes flesh and nail as co-determinative of what constitutes a flaw.¹⁶ This is an eloquent tension. Both Tosafoth and Rashi are reading the Surian proverb, and the later Amoraic flesh-and-nail method which they understand as implementing it, as mandating checks which cultivate an awareness in *shohatim* of the ways in which their bodies correspond to the bodies of the animals they are slaughtering.

Explaining Modern Knife-Checking

When and through what halakhic mechanism did things change? Many *shohatim* do not receive any explanation about why, contrary to what is indicated in their textbook,¹⁷ they are expected to

¹⁴ 12th Century Talmudic commentators in France and, later, Germany.

¹⁵ Tosafoth to BT Hulin 17b, *s.v. Avisra weatufra*.

¹⁶ Rashi to BT Hulin 17b, *s.v. Bisra Akhelah*.

¹⁷ *Simlah Hadashah* for Ashkenazim; *Shulhan Arukh* with commentaries for Sefaradim.

check only on nail, and not on flesh. This seems to be especially true among Ashkenazim.¹⁸

On the other hand, some teachers and books do feel the need to provide an explanation, perhaps especially in cases where a break with previous practice is comparatively recent. R. Yaaqov Peretz, head of the yeshivah “Midrash Sefaradi” in Jerusalem, wrote the following in the notes to his *shehitah* students in 2009:

אבל בזמנינו אין מרגישים אלא בצפורן... בדיקת הצפורן עדיפה ומספיקה מכל בדיקות אחרות.

In our days, we don't feel any [flaws] except through the fingernail. Checking with the fingernail is preferable and is more satisfactory than any other way of checking.¹⁹

Or Hahalakhah, a modern collection of Yemenite customs arranged as commentary on the Shulhan Arukh, offers a similar explanation:

כשמוליכים ומביאים הסכין עליה [האצבע] אין מרגישים פגם בזמנינו. כמו כן כולם אינם נוהגים עכשיו לבדוק אלא בציפורן, כיון שהבשר אין מרגישים, ואין קפידא באיזו אצבע יבדוק, אלא יבחר באצבע שמרגיש שיש לו בה יותר חוש המישוש.

When bringing the knife back and forth on it [the finger], no flaw is found in our days. So they have no custom now of checking on anything but the nail, since the flesh is not sensitive. There is no reason to be particular about which finger is chosen; rather, one should choose the finger felt to be the most sensitive.²⁰

It is noteworthy that *Or Hahalakhah* preserves a level of instructional detail that enables the reader to understand the practice of checking on flesh, and perhaps practice it, even as the text shrugs off its necessity. This may be because, contrary to what is indicated

¹⁸ Conversations with Ashkenazi *shohatim* variously trained at RIETS and privately with Ashkenazi teachers in Jerusalem.

¹⁹ Peretz, *ibid.*.

²⁰ Ratzabi, *ibid.*.

here, the authors were aware that checking on flesh is in fact practiced in non-industrial contexts by individual *shohatim* in a variety of non-Ashkenazi communities.²¹

An Ashkenazi explanation does exist. *Mateh Asher*, a Hungarian commentary on *Simlah Hadashah* written in the late 1920s by Rabbi Asher Anshel Greenwald, uses similar arguments to those we have already seen:

וראיתי האידנא מעולם לא ראינו מי שבודק בבישרא כי אין אדם מרגיש
בו כל עיקר כו' ואפשר לתת טעם למנהג ישראל אפי"ם למעלה ובס"ב
שאין לך פגימה שאינה נרגשת לבקי בדיקת הציפורן ובדיקת הציפורן
סגי לך

I notice that these days, we have never seen anybody check on their flesh, because people cannot feel with their flesh anything significant etc.. It is possible to explain Jewish custom according to what was written above in *Siman* ["Clause"] 2: that there is no such thing as a *pegimah* which cannot be felt with the fingernail to one who is expert in checking with the fingernail.²²

Yet such a comment is odd for many reasons. Not least of these is the claim that "we" have never seen such a thing when he himself had previously written that checking on flesh is practiced in Poland by respectable people.²³ While we can certainly forgive *Mateh Asher* for not comparing custom and condition between Jewish communities in Hungary and, say, India, his failure to explain or even directly acknowledge the difference he knew existed between different Ashkenazi communities is certainly curious.

