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Between Halal and Kosher: A Comparative Study of Dietary Laws in Islam and Judaism

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Abstract

This paper explores the religious, ethical, and jurisprudential dimensions of halal (Islamic) and kosher (Jewish) dietary laws, with a focus on their similarities and divergences. Although both systems share theological foundations rooted in divine revelation, they differ in legal procedures, slaughter techniques, and religious exclusivity. The permissibility of kosher meat for Muslims, based on Qur'anic provisions and hadith, contrasts with the Jewish prohibition against consuming halal meat. Through a comparative legal and theological lens, this paper aims to deepen understanding of ritual slaughter (*dhabiha* and *shechita*) and dietary law as expressions of religious identity and obedience.

Keywords: Halal Dietary Laws, Kosher Dietary Laws, Islamic Jurisprudence, Jewish Law (Halakha), Dhabiha, Shechita, Comparative Religion, Ritual Slaughter

Introduction

Religious dietary systems are not merely a set of health or cultural practices; they are profound reflections of obedience, identity, and law within

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
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ISSN P: (2790-7686)
Published:
August 1, 2025

sacred traditions. In Islam and Judaism, food is sanctified through the divine command, and its consumption regulated by strict legal codes. **Halal** and **kosher** are among the most recognizable and practiced dietary systems in the world, not only followed by billions globally but also embedded in legal and economic structures across continents.

One intriguing dynamic in this interfaith discourse is the partial **asymmetry in mutual dietary recognition**: many Islamic jurists allow Muslims to consume kosher meat, while Jewish law does not recognize halal meat as kosher. This divergence raises deeper questions about **ritual purity**, **religious authority**, and the **limits of interfaith permissibility**.

This study seeks to answer three primary research questions:

1. What are the key theological and legal foundations of halal and kosher dietary laws?
2. Where do halal and kosher practices converge and diverge, especially regarding slaughter?
3. Why does Islam often permit the consumption of kosher meat, whereas Judaism does not allow halal meat?

By analyzing these questions through primary religious texts, jurisprudential sources, and scholarly commentary, the paper presents a nuanced comparison of halal and kosher dietary systems.

Theological Foundations of Dietary Law

In both Islam and Judaism, food laws are derived from divine commandments revealed in sacred texts and elaborated by centuries of juristic interpretation.

Islamic Foundations: The Qur'an and Hadith

The permissibility of kosher meat for Muslims finds its basis in **Qur'an 5:5**,

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
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which states:

"This day [all] good foods have been made lawful, and the food of those who were given the Scripture is lawful for you..."[2]

Classical and modern Islamic scholars interpret "the food of the People of the Book" to include **properly slaughtered meat by Jews and Christians**, provided it meets certain conditions such as **invoking God's name**, **using a sharp blade**, and **draining the blood**.[3]

The Prophet Muhammad ﷺ reinforced this in hadiths, notably in a narration from *Aisha (ra)*:

"Some people said, 'O Allah's Messenger! Some people bring us meat and we do not know whether the name of Allah has been mentioned on it or not.' He said, 'Mention Allah's name on it and eat.'"[4]

This hadith is used by scholars to argue for the *presumption of permissibility* when dealing with food from People of the Book, unless there is clear evidence of impermissibility.

Jewish Foundations: Torah and Talmud

Jewish dietary laws are primarily derived from **Leviticus 11** and **Deuteronomy 14**, which list permitted animals and prescribe the method of slaughter. The **oral law**, recorded in the **Talmud**, especially *Hullin* tractate, elaborates on the **laws of shechita**, the ritual method of slaughter.[5]

The Jewish dietary system is based not only on health or ethics but on the **covenantal obligation** to follow God's commandments (*mitzvot*). Kashrut laws also include prohibitions on mixing meat and dairy, consuming certain fats

[2] The Qur'an, 5:5.
[3] Mian N. Riaz and Muhammad M. Chaudry, *Halal Food Production*, 2nd ed. (Boca Raton: CRC Press, 2018), 47.
[4] Al-Bukhari, *Sahih al-Bukhari*, Hadith no. 2057.
[5] *Talmud Bavli*, Hullin 2a–37b.

