COVENANT & CONVERSATION
Family Edition

שופטים תשע"ט
Shoftim 5779

The Ecological Imperative

WELCOME TO COVENANT & CONVERSATION 5779 FAMILY EDITION

Covenant & Conversation: Family Edition is a new and exciting initiative from *The Office of Rabbi Sacks* for 5779. Written as an accompaniment to Rabbi Sacks' weekly *Covenant & Conversation* essay, the Family Edition is aimed at connecting teenagers and families with his ideas and thoughts on the parsha.
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PARSHAT SHOFTIM IN A NUTSHELL

Having already explained with many of the aspects of worship in the Promised Land, Moses now turns to the laws of society. He begins with the roles of courts, judges, and officers that should be established every city. There is to be a Supreme Court to deal with difficult cases. There are to be three main types of leader: a King, Priests and Levites, and Prophets. Warnings are issued against sorcery and witchcraft, and against false prophets. Cities of refuge are to be set up as sanctuaries for those who kill accidentally or unintentionally. Conspiring witnesses who testify falsely are to be punished. Moses then explains the laws of warfare. The parsha concludes with the atonement procedure to be followed in the case of an unsolved murder.

THE CORE IDEA

While discussing the laws of war, Moshe adds what seems like a minor point about trees, as follows:

> 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 may sound like simple, additional detail to the laws of fighting a war, but in fact these words formed the basis of how Judaism understands our responsibilities to the natural world around us, laws which are crucial to our behaviour even today.

War is, the Torah implies, inevitably destructive. That is why Judaism's highest value is peace. Nonetheless, there is a difference between necessary damage and needless destruction. Trees are a source of wood for siege works. But greater than that, some trees, those that bear fruit, are also an important source of food. Therefore, do not destroy them. Do not needlessly deprive yourself and others of a productive resource. Do not engage in a "scorched earth" tactic in the course of war. The Sages saw in this command something more than a detail in the laws of war. They saw it as a *binyan av*, a specific example that explains a wider general principle. They called this the rule of *Bal Tashchit*, the prohibition against needless destruction of any kind. This is how Rambam summarises it: "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*." This is the halachic basis of an ethic of ecological responsibility (our role of caring for the world and for the environment).

QUESTIONS TO PONDER:

1. Is Judaism against war?

2. What is the specific example in this parsha of *Bal Taschit* (do not needlessly destroy) and what is the wider value inherent in this mitzvah?

3. Can you think of some modern day ways to apply this mitzvah?

IT ONCE **HAPPENED...**

There was once a royal family who lived in a palace with wonderful gardens In those gardens there lived thousands of diverse, beautiful creatures. They were of great variety and colour, and they turned that place into a kind of paradise that everyone could enjoy. There was only one thing in those gardens that the royal family disliked: near the centre stood the remains of what had been, centuries ago, a great tree, but now it was withered, grey and dry.

This bothered the King and Queen so much that they finally ordered it to be cut down and replaced by a beautiful stone statue of an even grander tree. Some time later, the princess said to her parents, "Everyone talks to me of the famous beauty of our gardens and the many creatures that populate them. But today I looked all around, and I've hardly seen anything other than the statue and a few small birds! The King and Queen saw to their horror that the princess was correct. They had spent so many months admiring the new statue that they hadn't noticed that hardly any animals remained in the gardens. Without wasting time they sent for the court's experts and advisers, but no one could explain what had happened.

Many years later a young gardener was presented to the princess, with an explanation of what had happened, and how the animals could be returned. "It is a lack of moths, your Majesty. Particularly their waste." All those present laughed at the gardener's words, but the princess stopped them. "I want to hear what you have to say." The gardener continued, very seriously, explaining how the gardens' big animals fed mainly on the colourful birds, who owed their appearance to their own food, composed of glow worms, who in turn fed on various rare species of plants and flowers that grew only so long as there was enough fertilisation from the moths for them... and the moths were in turn food for many other birds, whose waste encouraged the growth of many plants that fed other insects and animals, and which were vital to their existence... And the gardener would have kept speaking without pause if the princess had not sighed, "But where did the moths go? And how can we get them back?"

"Well, nowadays all the moths and other animals from your garden are at mine. Long ago my father collected that old tree you had torn out from the middle of the garden, and he planted it in our garden. Since then, every spring, from out of that tree come thousands and thousands of moths. With time, the moths attracted the birds, and new plants and trees grew, providing food for other animals that, in turn, provided food for others… And now, my father's old place is filled with life and colour. All thanks to the moths from the big old tree."

