

## What is Bal Tashchit – How has it Developed

It all starts with Deuteronomy 20:19-20...

1) Rashi (Rabbi Shlomo ben Yitzchak, 1040-1105 C.E., France), on Deuteronomy 20:19

See now, that the word 'Ki' functions here in the sense of "perhaps": Is the tree of the field perhaps a man that it should be included in the besieged town because of you, to suffer the tribulations of hunger and thirst like the people of the city? Why should you destroy it?

2) Rabbeinu Bachayei, (ben Asher ben Hava), 13<sup>th</sup> cent. Spain Spain,

The commentators explain that the life of man and his food is [from] the tree of the field, as the verse says, 'for that would be taking someone's life in pawn.'

(Deuteronomy 24:6), and therefore I command you that you should not destroy it because there is blessing in it... and it is not the actions of a wise and understanding nation to needlessly destroy something so worthy, and therefore you should not expend energy to cut down a tree of the field; rather you should protect it from destruction and damage and take benefit from it. This [is the meaning of] 'from it you will eat,' and if you destroy it you will damage and take away its benefit.

3) Babylonian Talmud, Tractate Shabbat 67b,

One who covers an oil lamp [causing the flame to burn inefficiently] or uncovers a kerosene lamp [allowing the fuel to evaporate faster] violates the prohibition of Bal Tashchit.

4) Rambam (Maimonides), Hilchot Malachim, Chapter 6, halacha 10, 12<sup>th</sup> century

One may not cut down fruit bearing trees outside the (besieged) city (for purposes of war) nor divert from them the water conduit, so as to make them wither, as it is stated: "you should not destroy the trees thereof." Whoever cut them down is liable for the penalty of lashes. But this does not apply merely to the case of a siege, but in all cases. Whoever cuts down a fruit-bearing tree, in a destructive manner, is liable to lashes. But it may be cut down, if it damages other trees or causes harm to neighboring fields or because it fetches a high price. The Torah only forbade willful destruction. This is the case not only with trees. Whoever smashes household goods, tears clothes, demolishes a building, stops up a spring, or destroys articles of food violates the prohibition of "you shall not destroy."

5) Sefer Ha-Hinukh: The Book of [Mitzvah] Education, evidently by Rabbi Pinhas haLevi of Barcelona, 16<sup>th</sup> century, Feldheim Publishers: Jerusalem, vol. 5 p. 145

"The root reason for the precept [of Bal Tashchit/do not destroy] is known: for it is in order to train our spirits to love what is good and beneficial and to cling to it; and as a result, good fortune will cling to us, and we will move well away from every evil thing and from every matter of destructiveness. [This is the way of the kindly men of piety and the conscientiously observant; they love peace and are happy at the good fortune of people, and bring them near the Torah.] They will not destroy even a mustard seed in the world, and they are distressed at every ruination and spoilage that they see; and if they are able to do any rescuing, they will save anything from destruction, with all their power."

6) Rabbi Shampshon Rafael Hirsch (19th cent., Germany), Horeb, sections 397,398 [Lo tashchit], 'do not destroy', is] “the most comprehensive warning to human beings not to misuse the position which God has given them as masters of the worlds and its matter to capricious, passionate, or merely thoughtless wasteful destruction of anything on earth. 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 mensch! Only if you use the things around you for wise human purposes, sanctified by the word of My teaching, only then are you a mensch 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...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!” ...In truth, there is no one nearer to idolatry than one who can disregard the fact that all things are the creatures and property of Gd, and who then presumes to have the right, because he has 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.”

7) Rabbi Ezra Batzri, Monetary Laws, section 2, page 376, note 9

And behold, this law [Ma’akeh – the parapet – a precautionary principle] removes destruction [bal tashchit]. To our great sorrow, it is disregarded and many people suffer damage, and even have their lives shortened, (may G-d save us), as the experts inform us, and we should sound the alarm on this. Especially responsible are those that are involved in community affairs, who should not be silent on this matter. New factories in particular, should be inspected carefully to know what type of damages they are likely to cause to the community and factories should not be permitted to be established until they are known to be observing the law of distancing of damages properly, and to have all the necessary devices for ensuring that their wastes will not damage the environment... [We are obligated] to go according to the laws of nature that Hashem established in his world and his creation, and to be careful from natural pitfalls and to protect ourselves and others from things that are likely to cause damage; and if we don’t operate thusly, even if we think we are acting out of faith, this is the council of the evil inclination... Because these matters [smoking in public or causing other harmful forms of pollution to others] are not to be considered as inconsequential, heaven forbid. They are matters of Jewish law that stand up at the heights of the world and in the future there will be an accounting on them [on those who violate these prohibitions]... Every person is obligated to be very extremely careful with the conditions and rules of safety that are known today [even if not written in the Talmud], because these are not just matters of good behavior or piety towards neighbors, but rather these are clearly mandated by law and a person is obligated to observe the rules of safety according to the custom of the locale and according to the recommendations of the experts. Everyone who observes halacha and wouldn’t violate Torah law is obligated to observe all laws of protecting others and safety rules ... as if they [the safety laws] were written in the Talmud and the Shulchan Arukh. [translation by Dr. Akiva Wolff ]