

Considering Jewish Responsibility: the Siege on Gaza

I. Are you responsible? Are we?

A. Babylonian Talmud, Shabbat 54b

כל מי שאפשר למחות לאנשי ביתו ולא מיחה - נתפס על אנשי ביתו, באנשי עירו - נתפס על אנשי עירו, בכל העולם כולו - נתפס על כל העולם כולו.	Any person who can prevent the people of their household from committing a sin but does not is responsible for the sins of their household. If a person can prevent the people of their city from sinning, they are responsible for the sins of the people of their city. If the whole world, that person is responsible for the sins of the whole world.
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B. Excerpt from Bradley Burston, "Israel's 10 Worst Errors of the Decade," Haaretz 12/31/2009 #10. The Seige of Gaza - The siege corrupts the moral values of all Israelis, who, whether or not they are aware of what is being doing to the people of Gaza, bear ultimate responsibility for all acts being carried out in their name.

Why does Burston think that Israelis are responsible? Would you substitute for the word "Israelis" in Burston's article "Americans" or "Jews"? Do you feel personally responsible to the people of Gaza? If so, where does that responsibility come from? What would it look like for you to act responsibly?

II. Case Study: Are the Trees of the Field Human Beings?

Deuteronomy 20:19-20, Everett Fox Translation

(יט) כי תצור אֵל עיר יָמִים רַבִּים לְהִלָּחֵם עָלֶיהָ לְתַפְשָׁהּ לֹא תִשְׁחִית אֶת עֵצֶיהָ לְגִדּוֹחַ עָלֶיךָ גִּרְזֹן כִּי מִמֶּנּוּ תֹאכַל וְאֵתוֹ לֹא תִכְרֹת כִּי הָאָדָם עֵץ הַשָּׂדֶה לְבֹא מִפְּנֵיךָ בְּמִצּוֹר: (כ) רַק עֵץ אֲשֶׁר תִּדְעַה כִּי לֹא עֵץ מֵאֲכָל הוּא אֵתוֹ תִשְׁחִית וְכִרְתָּ וּבְנִית מִצּוֹר עַל הָעִיר אֲשֶׁר הוּא עֹשֶׂה עִמָּךְ מִלְחָמָה עַד רְדֹתָה:	When you besiege a town for many days, waging-war against it to seize it: you are not to bring-ruin on its trees, by swinging-away (with) an axe against them, for from them you eat, them you are not to cut-down – for are the trees of the field human beings, (able) to come against you in a siege? Only those trees of which you know that they are not trees for eating, them you may bring-to-ruin and cut-down, that you may build siege-works against the town that is making war against you, until its downfall.
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According to each of the commentators below, why shouldn't we cut down the trees of a city we've laid siege to? What is the nature of the responsibility towards the trees of the city? Do any of these resonate with present-day discourse you hear about Gaza? What might these particular articulations of responsibility add to our conversation?

1. Rashi: The trees can't move.

כי האדם עץ השדה - הרי כי משמש בלשון דלמא. שמה האדם עץ השדה להכנס בתוך המצור מפניך להתיישר ביסורי רעב וצמא כאנשי העיר למה תשחיתנו:	<i>For are the trees of the field human beings – the for here sets up a question. Are the trees of the field human beings that go into the siege before you to suffer the hunger and thirst with the people of the city? Why would you destroy them?</i>
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2. Rashbam: Cut down trees that help the people.

כי האדם עץ השדה לבא מפניך במצור - כל כי שאחרי לא מתפרש אלא. אותו לא תכרת אלא עץ השדה לבא האדם מפניך במצור, אותו תכרות, הם הקרובים לעיר שנסתרים בהם אנשי העיר הבורחים מפניך ובאים בתוך העיר כדכת' ותבא העיר במצור. כי האדם [עץ השדה] אלא האדם עץ השדה, אלא עץ השדה האדם לבא מפניך במצור שגורם את האדם לבא מפניך במצור :

For are the trees of the field human beings, (able) to come against you in a siege? ... Don't cut that one down, but a tree that can come against you in a siege, cut it down. These are the ones close to the city where the people can hide when they run from you and come into the city, as it is written, the city will come under siege. For are the trees of the field human beings - rather the human beings are trees of the field, or the trees of the field are people who come against you in a siege - that is, they allow the people to oppose you in the siege.

3. Ibn Ezra: Do not use the destruction of the food supply as a tool in siege.

כי האדם עץ השדה ... והטעם : כי חיי בן אדם הוא עץ השדה. ... ואותו לא תכרות. דבק עם לבא מפניך במצור. הנה לא תשחית עץ פרי שהוא חיים לבן אדם, רק מותר שתאכל ממנו, ואסור לך להשחיתו כדי שתבא העיר מפניך במצור.

For are the trees of the field human beings ... This means: trees of the field are the life of human beings. Them you are not to cut-down - this is joined with to come against you in a siege - why? It is forbidden to destroy a fruit tree, which is the life of human beings - permitted only to eat from it - and it is forbidden to destroy them in order to bring down the city in the siege.

