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THE PRINCIPLE OF *BAL TASHCHIT* IN DEUTERONOMY: A SACRED CALL FOR WARTIME ECO-SENSITIVITY

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Abstract: This article provides a closer look at the prohibition of cutting down fruit trees in Deuteronomy 20:19-20 in the context of two challenging crises that threaten the stability and wellbeing of the whole humanity: armed conflicts and environmental destruction. Briefly analyzing the historical context of the wartime scorched-earth tactics, and having considered similar texts in the Pentateuch, the injunction in Deuteronomy is pointed out as one of the earliest legislative attempts to execute environmental restraint during armed conflicts. This prohibitive precept is the basis of the rabbinic principle of '*Bal Tshchit*' - 'do not destroy'- by which the ban on violence was broadened to all spheres of life. Situating this within the contemporary context of international conflicts shows the necessity to re-consider the Biblical foundations of ecological sensitivity that helps define environmental protection as a sacred duty. In this light, the ancient commandment offers a sacred call for integrating environmental reverence into modern visions of peace and justice.

Keywords: *Armed Conflicts, Bal Tashchit, Biblical Ecology, Deuteronomy, Environmental Protection, Pentateuch, Scorched-Earth Practices, War.*

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1. Introduction

Two of the most challenging issues that threaten the stability and the well-being of humanity, are armed conflicts and the threat of environmental destruction. These violent tendencies of destruction have been rightly termed as "urbicide" (Bevan 2007) and "ecocide" (Schwabach 14) by scholars as they can potentially threaten the very existence of humans on the face of earth. I consider it a matter of grave concern that, even in the third millennium, humanity continues to witness violent conflicts among tribes, communities and nations, despite countless gestures of goodwill and global initiatives for peace. These conflicts cause dreadful destruction of human lives and property, and at the same time they effect untold environmental damage. Considering the extreme vulnerability of ecological systems, it becomes an urgent task for the survival and progress of the whole humanity to legislate and to execute international restrictions that protect the environment effectively even during armed conflicts. One of the earliest articulations of such environmental restraint is found in Deuteronomy 20:19-20, which contains the prohibition of cutting down fruit-bearing trees during a military siege. Stumbling upon this verse was a pleasant surprise for me as it sounded intriguing that in the ancient world of cut-throat cruelty and competition for survival, some scribe had the sensitivity to inscribe a law protecting the innocent fruit-bearing trees in the times of crude violence. The injunction is brief, pointed, and infused with a striking environmental consideration. This short legislative passage within the ancient Israelite law goes beyond the interests of the conflicting parties and transcends mere agrarian concerns to formulate a broader moral and theological consideration: to respect the integrity of the creation even during a violent struggle. The following is a closer look at this legislative piece to bring out its message of ecological sensitivity which has a continued relevance in shaping contemporary international law and ecological ethics. In doing so, it invites us to rediscover ancient wisdom as a vital resource for cultivating a more humane, responsible and ecologically conscious future, inspiring global cooperation and long-term ecological commitment.

2. Historical Context of Wartime Practices of Environmental Destruction

Scorched earth tactics - destroying the environment with a view of crippling the enemy's agricultural base, water systems and landscape, intended to ensure military dominance and to secure long-term economic and political subjugation by disabling the land to support human life, was part of the ancient warfare tactics in the Ancient Near East (Hasel 70-74). The common practices included cutting down fruit trees, salting the land (Gevirtz 52, Weinfeld 109-111), blocking or contaminating water sources and burning down cities and agricultural installations (Wright 434). In Judges 9:45, Abimelech calms a revolt in Shechem by destroying the city and sowing it with salt. The act of sowing the cultivable land with salt is a deliberately malicious practice done with the intention of destroying the fertility of the land for a long time. While narrating a collective military campaign involving the kings of Israel (Jehoram), Judah (Jehoshaphat), and Edom against Mesha, the king of Moab, 2 Kgs 3:19-25 mentions such scorched earth practices of cutting down good trees, covering the land with stones and blocking water streams (Younger 195-198).

