

Section 4 Health & Consumption

CHAPTER 1

Towards a Jewish Nutrition Ethic

The Theology, Law, and Ethics of Healthy Eating

Rabbi Daniel R. Goodman

“And You Shall Live By Them”
(Leviticus 18:5)

“Pour devenir un saint, il faut vivre.” [“To become a saint, you need to live”]
(Albert Camus, *La Peste*)¹

INTRODUCTION

The imperative to eat healthily is a crucial religious, ethical, and *halakhah* precept that is implicit in the fundamental Jewish value of *uvaharta baHayim* [“choose life”]. It is only now, when the dangers of eating unhealthily are becoming more evident by the week, that the ethical, religious, and *halakhah* mandate to eat healthily must be made explicit. The ever-increasing information about the deleterious effects of obesity and poor nutritional lifestyles, combined with the growing public health crisis in the United States in particular,² are of immediate concern to all people, including Jews. We now know that one of the primary causes of obesity is the excess consumption of sugar:

Consuming too much [sugar], especially in beverages, is linked to an increased risk of obesity, heart disease, diabetes, metabolic syndrome,

1 Albert Camus, *La peste* (Gallimard: 1947), 257; translation from *The Plague* (trans. Stuart Gilbert; New York: Vintage, 1948), 284.

2 See, Andrew Pollack, “American Medical Association Recognizes Obesity as a Disease,” *New York Times*, June 18, 2013.

gout, and tooth decay. And, of course, sugar provides “empty calories” — devoid of vitamins, minerals, protein, and other nutrients.³

Sugar consumption has not only been linked to an increased risk of Type 2 Diabetes (Type 1 Diabetes is hereditary; Type 2 is acquired and caused by an increased level of blood sugar), but has been linked to an increased likelihood of Alzheimer’s disease and dementia as well.⁴ The title alone of a recent *New England Journal of Medicine* article succinctly summed up the perils of sugar consumption: “Sugar Is Killing Us.”⁵ In 2015, the Dietary Guidelines Advisory Committee and other major health groups such as the American Heart Association advised people to “cut back on added sugars.” The committee stated that Americans were “eating too much salt, sugar, and saturated fat, and not enough foods that fit a healthy dietary pattern, like fruits, vegetables, nuts, whole grains, fish, and moderate levels of alcohol.” The committee “singled out added sugars as one of its major concerns,” stating that “sugary drinks should be removed from schools.”⁶ “Research has linked unbalanced soda consumption to obesity, Type 2 diabetes, coronary artery disease, stroke, dental disease, bone disease, depression, gout, asthma, cancer and premature death.”⁷ James J. DiNicolantonio, a cardiovascular research scientist at Saint Luke’s Mid America Heart Institute and Sean C. Lucan, an assistant professor at the Albert Einstein College of Medicine call sugar “dangerous”

3 Lisa Y. Lefferts and Michael F. Jacobson, “S-W-E-E-T! Your guide to sugar substitutes,” *Nutrition Action*, 9, October 2014. Nutrition experts are urging new U.S. dietary guidelines that insist on “sharp new limits on the amount of added sugars that Americans should consume.” See also Anahad O’Conner, “Nutrition Panel Calls for Less Sugar,” *New York Times*, Feb. 20, 2015.

4 Paul K. Crane, M.D., M.P.H., et al, “Glucose Levels and Risk of Dementia,” *New England Journal of Medicine* 369:6 (2013): 540–48; Cristina M. Sena, et al., “Type 2 Diabetes Aggravates Alzheimer’s Disease-Associated Vascular Alterations of Aorta in Mice,” *Journal of Alzheimer’s Disease* (2014), and M. Suzanne and Jack R. Wands, “Alzheimer’s Disease Is Type 3 Diabetes—Evidence Reviewed,” *Journal of Diabetes Science and Technology* 2:6 (2008): 1101–13.

5 Loren Cordain, Live Well, et al., “Sugar Is Killing Us,” *New England Journal of Medicine*, 396:6 (2013): 540–48.

6 Anahad O’Connor, “Panel Calls for Less Sugar and Eases Cholesterol Restrictions,” *New York Times*, Feb. 20, 2015, A13, A17.

7 The health problems with soda are not limited to regular, sugar-laden soda; even diet sodas are dangerous. See Mark Schatzker, “Things Go Worse: Two books examine the dire health consequences of soda, and the effort to limit them,” *New York Times Book Review*, Nov. 22, 2015, 15; Fred Barbarsh, “Study links diet soda to higher risk of stroke, dementia,” *Washington Post*, Apr. 21, 2017.

and “addictive: we don’t mean addictive in that way that people talk about delicious foods. We mean addictive, literally, in the same way as drugs ... Cravings induced by sugar are comparable to those induced by addictive drugs like cocaine and nicotine.”⁸ A study they conducted demonstrated that “sugar, perhaps more than salt, contributes to the development of cardiovascular disease. Evidence is growing, too, that eating too much sugar can lead to fatty liver disease, hypertension, Type 2 diabetes, obesity, and kidney disease.”⁹

In addition to the health problems specifically related to added sugar, there are a multitude of health maladies linked with poor nutrition in general, as detailed in many nutritional studies. The following represents just a sampling of these studies:

Saturated and trans-fat: [L]imiting saturated fat remains important for heart health, according to Robert Eckel, MD, director of the Lipid Clinic at University of Colorado Hospital. The average American needs to cut saturated fat in half to meet the new American Heart Association recommendations of no more than five to six percent of calories daily ... Trans fat, from partially hydrogenated oils in many processed snack and convenience foods, poses the greatest health risk. Amounts are dropping, but it still warrants checking nutrition labels to avoid trans-fat as much as possible.¹⁰

Weight: Excess body fat, mainly around the waist, triggers inflammation and insulin resistance, posing a serious heart risk ... According to guidelines from the American Heart Association in collaboration with other organizations, health risks decrease from a three to five percent weight loss—10 to 20 pounds or less for most people.¹¹ Health experts recommend, among other healthy eating strategies, replacing cheese with almonds or walnuts, and switching one meal a week from red meat to fish.¹²

Benefits of a healthy lifestyle: Major studies show that people who eat a healthy diet, don’t smoke, get regular physical activity throughout the week, and maintain a healthy weight and waist size prevent about

8 James J. DiNicolantonio and Sean C. Lucan, “Sugar Season. It’s Everywhere, And Addictive.” *New York Times*, Dec. 23, 2014, A25, adding that “functional M.R.I. tests involving milkshakes demonstrate that it’s the sugar, not the fat, that people crave.”

9 Ibid.

10 Ibid., recommending that whole and natural foods should be substituted for added sugars.

11 Karen Collins, MS, RDN, CDN, FAND, “The Latest Diet Strategies for Heart Health,” *Environmental Nutrition*, Feb. 2015, 4.

