

# Environmentalism & Halacha

by Shlomo Shinnar, MD, PhD

תן דעתך  
שלא תקלקל  
ותחריב את עולמי  
שאם קלקלת  
אין מי שיתקן  
אחריד  
קהלת רבה

Be attentive  
not to ruin or  
destroy My  
world, for if you  
ruin it, nobody  
will come after  
you to fix it.

Kohelet Rabba

**M**y friends, especially those who are aware that I am a board member of Canfei Nesharim, an environmental organization, frequently ask: Is there really a halachic imperative to be environmentally conscious?

Implicit in this statement is the notion that environmentalism is the one of the many “isms” that may be fashionable among liberal, often non-religious Jews but have little basis in traditional Jewish sources. This article is meant to convince the reader that in fact, environmental awareness is a classic Jewish viewpoint found in the Torah, Talmud and classical commentaries.

There are several halachic and philosophical principles that are directly relevant to the environment from a traditional Torah perspective. The three I will discuss are Bal Tashchit, (prohibition against unnecessary destruction) Harchakat Nezikin (removing harmful



כי תצור אל  
 -עיר ימים רבים  
 להלחם עליה לתפשה  
 לא-תשחית את-  
 עצה לנדה עליו גרון-  
 כי ממנו תאכל,  
 ואתו לא תברת:  
 כי האדם עץ השדה,  
 בא מפניך במצור  
 דברים כ"ח

“When you besiege a city for a long time, in making war against it, to take it, you shall not destroy its trees by forcing an axe against them, for you may eat of them and you may not cut them down – for is a tree of the field a man, that it should be besieged by you? Only the trees which you know are not trees for food, you shall destroy and cut them down; and you shall build siege works against the city that makes war with you, until it is subdued.”

objects) and the obligation to think of future generations.

Perhaps the most obvious halachic principle relevant to this discussion is Bal Tashchit. The source in the Torah is in Devarim (Deuteronomy) Chapter 20, which states: “When you besiege a city for a long time, in making war against it, to take it, you shall not destroy its trees by forcing an axe against them, for you may eat of them and you may not cut them down – for is a tree of the field a man, that it should be besieged by you? Only the trees which you know are not trees for food, you shall destroy and cut them down; and you shall build siege works against the city that makes war with you, until it is subdued.”

Our commentaries expand this to be the source of a general prohibition against needless destruction and waste.

Maimonides (Mishneh Torah, Laws of Kings, Ch. 6 Laws 8-10) states: “It is forbidden to cut down fruit bearing trees outside a besieged city, nor may a water channel be deflected from them so they wither”.... “The penalty is imposed not only during a siege but rather anyone who cuts down a fruit bearing tree in a destructive manner is flogged...And not only trees, but anyone who smashes household goods, tears clothing, demolishes a building, stops a spring, or wastes articles of food in a destructive manner, is in violation of the command ‘you shall not destroy.’”

Rav Samson Raphael Hirsch, in his commentary to Devarim 20:19-20: states: “The edict of destroying fruit trees is ‘an example of general wastefulness... the purposeless destruction of anything at all is taken to be forbidden so that our text becomes the most comprehensive warning to human beings not to misuse the position which G-d has given them as masters of the world and its matter by capricious, passionate or merely thoughtless wasteful destruction of anything on earth.’”

This is even more explicitly stated in the Sefer Hachinuch on Parshat

Shoftim (Mitzvah #529) who states that righteous people avoid any waste. “They do not ever waste anything, even a kernel of mustard.”

A contemporary commentary, the Daat Mikrah on this same pasuk comments that in contrast, when Israel fought Moab, who were enemies of the Jews, with the intent of eradicating them (Kings II, Chapter 3), they specifically destroyed every good tree and destroyed all the water sources, as this would make the land barren and uninhabitable. There are several other areas in the Torah where this is the ultimate punishment.

Chazal extended the prohibition of Bal Tashchit even further. The Mishna prohibits a person from draining the water of his well when others need it. According to SeMaG (neg. #229) and Meiri (TB Yevamoth 44a), the prohibition is based on Bal Tashchit.

Rav Zutra says (Shabbat 67b): “A person who needlessly covers an oil lamp, or needlessly uncovers a naphtha lamp, causing them to burn more quickly, transgresses the prohibition of Bal Tashchit, as he causes fuel to be wasted.”

Rav Hisda (Shabbat 140a) goes so far as to say that when one person eats wheat bread instead of barley bread, he may violate the commandment not to destroy, because wheat is more resource intensive to produce than barley. There appears to be no dispute of this rule. Why are we then allowed to eat wheat bread? Because as the Gemara points out, Bal Tashchit is not an absolute value and in this case it is superseded by the principle of VeNishmartem et Nafshoteichem – guarding our lives. The Gemara concludes that since wheat bread is better for our bodies, we should eat wheat bread. But the very fact that there is a discussion of whether one is allowed to eat wheat bread because it is more resource intensive points to the sensitivity of Chazal to the questions that vex us today in the environmental movement.

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Our Sages enunciated many principles under the general principle of Harchakat Nezikim that were millennia ahead of their time and could again, verbatim, be used in any textbook of the environmental movement. In the Talmud certain industries such as tanneries that emit a foul smell have to be placed in locations that will not cause the odors to bother the city dwellers.

