

MAN and BEAST

*Our Relationships with Animals
in Jewish Law and Thought*

RABBI NATAN SLIFKIN

EXTRACT: Part of the chapter “Man Vs. Beast”

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Man Vs. Beast

Dear R' Slifkin,

I would be very grateful if you would be kind enough to answer my query regarding domestic cats. Does a cat have a soul? When a cat dies young; does that mean it has fulfilled its mission (finally) and now goes up to Eden? Will it then merit being a part of the eventual resurrection? Is the "guardian" (I object to the term "owner") of the cat being punished when after having bonded with the animal, he loses the animal (cat) when it is quite young?

Dear Rabbi Slifkin,

I saw that the Maharal writes that only humans stand upright whereas animals don't, to show our superiority over them. What about penguins?!

The distinctions between man and animals are often not well understood. Popular culture commonly portrays the idea that animals are essentially people under a different guise.

This can lead to lethal results. Many people have been mauled or killed when they attempted to befriend wild animals. A recent spate of tragedies in South Africa included a case where a woman had her nose bitten off by

a cuddly baby seal that she was attempting to help. Professional hunter James Cameron gave his explanation of the cause of such events:

“I blame it on Walt Disney, where animals are given human qualities. People don’t understand that a wild animal is not something that is nice to pat. It can seriously harm you.”

Ed Stoddard, “Animals Know Stupid When They See It”
Reuters News Agency, Tuesday January 3rd 2006

There was also the case of Timothy Treadwell, author of *Among Grizzlies*, who spent months living with wild grizzly bears in Alaska. He spoke to them and sang to them, claiming that unprovoked bears are not dangerous and that the bears were used to him and would not harm him. The bears apparently disagreed; they killed and ate him. As one journalist noted:

Bears are not humans. Bears are not cuddly. Bears do not speak English... There’s no telling what type of danger the new Disney cartoon movie “Brother Bear” will create if it convinces youngsters that bears are cute animals with human traits rather than the majestic, powerful, impressive beasts without consciences or complex vocabularies that they really are.

Lew Freedman, “Dead Bear Naturalist Was Dedicated, Foolish”
Chicago Tribune, Sunday November 9th 2003

But it is not only due to the risk of lethal encounters that it is important to understand the differences between man and animals. It is also fundamental to a Jewish perspective on our respective roles in the world. Here, too, the blurring of boundaries that exists today has undermined some of the principles of Judaism. This reaches its farcical extreme in the modern fad of making one’s dog a “Bark Mitzvah,” in which the “celebrant” dons a *kippah* and *tallis*, and guests enjoy bone-shaped foods. But, as we shall see, there are many consequences to one’s perspective regarding the similarities and differences between man and animals. In this chapter, we shall explore these similarities and differences.

Similarities

What do we have in common with animals? The Midrash addresses this topic:

[Man] eats and drinks like an animal, reproduces like an animal, excretes like an animal, and dies like an animal.

Midrash Bereishis Rabbah 8:11; cf. Talmud, *Chagigah* 16a

The Chazon Ish, great Torah scholar of the mid-twentieth century, elaborates:

Animals are similar to man in the structure of the body, with its aspects and capabilities; the material of their bodies is flesh and blood, sinews, bones and skin, and they possess a life-force. They possess senses like man, they sustain themselves like man, and they are of two genders, male and female, and the difference of man from animals is in intelligence and language.

Chazon Ish, *Emunah v'Bitachon* 1:7

Man shares most physical features and aspects with animals. There are a few minor but significant physical differences that we shall later explore. But for the most part, we are very similar to animals from a physical point of view. This idea is expressed in Scripture in a very stark manner:

For that which befalls the sons of men befalls beasts; one thing befalls them both; as the one dies, so dies the other. They have all one breath; the difference between man and beast is nothing, for all is vanity.

Ecclesiastes 3:19

Clearly this verse does not mean that there is absolutely no difference between man and beast. Rather, it is speaking from the perspective of material existence (as indicated by the first part of the verse, which refers to physical mortality).

