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## THE SPORT OF HUNTING: A HUMANE GAME?

Man's advance in civilization may often be measured by his attitude toward the lower forms of animal. In the society of primitive days, hunting of animal life was practiced primarily for the purpose of obtaining food or to insure the protection of one's environment. It was a necessity, and one can understand such circumstances, even as practiced by the early pioneers in America. In the Ancient and in the Middle Ages, the poor generally depended upon hunting for food; but for the wealthy it already had become a delightful sport. This love of the chase has found special expression in English literature. Thus Samuel Pepys describes in his *Diary* on Nov. 22, 1663:

Good and much company, and a good dinner, most of their discourse was about hunting in a dialect I understood very little.

This arduous situation still prevails; a mere glance at a *Sunday New York Times* will reveal a special column devoted to hunting. So popular is the sport that reports often come in of the royal family in England or of officials of the United States finding recreation hunting foxes, deer, or duck. Thus it is often called "the sport of kings." Large sums of money are spent annually in this recreation. The *Encyclopedia Britannica* has 16 double columned pages covering big game in every country, principal hunting grounds, shooting small game, hunting with hounds, etc. To the intellectual world the hunting sport is portrayed as an art; there are clubs and associations, special dictionaries, encyclopedias, fiction, guidebooks, periodicals and even poetry devoted to it. At a wildlife conference in Washington

it was estimated that about seven million men turn out with their guns every autumn to hunt.

The pursuit of wild animals for pleasure (not for food or for protection) is rarely emphasized in the Bible. The two outstanding hunters mentioned are Nimrod and Esau. Lesser Biblical personalities known for their hunting traits are Lamech, his son, and Ishmael. Eliphaz, the son of Esau, too, is recorded as a noted hunter, for his father had taught him to be expert with the bow. But none of these individuals characterizes Jewish traits, teaching or practice. Among the many heroes of Jewish history not even one is portrayed as a hunter.

It may be argued that the word *tzai-id* (hunt), mentioned in the Bible, reveals that hunting is permitted. Yet, in these instances, such pursuit is for food only, not for pleasure. Though bow and arrow are mentioned the instrument of hunting food was mainly the net and hook; it was not with a weapon bringing pain to the animal or fowl.

Jews were only trappers. The Bible mentions: "in the snare of the fowler,"<sup>1</sup> "the antelope caught in the net,"<sup>2</sup> "the lion taken alive in the pit,"<sup>3</sup> "Even Samson caught 300 foxes alive by trapping."<sup>4</sup>

The Bible, in general, presents a very low opinion of the hunter. Esau, the outdoor man, who lived by the hunt is compared unfavorably with Jacob, the herdsman, who dwelt in tents. Samson is described as killing to save himself, and David pursued the wild beast to save the lamb. These are not episodes of joy. These Biblical portrayals of the chase of wild beasts reflect only instances of pursuit of animals to insure protection for man.

An interesting portrayal of the hunt is found in the Talmud.<sup>5</sup> Gabriel is to arrange in the future a hunt of Leviathan, as it is said "Can you draw out Leviathan with a hook, press down his tongue with a cord — put a cord through his nose, pierce his jaw with a hook?"<sup>6</sup> An examination of the proof-text in Job reveals that the sentence "Can you pierce his nose with barbs" refers to *Behemot*. Some students explain *Behemot* as meaning a hippopotamus, often captured by blinding the beast. Similarly Herodotus records an interesting process of controlling a croco-

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dile by plastering its eyes with clay. The Egyptians often caught them by beating a live pig on the bank to attract the crocodile toward the bait. As soon as the beast was landed its eyes were plastered with mud, blinding it to make it easy to dispatch.

The descriptive phraseology in Job, unlike that of Herodotus, avoids the cruelty to animals, even to the pig. The process of catching the Leviathan is like that of the general method of catching fish. Though to modern civilization the piercing of nose, lips or jaws (for captives) or ears may be barbaric, it was always commonplace in ancient days. Moreover, the "chase" for the Leviathan, as described in the Talmud, is not a portrayal of actual conduct. It only refers to the messianic banquet and is apocalyptic.

It should also be recalled that though Jewish law permits the use of animals for food, even this was recognized as a concession to man's weakness. Basically man is to eat only of the vegetation of the field. According to the Bible, only after the Deluge was animal consumption permitted, but with the distinct restriction to "cover the blood, for "I (said God) shall make demands."

In Talmud *Sanhedrin* 59b we read;

Rav Judah said in the name of Rab, Adam was not permitted to eat flesh, for it is written: Behold I have given you all the herbs . . . it shall be for food, and to all the beasts of the earth. This implies that the beasts of the earth shall not be for you (for food). But in the final years of Noah it was permitted, as written: (Gen. 9:3) "Every creature that is alive shall be yours to eat; I give them all to you as I did with the grasses of the field. Only flesh with its lifeblood still in it shall you not eat. So too will I require an accounting for your own lifeblood; I will ask it of every beast, and of man in regard to his fellowman will I ask an accounting."<sup>7</sup>

The traditional Jewish attitude may well be contrasted with records of Church practice in this particular area.