These and similar practices of environmental insensitivity have been recorded also in extra-biblical sources, which indicate that an environmental constraint like the one in Deuteronomy was an exception to the rule in the ancient Near Eastern military ethics, as is evident from comparative studies with Mesopotamian, Egyptian and Hittite military records (Younger 210-213). The Assyrian royal inscriptions from the reigns of Tiglath-Pileser III and Sennacherib document calculated environmental destruction which includes deforestation (Cole 34-35), damming rivers, and burning agricultural lands as part of violent military campaigns (Liverani 255-259). Similar destructive practices have been reported in the ancient Egypt, where, as the pharaonic annals and battle inscriptions describe, military expeditions targeted even agricultural fields and granaries: as exemplified by the inscriptions at Abu Simbel and Karnak, where it is reported that Ramesses II's campaigns in Canaan and Syria involved the strategic devastation of crop fields, water sources

and local economies (Redford 91).

3. The Injunction in Deuteronomy 20:19-20

The war stipulations contained in Deut 20 form part of the Deuteronomic Law Code: the broader legal corpus of Deut 12-26 which outlines Israel's responsibilities as they prepare to enter and settle in the Promised Land. More specifically, Deut 20 focuses on rules of warfare, a topic that becomes significant in the context where the people of Israel prepare to transition from wilderness wandering to conquest and settlement in the land. The text has two sub-sections (Otto 1565): the first deals with instructions for warriors in preparation for the combat, in which a priest encourages them to be firm, reminding them that "it is YHWH your God who goes with you, to fight for you against your enemies, to give you victory" (Deut 20:4). The second sub-section (Deut 20:10-20) contains regulations for besieging cities, including making peace offers and dealing with enemy populations, and concludes with the prohibition against destroying fruit-trees, which introduces an ecological dimension to war ethics (Mayes 291-297). Scholarly interpretations of this law as a call for ecological restraint have been common (Wright 230; Sprinkle 296).

Deut 20:19-20	
כִּי־תָצוּר אֶל־עִיר יָמִים רַבִּים לְהִלָּחֶם עָלֶיהָ לִתְפְּשָׂהּ לֹא־תַשְׁחִית אֶת־עֵצָהּ לִנְדֹּחַ עָלָיו גַּרְזֶן כִּי מִמֶּנּוּ תֹאכֵל וְאֹתוֹ לֹא תִכְרֹת כִּי הָאָדָם עֵץ הַשָּׂדֶה לָבֹא מִפָּנֶיךָ בַּמָּצוֹר רַק עֵץ אֲשֶׁר־תֵּדַע כִּי־לֹא־עֵץ מַאֲכָל הוּא אֹתוֹ תַשְׁחִית וְכָרָתָּ וּבָנִיתָ מָצוֹר עַל־הָעִיר אֲשֶׁר־הִוא עֹשָׂה עִמְּךָ מִלְחָמָה עַד רִדְתָּהּ	When you besiege a city a long time, to make war against it in order to capture it, you shall not destroy its trees by swinging an axe against them; for you may eat from them, and you shall not cut them down. For is the tree of the field a man, that it should be besieged by you? Only the trees which you know are not fruit trees you shall destroy and cut down, that you may construct siegeworks against the city that is making war with you until it falls.

This brief injunction is a self-contained text that deals with a unique theme, namely, the protection of the fruit-bearing trees in the context of a war-time siege. The prohibition is made in clear terms, "you shall not destroy its trees by swinging an axe against them", and is repeated, "you shall not cut them down." However, on the latter part, a concession is given for cutting down non-fruit trees for military use, because while the fruit trees symbolize future prosperity and sustainability, the non-fruit trees represent strategic resources. In this way, deuteronomic law does a balancing act by accommodating military necessity on the one hand and curtailing ecological exploitation on the other.

