



Is it Permitted to Raise Goats Anywhere in Israel?

Finding the Proper Boundary for an Animal Friendly Environment

Where I live in rural Yishuv Bat Ayin, various animals roam freely. The other day, on our way to the weekly Meditative Movement class, at the outskirts of the Yishuv, we came across a stray horse, running around with its rope between its legs. While I was unaffected by such a trivial event and cared more about arriving at our workshop in time, my students were concerned and tried to locate the owner. When they sent a message to a local what's app group, they got the following response: "Only in Bat Ayin!" We and many other families in Bat Ayin raise chickens. We also have a number of outdoor cats, since my husband is an avid cat lover. There are others who raise dogs, donkeys, goats and sheep. Furthermore, there are many interesting wild animals in Bat Ayin, including lovely birds of all kinds, with whom I'm happy to share my mulberries and other fruits, as their cheerful twitter and beautiful song bring me much joy. In addition, there are bats, jackals, a few foxes, wild dogs (which I would rather do without), but a cute turtle who often grazes in my strawberry patch and even once a shy porcupine who unexpectedly appeared at our doorstep. Despite the abundance of wild cats, we are still plagued by scorpions, mice and other rodents. The list goes on. Once, I found my vegetable garden askew. Plants were uprooted. Since it had just rained, there was mud all over my porch. I had no idea what was going on, until I discovered some kind of animal footprints. My friend, Elana, later identified them as donkey footprints! I would have liked to receive compensation, but I had no way of ascertaining which of the many donkey owners was the culprit. I love Bat Ayin, but it is not easy to figure out the right boundaries for living in harmony with nature. While attempting to return to a Biblical lifestyle, we are still struggling to find the right environmental balance so we can achieve the sustainable living required by the Torah.

Why Were Our Forefathers and Foremothers Shepherders?

Even in Biblical times, living a sustainable life meant a struggle in the face of famine, which threatened our very existence. During the great famine, the seventy members of Ya'acov's family went down to Egypt, where Yosef, had become Pharaoh's viceroy. In order to enable his family to preserve their Jewish identity and commitment to Hashem, Yosef settled them in the separate province of Goshen, which also had good pastureland for their flocks. The Torah testifies that the Israelites were shepherds and that Yosef instructed his brothers to tell Pharaoh about their vocation so they would be allowed to remain in Goshen:

ספר בראשית פרק מו (לב) וְהָאֲנָשִׁים רְעִי צֹאן כִּי אֲנָשִׁי מִקְנֵה הָיוּ וְצֹאֲנָם וּבְקָרָם וְכָל אֲשֶׁר לָהֶם הִבִּיאוּ:
(לג) וְהָיָה כִּי יִקְרָא לָכֶם פַּרְעֹה וְאָמַר מַה מְעַשִׂיכֶם: (לד) וְאָמַרְתֶּם אֲנָשִׁי מִקְנֵה הָיוּ עַבְדֵיךָ מִנְעוּרֵינוּ וְעַד עַתָּה גַם אֲנַחְנוּ גַם אֲבֹתֵינוּ בְּעִבּוֹר תִּשְׁבוּ בְּאֶרֶץ גֹּשֶׁן כִּי תֹעֲבַת מִצְרַיִם כָּל רְעִיהָ צֹאן:
 "The men are shepherds, for they were [always] owners of livestock, and their flocks and their cattle and all they have they have brought. 33. And if it comes to pass that Pharaoh calls you and asks, 'What is your occupation?' 34. You shall say, 'Your servants have been owners of livestock from our youth until now, both we and our ancestors,' so that you may dwell in the land of Goshen, because all shepherds are abhorrent to the Egyptians" (*Bereishit* 46:32-34).

The Torah emphasizes the Israelites shepherding occupation by repeating it when recording how the brothers complied with Yosef's instructions:

ספר בראשית פרק מז פסוק ג

וַיֹּאמֶר פַּרְעֹה אֶל אָחָיו מִה מְעֻשֵׂיכֶם וַיֹּאמְרוּ אֵל פַּרְעֹה רַעִה צֹאן עֲבָדֶיךָ גַּם אֲנַחְנוּ גַּם אֲבוֹתֵינוּ:
 “Pharaoh said to his brothers, ‘What is your occupation?’ They replied, ‘Your servants are shepherds, both we and our forefathers” (*Bereishit* 47:3).

Rabbi Shimson Raphael Hirsch discusses the differences between the life of the farmer and the life of the shepherd, explaining why our ancestors chose to be shepherds: “...The decree upon the human being to work the land, opened the way to humankind’s development. On the other hand, a farmer is a slave to his field, which lowers him to the level of the soil. Once he places his neck under the yoke of the pursuit of possessions, his spirit, too, becomes bowed... By contrast, there is much virtue and advantage in pastoral life. The shepherd works mainly with living creatures, and the care he extends to them fosters in him human feelings of tenderness and empathy. His property is movable. The flock needs the shepherd’s care but doesn’t owe its very existence to the human being. As a result, the shepherd is saved from the danger of attaching too much value to himself and to his property. His vocation doesn’t drain all his energy, or occupy his mind to a great extent, and he has time to elevate his spirit to Divine and humane values. Hence, our forefathers were shepherds. Conversely, consider the antipathy of the ancient Egyptians towards shepherds and pastoral peoples. All the negative outgrowths of the agricultural mentality were found in Egypt... The Egyptian was born a slave to his occupation. Faith in G-d, the freedom of the human being, and the human being’s likeness to G-d remained alive in only the hearts of one tribe of shepherds: our ancestors. The Egyptian leaders were therefore very shrewd in instilling in their people an implacable hatred for pastoral peoples. ...By and large, it may be said that the human being was destined to till the soil, rather than to shepherd sheep. This was also the destiny of Israel – according to the Torah and by virtue of the Torah... (Rabbi Hirsch, *Bereishit* 4:2). Yet, the main reasons why our ancestors chose to be shepherds was to experience an elevation of the soul and awe of the Creator through viewing His wondrous creations (*Haketav V’Hakeballah, Bereishit* 4:2). Thus, Ya’acov was the first person to build ‘sukkot’ – booths of shelter – for his flocks, as a result of his compassion for the animals. He therefore named the place ‘Sukkot’ in order to commemorate this historic innovation (*Ohr HaChaim Bereishit* 33:17); (The above paragraph is quoted from Yosef Ben Shlomo Hakohen z”l Hazon – Our Universal Vision: www.shemayisrael.co.il/publicat/hazon/)

