

Introduction

Bal tashhit, the Jewish prohibition against wastefulness and destruction, is considered to be an ecological ethical principle by Jewish environmentalists. This book investigates whether this prohibition has the historical basis to be considered an environmental principle, or whether its interpretation as such is primarily a contemporary development. To this end, the study uses the methodology of tradition histories to produce an intellectual history of the prohibition against wastefulness. This research critically examines the conceptualization of *bal tashhit* as it develops from its biblical origins. The book traces its evolution through examining relevant passages dealing with wastefulness and destruction in Hebrew Scripture, rabbinic literature, halakhic codes, responsa, the accompanying commentary traditions, as well as the works of scholars in the field of religion and environment. It highlights the important stages in the development of the prohibition, notes the most influential scholars, and uncovers the critical vocabulary that emerges. Perhaps most importantly, it emphasizes the strong connection between self-harm and wastefulness in the conceptualization of the prohibition. This link has been almost completely absent from the contemporary environmental discourse surrounding *bal tashhit* despite the fact that the connection between harm to humans and the act of wastefulness is fundamental to mainstream environmentalism.

Exploring the Field

Those unfamiliar with the field of religion and environment often ask how the two are related. Roger Gottlieb, a scholar of religion and environment and the editor of *The Oxford Handbook on Religion and*

Ecology, has defined the relationship in the following manner: “For as long as human beings have practiced them, the complex and multifaceted beliefs, rituals, and moral teachings known as religion have told us how to think about and relate to everything on earth that we did not make ourselves.”¹ Religions in the Abrahamic traditions are accompanied by codes of law and ethical systems about how humans should conduct themselves in society in reference to God, fellow humans, and the natural world. Some argue that these precepts are directly related to the way humans have related to their ecological surroundings over the past millennia.²

In “The Historical Roots of Our Ecologic Crisis”—a seminal essay that sparked the development of the entire field of religion and environment—Lynn White Jr. argued that the Judeo-Christian tradition is to blame for the modern environmental crisis.³ He based this position on the dominion of humans over the rest of the created world found in Genesis 1:28: “God blessed them and God said to them, ‘Be fertile and increase, fill the earth and master it; and rule the fish of the sea, the birds of the sky, and all the living things that creep on the earth.’”⁴ More specifically, White Jr. argued that “Christianity . . . insisted that it is God’s will that man exploit nature for his proper ends,”⁵ and that “[b]y destroying pagan animism, Christianity made it possible to exploit nature in a mood of indifference to the feelings of natural objects.”⁶

White Jr.’s argument elicited a lively debate, with many agreeing or disagreeing with him to varying degrees. Peter Harrison summarizes the many ways in which White Jr.’s argument has been criticized:

1. Roger S. Gottlieb, “Introduction: Religion and Ecology—What Is the Connection and Why Does It Matter?,” in *The Oxford Handbook of Religion and Ecology*, ed. Roger S. Gottlieb (New York: Oxford University Press, 2006), 3.

2. Some argue that ecological realities greatly shaped traditions and their associated values. See Bron Taylor, “Critical Perspectives on ‘Religions of the World and Ecology,’” in *The Encyclopedia of Religion, Nature and Culture*, ed. Bron Taylor (New York: Continuum Books, 2008), 1376.

3. Lynn White Jr., “The Historical Roots of Our Ecologic Crisis,” *Science* 155, no. 3767 (1967): 1203–7.

4. All quotes in English translation from the Hebrew Bible are taken from the NJPS version unless otherwise stated. *The Jewish Study Bible*, eds. Adele Berlin and Marc Zvi Brettler (New York: Oxford University Press, 2004).

5. White Jr., “Our Ecologic Crisis,” 1205. White Jr.’s critique was of Judaism and Christianity, but the major thrust of his argument was directed toward Christianity.

6. *Ibid.*

“Historians have pointed out that the exploitation of nature is not unique to the West; biblical scholars have maintained that the relevant passages of the Judeo-Christian scriptures do not sustain the interpretation placed on them by White and his followers; social scientists have claimed that no correlation presently obtains between Christian belief and indifference to the fortunes of the environment.”⁷ A Google search reveals that White Jr.’s article has been cited in academic scholarship over 6,000 times.⁸ In the over five decades since the paper was published, religion and environment has been established as an academic field of study. Mary Evelyn Tucker and John Grim made significant headway in expanding the field through the creation of the Harvard series, *Religions of the World and Ecology*, and the Forum on Religion and Ecology at Yale, which, among many other things, acts as a central academic resource for scholars in the area.⁹ A growing number of universities offer courses on the topic from a wide variety of approaches. White Jr.’s essay has remained central to the field over the years, and students in undergraduate university courses dealing with environmental thought from a religious or philosophical approach are often required to write a critique of the paper.

Those critiquing White Jr. make up the earliest wave of scholarship on religion and environment. Due to White Jr.’s attack on the environmental record of the Jewish and Christian traditions, adherents of these religions were the first to respond to his essay. Not surprisingly, given the accusatory nature of White Jr.’s claims, these responses, written by scholars, clergy, and activists, were often theologically and emotionally driven.¹⁰ Like White Jr., religious environmentalists and

7. Peter Harrison, “Subduing the Earth: Genesis 1, Early Modern Science, and the Exploitation of Nature,” *Journal of Religion* 79, no. 1 (1999): 86–87.

