Animal Experimentation: Necessary Evil or Just Evil?

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G-d created every life form on Earth, including man and animal. On the one hand, every creature must be treated with kindness and compassion. On the other hand, lower creatures were created for man to use to his advantage. The controversy surrounding animal experimentation is heated and prevalent in the modern world. Multiple organizations have formed to protect animal rights, such as the Society for the Prevention of Cruelty to Animals and People for the Ethical Treatment of Animals, while those opposing such groups assert the importance of animals in research to benefit mankind. In addition to the ethical and scientific implications of this debate, Jewish law propounds its own tenets regarding animal experimentation.

One of G-d’s attributes is abundant mercy, and He extends His mercy to man and animal, as stated in Psalms, “And His tender mercies are over all His works” (Psalms 145: 9). Imitatio Dei, emulating G-d’s ways, is an ethical principle in Judaism; therefore, people are also expected to act compassionately towards animals [1]. In fact, we see from the book of Proverbs that when a person cares for the welfare of animals, he is considered righteous, “A righteous man regards the life of his beast…” (Proverbs 12:10). Thus, showing concern for animals’ welfare is considered a moral trait [2].

Despite its importance, compassion for animals is not necessarily codified in Jewish law; rather, it is a mida tova. Nonetheless, there are laws related to the promotion of animal well-being. For example, one is forbidden to muzzle his ox while it threshes in order to enable the ox to eat from the produce while working (Deuteronomy 25:4). Also, the laws of rest on Shabbos apply to animals as well as to people: “On the seventh day you shall rest; that your ox and your donkey may have rest” (Exodus 23:12) [3]. In addition to laws protecting animal welfare, there are prohibitions against treating animals in a cruel manner and causing them pain, known as tza’ar ba’alei hayyim. The Talmud, in Baba Mezi’a 32b, explicates the law that “you shall surely release it with him” (Exodus 23:5), meaning that one must provide assistance in unloading the burden that an animal carries. The Talmud adds that one must provide more care than that delineated by the general law due to the principle that precludes cruelty to animals and promotes alleviation of tza’ar ba’alei hayyim [1]. There is no consensus as to whether the nature of the prohibition of tza’ar ba’alei hayyim is diniyotah or dirabanan. Nevertheless, the predominant position is that it is diniyotah [4].

While causing distress to animals seems to be prohibited by the Torah, there are other times when the Torah explains that animals may be used to benefit mankind. For example, the Talmud teaches that “Whatever G-d made in His world was not made for naught: He made a snail, which is [helpful for curing] a scab, [He made a] fly as an antidote for a hornet’s sting” (Shabbat 77b). This verse indicates that it is acceptable to utilize animals for human benefit [4]. The Shulchan Aruch states that there is no prohibition of tza’ar ba’alei hayyim when the animal is necessary for “healing or for some other purpose.” For this reason, a person is allowed to pluck feathers from a live bird, a practice that was done in order to attain quills for writing. However, the Rama adds that people do hold back from plucking the feathers, because it is an unkind practice (Even Ha’ezera 5:14).

The Rama’s qualification leads to several interpretations regarding animal experimentation. The motive behind the Rama’s appendage is to benefit people, not animals [2]. Since it is a cruel act to pluck the feathers from a live bird, the Rama cautions against it in order to preclude people from developing this negative, violent character trait. Therefore, the law regarding tza’ar ba’alei hayyim is not absolute. At times, it is permissible to inflict pain on animals when doing so benefits people, as the Talmud states: “The slaughter and causing of pain to animals is permissible for the need of man” (Avodah Zarah 13b). Nevertheless, the pain should be reduced to the fullest extent possible [5].

The non-absolute nature of tza’ar ba’alei hayyim provides the latitude for animal experimentation. For instance, Tosafot permits tza’ar ba’alei hayyim for medical purposes. Rabbi Jacob Ettlinger makes a distinction between “great” pain and “minor” pain, where the infliction of minor pain on animals is more lenient and permitted for a larger array of benefits [2]. The Shvut Yaakov asserts that the Rama was opposed only to directly engendering pain. Thus, animal medical testing is allowed when the pain experienced by the animal is not immediate. Nonetheless, the Shvut Yaakov restricts his consent for animal experimentation, arguing that it is allowed only when no alternative method of obtaining information is available and the benefit to science is not negligible [4]. Rabbi Eliezer Waldenberg permits animal experimentation as long as the animal’s suffering is reduced to the greatest extent possible [2]. The Ma’arkehti Lev explains that animal medical experimentation is permitted when it is essential and there are no alternative methods. The Rama’s case of plucking feathers from live birds is avoidable because people would benefit the same amount from doing so to dead birds. The general opinion among the poskim is that animal testing is permitted [1].

The permissibility of animal experimentation, albeit with some limitations, is important in furthering scientific knowledge. For years, animal models have been used to help mankind learn about human diseases and devise methods to treat or cure them. Even during the time of the Talmud, there was an understanding that animals can provide insight on human pathology: “The medical knowledge of the Talmudist was based upon tradition, the dissection of human bodies, observation of disease, and experiments upon animals” (Hullin 57b). For example, Claude Bernard, a researcher in the 1800s, greatly contributed to the field...
of physiology through his studies of animals, which elucidated the functions of various organs, such as the pancreas and liver [6]. Thus, without animal experimentation, the scientific field may not have advanced to be what it is today.

Animal testing is a vital aspect of scientific research that has contributed to the development of the medical field. The topic is a controversial debate, with animal activists on one side admonishing cruelty to animals, and researchers on the other side citing the importance of animal models. The Talmud also recognizes the significance of using animals to study the human body. The Torah safeguards against cruelty towards animals, and poskim generally allow animal medical experimentation as long as the pain to the animal is not immediate, direct, or unnecessary.

Acknowledgements:

Thank you to my parents for their continual encouragement, support, and guidance and to my mother specifically for reviewing this article. Additionally, I would like to thank Dr. Babich for his dedicated work to this journal and for the help he has given me, as well as each of his students.

References: