

Human Rights and Ecology

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The Problem

The intersection between ecology and human rights is a deep one. It's not only found in opposing the building of a toxic waste incinerator near poor communities, or fighting the exposure of children to endocrine-disrupting pesticides. It goes beyond issues of environmental justice, or the impact of pollution on people's quality of life, beyond those places where human rights and the environment are congruent.

Nor is it in the perceived moments of conflict between human rights and the environment, such as the false choice between making jobs and saving forest, as in the fight between Redwood activists and Pacific Lumber. Most of the time these issues arise from economic assumptions that don't account for the real value of an intact ecosystem.

The deepest intersection is not even the great human tragedy that would accompany global warming, if predictions hold and the rising sea creates millions of refugees from coastal areas. Most of us consider shelter a right. Any government trying to protect the most basic human needs and rights would find itself in extreme crisis under such circumstances, and many more will be tempted to discard rights in the name of national emergency. It is this kind of scenario, this kind of vanishing point in the distance, that makes me think, How can anyone ever talk about human rights without talking about the earth? But this is not the deepest connection.

Where we find the deepest depths, so to speak, is not the places where human rights and ecology coincide or conflict, but where human rights, in its most general formulation, makes us blind to our place in the earth—it's not the effect of global warming, but, on the spiritual level, its cause. It is this: Human rights are grounded in the essential equality of human persons ("All men are created equal", or the less familiar UN Declaration, "All human beings are born free and equal in dignity and rights"). This notion of rights, beautiful in isolation, appears to rest on the essential inequality of all other species and non-human individuals, of

ecosystems, even of the earth itself, making everything else subservient to human desires.

In Jewish terms, this problem is embodied by the concept of God's image. If we read the Torah on the simple level, it looks like only we humans are "created in God's image". In that view, it sounds like no other being has value compared with human life: "One who saves a human life says a complete world"; "Every person should say: For my sake the world was created".

The root of this perspective on humanity is one of the great contributions of Judaism: We are called to affirm the sacredness of every person, Jewish or not, enemy, friend or neighbor. That is the world I want to live in, a world which respects human rights, and grounds them in what makes each of us human—but what is it that makes us human?

Our Humanity

Many of us doing ecology think about the question this way: Our humanity emerges from our relationship with all life, not just with other human beings, from our connection to the earth. One can experience this in the inspiration we feel from other animals, in our love (our *biophilia*, as E.O. Wilson calls it) for the diverse beauty of all living things, even in the human capacity to live in almost every ecosystem existing on this planet. "Fill the earth and connect with her" one might say.

Human diversity arises from ecological diversity. The reason why there are different human cultures and religions is not only or primarily political, it's that each society finds unique ways to teach its generations how to live in harmony with its particular place through its rituals and stories. Hence, *lulav* and *sukkah* on the fall full moon. Hence, the teaching that *adam* is so-called because the human was created from the *adamah*.

This way of seeing our humanity is not only embodied in Jewish practice, it is also part of Jewish thought. This is the inner teaching behind the midrash: "Everything that was created in the world, God created in the first human." In Kabbalah this teaching goes deeper: "Adam, the first human, was created at the end [of the sixth day] so that he would include everything else in his likeness and image"; "Adam is the whole, and all creatures are Adam, and he is called by the name of them all."

If education is a human right, must it not also be a human right to live connected to the world that teaches and nurtures us to become human? If freedom of speech is a human right, is it not also a human right to hear the speech of the fields or forest?

This is the first step in overcoming the blind spot: recognizing that we become human through our roots in and communion with all the species and all the beauty around us. If we have the potential to become holy, then this too is holy.

Beyond Equality

The second step: Every modern declaration of human rights acknowledges that we have rights because we are “equal”. From a rabbinic perspective, that’s far too incomplete. God’s image is not only what makes us equal in relation to God, it is also what makes us unique, hence unequal, to each other.

The Mishnah writes: “Why was the first human created alone? When a human coins a hundred coins with one seal—all of them look the same. The Holy One coins every person with the seal of the first human, yet no one resembles his fellow, and therefore every single one should say: ‘For my sake the world was created’.”

The point is not just that every person is a unique expression of God’s image, nor is it that everything exists to “serve” you. It’s that every person stands as it were at the beginning of creation, as unique as the first created human, unique in relation to the whole of creation. The beginning of a new species—this is the uniqueness that is as meaningful as the world itself.