8. To be exact, 6,168 times as of May 3, 2019.

9. See <http://fore.research.yale.edu>. Bron Taylor critiqued the Harvard series (“Critical Perspectives” 1375–76) for a number of reasons, including the argument that the series is steeped in what Willis Jenkins categorized as a confessional/ethical approach instead of a historical/social one. (See Willis Jenkins, “After Lynn White: Religious Ethics and Environmental Problems,” *Journal of Religious Ethics* 37, no. 2 [2009]: 289.) *The Encyclopedia of Religion, Nature and Culture* comes in part as a response to such criticism.

10. For example, see N. J. Loevinger, “(Mis)reading Genesis: A Response to Environmentalist Critiques of Judaism,” in *Ecology and the Jewish Spirit: Where Nature and the Sacred Meet*, ed. Ellen Bernstein (Woodstock, VT: Jewish Lights Publishing, 1998), 32–40; R. C. J. Wybrow, *The Bible, Baconianism, and Mastery over Nature: The Old Testament and Its Modern Misreading* (New York: Peter Lang Publishing, 1991).

scholars of religion and environment used biblical verses in a polemical manner to strengthen their arguments and deliver their messages. They highlighted biblical teachings that lend themselves more readily to demonstrating the environmental concern of the Bible through ideas such as stewardship and sustainability. However, as they generally did not consult the rich, millennia-long interpretive traditions of these sources, their environmental readings of the primary texts often lack an historic basis.

Lynn White Jr.'s claims have been debated widely. Willis Jenkins, for instance, lamented over how White Jr. has shaped the field, drawing attention to the "cosmological roots of environmental problems"¹¹ instead of other possibly more productive areas. What Jenkins meant by this was that White Jr.'s emphasis on the story of creation as establishing human superiority over the nonhuman world, resulting in the current ecological crisis, was most often rebuffed by creating new cosmologies in which humans were no longer at the top of the hierarchy or the center of attention. Such an approach does not necessarily lead to solving the ecological crisis. The field of religion and environment has started to move on to address other critical areas such as social, legal and historical approaches as well as that of lived religion. The main reason I mention Lynn White Jr. and his legacy is that my own methodology addresses some of his shortcomings.

It is important to understand the extent to which environmental ideas are supported by tradition histories. Reading environmental themes into primary sacred texts allows for a new and important multilayered commentary tradition. Indeed, it is precisely this type of reading that ecotheologians strongly advocate. Roger Gottlieb states that "ecotheologians of all types are showing that whatever meaning their texts had *in the past*, for religious environmentalism they must have a different meaning *now*."¹² With regard to the specific edict prohibiting wastefulness he adds, "the warning not to waste . . . [is] *in the scriptures*. In the past, however, such key passages were not used for environmental purposes. Hence the old words must be read anew."¹³ The call to reimagine faith-based traditions is shared by Larry Rasmussen, who argues that in a world undergoing "the

11. Willis Jenkins, "After Lynn White," 286.

12. Roger Gottlieb, *A Greener Faith: Religious Environmentalism and Our Planet's Future* (New York: Oxford University Press, 2006), 23.

13. *Ibid.*, 24.

death of nature . . . the world's faiths are not up to the present task [of changing course] in most of their present forms."¹⁴ He claims that faiths must take on new expressions to enable them to contend with our degraded environment. Yet he affirms that the reimagining still happens within a faith-based framework: "This is not about beginning, but re-beginning."¹⁵ He evokes Psalms 137, claiming that "we must learn a new song in a strange land."¹⁶

In a similar vein, Clifford Chalmers Cain offers the essence of ecotheology in a single sentence. He suggests that what we need is "a new consciousness of nature and a new vision of God . . . which see human life as profoundly interrelated with all other forms of life."¹⁷ Jay McDaniel explains the reimagining of tradition through process theology: "Some elements of a path are given to each generation of walkers: the creeds, codes, ritual practices, role models, and memories that they inherit from predecessor generations. These elements help them get their bearings and gain a general sense of direction. Nevertheless, in response to contemporary challenges and opportunities, the actions of the present generation are forever adding new chapters to a religion's history. This means that a world religion, when understood as a social and historical movement in time, is slightly different in every age."¹⁸ According to McDaniel's approach, it is fitting that the changes made in religions during our time should reflect our heightened environmental awareness.

Two of the driving figures behind the emergence of religion and ecology, John Grim and Mary Evelyn Tucker, acknowledge that religions have historically been a source for both positive and negative developments. They advocate for a reimagining of religions in light of environmental urgency. The last century has seen major advances in "equity, fairness and justice,"¹⁹ and they call "to extend this sense

14. Larry L. Rasmussen, *Earth-Honoring Faith: Religious Ethics in a New Key* (New York: Oxford University Press, 2013), 5–6.

15. *Ibid.*, 5.

16. *Ibid.*, 4.

17. Clifford Chalmers Cain, *An Ecological Theology: Reunderstanding Our Relation to Nature*. Toronto Studies in Theology, Vol. 98 (Lewiston, NY: Edwin Mellon Press, 2009) 1.

18. Jay McDaniel, "Ecotheology and World Religions," in *Ecospirit: Religions and Philosophies for the Earth*, eds. Laurel Kearns and Catherine Keller (New York: Fordham University Press, 2007) 37.