12 Ibid.

80 percent of heart attacks and 93 percent of type 2 diabetes, as well as substantially reducing their risk of stroke and cancer.¹³

The times call for a Jewish ethic of nutrition that demonstrates how eating healthily—and avoiding the excess consumption of sugar in particular—is not only a physical necessity but a religious obligation that is rooted in the ethic of choosing life [*uvaharta baHayim*], and for a Jewish theology of nutrition that guides conscientious religionists towards eating healthily. The purposes of this article are threefold: to articulate the theological, ethical, and *halakhah* bases on which a Jewish nutrition ethic can be built; to demonstrate how nutrition is a moral and religious issue and not an issue that can be demoted to a mere “lifestyle choice”; and to begin the construction of a contemporary nutrition ethic that integrates classical Jewish values with current medical, scientific, and physiological knowledge of the body, food, and nutrition.

HEALTHY EATING AS A RELIGIOUS OBLIGATION: THEOLOGICAL PREMISES

God is the God of Life

In order to understand how theology informs ethics, it behooves us to examine the Torah itself, which is the source for nearly all subsequent Jewish conceptions of God. From a theological perspective, Rabbi Dr. Irving Greenberg has consistently argued that the primary attribute of God is life. And from a biblical scholarship perspective, Jon Levenson has demonstrated that the Jewish God as seen in the Bible is the “God of Life”: that is, the primary attributes for which YHWH is exalted is for giving life to his creations, for restraining the chaotic forces that threaten life, and for YHWH’s hoped-for ultimate triumph over Death. Levenson’s *Creation and the Persistence of Evil: The Jewish Drama of Divine Omnipotence*, brilliantly elucidates the Jewish view of God as life-giver and defeater of death:

The adversary overcome in Isaiah 25:6-8 is not Leviathan under whatever name, but ‘Death.’ It is best to see in this term the name of a deity, because the same word (mt) denotes in Ugaritic the name of one of Baal’s foes, Mot, the deadly son of El, who succeeds in swallowing Baal . . . In the biblical reflex of this myth in Isaiah 25:6-8, however, it is YHWH, like

13 Ibid.

Baal associated with natural abundance and enhanced vitality, who swallows Death ... Indeed, YHWH swallows Death 'forever' (*bila haMavet lanesah*): the life-sapping forces will at last be eliminated, as the living God celebrates his unqualified victory upon his Temple mount.

This resurrection (of 26:19, 'Oh, let your dead revive!') here is best seen as the logical consequence of the defeat of Death predicted in 25:8... The resurrection of the dead is to be distinguished, both in origin and implication, from the immortality of the soul, an idea attested poorly, if at all, in the biblical universe. The hoped-for resurrection originates in eschatology whose roots lie in the Canaanite tradition of the enthronement of the life-enhancing deity after his victory over the powers of chaos, disease, and sterility. Death, like the sea monster, must be defeated if life is to go on and the worshipping community is to survive. It is no wonder that the enthronement of YHWH stood at the center of that community's liturgical life.¹⁴

According to the biblical worldview, God's primary characteristic is life. Biblical scholar Gregory Mobley further articulated this biblical theological conception, writing that the "hidden foundation" of biblical theology—a theology which is reified through ritual—is that "the Creator desires life." This is most prominently seen in Second Isaiah's proclamation that the God who "created the heavens ... who formed the earth and made it—he did not create it to be chaos, *he formed it to be inhabited*" (Isa. 45:18).¹⁵

God as "God of Life" and "Defeater of Death" is not only a biblical theological trope, but a theological motif that persists in rabbinic theology as well:

-
- 14 Jon Levenson, *Creation and the Persistence of Evil: The Jewish Drama of Divine Omnipotence* (New York: Harper & Row, 1988), 30–31. Levenson expands on the significance of life in biblical Jewish theology in *Resurrection: The Power of God for Christians and Jews*, with Kevin J. Madigan (New Haven: Yale University Press, 2008), and Jon D. Levenson, *Resurrection and the Restoration of Israel: The Ultimate Victory of the God of Life* (New Haven: Yale University Press, 2006).
- 15 Gregory Mobley, *The Return of the Chaos Monsters—and Other Backstories of the Bible* (Grand Rapids, MI: Erdmans, 2012), 92. The theological motif that the God of life desires us to choose life is also evident "within the Godhead itself": in Exodus 34:6–7, God's compassion overcomes His anger; or, "in Kabbalistic terms, *hesed* overpowers *din*." (Ibid.) Cf. Brent A. Strawn, "The Triumph of Life: Towards a Biblical Theology of Happiness," *The Bible and the Pursuit of Happiness: What the Old and New Testaments Teach Us about the Good Life*, Strawn, ed. (New York: Oxford Univ. Press, 2012), 287–322.

The fact is that Rabbinic midrash continues the tradition of eschatological combat and displays a greater interest in the figure of Leviathan than does the Hebrew Bible. In the future, the Leviathan is slaughtered, and eaten by the righteous, to teach that “Out of death—life.”¹⁶

In the Middle Ages, Maimonides sought to purge Jewish theology of such anthropomorphic and graphic constructs and articulated a more sanitized, philosophically perfect image of God. But in the process of cleansing God from such belligerent imagery, something extremely valuable—and perennially Jewish—was lost: the depiction of God as the ultimate embodiment of life. With this theological understanding in mind, it is not hard to understand why God is praised as “the one who revives the dead” in the second paragraph of the centerpiece of Jewish liturgy, the Amidah. Jewish liturgy is often where the normative theological positions of Judaism of the various streams and denominations of Judaism have been embedded. Thus, if the Jewish view of God is that “He is the one who revives the dead”—the one who has such life-giving powers that He will even defeat death—Jewish theology posits that God is the God of life.¹⁷

The God of Life and Feminist Theology

The rise of feminist Jewish theology indicates that, at least in some circles, this biblical theology—according to which YHWH’s primary characteristic is that of life—may be beginning to overtake Maimonidean theology. Jewish tradition is not wanting in metaphorical sobriquets for God, and feminist theology suggests that a return to emphasizing God’s life-giving capacities (over, or instead of, God’s monarchical and patriarchal characteristics) may be desirable. Both Marcia Falk¹⁸ and Rachel Adler¹⁹ illustrate how God has been (and still could be)

16 Jon Levenson, *Creation and the Persistence of Evil: The Jewish Drama of Divine Omnipotence* (New York: Harper & Row, 1988), 33–34.

17 See Neil Gillman, *The Death of Death: Resurrection and Immortality in Jewish Thought* (Woodstock, VT: Jewish Lights, 1997).

18 Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics* (Philadelphia and Jerusalem: JPS, 1998), ch. 3, “And Not Be Silent.” The other possible metaphors for God are foreclosed by the “totalized metaphor” of a monarchical God (“God as patriarchal male”), Adler notes. *Ibid.*, 87.

