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Kosher: Private Regulation in the Age of Industrial Food, Timothy Lytton,
Harvard University Press, 2013 (ISBN 978-0-6740-7293-0), 240 pp., hb \$42

One of the most fundamental dimensions of religion is food. What one eats, how it is served, with whom one eats, and who certifies what is acceptable are crucial to all religions. In Judaism, this is signaled by the word *kosher* (adjective)/*kashrus* or *kashrut* (noun).

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Lytton begins by giving a very concise introduction to kashrus (pp. 11–18). He, then, discusses how kashrus was administered in the pre-modern period and traces the transition to the modern period that included slaughterers not under the control of the Jewish community, the formation of trade organizations and unions, the very rapid and variegated expansion of the kosher population due to mass immigration and, most importantly, the development of very complex food processing. This last, because it freed women from the need to bake bread, churn butter, make ice cream, and dozens of other food processing tasks, developed into a well-organized industry. From the beginning to the end, there are questions of what makes the ingredients, the process, and the final product kosher. Lytton points to over 135,000 food products and over 1,000,000 ingredients that are currently under kashrus supervision (p. 59). Finally, Lytton points out that eighty-five percent of the people who buy kosher products do *not* do so for religious reasons (p. 59)! They do so for moral or health reasons, forming part of the constituencies for ethnic, organic, and ethical food processing and consumption.

Who supervises? Who regulates the supervision process? Who pays whom? Why would one put in place such a nationwide, indeed worldwide, system of food supervision?

As industrial food processing developed – local, national, and global: food is grown, processed, and marketed everywhere; so are the chemical and biological ingredients – supervision became concentrated in the ‘Big Five’: OU, OK, Kof-K, Star-K, and CRC, though there are smaller companies that do the same work. The Big Five met and set forth the ‘American Standard of Kashrus.’ The Big Five continue to consult, set standards, resolve disputes, act against those who violate their standards, and educate producers and consumers about their standards through the use of websites, lectures, magazines, and very active public relations methods. This enables the Big Five to create pressure, upstream in production, and downstream in distribution to maintain their standards. Thus, a producer who uses ingredients from further upstream that are not certified will have its own certification withdrawn, and sellers who mislabel products will incur a whole series of penalties.

The reputation of the supervision industry is maintained by four means: (1) rigorous programs to upgrade the technical (food chemistry), halakhic (religious), and interpersonal competence of supervisors; (2) professionalization of the corporate side of the companies; (3) the development of a culture of serious religious commitment to keeping kosher; and (4), most importantly, the development of trust (*ne’emonus*) between the fifteen percent of kosher customers who are seriously religious and the supervising agencies. To accomplish this, agencies maintain active alert networks in all social media to receive and report violations, almost in real time. Admitting one’s errors actually increases one’s reliability (p. 109). Also, all the agencies are sensitive to the fact that a scandal anywhere in the system impugns the whole system.

Still, while the Big Five do create and maintain standards, there is plenty of room for abuse. Centralization of control (sixty-seven percent of kosher certified products are certified by OU) allows for dominance of market share to the exclusion of other, and smaller, enterprises. It also allows for ratcheting up standards to exclude, or restrain, competition. It also allows for certification of items that do not need religious certification, even if the company wants certification, to earn money for the agency. Finally, centralization allows impugning the integrity of others for purely economic reasons. All this can create 'business with a touch of piety' (p. 86) though there are reasons to think that an anti-trust challenge would not hold up in court (Appendix B). I would have wished that Lytton had expressed his own judgment a little more clearly on the real and potential abuses of this system.

In Chapter 4, Lytton points out that, precisely because of the strengths of the centralized system, there is very little adulteration and mislabeling, that is, the system of supervision works. This is especially important because government, at all levels, is quite limited in what it can do for many reasons. This leads Lytton to conclude that 'third party regulation' of industry – that is, not self-regulation by the producer nor government regulation – is the most efficient way to regulate industry. There has to be a demand for the service, high professionalization, concentration in the hands of a few agencies, shared cultural norms and sense of mission and, most importantly, vigilant consumer monitoring with quick and authoritative response from the agency to generate trustworthiness in the eyes of the participating public (pp. 132–35). The parallels in nuclear safety, organic foods, vegetarian products, health foods, and in food safety generally are abundant. Industrial kashrus supervision, in which the company pays the agency but the reputation of the agency depends on its winning and maintaining the trust of a public that vigorously monitors its work, is the way to proceed.

Lytton's book shows how a religious community can control the food of its adherents and do so with a reasonable level of integrity. Kashrus supervision sets an example for other religious communities and even for secular groups united around a mission.

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