Lenn Goodman explains this well, “The human case is recognized as a special case of...nature at large and the species it contains. For the Mishnah predicated the special sanctity of each human life on the likeness of each human being to a world or a natural kind. Note the order of the argument. Not: thou shalt respect and protect nature because it is the abode of human beings, but rather: thou shalt respect and protect human lives because they are, in their own way, miniature worlds and complete natural kinds.” In other words, the statement “For

my sake the world was created” is rooted in the immeasurable value of creation. What may have sounded denigrating to the world is quite the opposite.

Similarly, we read in the Zohar that the faces of the ox, eagle, and lion of Ezekiel’s chariot represent the spectrum of all animals and the diversity of human faces. With the addition of the fourth side of the chariot—the human face—they stand for the four letters of the name of God, YHVH. Human diversity, human uniqueness—the source of what we could call human rights in Judaism—corresponds to, is known through, the diversity and uniqueness of all the species of creation, and of creation entire. This diversity is the face of God. The fullness of being human is, simply, known in and through the diversity of the whole.

Jubilee and Land Rights

The last step: we have talked about rights as though they were a given, but the concept of rights is not explicit in Judaism or Torah. Rather, we have obligations to other human beings that are immutable, for example, the obligation to give food to whomever is hungry, which would imply that each person has a right to ask for food and a right to be fed. If Boaz has an obligation to let Ruth glean in the field, then Ruth has a right to glean in the field. Property entails a responsibility to use something well rather than a right to dispense with it. This contrasts with much of Anglo-American law, which, for example, allowed the export of food from Ireland to England while people in Ireland were starving, because forcing merchants to sell food cheaply in Ireland would have impinged on their property rights.

Property, especially movable wealth, has rather a low standing on the scales of the law compared to all kinds of issues in Judaism having to do with basic human needs. In essence, these needs comprise human rights when they trump other societal norms. The lower status of property rights is the norm with one exception: No matter what a person did with her family’s ancestral land, however it was sold, they could never lose that “property” forever. In the Jubilee year it would return, if not to that person, then to her descendants.

The point of this of course is not how strong the right to ancestral property is. It's not even human rights, though we will see how they emerge. It's that the only thing that sounds unequivocally like a right in the Torah is concerned with the human connection to land.

The Jubilee year itself, along with the seven Sabbatical or Shmitta years that preceded it (one every seventh year), was a time when no one was allowed to farm the land, because the land "desired" her rest, her Shabbat. It is the land that has the right to rest, the right not to be bought or sold forever. Of all things in the Torah that can be construed as rights, this is the only one that clearly fits our modern concept of a right. We know that because God's covenant with the Israelites is this: The land will get to rest for a full year of Shabbat no matter what we do. Let her rest and you can rest with her; don't let her rest and you will be thrown into exile, while she still gets to enjoy her Sabbaths.

That's what we might call an inalienable right.

The rights of the land are the only context in the Torah where the most basic human needs are expressed as rights: a person has a right to be freed from slavery, to be freed from debts, to be provided for in whatever he lacks. Most importantly, every family had its equal share of the land, a unique portion of the land of Israel that could never be lost permanently, and this relationship existed without people owning the land in our modern sense, and without people having the right to do anything they wanted to the land. In God's voice: "You cannot sell the land in perpetuity, for the land belongs to me, and you are strangers and squatters alongside me."

The Jubilee is the foundation of human rights in the Torah. The advent of Jubilee is when we "call out 'Liberty!' in the land, to all those dwelling with her." This is the sequence: The land rests, freedom blossoms, the people have peace.

What Must Be Done

"For my sake the world was created": Writes Reb Nachman of Breslov, "If the whole world was created for my sake, then I better pray for the whole world!" Prayer, in the midrashic and Chasidic realm, is what the Jews use instead of weapons to change the world. It is words used for a higher

purpose, spoken because they come from truth, rather than because they are useful. Prayer is found in what we call protest, in the very highest sense.

This article is, among other things, my own protest to the Jewish community: If you care about human rights, about social justice, start caring about the environment! With the exception of a few groups like American Jewish World Service and the Shalom Center, none of the social justice organizations, and especially, none of the activist ones, like Progressive Jewish Alliance, are doing anything for the earth. Instead they say, "We agree with the sentiment but we don't have time to spare for that."

This is the blind spot: we care about the earth but people come first. As if there could be people without earth! It's a blind spot that overwhelms our compassion for the more-than-human world around us.

Last year, with all the many tragedies in the world, with all the criminal negligence of the US in Iraq and all the terrorism there, two comparatively minor things happened that shocked me. Both illustrate this blind spot...

The rest of this article is published in the current issue of Tikkun magazine, and will be accessible via the Tikkun website by August.