

Dear Rabbi:

I am a Jewish medical researcher who strives to be completely Torah observant. My research primarily involves an animal model of a particular human disease. Our ultimate goal is prevention or more effective treatment of this particular human disease through better understanding of the molecular and cellular basis of the animal model. In order to better understand the disease process in this model, we need to do some experiments that would involve neutering male animals. I understand that the Torah forbids us from neutering animals (Leviticus 22:24), whereas it is permitted to non-Jews. My question is, am I allowed to ask non-Jewish colleagues to carry out these procedures? If so, are there any restrictions that I should be aware of? If not, is there any suggestion for my getting these experiments accomplished?

Thank you,  
Dr. Joel

Dear Dr. Joel,

The neutering of an animal is, indeed, prohibited by Torah law, as you mentioned the verse in Leviticus/Vayikra.

Your assumption that it is permitted for a non-Jew, however, is unclear and is the source of a Talmudic dispute (see Bava Metzia 90, a). This question dates back to the Sages of the Mishna and continues through the Rishonim (early commentators). This issue is resolved in the Code of Jewish Law (Even Hoezer 5:14) which rules with the majority opinion that neutering an animal is not included in the 7 Noahide Laws incumbent upon Gentiles. This implies that a Jew can not neuter an animal himself, but may sell it to a Gentile even if he knows the Gentile will neuter it.

This would be permitted only if he does not specifically ask the non-Jew to do so, as he would be doing so as a messenger of the Jew, like a Jew can't ask a non-Jew to perform a forbidden act for him on the Sabbath. It also necessitates that the sale is real, not just a trick to have the non-Jew do the neutering through a legal loophole.

In your case it is somewhat more lenient in that the animals are owned by the university and not by a Jew to begin with. However, the prohibition to ask a non-Jew to do it for you still applies. The only way this could be done is if you have non-Jewish co-researchers who will perform the neutering as a matter of course, without your having to instruct them to do so. There also may be differences in the methods used for this procedure, as well as if the animals are male or female, which we would need to discuss in more detail if you would like, upon hearing more details.