Another way in which we are similar to animals is that we both possess emotions. Although some scientists don't like to admit to this, it seems overwhelmingly reasonable to assume that animals possess emotions. Many Torah

commentaries also state that animals have emotions, and these are related to some of the commandments concerning animals, such as that prohibiting cruelty to animals. Most animals can feel distress and contentment; some can even experience amusement and sadness.

Differences

It is relatively easy to point out what we have in common with animals. A more difficult question is what is it exactly that distinguishes man from animals?¹

This is an extremely important question, with far-ranging ramifications. Unfortunately, the answers – and many have been offered – are not so clear-cut. For example, it is often stated that man is the only creature to kill for pleasure. Yet dolphins were recently discovered to kill porpoises for no apparent reason other than pleasure.² This pattern repeats itself continually:

Mathematics often ranks alongside language and opposable thumbs as one of those things that separate man from beast. But again and again, the beasts are proving us wrong. “Every time people say animals can't do X,” says Irene Pepperberg, who has spent years studying the skills of an African grey parrot named Alex, “we find yes, they can. They can do X + 1.”

Emily Sohn, “Number of the Beasts,”
New Scientist, 28 January 2004

On the other hand, as we shall see, the presence of some exceptions does not necessarily invalidate the distinction being discussed.

The Midrash that we cited earlier, which states the similarities between man and animals, proceeds to describe

¹ A thorough philosophical/ scientific work on this topic is Mortimer J. Adler, *The Difference of Man and the Difference it Makes* (Fordham University Press 1993).

² William J. Broad, “Evidence Puts Dolphins in New Light, as Killers,” *The New York Times*, July 6th 1999.

several ways in which man is different from animals and similar to the ministering angels:

[Man] stands like the ministering angels, speaks like the ministering angels, possesses intelligence like the ministering angels, and sees like the ministering angels. But do animals not see? However, they see from the sides (rather than with man's binocular vision).

Midrash Bereishis Rabbah 8:11; cf. Talmud, *Chagigah* 16a¹

The differences described in this Midrash are complicated and require careful analysis. There are other differences that also need to be discussed. In the ensuing analysis, we shall break down the differences between man and animals into two categories. The first are intellectual or spiritual differences. The second are physical differences, which can be indicative of the spiritual differences. We shall then list the consequences of both types of differences.

As we shall note, in many of the differences cited, there are animals that seem to be exceptions and share man's qualities. We shall discuss the significance of this at the end of the chapter.

Intellectual/ Spiritual Differences

In order to understand the Torah's perspective on the differences between man and animals, we must first look at the description of their creation:

And God said, Let us make man in our image, after our likeness...

Genesis 1:26

It is a fundamental tenet of faith, stated in the Torah, that there is a unique divine aspect that is present in the creation of man alone – the “image of God.” But what is this image? Certainly it does not mean that man is

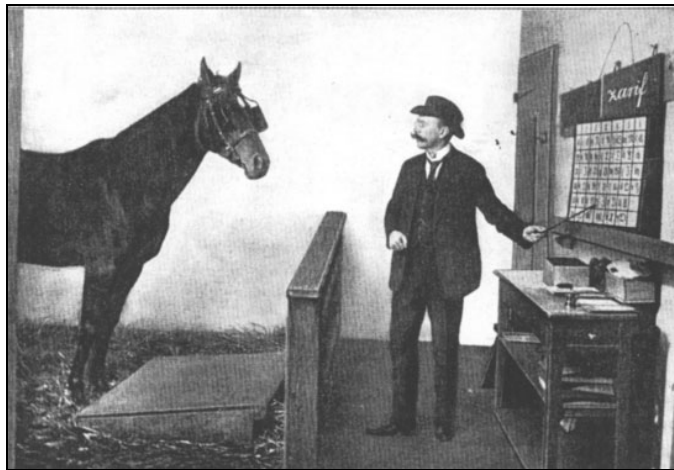
¹ *Midrash Bereishis Rabbah* 17:6 lists some further differences between man and animals.

physically modeled after the physical appearance of God! Let us explore some of the different facets of the concept of *tzelem Elokim*, the image of God.