19. John Grim and Mary Evelyn Tucker, *Ecology and Religion* (Washington, DC: Island Press, 2014), 15.

of responsibility and inclusivity not only to other humans but also to nature itself."²⁰

Arthur Waskow is a strong advocate for engaging in constructive theology in the Jewish context. In support of establishing an eco-Judaism, he writes "Jews have valued the wisdom of the past, without letting it straitjacket them. The practice of midrash, in which an old text was turned in a new direction to afford new meaning, was not just a verbal trick but a deep assertion that the wisdom of previous generations was still important, even when changes needed to be made."²¹ David Mevorach Seidenberg builds on Waskow's constructive reimagining of Judaism by claiming that ethics is not enough:

Generally, Jewish environmental ethics is an area in which both traditional and academic scholars have been content to describe what Judaism already says. But Jewish theology needs to catch up with the urgency of the times. . . . One purpose of theology is to ask, What *should* Judaism say? or, How should we revise what Judaism says in light of what we now know?²²

While not rejecting *bal tashhit* as having distinct environmental significance, he rejected the notion that it could be the foundation of a Jewish ecotheology. Seidenberg writes,

How far have we already come in Jewish ecotheology? *Bal tashchit*, the prohibition against wasting, is a good litmus test. This principle . . . is both far-reaching . . . and extremely limiting. . . . The spiritual importance of *bal tashchit* is not insignificant . . . but the legal framework around *bal tashchit* makes it ineffective for preventing environmental abuses. Any Jewish environmental curriculum or theology that is serious will acknowledge these limitations.²³

20. Ibid.

21. Arthur Waskow, ed., *Torah of the Earth: Exploring 4,000 Years of Ecology in Jewish Thought* (Woodstock, VT: Jewish Lights Publishing, 2000), xiii.

22. David Mevorach Seidenberg, *Kabbalah and Ecology: God's Image in a More-Than-Human World* (New York: Cambridge University Press, 2015), 14.

23. Ibid., 12–13.

Such a position is perhaps somewhat surprising in light of Seidenberg's goal of advancing a Jewish ecotheology. Even if those who adhere to *bal tashhit* currently practice it within a narrow framework, the basis exists for it to be significantly broadened, depending on how we understand what wastefulness is.

I, too, am a strong advocate of reimagining religion in light of environmentalism. If environmental values are to have any hope of becoming entrenched in our behavior as individuals and as societies, constructive theology is an extremely useful ally. Yet this approach has its limitations. It is not the only way. Ultimately, if the commentary traditions do not sustain environmental readings of the primary texts, it is unlikely that they will be as widely adopted as environmentalists hope. Consulting the tradition histories more widely will bypass some of the academic challenges of anachronistically embedding environmental ideas into primary sources in order to pursue an ideological agenda. Neither approach will speak to everyone, but together they expand the accessibility of faith-based environmental wisdom.

One of the most common critiques of White Jr. was that he neglected to acknowledge the "environmental" content of Genesis 2:15 found in the very next chapter of the Genesis narrative: "The Lord God took the man and placed him in the garden of Eden, to till it and tend it." Within religious environmental discourse, scholars who highlight this passage argue that any dominion granted in Genesis 1:28 was tempered by Genesis 2:15, recasting the role of humanity as stewards, not dominators. Elsewhere I have highlighted the limitations of such conclusions, primarily because until very recently these verses were not read that way.²⁴ Although Jeremy Cohen has conducted the most thorough study of the tradition histories of Genesis 1:28, he did not extend his study to Genesis 2:15, and therefore his disagreement with White Jr.'s thesis warranted revisiting the topic. In his introduction, Cohen claims, "Although most readers of Genesis casually assumed that God had fashioned the physical world for the benefit of human beings, Gen. 1:28 evoked relatively little concern with the issue of dominion over nature. One might, of course, find that other biblical texts did evince such concern, but in the exegesis of Gen. 1:28 other

24. See Tanhum Yoreh, "Environmental Embarrassment: Genesis 1:26–28 vs. Genesis 2:15," in *Vixens Disturbing Vineyards: Embarrassment and Embracement of Scriptures*, eds. Tzemah Yoreh, Aubrey Glazer, Justin Jaron Lewis, and Miryam Segal (Boston: Academic Studies Press, 2010), 558–91.

issues so eclipsed the matter of dominion that the little attention it receives in this book might appear to be unfair or perhaps altogether unnecessary. Yet the imbalance accurately reflects the data and itself comprises a significant result of this book.”²⁵ In my own review of the Jewish commentaries on Genesis 1:28, I arrived at significantly different conclusions than Cohen concerning White Jr.’s dominion thesis. I argued that the vast majority of the Jewish commentators on this verse take what I termed a “dominionist” approach.²⁶ While it is true that few had expanded this view with detailed glosses on what this dominion included, they nevertheless saw the dominion of humans over the rest of creation as true mastery, one unmitigated by responsibilities of stewardship, at least in their readings of this specific verse. This does not mean that they necessarily condoned human devastation of the environment. Had they perceived the notion of dominion as limited by environmental responsibility, however, they would probably have mentioned this responsibility specifically in the context of this verse. Moreover, some of the more detailed glosses on the dominion aspect of Genesis 1:28 come from the most influential and important historical Jewish scholars, whose impact on Jewish theory and practice is still felt today. This means that their focus on human mastery over the rest of the created world, and the lack of attention to issues of environmental responsibility, have had a significant effect on the reading of Genesis 1:28 over the centuries.

