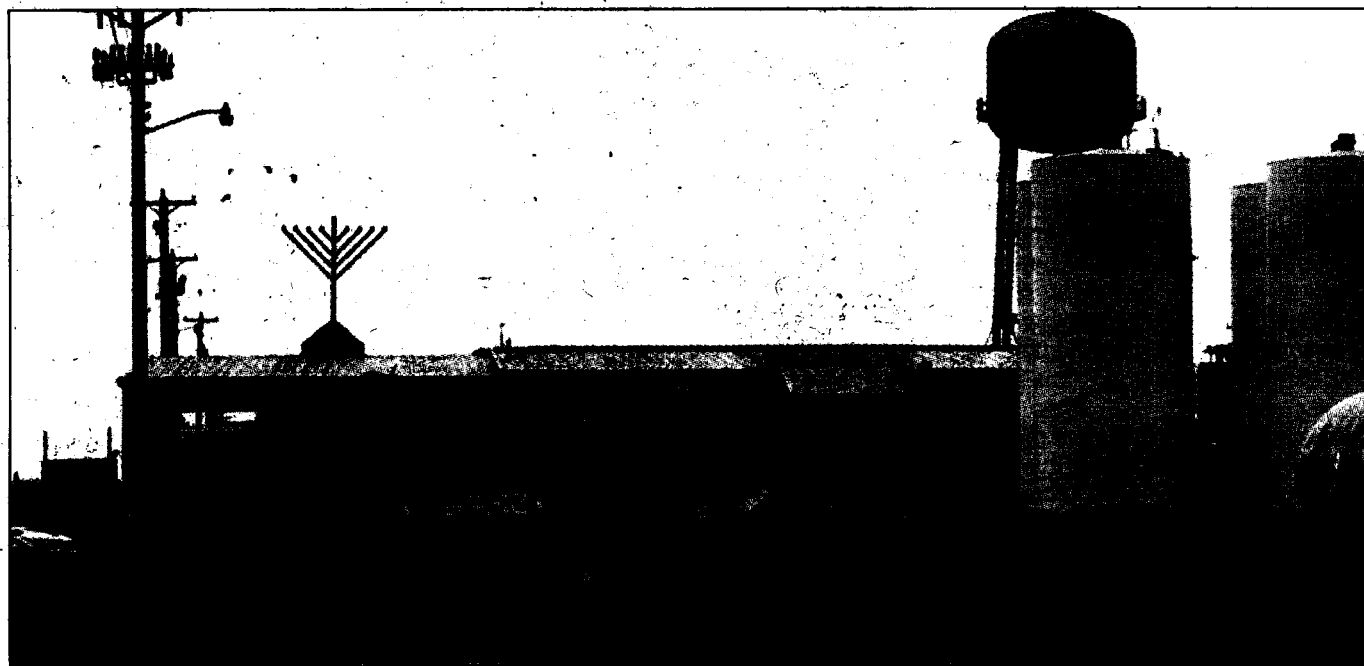


# How kosher is kosher?



—AP Photo/Charlie Neibergall

Trucks sit parked outside the Agriprocessors meat-packing plant in Postville, Iowa, July 27.

By MENACHEM WECKER

Problems exposed by a federal raid on the nation's largest kosher meat-packing plant in Postville, Iowa, are stirring debate among Jews and even Christians about what kosher standards are and should be.

Illegal immigrants arrested at the plant, Agriprocessors, told of a raft of unsavory practices, including unsafe labor conditions, unpaid and sometimes forced overtime, underage workers and abusive managers. Since the raid in May, which led to the detention of nearly 400 illegal workers, an investigation by the Iowa Labor Commissioner's Office has turned up allegations of 57 violations of Iowa's child-labor laws, which the Labor Commissioner's office sent to the Iowa attorney general for prosecution, calling some of the violations "egregious."

The monthlong investigation by the Iowa Labor Commissioner's Office is not the first unflattering investigation of Agriprocessors, which dominates the kosher market with such brands as Aaron's Best, Shor Harbor and David's. In 2004 People for the Ethical Treatment of Animals (PETA) conducted an undercover sting operation of Agriprocessors' slaughtering methods that

showed live cattle having their tracheas and esophagi ripped out of their necks and surviving for minutes after their throats were cut according to Jewish dietary standards. Two years later, the Jewish newspaper *The Forward* conducted its own investigation of working conditions at the plant. At the time many non-Orthodox rabbis criticized Agriprocessors, while Orthodox authorities continued to stand by the *kashrut* of the meat, meaning compliance with dietary laws.

The abuses exposed in May have led to similar divisions within the Jewish community. On one hand, it has given rise to a campaign known as Hekhsher Tzedek, or "justice certification," to provide an additional certification for kosher products, one that would vouch for the ethical treatment of workers.

Rabbi Morris J. Allen of Mendota Heights, Minn., is leading the campaign, which is backed by the Rabbinical Assembly, an organization of Conservative rabbis. Allen said he sees the certification as piggybacking on the certifications for kosher food that already exist.