4. Ramban: Cut down trees that you can use to build siege-works.

כי האדם עץ השדה - יפה פירש רבי אברהם. אבל על דעת רבותינו (ב"ק צא ב) מותר לכרות עץ מאכל לבנות מצור, וגם להשחיתו עד רדתה, כי לפעמים תהיה ההשחיתה צורך הכבוש, כגון שיהו אנשי העיר יוצאים ומלקטין עצים ממנו, או נחבאים שם ביער להלחם בכס, או שהם לעיר למחסה ולמסתור מאבן נגף :

For are the trees of the field human beings - Ibn Ezra explained this well. ... But our sages teach that it is permitted to cut down a fruit tree to build siegeworks. ... Even to destroy them completely, because sometimes destruction serves the needs of the siege, like if the people of the city come out and collect wood from them, or hide in the forest to make war on you...

5. Rambam: Do not destroy anything without reason.

רמב"ם הלכות מלכים פרק ו הלכה ח : אין קוצצין אילני מאכל שחוץ למדינה ואין מונעין מהם אמת המים כדי שייבשו, שנאמר לא תשחית את עצה, וכל הקוצץ לוקה, ולא במצור בלבד אלא בכל מקום כל הקוצץ אילן מאכל דרך השחיתה לוקה, אבל קוצצין אותו אם היה מזיק אילנות אחרים, או מפני שמזיק בשדה אחרים, או מפני שדמיו יקרים, לא אסרה תורה אלא דרך השחיתה.

Do not cut down food-bearing trees outside the city. And do not stop up their sources of water to dry them out, as it says *you are not to bring-ruin on its trees*. Not just in the case of a siege, but any time that someone destructively cuts down a food-bearing tree, they get lashes. But you can cut it down if it is damaging other trees, or because it is damaging the field of another person, or because it could bring a high price - the Torah forbids this just if it is pure destruction.

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

And not only trees - anyone who breaks vessels or tears clothes or destroys a building or seals a well or destroys food transgresses "do not destroy" - they get lashes only according to rabbinic law.

As you read the testimony below, consider the various commentators' positions on why or why not to destroy fruit trees. How do you understand the Israeli government's destruction of trees in the testimony? What is your sense of responsibility to Radia Abu Sbaih.

Excerpted from "Homes and livelihoods gone in an instant," Eva Bartlett writing from the occupied Gaza Strip, *Live from Palestine*, 11 March 2010. Source: <http://electronicintifada.net/v2/article11125.shtml>.

Radia Abu Sbaih, 47, lives with her sister and one niece on family land roughly 700 meters from the "green line" boundary between Israel and Gaza. Until 18 February 2010, they had nearly 600 olive, fruit, date and nut trees, an agricultural cistern, a water well, various vegetables and a house. Theirs was one of three homes demolished by Israeli military bulldozers that day in al-Mossadar, eastern Gaza. Around 8am that morning, approximately five Israeli military bulldozers and upwards of 10 Israeli tanks, accompanied by more than 50 foot soldiers, invaded the farming region, according to locals.



"We were in our home when we heard the Israeli tanks and bulldozers approaching. We ran off immediately," says Sbaih. She walks over felled trees, past the bulldozed cistern, and to the ruins of their home. "It's all destroyed. Look, our clothes are buried," she shouts, pulling at a sweater caught beneath the concrete block pile. Household belongings are strewn on top of and beneath the pyramid of rubble. A gas range, several cooking pots, a plastic water bottle filled with olives, another with olive oil -- both from their land and their destroyed olive trees -- denote where the kitchen once stood.

"We were self-sufficient. Twenty people lived off this land. We had our own water source and we grew all our own vegetables: onions, spinach, carrots, cucumbers, tomatoes, potatoes, radishes, beans ..." Nothing, save a stray sprig of green onion, remains. Beyond the lean-to sun shade, a donkey stands next to the crushed remnants of his cart. "Now we have no electricity, no shelter, no water. I walk one hour both ways every day to bring jugs of water for drinking," says Sbaih.

But for her, it is the loss of their trees that hits the hardest. In the hour or less it took the bulldozers to raze all their property and possessions, Radia Sbaih's trees were cut to the ground and plowed into the valley. Haggard limbs studding the earth and thick ground-level stumps are all the evidence of the 10 dunams (a dunam is the equivalent of 1,000 square meters) of formerly thick growth.

"They were healthy trees, many over 50 years old. And so many fruit trees: guava, orange, lemon, pomegranate, date, almond, sugar cane, cactus fruit ..." recalls Sbaih. "This was our life, we grew up here, we put our sweat, love and everything we had into the land," she says. "We watched the trees mature and cared for them as though they were family." ... Five dunams of olive and date trees were mowed, along with 150 pigeons and a donkey. ...