19 In her liturgical compositions, Marcia Falk adapted the metaphors of creator, nurturer, and compassionate life-sustainer into divine appellations such as *ein hahayyim* and *nishmat hahayyim*; see Marcia Falk, “Notes on Composing New Blessings toward a Feminist-Jewish

portrayed as a nurturer, as a compassionate presence, and as a creator and sustainer of life, the *ruah Hayim* [Spirit of Life]. Though many of these divine depictions are indeed utilized from time to time (and thus are theoretically available for wider liturgical adaptation), the primary metaphor for the divine in classical rabbinic theology is that of kingship. “Accepting the yoke of heaven” (*kabbalat ol malkhut shamayim*) is the traditional analogical paradigm that is applied to the performance of *mitzvot*, most notably in reference to the recitation of the *Shema*.²⁰ Other masculine metaphors for God include “God as the Master of Nature, and “God who revealed the Torah.”²¹ That God is described as a law-giver—an authoritarian, masculine metaphor—nearly as often, if not more frequently, than as a life-giver—a generative, feminine metaphor—even though the Torah begins with Creation rather than legal Revelation (notwithstanding Rabbi Yitzchak’s postulation that this alternative beginning should have preceded the Creation narrative²²) is indicative of the extent to which the masculinization of the divine became embedded in Jewish liturgy.

Thus, since the monarchic image of God either resulted in or was indicative of the masculine image of God (at the least, the monarchic metaphor perpetuates the masculine image of God), feminist theologians addressed the problem of outmoded divine nomenclature through the power of naming: God needed to be ungendered, renamed, and endowed with new metaphors that are in consonance with modern sensibilities. Falk demonstrates that this may be done by discarding the metaphors rooted in authoritarian, patriarchal eras (kingship being the most prominent of such metaphors) and re-conceptualizing God with metaphors that speak to our own egalitarian, humanistic age.²³

The new gender-neutral metaphors for God that feminists have used, such as *Shekhinah*, and especially *Mekor Hahayim* (“Source of Life”), are theological metaphors that are primarily rooted in biblical theology, not medieval

Reconstruction of Prayer,” 3 *Journal of Feminist Studies in Religion* 1 (1987) 39–53, and see Adler’s discussion of these metaphors in *Engendering Judaism* (New York: Beacon Press, 1999), 91.

20 Solomon Schechter discusses this metaphor extensively in *Some Aspects of Rabbinic Theology* (Woodstock, VT: Jewish Lights, 1993), devoting three chapters to describing the usage of the “kingdom of God” metaphor in rabbinic sources, at 65–113.

21 *Ibid.*

22 See Rashi to Genesis 1:1, s.v. *b’ reishit*.

23 Falk, “Notes on Composing New Blessings,” 42, 43. Rethinking the monarchic image of God can eventually lead to “mutually supportive relationships between male and female, immanence and transcendence” in our “God-talk.” *Ibid.*

philosophy.²⁴ Not only is *mekor hahayim* a more inclusive image for God, but it is also more reflective of the traditional biblical Jewish conception of God as the Creator and Source of Life than many other appellations for the Divine. It is also in accord with a possible interpretation of one of the biblical names of God, *El Shaddai*. Often translated as “God Almighty” (explained by the rabbis as shorthand for the God who observed creation and uttered “enough,” *she’amar dai*²⁵), it may also mean “God of the Breasts,” in the sense of Jacob’s blessing to Joseph: “By the God of your father, who will help you, by *shaddai* who will bless you with blessings of heaven above, blessings of the deep that lies beneath, blessings of the breasts (*shadayim*) and of the womb” (Genesis 49:25). God is thus given feminine attributes²⁶ in order to stress the creative, life-giving, and life-sustaining capacities of the Divine, which are God’s most important, recognizable, and perhaps only definitively knowable attributes.²⁷

The basic theological premise of Judaism is that even though we have great difficulty saying what God is or what qualities God possesses, what we can say is that according to Rabbi Joseph Soloveitchik and Rabbi David Hartman, God’s primary attribute is creativity—that is, God is the source of life, because God created life (the fundamental theological assumption of the Torah), and continues to nurture, sustain, and create life; as both Rabbi Shneur Zalman of Liadi (in the *Tanya*) and the Vilna Gaon explain, the basic biblical and rabbinic theological assumption is that God is not a watchmaker who absconded from the universe on completion of creation, but that God continues to sustain and create life: *mehadesh bechol yam tamid ma’aseh b’reishit* [God renews the Creation each day], states the introductory blessing of the blessings prior to the morning recitation of the Shema in the *Shaharit* prayer service. The Talmud characterizes the Torah and Jewish legal discussions as the words of

24 See, for example, Neil Gillman, *The Way Into Encountering God in Judaism* (Woodstock, VT: Jewish Lights, 2000), 12. On “Shekhinah” as rooted in biblical rather than medieval theology, cf., however, Peter Schäfer *Mirror of His Beauty* (Princeton: Princeton University Press, 2002), and Arthur Green, “Shekhinah, the Virgin Mary, and the Song of Songs: Reflections on a Kabbalistic Symbol in Its Historical Context” *AJS Review* 26:1 (2002) 1–52, which complicates this claim.

25 BT *Hagigah* 12a.

26 See Douglas A. Knight and Amy-Jill Levine, *The Meaning of the Bible: What the Jewish Scriptures and Christian Old Testament Can Teach Us* (New York: Harper Collins, 2011), 140.

27 See also Levenson, *Creation and the Persistence of Evil*, 84, in which he links Bezalel’s creativity—an attribute which is naturally linked to life—with God’s creativity as a life-giver through the term *ruach elohim* that is used to describe attributes which they both possess.

the “living God,” or “the God of life” [*elokim hayyim*]²⁸—that is, the words of the God who creates life, sustains it, and desires us to choose it as well. The biblical theological picture of God as the source of life²⁹ had ethical consequences for Jews even in biblical times. If God’s primary quality was life, and if Jews were commanded to walk in God’s ways, it was logical that Jews would need to choose between life and death (Jeremiah 21:8).

This chapter’s next section discusses how this fundamental principle of prophetic ethics, with the theology that informed it, was ramified by the rabbinic tradition, transported into broader Jewish ethical thought, and carried into *halakhah* praxis.

ETHICAL PREMISES

The Primacy of Choosing Life in the Rabbinic Tradition

‘Who is the person who desires life?’ (Psalms 34:12) There was once a merchant who frequented cities near Tzipori who would loudly proclaim, ‘Who would like to purchase a potion of life?’ Crowds gathered around him. R. Yannai was sitting and studying in his house. Upon hearing this advertisement, he went to the merchant and said, ‘sell this [life-potion] to me.’ The merchant responded, ‘You do not need this, and it was not for those like you whom I exerted myself [in coming here]: [The merchant] took out a Book of Tehillim (Psalms) and showed R. Yannai the verse, ‘Who is the person who desires life?’ and [showed him] what is written in the next verse: ‘Guard your tongue from evil (34:13), distance yourself from evil and do good (34:14)’ (*Leviticus Rabbah* 16:2).³⁰

As Rabbi Dr. Irving Greenberg argued God’s primary quality is life, (see Rabbi Dr. Greenberg’s contribution to this volume for a more thorough definition). God is the symbol and realization of infinite life and possesses the ability to bestow infinite life—and ethical mandates flow from this basic

28 BT *Eruvin* 13b

29 See, for example, Ezekiel 37:1–3 (the dry bones parable), Isaiah 25:6–8 (YHWH’s swallowing of Death “forever”), Isaiah 26:19 (“Oh, let your dead revive!”), and Daniel 12:2: “And many of them that sleep in the dust of the earth shall awake, some to everlasting life, and some to shame and contempt” (KJV translation).

