

MOCK MEAT AND TAXATION AS A SOLUTION TO CONFLICT BETWEEN RITUAL SLAUGHTER AND ANIMAL WELFARE LAWS

HIMANSHU JAYSAWAL*

ABSTRACT

Animals brought up in factory farms for meat production face a lot of suffering. Governments across countries make many laws to reduce the suffering of these animals. Among these laws is also the law of stunning animals before slaughter. However, these laws are accused by many religious communities of taking away freedom of religious practice. There arises a conflict of interest between government agencies and religious communities. This conflict is, however, only 'factual'. Can there be any solution to resolve this conflict? The paper argues that taxation on meat produced from ritual slaughter and subsidizing mock and lab-grown meat can resolve this conflict.

Keywords: *Animal welfare laws, Animal Welfare Board of India, Mock Meat, Ritual Slaughter, Halal method, Kosher method, Electric Stunning*

1. INTRODUCTION

It is estimated that each year 60 billion land animals are slaughtered for food. They are bred in factories and kept in very unhygienic and unnatural conditions. For example, in factories, animals live indoors which are invariably tightly packed. So, the risk of disease spread is always there. Farmers use antibiotics intensively to prevent this.¹ Tight packing of animals restricts their movement, for example, rooting (in pigs) and dust-bathing (in chickens). It makes it such that animals cannot escape each other. This causes stress and antisocial behavior in them like tail-biting in pigs and pecking in chickens. To deal with these, farmers typically dock tails and trim beaks and typically do so without anaesthetic.²

Also, to make the growth of chickens very fast, farmers use antibiotics in uncontrolled amounts and feed grains in such a manner to thicken them fast. Chickens become so heavy that the weight is unbearable for their bones, hence the difficulty in normal movement. As a result, they remain in chronic pain for the last 20% lives. Also, animals are killed young because they taste better that way. Animal farms have no use for male chicks on egg-laying farms and are killed at birth or soon after.³

Moreover, the most atrocious practice is the slaughter of animals by painful methods even when they are conscious. Hardly, any slaughterhouse uses the humane method of stunning before slaughter. What can be the way to reduce their suffering? Government agencies in different countries create laws regarding the welfare of factory-farmed animals, but despite the mention of the law, meat manufacturing companies and slaughterhouses do not follow these guidelines. Apart from neglect of guidelines, some other political problems emerge in the implementation of these laws. Before addressing the solution to problems in animal welfare laws, let's look at some of the laws made in different countries.

2. RULES AND LAWS IN EUROPE AND ASIA FOR SLAUGHTER

There are various directives in animal welfare law in the UK. It asks slaughterhouses to pre-stun animals using the right technique to spare them from unnecessary suffering. It also makes stunning animals before slaughter mandatory. The traditional method of stunning which is inadequate and cruel, i.e., the use of the 'puntilla', hammer, and pole-axe is forbidden. For the stunning, electro-narcosis, gas anaesthesia, or mechanical instruments penetrating at the level of the brain are prescribed. The directives also mandate ritual slaughtering to be done in such a manner that animals suffer minimum pain.⁴

*Jawaharlal Nehru University, New Delhi; Email: himanshujaiswal369@gmail.com

¹Francione Gary and Charlton Anna, "Veganism Without Animal Rights", in *Routledge Handbook of Food Ethics*, p. 296

²Ibid, p. 297

³Ibid

⁴Ferraro Francesco, "Ritual Slaughtering vs. Animal Welfare", in *The Routledge Handbook of Food Ethics*, p. 305

3. THE RULES AND DIRECTIVES IN INDIA

In India, the Animal Welfare Board of India prescribes rules and regulations for animal welfare. Although it does not make stunning mandatory for slaughtering but prescribes slaughterhouses to follow the method of stunning. Apart from the guidelines also it mandates slaughterhouses keep the space for slaughter clean and hygienic.⁵