Another question, familiar to us from our examination of Rishonim, is why *halakhah* should ever have required checking on flesh if that check is in all ways inferior to checking on the fingernail.

²¹ For a similar treatment, see the lecture "*Bedikath HaSakin*" of R. Ben Zion Hokhimah (uploaded by *Kashruth HaMa'akhalim* to <https://youtu.be/uhBU6wiiodQ> on November 2, 2016, accessed on October 27, 2017), where the lecturer states both that people do not check on flesh, and that they check on flesh in a variety of ways.

²² *Mateh Asher* 18:7:15.

²³ *Ibid.* 18:3:7.

The Sephardi and Yemenite sources quoted above gesture at a gap between the current reality and previous practice with phrases like “In our times,” but do not attempt to describe the nature of such a gap. *Mateh Asher* does address what the difference might be, but without reference to any source in the Talmud or subsequent rabbinic literature; rather, he speculates that the original fingernail check was done against the flat of the nail, and thus was far less effective than a check using the edge of the nail, which he asserts is the modern method. No evidence is brought to support his hypothesis, which raises serious questions. Does he believe that Polish *shohatim* are still using the old, inferior nail-checking method, and so must make up for it with the skin-check? And how is it that what he supposes to be Talmudic methodology can be overridden, given how he earlier berated those who would abandon physical checking in favour of visual inspection:

זה ודאי פשוט דחלילה לסמוך על בדיקת הראיה לבד בלי בדיקת
הצפורן... שעובר על דברי חז"ל דמצרכי צפורן דוקא

It is quite clear that it should be far from us to rely on visual inspection alone, without checking on the fingernail... since that transgresses the words of the Sages, who specifically mandated the fingernail.²⁴

Of course, the Sages to whom he refers also mandated checking on flesh, and while flesh was a recommended way of checking a blade by itself, the fingernail method is only mentioned as part of a process that includes flesh. Additionally, checking by visual inspection alone is, in fact, a Talmudic method, unlike checking by nail alone.

Mateh Asher is a little more in his element when he suggests an alternate explanation: that the knives themselves may have changed from coarse metals to מבוחר הברזל שקוראים שטאהל (“the choicest of iron, which is called ‘steel’”),²⁵ resulting in a smoothness past the threshold that flesh can reliably inspect. This is a theory well-worth examining. Indeed, we find that the new steel knife was a major pivot for tensions between Hasidic and Mitnagedic communities; Hasidic leadership decreed that all knives for *shehitah* should be

²⁴ *Ibid.* 18:3:7.

²⁵ *Ibid.* 18:14.

made of polished steel, and in response, bans against them were issued in Brodi, Lvov, Slotsk, and Minsk, among others.²⁶ Mitnagedic rabbinic leadership was vague in describing why it objected so strongly to the new Hasidic requirement, referring only to a change in *minhag avotheinu* ("our ancestral custom").²⁷ This lack of specificity, paired with a clear communication of anxiety, is interesting and unusual. Disruption of traditional methods of checking the knives may have been in their minds, but if so, they did not articulate or differentiate this from generalised concern.

However, the history of steel production is hardly a simple subject. In fact, steel was being produced in India even during antiquity, a phenomenon that, in the Middle Ages, was observed by Europeans who were unable to replicate the process.²⁸ Malabar, in which Cochin is situated, was one place where steel was manufactured.²⁹ Aside from this, the establishment in 1907 of India's Tata Iron and Steel Co. placed India ahead of many developed nations that did not yet have their own domestic steel industry.³⁰

Mr. Victor Abraham, who grew up in Mumbai during the 1940s, told me that he often observed his father, who did *shehitah* for himself and for his neighbours, checking his knife. He showed me how his father would check the blade on his thumb, and also on his fingernail.

VA: I remember it very clearly, you know, because I was bringing him the chickens. I would grab them by the feet.