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
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(*chelev*), and eating the sciatic nerve (*gid hanasheh*), all of which have no equivalent in halal.[6]

For a food item to be kosher, **every aspect of its preparation**, from slaughter to packaging, must adhere to rabbinic standards. This includes **supervision by a trained Jewish ritual slaughterer (*shochet*)** and **blessings recited in Hebrew**.[7]

Methods of Slaughter: Dhabiha and Shechita

The slaughtering methods in Islam (*dhabiha*) and Judaism (*shechita*) are central to the permissibility of meat. Both are designed to ensure that the animal dies swiftly, humanely, and in accordance with divine law. However, while the procedures appear similar in form—such as the requirement for a clean neck incision using a sharp blade—they diverge significantly in terms of **ritual intention**, **blessings**, **person performing the act**, and **post-slaughter procedures**.

Slaughter Technique

Both halal and kosher methods require the animal's throat to be slit in a single, uninterrupted motion using a **sharp, non-serrated knife** to sever the **trachea, esophagus, and major blood vessels** (the carotid arteries and jugular veins), without cutting the spinal cord.[8]

In *dhabiha*, this process must be performed by a **sane adult Muslim** (or, per many jurists, a Jew or Christian), who **pronounces the name of Allah (God)**—typically by saying *"Bismillah Allahu Akbar"*—at the moment of slaughter.[9]

[6] Samuel J. Levine, "Kosher Slaughter, Animal Suffering, and the Politics of Religion in the United States," *Journal of Law and Religion* 30, no. 3 (2015): 408.
[7] Christine Baumgarthuber, "The Sacred Slaughter: Religious Slaughter Laws in Comparative Perspective," *Comparative Law Review* 9, no. 2 (2018): 104.
[8] Jonathan Brumberg-Kraus, "Rabbinic and Islamic Ritual Slaughter Laws: A Comparative Perspective," *Studies in Jewish Civilization* 13 (2002): 160.
[9] Mian N. Riaz and Muhammad M. Chaudry, *Halal Food Production*, 2nd ed. (CRC Press, 2018), 51.

Al-Asr International Research Journal of Islamic Studies
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In contrast, *shechita* must be performed exclusively by a **trained Jewish ritual slaughterer (*shochet*)**, who recites a blessing (*berakha*) at the beginning of the slaughtering session. This blessing can cover multiple slaughters as long as there is no interruption or distraction. If concentration is lost or the slaughter is interrupted, the blessing must be repeated.[10]

Drainage of Blood

Both traditions prohibit the consumption of blood, based on scriptural commands. The Qur'an (2:173) prohibits consuming blood, and Jewish law does likewise in Leviticus 17:10–14. However, their **methods of ensuring blood removal differ**.

- **In halal slaughter**, the draining of blood is achieved by the neck incision, and no further action is required in most Islamic traditions. However, **some schools of Islamic law**—particularly Hanafi—recommend washing or rinsing meat or using vinegar to remove surface blood.[11]
- **In kosher slaughter**, the blood must be extracted more rigorously. The meat is soaked in water, **salted heavily**, and then rinsed again to remove all internal and external blood. This salting process is a strict requirement of **kashrut** and must be overseen under rabbinical supervision.[12]

Eligibility of the Slaughterer

Islamic law allows slaughter by:

- A **Muslim**, or

[10] Christine Baumgarthuber, "The Sacred Slaughter: Religious Slaughter Laws in Comparative Perspective," *Comparative Law Review* 9, no. 2 (2018): 106.
[11] Muhammad Taqi Usmani, *Islam aur Jadeed Maashi Masail*, vol. 2 (Maktaba Ma'ariful Quran, 2010), 86.
[12] Samuel J. Levine, "Kosher Slaughter and the Politics of Religion," *Journal of Law and Religion* 30, no. 3 (2015): 411.