The implication of this precise prohibition is a theologically based restraint to be maintained even in extremely adverse situations. This goes against the popular dictum that 'everything is fare in war and love,' and restricts the proclivity of the fighters to be uncontrollably violent. The warriors are reminded to restrain themselves from tendencies of unlimited destruction and to respect the inherent value of nature and its produce. The command 'not to destroy' (לֹא־תַשְׁחִית) becomes an archetype of the divine restriction on exploitation, which Rabbinic Judaism later extends to all forms of wastefulness (Benstein 92-96).

4. Recent Approaches to Deuteronomy 20:19-20

Scholarly research on this text has been centered a lot on the translation of כִּי הָאָדָם עֵץ הַשָּׂדֶה (Driver 1960; Otto 1999; Wazana 2008; Wright 2008; Barr 2003; Rofé 1985). The Masoretic text vocalizes the ה in הָאָדָם as a definite article, so as to read possibly, "Indeed the tree of the field is the man." (While the KJV translated it as 'for the tree of the field is man's life,' recently Cathleen K. Chopra-McGowan has suggested that the word אדם in Deut 20,19 should be translated as 'land') (2025). However, the reading that equates the tree of the field with the man does not reconcile well with the rest of the verse and hence the LXX, the Vulgate and the Peshitta, all read the ה in הֲאָדָם as an interrogative particle. The majority agreement is to follow the LXX and change the MT pointing so as to read "For, is the tree of the field a man?" (for a review, Otto 1591-1595). Regarding the prohibition of cutting down fruit trees,

scholars like Eckart Otto (1999:100) and Nili Wazana (295) have argued that this law was a polemic against the Assyrian warfare which is reflected in their royal inscriptions and palace reliefs. Wright presents detailed arguments for and against this proposition (445-455) and proposes that the prohibition emerged not as a polemic against Assyrian, Babylonian or Egyptian military practices, but as an intra-societal precept to regulate wartime behaviour.

The increased interest in ecological concerns in the 20th century inspired researchers to look for scriptural sources for ecological hermeneutics, as is seen in Ellen F. Davis's argument that the agrarian ethos of Deuteronomy is grounded in reverence for the land as a divine gift (Davis 84-89). The prohibition in Deut 20:19-20 is representative of this reverence and it embodies a broader covenantal responsibility to preserve the fertility and abundance of the land. Richard H. Hiers has pointed out that his ecological injunction can be situated within the wider corpus of biblical texts that honour the integrity of creation, reflecting an ecological consciousness embedded in the biblical worldview (Hiers 389). Similarly, while Norman Habel interpreted the passage through the lens of the Earth Bible project and emphasized the autonomy and value of non-human creation (Habel 103), Michael Chan linked the preservation of fruit-trees to the prophetic theme of justice, suggesting that environmental destruction was a symptom of societal injustice (Chan 107). This short passage has been profoundly influential in Jewish environmental movement, as is seen in the halakic ethical principle of *bal tashchit* ("do not destroy") (Green 22-26). This principle, rooted in the prohibition of Deut 20,19-20, is understood to include all other kinds of senseless damage or waste. The Babylonian Talmud applies this axiom to prohibit the wasting of lamp oil, the tearing of clothing, the chopping of furniture for firewood, and the killing of animals (Talmud Bavli, *Shabbat* 105b; *Shabbat* 67b). Scholars have pointed out that this Talmudic principle, rooted in the prohibition against needless destruction, forms a cornerstone of biblical ecological responsibility, and can be applied to contemporary issues like consumerism, pollution,

climate change, etc., emphasizing the Pentateuch's forward-looking concern for sustainability and intergenerational justice (Benstein 102; Nevins 2018). The sharp contrast between the context of a violent war and the thoughtful sensitivity towards fruit-trees provides an engaging point of reflection, and this becomes the foundation of a protective principle that warns against all types of violence and wastefulness.

