



Bal Tashchit Speaker's Notes

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Introduction:

In a society of such material abundance, the message underlying *bal tashchit* can awaken us to the waste that our lifestyles generate. The mitzva applies not only to fruit trees, but also to money, food, material objects, and one's body.

1. Examining the Torah verses and their context: the prohibition against cutting fruit trees in wartime

Examining the underlying Torah and Rabbinic sources on Bal Tashchit will enable us to better understand the commandment and its relevance today

Deuteronomy, 20:19-20: The rabbis in the Babylonian Talmud (200 C.E.--500 C.E.) understand these verses as articulating a general principle beyond war and fruit trees. They make a logical inference from a more stringent to a less stringent case. If Jews can't cut down fruit trees in the extreme case of a war of conquest, when destruction is the norm, how much the more so does this apply to normal life. This general principle is the mitzvah of Bal Tashchit, or the prohibition of destroying directly or indirectly anything that may be of use to people.

For more information, see the article on Bal Tashchit by Rabbi Dr. Norman Lamm, at <http://canfeinesharim.org/community/parshas.php?page=17202>; and the article on Bal Tashchit by Ellen Cohn in Canfei Nesharim's "Compendium of Sources in Halacha and the Environment," available for order at <http://canfeinesharim.org/store/publications.php?page=12014>

1) Rabbi Yehoshua Kahan notes that "**The context is war** - and not just any war, but rather the war for the initial conquest of Eretz Yisrael, an obligatory war (*milchemet mitzvah*), from which not even those usually exempt from military duty are excused ("even the groom from his chamber and the bride from her canopy" - Mishnah Sota 8:7). If ever there were extenuating circumstances in which the expectations of civilized society take a back seat to the exigencies of the present moment, this should be it. After all, as the universally invoked

saying goes, "all's fair in love and war" And yet, it is precisely here that the Torah prohibits the chopping down of trees."

Nachmanides (Ramban) cites a verse from the Book of Kings which says that the way of war is to make desolate the surroundings of the city. The Ramban explains that Jews shouldn't do because they should trust in God to prevail without excess destruction and then they should live off those trees after the land has been conquered.

Such an approach contrasts, for example, with Napoleon's scorched-earth policy, Sherman's march to the sea in the Civil War, and the US military's defoliation policy during the Vietnam War using napalm.

2) Rav Yehoshua Kahan: writes: "We are provided by the Torah with an explanation and a justification of the prohibition. In fact, it would seem we are provided with two such justifications, both introduced with the word "ki" (because)." These are: ' for you may eat from them' and ' Is the tree of the field a man, to go into the siege before you?'"

2. Commentaries on the verse: Rashi, Rabeinu Bachaye, and Sforno

a) "Enlightened self-interest or Conservation" perspective – we save trees because we depend on them for our survival

Rabeinu Bachaya (Spain, 1255-1340 C.E.), commentary to Deuteronomy 20:19:

His approach could be described as anthropocentric and utilitarian. He sees the Torah's concern about fruit trees as related to the trees' value and usefulness to people. That is, the importance of a fruit tree is the food it provides to people.

Rabbi Norman Lamm comments, "the fruit tree was created to prolong man's life and this purpose therefore may not be subverted by using the tree to make war and destroy life."

We are not permitted to disregard the future in order to satisfy present demands. If the Israelite army were to cut down trees for ramparts, and then capture the city, they might ultimately go hungry because they destroyed the fruit trees which take many years to grow and produce substantial fruit.

Furthermore, Rabbi Natan Greenberg, Rosh Yeshivat Bat Ayin, said that he agreed about expanding the definition today of the prohibition of cutting down fruit trees to trees that do not produce fruit that humans eat. Such trees like cedars and willows provide oxygen, which is key to the climatic balance of the planet.

b) 'Covenant-based compassion' or 'preservationist' perspective – we save trees because we have no right to destroy other living beings without cause.

Rashi (Rabbi Shlomo Yitzhaki, France, 1040-1105 C.E.), Deuteronomy 20:19:

Rashi reads the verse as articulating a concern for the needless destruction of a tree. It deserves to live and not be destroyed by human whim. To him, the Torah is stressing that trees should not be denied food or water or destroyed in a siege on a human enemy.

Rabbi Yehoshua Kahan explains: "Rashi understands this second justificatory clause as a rhetorical question: since the tree is not your enemy, you have no business making it suffer. Rashi seems to view the tree as a actor in a moral situation. The fact that it can suffer, but cannot flee, has implication for the one who would chop it down even in extremis. Rashi here makes no reference to the previous justification - that we can/should eat of these trees. The invocation of the tree as object of our sympathy is a completely independent consideration."

Rav Yehoshua Kahan teaches that the Torah is intentionally ambiguous in order that we take both possibilities

seriously.