Me: Can you say something about the knife itself?

²⁶ Dov Eliakh, *Sefer HaGaon: LeToledoth Hayav uVeirur Mishnatho shel Moreinu HaGaon R. Eliyahu MiVilna ZTZQL* (Jerusalem: Mekhon Moresheth HaYshivoh, 2001), p. 925.

²⁷ *Ibid.*.

²⁸ Madeleine Durrand-Charre, *Microstructure of Steels and Cast Irons*, trans. James H. Davidson (Paris: Ed. SIRPE, 2003) p. 20.

²⁹ A. K. Bag, *History of Technology in India* (New Delhi: Indian National Science Academy, 2001) p. 463.

³⁰ Claude Markovits (ed.), *A History of Modern India, 1480 - 1950* (London: Anthem Press, 2004), p. 439.

VA: It was just ordinary, you know, steel... We didn't have "a" rabbi, we had *hakhamim*; they would look at the knives, before holidays and things. Also once a week someone would come by to sharpen the knives, which cost only a few pennies. And of course it would be examined before and after it was used, too.³¹

The pairing of "steel" with "ordinary" is notable, since it undermines a hypothesis that steel manufacture must be not only present, but commonplace, in order to disrupt the practice of checking on flesh. All this information discourages the hypothesis that changes in knife metals were directly causative of changes in method of checking.

Checking Knives and Sympathetic Imagination

I learnt the laws of *shehitah* from R. Eiran Davies in Sweden, 2014-2016; R. Davies himself learnt at Midrash Sefaradi in Jerusalem in 2009. I remember that once, when we were learning the proper placement of the knife on the throat, I gestured to my own throat with my hand. This prompted R. Davies to burst into nervous laughter, after which he sternly forbade me from doing such a thing again. R. Davies drank a Swedish beer by the name of "Falcon," and when he wanted to refer to a throat, the poor falcon on the can would serve as a substitute, sometimes dying many times in one evening.

When I asked him about his aversion to using the human body as a point of reference, he said that he learnt at Midrash Sefaradi that it was strictly forbidden to gesture to oneself as if to the animal. In addition, he mentioned that Rav Peretz threatened to kick out anyone caught touching the blade to anything other than their fingernails. After consultation with other *shohatim*, it seems plain that

³¹ Interview with Victor Abraham, Beth Jacob Synagogue, Hamilton, Ontario. January 5th, 2016.

this reflects a broad if not unanimous element of the education of *shohatim* in our times. It has no root in traditional Jewish texts.

Proponents of this custom see the same thing that Rashi and Tosafot see when looking at the previously quoted *sugiya* at *Hulin* 17b: that to gesture to oneself with the knife, let alone to touch the blade to living tissue, demands an awareness of some correspondence between human and animal bodies. It is a controlled provocation of what Dr. Liz Warman and other thinkers have termed “sympathetic imagination.”³² Specifically, it aims to allow *shohatim* to feel something of what the animal would feel, which in turn enables them to prevent the tearing of the animal’s throat, an event which would render the animal inedible as a *neveilah*.³³

A desire to dim this sympathetic imagination is certainly congruous with the industrialisation of slaughter, a phenomenon which in our times has come together with a “de-animalisation” of an ever-increasing meat supply, meaning that the packaged product bears little resemblance to the original animal.³⁴ The job of *shohatim*, too, has been de-animalised. Whereas classically *shohatim* would take an animal to the place where it would be killed (*hagbahah*), lie it down (*harbatsah*) or take it in their hands (*tefisah*), kill it (*shehitah*), and then inspect both knife and carcass, in modern settings, *shohatim* stand by a conveyer belt, slicing the necks of hundreds of animals, pausing only to check the knife between batches, instead of between acts of slaughter—notwithstanding that, according to Rambam’s standard, such infrequency would constitute *pesha* (negligence).³⁵ Thus is strict disconnection enforced between human and animal. This disconnection has been described as psychologically protective

³² Dr. Warman has not yet used this term in published work but makes excellent use of it when teaching Greek philosophy. For one such published usage of “sympathetic imagination” in relation to non-human animals, see, for example, Martha C. Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Cambridge: Harvard 2009) p. 355 (and ch. 6 generally).