The Intellect

Some state that “the image of God” refers to the intellect.¹ While animals possess some intelligence to a lesser or greater degree, man’s intelligence is clearly in a different realm entirely.

Unfortunately there is a popular tendency in the world to exaggerate animal intelligence and to anthropomorphize them. But those who have claimed humanlike abilities in animals are often mistaken in their interpretations. The most famous case of this is Clever Hans. In the nineteenth century, Wilhelm Von-Osten, a Russian aristocrat who prided himself on his teaching skills, claimed that he had taught his horse, Clever Hans, to count. When asked a simple mathematical question, Hans would give the answer by tapping his hoof on the ground.



Clever Hans at his studies

¹ Rabbeinu Bechaya, Commentary to Genesis 1:26.

Yet it transpired that, unbeknownst even to Von-Osten, the horse was picking up on subtle visual clues subconsciously provided by the questioner. When the questioner posed the mathematical riddle, he would naturally lean forward to watch Clever Hans tap the ground. When the horse had trotted out the correct number of taps, the questioner would subconsciously straighten up a little. Clever Hans learned to stop tapping when he noticed this small movement. He was indeed clever, but not to the extent of mathematical ability.

There is clearly a vast difference between the human and animal intellect – but is this difference merely one of *degree*, or is it actually a difference in *kind*? In the wider world, many would side with the former description, but some still take the latter position. There are respected voices which believe that there is a qualitative rather than quantitative difference between human and animal minds:

...The intellectual human mind has properties that cannot be reduced to a difference in degree from the minds of other mammals. The difference in kind is radical, not superficial, real, not apparent.

To claim that the difference between the human mind and the minds of other mammals is a radical difference in kind is to claim that the human mind has intellectual powers that the animal minds do not have at all. Other mammals' minds can be explained in material terms, whereas the human mind's intellectual power cannot be. This is not to deny that we share other mental powers with animals, who, like ourselves, operate in the world of perceptual thought – the world of things that are perceptually present, the world of sensation, imagination, and memory.

In addition, the human operates in the world of conceptual thought, where it deals with objects that are not perceptually present, nor can they ever be. This ability makes it a radical difference in kind.

Mortimer J. Adler, *Adler's Philosophical Dictionary*
(New York: Scribner 1995)

As we shall see later, however, even according to those who believe that the difference between human and animal intelligence is a simple matter of the amount of gray matter, there is room for describing this as a fundamental difference.

Free Will

Others explain that the “image of God” refers to man’s *bechirah*, his free will to choose between good and evil. Animals do not choose between good and evil.

Ramban does state that animals have a very limited form of free will. In explaining why man was originally prohibited from eating meat, Ramban notes that animals are somewhat similar to human beings:

God gave to Adam and his wife all seed-bearing herbs and all fruit of trees... but He did not permit meat to him, until the sons of Noah... Living, moving beings have a certain quality to their souls, somewhat similar to intelligent beings, and they are able to choose what is good for them, and what to eat, and they flee from suffering and death.

Ramban, commentary to Genesis 1:29

But this power to choose is not making moral choices between good and evil, only between different things that the animal wants. When a dog decides whether or not to follow its master’s orders not to eat the neighbor’s cat, it is not making a moral choice; it is merely choosing between instant gratification and a delayed reward from its master. An animal can equally easily be trained to do harm. It is only man that makes truly moral choices. This is discussed by professor of philosophy Joel Feinberg in an essay published by the Humane Society of the United States:

So far as we can know, no animals other than man have the intellectual equipment necessary for the reliable performance of duty and the discharge of responsibility... Nor can they even grasp the concept of a duty or a commitment...