4. RELIGIOUS RULES FOR SLAUGHTERING

4.1 Jewish Shechitah (Ritual Slaughtering)

In this method, using a sharp knife called challef, an animal's throat is slit in single swift action, to minimize the pain suffered by the animal. The blood is then drained out from the body. The meat produced after this process is called kosher. Jews accept only this kind of meat. Apart from this, the butcher must be a trained Jew under Jewish law.⁶

4.2 Islamic Halal

Islamic Halal method of slaughter is similar to Jewish shehitah. In this method, the slaughter must be performed by a Muslim. The animal chosen must be fit and alive. The slaughter has to be performed in such a manner that the animal dies in a single swipe. The knife once used cannot be raised unless the animal dies. After the cut, the animal's blood is drained.⁷

5. THE CONFLICT BETWEEN RITUAL SLAUGHTERING AND GOVERNMENT RULES

It is found that govt. Policies for animal welfare are aimed at minimizing suffering, so the government rules prescribe methods that cause minimum pain to animals. However, the govt. Laws at the same time also allow freedom of religious practice. The way communities eat, and prepare food express cultural, religious, and national identities much more than any other aspect of their life. Ritual slaughter thus seems to be an essential part of the religious practice of different communities. So, this freedom cannot be denied to them. To extend such religious rights, many countries have allowed religious slaughter. For example, Germany.⁸ India also grants the practice of religion under articles 25-28. But one can notice the conflict between religious rules and government rules for slaughter. The government rules prescribe stunning to be mandatory. In the stunning method, the animal is made unconscious before the slaughter. So, during slaughter, the animal is not conscious. However, ritual slaughter prohibits the stunning. It makes it mandatory that animals remain alive during the slaughter. The Islamic preacher argues that this method is more humane. However, it is seen that ritual slaughter is not more humane than the stunning method. Making an animal unconscious before slaughter leads to less pain than cutting the throat of an alive animal in a single spike. Also, the animals suffer when the blood drains out of their body.

Thus, at this point, there seems to be a conflict. Ritual slaughter is not more humane than government-prescribed slaughter. So, with concern to animal welfare, the more humane method has to be given preference. But the problem is that this conflict is not factual. Neither religion disregards the concern for animal welfare. These religious methods of slaughter originated with concern for the minimization of animal suffering. So, the intent of ritual slaughter is not bad, it is good, but compared to the innovative modern slaughtering methods, ritual slaughter does not seem to be effective. It has also to be noted that the demand for halal and kosher meat does not come from the majority of the population. Jews and Muslims constitute only 5% of the entire population in Europe, whereas, in India, Muslims constitute just 13% of the population. The ban on ritual slaughter can also lead to a feeling of discrimination among the Muslim and Jews populations. The ban might also imply disrespect and disregard for minority cultures and rituals.

⁵Prevention of Cruelty to Animals (Slaughter House) Rules, 2001, Animal Welfare Board of India

⁶*Jewish Dietary Laws* <<https://www.jewishvirtuallibrary.org/jewish-ritual-slaughter-shechitah>>

⁷James Meikle, "What exactly does the halal method of animal slaughter involve?", in *The Guardian*, <<https://www.theguardian.com/lifeandstyle/2014/may/08/what-does-halal-method-animal-slaughter-involve>>

⁸Francesco Ferraro, "Ritual Slaughter vs. Animal Welfare", p. 306

Moreover, the conflict seems little when it is shown that most slaughterhouses neglect animal welfare policies. Most of these don't follow the guidelines of spacious places for slaughter, stunning before slaughter, and many other guidelines. So, against these neglects, the ritual slaughter seems a little violent. However, let's not ignore that recent accusations against halal and Kosher meat production have been made, that such demands lead to big meat-producing companies following the halal method and introducing these into the market at a wide level. Since Companies see the benefit of an increase in profit from the sale of halal products, they don't want to make their Muslim customers unhappy. The result of this is that the rest of the population's interests are ignored and they also have to buy halal products. This again leads to an accusation of an attempt to Islamize the European countries.⁹ Can there be any solution to this factual conflict such that the religious freedom of people is not violated and at the same time animal welfare concerns are also retained? Let's look at some of the solutions.