For more explanation on Rashi's understanding of this verse, see "Tree = Man? Or Tree = Man! Resolving the Ambiguity at the Heart of Bal Tashchit" by Rabbi Yehoshua Kahan, available at <http://canfeinesharim.org/community/shevat.php?page=11516> He also explains the position of Ibn Ezra, which is similar to that of Rabbeinu Bachayei

Rabbi Ovadia of Sforno (Italy, 15th century), from Artscroll translation of and commentary on Sforno, relates to both interpretations explained above:

כִּי הָאֲדָמָה עֵץ הַשָּׂדֶה... לֹא תִשְׁחֶתְתָּ אֹתָהּ עֵצָה... *You shall not destroy its trees. . . is then the tree of the field a man?* The Sforno interprets this verse, which prohibits the wanton destruction of fruit-bearing trees when a city is under siege, as a reasoned two-fold argument. It would be foolhardy to deprive oneself of the produce of the land which is beneficial for the sustenance of its inhabitants, and since Israel is assured of conquering and settling the land, there would be no reason to destroy these fruit-bearing trees. To do so would demonstrate a lack of faith and trust in God's promise that they will conquer the Land of Israel. Secondly, the Torah argues that a tree, unlike a person, cannot be intimidated into surrendering; hence, what will be accomplished by destroying it? The sense of the words כִּי הָאֲדָמָה עֵץ הַשָּׂדֶה is, 'Certainly a tree is not a person whose *destruction can be justified.*'

Other commentaries continue in the line Rashi began for us:

Shai Spetgang, 2004/5764, for the Jewish Nature Center of Canada

"The fundamental question of Deut. 20:19 is "How is a person like a tree of the field?" The midrash Yalkut Me'am Loez, a compilation of midrashim, with the help of another text, Pirkei of Rabbi Eliezer, helps us to answer this question. First we must establish the idea that each blade of grass, each leaf has an 'angel' in heaven that hits it and orders it to grow. If one rips the grass up or cuts the leaf off, without a substantial purpose, then they are interfering in this Mitzvah for the vegetation to grow. If, however, the plant or tree does not bear fruit, that means that its energy has already waned and it is a less serious issue. That is why preference is given to trees which no longer bear fruit to be used for preparing a siege.

Pirkei of Rabbi Elizer mentions that when a tree is cut down its cry is heard to the ends of the earth. This is not a normal loud cry such as that of a child, but a silent cry. Similarly, when a soul leaves the body of a human being, a cry is also let out, a similar silent cry is heard. In both cases, the energy which has helped with growth up to this point has been stopped from connecting with the living organism. This is how humans are like the tree of the field."

3. Waste in Industrial Consumer Society and Possible Applications of Bal Tashchit

The following link provides a picture graphic depicting food waste in American society:
<http://www.nytimes.com/imagepages/2008/05/18/weekinreview/18martin-popup.html>

"A study by the [Environmental Protection Agency](#) estimated that Americans generate roughly 30 million tons of food waste each year, which is about 12 percent of the total waste stream. All but about 2 percent of that food waste ends up in landfills; by comparison, 62 percent of yard waste is composted. . . And consider this: the rotting food that ends up in landfills produces methane, a major source of greenhouse gases."¹

4. Actions with Relevance to the Underlying Message of Bal Tashchit

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<http://www.nytimes.com/2008/05/18/weekinreview/18martin.html?scp=1&sq=roughly%2030%20million%20tons%20of%20food%20&st=cse>

Household functions:

Long hot showers, disposable dishes and utensils, watering grass during daytime hours, washing car with running hose, leaving lights on in rooms which are not occupied, leaving lights on all of Shabbat instead of using a timer.

Eating and Food:

Taking too much food and throwing it out from one's plate, overeating, catering and throwing away large amounts of food at weddings and events.

Transportation:

Driving a car short distances when one could walk or bike, driving an SUV or other energy inefficient vehicle,

Positive Actions:

Purchasing a more efficient air conditioner or heater or low flush toilet or shower flow device, building one's home in a more environmentally sensitive way, taking bus/train when possible, ridesharing

5. Practical Halakhic (Jewish Law) Examples of Bal Tashchit:

a) Wasting food: Rabbi Shaya Karlinsky, Rosh Yeshiva of Yeshivat Darche Noam, throwing away food that is perfectly edible, when there is an effective way to utilize/reuse it, ordering too much food at a restaurant, or taking more food than you can eat at a buffet all violate the prohibition of Bal Tashchit.

b) Recycling: According to both Rabbi Karlinsky and Rabbi Aryeh Strikovsky of Jerusalem, a person who throws in the garbage an object that could have been recycled without any additional effort transgresses the prohibition of Bal Tashchit.

General Advice on Bal Tashchit:

According to Rabbi Strikovsky, a person can be especially mindful regarding the mitzvah of Bal Tashchit and go beyond what is called for by the halakha. Examples include

- buying a more efficient car or air-conditioner, even if it were more expensive
- designing and building one's house in an environmentally-friendly way.

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Rabbi Yonatan Neril founded and directs Jewish Eco Seminars, which engages and educates the Jewish community with Jewish environmental wisdom. He has worked with Canfei Nesharim for the past six years in developing educational resources relating to Judaism and the environment.