"Excellent!" exclaimed the princess! "Now we'll be able to recover our gardens. Let us hurry. My people will all want to help. Within a week everything will be ready." "Your Majesty, I'm afraid that cannot be," said the gardener. "If you like I can try to recreate the gardens, but it may take many years for the natural balance to return. Things like these do not depend on how many people work on them." The face of the princess was sad and pensive, understanding how delicate was the balance of nature, and how careless her parents had been to break it so carelessly. So the gardener and the princess decided to build a vast public park next to the gardener's land.

And with the help of her willing people, they managed to see the new park finished in much less time than would have taken to re-establish the balance of nature in the garden palace.

QUESTIONS TO PONDER:

1. What is the message of this story?

2. How does this message connect to Parshat Shoftim?

THINKING MORE **DEEPLY**

The earth is not ours. It belongs to its Creator, to God Himself. That is the point of the very first chapter of the Torah: "In the beginning, God created…" He made the world, and He is entitled to lay down the conditions within which we live in it as His guests. The logic of this is immediately played out in the story of the first humans. In the first chapter of Bereishit, God gives a command to humanity: "*Fill the earth and subdue it. Rule over the fish in the sea and the birds in the sky and over every living creature that moves on the ground*" (1:28). "Subdue" and "rule" are verbs of dominance. In the second chapter, however, the text uses two new verbs instead. God placed the first man in the Garden "to serve it [*le'ovdah*] and guard it [*leshomrah*]" (2:15). These are words of responsibility. The first term, *le'ovdah*, tells us that humanity is not just the manager but also the servant of nature. The second, *leshomrah*, is the term used in later biblical law to explain the responsibilities of someone who undertakes to guard something that does not belong to them.

How are we to understand the difference between the two opening chapters of Bereishit? Quite simply: Bereishit 1 tells us about creation and nature, the reality mapped by the natural sciences. It speaks about humanity as the biological species, Homo sapiens. Humans have the unique ability to dominate nature and exercise control over the forces that shape the physical world. This is a matter of fact, not value, and it has increased over the period of human civilisation. As former U.S. President John F. Kennedy once said: "Man holds in his mortal hands the power to abolish all forms of human poverty and all

forms of human life." Power is morally neutral. It can be used to heal or wound, build or destroy.

Bereishit 2, by contrast, is about morality and responsibility. It tells us about the moral limits of power. Everything has its boundaries. We have the power but not the permission; we have the ability but not the right. The earth is not ours. It belongs to God who made it. Therefore we are not the owners of nature but its custodians. We are here to serve it and care for it.

This explains the story that immediately follows, about Adam, Eve, the serpent, and the forbidden fruit. What the fruit was, why the serpent spoke, and what was the nature of the first sin – all these are secondary. The primary point the Torah is making is that, even in paradise, there are limits. There is forbidden fruit. Not everything we *can* do *may* we do.

Few moral principles have been forgotten more often and more disastrously. The record of human intervention in the natural order is marked by devastation on a massive scale. Within a thousand years, the first human inhabitants of America had travelled from the Arctic north to the southernmost tip of Patagonia, making their way through two continents and, on the way, destroying most of the large mammal species then extant, among them mammoths, mastodons, tapirs, camels, horses, lions, cheetahs, and bears.

A similar pattern can be traced almost everywhere human beings have set foot. They have consistently been more mindful of the ability to "subdue" and "rule" than of the responsibility to "serve" and "guard." A Midrash sums this up, in a way that deeply resonates with contemporary ecological awareness: "When God 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. So take care that you do not destroy My world, for if you do, there will be no one left to mend what you have destroyed." (Kohelet Rabbah 7:13)

Environmental responsibility seems to be one of the principles underlying the three great commands of periodic rest: Shabbat, the Sabbatical year, and the Jubilee year. On Shabbat all agricultural work is forbidden, "so that your ox and your donkey may rest" (Exodus 23:12). It sets a limit to our intervention in nature and the pursuit of economic growth. We remind ourselves that we are creations, not just creators. For six days the earth is handed over to us and our labours, but on the seventh we may perform no "work". Shabbat is thus a weekly reminder of the integrity of nature and the limits of human striving. What Shabbat does for humans and animals, the Sabbatical and Jubilee years do for the land. The earth too is entitled to its periodic rest. Behind this are two concerns. One is environmental. As Maimonides 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. The second, no less significant, is theological: "The land," says God, "is Mine; you are but strangers and temporary residents with Me" (Vayikra 25:23). We are guests on earth.

Another set of commands is directed 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." Rabbi Samson Raphael Hirsch (Germany, 1808–1888), like Ramban, understood *chukim* to be laws that respect the integrity of nature. They represent the principle that "the same regard which you show to humans 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 God's property. Destroy none; abuse none; waste nothing; employ all things wisely.... Look upon all creatures as the household of creation."