30 Vilna ed., vol. II, 22, author translation.

theological premise. One of the basic Jewish ethical imperatives lies in the principle of *imitatio Dei*, imitating God [*v'halakhta bid'rakhav*]. One of the highest Jewish values is to emulate God; this is traditionally fulfilled through acts of loving kindness, explain the rabbis: Just as God is merciful, so too must we be merciful.³¹ A seemingly unrelated but equally (and perhaps more) important ethical imperative is the command to choose life, “*uvaharta baHayim*.” Though Deuteronomy 30:19 may not be a *mitzvah* in the legal sense, and though the verse can be read in a descriptive rather than proscriptive way, the rabbis interpreted “choose life” as a global, overarching, meta-*halakhah* principle that must inform all *halakhah* and ethical decision-making; one must even desecrate the Sabbath for the sake of life,³² a striking law considering that Sabbath violators are compared to idolaters in rabbinic literature.

The concept of “desiring life” (with its accompanying psalmic ethical admonition) is “an encapsulation of the entire Torah,” according to Rabbi David Luria’s commentary on this midrash.³³ And the Talmud states in a number of places that the principle of choosing life overrides all but three biblical commandments.³⁴ The rabbis urge us to not simply accept sickness as an irrevocable divine decree, but—to the contrary—they implore us to fight sickness and ill-health with all the resources that we have at our disposal. In the prophetic and rabbinic age, without modern healthcare, the death-fighting resource they believed to be at their disposal was Torah study. Indeed, according to the Talmud, when King Hezekiah became ill, Isaiah went and established a yeshiva near Hezekiah, because, as Rashi explained, Torah study protects against death.³⁵

Choosing life is such a fundamental principle of rabbinic theology, this article posits, because of theology: if God’s most essential quality is life, and

31 On *imitatio Dei*, see Deuteronomy 28:9; cf. Deuteronomy 5:33, 8:6, 11:22, 13:5; BT *Shabbat* 133b, BT *Sotah* 14a, and *Sifrei* on Deuteronomy 11:22; cf. Maimonides, *Mishneh Torah*, “Laws of Character Traits” 1:5–6, and idem, *Guide of the Perplexed* i. 54.

32 BT *Yoma* 85.

33 Chidushei Radal, ad loc., s.v. “*v’lo hayiti yode’a*.”

34 BT *Sanhedrin* 74a; see also BT *Avodah Zarah* 27b, BT *Yoma* 85a–b, and BT *Avodah Zarah* 54b. See also BT *Eruvin* 45a (the Sabbath may be desecrated for military self-defense when life is at stake; furthermore, so sweeping is the legal permission to transgress the Sabbath to save life that those who go out to save lives may even violate the Sabbath in order to return [“*kol ha’yotz’in l’hatzil hozrin limkoman ... shehozrin bikhlei za’yin limkoman*”]), and on self-defense, cf. BT *Bava Metzia* 62a, BT *Sanhedrin* 72a, and Rashi to Exodus 22:1. On violating the Sabbath for the sake of preservation of life, cf. commentary of Ramban to Exodus 31:13.

35 BT *Eruvin* 26a, Rashi s.v. “*l’hoshiv yeshiva*.”

since we are commanded to imitate God, then choosing life in every area of behavior—including in the area of food choices—is self-evident. We are commanded to be like God by choosing life;³⁶ in the area of nutrition, this entails making food choices that increase our capacity for physical life, and distancing ourselves from consuming foods that have the potential to diminish life. The ethical mandate of *imitatio Dei* is not limited to emulating God’s qualities of mercy. As Rabbi Greenberg has explained, if we say that God possesses infinite consciousness, power, and the capacity to love, we should increase our capacities in these areas by developing our consciousness, our scientific powers of apprehending the world, and our capacity for love.³⁷ Thus, if we say that God’s preeminent quality is life, then we should increase our capacity for life by making nutritious choices in the area of food and drink. This is not to suggest that the sole basis for a nutrition ethic is *imitatio Dei*; it is only to suggest that *imitatio Dei* strongly suggests that we should be guided by ethics and theology when it comes to choosing what (and how) we eat.

Thus, in this area of Jewish life, theology and ethics function in a symbiotic relationship: The Jewish theological conception of God as the Source of Life informs how the ethical principle of imitating God [*v’halakhta bid’rakhav*] should be understood and practiced. At the same time, the ethical principle of “choose life” [*uvaharta bahayim*] can be best understood in a theological context: life is so precious in the Jewish tradition that it’s said to be the single most important ethical principle in the tradition.³⁸

36 The Hebrew Bible is teleological: it points its readers in the direction of life. The Book of Chronicles ends on the upward, forward-looking note of the Jewish return to Israel after the Babylonian exile. On how the “triumph of life” is enshrined by the structural sequence of the Hebrew Bible, see Strawn (ed.), “The Triumph of Life: Towards a Biblical Theology of Happiness,” *The Bible and the Pursuit of Happiness: What the Old and New Testaments Teach Us about the Good Life* (New York: Oxford, 2012), 287–322. Readers of the Hebrew Bible thus receive an implicit message directing them to follow this movement.

37 R. Soloveitchik also conceptualizes *imitatio Dei* in terms of agency, basing it on the Talmudic legal dictum of “*shluho shel adam k’moto*,” a person’s agent is like one’s self; “Agency [Sh’li’ut],” in *Yemei Zikaron* (Aliner Library; WZO, Dept. of Torah Education & Culture; Jerusalem: Orot, 1986), 9–28. If we are created in the image of God, then we are also agents of God—God endowed us with some of His capacities for the purposes of *tikkun olam* [perfection of the world], which is the teleology of halakha, according to R. Soloveitchik (trans. Lawrence Kaplan), *Halakhah Man* (Philadelphia: Jewish Publication Society, 1983), 99.

38 The three cardinal sins, regarding which one must give up one’s life rather than commit, are the exception that prove the rule, and even these sins are subject to casuistic readings that lead to exceptions: for example, married women may not be obligated to undergo martyrdom rather than subject themselves to rape (see BT *Sanhedrin* 74b); there may be no obligation to give up one’s life rather than convert to Islam or other purely monotheistic

And precisely because God's primary attribute is Life, Jews are implored to "walk with God." If what we can definitively say about God is that God is the God of life, and if Jews are implored to emulate God, then "choose life" can be transformed from an overarching ethical maxim to a praxis that, through its fulfillment, manifests Jews' basic understanding about the nature of God.