In early days hunting on Sundays was forbidden to the laity; clergymen would not be allowed to hunt at all. In 538 C.E. the Council of Orlean issued a decree that "on the Lord's Day men shall neither carry on rural labors . . . nor shall trading take place, nor hunting be engaged in."

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Other Church Penitentials read:

If anyone practices any kind of hunting, a cleric shall do penance for a year . . . a deacon for two years, a priest for three.

In the Synod of 742 C.E. under Boniface, the decree was:

We also forbid to all the priests of God hunting and wandering with dogs in the woods; likewise, let them not have hawks or falcons.

Thus, at the outset, canonical law noted that hunting is forbidden to clerics. Later, the Councils were milder, suggesting not an interdict but an abstinence. They did not oppose hunting when it was practiced on a rare occasion or as an honest recreation in moderation. The justification was: the "noisy is unlawful; quiet is lawful." However, even this canonical restraint was soon given over to Synodol statutes of various localities. They alone were to determine whether one is allowed or prohibited to hunt. In all, the Church first prohibited (perhaps following early Jewish notion); later, it allowed hunting even to clerics, and the chase was not frowned upon.

Apparently, with the so-called advance of Judaeo-Christian civilization, leniency for the chase was permitted by the Church.

Fundamentally, according to Catholic teaching, hunting in itself is morally permissible. Catholic theology classifies the capture of a wild animal as a title of ownership. To the objection that the sport involves cruelty to animals, Catholic theology replies that the exercise and thrill provided by the chase justifies hunting as a means of recreation. It emphasizes "that unnecessary cruelty be avoided such as making captured animals suffer for a long time. For this is an abuse of a creature of God and is degrading to those who practice it." But, as seen, the Code of Canon law forbids clerics to indulge (frequently) in hunting and entirely prohibits to them "noisy hunting" (*venatio clamorosa*) such as takes place in a "hare and hounds" hunt. The reason for this legislation is not that hunting in itself is sinful but that it is not in conformity with the decorum proper to the clerical state.

The Christian concept is in a manner summed up by John

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Calvin:

No ecclesiastic should spend his time in hunting, gambling or feasting or engage in commerce or usury or be present at lewd dances.<sup>8</sup>

Thus a differentiation between the conduct of clergy and laity is presented — a concept foreign, however, to Jewish thinking.

Basically the Jewish sources, primary and secondary, ancient and modern, legalistic (Halakhah) and ethical (Haggada) definitely oppose hunting, even for game. The phrase recorded in Mishneh Shabbat 7:2 “hunting deer” indicates only by a *trap* and for food. Hunting for pleasure, with bow and arrow (or in our modern day, shooting) certainly was considered wrong, and so is it incorporated in the Codes.

Maimonides especially stressed the element of cruelty to animals, but his exposition in his *Guide* (chap. 48) is most revealing:

The commandment concerning the killing of animals is necessary, because the natural food of man consists of vegetables and of the flesh of animals; the best meat is that of animals permitted to be used as food. No doctor has any doubts about this. Since, therefore, the desire of procuring good food necessitates the slaying of animals, the Law enjoins that the death of the animal should be the easiest. It is not allowed to torment the animal by cutting the throat in a clumsy manner, by pole-axing, or by cutting off a limb whilst the animal is alive.

Rabbi Meir of Rothenburg remarked, “He who hunts game with dogs as non-Jews do will not participate in the joy of Leviathan.”<sup>9</sup> The repetitive association of “hunting game” with the apocalyptic banquet of Leviathan underscored that hunting was solely for food and not for the chase, conducted with pursuit by dogs.

Jewish sensitivity to cruelty of animals is apparent in early times because Jews did not keep domestic pets of birds and animals. *Sefer Chasidim* (sec. 1038) declares: “Rather spend the money on the poor.”<sup>9a</sup> The extent of the sensitivity is recognized in the rule that when one purchased new boots, unlike other attire, the blessing, “may they get old and may you get new

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ones," was not recited since the skin of an animal was needed for boots thus involving its death.<sup>9b</sup> Therefore such an action, with its aggravating end and means, was not deserving of sanctification.

One cannot deny, however, that there are historic records of the year 1267 of Jewish hunting practices; these men joined Gentile neighbors. They could not resist the chase when the animals came into their path.<sup>10</sup> Observant Jews surely could not eat of the meat killed in any chase because of its not being ritually slaughtered, and at that time flexibility of observance was not so rampant as today. But the question of the inability to eat the meat killed in the chase basically does not apply. The Rabbis opposed hunting because of its cruelty, declaring: "Indeed, if you must kill to eat, let it be so; but do not make the act of killing a pleasure." Perhaps it is this approach that caused the Sages to regard even the best *shochet*, who follows the halakhic laws of preventing pain to animals, as being a partner to Amalek. Despite Divine concession to man's carnivorous appetites, the act of spilling blood has always been abhorrent to the Jew.<sup>10a</sup>

The extent of mercy may best be seen in the comment of Rashi:

One may not render an animal *terefah* (unfit) even with the intention of deriving no benefit from it.<sup>11</sup>