6. CONFLICT RESOLUTION

The probable solution to this conflict can be a ban on factory farming and a shift to free-range farming, or ban on ritual slaughter, or ban on both stun and non-stun slaughter diets, or forcing a plant-based diet on people because the meat is no longer thought to be an essential part of a healthy diet and many other. However, these solutions do not seem to solve the conflict, because the ban on factory farming and shifting to free-range farming increases the overall food cost, the second ban on ritual slaughter robs people's religious rights, creates a feeling of alienation in religious people, we already saw problems in this solution, also, slaughter seems to be a small part of the entire range of suffering faced by factory farmed animals because factory farmed animals also suffer from disastrous situation in which they are raised in the farms. So, a ban on slaughter is not effective.

So, rather than ineffective solutions which increase food costs, force people to change their eating habits, or just address a very small part of the problem, we could adopt measures that are more utilitarian, which do not promise to reduce complete suffering faced by animals but which at least try to reduce major part of the suffering. Of the range of suffering faced by animals on the farm, the fear of death before their eyes by not using stunning methods seems to be very cruel, hence, we need to focus on how to address the conflict between ritual slaughter and government-prescribed slaughter.

6.1 Taxation on Ritual Slaughter

To resolve the conflict of allowing meat produced from the stun method or non-stun method or meat from government-prescribed slaughter, the utilitarian approach would prefer the government prescribed slaughter. Because in the non-stun method, the animal's throat is slit abruptly and blood is drained even when the animal is conscious. This kind of killing is very painful because the slit animal does not die completely and also his slitting is done before his sight. This is a very panicky situation for an animal compared to when he is made unconscious before slaughter using a technical method such as gas anaesthesia and electro-narcosis. But again, since the religious freedom of practising religious rituals has not to be taken away, the non-stun method or ritual slaughter cannot be banned altogether. To address this problem, a utilitarian solution can be the imposition of taxes on meat produced from ritual methods to discourage the demand for such meats. This would neither force religious people to abandon their religious practices, nor it would cause much pain to animals because the number of ritual slaughters would decrease due to taxation. This taxation can be alleged to be discriminatory but this would not be, because worldwide governments impose taxes on certain lifestyles which cause bad effects on society, such as alcohol consumption, smoking, etc. without banning them. After all, those lifestyles are thought to be a set of practices that are part of individuals' or communities' identity. Despite taxation, this govt. Measures are not considered discriminatory. Similarly, the demand for meat from ritual slaughter can be considered a lifestyle. Since the practice of such a lifestyle constitutes an identity of a community, rather than banning, they can be taxed if they have any bad effect on society.¹⁰

⁹Franseco Ferraro, "Ritual Slaughter vs. Animal Welfare", p. 313

¹⁰Franseco Ferraro, "Ritual Slaughtering vs. Animal Welfare", p. 312

A concern on taxation of ritually slaughtered meat can be why meat from ritual slaughter is being taxed and why not non-ritually produced meat, isn't that discriminatory practice? The answer to this is that the thing being discouraged is not any specific religious cult, or compliance to any religious practice but a certain lifestyle. Lifestyle means "embracing a set of practices on the part of individuals who consider those practices to be the tangible expression of their self-identity."¹¹ Following a diet based on ritual slaughter, therefore, can be seen as one of the practices, by which consumers express and construct their self-identity.

Again, it might be alleged that by imposing taxes the cost of meat is increased which makes the meat less accessible to religious people. Food is a basic right and by making it less accessible to a certain section of people, a discriminatory practice is being done. But the answer to this is again practice is not discriminatory because people buying government-prescribed meat are not neglecting the animal welfare concern but people asking for non-stunned meat or non-government-prescribed meat are neglecting the animal welfare concern. There is a disparity here. Non-ritual meat eaters have to look for animal concerns but ritual meat eaters have not. So, this disparity is being equalized by taxing ritual meat eaters' special demands. That is, their neglect for reducing the suffering of animals is getting compensated by charging tax on the special demand of meat being produced from the non-stun method.