EATING HEALTHILY AS A RELIGIOUS OBLIGATION: HALAKHAH (LEGAL) PREMISES

The Preservation of Life as the Greatest Value in Judaism

For this reason, Adam was created alone: to teach you that destroying a single life is to destroy a whole world, just as to save a life is to save a whole world. And for the sake of the peace of creation, that no one should say to another, "My ancestor was greater than yours." And so that the heretics cannot say, "There are many powers in heaven." And to proclaim the greatness of the Holy One Blessed Be He, for when a person casts many coins from the same press, they all look alike, but the Holy One Blessed Be He stamps every human being with the press of the first Adam, and none resembles the other. For this reason, each and every person must declare, "For my sake the world was created" (Mishnah, *Sanhedrin* 4:5).

If a building fell upon a person [on the Sabbath] and it is unknown as to whether he is there or not, whether he is alive or dead, or whether he is a Jew or a gentile—they clear away the debris that is on him [to save his life despite the ban on destroying a building on the Sabbath] ... If they found him alive, they remove the remaining debris that is on him.

If they found him alive they remove the remaining debris that is on him: Is that not obvious?! Actually, this statement comes to teach us an additional point, namely, that even if he has only a short time to live, they remove the remaining debris (Babylonian Talmud, *Yoma* 85a).

Traditionally, Judaism has not left important ethical values and theological concepts in the realm of thought but has instead consistently sought to translate them into practice. The ethics and theology of *uvaharta bahayim* [choose life] are no different: the fundamental theological and ethical concepts

religions; and one who nevertheless does not give up one's life in any of the circumstances of *yehareg v'al ya'avur* ["one must be killed rather than transgress"] may still not be liable for his or her choice.

encapsulated in the principle of choosing life were codified into normative law, thereby becoming reified in the minds and actions of Jews. In the case of *uvaharta bahayim*, Jewish legal authorities recognized that the logical consequences of a religion which valued life more than anything else would necessitate the codification of legal precepts that flow from this value; an obligation to care about one's own physical life became one such obligation. Thus, Rabbi Joseph Karo articulated this longstanding Jewish legal precept in the authoritative *Shulchan Aruch* when he wrote that: "It is a positive commandment to be very careful and guard oneself from any life-threatening object, as it is said, ". . . take utmost care and watch yourselves scrupulously" (Deuteronomy 4:9; *Hoshen Mishpat* 427:8).

The Talmud expanded the *mitzvah of hishamer lecha ushmor nafshecha me'od*, "take utmost care and watch yourselves scrupulously" (also derived from *v'nishmartem me'od lenafshoteichem*, "But you shall greatly beware for your souls" from Deuteronomy 4:15) into a fundamental principle of Jewish law, elevating the value of life to its preeminent position in the hierarchy of Jewish values. Although not self-evident in Torah, the Talmudic sages came to believe that life is the overriding value in Judaism, and that all of the Torah's commandments save three may be violated in order to preserve life. This applies even to the commandment to observe Shabbat—a commandment considered of equivalent importance to the rest of the Torah's commandments in totality. As Rabbi Eleazar ben Azarya explains in the Talmud:

If circumcision, which pertains to only one of the two-hundred-and-forty-eight limbs of the body, takes precedence over the prohibitions of Shabbat, all the more so the saving of the entire body should take precedence over the prohibitions of Shabbat . . .

Said Rav Yehudah in the name of Shmuel: 'Had I been there, I would have presented an even better proof text, specifically, "He shall live by them" (Leviticus 18:5) [that is to say, one should live by the commandments] and not die by them.' (BTs *Yoma* 85b)

That the primacy of life is not only a basic ethical and theological precept but a fundamental legal concept in Jewish law is further evident in several other Talmudic passages which were later codified in Jewish law. In the Talmud, the principle of *hamirah sakanta me'isurah* [laws regarding danger to life are more grave than ritual laws (BT *Hullin* 10a)] came to be regarded as an important

principle of Jewish law. Rabbi Moses Isserless, in his glosses to the *Shulchan Aruch*, elaborated on the codification of this principle:

One should distance oneself from things that may lead to danger, for a danger to life is more serious than a [religious] prohibition—and one should be more worried about a possible danger to life than a possible [transgression] of a prohibition (*Yoreh De'ah* 116:5 [Rama], emphasis added.) Therefore, the sages prohibited one to walk in a place of danger, such as close to a leaning (shaky) wall or alone at night. They also prohibited drinking water from streams at night or placing one's mouth on a flowing pipe of water to drink, for these things may lead to danger ... All of these things are intended to avoid danger, and one who is concerned with his health will avoid them. And it is prohibited to rely on a saving miracle, or to endanger oneself in a like way.³⁹

Rabbi Akiva, perhaps the most influential rabbinic sage who more than any other was responsible for molding the law and thought of nascent rabbinic Judaism, succinctly stated the Jewish legal view on the matter when he said: “A person is not permitted to harm himself” (*Misnah, Bava Kamma* 8:6; BT *Bava Kamma* 90b).⁴⁰

Anyone who transgresses these matters (health concerns), saying “I will endanger myself, what business is that of anyone else?” or “I’m not concerned with such things,” prepare for him lashes. Anyone who is careful about such matters (health concerns), a blessing shall come to him (*Shulchan Aruch, Hoshen Mishpat* 427:10, Dorff and Newman translation).⁴¹

Halakhah establishes clear priorities regarding the imperative to care for one's health. At the same time, *halakhah* stresses the importance of empathy—that is, it

39 It is possible that the Rama added this last statement of *ein somchin al haNess* as a prophylactic admonition directed toward pious Jews who mistakenly assume that their scrupulous ritual observance cosmically impels God to protect them from the health consequences of poor eating choices. One should not think, says the Rama, that one can simply rely on God's miraculous protection; because we do not rely on miracles—which is not only a theological concept but a legal precept as well—we are actively required to be just as scrupulous (if not more so) in matters of health as we are in matters of ritual.

40 The claim here is that self-harm, whether emotional or physical, is prohibited based on the Talmudic source even if Rabbi Akiva wasn't literally talking about physical self-harm.

41 Unless otherwise noted, all translations from Hebrew texts in this article are mine.

is insufficient to care about one's own health and well-being; one must also ensure that the health and well-being of others are cared for as well:

- Do not stand idly by the blood of your neighbor (Leviticus 19:16).
- 'To watch his death when you could have save him.' For instance, if one is drowning in a river or if a wild beast or armed bandit is attacking him, [this verse requires you to come to his rescue] (Rashi, *op. cit.*).
- When you build a new house, you shall make a parapet for your roof, so that you do not bring bloodguilt on your house if anyone should fall from it (Deuteronomy 22:8).
- The Rabbis are of the opinion that it is the responsibility of the owner of a hazard to remove it (BT *Bava Batra* 18b).
- Rabbi Natan said: How do we know that a person should not keep a vicious dog in his home, or keep an insecure ladder in his home? Because the Torah says, "You should not bring bloodguilt on your house" (Deuteronomy 22:8).