³³ Carrion: a category of animal that is prohibited for consumption under *halakhah*, because it has died by a means other than kosher *shehitah* (e.g. disease, old age, or any sort of non-*shehitah* injury).

³⁴ Noille Vialles, *Animal to Edible* (Cambridge: Cambridge University Press, 1994), p. 72.

³⁵ Rambam, *Hilkhoth Shehitah* 1:21.

of the human, in view of the contradicting stresses resulting from the circumstances of, on the one hand, being raised in a culture in which animals are typically cast as companions rather than food, and, on the other, slaughter proceeding on a scale exponentially greater than at any other time in human history.³⁶

This hypothesis accords with the descriptions given by the Indian Jews cited in this paper, where slaughter took place on a small scale near the homes of the *shohatim* themselves. In the case of 1940s Mumbai, Abraham says that chickens would actually be killed in the kitchen itself, “near where we washed the dishes.”³⁷ By contrast, many Ashkenazi communities felt pressed into *shehitah* in a specialised slaughterhouse setting³⁸ by the late 1920s, as attested by *Mateh Asher*:

ועתה נהגו שוחטים להקל... ובפרט בעיירות גדולות שהזמן בהול תמיד
כמו בערב יוה"כ ומקילין עוד יותר ששוחטים עופות של הרבה שליחים
ואין בודקין הסכין יש שהגבילו בזמן כגון עשרה מינוטען יש פוחתין יש
מוספין ויש אומרים שתלוי במנין עד כמה לשחוט וליזיל כ' או ל' או מ'.

³⁶ Vialles, *ibid.*.

³⁷ Interview with Victor Abraham, Beth Jacob Synagogue, Hamilton, Ontario. January 7th, 2016. Abraham's family lived in a tenement building and had two rooms: one more open – a work room used for cooking, washing, killing, laundry, and other tasks – and a second used for entertaining guests and where the whole family would sleep. Ash from the fireplace was saved and kept nearby for *kisui hadam* (covering blood, required for the slaughter of fowl and wild animals). Since refrigerators were extremely rare, the building's kitchens, including Abraham's, were the site of almost constant labour. Bathrooms were shared by the whole floor. An apartment on the third floor served as the synagogue. These details shared with me by Abraham are significant, as they show that slaughter took place in a way that was both private, in the sense that it was located in the home, and public, in the sense that it was an unconcealed event witnessed informally by family and visiting traffic from the community, as well as formally on select occasions by Mumbai's *hakhamim*.

³⁸ Industrialised slaughter had already been well-established in Europe for decades; see Alain Drouard, and Derek J Oddy (eds.), *The Food Industries of Europe in the Nineteenth and Twentieth Centuries* (London and New York: Routledge 2016).

Nowadays *shohatim* are customarily lenient... especially in big cities where things are always as busy as on the day before Yom Kipur. And they are even more lenient in that they slaughter the chickens of many customers without checking the knife. Some define what constitutes [sufficiently rushed] time, for example, 10 minutes, with some subtracting and some adding. And others say that [what constitutes rushing] depends on the number of what is to be slaughtered, and set it as 20 or 30 or 40.³⁹

Here, when *Mateh Asher* speaks of leniency, he means regarding any check on the knife at all: *shohatim* may check before the first animal (presumably – although the text is not explicit even as to such a first check), and not check again until many others (20, 30, 40) have been slaughtered, even if they are spread out among a number of customers. Although it seems from his words that many *shohatim* had adopted this explanation for leniency, in technical halakhic terms, such a rationale is extraordinary. Why is the demand for *shohatim* to slaughter 20, 30, or 40 animals in a go considered coercive, while the demand of all formal rabbinic literature to check before and, after each individual act of slaughter, is considered optional? *Mateh Asher* himself acknowledges that the busy schedules of *shohatim* are halakhically irrelevant:

אבל באמת לא המנין ולא הזמן גרמא לחובת הבדיקה

But the truth is that neither number nor time is the basis for the obligation to check [the knife, and so altering them does not alter the obligation].⁴⁰

Perhaps some light can be shed on the matter by asking how Ashkenazi *shohatim* found themselves serving so many customers – in other words, how trained *shohatim* became so rare. The most obvious culprit is the introduction of extra-halakhic criteria for becoming a *shohet*. While in the Talmud, it is clear that no

³⁹ *Mateh Asher* 18:12:41.

