
The *Ethical* Life

JEWISH VALUES IN AN AGE OF CHOICE

UNIT 3

THE ETHICAL DIMENSIONS OF FOOD PRODUCTION

Dr. David Kraemer

1. Hans Jonas, *The Imperative of Responsibility: In Search of an Ethics for a Technological Age* (1985) p. 11
2. Deuteronomy 20:19-20
3. Maimonides, *Mishneh Torah, The Laws of Kings and Their Wars* 10:6
4. Babylonian Talmud Bava Kamma 91b
5. Babylonian Talmud Shabbat 129a
6. Sefer HaHinukh 529
7. Genesis 1:24-26
8. Leviticus 25:18-24
9. Babylonian Talmud Berakhot 35a-b



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1. Hans Jonas, *The Imperative of Responsibility: In Search of an Ethics for a Technological Age* (1985) p. 11

(1903–1993) German-born philosopher; Alvin Johnson Professor of Philosophy at the New School for Social Research in New York City (1955–1976); writer on bioethics and the social and ethical problems of technology; United States.

An imperative responding to the new type of human action and addressed to the new type of agency that operates it might run thus: “Act so that the effects of your action are compatible with the permanence of genuine human life”; or expressed negatively: “Act so that the effects of your action are not destructive of the future possibility of such life”; or simply: “Do not compromise the conditions for an indefinite continuation of humanity on earth”; or, again turned positive: “In your present choices, include the future wholeness of Man among the objects of your will.”

2. 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 siegeworks against the city that is waging war on you, until it has been reduced.

(יט) כִּי־תָצוּר אֶל־עִיר וְיָמִים רַבִּים לְהִלָּחֵם עָלֶיהָ לְתַפְּשָׁהּ לֹא־תִשְׁחִית אֶת־עֵצֶיהָ לְנֹדַח עָלֶיךָ גֵּרְזֹן כִּי מִמֶּנּוּ תֹאכַל וְאַתָּה לֹא תִכְרֹת כִּי הָאָדָם עֵץ הַשָּׂדֶה לְבָא מִפְּנֵיךָ בְּמָצוֹר:
(כ) רַק עֵץ אֲשֶׁר־תִּדְעַ כִּי־לֹא־יֵעֵץ מֵאֲכָל הוּא אֶתֹו תִשְׁחִית וְכָרְתָּ וּבְנִיתָ מְצוֹר עַל־הָעִיר אֲשֶׁר־הוּא עֹשֶׂה עִמָּךְ מִלְחָמָה עַד רִדְתָּהּ: פ

3. Maimonides, *Mishneh Torah, The Laws of Kings and Their Wars* 10:6

(1135–1204) Also known as Rambam (acronym for “Rabbi Moses ben Maimon”); halakhic codifier (*Mishneh Torah*), philosopher (*Guide of the Perplexed*), and communal leader; Spain and Egypt.

This prohibition does not apply to trees alone. Rather, anyone who breaks utensils, tears garments, destroys buildings, stops up a spring, or ruins food with a destructive intent transgresses the command “Do not destroy.” However, he is not lashed. Instead, he receives only stripes for rebellious conduct as instituted by the Sages.

ולא האילנות בלבד, אלא כל המשבר כלים, וקורע בגדים, והורס בנין, וסותם מעין, ומאבד מאכלות דרך השחתה, עובר בלא תשחית, ואינו לוקה אלא מכת מרדות מדבריהם.

4. Babylonian Talmud Bava Kamma 91b

The central body of Rabbinic law, dialectic, and lore, comprising the Mishnah and the Gemara – the latter being an exposition and elaboration of the former in Hebrew and Aramaic. Two separate Talmudic compilations exist: the Babylonian Talmud (redacted c. 500 C.E.) and the Jerusalem Talmud (also known as the Palestinian Talmud, redacted c. 400 C.E.)

Rav said: A palm tree producing even one kav of fruit may not be cut down. An objection was raised [from the following]: What quantity should be on an olive tree so that it should not be permitted to cut it down? A quarter of a kav. Olives are different as they are more important. Rabbi Hanina said: Shivhat my son did not pass away except for having cut down a fig tree before its time. Ravina, however, said: If its value [for other purposes] exceeds that for fruit, it is permitted [to cut it down]. It was also taught to the same effect: “Only the trees of which you know” (Deut. 20:20) implies even fruit-bearing trees; “that they do not yield food,” means a wild tree. But since we ultimately include all things [in the permission to destroy trees], why then was it stated that they do not yield food? To give priority [when choosing a tree to cut down] to a wild tree over one bearing edible fruits.

