In this week’s Torah portion, Shemini, the Jewish people are given the laws concerning fish consumption. Leviticus 11:9-12 explains that all creatures in the waters, in the seas, and in the rivers with both fins and scales are acceptable (kosher). However, those creatures that do not have fins and scales and that swarm in the waters are an abomination, and we shall not eat of their flesh. However, if a fish loses its scales upon removal from the water, it is permissible.¹

The first time that G-d speaks to any of the living creatures, the speech is directed at the fish. Genesis 1:22 relates, “And G-d blessed them saying: ‘Be fruitful and multiply, and fill the waters in the seas’…” The Torah uses fish to connote fertility and abundance. Perhaps this is because many of them are capable of giving birth to so many young at one time. When Jacob blesses his grandsons Ephraim and Menasseh, he says to them, “and let them grow into a multitude in the midst of the earth”². The Hebrew word in that verse translated as meaning “grow” is v’yidgu and seems to be derived from the root word dag, which means fish.

In today’s world, however, fish could not be used as a symbol of fertility and abundance. In its 2006 State of the World Fisheries report, the FAO estimated that in 2005, 52 percent of the world’s marine fish stocks were fully exploited and therefore producing catches that were at or near sustainable limits, with no room for expansion. Another quarter of the stocks were overexploited (17%), depleted (7%), or recovering from depletion (1%). That means that more than three-quarters of the world’s marine fish stocks are currently being fished at their maximum or have already been overfished beyond their maximum and are now in decline. For all these fisheries, there is no room for further growth.³

Looking at the top ten wild-caught fish stocks, which account for 30% of the world capture fisheries production in terms of quantity, most are fully exploited or overexploited and thus cannot be expected to produce major increases in catch. For example, Alaska pollock is fully exploited in the North Pacific, and several stocks of Atlantic herring are either fully exploited or recovering from depletion in the North Atlantic.⁴ Cod fisheries in the Gulf of Maine and Georges Bank are overfished, and overfishing is still occurring.⁵ The ocean cannot keep up with our desire to consume fish. Sending more boats is not the answer. We will merely be sending more boats to find fewer and fewer fish.

Many fish species need time to grow and mature. Chilean sea bass, also known as Patagonian toothfish, live at least 40 years. Orange roughy can live to be 100 years old.
In 2001, a fisherman caught a 205 year old Pacific rockfish. George Washington was still president when that fish was born. Many species do not become reproductively active until they are 20-30 years old. We exacerbate the problem by catching juvenile fish that have not yet had a chance to reproduce. In doing so, we do not allow them the chance to fulfill Hashem’s blessing to them of pru u’revu, be fruitful and multiply.

Aquaculture has been touted by some as a solution to the crisis of world fisheries decline. According to the FAO, aquaculture now accounts for nearly 50% of the world’s food fish. In 2004, carp, salmon, and tilapia were among the top ten species groups in terms of aquaculture production. While some might view this as a solution to the problem of overfishing and exploitation, there are negative effects to the environment as well. Overcrowding in the fish pens leads to stress and disease among the animals, and this disease can trickle out to the wild populations of nearby stocks, decreasing the quality of the surrounding waters. Also, thousands of acres of mangrove forests have been cut-down to accommodate shrimp farming in Southeast Asia. Mangroves are important as they provide habitat for hundreds of species, as well as protection to upland areas from storms.

Nachmonides (Spain, 1194-1270) writes that the mitzvah of shiluach haken (not taking a mother and baby bird at the same time) teaches us that we should not cause a species to become extinct. Are we acting in an unholy manner when we eat fish that are harvested from unsustainable fisheries? Should our desire to consume these animals be more important than leaving them for future generations or for other species in the food chain that require these same fish for their survival?

One of Ezekiel’s messianic descriptions states, “every living creature that will swarm wherever the two streams will go, will live, and the fish will be very abundant, for these waters have come there, and wherever the stream flows, they shall be healed and live. And it will be [a place] beside which fishermen will stand, from Ein-gedi to Ein-eglaim; a place for spreading nets they will be; their fish will be of many kinds, like the fish of the Great Sea, very many” We must try to live our lives in a way that promotes the visions of G-d’s prophets and does not diminish them. We should strive to see the rivers and oceans teeming with fish once again.

The best choice that we can make is to eat fish from sustainable fisheries. There are many kosher fish which are fished in sustainable ways. The Monterey Bay Aquarium provides information on good eco-choices for eating seafood. Wild-caught Alaskan salmon receive a “best” rating and are eco-certified by the Marine Stewardship Council. Other kosher fish species receiving either a “best” or “good” rating include: tilapia farmed in either the U.S. or Central America, yellowfin tuna caught in the U.S. by either troll or pole, and wild-caught lingcod from either the U.S. or Canada. As of January 2007, 22 fisheries around the world have been independently assessed and certified as meeting the MSC standard.
Our dominion over creatures in the waters does not also give us the right to cause their extinction. The world and all its inhabitants belong to Hashem. Our unsustainable fishing practices have led to the current state of the world’s fisheries. That is, our actions are coming at the expense of the fish’s fulfillment of pru u’revu, working against the blessing that G-d gave them.

The opportunity before us is to buy fish sustainably, fulfilling the divine mandate for human stewardship of G-d’s planet – “l’ovdah u’lshomra” to use it and to protect it.

Suggested Actions:
1. Research the fish that you buy to see if it is sustainable.
2. Make a commitment to buy sustainable fish.
3. You can learn more by visiting two great websites: mbayaq.org and oceansalive

Candace Nachman is the president of the Green Group at Congregation Kesher Israel in Georgetown, Washington, DC. Candace is a biologist at the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Office of Protected Resources, Permits, Conservation and Education Division. Click here for more information about her work She holds a Bachelor of Arts in Marine Science Affairs from the University of Miami and a Master of Arts in Marine Affairs and Policy from the University of Miami’s Rosenstiel School of Marine and Atmospheric Science.

---
1 Shulchan Aruch, Yoreh Deah 83:3
2 Genesis 48:16
4 Ibid
8 “Importance of Mangroves.”
9 Commentary of the Ramban to Deuteronomy 22:6: “The Torah does not permit a killing that would uproot a species, even if it permitted the killing [of individuals] in that species. And here, the one who kills the mother and the child on the same day…is as if that person has made the species extinct.”
10 Ezekiel 47:9-10
11 see mbayaq (Click here)

Produced by Canfei Nesharim as a part of their weekly Parsha series, Eitz Chayim Hee: A Torah Commentary for Environmental Learning and Action. See www.canfeinesharim.org for details.