5. Connections to Other Similar Texts in the Pentateuch

A quick glance at the broad spectrum of biblical law shows us that the rule of ecological sensitivity inscribed in Deut 20:19-20 is not an isolated passage within the Pentateuchal legislation, but rather this is part of a broader matrix of legal and theological texts that collectively present an ethic of environmental stewardship grounded in the covenantal relationship between God, humanity, and the land. While the concept of humanity's dominion over the earth introduced in Gen 1:26-28 can be misinterpreted as implying exploitative control, scholars have pointed out that it denotes responsible oversight, modelled on the ideal of a benevolent king (Brown 51; Brueggemann 18). This understanding is strengthened by the presentation of Adam as the worker and keeper (לְעָבְדָהּ וּלְשָׁמְרָהּ) of the garden in Gen 2:15, where humanity is bestowed with the role of the custodian of nature (Wenham 67-68). The Hebrew verbs עבד "to serve" and שׁמר "to keep" used here avoid any nuance of dominant or unrestrained exploitation, but rather resonate with the concept of the caring protection of the source and sustenance of life as in Deut 20:19-20.

A similar passage of ecological concern is Exod 23:10-12 (Meyers 183), which mandates that the land should rest every seventh year: "But the seventh year you shall let it rest and lie fallow, so that the poor of your people may eat; and what they leave the wild animals may eat". In this stipulation, the legislation for ecological protection is intertwined with the concern for social justice, since the rationale of the precept is pointed out as the sustenance of the marginalized and the non-human creatures – implying a vision of "eco-justice," in which every use of the land is envisaged to be bound by ethical considerations (Hart 65). On a

similar note, the Jubilee laws in Lev 25:8-24, by asserting that the land ultimately belongs to God, and by pointing out that the humans are only "sojourners and tenants" (Lev 25:23) (Milgrom 2162-2165), invites the reader to shift from the mentality of the ownership of exploitation to the custodianship of care that gives priority to the protection of productivity. Another example of such passages that carry deep sensitivity for the sustainability of life is Deut 22:6-7, where it is prohibited to take both a mother bird and her eggs or young ones: "If you happen to come upon a bird's nest along the way, in any tree or on the ground, with young ones or eggs, and the mother sitting on the young or on the eggs, you shall not take the mother with the young; you shall certainly let the mother go, but the young you may take for yourself, in order that it may be well with you, and that you may prolong your days." This command, similar to the prohibition against destroying fruit trees, limits human dominion and prioritizes the ongoing vitality of nature (Tigay 201; Bauckham 87-90): while the human needs are to be met, it should not be at the cost of destroying the source of life.

Deuteronomy's prohibition of cutting down fruit-trees even in war is to be situated in the context of the Torah's worldview that deeply respects the nature as divinely established source of life. This reverential attitude, expressed in Deuteronomy's *bal tashchit* ("do not destroy!"), is reflected elsewhere in several passages of the Pentateuch, which, along with the texts mentioned above, also includes the law to maintain the sanctity of blood as the source of life by pouring out the blood of the slaughtered animals into the earth, (in Num 35:33-34 the land is said to be polluted by bloodshed, "You shall not pollute the land in which you live … for blood pollutes the land"), the law that prohibits combining milk, a source of life, with meat, and the prohibition of eating blood which represents the life force. The worldview of the Hebrew Bible includes the conviction that the purpose of the creation is for life to thrive sustainably and abundantly, as the creation narratives in Genesis oriented towards life indicate ("be fruitful and multiply" Gen 1:28), and as the monotheistic divine self-declaration in Isaiah implies, "For

thus says YHWH, who created the heavens - He is the God who formed the earth and made it, He established it and did not create it a waste place, But formed it to be inhabited - 'I am YHWH, and there is none else'" (Is 45:18).

6. Relevance in Current International Conflicts

International and ethnic conflicts cause irreversible destruction directly to human life and to the ecological balance. As Pope Francis wrote in *Laudato Si*, "War always does grave harm to the environment and to the cultural riches of peoples, risks which are magnified when one considers nuclear arms and biological weapons (§57)." After the devastating global wars in the first half of the 20th century which saw the catastrophe of the unimaginably tragic use of nuclear armament that caused irrevocable destruction to life and nature, even in modern times international conflicts are naggingly ubiquitous. The ethical principle of holding on to environmental sensitivity even in times of war, as enshrined in the deuteronomic injunction against tree-felling, can and should function as a template for legislating for the times of armed conflicts.

