

Sending Away the Mother Bird

Maimonides, Guide of the Perplexed III:48

Since the desire of procuring food necessitates the killing of animals, the Torah commands that this should be done as painlessly as possible. It is not allowed to torment the animal the animal by slitting the throat in a clumsy manner, by stabbing or by cutting of a limb while the animal is alive. It is also prohibited to kill an animal with its young on the same day to prevent people from killing the two together in such a manner that the young is slain in the sight of the mother for the suffering of animals under such circumstances is very great...and does not differ from that of man since a mother's love and tenderness for her child is not consequent upon reason, but upon the activity of the imaginative faculty, which is found in most animals just as it is found in man. In most cases this will lead to people leaving everything alone, for what may be taken is in most cases not fit to be eaten. If the law takes into consideration these pains of the soul in the case of beasts and birds, what will be the case with regards to the individuals of the human species as a whole?

Nachmanides on Debarim 22:6-7

כי יקרא קן צפור לפניך - גם זו מצוה מבוארת מן אותו ואת בנו לא תשחטו ביום אחד (ויקרא כב כח). כי הטעם בשניהם לבלתי היות לנו לב אכזרי ולא נרחם, או שלא יתיר הכתוב לעשות השחתה לעקור המין אע"פ שהתיר השחיטה במין ההוא, והנה ההורג האם והבנים ביום אחד או לוקח אותם בהיות להם דרור לעוף כאלו יכרית המין ההוא...

אין רחמיו מגיעין בבעלי הנפש הבהמית למנוע אותנו מלעשות בהם צרכנו, שאם כן היה אוסר השחיטה, אבל טעם המניעה ללמד אותנו מדת הרחמנות ושלא נתאכזר. כי האכזריות תתפשט בנפש האדם, כידוע בטבחים שוחטי השורים הגדולים והחמורים שהם אנשי דמים זובחי אדם אכזרים מאד, ומפני זה אמרו (קידושין פב א) טוב שבטבחים שותפו של עמלק. והנה המצות האלה בבהמה ובעוף אינן רחמנות עליהם.

This Mitzvah is also explained based on the law "Do not slaughter an animal and its child on the same day" (Lev 22:28). The reason for both is so that we don't develop a cruel heart to the point that we don't have mercy. Alternatively, the verse does not allow us to slaughter and uproot the species even if it allows slaughter of part of the species. The one who kills the mother and the child on the same day or takes them together is similar to making the species extinct...

The Almighty's does not pity the animal to the point that we are prevented from using them for our needs. Otherwise He would have forbidden us their slaughter. the reason however for the prohibition is to teach us compassion and the avoidance of cruelty. Butchers and slaughterers become hardened to suffering by their occupation...These precepts of not slaughtering the mother and young on the same day and sending away the mother are not inspired by feelings of consideration for their suffering but are decrees to inculcate humanity in us.