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- A **Jew or Christian (People of the Book)**, provided the slaughter is done in a proper ritual manner and without invoking any name other than Allah.[13]

Jewish law, on the other hand, restricts *shechita* exclusively to:

- **An observant Jewish male**, specifically trained and certified as a *shochet*, adhering to the laws of *kashrut*.
- **Non-Jews, including Muslims**, are **not allowed** to perform kosher slaughter under any circumstances, even if the method appears compliant.[14]

Ritual Intention (Niyyah vs. Kavanah)

In *dhabiha*, the Muslim slaughterer must **intentionally pronounce Allah's name** as part of their **niyyah** (intent). Forgetting to pronounce it may render the meat impermissible according to some jurists, though many permit consumption if the omission was unintentional and the slaughterer is Muslim or from Ahl al-Kitab.[15]

In *shechita*, **kavanah** (ritual intent) must be present, but the blessing itself may cover multiple animals if uninterrupted. Jewish law is generally **stricter** about who may perform the act and the required qualifications of ritual concentration.[16]

[13] The Qur'an, 5:5.
[14] *Talmud Bavli*, Hullin 2a–3a.
[15] Sahih al-Bukhari, Hadith no. 2057.
[16] Yehuda Shurpin, "What Makes Meat Kosher?", *Chabad.org*, https://www.chabad.org/library/article_cdo/aid/82697/jewish/What-Makes-Meat-Kosher.htm.

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
ISSN E: (2790-7694)
ISSN P: (2790-7686)
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August 1, 2025

Comparative Summary

Feature	**Halal (Dhabiha)**	**Kosher (Shechita)**
Blade	Sharp, smooth blade	Sharp, smooth blade
Blessing	"Bismillah Allahu Akbar" before each slaughter	One blessing at beginning of session
Who can slaughter?	Muslim, or People of the Book (disputed)	Only a trained Jewish *shochet*
Spinal cord cut?	Avoided	Avoided
Stunning	Disputed (some allow reversible stunning)	Prohibited in most rabbinical traditions
Blood draining method	Via incision (surface blood removal optional)	Mandatory salting and soaking process
Organ prohibitions	No specific organ restrictions (except carrion, pork, blood)	Prohibits *chelev* (fat) and *gid hanasheh* (sciatic nerve)
Consumption by others	Permissible for all humans	Only considered kosher for observant Jews

Cross-Consumption: Why Muslims May Eat Kosher, but Jews Do Not Eat Halal

One of the most significant practical and theological questions in interfaith dietary law is: **Why do many Muslim scholars allow consumption of kosher meat, whereas Jewish law prohibits consumption of halal meat?** The answer lies not just in the technical rules of slaughter, but in deeper jurisprudential logic, theological worldview, and legal stringency in each religion.

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
ISSN E: (2790-7694)
ISSN P: (2790-7686)
Published:
August 1, 2025

Islamic Jurisprudence on Eating Kosher

Muslim scholars across **all four Sunni madhhabs (Hanafi, Maliki, Shafi'i, Hanbali)** have addressed the permissibility of consuming meat slaughtered by the **People of the Book (Ahl al-Kitab)**—namely, Jews and Christians.

The foundational text in this discussion is found in the Qur'an:

"**This day [all] good foods have been made lawful, and the food of those who were given the Scripture is lawful for you...**" (*Surat al-Ma'idah 5:5*)[17]

This verse has been interpreted by classical scholars, including **Ibn Kathir**, **Imam al-Shafi'i**, and **Ibn Qudamah**, to mean that **kosher meat is generally lawful for Muslims**, **provided it complies with basic dhabiha conditions** (such as using a proper slaughter method and not invoking any name other than Allah).