For instance, one such individual is Saadiah ben Yosef (882–942, Egypt and Babylonia), the head of the important Babylonian academy of Sura and the most important and influential Jewish thinker of his time. As Sarah Stroumsa states: “Saadya’s towering figure dominates the emergence of medieval Jewish scholarship in all fields: linguistics and poetics, philosophy and exegesis, polemics and law.”²⁷ Although his gloss on Genesis 1:28 is too lengthy to present here in full, Saadiah Gaon had by far the most detailed account of the ways in which humans hold dominion over the natural world. Some choice excerpts illustrate his approach:

25. Jeremy Cohen, *Be Fertile and Increase, Fill the Earth and Master It: The Ancient and Medieval Career of a Biblical Text* (Ithaca, NY: Cornell University Press, 1989), 5.

26. Tanhum Yoreh, “Environmental Embarrassment.”

27. Sarah Stroumsa, “Saadya and Jewish *Kalam*,” in *The Cambridge Companion to Medieval Jewish Philosophy*, eds. Daniel H. Frank and Oliver Leaman (Cambridge, UK: Cambridge University Press, 2003), 71.

“Ruling” includes the [use of] equipment by which man may gain dominion over the animals. Over some of them [he has dominion] with mines and hobbles and over others with cords and reins and yet others with pits and collar [and]²⁸ hunting equipment. . . . Others are with cages and towers and the like until God teaches {man} everything [about this]. . . . [Ruling over] “Fish” includes [the use of] tactics in hunting fish from the bowels of the sea and rivers, preparing those permissible [for eating] with cooking utensils so that {one} can eat it, taking pearls from the shell, benefitting from the parts of the skin and bones that one prepares, and whatever applies to this. . . . “[Ruling over] the birds” accords the [various] tactics to hunt birds that fly in the air and to make them work for us until they [actually are used] to hunt each other.²⁹

The dominion of humans over the rest of creation in Saadiah Gaon’s gloss to Genesis 1:28 is all-encompassing and offers no hint of an accompanying ethic of stewardship to moderate human mastery.

Moses ben Naḥman (Naḥmanides/Ramban) (1194–1270, Spain and Land of Israel), the intellectual and spiritual leader of Iberian Jewry in the thirteenth century is another such figure. Yaakov Elman describes Naḥmanides as “one of the most influential scholars that Spanish Jewry produced, one whose versatility and scope still astonish.”³⁰ Although his gloss to Genesis 1:28 is significantly shorter, its strong dominionist theme is abundantly clear: “He [God] gave them power and governance on the earth to do as they pleased with livestock and insects and all things that crawl in the dust; and to build, to uproot plants, to mine copper from the earth’s mountains and the like.”³¹ A final example (although there are many others) can

28. All brackets in this quote, with the exception of these, belong to the translator. Otherwise, {} brackets signify an editorial clarification, and [] signify added words.

29. For the full text see Saadiah Gaon, *Rabbi Saadiah Gaon’s Commentary on the Book of Creation*, ed. and trans. Michael Linetzky (Northvale, NJ: Jason Aronson, 2002), 113–15.

30. Yaakov Elman, “Moses ben Nahman/Nahmanides (Ramban),” in *Hebrew Bible/Old Testament: The History of Its Interpretation*, Vol. 1, *From the Beginnings to the Middle Ages (Until 1300)*, Part 2: *The Middle Ages*, ed. Magne Saebø (Göttingen, Germany: Vandenhoeck & Ruprecht, 2000), 416.

31. Moses ben Naḥman, *Peirushei HaTorah LeMoshe ben Naḥman*, 9th ed., ed. Ḥaim Dov Chavel (Jerusalem: Mossad HaRav Kook, 1976), 28.

be found in the writings of Ovadiah Seforno, one of the prominent commentators included in publications of *Miqraot Gedolot*.³² Avraham Grossman describes Seforno as “one of the most important Bible interpreters of Italian Jewry and greatest scholars of the latter part of the Middle Ages and the Renaissance.”³³ In his gloss on Genesis 1:28, Seforno wrote: “‘And master it’ . . . and prevent the animals from entering your domain, and you will rule them . . . and subdue them with your nets to make them surrender to your work.”³⁴ The gist of his approach rests on his use of the term “surrender” to define the relationship between humans and the rest of creation. Even though the three figures mentioned here are but a few of the many Bible commentators whose works are well known, they are among the most important commentators of all time, whose interpretations cannot be dismissed as marginal. Their dominionist understanding of the verse has set the predominant discourse for the past millennium. Thus, at least as concerns the tradition histories of Genesis 1:28, however much we may want to dismiss such a reading, we cannot easily do so.

