



## **Bal Tashchit: the development of a Jewish environmental principle**

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One can see the development not only of Jewish law but of a Jewish environmental ethic by tracing the principle of *Bal Tashchit*, do not destroy or waste, from its biblical origin through later rabbinic interpretation. The six texts below, arranged in chronological order, show the expansion through time not only of the legal prohibition itself, but also the growing depth of understanding about the ethical dimensions of this prohibition.

### **Texts**

1) 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 the trees of the field human to withdraw before you into the besieged city? Only trees that you know do not yield food may be destroyed. (Deuteronomy 20:19-20)

2) Whoever breaks vessels, or tears garments, or destroys a building, or clogs a well, or does away with food in a destructive manner violates the negative mitzvah of *bal tashchit* (Rambam, *Hilkhos Melakhim* 6:10)

[Talmudic rulings on *bal tashchit* also prohibit the killing of animals for convenience (*Hullin* 7b), wasting fuel (*Shabbat* 67b), and a minority opinion classifies the eating of extravagant foods when one can eat simpler ones as a violation of this precept (*Shabbat* 140b).]

3) It is forbidden to cut down fruit-bearing trees outside a besieged city, nor may a water channel be deflected from them so that they wither. Whoever cuts down a fruit-bearing tree is flogged. This penalty is imposed not only for cutting it down during a siege; whenever a fruit-yielding tree is cut down with destructive intent, flogging is incurred. It may be cut down, however, if it causes damage to other trees or to a field belonging to another man or if its value for other purposes is greater. The Law forbids only wanton destruction... Not only one who cuts down trees, but also one who smashes household goods, tears clothes, demolishes a building, stops up a spring, or destroys articles of food with destructive intent transgresses the command "you must not destroy." Such a person is not flogged, but is administered a disciplinary beating imposed by the Rabbis. (Maimonides, *Mishneh Torah*, Laws of Kings and Wars 6:8,10)

**"See my works, how fine and excellent they are! All that I created, I created for you. Reflect on this, and do not corrupt or desolate my world; for if you do, there will be no one to repair it after you."**

*Midrash Ecclesiastes Rabbah 7:13*



4) One should be trained not to be destructive. When you bury a person, do not waste garments by burying them in the grave. It is better to give them to the poor than to cast them

to worms and moths. Anyone who buries the dead in an expensive garment violates the negative mitzvah of *bal tashchit*. (Maimonides, *Mishneh Torah*, Mourning 14:24)

5) The purpose of this mitzvah [*bal tashchit*] is to teach us to love that which is good and worthwhile and to cling to it, so that good becomes a part of us and we will avoid all that is evil and destructive. This is the way of the righteous and those who improve society, who love peace and rejoice in the good in people and bring them close to Torah: that nothing, not even a grain of mustard, should be lost to the world, that they should regret any loss or destruction that they see, and if possible they will prevent any destruction that they can. Not so are the wicked, who are like demons, who rejoice in destruction of the world, and they are destroying themselves. (*Sefer Ha-Hinukh*, #529)

6) Yea, "Do not destroy anything" is the first and most general call of God... If you should now raise your hand to play a childish game, to indulge in senseless rage, wishing to destroy that which you should only use, wishing to exterminate that which you should only exploit, if you should regard the beings beneath you as objects without rights, not perceiving God Who created them, and therefore desire that they feel the might of your presumptuous mood, instead of using them only as the means of wise human activity -- then God's call proclaims to you, "Do not destroy anything! Be a *mentsh*! Only if you use the things around you for wise human purposes, sanctified by the word of My teaching, only then are you a *mentsh* and have the right over them which I have given you as a human. However, if you destroy, if you ruin, at that moment you are not a human but an animal and have no right to the things around you. I lent them to you for wise use only; never forget that I lent them to you. As soon as you use them unwisely, be it the greatest or the smallest, you commit treachery against My world, you commit murder and robbery against My property, you sin against Me!" This is what God calls unto you, and with this call does God represent the greatest and the smallest against you and grants the smallest as also the greatest a right against your presumptuousness... In truth, there is no one nearer to idolatry than one who can disregard the fact that things are the creatures and property of God, and who presumes also to have the right, having the might, to destroy them according to a presumptuous act of will. Yes, that one is already serving the most powerful idols -- anger, pride, and above all ego, which in its passion regards itself as the master of things. (Rabbi Samson Raphael Hirsch, *Horeb*, #56)

## Discussion

The original biblical prohibition that came to be called *bal tashchit* (text #1) was very specific. Taken in its most literal sense, it prohibits only the destruction of fruit trees, only when they are destroyed by cutting with an ax, and only during wartime. During Talmudic times, (text #2) the objects, methods of destruction, and situations which fall under *bal tashchit* were greatly expanded. Early sages reasoned that if the principle applied even under the duress of a war-time situation, how much the more so must it apply at other times (See, e.g. *Sifrei on Parashat Shofetim*). Similarly, these sages deduced that other means of destruction besides direct destruction with an ax (such as destroying trees by diverting a source of water) were also forbidden. Finally, they ruled by analogy that not only trees, or even natural objects as a whole, were regulated by *bal tashchit*, but rather anything of potential use, whether created by God or altered by humanity.

Maimonides (text #3) makes explicit this talmudic expansion. He also sets clear limits on *bal tashchit*. First, it only applies to wanton destruction -- there are exceptions when it is permissible to cut down trees. Second, he distinguishes between the protection of trees, which he considers to be from Torah, and prohibition against destruction in general, which he considers to be rabbinic only, and thus carrying a lighter penalty. He also (text #4) starts moving toward a more general ethical principle underlying *bal tashchit* -- that it trains a person not to be destructive.

The *Sefer Ha-Hinukh* (text #5), a thirteenth century text which explicates in detail the 613 mitzvot, elaborates greatly upon this notion of ethical training. It states that the underlying

purpose of *bal tashchit* is to help one to learn to act like the righteous, who oppose all destruction and waste. Doing so helps "good become a part of us." Finally, Rabbi Hirsch (text #6), the leading Orthodox rabbi of nineteenth century Germany, sees in *bal tashchit* the most basic Jewish principle of all -- acknowledging the sovereignty of God and the limitation of our own will and ego. When we preserve the world around us, we act with the realization that God owns all and is above all. When we destroy, however, we are, in essence, worshipping the idols of our own desires, living only for ego gratification, without a thought for the Divine. (Indeed, in an earlier passage (#62), *Sefer Ha-Hinukh* goes so far as to state that idolatry concerns God precisely because it is destructive of the natural order.) By observing the mitzvah of *bal tashchit*, we restore our harmony not only with the world around us, but with the Divine Will, which we place ahead of our own.

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