One counterargument to these commonplace observations is that dogs and horses can be trained through instruction and discipline to bring their behavior up to a rather exacting standard. Dogs in particular are said even to manifest unmistakable signs of guilty conscience when they depart from the humanly assigned standard. Here, again, the discussions of the moral status of animals can be snarled by an inadequate understanding or careless application of our ordinary moral concepts. Well-trained dogs sometimes let their masters down; they anticipate punishment or other manifestations of displeasure; they grovel and whimper, and they even make crude efforts at redress and reconciliation. But do they feel remorse and bad conscience? They have been conditioned to associate manifestations of displeasure with departures from a norm, and this is a useful way of keeping them in line, but they haven't the slightest inkling of the *reasons* for the norm. They don't *understand* why departures from the norm are wrong, or why their masters become angry or disappointed. They have a concept perhaps of the *mala prohibita* – the act that is wrong because it is prohibited, but they have no concept of the *mala in se* – the act that is prohibited because it is wrong. Even in respect to the *mala prohibita* their understanding is grossly deficient, for they have no conception of rightful authority. For dogs, the only basis of their master's "right" to be obeyed is his *de facto* power over them. Even when one master steals a beast from another, or when an original owner deprives it of its natural freedom in the world, the animal will feel no moralized emotion, such as outraged propriety or indignation. These complex feelings involve cognitive elements beyond an animal's ken.

Joel Feinberg, "Human Duties and Animal Rights," in
On The Fifth Day: Animal Rights & Human Ethics,
(Washington: Acropolis Books/ The Humane Society of the
United States 1978) pp.49-50¹

¹ See too Harry Frankfurt, "Freedom of the Will and the Concept of a Person," in *Journal of Philosophy* 68 (1971).

There are some behavioral zoologists who think that animals do have the basics of moral judgment.¹ As with the intellect, then, there are those who would claim that the difference between man and animals is one of degree rather than kind. We shall later return to this question.

The Soul

An oft-cited difference between man and animals is that only man possesses a soul. Many pet-owners would instantly recoil at this statement. In fact, it must be qualified. There are different categories of souls, and these different types of souls can coexist in the same entity. The lower form of soul that man shares with animals is called the *nefesh*. The eighteenth-century kabbalist Rabbi Moshe Chaim Luzzato explains this as follows:

There is a type of *nefesh* in man which is the same as that which exists in all living creatures, and is responsible for natural feelings and intelligence. This *nefesh*, which exists in all living creatures... is responsible for the senses, as well as the intelligence that is appropriate for each species. For amongst animals themselves there is great variety in their intelligence; and the intellect of man is very different from them all.

Derech Hashem 3:1:1

However, as well as a *nefesh*, humans also possess a type of soul unique to them, which is termed a *neshamah*:

Of all the things that exist, it is only man alone that consists of two absolute opposites, namely a spiritual soul and a physical body, which is not found in any other creation. One must be careful not to mistakenly think that other animals are the same as man in this respect. For the soul of an animal is a physical entity, albeit of the most ethereal of physical entities. Man also possesses this animal soul, being that he is a living

¹ Marc Bekoff, "Virtuous Nature," *New Scientist*, 13 July 2002; Michael D. Lemonick, "Honor Among Beasts," *Time*, 11 July 2005.

creature. However, aside from this, man has a Higher soul, an entity unto itself, entirely separate from the body and far removed from it. Only by virtue of God's decree does this soul enter man's body and attach to it...

Derech Hashem 1:5:1

The existence of a *neshamah* is linked to another difference between man and animals: immortality.

Immortality

As noted earlier, both man and animal are mortal in their physical lives. But whereas an animal's existence ceases with its physical death, man's essence lives on in a spiritual existence.

For that which befalls the sons of men befalls beasts; one thing befalls them both; as the one dies, so dies the other. They have all one breath; so that a man has no preeminence over a beast; for all is vanity. All go to one place; all are from the dust, and all turn to dust again. Who knows that the spirit of man goes upward, and the spirit of the beast goes downward to the earth?