Considering the preexisting obligations to ensure that others do not persist in life-endangering activities, the thrust of these *mitzvot* and Talmudic statements strongly suggest that there may be an obligation to warn others about the dangers of unhealthy eating as well.

Toxic Foods and Sugar

"Many things are forbidden by the Sages because they are dangerous to life," wrote Maimonides. "If one disregards any of these and says, 'If I want to put myself in danger, what concern is it to others?' or 'I am not particular about such things,' disciplinary flogging is inflicted upon him."⁴² And if one is called on to treasure life as a component of *imitatio Dei*—because God's primary characteristic is life, the imperative to imitate God is most demonstrably fulfilled when one engages in life-affirming activities and refrains from life-diminishing activities—the ineluctable *halakhah* conclusion is that not only are toxic foods (such as trans-fat) ethically problematic but that they should be prohibited (like smoking) by *halakhah*.

This ethico-legal position would have numerous applications: when certain substances become scientifically identified as particularly physically harmful (as hydrogenated oils and trans-fats were fifteen years ago, and as

42 Maimonides, M.T., Laws of Murder (*Hilkhot Rotze'ah*) 11:4.

sugar is slowly but surely becoming considered to be a toxic substance⁴³), they should be prohibited as objects that endanger life. Dr. Robert Lustig, a specialist in childhood obesity at the University of California, San Francisco School of Medicine, has made the case that sugar (a category that includes high-fructose corn syrup) is a “toxin” or a “poison.” “It’s not about the calories,” said Lustig. “It has nothing to do with the calories. It’s a poison by itself.” According to Lustig, sugar should be classified with cigarettes and alcohol as dangerous (and potentially lethal) substances.⁴⁴ Even artificial sweeteners are now being recognized as potentially just as harmful as sugar. According to recent scientific studies, artificial sweeteners “may disrupt the ability to regulate blood sugar, causing changes in metabolism that can be a precursor to diabetes.”⁴⁵

Furthermore, because of the *halakhah* principle of *hamirasakantam’isurah*⁴⁶ [danger is a more serious prohibition than ritually prohibited foods], refraining from junk food (and especially from excess sugar, which is now considered “toxic” if consumed in high quantities) should be treated even more seriously than refraining from ritually unkosher food. The Talmud cares so much about preventing danger and safeguarding life that it even contemplates allowing one to heal oneself with idolatrous products.⁴⁷ As the Rama emphasized: “One should avoid all things that might lead to danger, because a danger to life is stricter than a (ritual) prohibition. One should be more concerned about a possible danger to life than a possible (ritual) prohibition.”⁴⁸

The prohibition against endangering oneself extends even to the realm of *mitzvot*. The Talmud states that one may not even endanger oneself in the performance of a *mitzvah*:

One is not obligated to search in narrow crevices [when conducting *bedikat hametz* (the search for *hametz*) because of danger. What kind of

43 See Gary Taubes, “Is Sugar Toxic?” *New York Times Magazine*, April 13, 2011. Accessed January 15, 2015. http://www.nytimes.com/2011/04/17/magazine/mag-17Sugar-t.html?_r=0

44 “High-fructose corn syrup, sugar—no difference,” said Lustig. “The point is they’re each bad—equally bad, equally poisonous.” Ibid.

45 Kenneth Chang, “Artificial Sweeteners May Disrupt the Body’s Blood Sugar Controls,” *New York Times*, September 17, 2014. http://well.blogs.nytimes.com/2014/09/17/artificial-sweeteners-may-disrupt-bodys-blood-sugar-controls/?_php=true&_type=blogs&emc=edit_th_20140918&nl=todaysheadlines&nid=48898062&_r=0

46 Rabbi Moses Isserless, *Shulchan Aruch, Yoreh De’ah* 116:5.

47 BT *Pesachim* 25a.

48 Rabbi Moses Isserless, *Shulchan Aruch, Yoreh De’ah* 116:5, translated in Abraham J. Twerski, “A Body of Laws”: Traditional Texts Speak to Contemporary Problems,” in Dorff and Newman, *Jewish Choices, Jewish Voices: Body*, 31 (emphasis in Twerski’s translation).

danger? Because of the danger of scorpions [which are commonly found in such places—Rashi, ad loc., s.v. “d’nafal”] ... But did not R. Elazar say ‘agents on their way to perform a mitzvah are not harmed?’ Where harm is common, it is different (BT *Pesachim* 8a–8b, author translation).

Thus, overconsumption of harmful foods like sugar would not even be justified at weddings and other *se’udot mitzvah*, because the principle of not endangering oneself takes precedence. One may not say that excessive consumption of sugar, hydrogenated oils, or other foods that are considered nutritionally dangerous is permitted *at se’udot mitzvah* on the basis that those who are there are ‘agents on their way to perform a mitzvah,’ because excessive sugar consumption (like alcohol and cigarette smoking) is now considered to be in the category of *sh’khiah hezeikah* [danger is common and likely to occur].

Twerski and other legists applied the principle of *sh’khiah hezeikah* to cigarette smoking in order to postulate that cigarette smoking is biblically prohibited. Likewise, considering the growing evidence concerning the toxicity of sugar, the logical *halakhah* conclusion would result in excess sugar (*viz.*, sugar not naturally found in foods like fruit, beets, and sweet potatoes) being prohibited by the Torah as well. Once it was discovered that smoking leads to numerous health problems, *halakhah* authorities were swift in deeming it a violation of Jewish law.⁴⁹ Since sugar, processed “junk foods,” and hydrogenated oils are quickly reaching this point as well, ample room exists for rabbinic authorities to rule that consumption of these substances, in non-negligible quantities, is likewise a violation of Jewish law.

However, I would propose that sugar, salt, and fat should not and cannot be classified as either *issur* [prohibited foods] like meat-and-milk mixtures, or objects of *sakanta* [dangerous foods] like poison that harm life in any quantity of consumption, because no amount of sugar, salt, or fat, if consumed in a sufficiently minute amount, is harmful in and of itself; as many nutritionists have observed, it is the over-consumption of these foods, combined with a sedentary lifestyle, that leads to debilitating, life-endangering conditions like obesity, diabetes, and heart disease.