⁴⁰ *Ibid.*.

extraordinary piety or personal quality of any sort is required to become a *shohet*,⁴¹ *Simlah Hadashah* introduces character requirements: one must have an attitude of reverence and act “properly” (מתוקנים דרכיו). One must be literate, and have the ability to parse some meaning out of a given text by Rashi.⁴² One must under no circumstances be a woman. Although this requirement is acknowledged by *Simlah Hadashah* to be non-halakhic, he nonetheless underscores that it is absolutely mandatory.⁴³

Perhaps most significant of all is the introduction of certification, handed down by other *shohatim*. For this certification, it is of utmost importance to study recent summaries of *hilkhoth shehitah* and handbooks; *Simlah Hadashah* decries those who rely on classical rabbinic literature.⁴⁴ We see the fruits of such an educational theory with *Mateh Asher*, who appears to be unable to locate his questions and their possible answers in Talmud and Rishonim. The roots of this situation can be traced as far back as the Rema, who explains that in Ashkenazi communities, rabbis no longer demand access to the knives of *shohatim*:

והאידינא נהגו למנות אנשים ידועים על השחיטה והבדיקה, ולהם מחלו
חכמים כבודם

Our custom nowadays is to appoint known men to do both *shehitah* and inspection, and the sages waive their right [to inspect].⁴⁵

A clear contrast is apparent with Mr. Abraham’s description of the *hakhamim* of Mumbai, who would check the knives of *shohatim* in their city and its surrounding small towns multiple times a year. It appears that not long after the knives of *shohatim* became exempt from rabbinic inspection, discourse of the *shohatim*, too, became exempt, accountable only to their own methodology and considerations. So it is that we eventually find that many of the rules of *shehitah* are waived to enable factory production, even though we do not find that, the need for increased production is ever proffered

⁴¹ BT *Hulin*, chapter 1; Mishnah *Nidah* 8:2.

⁴² *Simlah Hadashah* 1:6.

⁴³ *Simlah Hadashah* 1:13.

⁴⁴ *Simlah Hadashah* 1:10.

⁴⁵ Rema, *Yoreh Deah* 18:17.

as an excuse for changing the *halakhah* in respect of, for example, the writing of *mezuzoth* or *sifrei Torah*.

Conclusion

That Jewish practice shifts, even radically, is not surprising, but the usual state of things. In the words of George Eliot, “The native spirit of our tradition [is] not to stand still, but to use records as a seed and draw out the compressed virtues of law and prophecy.”⁴⁶ However, the lack of robust rabbinic comment on such a change is strange indeed; and in the case of the practices of *shohatim*, what we see instead is a break with tradition that does not even try to justify or imagine itself as the natural seedling of past wisdom, growing in the earth of new circumstance. Such a breach is a serious matter: *minhag avotheinu Torah hi*,⁴⁷ the custom of our ancestors is [considered as weighty as] Torah. This is particularly so when the custom in question, like checking knives on some sort of flesh, and all the more so checking knives after the act of slaughter, is both Talmudic in origin, and a practice that quickly reached universal acceptance by Rabbinic Jewish communities in all their diversity.

It is impossible to consider this lack of compliance itself to constitute the founding of a new custom. Instructive here are the words of R. Moshe Feinstein (United States, 1895-1986) in his responsum on the case of a person from a Hasidic family who wished to pray in the original Ashkenazi *nusah* (liturgical tradition), rather than the *nusah* invented by Hasidic leaders in Enlightenment-era Europe, called *nusah Sephard*:

ונמצא שאין להחשיב שינוי מנהג מה שהתחלת להתפלל נוסח אשכנז אף שאביך ועוד ב' וג' דורות התחילו להתפלל בנוסח החדש שהרי אדרבה הם שינו מנהג אבותיהם ורבותינו אדירי עולם חכמי צרפת ואשכנז.
One finds that it is not considered a change of minhag that you have begun to pray in the Ashkenazi *nusah*, even though your father and the

⁴⁶ George Eliot, *Daniel Deronda* (Edinburgh and London: William Blackwood and Sons, 1884) p. 400.