Ecclesiastes 3:19-21

When an animal experiences physical death, its body is still in existence, but its life-force – its soul – ceases to exist. But when a person dies, his soul passes to a higher realm where it lives on.¹

Potential and Development

Man is called "*adam*," because he was formed from *adamah*, "earth." This sounds straightforward enough, until

¹ There is one cryptic Midrash which seems to speak of resurrection for animals: "When God renews His world, He himself takes charge of the work of renewal. He arranges all the regulations of the last ones, those of the future world... the order of each and every generation, of every being, of every animal, and of every bird... I have caused all human beings and all creatures to die in this world, and I shall restore their spirit and soul to them and revive them in the World to Come" (*Osiyos d'Rabbi Akiva, os aleph*).

we consider that Genesis describes all animals as being formed from the earth! Why is it only man who receives the name *adam*?

The Maharal explains that there is a conceptual similarity between man and earth.¹ Consider a patch of bare earth. It appears to be featureless, lifeless. One can dig, and one will still find nothing more exciting than soil. But if one waits and watches, one will witness an incredible phenomenon. Plants and flowers will grow seemingly out of nothing. Even huge trees can develop — and where does their bulk come from? The earth has a tremendous hidden potential within it; there is so much more than meets the eye.

Let us now consider animals. An animal is referred to in the Torah with the name *behemah*. This word is comprised of the words *bah mah*, which mean “In it is what it is,” or, as we might say, “what you see is what you get.” What you see in an animal — its skin, eyes, limbs, and fur — is all there is to it. There are no hidden depths to a hippopotamus. There is a Talmudic principle that “an ox of one day old is called an ox.” This is usually taken as a *halachic* principle, but it also alludes to the idea that an animal, although it grows, never essentially changes.

But man has the ability to develop his intellect and to perform acts of a genuinely altruistic nature. He can engage in spiritual growth, transforming himself into an ever-superior being. There is so much more to man than meets the eye. That is why he is named after earth. Man and earth are similar in that both contain tremendous hidden potential. Animals, on the other hand, are limited; what you see is what you get.

This shows why the concept of a “Bark Mitzvah” is so nonsensical. At an ordinary Bar Mitzvah, the rabbi tells the celebrant: “Today, you are a man.” *The New York Times*

¹ *Tiferes Yisrael* 3.

parodied this in its coverage of a bark mitzvah, titling its story, “Today He Is a Dog; Actually, He’s Always Been a Dog.”¹ But behind this joke lies the critical point: a human child develops his potential, turning into a man. A dog, on the other hand, is always a dog.

There is an important point to keep in mind. Man possesses a potential that animals lack. But this potential is not always actualized. If man does not fulfill his potential, he is no better than an animal (and quite possibly worse, since animals at least do what they are supposed to do). Such a person is described unflatteringly:

A man has honor, yet he does not understand it; he is like beasts that perish.

Psalms 49:21

Man’s Search for Meaning

Most people seek to find some sort of meaning in their lives.² Even in particular actions, people seek meaning. Being forced to turn a millstone can be endured if the millstone is grinding flour, but not if it is empty. Animals, on the other hand, do not have any existential problems. They simply get on with the task of living, without ever giving thought to what it all means.

This difference is brought sharply into focus when there is suffering. The famous psychiatrist Dr. Viktor Frankel, a survivor of concentration camps, noted that people are able to endure almost any form of physical or mental suffering if they can find meaning in it.

...In the healthy human, there is a will to meaning and it is this that sets man apart from the animals. One would never hear an animal ask himself, “Does my life

¹ Lily Koppel, in *The New York Times*, Monday, December 20th, 2004.

² Perhaps this is the explanation of Rav’s statement in the Talmud, *Bava Kama* 3b, that the term *maveh*, the “seeker,” refers to man.

have meaning?" But this question is asked by *Homo Sapiens*.