Instead, I propose, that sugar, salt, and fat be loosely placed in the category of *d’var sh’yesh lahem matirin*: food-items that are not absolutely prohibited, but only prohibited at certain times—for example, just as *hametz* is prohibited on Passover and permitted afterwards, each item of sugary or unhealthy

49 Ibid.

food may be permitted at certain times (e.g., at festive occasions like Shabbat, Yom Tov, and *se'udot mitzvah* such as weddings), but only in moderation. Alternatively, they can be said to be absolutely *asur* like forbidden mixtures, but just as forbidden mixtures and forbidden foods can be eaten if they become *batel* (*nullified*)—if there is a sufficient amount of permitted food corresponding to the prohibited food (usually assumed to be a ratio of 60:1), so too, sugar can become *batel* if its quantity in a food or drink is similarly sufficiently negligible.⁵⁰

ANTHROPOLOGICAL PREMISES

God as Owner of the Human Body

The anthropological assumptions on which an obligation to safeguard one's own life rests are twofold. The first premise is that God, not the human being, is the true owner of each individual's physical body. The Torah articulated this anthropological premise in Deuteronomy 10:14: "Mark, the heavens to their uttermost reaches belong to the Lord your God, the earth and all that is on it!" Thus, a divine command to care for the body and to choose life are legitimate not only because they are ethically meritorious actions but because God can command the proper course of care and treatment of God's own possessions.

The sage Hillel explicitly based his practice of regular bathing on this anthropological premise:

When he [Hillel] finished the lesson with his students, he accompanied them part of the way. They said to him, "Master, where are you going?" "To perform a religious duty [i.e., to take a bath]." "Which religious duty?" He answered them, "If somebody appointed to scrape and clean the statues of kings in the theaters and circuses is paid to do the work and furthermore is considered noble for doing so, how much more so should I, created in the divine image and likeness, take care of my body!" (*Leviticus Rabbah* 34:3).

50 Much nuanced, sophisticated *halakhah* and physiological analysis is required here. If one cigarette in and of itself is not toxic, but it is the cumulative effect of smoking that is dangerous and led to the prohibition of smoking, does that mean that any quantities of added sugar should be prohibited like all smoking, or is only habitual smoking prohibited, and likewise, only habitual consumption of sugar prohibited?

If God is the true owner of the human body, then one is ethically and legally obligated not only to obey God's commands concerning the body, but to care for the body in at least as good of a fashion as one would care for any other possession of a king. And accounting for ethico-anthropological precepts such as *tzelem Elokim*—that the human being is created in the image of God—only heightens the duty to care for one's body.

This anthropological premise is also implicit in the *midrashic* understanding of the drowning of Egyptian charioteers in the Sea of Reeds. According to the *midrash*, after the Jews sang to God in praise, the angels also wished to sing, whereupon God refused them permission: "My creatures (lit., handiwork, *ma'aseh yadai*) are drowning in the sea, and you wish to sing songs?" (BT *Megillah* 10b). That God calls the Egyptians "*ma'aseh yadai*," "my handiwork," indicates that a basic Jewish assumption about the nature of man is that he is God's handiwork, and thus in God's possessory domain (which also serves to explain God's grieving over the destruction of the seemingly culpable Egyptian pursuers).⁵¹

51 Modern *halakhists* (legists) have used the anthropological premise of God's proprietary interest in the human body as a basis on which to base decisions that assume healthy behavior is religiously obligatory, but some also use this same premise to delimit autonomy in biomedical ethics; see, for example, J. David Bleich, "Care of the Terminally Ill," in *Jewish Values in Health and Medicine*, ed. Levi Meier (Lanham, MD: Univ. Press of America), 146: "man does not have a proprietary interest in either his life or his body. If one looks for a legal category in order to explain man's rights and obligations with regard to his life and his person, it would be quite accurate to say that human life is a bailment, that man is a bailee, and that the Creator is the bailor. God has created man and entrusted him with this precious treasure called human life. Life has been entrusted to man for guardianship and safekeeping." Quoted in Abraham J. Twerski, "A Body of Laws": Traditional Texts Speak to Contemporary Problems, in Elliot N. Dorff and Louis E. Newman, *Jewish Choices, Jewish Voices: Body* (Philadelphia: JPS, 2008), 29.

See also Elliot N. Dorff, *Matters of Life and Death: A Jewish Approach to Medical Ethics* (Jewish Publication Society, Philadelphia and Jerusalem: 1998), 15: "For Judaism, God owns everything, including our bodies (referencing Exod. 19:15; Deuteronomy 10:14; Psalms 24:1; Genesis 14:19, 22, where God is described as the "Creator" [*koneh*], that is the "possessor," of everything in "heaven and earth"; Psalms 104:24, Exodus 20:11, Leviticus 25:23, 42, 55; Deuteronomy 4:35, 39, 32:6). God lends our bodies to us for the duration of our lives, and we return them to God when we die. Consequently, neither men nor women have the right to govern their bodies as they will; since God created our bodies and owns them, God can and does assert the right to restrict how we use our bodies according to the rules articulated in Jewish law." A central argument of this article is that God asserts the right to restrict how we use our bodies in the realm of food and drink (but this article argues that God does this out of love for us, in accord with *Avot* 3:14, and because God desires that we emulate Him by choosing life). Further, this article argues that the rules articulated by

Tzelem Elokim: The Human Being is Created in the Image of God

The second premise, but perhaps the one with the most far-reaching ethico-legal implications, is that the human being is created in the image of God. This is the *klal gadol baTorah*—the overriding meta-*halakhah* regulatory principle that informs the entire Jewish world-view.⁵² Not only is it the “ground-norm” of Judaism, in Rabbi Dr. Yitz Greenberg’s phrase—its fundamental religious criterion—but a principle that, if understood according to its original conception, means that the human body itself is Godly.⁵³ To be created in the “image” of God means that the human being is a *tzelem* (literally, an “icon”) of God—while we cannot see God, the human being’s image can give us a sense of what God is like. And if you look at a human being properly and observe his or her emotional, psychological, and intellectual capacities, one can glean a sense of God’s presence, according to the rabbinic tradition.⁵⁴ The biblical tradition also views the human being as God-like: according to Psalms, the human being is like God in that she is “slightly less than the angels,” is “crowned with soul and splendor,” and is given “dominion over Your (God’s) handiwork” (Psalm 8:6–7).

Jewish law demonstrate that human beings do not have the right to consume whatever foods and drinks they want in whatever quantities they want: Jewish law governs the domain of food choices as well.

Dorff draws forth legal and ethical consequences from this anthropological premise: “One of these rules requires us to take reasonable care of our bodies. Just as we would be obliged to take reasonable care of an apartment on loan to us, so too we have the duty to take care of our own bodies. Rules of good hygiene, sleep, exercise, and diet are not just words to the wise designed for our comfort and longevity but rather commanded acts that we owe God ... Hillel regards bathing as a commandment (*mitzvah*) (based on *Leviticus Rabbah* 34:3), and Maimonides includes directives for good health in his code of law, considering them just as obligatory as other positive duties like caring for the poor” (referencing M.T. *Laws of Ethics (De’ot)*, chaps. 3–5). *Ibid.*, emphasis added

52 JT Nedarim 9:4, stating that Genesis 5:1 (“This is the account of the descendants of Adam—on the day that God created man, He made him in the likeness of God”) contains the central principle (*klal gadol*) of Torah.