⁴⁷ Tosafoth to BT Menuhoth 20b, *s.v. Wayifsal*.

previous two or three generations began to pray in the new *nusah* [i.e. *nusah Sephard*]. In fact, the opposite is true; they were the ones that changed the minhag of their ancestors and the greatest among our rabbis, the sages of France and Germany.⁴⁸

This is all the more so in our case, where the prescribed practice is not only, as mentioned above, both more ancient and universal in its spread, but also—where no halakhic reasons have been referenced aside from the increased demands for meat in the age of industrialisation—a break in established custom. Unlike early Hasidim, modern slaughterhouse protocols are hardly inspired by pietistic aspirations. Rather, it is clear that the noncompliance with custom is due to a single cause: the impossibility of profitability in an industrial slaughterhouse where the *shohatim* would pause for mindful reflection before and after the death of every animal. The seismic shift in the human-animal relationship is itself a reaction to financial considerations in current levels of meat consumption and the apparatus that sustains it.

Nor can we say that the Jewish community has assented to this break with tradition. Indeed, we have hardly even witnessed how modern slaughterhouses operate, and the changes in the role of *shohatim* there have occurred not only largely off the rabbinic record but increasingly out of sight of Jewish communities. This is due to the physical properties of modern *shehitah*, which takes place in a few rural, closed locations. Such isolation shields contemporary practice from the scrutiny of traditional ideal. Temple Grandin, renowned expert on animal behaviour and professor of animal science at Colorado State University, describes precisely this effect in response to the violations of Jewish law⁴⁹ she witnessed at kosher slaughterhouses:

⁴⁸ Feinstein, R. Moshe. *Igeroth Moshe, Orah Hayim 2:24*

⁴⁹ These include the unnecessary infliction of injuries to animals, i.e. a transgression of the prohibition on *tsaar baalei hayim* (animal cruelty), to the point of causing damage to their legs, which is a potential cause of *neveiluth*, as well as the forgoing of *harbatsah*, despite its permissibility according to the regulations of the US Department of Agriculture, in favour of a faster and therefore more profitable procedure.

A technological society also creates affluence, which tends to put distance between the consumer and the process used to make the product. Most Orthodox Jews in the United States have not witnessed slaughter operations. This is especially true of the younger generation... If Jewish consumers were made aware of how their sacred ritual has been corrupted in some plants, they would demand a stop to it.⁵⁰

A *minhag* broken in secret cannot be considered a *minhag* remade, because the transgression does not occur in any kind of dialogue with the wider community. In the case of *shehitah*, the situation is even graver, as it appears that the more the observant Jewish public could discover, the more they would find grounds to object. Grandin points to two related reasons why Jewish law and/or custom is violated by kosher slaughterhouses: first, to increase profitability, and, second, because slaughterhouses are often designed for the general (non-kosher) meat industry, with individual plants switching to and from the kosher market with the desire to make “only minimal modifications.”⁵¹ Needless to say, the pursuit of profit does not constitute legitimate grounds to abandon any *minhag*.

Additionally, secrecy surrounding slaughter is itself in explicit tension with rabbinic directives:

אמר רב הונא האי טבחא דלא סר סכינא קמי חכם משמתנין ליה ורבא
אמר מעברינן ליה ומכריזין אבשריה דטרפה היא ולא פליגי כאן
בשנמצאת סכינא יפה כאן בשלא נמצאת סכינא יפה רבינא אמר היכא
דלא נמצאת סכינא יפה ממסמס ליה בפרתא דאפיל לגוי נמי לא מזדבן
Rav Huna said: If any slaughterer refuses to show
his knife to a sage, they excommunicate him. And
Rava said: They banish him and announce that his
meat was treif. These statements do not contradict
each other; the former is speaking of a case in which
the knife was found to be satisfactory, and the latter

⁵⁰ Temple Grandin, “Problems With Kosher Slaughter” in *International Journal for the Study of Animal Problems* (1980), 1(6).