Maimonides writes (Rambam's Book of Acquisition: Neighbors Chapter XI): "He who constructs on his property a threshing floor or a privy or does work which raises dust and particles of earth and the like must, in order that these do not do harm to his neighbor, do so at a distance where the particles of earth or dust will not reach his neighbor. Even if it is the wind that help carry the particles or the tow or the chaff, and the like, to his neighbor while he is doing his work, he is obligated nevertheless to leave distance enough to prevent damage to his neighbor even by means of an ordinary wind, because all of the

instances are similar to doing damage with one's arrows." Interestingly, in another work on medicine, Maimonides also emphasizes the importance of living in a city with clean water.

The final example I will bring is the famous story of Choni Hameagel (Taanit 23a). This Sage was walking by an old man planting a carob tree and asked him why he was planting it as it would take many years before it would bear fruit, and he would likely not see the result. The man replied that just as his father had planted for him, he had an obligation to plant for his children. Choni is unconvinced and HaShem has him sleep for 70 years. When he wakes up he finds a man tending a carob tree. When he inquires about the person's identity, it turns out it is the grandson of the person he had encountered 70 years earlier.

Many lessons have been derived from this famous story. One major message of particular relevance to this discussion, is our obligation to think of the next generation(s) and to provide for them. We need to ensure that our children have clean drinkable water, an adequate food supply and the opportunity to see beautiful trees. These issues are real. Take water as one example. The majority of Orthodox Jews live in the Northeastern U.S., which is one of the few regions in the country and the world with a plentiful water

supply (though not always clean). This is not true of Israel or even the rest of the United States. We pray for rain in Israel daily. Anyone following the stories about the water levels in the Kinneret and the pollution in the Yarkon will realize that mismanagement of our resources endangers our future in very tangible ways. Even in the United States if one goes to the West or the South the importance of water becomes clear.

In Pirkei Avot the statement is made that one who stops his learning even for a moment to look at a beautiful tree is committing a sin. It is one of several viewpoints and is expressed as a homiletic statement. We can argue whether one is allowed to stop learning Torah for a moment in order to look at a beautiful tree. But that story is meant to emphasize how great is the importance of learning Torah, that it even is greater than looking at the tree. Choosing the tree as the comparison emphasizes the value of the tree. There are blessings one recites when seeing the wonders of nature.

So, is being an environmentally aware Jew consistent with Halacha and the Orthodox view of the world? The answer is a resounding YES. The statements from Chazal and the Rishonim quoted above could be used as a manifesto of the environmental movement. But they are statements of principle and



require us to think. A piece of meat is either kosher or not and when in doubt a competent Rabbinic source is consulted. Bal Tashchit prohibits needless destruction but, within broad limits, the balancing of needs against waste is left to the individual. Harchakat Nezikim in some cases is clear cut, but when the sources of pollution are far away or indirect can be less so. So the absence of an absolute list of approved “kosher” and “treife” environmental behaviors have caused many in the Orthodox world to ignore the mandates Chazal gave us and assume that there are no imperatives.

It would be wise to remember the principles laid down by Maimonides who, in addition to being an authoritative halachic authority and Jewish philosopher, was also a physician with an understanding of environmental issues well ahead of his time. While not speaking of the environment per se, his principle of everything in life -- moderation -- is very much applicable to an Orthodox view of the environment. Right now our society lives in excess. Halacha does not ask us to not eat meat, to not drink wine, to not wear nice clothing or have a nice car (though under the principles listed a gas guzzling Hummer is tough to justify). But the traditional Jewish perspective DOES ask us to be conscious of the impact of our actions on the environment, to

avoid excess and to try and ensure that the world we bequeath our children and grandchildren is able to sustain them.

For those interested in learning more about a Torah based view of Halacha and the environment as well as source materials, or to become more active, a visit to the Canfei Nesharim’s website <http://www.canfeinesharim.org/> will provide access to much more information than can be provided in a single article. The information is regularly updated. Canfei Nesharim is an environmental organization whose mission statement is:

“... to provide a Torah based approach to understand and act on the relationship between traditional Jewish sources and modern environmental issues. As the leader of a Torah-based environmental movement, Canfei Nesharim develops programs and materials and provides access to Torah-based environmental resources. We seek to educate both those in the Orthodox Jewish community and those in the wider Jewish community about these issues and promote an ongoing dialogue about our Torah mandated responsibility to protect the environment.”

In addition to an informative website, they offer free subscriptions to a weekly Torah commentary emphasizing an environmental issue to be learned from the weekly Parsha, and introducing ideas such as a new energy program

for Chanukah, a Tu B'Shvat program and other spring activities.

Finally, let me finish by saying that no one expects people to become environmentally “frum” over night. Rather, it is hoped that we will come to recognize that actions such as conserving water and energy and trying to ensure a clean unpolluted environment are indeed very part of the teachings of Chazal and that we each start taking small steps towards conserving and preserving. The religious Jewish community needs to become a part of the moderation and balancing so that our children and grandchildren can also enjoy the fruits of the wonderful world that Hashem created.

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