

Europe's Legislative Attack Against Jewish Rituals

By [Ronald Lauder](#)

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In March 1936, Poland's Sejm, the lower house of parliament, almost succeeded in outlawing *shechita*, or slaughter according to Jewish law. Only the Polish Constitution prevented an outright ban. Had the majority of legislators gotten their way, many of Poland's 3.2 million Jews would have gone meatless.

A few days ago, the ghosts of the past returned to the Sejm, when deputies rejected a government bill intended to keep religious slaughter legal. Even many of the bill's supporters, including Prime Minister Donald Tusk, were concerned not with defending the rights of religious minorities, but rather with protecting meatpacking jobs.

The vote was an assault on freedom of religion that flies in the face of Article 53 of the Polish Constitution, which states that "Freedom of conscience and religion shall be ensured to everyone" and specifies that the "performing of rites" must be protected.

It was also a slap in the face for Poland's Jewish community, which has been part of the

country's social landscape for more than 1,000 years, and which, despite the Holocaust, has witnessed a remarkable renaissance over the past two decades. Indeed, Poland, with its rich Jewish heritage and history, was believed to be among the most fertile environments for a Jewish revival after the fall of communism.

Yet the Sejm's decision raises the question: Do Poles really want Jewish life to return to their country? Or do they see Poland's Jewish legacy only as something that benefits their tourism and food industries?

Not every Jewish person keeps kosher, and some are vegetarians. Hence, not every Jewish person relies on kosher meat. But almost every Jew will defend the right of others to live according to Jewish dietary laws. Shechita is an indispensable, nonnegotiable part of Jewish religious life.

Today, Poland's Jewish population numbers only a few thousand. Everyone knows why. That, of course, makes it easier for today's politicians to ban shechita. Such populist measures are vote winners. The civil rights of small religious minorities do not matter much politically. The perceived rights of animals — and economic motivations — do.

But was this decision really motivated by concern for animal welfare? For some deputies, it undoubtedly was, but others discovered their love of animals only when it seemed popular to do so. As *The Economist* noted succinctly, "Poland is not a country hitherto known for championing animal rights." Indeed, it is hypocritical that hunting for sport and unsupervised home slaughtering continue to be permitted, whereas shechita, which is carried out by experienced people according to well-established procedures, is not.

In recent months, Polish politicians became agitated about "ritual slaughter." Granted, the term sounds archaic, but the Torah is the first systematic legislation that forbids cruelty to animals and mandates that they be treated with consideration and respect. Those who argue that ritual slaughter is "foreign" to Polish culture not only know nothing about their country's history. They also exploit and reinforce anti-Semitic sentiment.

Poland is not the only place where established religious practices are being questioned. In other Western countries, such as Germany, France, the Netherlands and New Zealand, heated debates about religious slaughter and circumcision have taken place recently.

A year ago, a German judge ruled that religious circumcision was a cruel practice that inflicted bodily harm on boys and was therefore illegal — a view supported by many commentators in the media. But German politicians strove to find a solution that accommodated the concerns of the Jewish and Muslim minorities. They demonstrated real leadership. Within weeks, German Chancellor Angela Merkel's government proposed legislation that put religious circumcision on a solid legal basis, with the support of most members of the Bundestag.

In the Netherlands, a covenant was signed that allowed religious slaughter. It received the backing of the legislature, which had previously favored a ban.

Likewise, in Poland, following a Constitutional Court ruling in November 2012 that struck down on technical grounds a provision permitting religious slaughter, the government

promised that the practice would remain legal. Yet when legislators voted on the government's bill earlier this month, following a sometimes-hysterical debate on ritual slaughter in the media, three dozen deputies from Tusk's Civic Platform, the largest faction in the Sejm, opposed it.

By taking this step, Poland has become the ringleader for those in Europe who want to deny Jewish citizens the right to practice their religion freely. If not halted, such measures could call into question the Jewish presence on the Continent in the longer term. Yet Tusk has ruled out a reversal of the ban, and one of his ministers asked the Jewish and Muslim communities to challenge it before the Constitutional Court.

The relationship between Central and Eastern European countries and the Jewish people has always been characterized by both triumph and tragedy. In recent years, it has been strengthening, especially in Poland. Encouraging developments have taken place, such as the construction of a new state-of-the-art Jewish Museum in Warsaw.

A few months ago, I participated in the March of the Living at Auschwitz. Many Jews with European roots who now live in the United States or Israel were in attendance. As usual, it was a bittersweet experience. For my part, and for many years now, I have tried to highlight the sweet.

But now I am left wondering: Can the Jewish renaissance in the heart of Europe continue if essential elements of Jewish life are declared illegal? Or will Europe's leaders stand up for the civil rights of their Jewish compatriots?

As Pinchas Goldschmidt, president of the Conference of European Rabbis, recently remarked, one cannot be proud of the Jews of yesterday and tell the Jews of today that their religious practices are no longer welcome. The Jewish heritage is part of Europe's heritage. It should be protected, not restricted.

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