Yet, a single verse does not make a complete tradition history, and many environmentalists pointed to another verse, Genesis 2:15. Here, too, Jewish intellectual history does not align with the favorable environmental perspective that contemporary environmentalists argue derives from the verse. As I state elsewhere, “there is . . . little tradition of environmental interpretation for Genesis 2:15.”³⁵ Although a few glossators offer a glimmer of an environmental ideology in their interpretations of Genesis 2:15,³⁶ these interpretations are rare and often contrived or only implicit. In fact, when looking at the tradition histories of Genesis 2:15, it is even possible to find a commentary trajectory that reads Genesis 2:15 in light of Genesis 1:28 (contrary to contemporary environmentalists, who read 1:28 in light of 2:15). For instance, Bahya ibn Paquda (c. 1050–c. 1120 Spain) in his philosophical tome *Sefer Hovot HaLevavot* (*The Book of Direction to the Duties of the Heart*) wrote:

33. Avraham Grossman, “Rabbi Ovadiah Seforno,” in *Jewish Bible Exegesis: An Introduction*, 2nd ed., ed. Moshe Greenberg (Jerusalem: Bialik Institute, 1992), 98.

34. Ovadiah Seforno, *Be’ur HaSeforno al HaTorah*, ed. Ze’ev Gotlieb (Jerusalem: Mossad HaRav Kook, 1980), 16.

35. Yoreh, “Environmental Embarrassment,” 578.

36. For instance, see Isaac Abarbanel’s gloss to Genesis 2:15, also found in Yoreh, 2010.

4:3 For He has commanded man to work for his livelihood in this world, by tilling the soil, for instance, by ploughing and sowing, as it is said (Gen. 2:15: “And the Lord God took the man, and put him into the garden of Eden to dress it and keep it,” by using the animals for his benefit and for his food, by building cities and preparing all kinds of food, by using women and their fertility for the sake of increasing one’s offspring—for all these is man rewarded, if he acts for the sake of God also, in his heart and intention, whether his act is completed or not.³⁷

In this dominionist (and male chauvinistic) reading, the “keeping” of the garden entails no elements of stewardship. The opposite is the case; man’s keeping of Eden is through dominion and subjugation of the rest of creation, including of women.³⁸

Using one verse to establish an entire paradigm without properly exploring and exposing its intellectual history is inherently limited. Scripture is quite commonly taken out of context. Hence the interpretation and reception of Scripture vary over generations and geographical locations. One verse can be used to counter another verse, and in such cases weak arguments may be deconstructed through equally weak counterarguments. In my opinion, the way to establish strong arguments that can stand the test of time is through a critical analysis of the intellectual histories of concepts and ideologies. The interpretation of Genesis 2:15 as an environmentally conscious verse is, by and large, an unsupported modern environmental construct. Regrettably, the intellectual history of the verse does not wholeheartedly support its current usage. This is not to say that the environmentally oriented interpretations of Genesis 2:15 are wrong or undesired—actually, the opposite is true—but that they are not supported by any lengthy historical tradition.

37. Bahya ibn Paquda, *The Book of Direction to the Duties of the Heart*, trans. Menahem Mansoor (London: Routledge and Kegan Paul, 1973), 242.

38. It should be noted that David Seidenberg highlights ibn Paquda’s writings on wisdom in nature that are often used (uncritically) in Jewish environmental education. Seidenberg, *Kabbalah and Ecology*, 18–19 n60. This, too, highlights the methodological difficulties with taking individual comments out of context and using them to establish entire paradigms.

Other verses and concepts, however, have a more solid historical basis, and hence have the potential to be more useful for environmental ethics. One such concept is *bal tashhit*, usually translated as “do not destroy,” which is the Jewish prohibition against wasteful and destructive behavior.³⁹ This prohibition is understood to originate from Deuteronomy 20:19–20:

19: When in your war against a city you have to besiege it a long time in order to capture it, you must not destroy its trees, wielding the ax against them. You may eat of them, but you must not cut them down. Are trees of the field human to withdraw before you into the besieged city? 20: Only trees that you know do not yield food may be destroyed; you may cut them down for constructing siege-works against the city that is waging war on you, until it has been reduced.

The sages expanded the biblical verse from a highly contextualized circumstance to a general prohibition against wastefulness and wanton destruction. Though unstated in rabbinic literature, it is widely assumed that they used an *a fortiori* argument that if restrictions on the extent of military engagement exist during wartime, how much more so should similar restrictions be applied during times of peace? The sages then took another conceptual leap, expanding the now peacetime prohibition of cutting down fruit trees to all types of waste and wanton destruction through a newly formulated concept, *bal tashhit*.

Purpose

Bal tashhit is a concept that arises frequently in Jewish legal scholarship as well as Jewish environmental discourse. Within environmental discourse, scholars often use *bal tashhit* as proof that Judaism fits well within the teachings of environmentalism, even though not everyone sees it as a silver-bullet solution to all ecological issues. This perspective is similar to the argument that Genesis 2:15 negates White Jr.’s critique

39. I use “wastefulness” and “destruction” interchangeably with a preference for “wastefulness,” as wastefulness is a form of destruction and its use is more common in contemporary discourse.

of Genesis 1:28. *Bal tashhit*, however, is different in an important way. Scholars who build an environmental argument based on *bal tashhit* often present their position with some accompanying texts, instead of just using the concept as a counterargument to Genesis 1:28 in the manner of verse versus verse. In other words, unlike in the case of the invocation of Genesis 2:15, the historical development of these claims has been evoked in contemporary scholarship. Environmentalists have supported their position by turning to some of the most influential scholars of the Jewish traditional sources, regardless of whether or not such claims are historically accurate.