But many in the Orthodox Jewish community are resisting the redefinition of kosher, arguing that kosher has nothing to do with the ethical treatment of workers or even the merciful

slaughter of animals, as many Christians and some non-Orthodox Jews tend to think. They say kosher is God's law and cannot be identified with or understood by human standards.

Kosher is a complicated term even for Jews. Most Jews liberally interpret kosher dietary laws, but Orthodox Jews obey strict rules that derive from centuries of rabbinic explication of Old Testament verses. The Bible prohibits the "abomination" of consuming certain types of animals: birds of prey, fish without fins and scales such as shellfish, and animals that do not chew their cud and have split hooves such as pigs. Even kosher types of animals must be slaughtered properly to be edible, and dairy and meat must be separated per the commandment: "Do not cook a goat in its mother's milk."

Where more liberal Jews sometimes choose to keep kosher homes but eat at non-kosher restaurants, or eat shellfish but abstain from the ultimate *treyf* ("non-kosher"), that is, pork, Orthodox Jews eat only kosher food, keep separate sets of dishes for dairy and meat, and wait six hours between eating meat and dairy (but not vice versa). Orthodox Jews follow medieval Jewish law, which maintains it is dangerous to eat fish and meat together, and do not eat fish and meat on the same utensils.

The meat produced by Agriprocessors is not just regular kosher; it is the VIP version: *glatt*, which means a *mashgiach* ("overseer") inspects each slaughtered animal's lungs to ensure there are no imperfections or lesions.

Some Jews see irony in a kosher establishment so carefully attending to animal carcasses while mistreating its human workers.

"I do think the way workers are treated should be part of the kosher certification," said Ari Klarfeld, manager of the kosher restaurant Dougie Doug's in Washington Heights, N.Y. "We want to relate ourselves as the chosen people, and we can't really relate that and pass it on to others if we mistreat our workers."

The 22-year-old Klarfeld said he knows of two meat-packing plants and half-a-dozen restaurants in Newark, N.J., Manhattan, N.Y., and Cleveland that "won't have anything to do" with Agriprocessors. Klarfeld called the expense of keeping kosher in today's

economy a "rising problem," but insisted kosher establishments need to find a way to do business ethically.

Agriprocessors has responded defensively to the accusations against it. Spokesman Menachem Lubinsky was quoted in the New York *Jewish Week* newspaper as comparing the case against it to the "Dreyfus trial in the media," referring to the Jewish army officer falsely accused of treason in France in the 1890s and early 1900s. Agriprocessors has hired a public relations firm, 5W Public Relations, to represent it, which is now accused of posting fraudulent comments under the name of Morris Allen, the Minnesota rabbi, in an effort to discredit him and the campaign he leads.

A delegation of 20 Orthodox rabbis, including leaders of kosher certification organizations from the United States and Canada, toured the Postville plant July 31 and said they found a clean workplace and happy workers. Rabbi Pesach Lerner, vice president of the National Council of Young Israel, an Orthodox group, was quoted as saying the plant had a "heavy emphasis on safety, security and health" and called the plant "a Cadillac with top-of-the-line machinery."

A director of Hispanic ministry at St. Bridget Catholic Church in Postville, Paul Ruel, who met with the rabbis, was quoted in *The Forward* as saying he was troubled by the feeling that the rabbis regarded workers' complaints as spurious.

Others have criticized the objectivity of the delegates, whose trips to Postville were paid for by Agriprocessors, which is owned by Aaron Rubashkin and his family.

Reports of abuses at the kosher meat plant have raised concerns about Jewish embarrassment, or *chillul hashem*, literally "desecrating God's name," which expresses the concern, "If we allow this to happen, what will the Gentiles think of us?"

On his influential blog FailedMessiah, Shmarya Rosenberg questioned the responses from Orthodox leaders. "I think the behavior of Agriprocessors is disgusting, but I'm not embarrassed by it," he said. "What embarrasses me is the shameless behavior of Orthodox rabbis who are quick to exonerate Agriprocessors, even as the damning evidence against Agriprocessors keeps growing."

Rosenberg said that with the exception of some people "on the very far religious left of Orthodoxy," the movement's response has been to "circle their wagons." To find criticism of the plant in the Orthodox world, one must turn to Orthodox blogs, or at least their comments sections, he said.

Shmuel Herzfeld, rabbi of the National Synagogue in Washington, D.C., is one of the few Orthodox rabbis to have publicly denounced Agriprocessors. In an article in *The New York Times*, Herzfeld bemoaned the way Agriprocessors' practices have caused kosher to become a symbol of "ridicule, embarrassment and hypocrisy."

But Michael J. Brody, founding rabbi of the Young Israel (Orthodox) synagogue in Atlanta and professor of law at Emory University School of Law, argues that rabbis are not trained to determine whether food is healthy, working conditions are fair and legal, or animals are treated ethically, but "to certify that the food is kosher — nothing more and nothing less."

[Menachem Wecker is a freelance writer who lives in Washington, D.C.]

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