



Guests on the Earth

Some commands in the Torah were understood by our Sages to be far more extensive than they seemed at first sight. One striking example refers to the conduct of a siege in the course of war.

The Torah states: “When you lay siege to a city for a long time, fighting against it to capture it, do not destroy its trees by putting an axe to them, because you can eat their fruit. Do not cut them down. Are the trees people, that you should besiege them? However, you may cut down trees that you know are not fruit trees and use them to build siege works until the city at war with you falls.” (Devarim 20:19-20)

This prohibition against destroying fruit-bearing trees was known as the rule of *bal tashchit*, “Do not destroy.” On the face of it, it is highly limited in scope. It does no more than forbid a “scorched earth” policy in the conduct of war. It seems to have no peacetime application. However, our Sages understood it very broadly, to include any act of needless destruction. The Rambam states the law thus: “Not only does this apply to trees, but also whoever breaks vessels or tears garments, destroys a building, blocks a wellspring of water or destructively wastes food transgresses the command of *bal tashchit*.”¹ This is the halachic basis of an ethic of environmental responsibility.

Why did the Oral tradition broaden the scope of this single law? Often, a *posek* seeking to interpret Divine law in specific cases, will endeavor to do so in a way consistent with the total structure of Biblical teaching. If a text

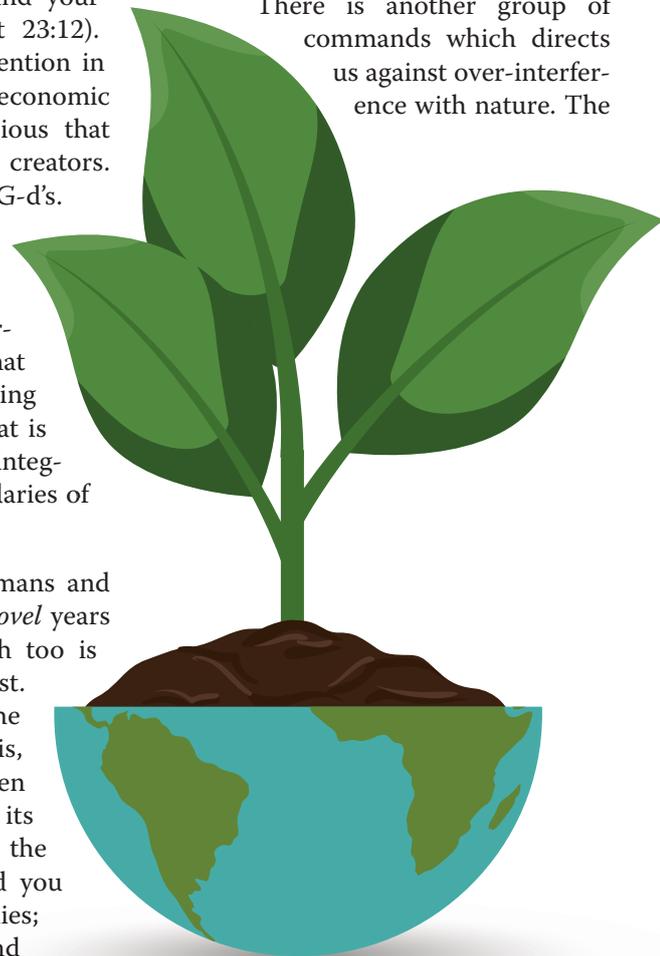
seems to conflict with a basic principle of Jewish law, it will be understood restrictively, at least by some. If it exemplifies such a principle, it will be understood broadly. Law exists not just to regulate but also to educate.

In the case of *bal tashchit*, there is an obvious fit with much else in Jewish law and thought. The Torah is concerned with what we would nowadays call “sustainability.” This is particularly true of the three commands ordaining periodic rest: Shabbat, the *shmittah* year and the *yovel* year. On Shabbat, all agricultural work is forbidden, “so that your ox and your donkey may rest” (Shemot 23:12). It sets a limit to our intervention in nature and the pursuit of economic growth. We become conscious that we are creations, not just creators. The earth is not ours but G-d’s. For six days it is handed over to us, but on the seventh we symbolically abdicate that power. We may perform no ‘work,’ i.e. an act that alters the state of something for human purposes. Shabbat is a weekly reminder of the integrity of nature and the boundaries of human striving.

