

## Political options for Religious Slaughter: an ethical position

Jewish and Islamic religious slaughter is often performed without prior stunning. In both religions there are believers who accept some form of stunning and others who do not. The latter feel religiously obliged not to eat meat from animals stunned before slaughter, because they believe that the traditional way in which religious slaughter has been performed for many hundreds of years is what is required by God. While slaughter without prior stunning is not allowed in Europe for animal welfare reasons, some – but not all – European legislators accept varying forms of religiously motivated exemptions, because the freedom to follow one's own religion is a fundamental human right laid down by the European Union. Ethically these legal provisions are rather unequal and two Ethics Workshops of the EU funded DIALREL Project (DIALOGue about RELigious Slaughter) have investigated the specific conditions under which such exemptions are granted. The workshops evaluated the exemptions from an ethical and a legal point of view and produced a proposal for an ethically optimised policy.



### Introduction

The majority of European citizens believe that the right and fair treatment of animals is of high importance. They are concerned about the protection of animals at the time of killing, and they want legislators to assure that in ethical dilemmas such as these, at the very least, no unnecessary pain or suffering is inflicted upon the animals. Taking this as their starting point, eight ethicists from three countries and three religions focussed on six political options (see below). During the first DIALREL Ethics Workshop they evaluated the pros and cons of these six options. At the second DIALREL

Ethics Workshop representatives of the legal profession investigated the judicial dilemma and the potential of both high ranking legal values (religious freedom and animal welfare) to make a contribution to a compromise. To this end the lawyers investigated in particular the guarantees in the European Convention of Human Rights (ECHR), in European Union Law (Treaty on EU; Charter of Fundamental Rights of the EU), and in the German Federal Constitution. In conclusion, using the results of both workshops, they have produced a clear proposal for an ethically optimised policy.



Prof. Jörg Luy

The political options for religious slaughter have been investigated by two Ethics Workshops. During the first workshop ethicists classified a set of political options with regard to their capacity to rule out *unnecessary* pain and suffering, evaluating the pros and cons of each. The workshop leader was Prof. Jörg Luy, [luy@vetmed.fu-berlin.de](mailto:luy@vetmed.fu-berlin.de)



Prof. Johannes Caspar

During the second workshop representatives of the legal profession investigated guarantees in the European Convention of Human Rights, in European Union Law, and in the German Federal Constitution. In conclusion they produced an ethically and legally recommended proposal for statutory provisions concerning religious slaughter. Workshop leader is Prof. Johannes Caspar, [Prof.Dr.Caspar@gmx.de](mailto:Prof.Dr.Caspar@gmx.de)

### Political options and specific conditions on which exemptions are granted or could be granted:

Option 1: Obligatory stunning prior to cut (e.g. Switzerland, Liechtenstein, Iceland, Norway, Sweden, the Finnish province of Åland, Latvia)

Option 2: Obligatory stunning prior to cut with exemption for particular methods of slaughter required by certain religious rites, but with no recommendation for details of the exemption (Council Directive 93/119/EC)

Option 3: Obligatory stunning prior to cut with exemption for particular methods of slaughter required by certain religious rites and with labelling of meat from slaughter without stunning prior to cut (recommendation of many veterinary organisations and other NGOs)

Option 4: Obligatory stunning prior to cut with exemption for particular methods of slaughter required by certain religious rites and with animal allocation quota for a substantiated number of persons (e.g. Germany, Austria)

Option 5: Obligatory stunning prior to cut with exemption for particular methods of slaughter required by certain religious rites: obligatory post-cut stunning (e.g. Austria, Slovakia, Estonia, Denmark (cattle), Finland (except province of Åland), Australia (shechita: cattle))

Option 6: Obligatory stunning prior to cut with exemption for particular methods of slaughter required by certain religious rites: obligatory reversible electrical stunning for halal slaughter (e.g. Germany 1995-2002, Denmark, New Zealand)

### An ethically and legally recommended proposal for statutory provisions concerning religious slaughter:

(1) A warm-blooded animal may only be slaughtered if, before the commencement of the exsanguination, it has been made irreversibly unconscious.

(2) Notwithstanding subsection (1), slaughter in a state of reversible unconsciousness is permissible provided the procedure is defined as an exception by delegated legislation.

(3) The competent authority shall issue an authorisation for religious slaughter without stunning if the applicant presents prima facie evidence that its nature and extent satisfies the needs of members of particular religious communities in the area of application of this statute, where these persons are, by mandatory rules of their community of belief, permitted to consume meat only of animals slaughtered without stunning, and that the provision of meat that complies with the mandatory religious rules is impossible on reasonable terms. The Federal Ministry shall pass delegated legislation ensuring that the conditions are satisfied for the protection of the animals, in particular the presence of a veterinary surgeon, restraint while standing upright, post-cut stunning and a special proof of expertise.

The DIALREL project is funded by the European Commission and involves partners from 11 countries. It addresses issues relating to religious slaughter in order to encourage dialogue between stakeholders and interested parties. Religious slaughter has always been a controversial and emotive subject, caught between animal welfare considerations and cultural and human rights issues. There is considerable variation in current practices and the rules regarding religious requirements are confusing. Consumer demands and concerns also need to be addressed and the project is collecting and collating information relating to slaughter techniques, product ranges, consumer expectations, market share and socio-economic issues. The project is multidisciplinary and based on close cooperation between veterinarians, food scientists, sociologists, and jurists and other interested parties.

EC funded project. N°: FP6-2005-FOOD-4-C: From 1st November 2006 until spring 2010

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