The hadith of *Aisha (ra)*—"Mention Allah's name and eat"—has been taken to indicate a presumption of permissibility in cases of doubt, especially when dealing with people of the Book.[18] Thus, many jurists argue that:

- **Kosher meat is halal** if the slaughter was carried out according to Jewish law.
- The name of Allah **need not be pronounced by the Jewish person**, since it is not a religious requirement for them.
- **Alcohol content** or **cross-contamination with pork** would still render food haram, even if otherwise kosher.

However, some **contemporary scholars**, especially in the **Hanafi school**, express caution:

[17] The Qur'an, 5:5.
[18] Sahih al-Bukhari, Hadith no. 2057.

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
ISSN E: (2790-7694)
ISSN P: (2790-7686)
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August 1, 2025

- If the **Jewish method deviates** from Islamic requirements (e.g., stunning, machine slaughter, or lack of God's name), then consumption is discouraged.
- If **halal meat is available**, preference must be given to it.

In short: Most Islamic scholars consider properly slaughtered kosher meat to be *halal*, but it is not a two-way equivalence.

Jewish Law on Eating Halal Meat

In Jewish law, the concept of kosher is far more exclusive and **does not extend to non-Jewish forms of slaughter**, even if the procedure appears similar to *shechita*.

According to **halakhic (Jewish legal) standards**:

- Meat is **only kosher** if slaughtered by a **Jewish shochet** with **intent (kavanah)** and a proper **blessing (berakha)**.[19]
- Even if a Muslim slaughters an animal using the exact *shechita* method, the absence of a **Jewish ritual framework** renders the meat non-kosher.
- The **requirement of supervision**, and removal of *chelev* (forbidden fat) and *gid hanasheh* (sciatic nerve), are **not fulfilled** in halal slaughter.[20]

Furthermore, Jews do not recognize halal certification as a valid religious authority. The Talmud makes it clear in *Hullin* 2a that **the intention and religious identity of the slaughterer** are essential. Therefore, **halal meat is not accepted as kosher**, even if it follows a similar method.

[19] Talmud Bavli, Hullin 2a.
[20] Yehuda Shurpin, "What Makes Meat Kosher?", *Chabad.org*, https://www.chabad.org/library/article_cdo/aid/82697/jewish/What-Makes-Meat-Kosher.htm.

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
ISSN E: (2790-7694)
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Published:
August 1, 2025

Summary: For Jewish law, halal meat is invalid because it lacks the religious identity, procedural sanctity, and rabbinic supervision required for kosher certification.

Philosophical and Ethical Overlaps in Halal and Kosher Systems

Beyond the legalistic differences, both **halal and kosher dietary systems** reflect deeper **theological, ethical, and philosophical commitments** that structure the believer's relationship with God, animals, and the community. These shared values emphasize intentionality in consumption, sanctity of life, and moral consciousness in everyday acts such as eating.

Sanctity of Life and Humane Treatment

Both halal and kosher systems are deeply rooted in the **principle of mercy** (*rahmah* in Islam, *chesed* in Judaism). The animal must be treated with care and compassion throughout its life and even at the time of slaughter.

- **Islamic teachings** command that the animal **must not see the blade**, should be **given water**, and **slaughtered swiftly** to minimize pain. The Prophet Muhammad ﷺ said:

  > "Verily Allah has prescribed **ihsan (excellence and kindness)** in everything. When you slaughter, slaughter well..." [21]

- **Jewish teachings** similarly stress the **ethical duty** to avoid *tza'ar ba'alei chayim* (causing suffering to animals). The *shochet* is trained to ensure a fast, precise cut to minimize suffering. Maimonides, a leading Jewish philosopher, stated that the purpose of shechita was to **reduce the animal's agony**.[22]

[21] Sahih Muslim, Hadith no. 1955.
[22] Maimonides, *Guide for the Perplexed*, Part III, Chapter 48.