Modern warfare has continued to inflict environmental damage in several parts of the world. For example, the use of destructive chemicals in war situations causes enormous environmental destruction like in the Vietnam War when the US employed defoliants such as Agent Orange, which destroyed ecosystems and caused long-term public health crisis in the country (Zierler 121). Similarly, war tactics of destroying the natural resources of the enemy country (ecocide) are employed, as in the first Gulf War (1991) when retreating Iraqi forces set fire to over 600 Kuwaiti oil wells, which resulted in massive air and soil pollution (Bruch *et al.* 242-247). In this regard, Wright (434) points out that On November 5, 2006, when the Supreme Iraqi Criminal Tribunal convicted Saddam Hussein of crimes against humanity based on a special statute informed by the international conventions, one of the five charges brought against him was the destruction in Dujail of 250,000 acres of fruit trees. Long-term armed conflicts cause unthinkable destruction of agricultural

lands and natural forestation, as it happened to Syria where the civil war led to extensive deforestation and water pollution, or as it occurred and continues to happen in Ukraine and in the Middle East where the ongoing conflicts causes destruction of farm lands and natural resources, apart from the enormous damage caused directly to human life.

Responding to such possible risk of environmental destruction involved in armed conflicts, international law has attempted to develop norms aimed at mitigating environmental harm during warfare – for example, the Additional Protocol I (1977) to the Geneva Conventions include Article 35/3, which prohibits warfare methods that may cause "widespread, long-term and severe damage to the natural environment (ICRC *Protocol Additional to the Geneva Conventions of 12 August 1949 (Protocol I)* Article 35)." On a similar note, Article 55 obligates states to protect the natural environment against excessive destruction during hostilities. However, these and similar provisions in international law remain mostly ineffective due to the lack of clear thresholds and enforcement mechanisms. To a nation at war, environmentally destructive measures may appear militarily necessary, while the long-term needs of civilian populations and ecosystems are often neglected.

Against the background of this conundrum created by the inefficiency of international legal systems and the tendency of prioritizing short-term military goals vis-à-vis long-lasting concerns of ecological sustainability, it becomes even more important to establish a moral baseline that requires giving unmitigated priority to environmental sustainability. This requires a deep-rooted, religiously/theologically inspired, and personally persuasive ethical conviction that can permeate into various cultures and can be transmitted to all generations to come. In this context, based on our analysis of the environmentally sensitive precept in Deuteronomy, I am firmly convinced that grounding legal principles in religious ethics offers a particularly effective approach, as it frames ecological sensitivity as a sacred duty. This moral foundation was first established in the injunction of Deuteronomy 20:19–20.

7. Conclusion

The prohibition of cutting down fruit-bearing trees in Deut 20:19-20 can function as a foundational text for environmental protection as it is a commandment based literally and fundamentally on sustainability: it is concerned about what sustains humanity in the long run, by reminding everyone not to destroy the sources that nourish our lives over generations for the sake of a moment's need, no matter how urgent the need is. I have argued in this article that it would be wrong to read this short passage as an isolated prohibition of destroying fruit-bearing trees based on the utilitarian considerations of production, or as a polemic against the military practices of the powerful regimes of Assyria, Babylonia or Egypt. Rather, this injunction is to be interpreted and understood within the purview of the larger biblical ethics of environmental sensitivity that is characterized by a profound sense of respect for life and all sources of life. In this way the fruit-bearing tree of Deut 20:19-20 becomes a powerful metaphor for all that sustains life on earth – be it the long rivers of Amazon, green forests of tropical regions, or animals and birds of all kinds. The ethical principle of *bal tashchit* ("do not destroy") then becomes an extension of the fifth commandment 'you shall not murder', and a path toward the realization of the promise of 'abundance of life' given in John 10:10b: "For I came that they may have life - and have it abundantly," whereas the metaphor a fruit-bearing tree is ultimately realized in the Tree of Cross that bore just one Fruit, and became the Source of our true nourishment.

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