Victor Frankl, July 1994 address to the Evolution of Psychotherapy Conference in Hamburg¹

It is for this reason that some *halachic* authorities consider animal suffering to be worse than human suffering. An animal feels physical suffering to the fullest extent and is not able to overcome the pain by finding meaning in it.² (This is in contrast to the idea that human suffering is more extreme than animal suffering precisely because it includes a psychological component.)

Language

And the Lord God formed man of the dust of the ground, and breathed into his nostrils the breath of life; and man became a living soul.

Genesis 2:7

The Aramaic translation Onkelos renders "living soul" as "communicating spirit." Likewise, many Torah works refer to man as *medaber*, the "communicating being." Yet surely animals also communicate in their own way? The answer is that while they indeed communicate to a certain degree, this is vastly different from human language.

It is fascinating to note that thousands of years after Judaism claimed language to be a fundamental difference between man and animals, the debate amongst scientists and philosophers regarding the existence of any such difference focuses on the same point.

Language is a uniquely human trait likely to have been a prerequisite for the development of human culture. The ability to develop articulate speech relies on capabilities,

¹ Translation/ summary from German to English by Bill Short, in *The Milton H. Erickson Foundation Newsletter*, vol. 3, Issue 16.

² *Teshuvos Radvaz* 1:728; *Chavos Ya'ir* 191.

such as fine control of the larynx and mouth, that are absent in chimpanzees and other great apes.

W. Enard et al., "Molecular evolution of FOXP2, a gene involved in speech and language"¹

Researchers at the Medical College of Georgia also reported that a defining difference between humans and animals lies in language, but they traced it to a difference in the brain rather than in the larynx:

"Other species can communicate but they really don't have a language," Dr. Casanova said. "Like the bumble bee. They can't compare the pollen catch of that day to a month ago or maybe what they expect to find a day or a year from now. So, where should we look for something that makes us different from other species? Within the language regions of the brain."

"We found evidence that the brain is organized differently in humans in this area of the brain, even though the outside looks the same," said Dr. Buxhoeveden. "This provides an anatomical substrate, a hint that the brain is wired differently in humans in the language area than in the chimpanzee or the monkey."

News Brief from the Medical College of Georgia,
5th September 2001

Some particularly advanced animals, such as apes and dolphins, do indeed utilize highly sophisticated forms of communication. Exactly how close this is to human language is debated. As we shall see later, however, this may not be relevant.

Spiritual Creation and Metaphysical Direction

Rabbi Chaim of Volozhin explains that the "image of God" refers to man's ability to direct spiritual forces and create spiritual worlds.² Just as God is the Creator of spiritual and physical forces, so too man can direct

¹ *Nature*, vol. 418, 14 August 2002.

² *Nefesh HaChaim, Sha'ar Aleph*, Chapters 1-3.

spiritual forces and thereby form spiritual “worlds.” An animal’s actions have no consequence beyond that which is physically detectable. Man, on the other hand, can perform deeds, speak words and think thoughts that set a chain of spiritual effects into action. These in turn can affect the fate of the physical world.

Providence

According to many opinions, it is only with humans that God passes decrees upon individuals. In the case of animals, Divine Providence does not extend to individual creatures, only to the species as a whole:

...Divine Providence does not extend upon individual members of species except in the case of mankind. It is only in this species that the incidents in the existence of the individual beings, their good and evil fortunes, are the result of justice... But I do not believe that when a certain spider catches a certain fly, that this is the direct result of a special decree and will of God in that moment...

Rambam, *Guide For The Perplexed* 3:17¹

The same view is espoused by *Sefer HaChinnuch*² and Rabbi Moshe Chaim Luzzato,³ amongst others.⁴

It must be noted that there are those who disagree. Rabbi Yitzchak Abohab, in his fourteenth-century work *Menoras HaMaor*, says that Divine Providence does apply to individual animals, based on the verse “And His mercy is upon all His works.”⁵ Others advance proof for Divine

¹ However, see too *Guide For The Perplexed* 1:69 and also *Hilchos Yesodot HaTorah* 2:9 where he writes: “Everything in existence aside from the Creator, from the earliest form until the smallest mosquito... only exists as a result of Him...”