6.2 Subsidize Mock Meat and Lab-Grown Meat

Another option to resolve the conflict between ritual slaughter and government-prescribed slaughter is the introduction of mock meats and lab-grown meat in the market. Mock meats and lab-grown meat are manufactured by companies as alternatives to factory-farmed meats. Both taste like real meat and are not made from the slaughter of any animal. The difference between the two is that the former is made from plant-based proteins, while the latter is created from the acculturation of cells removed from animals' bodies. To make the mock meat taste and look like real meat, soybean, wheat protein, tempeh, pea protein, and other supplies are put as ingredients in its processing. While in the production of lab-grown meat, collected cells from animals' bodies are put into an environment facilitating the multiplication of cells. The product received from such a process is almost similar to real meat.¹²

The problem with introducing mock and lab-grown meat in the market is their high cost and tax in their production. For example, In India, the GST on factory-farmed meat is 5% while that on mock and lab-based meat is 18%.¹³ Similarly, taxation is high also in European countries. The mock and lab-grown meat can be effective in resolving the conflict between ritual slaughter and government-prescribed slaughter in the sense that increased consumption of these products can lead to pressure on others for ethical eating which in turn can lead to the decreased need for ritual slaughter. The availability of cruelty-free options of meat will also reduce pressure on government to intervene in animal welfare. So, to decrease the numbers of ritual slaughter and normal slaughter, the government must reduce the rate of tax on meat alternative products and increase awareness about these products in the public.

7. CONCLUSION

Ritual slaughter originated with the intent to minimise pain on animals. However, the ritual slaughter methods do not seem effective against the government-prescribed pre-stun method of slaughtering. Any government has the responsibility to secure both - freedom of religious practice and animal welfare. In the context of animal slaughter methods, there seems a conflict of interest between religious methods and government-prescribed methods. The paper argues that this conflict can be resolved by imposing a tax on meat produced from ritual slaughter considering such a demand 'a lifestyle' and by subsidising mock and lab-grown meat.

¹¹ibid

¹²Ria Gupta, "Explained: What is mock meat?", <https://www.cntraveller.in/story/explained-what-is-mock-meat/>

¹³Bhavya Kaushal, "Beyond meat: is India developing a taste for mock meat?", https://yourstory.com/smbstory/fmcg-plant-based-meat-vegan-lifestyle-virat-kohli-anushka-sharma?utm_pageloadtype=scroll

8. CONFLICT OF INTEREST

The Author discloses no conflict of interest for this paper.

BIBLIOGRAPHY

Francione Gary and Charlton Anna, "Veganism Without Animal Rights", in *Routledge Handbook of Food Ethics*, pp. 294- 303

Francesco Ferraro, "Ritual Slaughtering vs. Animal Welfare" in *Routledge Handbook of Food Ethics*, pp. 305- 313

Bramble Ben and Fisher Bob, *The Moral Complexities of Eating Meat*, New York: OUP

WEB ENTRIES

Ria Gupta, "Explained: What is mock meat?", <<https://www.cntraveller.in/story/explained-what-is-mock-meat>>

Bhavya Kaushal, "Beyond Meat: is India developing a taste for mock meat", <https://yourstory.com/smbstory/fmcg-plant-based-meat-vegan-lifestyle-virat-kohli-anushka-sharma?utm_pageloadtype=scroll>

Jewish Dietary Laws <<https://www.jewishvirtuallibrary.org/jewish-ritual-slaughter-shechitah>>

James Meikle, "What exactly does the halal method of animal slaughter involve?", in *The Gaurdian*, <<https://www.theguardian.com/lifeandstyle/2014/may/08/what-does-halal-method-animal-slaughter-involve>>

© WE-Faculty