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
ISSN E: (2790-7694)
ISSN P: (2790-7686)
Published:
August 1, 2025

Thus, in both traditions, the slaughter process is **ritualized not for cruelty, but for compassion**—acknowledging that taking life, even for sustenance, demands humility and ethical restraint.

Spiritual Discipline Through Food

Food laws in both religions serve not merely to regulate diet but to **create spiritual discipline**. The act of eating becomes a form of worship, a ritual that connects the believer to divine law.

- In **Islam**, halal laws reflect **submission to Allah's command** (*Islam* itself means submission). The act of pronouncing *"Bismillah"* reminds the believer that all sustenance is by divine permission.
- In **Judaism**, kashrut represents **covenant and holiness**. As Leviticus 11:44 declares:

  > "Be holy, for I am holy."
  >
  > Following food laws is an expression of being a people **set apart** through divine commandments (*mitzvot*).

Both systems use food law as a **daily spiritual reminder**, where even mundane acts like eating are elevated to religious significance.

Ethical Economy and Community Identity

Halal and kosher laws also shape **ethical economies** and **communal boundaries**:

- Both systems have developed **certification authorities** (e.g., halal boards, kosher certification agencies) to ensure religious compliance in commercial food production.
- These certifications impact how communities **navigate secular marketplaces**. For example:
  - Kosher supervision affects Jewish consumer trust.

Al-Asr International Research Journal of Islamic Studies
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ISSN P: (2790-7686)
Published:
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- Halal certification is essential in global Muslim trade.

Moreover, dietary law becomes a **marker of identity**, helping maintain **cultural and religious cohesion** in diaspora settings, where secular norms dominate.

Contemporary Applications and Global Interfaith Practice

In the modern globalized world, halal and kosher practices have expanded beyond private religious rituals to become **visible markers of religious identity, ethical consumption, and interfaith interaction**. With the rise of industrial food production, diaspora communities, and consumer certification systems, the application of these dietary laws now involves not just jurists and theologians, but regulators, food scientists, and international businesses.

Halal and Kosher in Industrial Food Systems

The scale and complexity of contemporary food processing have introduced **new challenges** to traditional methods of slaughter and food preparation. Among these challenges are:

- **Mechanical slaughter:** Widely used in poultry processing, where machines may kill hundreds of birds per minute. While some halal authorities allow it if *Bismillah* is programmed into the machine, kosher law **does not accept machine slaughter** under any circumstances.
- **Pre-slaughter stunning:** In many countries, stunning animals before slaughter is legally required for animal welfare. While kosher law prohibits stunning, **Islamic opinions are divided**:
  - The **Hanafi and Maliki schools** traditionally disallow it.

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
ISSN E: (2790-7694)
ISSN P: (2790-7686)
Published:
August 1, 2025

- **Contemporary fatwas**, especially from European Muslim councils, permit **reversible stunning** if it does not cause death before slaughter.[23]

- **Cross-contamination:** Mass production poses the risk of halal/kosher food being contaminated with haram or non-kosher elements—such as **gelatin**, **enzymes**, or **alcohol-based flavorings**.

To navigate these concerns, both Muslim and Jewish communities have developed **certification authorities**, such as:

- **Halal Monitoring Committee (HMC)**, **IFANCA**, **JAKIM** (Malaysia)
- **Orthodox Union (OU)**, **Star-K**, **KOF-K** for kosher

These bodies inspect facilities, audit suppliers, and issue **logos and labels** that consumers trust.

Interfaith Dining and Globalization

In multicultural environments—especially in Western countries—halal and kosher food practices often overlap in public life:

- **Shared food spaces** (e.g., interfaith cafeterias, hospital kitchens, universities) try to accommodate both communities.
- **Muslims often accept kosher meat** in such settings, especially when halal alternatives are unavailable.
- **Jews, however, do not accept halal meat**, requiring separate certified options.