Halachic Limitations of Shepherding

Despite being such an important occupation for our ancestors, the Halacha greatly limits the ability of shepherding in Israel. I was surprised by these restrictions when my husband brought my attention to them:

משנה מסכת בבא קמא פרק ז

(ז) אין מגדלין בהמה דקה בארץ ישראל, אבל מגדלין בסוריא, ובמדברות שבארץ ישראל. אין מגדלין תרנגולים בירושלים, מפני הקדשים, ולא כהנים בארץ ישראל מפני הטהרות. אין מגדלין חזירים בכל מקום. לא יגדל אדם את הכלב, אלא אם כן היה קשור בשלשלת. אין פורסין נשבין ליונים. אלא אם כן היה רחוק מן הישוב שלשים ריס:

It is forbidden to rear small herd animals in the Land of Israel, but it is permitted to rear them in Syria or in the wildernesses of the Land of Israel. It is forbidden to rear fowls in Jerusalem because of the “Holy Things,” nor may priests rear them [anywhere] in the Land of Israel because of [the laws concerning] clean foods. It is forbidden to rear pigs anywhere. One should not rear a dog unless it is tied with a chain. It is forbidden to set snares for pigeons unless it be thirty ris [121.6-153.6 meter] from an inhabited place (*Mishna Bava Kama* 7:7).

The limitations for raising goats and sheep in Israel are for the sake of maintaining sustainability. In response to the threat to crops posed by goats and sheep in the Land of Israel, the Mishna prohibited raising goats and sheep in agriculturally productive parts of Israel, because they would deplete the seeds of the crops (Rambam; Rabbi Ovadia Bartenura *ibid.*). Yet forests and desert areas were exempt from this decree (Rambam *Hilchot Nizkei Mammon* 5:2). Goats and sheep are voracious herbivores, and the rabbis in the times of the Mishna and Talmud witnessed the impact these animals had in devouring field crops. For example, the Talmud records an incident in Babylonia of goats eating a farmer's crops: "Some goats (went into a field) in Nehardea (and) ate some peeled barley (which they found there). The owner of the barley went and seized them and made a heavy claim on the owner of the goats" (BT, *Bava Batra* 36b). Rashi comments on this passage that goats have an exceptional appetite <https://aytzim.org/resources/articles/241>.

Tiferet Yisrael adds that it is even prohibited to raise goats in one's home, as perhaps the goat(s) will get loose and eat other people's fields. The reason they didn't decree against large farm animals [cows] is that they don't increase as much as goats and sheep, and it is therefore possible to watch over them [so they won't damage the property of others]. However, during times when the Land of Israel is not in our hands, it is permitted [to raise small herd animals] in every place (*Tiferet Yisrael, Mishna Bava Kama* 7:7). Thus, it became established in the halacha: "It is forbidden to rear small herd animals [in the inhabited parts of] the Land of Israel, because it is their way to graze in other people's field and they often cause damage, but in Syria [conquered by King David] and in the deserts of the land of Israel it is permitted. During the times when it is not the norm to have fields in the land of Israel, it appears to be permitted" (*Shulchan Aruch, Choshen Mishpat* 409:1).

Granted Greatness from Keeping "Small Matters"

Perhaps people in Bat Ayin who raise goats, rely on the leniency that there aren't many surrounding fields nowadays, although, in fact, there are some fields, vineyards and private vegetable gardens in our neighborhood. I'm not sure that all the small herd farmers in the land of Israel are aware of the abovementioned halachic restrictions and the importance to take responsibility for their animals, in order to prevent damage and theft to their neighbors. The following Midrash testifies to how vital it is to be careful when raising small herd animals and how great these "small matters" are in Hashem's eyes:

The Holy One doesn't grant greatness to a person until He tests him in a small matter. Then, He raises him to greatness. Thus, there are two spiritual giants of the world that Hashem tested in a small matter, and they were found faithful. Therefore, He raised them to greatness. He tested David with small herd animals, and he did not herd them except in the desert, in order to distance them from theft. [We learn this from Eliav's words to David], "Why have you come down? With whom have you left those few sheep in the desert?" (I *Shemuel* 17:28). This teaches us that David would fulfill the laws of the Mishna, "It is forbidden to rear small herd animals in the Land of Israel..." The holy one said to him, "You are found faithful with the flock. Come and shepherd my flock." Likewise, regarding Moshe, it states, "He led the flocks after the free pastureland" (*Shemot* 3:1), and Hashem took him to shepherd Israel as it states, "You led Your people like sheep by the hand of Moshe and Aharon" (*Tehillim* 77:21); (*Midrash Shemot Rabbah* 2:3).