אמר רב דיקלא דטען קבא אסור
למקצציה מיתבי כמה יהא בזית ולא
יקצצו רובע שאני זיתים דחשיבי א"ר
חנינא לא שכיב שיבחת ברי אלא דקץ
תאינתא בלא זמנה אמר רבינא ואם
היה מעולה בדמים מותר תניא נמי הכי
(דברים כ) רק עץ אשר תדע זה אילן
מאכל כי לא עץ מאכל הוא זה אילן סרק
וכי מאחר שסופו לרבות כל דבר מה ת"ל
כי לא עץ מאכל להקדים סרק למאכל

5. Babylonian Talmud Shabbat 129a

Rav Judah said in Samuel's name: We may make a fire for a lying-in woman on the Sabbath [in the winter]. Now it was understood from him, only for a lying-in woman, but not for an invalid; only in winter, but not in summer. But that is not so: there is no difference between a lying-in woman and any [other] invalid, and summer and winter are alike. [This follows] since it was stated, Rabbi Hiyya bar Abin said in Samuel's name: If one lets blood and catches a chill, a fire is made for him even on the Tammuz [summer] solstice. A teak chair was broken up for Samuel; a table [made] of juniper-wood was broken up for Rav Judah. A footstool was broken up for Rabbah, whereupon Abaye said to Rabbah, But you are infringing 'you shall not destroy?' 'You shall not destroy' in respect of my own body is more important to me, he retorted.

אמר רב יהודה אמר שמואל עושין מדורה
לחיה בשבת (בימות הגשמים) סבור מינה
לחיה אין לחולה לא בימות הגשמים אין
בימות החמה לא (ולא היא ל"ש חיה ול"ש
חולה ל"ש בימות הגשמים ול"ש בימות
החמה מדאתמר) אמר רב חייא בר אבין
אמר שמואל הקיז דם ונצטנן עושין לו
מדורה אפי' בתקופת תמוז שמואל צלחו
ליה תכתקא דשאגא רב יהודה צלחו ליה
פתורא דיונה לרבה צלחו ליה שרשיפא
וא"ל אביי לרבה והא קעבר מד משום
(דברים כ:יט) בל תשחית א"ל בל תשחית
דגופאי עדיף ל.

6. Sefer HaHinukh 529

The purpose of this mitzvah (*bal tash-hit*) 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.

שורש המצוה ידוע, שהוא כדי ללמד
נפשנו לאהוב הטוב והתועלת ולהדבק
בו, ומתוך כך תדבק בנו הטובה ונרחיק
מכל דבר רע ומכל דבר השחתה, וזהו דרך
החסידיים ואנשי מעשהאזהבים שלום
ושמחים בטוב הבריות ומקרבים אותן
לתורה, ולא יאבדו אפילו גרגר של חרדל
בעולם, ויצר עליהם בכל אבדון והשחתה
שיראו, ואם יוכלו להציל יצילו כל דבר
מהשחית בכל כחם, ולא כן הרשעים
אחיהם של מזיקין שמחים בהשחתת
עולם והמה משחיתים

7. Genesis 1:24-26

God said: “Let the earth bring forth every kind of living creature: cattle, creeping things, and wild beasts of every kind.” And it was so. God made wild beasts of every kind and cattle of every kind, and all kinds of creeping things of the earth. And God saw that this was good. And God said: “Let us make man in our image, after our likeness. They shall rule the fish of the sea, the birds of the sky, the cattle, the whole earth, and all the creeping things that creep on earth.”

