
Book Review

Saul M. Olyan, *Animal Rights and the Hebrew Bible* (New York and Oxford: Oxford University Press, 2023), 156 pp., \$83.00 (cloth), ISBN: 0197609385.

Saul Olyan asks in his latest book whether the Bible contains ‘implicit’ views on animal ‘personhood’ and ‘animal rights’ (p. 1). Olyan, an influential scholar of the Hebrew Bible and its social world, notes that animal advocates who consider the Bible frequently focus on a few verses from Genesis 1 and 9, which are understood to justify human ‘dominion’ or ‘rule’ (Gen 1: 26-28). Over animals. When this selective reading is taken as the primary biblical view of animals, advocates dismiss the Bible’s relevance for animal issues. Olyan points out however that these verses represent only a small segment of a larger ‘library’ of biblical texts that contain multiple, complex attitudes toward animals. After defining his project in the Introduction, Olyan discusses a number of biblical texts across five chapters and a Conclusion that, taken together, demonstrates the potential relevance of biblical literature for contemporary debates about the legal ‘rights’ and ‘personhood’ of animals.

In Chapter One, Olyan considers four biblical legal texts that ‘effectively accord a limited legal personhood and situation specific rights to animals’ (p. 23). These texts are Exodus 23:10-11, which states that fields should be left fallow in the seventh year to provide food for the poor and for wild animals; Exodus 23: 12, which specifies that sabbath observance provides rest for donkeys and oxen in addition to slaves and resident aliens; Leviticus 25: 2-7, which expands ‘the right to food from fallow fields’ (p. 34) to include domesticated as well as wild animals; and Deuteronomy 5:12-15, which expands the requirement of sabbath rest to all domesticated animals. Olyan argues that these laws articulate ‘a concern for the rights of animals ... if by rights we mean entitlements for legal persons—e.g., protections or privileges—guaranteed by law that are not contingent on the needs and demands of other legal persons’ (p. 34). They also create implicit classifications of humans and animals who are associated with specific rights, though the groups included within such classifications vary from law to law. Olyan’s analysis in this chapter lays a foundation for his overall argument, demonstrating that the Bible includes texts which are little known among animal advocates, but which evince ‘the value of animal lives and the importance of animal well-being as well as the legal personhood and rights of animals’ (p. 39).

The chapters that follow are less focused on rights per se but take up several topics that touch on matters of legal personhood or are otherwise relevant. Chapter Two discusses two texts (Genesis 9:8-17 and Hosea 2:20 [English 2:18]) that represent animals as covenant partners with God. The little-known covenant in Hosea is especially remarkable for the large ‘range of rights, including broad, substantive rights’ (p. 50), granted to animals. Chapter Three turns to the issue of

'animal culpability' (pp. 60-83) raised by texts that ascribe 'duties' (pp. 61-63) to animals and punish animals for wrongdoing (e.g., goring a human). It also considers texts in which animals suffer or die when the humans associated with them are punished for wrongdoing. While these sets of texts do not assign rights to animals, they entail a form of legal personhood which holds animals responsible for their actions. Chapter Four considers 'the mix of asymmetrical and symmetrical treatment accorded to various classes of persons in biblical law' (p. 86) on the basis of, for example, slavery, gender, perceived physical defect, etc., and how this treatment of groups of humans compares with the treatment of domesticated animals. Olyan also discusses laws of the firstborn, in which humans and domesticated animals are treated in parallel ways.

Chapter Five considers biblical approaches to 'animal welfare'. Animal welfare is sometimes understood as a more moderate approach to animal issues than animal rights and legal personhood, and one might assume that it plays a more substantive role in biblical literature. Proverbs 12:10 is highlighted as one text that does emphasize care and concern for domesticated animals and their emotional lives. Olyan argues, however, that several laws which are widely read in support of animal welfare (such as prohibitions against taking a mother bird and her young at the same time, killing a domesticated animal and her offspring on the same day, or cooking a young goat in its mother's milk) are based on other considerations such as the mixing of categories of kin. An unexpected takeaway from this chapter is that the Bible may actually provide stronger, or more numerous, foundations for animal rights and legal personhood than it does for an emphasis on animal welfare.

Although the Bible is obviously not an animal rights manifesto, Olyan argues in a summarizing Conclusion that the Hebrew Bible does 'extend both legal personhood and rights to animals' (p. 122). The rights in question are 'not contingent on the needs or demands of others' (p. 122). They are 'specific and situationally conditioned, and the legal personhood associated with them is best characterized as limited' (p. 122). In contrast to contemporary views on animal rights, biblical literature extends certain rights to domesticated animals who nevertheless retain the status of property. This status is consistent with the fact that 'animals and slaves share an implicit common classification' (p. 126). But that shared classification is grounded less in their status as property than in the fact that slaves and animals are both granted certain rights despite their status as property. Moreover, in 'several biblical texts, the interests of animals are accorded equal consideration to those of human beings' (p. 126).

While Olyan is no apologist for the religious or cultural authority of the Bible, his case for the relevance of biblical literature, understood as a library of texts with diverse points of view rather than a single perspective on animals, is timely and carefully argued. Activists and others interested in the legal, religious, and historical status of animals will benefit greatly from Olyan's book.

Ken Stone
Chicago Theological Seminary
kstone@ctschicago.edu