This has created both **opportunities for interfaith cooperation** and **challenges in food logistics**. Some food producers now seek **dual certification** to tap into both markets, but this is complex due to **non-aligned standards**.

Example:

[23] Mian N. Riaz and Muhammad M. Chaudry, *Halal Food Production*, 2nd ed. (CRC Press, 2018), 112–117.

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
ISSN E: (2790-7694)
ISSN P: (2790-7686)
Published:
August 1, 2025

- **Kosher wine**, though grape-based, is not halal due to alcohol content.
- **Halal gelatin** from fish may be halal but **not kosher** unless produced under strict rabbinic supervision.

State Policies and Religious Freedom

Some secular governments restrict religious slaughter:

- **Denmark, Sweden, and Switzerland** require stunning before slaughter, limiting kosher and halal meat production.
- **France and Belgium** have seen political debates over banning ritual slaughter entirely, citing animal rights.

These laws raise tensions around **religious freedom**, minority rights, and **the secular state's role** in regulating religious ethics. Islamic and Jewish organizations have joined forces in some cases to **lobby for exemptions**, showing rare unity in defending shared ritual practices.

Halal-Kosher Market Interactions

The global halal food market is worth over **$2 trillion**, and the kosher food market, while smaller, influences **mainstream food sectors**, especially in the U.S.[24]

- **Kosher meat is often sold in halal shops**, especially in North America and Europe.
- Some Muslim consumers **actively seek kosher meat** when no halal-certified meat is available.
- However, **halal meat is not marketed to Jews**, as it lacks kosher supervision.

[24] Farhana Yamin, "Halal and Kosher Foods in Global Food Law," in *Global Food Law*, ed. Carlos Correa (Springer, 2015), 137–139

Al-Asr International Research Journal of Islamic Studies
Vol 5 Issue 3 (July-September 2025)
ISSN E: (2790-7694)
ISSN P: (2790-7686)
Published:
August 1, 2025

This reflects the **one-way permissibility** of kosher in halal, but not vice versa. The food supply chain, therefore, mirrors the religious law asymmetry outlined earlier.

Case Study: U.S. and UK Contexts

- In the **United States**, kosher certification is more widespread and recognized than halal, with major food producers maintaining **kosher lines**. Halal certification is catching up, driven by a growing Muslim population.
- In the **UK**, Muslims outnumber Jews significantly, making halal more common than kosher. However, **many Muslims in the UK accept kosher meat**, especially when slaughtered without stunning.

Conclusion

This comparative study of **halal and kosher dietary laws** reveals both striking parallels and critical differences—grounded not only in **ritual practice**, but in **theological worldviews**, **legal structures**, and **communal identities**.

At their core, both halal and kosher systems share a commitment to:

- **Sanctifying the act of eating**
- **Ensuring ethical treatment of animals**
- **Enforcing intentional, spiritually aware consumption**

Both *dhabiha* and *shechita* aim to minimize suffering during slaughter, require the draining of blood, and revolve around invoking God's name as an act of devotion. They have also evolved into sophisticated global food certification systems, intersecting with consumer ethics, food law, and identity politics.

However, the **divergences are no less significant**:

- **Kosher law is covenantal**, specific to the Jewish people, and strictly

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Published:
August 1, 2025

regulated by rabbinic authority. It excludes halal meat due to the absence of Jewish intent, oversight, and restrictions (such as avoidance of *chelev* and *gid hanasheh*).

- **Halal law is universal**, permitting food from the People of the Book under specific conditions. It reflects a broader inclusion within Islamic jurisprudence, especially when God's name is invoked.

This **asymmetry**—where Muslims may eat kosher meat but Jews may not eat halal meat—is not due to doctrinal contradiction but rather to **different conceptions of law, sanctity, and religious boundary**.

In an increasingly interconnected world, this difference serves as an opportunity rather than an obstacle: a chance to understand how sacred law governs everyday life, how ethics are ritualized in tradition, and how faith communities can learn from one another without erasing difference.

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