What Shabbat does for humans and animals, the *shmittah* and *yovel* years do for the Land. The earth too is entitled to its periodic rest. The Torah warns that if the Israelites do not respect this, they will suffer exile: “Then shall the Land make up for its sabbatical years throughout the time that it is desolate and you are in the land of your enemies; then shall the Land rest and

make up for its sabbath years” (Vayikra 26:34). Behind this are two concerns. One is environmental. As the Rambam points out, land which is overexploited eventually erodes and loses its fertility. The Israelites were therefore commanded to conserve the soil by giving it periodic fallow years, not pursuing short-term gain at the cost of long-term desolation.² The second, no less significant, is theological: “The Land,” says G-d, “is Mine; you are but strangers resident with Me” (Vayikra 25:23). We are guests on earth.

There is another group of commands which directs us against over-interference with nature. The



Torah forbids crossbreeding livestock, planting a field with mixed seeds, and wearing a garment of mixed wool and linen. These rules are called *chukim* or statutes. The Ramban understood this term to mean laws that respect the integrity of nature. To mix different species, he argued, was to presume to be able to improve on Creation, and is thus an affront to the Creator. Each species has its own internal laws of development and reproduction, and these must not be tampered with: “One who combines two different species thereby changes and defies the work of Creation, as if he believes that the Holy One, Blessed be He, has not completely perfected the world and he now wishes to improve it by adding new kinds of creatures.”³ Devarim also contains a law forbidding taking a young bird together with its mother. The Ramban sees this as having the same underlying concern, namely of protecting species. Though the Bible permits us to use some animals for food, we must not cull them to extinction.

Samson Raphael Hirsch in the 19th century gave the most forcible interpretation of Biblical law. The statutes relating to environmental protection represent the principle that “the same regard which you show to man you must also demonstrate to every lower creature, to the earth which bears and sustains all, and to the world of plants and animals.” They are a kind of social justice applied to the natural world: “They ask you to regard all living things as G-d’s property. Destroy none; abuse none; waste nothing; employ all things wisely... Look upon

all creatures as servants in the household of Creation.”⁴

Hirsch also gave a novel interpretation to the phrase in Bereishit 1, “Let us make man in our image after our own likeness.” The passage is puzzling, for at that stage, prior to the creation of man, G-d was alone. The “us,” says Hirsch, refers to the rest of Creation. Because man alone would develop the capacity to change and possibly endanger the natural world, nature itself was consulted as to whether it approved of such a being. The implied condition is that man may use nature only in such a way as to enhance it, not put it at risk. Anything else is *ultra vires*, outside the remit of our stewardship of the planet.

In this context, a phrase in Bereishit 2 is decisive. Man was set in the Garden of Eden “to work it and take care of it” (Bereishit 2:15). The two Hebrew verbs are significant. The first – *leOvda* – literally means “to serve it.” Man is not just a master but also a servant of nature. The second – *leShomra* – means “to guard it.” This is the verb used in later Torah legislation to describe the responsibilities of a guardian of property that does not belong to him. He must exercise vigilance in its protection and is liable for loss through negligence. This is perhaps the best short definition of man’s responsibility for nature as the Tanach conceives it.

Man’s dominion over nature is thus limited by the requirement to serve and conserve. The famous story of Bereishit 2-3 – eating the forbidden fruit and the subsequent exile from

Eden – makes just this point. We are not permitted to do everything we can do. Transgress the limits, and disaster follows. All of this is summed up by a simple Midrash: “When G-d made man, He showed him the panoply of Creation and said to him: ‘See all My works, how beautiful they are. All I have made, I have made for you. Take care, therefore, that you do not destroy My world, for if you do, there will be no one left to mend what you have destroyed.’”⁵

We know much more than we once did about the dangers of the ceaseless pursuit of economic gain to the earth’s ecology. The guidance of the Oral tradition in interpreting “do not destroy” expansively, not restrictively, should inspire us now. We should expand our horizons of environmental responsibility for the sake of generations not yet born, and for the sake of G-d whose guests on earth we are.

1 Hilchot Melachim 6:10.

2 The Guide for the Perplexed, III:39.

3 Ramban, Commentary to Vayikra. 19:19.

4 S. R. Hirsch, The Nineteen Letters, Letter 11.

5 Kohelet Rabbah 7:13.

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