⁵¹ *Ibid.*.

is speaking of a case in which the knife was found to be unsatisfactory. Ravina said: In a case where his knife was found to be unsatisfactory, the meat is to be smeared with dung, so that it may not even be sold to a Gentile.⁵²

It is crucial to note that the *shohet* in question is excommunicated in the best-case scenario, *i.e.* where nothing was actually found to be amiss. Although beyond the scope of this paper to explore fully, a factory that only reveals its ordinary operation conditions to an undercover worker is disturbingly similar to the *shohet* who conceals his knife.

Under these conditions, it is unsurprising that the knives of *shohatim* are directed almost exclusively at animals. The sympathetic imagination triggered by testing the knife on any part of one's own body is now eliminated, although questions of sympathetic imagination are among the most urgent of our time. The act of bracketing slaughter with turning the knife to oneself has become contextually radical, and seems more disturbing the more invasive the touch. As an example, we recall the desire to expel students checking knives on the flesh of their fingers, a desire that inverts the traditional demand to do precisely that. I recall, too, R. Shalom Haramati, a Yemenite rabbi and *shohet*, who reacted somewhat explosively to questions about checking knives on tongues. He verified that this was indeed the custom in Yemen, but asked for it not to be mentioned again, describing it as *mesukan*, "dangerous."⁵³ Such a description is hardly unreasonable—yet perhaps it is precisely this physical and mental vulnerability that makes it required practice.

⁵² BT Hulin 18b; see also Rambam, Hilkhoth Shehitah 1:26.

⁵³ Conversation between R. Shalom Haramati and R. Hillel Hayyim Lavery-Yisraeli, Old City, Jerusalem, June 2015; shortly thereafter relayed to me by R. Lavery-Yisraeli.

Appendix

I tested the following methods of checking knives listed in *M. Hulin*:

1. fingernail;
2. flesh of finger;
3. tongue;
4. sunlight;
5. water;
6. hair.

These were tested on the following materials:

1. a knife specifically made for *shehitah* (i.e., a *halaf*), sharpened and polished to maximum smoothness;
2. a serrated kitchen knife;
3. a smooth kitchen knife sharpened and polished, thereafter given one dent (*pegimah*) sufficiently large to snag a fingernail, and one too small to do this, but large enough to be detected by a fingernail.

To elaborate on how precisely I tested these methods of checking:

1. The fingernail was dragged along the edge and sides of the blade both forwards and backwards, according to the current convention of *shohatim*, which is the same as the wording of Rambam and the Shulhan Arukh.
2. The same was done with the flesh of the finger.
3. Licking the blade did not produce any useful result whatsoever. However, pressing the tongue firmly to the blade was found to be a good method for detecting flaws. When the tongue is pressed to smooth material, nothing much is felt. When it is pressed to an area of the blade that contains a flaw, the compressed tissue of the tongue “pops” into the available space, producing a distinct and immediately noticeable physical sensation, similar to feeling the catch of a lock in a hand that is turning a key.

4. A visual inspection of the blade was conducted in sunlight.
5. The blade was put under a steady stream of poured water; the water was then checked for patterns of disturbance indicating irregularity in the surface of the blade.
6. A strand of hair was looped around the blade and carefully dragged back and forth along the edge.

Here are the results:

	Smooth	vs.	Fingernail-	Almost-
	Serrated		snagging	fingernail-
				snagging
Fingernail	difference clearly perceived		easily perceived	easily perceived
Flesh	difference clearly perceived		perceived	not perceived
Tongue	difference clearly perceived		easily perceived	not perceived
Sunlight	difference clearly perceived		easily perceived	perceived
Water	difference clearly perceived		perceived	not perceived
Hair	difference clearly perceived		perceived	perceived

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