Yet, the burning question arises: if *bal tashhit* makes for a sound environmental ideology, as held by many environmentalists, why has the theory not been translated into practice? There is no shortage of wastefulness in Jewish communities.⁴⁰ Many Jews are, of course, nonobservant, and as such one (perhaps) would not expect them to observe religious ordinances. Observant Jews, however, only rarely live according to the dictates of the environmental theory. It is not that observant Jews go out of their way to circumvent the prohibition of *bal tashhit*; rather, there is a marked difference in how many environmentalists and observant Jews conceive of the prohibition.⁴¹

My research seeks to understand these differences, and to determine whether they can be reconciled or bridged. Specifically, I ask whether *bal tashhit* has the historical basis to be considered an environmental ethic, or whether its environmental interpretation is mainly a contemporary development. What were the critical stages in the conceptualization of *bal tashhit*? Were the towering exegetical figures of centuries and millennia past aware of environmental issues that concern us today? How did they interpret biblical passages and rabbinic texts that are used in contemporary environmental discourse? Did specific thinkers strongly influence the development of the concept and, subsequently, environmental thought? If so, from where do they originate and in what period did they live? Studying the evolution of *bal tashhit* allows us to

40. See, for example, Tanhum Yoreh, "Ultra-Orthodox Recycling Narratives: Implications for Planning and Policy," *Journal of Enterprising Communities: People and Places in the Global Economy* 4, no. 4 (2010): 323–45, and Tanhum Yoreh, "Involuntary Simplicity: A Case Study of Haredi Consumption Patterns in Canada and Israel," in *From Antiquity to the Post-Modern World: Contemporary Jewish Studies in Canada*, eds. Daniel Maoz and Andrea Gondos (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2011), 232–49.

41. This is not to claim that the two groups are mutually exclusive.

gain insight into its historical and cultural development, and greatly expands our current understanding of this concept.

It is obvious that the exegetes did not have developed notions of what today can be considered ecophilosophies. In the past, people did not think in the same environmental terms as we do today. These exegetes did not live in a time of rampant overconsumption, global anthropogenically induced climate change, and severe environmental pollution. There are indications, however, that the theologically oriented conception of life of the exegetes made some aware of issues such as sustainability and wastefulness, and made them concerned for the environment—albeit on a much more local scale.

In addition to tracking the critical stages in the development of *bal tashhit*, in this book I argue that, despite the strongly utilitarian lens through which the prohibition against wastefulness and destruction came to be viewed from late antiquity onward, the earliest conceptualizations of *bal tashhit* are its strongest manifestations as an environmental ethic. Moreover, I argue that although *bal tashhit* has predominantly been used throughout history as an economic concept, its ethical and environmental parameters also often factored into its conceptualization.

Methodology

Contemporary Jewish commentary employs the environmental lexicon that informs current environmental thought. To answer the questions mentioned above, it is necessary to analyze critically the vast corpus of Jewish scholarship that deals with the prohibition of *bal tashhit*. It is with this contemporary environmental lexicon that I will analyze the classic texts and examine whether environmental knowledge can be extracted from the material. Since earlier exegetes may have interpreted the texts similarly, but without employing the critical vocabulary, the task of searching for such readings often becomes more difficult. Biblical Hebrew, for example, lacks the word for nature, even though medieval and later Hebrew possessed more than one such term (e.g., *teva*, *toledet*). This, of course, does not mean that there are no biblical or rabbinic texts relevant to a discussion about nature, but rather that one must dig deeper to find them. As a result, the language I use is often anachronistic, though I attempt to attribute environmental significance to texts and their interpretations only when justified.

In Hebrew there are a number of different words that could mean waste or destruction (e.g., *bizbuz*, *heres*). A preliminary analysis of these words in Jewish texts has not proven fruitful. Therefore, this book is limited to the analysis of the root *sh.h.t.* (destroy) as attested in the various strata of the traditions. There is a very rich corpus of traditional Jewish literature that deals with wastefulness using this root. This more limited scope makes sense. *Bal tashhit* is more than just a prohibition; it is a concept, principle, or ethic. Therefore, most of the literature dealing with the prohibition against wastefulness *qua* concept or ethic will use the root *sh.h.t.* and not other roots that may have similar meaning. Expanding the study of *bal tashhit* by including the analysis of other roots is one direction for further research.

My use of tradition histories as a research methodology is informed by Jeremy Cohen's masterful study "*Be Fertile and Increase, Fill the Earth and Master It*": *The Ancient and Medieval Career of a Biblical Text*. I trace the evolution of *bal tashhit* by looking at relevant passages dealing with wastefulness and destruction in Hebrew Scripture, rabbinic literature, halakhic codes, responsa, and commentary traditions. To access much of this material, I employ the Bar-Ilan Responsa Project, an electronic database. Though this research tries to be as comprehensive as possible, the data is too rich for me to cover it all in one tome. Throughout the various chapters, I mention the limits in my scope for this book.

Chapter Breakdown

In chapter 1, Classical Rabbinic Texts, I examine the early compilations of *Midrash Halakhah*, Mishnah, Tosefta, Talmud, and other rabbinic compositions, together with commentaries on them whenever relevant. These texts form a critical stage in the evolution of the prohibition against wastefulness and destruction, as the concept *bal tashhit* is named for the first time during this period. I pay particular attention to passages dealing with cutting down trees and wastefulness in general, as well as texts dealing with self-harm.