² Mitzvos 169, 294, and 545.

³ *Derech Hashem* 2:1:3.

⁴ *Sefer HaIkkarim* 4:10 says that animals “are not under Divine Providence.” *Kol Yehudah* on *Kuzari* 3:11 (19b).

⁵ *Klal Shlishi*, Chapter 3. Also *Shomer Emunim (ha-Kadmon)* 2:81.

Providence acting upon individual animals from the following story:

Rabbi Shimon bar Yochai and Rabbi Elazar his son hid in a cave... After thirteen years, he emerged and sat at the mouth of the cave, and saw a hunter catching birds. When Rabbi Shimon heard a voice from Heaven say “Mercy, mercy,” the bird escaped. But when he heard the voice say “death” it was caught and trapped. He said, A bird is not caught except with the will of Heaven, all the more so a human being. He went out and found that it was quiet; the decree had been annulled.

Talmud Yerushalmi, *Shevi'is* 9:1 25b;¹
Midrash *Bereishis Rabbah* 79:6

The simple implication of this story is that there is indeed Divine Providence for individual animals.² However, this story can still be reconciled with the other view. If the particular creature is of relevance to human beings, then it would be governed by Divine Providence.³ Since this hunter’s livelihood depended on catching these birds, they were affected by the Providence governing him.

Reward and Retribution in the Afterlife

A corollary of man’s possessing free will is that it has resulting recompense, for good or for bad, in the next world. Animals, on the other hand, do not receive an afterlife.⁴ One source for this is the aforementioned verse:

¹ Cf. *Midrash Esther Rabbah* 3, and *Midrash Koheles Rabbah* 10:8.

² *Eshed HaNechalim*, brought in the *Likkutim* of *Midrash Bereishis Rabbah*. *Ya'aros Devash* 2:6 suggests that both sides of the dispute are contained in this Midrash, but that the second opinion is ultimately vindicated; Rabbi Shimon bar Yochai first thought that Divine Providence only governed at a general level, and then saw that it governs even at an individual level.

³ *Chiddushei HaRadal* to *Midrash Bereishis Rabbah* ad loc.; *Otzar ha-Aggadah* to *Chullin* 63a citing *Ramak, Shiur Komah*.

⁴ Rambam, *Hilchos Teshuvah* 8:1; Cf. *Sefer Chasidim* 1131.

Vayyitzer – there were two formations, one for this world and one for the resurrection. But for animals, which do not stand in judgment, it does not describe their formation with two *yodin*.

Rashi to Genesis 2:7

Another source is more explicit. Earlier, we cited the verse from Ecclesiastes which refers to man's afterlife:

For that which befalls the sons of men befalls beasts; one thing befalls them both; as the one dies, so dies the other. They have all one breath; so that a man has no preeminence over a beast; for all is vanity. All go to one place; all are from the dust, and all turn to dust again. Who knows that the spirit of man goes upward, and the spirit of the beast goes downward to the earth?

Ecclesiastes 3:19-21

Rashi explains why this afterlife only exists for man and not for animals:

...Who is it that understands and contemplates the fact that the spirit of man ascends Heavenwards and stands in judgment, whereas the spirit of an animal descends beneath the ground, and it does not need to give judgment and accounting? One needs to conduct oneself differently from an animal, which is not careful about its actions.

Rashi to Ecclesiastes 3:21

There are other sources, too:

An animal that dies is at rest; but people who transgress God's commandments and anger Him with their unbecoming deeds and die unrepentant are stood in judgment...

Tanna D'vei Eliyahu Zuta 24

As we shall discuss later, some of the Geonim did claim that animals receive recompense in the next world for suffering that they undergo in this world. However, this is a disputed opinion; and in any case, the spiritual blessing is being received as compensation, not as reward.