

ANIMAL EXPERIMENTATION: A HALACHIC PERSPECTIVE

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Animal testing has always been a controversial subject. There are valid arguments for both the use and termination of animal testing. In response to such arguments, many government agencies have passed laws that permit animal testing while simultaneously protecting the animal's rights and preventing animal abuse. Rabbinic literature addresses the question of animal testing, that will be further explored in this article.

Animals have been used to enhance the study of science for centuries and are used today for a variety of reasons. The earliest sources of animal experimentation are Greek documents that included descriptions of animal dissections. Since then, humans have used animals to learn more about themselves and the world around them. Animals' physiological similarities to humans allow them to be used in studies of human behavior, diseases, and development. There are many ways in which animals are used in research, but the broader categories include pure research, applied research, toxicology, drug testing, xenotransplantation, and breeding. In pure research, scientists use animals to study the development, function, and behavior of humans as well as to further general scientific knowledge. Applied research refers to research conducted to answer a specific question. This would include any study conducted to find the source or cure for a disease. Toxicology testing is performed to determine if a drug is toxic or carcinogenic before it is put on the market. Drug testing, similarly, is used to determine the efficacy of drugs before they are sold to the public. Xenotransplantation involves the transplantation of live tissue into a different species. This allows scientists to experiment on human tissue without affecting a real person. Experimentation using animal breeding generally deals with evolution and genetics [1-4].

Rabbinic leaders also look to address the issue of animal testing. Many sources in the Torah and in halacha would lead one to believe that animal testing is prohibited. *Shemot* 23:5 notes that one should help even the donkey of his enemy if it is suffering under a burden. A Jew must remove what encumbers a helpless animal even if it leads one to assist his enemy. Additionally, the Rambam explained that the reason behind the law of *shechitah* (ko-

sher slaughter) is to reduce the pain of the animal as much as possible [5, 6]. *Shechitah* demands that the knife be sharpened without any notches to ensure that the animal undergoes as painless and quick a death as possible. Furthermore, *Devarim* 25:4 notes that one may not muzzle an ox while it plows a field. It is significant that the Torah takes into consideration the manner in which an owner treats his animal, as it would be cruel for an ox to plow a field of food without being able to eat from it [5]. Finally, the law of *tzaar baalei chayim* prohibits the causing of unnecessary pain to an animal. Animals subject to testing may feel pain and suffering, particularly if they are not cared for properly and are subject to cruel treatment [7]. These commandments demand that humans take responsibility for the well-being of animals by helping to eliminate unnecessary burdens, and by forbidding pain infliction upon an animal. Uncontrolled or thoughtless experimentation on

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animals involves inflicting undue harm on animals, which contradicts the spirit of these laws. If these mitzvot demand that people relieve animal stress, surely harmful experimentation on animals would be frowned upon. One application of this would be regarding toxicology testing. Toxicology testing may cause an animal to develop cancer, which would be painful to the animal and a potential violation of *tzaar baalei chayim*. The prohibition of causing pain to an animal is highlighted in the story of Balaam (*Bamidbar* 22:32-33) when the angel of Hashem reprimanded Balaam after he hit his donkey three times. Because Balaam was scolded for inflicting pain upon his donkey, it can be inferred that such an infliction of pain is forbidden [5].

Many great leaders of *Bnei Yisroel* were shepherds who were sensitive to animals' needs. Moshe Rabbeinu was chosen to be the

leader of *Bnei Yisroel* only after he cared for a flock of animals. The Rabbis taught that when a kid from his flock fled, Moshe chased it. When the kid stopped to drink at a river, Moshe said, "I didn't realize that you were running because you were thirsty. Now you must be tired!" (Rabbi Cohen). He then carried the kid back to the flock. Hashem saw Moshe's compassion and only then declared him to be qualified to take the Jews out of Egypt. *Dovid Hamelech* was also a shepherd before becoming king of *Bnei Yisroel*. He showed signs of compassion and sensitivity by tending to the weak and helpless. Moshe and Dovid were great leaders of *Bnei Yisroel* because they possessed the qualities necessary to lead and care for the needs of the people [7].

The ideals of sensitivity and compassion are also necessary for the ordinary Jew. Jews are commanded to walk in the ways of Hashem. Hashem, Who is abundantly merciful and compassionate, created animals and continues to care for their needs. Likewise, Jews must strive to be merciful and compassionate and care for animals [5]. By tolerating animal testing, which inflicts pain upon animals, a person may become callous and insensitive. Proverbs 12:10 states: "The righteous one knows the needs of his animal's soul, but the mercies of the wicked are cruel." A righteous person cares for and understands the needs of his animal, while a wicked person is cruel and does the opposite [9]. Animal testing causes pain to an animal and could therefore be viewed as an act of the wicked [5, 7, 9].

While it is forbidden to needlessly cause pain to animals, there are many instances in which one is allowed to derive benefit from animals, and it is in such instances that animal testing is permitted. The simplest example of the permissibility of deriving benefit from animals is that man is allowed to kill animals for food. *Bereishit* 9:3 states: "Every moving thing that lives shall be food for you." Animals may be killed for a human to benefit from their meat. The Talmud (*Chullin* 85b) described a situation in which the killing of an animal is encouraged. Rabbi Hiyya had a pile of flax that became infested with worms. Rabbi advised

him to slaughter a bird over a tub of water so that the worms would be attracted to the blood and leave the flax. In this manner, harming a bird helped Rabbi Hiyya monetarily. Therefore, even for monetary motivations one was permitted to cause pain to animals. This may be because the Rabbis considered animals as created for the use of humans. In *Shabbat* 77b, Rav declared that each of Hashem's creations has a purpose to benefit humans. He created a snail that helps heal a scab and a fly that serves as an antidote for a hornet's sting. Everything was created to benefit humans in some way. If so, animal testing must be permissible. The *Shulchan Aruch* noted that inflicting pain upon animals is permissible if such an act directly serves to medically assist humans. According to this logic, applied research is permissible to cure human diseases. Other types of research would also be allowed, as many of them strive to treat human illnesses or prevent harm. The author of *Shvut Yaakov* permitted the use of animal testing to determine the effect of medications [7]. Additionally, many Rabbis in the Talmud illustrated a thorough knowledge of animal anatomy, physiology, pathology and medicine in general. As noted in *Chullin* 57b, "The medical knowledge of the Talmudist was based upon tradition, the dissection of human bodies, observation of disease, and experiments upon animals" [10]. If these great Rabbis performed experiments on animals, then it seems that animal testing is permitted.

Halachic rulings give legitimacy to animal testing, but discourage one from causing more harm than necessary. Animal experimentation should only be carried out if there is a significant amount of knowledge or benefit that could be obtained, and no other trial methods are available. Animals subject to experimentation should be treated with care, with all their physical and psychological needs met, and with every attempt made to reduce pain and discomfort. To make the world a better place is a goal that every human should strive for, but to lose one's sense of humanity and compassion to attain a better world is worthless. ■

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