In chapter 2, the Bible and Biblical Commentaries, I conduct a diachronic analysis of Jewish Bible commentaries on Deuteronomy 20:19–20 and examine and categorize the prohibition against cutting down fruit trees in wartime. I begin with the exegesis of Saadia and continue all the way to twenty-first-century commentaries. I also

conduct an extended analysis of Genesis 9:5 (the prohibition against self-harm/suicide/murder), Leviticus 19:27 (the prohibition against “destroying” facial hair), and 2 Kings 3:19, 25 (a prophetically condoned violation of Deuteronomy 20:19).

Chapter 3, Codes and Their Cognates, addresses how Jewish codifiers understood and applied the legal aspects of *bal tashhit* in the post-Talmudic era. I also examine the manner in which the concept has evolved over time, especially under Maimonidean influence, to the present. I survey important codes such as the *Mishneh Torah* (authored by Maimonides, 1138–1204, Spain, Morocco, Land of Israel, and Egypt), the *Tur* (authored by Yaakov bar Asher, c. 1270–1343, Germany and Spain), and the *Shulhan Arukh* (authored by Yosef Karo, 1488–1575, Spain, Portugal, Turkey, Bulgaria, and Land of Israel), as well as commentaries and compositions based on them. I have arranged this chapter by topic, and each topic is ordered chronologically.

Chapter 4, Responsa, discusses some of the major trends in the responsa literature (legal rulings in the form of question/answer) that emerge with regard to *bal tashhit*. In particular, I highlight the impact of earlier conceptualizations of *bal tashhit* by Maimonides (*derekh hashhatah*), Meyuhas bar Eliyahu (*tzorekh*—need/purpose), the *Midrash Aggadah* (*hana'ah*—benefit/enjoyment), Bahya bar Asher (*to'elet*—utility), *Sefer HaHinukh* (*to'elet* and morality).

In the Conclusion, I outline the main stages in the evolution of the concept of *bal tashhit* and draw conclusions from a critical analysis of the previous chapters. I also discuss the moral and rational dimensions of the prohibition. Finally, I suggest directions for further research.

Synopsis

My research significantly expands the understanding of the concept of *bal tashhit*. In my critical analysis of the vast corpus of scholarship dealing with the prohibition against wastefulness and destruction, I chart the evolution of *bal tashhit* throughout its intellectual history, uncovering several important phases in its conceptualization. These include

1. The Tannaitic era (c. 70–c. 220 CE), in which three different teachings connect the prohibition against wastefulness to the prohibition against self-harm:

- a. Rabbi Eleazar ben Azariah's *baraita* (b*Baba Qama* 91b).
 - b. Rabbi Eleazar's student, Rabbi Akiva ben Yosef's mishnah (m*Baba Qama* 8:6).
 - c. An anonymous teaching from the Tosefta (anonymous, but traditionally attributed to Rabbi Akiva's student, Rabbi Neḥemiah) (t*Baba Qama* 9:31).
2. The Amoraic/Savoraic era (c. 220–c. 630 CE), in which three different teachings significantly alter the understanding of *bal tashhit*:
 - a. The anonymous narrator of the Talmud's (*stam*—probably a redactor) rejection of learning about the prohibition against self-harm from *bal tashhit* (b*Baba Qama* 91b).
 - b. Ravina's economic statement regarding the permissibility of cutting down a fruit tree if it "has greater value" (in a different form) ("*me'uleh bedanim*"), essentially transforming the prohibition into a utilitarian concept (b*Baba Qama* 91b).
 - c. Rabbah bar Naḥmani's statement that confirmed a hierarchy between the human body and other material regarding *bal tashhit* ("the prohibition against wastefulness with regard to my body takes precedence for me over other forms of wastefulness concerning things" [*bal tashhit de gufai adif li*]) (b*Shabbat* 129a).
 3. Maimonides (1138–1204, Spain, Morocco, Land of Israel, and Egypt):
 - a. Explicitly turned *bal tashhit* into a general prohibition against wastefulness (*Sefer HaMitzvot LaRambam, Mitzvot Lo Ta'aseh* 57).
 - b. Definitively separated the prohibition against wastefulness and the prohibition against self-harm (*Mishneh Torah, Hilkhot Melakhim*, 6:8–10 and *Hilkhot Hovel UMeizik* 5:1).

- c. Coined the term “*derekh hashhatah*” (“destructive/wasteful manner”),⁴² introducing an element of subjectivity/intent when it comes to what is included under the prohibition.
4. Meyuḥas bar Eliyahu (twelfth century), *Midrash Aggadah* (twelfth and thirteenth centuries), Baḥya bar Asher (thirteenth and fourteenth centuries), and *Sefer HaḤinukh* (thirteenth century):
 - a. In his gloss to Deuteronomy 20:19, Meyuḥas bar Eliyahu asserts that the prohibition of *bal tashḥit* applies to all things for which there is need/purpose (*tzorekh*).
 - b. The *Midrash Aggadah* (on Deuteronomy 20:19) claims that the prohibition applies only to things from which one can derive benefit/enjoyment (“*yesh alav hana’ah*”).
 - c. Baḥya bar Asher (on Deuteronomy 20:19) and *Sefer HaḤinukh* (529) express essentially the same sentiment as the *Midrash Aggadah*, using the word “*to’elet*” (benefit).
 - d. *Sefer HaḤinukh* adds a moral dimension to the prohibition, stating that the righteous do not waste even as little as a mustard seed (*Sefer HaḤinukh* 529).
5. Samson Raphael Hirsch (nineteenth century): Hirsch ushered in the environmental era of the conceptualization of *bal tashḥit*, calling it “the first and most general call of God” (*Horev*, 56).⁴³

