

## ***Tu BiShvat – How Green is Our Judaism?***

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It is dedicated to the memory of the 44 people who lost their lives in the Carmel Forest fire.*

The 15<sup>th</sup> of the month of Shvat, *Tu BiShvat*, has enjoyed a real growth in popularity in recent generations. It is probably "celebrated" on a wider scale today than ever before. Jews all over the world, many totally secular, will eat a variety of fruits and nuts, 15 if possible, or even take part in Tu BiShvat Seders. Every Jewish child in Israel has a Tu BiShvat program at school. The Jewish National Fund arranges for tens of thousands of saplings to be planted in Tu BiShvat activities every year.

### **A Very Minor Holiday**

There is no reference to Tu BiShvat in the Bible. It is first mentioned in the Mishnah, Rosh Hashana 1:1 [Source 1 + Note/Question], where four "new years" are designated. These are really "key dates" for administrative, economic or agricultural matters, like we have "the fiscal year," "the tax year," etc. The Mishnah's fourth case, "the New Year for the tree" (*rosh hashana la'ilan*) fixes the "determining date" for fruits from trees for tithes (10% tax), both the "first tithe" for the Levites and the "second tithe" for one's Jerusalem pilgrimage or payments for the poor, as well as for the sabbatical year (*shmita*) (more in Note).

Regarding the date of the "trees' New Year" there is a *machloket* (dispute): Beit Shammai says the first of Shevat; Beit Hillel the 15<sup>th</sup>, and their view is followed. The Talmud [Sources 2 + Questions] explains the date as the dividing line between the rains of the past and coming years or between the sources of sustenance for the trees. On the operative level, a tree's fruit belonged to the produce of the past year if the tree's blossoms appeared before 15<sup>th</sup> Shvat, regardless of when the fruit was actually picked.

Not exactly the stuff holidays are made of, even minor ones, like Purim and Hanukah. Granted the practical importance in an agricultural society, it does not have religious elements in the traditional sense. And in fact, the only impact of Tu BiShvat on non-agricultural ritual is that *Tachanun* (the penitential prayer) is not said and fasting is not permitted.

While there were old traditions in many communities of eating fruits and reciting Psalms on Tu BiShvat, the kabbalists "upgraded" it in 16<sup>th</sup> century Tzfat. They composed a special service modeled on the Passover Seder, including four glasses of wine. This has been expanded over the years, with texts about fruits and nuts, discussion of their metaphoric meanings for or about *Am Yisrael*, songs, and much improvisation. As the Zionist movement grew, from the late 19<sup>th</sup> century on, the Jews returning to *Eretz Yisrael* started planting trees, to replace natural forests that had been destroyed over the centuries. And growing awareness of dwindling resources and other environmental dangers has led many to give Tu BiShvat an ecological dimension.

### **Ecology Right from the Start**

From the first moment, God put mankind in charge of the world. On the sixth day, "He created male and female and told them to be fertile and multiply, ***fill the earth and master it and rule over all the living things***" (Gen 1:28). This is a broad mandate, seemingly unlimited. But there was another message when God placed *Adam HaRishon* in *Gan Eden* in chapter 2. Instead of the leisure we often imagine for "Paradise," God gave Adam work to do. "The Lord God took the man and placed him in the Garden of Eden, ***l'ovda ul'shomra, to till/work it and to tend/guard it***" (Gen 2:15). The *right to control* and the *duty to work* the world imply the power to utilize resources, develop technology and industrialize, but there is a concomitant obligation, *ul'shomra*, "and to protect it." Several of the classical commentators read *l'shomra* as commanding humanity to act against pollution and destruction [Sources 3 + Question]. The vulnerability of the natural world to dangers from God's creatures, including humans, is built in from the beginning, as is our duty to safeguard it.

### **Our Relations with Trees**

Man's first brush with trees was not auspicious; the young couple was thrown out of *Gan Eden* for eating from the one tree they had been told not to touch. But the Torah shows specific concern for trees, prohibiting, during the siege of enemy cities in wartime, cutting down trees which provide food (Deut 20:19-20), likely the first case of a "protected species." Jewish law treated this as a general rule, not just limited to the war situation [**Sources 4 + Question**].

But since this was a poor society and trees were important for many reasons, the Mishnah and Gemara fixed minimum quantities of fruit that various trees must yield to still be considered "fruit-bearing". Such distinctions were not theoretical; they could have serious impact on a land-owner's plans for the use of his trees. [**Source 5 + Notes/Questions**]

### **How Much Immunity Does Fruit Give?**

In rabbinic legislation the immunity fruit trees enjoyed from being cut down was less than Deuteronomy verse might suggest, no doubt a concession to commercial realities. Not only could a tree be cut down once it no longer produced the minimum required, but Rabina, a 5<sup>th</sup> century Babylonian rabbi, introduced a test of relative value that changed the game: If the tree's value for other purposes (e.g., its wood) exceeds the value of its fruit, it is permitted to cut it down. Use of the tree for such other purposes is not considered "destruction." [**Source 6 + Questions**]

### **From the Trees to the Forest**

Indeed it is from the prohibition to cut down fruit-trees in Deuteronomy 20 that the broader mitzvah of *bal taschit*, that we should not wantonly destroy things, is derived. The verse goes on to ask: **פִּי הָאָדָם עֵץ הַשָּׂדֶה?** – is the tree of the field a person? Of the many meanings given for this enigmatic phrase, Rabbi Shimshon Raphael Hirsch (Germany, 19<sup>th</sup> C), quoting the *Sifrei*, says trees are essential to humanity's existence: **חַיֵּי מִן הָאֵילָן** – The life of mankind is only from the tree.

Thus the tree has become a symbol of Nature itself, and therefore it is fitting that its "holiday" be an occasion to remember our duty *l'shomra*, to protect the world we live in and its natural resources. Humanity would do well to listen to Mishnah Avot (4:3): "Do not underrate the importance of anything...everything has its place under the sun." Almost two thousand years ago Ben Azzai hinted to the delicate ecosystems which enable life on this delicate planet to survive. And the rabbis were well aware of the tragic consequences of failing "to protect" them – there will be no one to fix what we break [**Source 7**].

Rabbi Yochanan ben Zakkai, the most central figure in saving the Jewish tradition after the destruction of the Second Temple in 70 CE, stated clearly the priority he assigned to the planting of trees; it is not abandoned even to allow one to greet the Messiah [**Source 8 + Summary Questions**]. The lure of messianic desires and "higher duties" should not deter us from caring for the world we live in. May this Tu B'Shvat remind us all of that.