So it was no accident that Jewish law interpreted the law against cutting down fruit-bearing trees during war as an example of a more general mitzvah against needless destruction, and more generally still, against acts that deplete earth's non-renewable resources, or damage the ecosystem, or lead to the extinction of species. If that applies even in war, how much more so in times of peace. "The earth is the Lord's and all that is in it" (Tehillim 24:1). We are its guardians, on behalf of its Creator, for the sake of future generations.

FROM THE THOUGHT OF **RABBI SACKS**

The Bible tells us very little about Abraham to explain why he was chosen for the mission he undertook. It doesn't call him righteous, as it does in the case of Noah. It doesn't portray him as a fighter for justice, as it does for Moses. The only place in the Bible to explain why Abraham was chosen is this verse: "For I have chosen him, so that he will direct his children and his household after him to keep the way of the Lord by doing what is right and just." This tells us … what it is to be an heir of Abraham. It means that we are the guardians of our children's future. We must ensure that they have a world to inherit. Today that means political, economic and environmental sustainability.

The Great Partnership, p. 298-299

QUESTIONS TO PONDER:

1. Why was Abraham chosen to be the ancestor of the Jewish people?

2. How do you interpret our ethical responsibilities in light of this message?

AROUND THE **SHABBAT TABLE**

1. Is Judaism against war?
2. Can you think of some modern day applications of the mitzvah of *bal taschit*?
3. What is the message behind the terms "to serve it [*le'ovdah*] and guard it [*leshomrah*]" used in Bereishit 2?
4. Apart from the *bal taschit,* what other mitzvot contain the value of environmental responsibility?
5. How will you take on board the message contained in this *Covenant & Conversation* this coming week?

EDUCATIONAL COMPANION TO THE QUESTIONS

THE CORE IDEA

1. Judaism sees war as a necessary evil, and in specific circumstances not only permissible, but a religious imperative (such as a war of self-defence). This is why the Torah presents laws relevant to warfare, to ensure that if and when war occurs, the Jewish people know how to behave in the most ethical way possible. However, peace is our ultimate goal, and we pray for the Messianic time when the world will exist in a redeemed state, in a time of absolute peace.
2. Do not destroy a fruit tree, as this is a resource for humanity for food. The wider value here is that the world is a gift from God. Humans are permitted to use its resources for their own benefit, but only in an ethical and responsible way. In modern-day language we would call this *sustainable development* (using natural resources for our benefit in a way that does not use them up and only at a rate that allows them to replenish and maintain their natural balance).
3. This would include recycling, being careful with our consumption of food, energy, materials and water, limiting the use of greenhouse gases and finding green alternatives to consuming fossil fuels.

IT ONCE HAPPENED...

1. The story illustrates the importance of nature, and its delicate ecosystems, which is connected to understanding that we have a responsibility to protect the world, both because it is God's gift, and to ensure future generations can also benefit from it. In many ways we are also like the garden and its life forms, and when something vital to our environment is needlessly destroyed, generations may suffer.
2. The message in this story is the value of environmental responsibility. This mitzvah of *Bal Taschit* is also based on these values.

FROM THE THOUGHT OF RABBI SACKS

1. The only information we have in the Torah about why Abraham was chosen is that he will instruct his children in the way of the Lord. This means he will orientate his life around his children and their needs, especially when it comes to their education. And he therefore will teach them how to live a moral life.
2. Rabbi Sacks interprets this beyond just education to also include the responsibility to ensure they inherit a world worth living in. This includes the responsibility to work for political, economic and environmental sustainability for future generations.

AROUND THE SHABBAT TABLE

1. See *The Core Idea*, answer 1.
2. See *The Core Idea*, answer 3.
3. The world was created by God, and belongs to its Creator. However, He has allowed its use for the benefit of humanity. But only in a responsible way, that maintains environmental sustainability. Rabbi Sacks sees this balance in the contrast between the language found in the first two chapters of Bereishit. The langue of Bereishit 1 is "subdue" and "conquer" while the language of Bereishit 2 is "serve" and "guard". Alternatively, some interpret the term *le'ovdah* as "to work the land" and see the balance of sustainable development in the terms *le'ovdah* (to work) and *leshomrah* (to protect). Either way, sustainable development through environmental responsibility is the values and message contained here in the first two chapters of Bereishit.
4. Shabbat, the Sabbatical .year (*shemita*h), the Jubilee year (the *yovel*), the prohibition of crossbreeding livestock, planting a field with mixed seeds, and wearing a garment of mixed wool and linen.
5. As well as changing personal behaviour and habits, but this could also be through encouraging members of the family to take practical measures in their life to protect the environment, or by establishing initiatives in schools or wider community.