As part of the process of mapping the most important stages in the development of *bal tashḥit*, I uncovered a conceptual link between Deuteronomy 20:19 and Genesis 9:5. The latter verse constitutes one of the main sources for the prohibition against self-harm, and has never been part of the contemporary Jewish environmental discourse

42. In places I have translated this as “destructive intent.”

43. Samson Raphael Hirsch, *Horeb: A Philosophy of Jewish Laws and Observances*. 2nd ed., Vol. 2, trans. I. Grunfeld (London: Soncino Press, 1968), 279.

on wastefulness. Moreover, self-harm has only very rarely been part of the historical discourse on *bal tashhit*. When linked, however, these two prohibitions can be understood to form an environmental ethic: wastefulness and destruction are harmful to oneself, and in environmental terms, to harm the environment is to harm oneself. The ethic is beautiful in its simplicity, and is relevant both historically and currently. This wisdom can be found in different areas of environmental thought. For instance, Roger Gottlieb claims that “we have begun a process of environmental degradation not unlike slow collective suicide.”⁴⁴ J. Baird Callicott argues that such a perspective is part of the philosophy of Deep Ecology; “Biocide, from a deep ecological point of view, is suicide.”⁴⁵ Historically, the link between *bal tashhit* and the prohibition against self-harm was first made by the sages Rabbi Eleazar ben Azariah and his student Rabbi Akiva ben Yosef (c. first and second centuries CE, Land of Israel) and anonymously in the Tosefta. The connection was rejected by the sages of the Talmud who asserted that these prohibitions are qualitatively different from each other. Instead they countered with *bal tashhit degufa adif* (the prohibition against destroying oneself takes precedence), explicitly establishing a hierarchy where human interests take precedence over those of the rest of creation.

Very little extant material on *bal tashhit* exists from the time of the canonization of the Talmud at the very end of the sixth century CE until the twelfth century. In the twelfth century, Maimonides, one of the most influential figures in all of Jewish history, listed these prohibitions as separate entities in his code of Jewish law, the *Mishneh Torah*. Subsequently, only a handful of scholars until this very day have discussed the connection between them. Nevertheless, though muted, this connection was not entirely forgotten. For instance, Yonah of Gerona (d. 1263, Spain), Menaḥem HaMeiri (1249–1315, Provence), Shlomo Luria (1510–1574, Poland), Abraham de Botton (c. 1560–c. 1605, Greece and Land of Israel), Shneiur Zalman of Liadi (1745–1813, Russia), Israel Lipschutz (1782–1860, Germany), Jacob Ettlinger (1798–1871, Germany), Shlomo Gantzfried (1802–1884, Hungary), Barukh Epstein

44. Roger Gottlieb, “Introduction: Religion in an Age of Environmental Crisis,” in *This Sacred Earth: Religion, Nature, Environment*, 2nd ed., ed. Roger Gottlieb (New York: Routledge, 2004), 8.

45. J. Baird Callicott, “Environmental Ethics: An Overview.” www.fore.yale.edu/disciplines/ethics/, 2000.

(1860–1941, Belarus), and Yitzhak Zilberstein (b. 1934, Poland and Israel), all notable scholars of their periods, understood these prohibitions to be conceptually connected to each other.⁴⁶

Translating the prohibition against wastefulness from theory into practice is, of course, a process fraught with compromise, and it is not surprising that the theory behind the prohibition underwent an evolutionary process. After its expansion into a general prohibition against wastefulness, the major shift in the development of *bal tashhit* was the separation of the prohibition against self-harm from the prohibition against wastefulness. This conceptual shift resulted in a utilitarian understanding of the prohibition. Rediscovering this link uncovers what is one of the earliest conceptualizations of the prohibition of *bal tashhit* prior to it being problematized through real-world situations, as will be demonstrated in the book. Connecting self-harm (Genesis 9:5) and wastefulness (Deuteronomy 20:19–20) allows us to move beyond considering *bal tashhit* as a religio-legal concept that has environmental ramifications, to an environmental ethic with religious origins. These currents exist side by side throughout history, with the utilitarian approach strongly dominating the discourse on *bal tashhit*, a tendency that continues today. The second approach, the connection between self-harm and wastefulness, has been taken up and developed by several key figures over time. As will be made clear, these approaches do not contradict each other, but with the utilitarian paradigm governing the discourse, what is arguably the environmental approach has not received the attention it deserves. In part, this is due to the absence of an intellectual history of *bal tashhit*. The impact of the different layers of conceptualization of *bal tashhit* on our understanding of the prohibition has not been adequately emphasized. As such, the idea that harming the environment is tantamount to harming oneself has not yet entered the environmental discourse on *bal tashhit*, nor is it prevalent in the contemporary halakhic discourse.

This study sheds light on the prohibition against wastefulness and destruction and advances the field of Jewish environmental thought. Environmentalism has struggled to make inroads into Jewish communities, though there has certainly been more uptake among liberal communities. In part, this has been hindered by the inability to find a common language between environmentalists and religious communities. While it is clear that *bal tashhit* does indeed

46. This list is by no means exhaustive.