The Rabbis always stressed preventing cruelty to animals.<sup>12</sup>

Interestingly, unlike general English literature, there is no song of laudation of the hunter or of hunting in all of Jewish writings. Rather, expressions of distaste were uttered as far back as Philo, the first Jewish-Hellenistic philosopher, who used the Bible as his text to teach ethics. He notes:

Nimrod . . . his skill is that of the hunter . . . , hunting is as far removed as possible from the rational nature. He who is among beasts seeks to equal the bestial habits of animals through evil passions.<sup>13</sup>

On Esau he comments:

Why was Esau a hunter and man of the fields and Jacob a simple

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man, living at home? This passage admits of allegorizing, for the wicked man is (so) in a twofold way, being a hunter and a man of the fields. Wherefore? Because just as a hunter spends his time with dogs and beasts, so does the cruel man with passions and evils, of which some, which are like beasts, make the mind wild and untamed and intractable and ferocious and bestial; and some (are like) dogs because they indulge in immoderate impulses and in all things act madly and furiously.<sup>14</sup>

The Jewish attitude is summed up by R. Ezekiel Landau of Prague:

How can a Jew kill a living thing without any benefit (to anyone), and to engage in hunting merely to satisfy the enjoyable use of his time . . . Animals can be slain when they invade habitation of man but to pursue animals in their habitations is wrong . . . Pursuit means following the desire of one's heart . . . Hunting — not for maintenance or livelihood, — this is cruelty.<sup>15</sup>

Jewish tradition throughout the ages has been aware of the harshness involved in game hunting and has opposed such sports as bull fighting, cock fighting, etc., for these too are included in the Biblical interdict against the unnecessary spilling of blood.

Witness the story of Rabbi Judah Ha-nasi:<sup>16</sup>

Sitting in Sephoris, Rabbi Judah saw a calf being led to slaughter. The animal bleated as if appealing to be saved. Rabbi Judah said: "You were created for that purpose."

Rabbi Judah suffered bladder trouble for thirteen years. "Since he had shown no pity, let him suffer" was the Divine decree. One day his maid, sweeping the house, saw some kittens lying on the floor and she wished to sweep them away. Rabbi Judah said: "Let them be," for it is written<sup>17</sup> "His tender mercies are over all his works." Then, and only then, according to the narrative, was it decreed, "Since he (R. Judah) is compassionate, let us be compassionate," and he was cured.

It is in this wise, utilizing halakhah and haggada, law and legend, that Jewish tradition taught compassion and humaneness to animals.

One is inclined to question the present status of humane civilization and all its preachments when it is clearly evident

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that torture is the basis of the hunting sport. Very few persons have become converts to "hunting with the camera," and only a small minority today use synthetic furs instead of trapped animal furs. The "games preserve" arrangements do not fully result in the preservation of wild life or the conservation of natural resources — matters so often mentioned in contemporary society's concern with ecology. The barbaric pleasure which is derived can only be such as contained in a heart rendered callous to suffering.

We should always remember, "His mercy is over all His creatures"<sup>18</sup> and

A righteous man regardeth the life of his beast;  
But the tender mercies of the wicked are cruel.<sup>19</sup>

In this vein, it is preposterous to discover on reading "game literature" that the sport of hunting is often justified on the grounds that it is a training for war. Is there no realization, as Jewish sources indicated long ago, that this sport breeds cruelty, aggressiveness and the cruel spirit of militarism? Does not "coursing," watching the hares, stimulate gambling? Is not the "blooding" of children, by presenting the child initiated into the sport with a brush on the saddle, or by stressing that "shooting is a sign of manhood" and part of up-bringing and education, only a parody and calumny on our modern civilization and its plea for peace?

### NOTES

1. Hosea 9:8.
2. Isaiah 51:20.
3. 2 Samuel 23:20.
4. Judges 15:4.
5. *Baba Batra* 75a.
6. Job 40:20.
7. Genesis 1:29.
8. *Institutes of Christian Religion* IV (1536).
9. *Responsa* 27.

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- 9a. יש דברים הרבה מדבים הבל (קהלת ו, יא) זה המגדלים עופות לנוי ולקילום ומה שמוציא עליהם היה לו לתת לעניים.
- 9b. ויש מי שכתב שאין לומר כן [שהחיינו] על מנעלים או בגדים הנעשים מעורות של בהמה [אפ' טמאה] דאם כן היו צריכים להמית בהמה אחרת תחילה שיחדש ממנה בגד אחר וכתוב ורחמיו על כל מעשיו (מהרי"ו בפסקיו). עי' או"ח, הלכות ברכות, רכ"ג, סי' ו, רמ"א שם.

10. J. Jacobs, *Jewish Ideals*, p. 226. Cf. also I. Abrahams, *Jewish Life in the Middle Ages*, p. 377.

10a. M. Kidd, 4:14.

11. *Abodah Zarah* 11a.

12. *B.M.* 32b.

13. *Questions and Answers*, Book II.

14. *Ibid.*, Book IV, p. 450.

15. *Noda b'Yehudah*, II (Yoreh Deah, 10).

16. *B.M.* 85a.

17. Psalm 145:9.

18. *Ibid.*

19. Proverbs 12:10.