(כד) וַיֹּאמֶר אֱלֹהִים, תּוֹצֵא הָאָרֶץ נֶפֶשׁ
חַיָּה לְמִינָהּ, בְּהֵמָה וְרֶמֶשׂ וְחַיֵּית-אָרֶץ
לְמִינָהּ; וַיְהִי-כֵן.
(כה) וַיַּעַשׂ אֱלֹהִים אֶת-חַיֵּית הָאָרֶץ לְמִינָהּ
וְאֶת-הַבְּהֵמָה לְמִינָהּ וְאֶת-כָּל-רֶמֶשׂ הָאֲדָמָה
לְמִינָהּ; וַיִּרְא אֱלֹהִים, כִּי-טוֹב.
(כו) וַיֹּאמֶר אֱלֹהִים נַעֲשֵׂה אָדָם בְּצַלְמֵנוּ
כְּדְמוּתֵנוּ; וַיְרִדוּ בְדִגְתַּי הַיָּם וּבְעוֹף הַשָּׁמַיִם
וּבַבְּהֵמָה וּבְכָל-הָאָרֶץ וּבְכָל-הָרֶמֶשׂ הָרֹמֵשׂ
עַל-הָאָרֶץ.

8. Leviticus 25:18-24

¹⁸ You shall observe My laws and faithfully keep My rules, that you may live upon the land in security; ¹⁹ the land shall yield its fruit and you shall eat your fill, and you shall live upon it in security. ²⁰ And should you ask, “What are we to eat in the seventh year, if we may neither sow nor gather in our crops?” ²¹ I will ordain My blessing for you in the sixth year, so that it shall yield a crop sufficient for three years. ²² When you sow in the eighth year, you will still be eating old grain of that crop; you will be eating the old until the ninth year, until its crops come in.

²³ But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident with Me. ²⁴ Throughout the land that you hold, you must provide for the redemption of the land.

(יח) וְעִשִּׂיתֶם אֶת-חֻקֹּתַי וְאֶת-מִשְׁפָּטַי תִּשְׁמְרוּ וְעִשִּׂיתֶם אִתָּם; וְיִשְׁבַּתְּם עַל-הָאָרֶץ לְבִטָּח.
(יט) וְנָתַנָּה הָאָרֶץ פְּרִיָּהּ וְאָכַלְתֶּם לְשָׂבַע; וְיִשְׁבַּתְּם לְבִטָּח עָלֶיהָ.
(כ) וְכִי תֹאמְרוּ מֵה-נֹאכַל בַּשָּׁנָה הַשְּׁבִיעִית; הֵן לֹא נִזְרַע וְלֹא נֶאֱסַף אֶת-תְּבוּאָתֶנּוּ.
(כא) וְצִוִּיתִי אֶת-בְּרַכְתִּי לָכֶם בַּשָּׁנָה הַשְּׁשִׁית; וְעִשִּׂת אֶת-הַתְּבוּאָה לְשֵׁלֹשׁ הַשָּׁנִים.
(כב) וְזָרַעְתֶּם אֶת הַשָּׁנָה הַשְּׁמִינִית וְאָכַלְתֶּם מִן-הַתְּבוּאָה יָשׁוּן; עַד הַשָּׁנָה הַתְּשִׁיעִית עַד-בּוֹא תְּבוּאָתָהּ תֹאכְלוּ יָשׁוּן.
(כג) וְהָאָרֶץ לֹא תִמְכַּר לְצַמְתַּת כִּי-לִי הָאָרֶץ; כִּי-גֵרִים וְתוֹשְׁבִים אַתֶּם עַמְדִי.
(כד) וּבְכָל אֶרֶץ אַחֲזַתְכֶם; גְּאֹלָהּ תִתְּנוּ לְאֶרֶץ.

9. Babylonian Talmud Berakhot 35a-b

Our Rabbis have taught: It is forbidden to a man to enjoy anything of this world without a blessing, and if anyone enjoys anything of this world without a blessing, he commits sacrilege (*ma'al*). What is his remedy? He should consult a wise man. But what will the wise man do for him? He has already committed the offense! Rava said: What this means is that he should consult a wise man beforehand, so that he would teach him blessings, so that he should not commit sacrilege (*me'ilah*).

תנו רבנן: אסור לו לאדם שיהנה מן העולם הזה בלא ברכה, וכל הנהנה מן העולם הזה בלא ברכה - מעל. מאי תקנתיה - ילך אצל חכם. ילך אצל חכם - מאי עביד ליה? הא עביד ליה איסורא! אלא אמר רבא: ילך אצל חכם מעיקרא וילמדנו ברכות, כדי שלא יבא לידי מעילה.

BIBLIOGRAPHY

Jonas, Hans. *The Imperative of Responsibility: In Search of an Ethics for the Technological Age*. Chicago: University of Chicago Press, 1984.