53 See Yair Loberbaum, *Image of God, Halakhah and Aggadah* (Tel Aviv: Schocken, 2004) (regarding the term *tzelem* [icon] in Mesopotamian contextual meanings of icons as representations of royal authority). For analyses of *tzelem elokim* (*imago dei*), see J. Richard Middleton, *The Liberating Image: The Imago Dei in Genesis I* (Grand Rapids: Brazos, 2005); and Brent A. Strawn, “Comparative Approaches: History, Theory, and the Image of God,” in *Method Matters: Essays on the Interpretation of the Hebrew Bible in Honor of David L. Peterson* (eds. Joel M. LeMon and Kent Harold Richards; SBLRBS 56; Atlanta: Society of Biblical Literature, 2009), 117–42.

54 *Ibid.*

Recent scholarship illustrates that interpreting the concept of the image of God metaphorically—to mean that human beings are created with higher, God-like intellectual capacities—is a later innovation. Earlier understandings of *tzelem elokim* held it to mean that human beings were created with actual God-like bodies. Pre-Maimonidean theology (and a significant amount of post-Maimonidean theologians) never accepted the incorporeality of God as a Jewish dogma. As historian and Judaic Studies professor Rabbi Dr. Marc Shapiro has demonstrated, not only was there a widespread belief in divine corporeality during the rabbinic era,⁵⁵ but this belief persisted into the medieval period (despite Maimonides’ best attempts to purge it)⁵⁶ as well. Not only laymen, but even scholars,⁵⁷ understood “God created man in His image” to mean that God has a human form, and that the human form is an approximation of God’s physical image.⁵⁸ In rabbinic literature, the corporeality of God was not interpreted metaphorically by many Jews of that era; Jewish studies scholar and Elijah Interfaith Institute founder Rabbi Dr. Alon Goshen-Gottstein observed that many rabbinic texts can only be understood “if the correspondence between man’s body and the divine body is understood to be exact.”⁵⁹ After studying the relevant rabbinic and contemporary

55 Marc B. Shapiro, *The Limits of Orthodox Theology: Maimonides’ Thirteen Principles Reappraised* (Littman, 2004), 45–70, at 49.

56 *Ibid.*, 54

57 See *ibid.*, 55 and 59, for a list of medieval scholars who opposed Maimonides’ doctrine of divine incorporeality; most notable is R. Abraham ben David (Rabad)’s gloss regarding this Maimonidean doctrine: ‘Why has he [i.e. Maimonides] called such a person a heretic? There are many people greater and superior to him who adhere to such a belief [in divine corporeality] ...’ Gloss (*hasagah*) on Maimonides, *Mishneh Torah* “Hilkhot teshuvah,” 3:7, *ibid.* According to Martin Lockshin, Rabbi Samuel Ben Meir’s Commentary on Genesis (Lewiston, NY, 1989), 338, Rashi’s grandson R. Samuel ben Meir (*Rashbam*) was a corporealist as well; *ibid.*, 58.

58 Alon Goshen-Gottstein, “The Body as Image of God in Rabbinic Literature,” *Harvard Theological Review* 87 (1994), 171–95: “There is absolutely no objection in all of rabbinic literature’ to the idea that man was created in the image of God’s physical form.” Shapiro, *Limits of Orthodox Theology*, 49, quoting Goshen-Gottstein, “The Body as Image of God,” 172–3.

59 *Ibid.*, 175, brought to my attention by Shapiro, *Limits of Orthodox Theology*. According to Goshen-Gottstein’s analysis of the concept of *tzelem elokim*, “in all of rabbinic literature there is not a single statement that categorically denies that God has body or form.” Goshen-Gottstein, 172–3. Other scholars also posit that rabbinic discussions of divine corporeality should be interpreted literally; S. Friedman, “Graven Images,” *Graven Images*, I (1994), 233–8; cited in Shapiro, *ibid.*

Elliot R. Wolfson, “Judaism and Incarnation: The Imaginal Body of God,” in Frmyer-Kensky et al. (eds.), *Christianity in Jewish Terms* (Boulder, CO: 2000), 239–54, also reads rabbinic corporeal images literally, contending that “the evolution of the Christological

literature on the incorporeality of God in Jewish theology, Shapiro concluded that “it seems impossible to deny that a widespread rabbinic view was that God does, in fact, have a physical body.”⁶⁰ And David R. Blumenthal explains the anthropological principle of *tzelem elokim* to imply the theological belief in God’s corporeality:

Since personhood is the core of our being and since we are created in God’s image, God must also have personhood. In anthropopathic theology, God has a Face and a real Personal Presence or Personality. To put it formally: personhood, with its expressions as face, presence and personality, is God’s, and we have that capacity because God has created us in God’s image.⁶¹

doctrine of the incarnation of the Son is undoubtedly indebted to the scriptural tradition regarding the corporeality of God” (ibid., 240). Meir Sender, “The Violence of the Neutral in Interfaith Relations,” in Goshen- Gottstein and Korn (eds.), *Jewish Theology and World Religions*, 149–65, however, finds Wolfson’s readings of rabbinic anthropomorphic imagery “unpersuasive” (ibid., 159), contending that “[n]ormative rabbinic authorities from the Talmudic period on tend to” interpret corporeal imagery of God “with nuance, complexity and delicacy (ibid.)” Other figurative interpretations of such rabbinic imagery include David Stern, “Imitatio Hominis: Anthropomorphism and the Character(s) of God in Rabbinic Literature,” *Prooftexts*, 12 (1992), 151–74, and Elliot R. Wolfson, *Through a Speculum that Shines: Vision and Imagination in Medieval Jewish Mysticism* (Princeton, NJ: Princeton University Press, 1994) (challenging the assumption that Jewish mystics conceived of a corporeal God), 33 ff, referenced in Shapiro, *The Limits of Orthodox Theology*, 50. One can, though, simultaneously appreciate the nuance of rabbinic interpretation of divine anthropomorphic imagery (and the figurative interpretations of such imagery that have since become normative) while acknowledging the legitimacy (and arguably former normativity) of such readings. Meir Bar-Ilan, “The Hand of God: A Chapter in Rabbinic Anthropomorphism,” in Rashi 1040–1990: Hommage à Ephraïm E. Urbach (Paris, 1993), has argued that ascribing literal readings of anthropomorphic imagery to the Jews of the rabbinic era is persuasive, contending that “in the first centuries Jews in the Land of Israel and Babylon believed in an anthropomorphic God.” Ibid., 331, quoted in Shapiro, *The Limits of Orthodox Theology*, 50. Bar-Ilan also believes that Rashi was a “corporealist.”

Ibid., 326–27, based in part on Rashi’s interpretation of Genesis 1:26—God created the human being in His ‘image’ [*tzelem*] to mean that “the form that was established for him [i.e. the human] is the form of the image of his Creator [*tzelem deyyukan yotsro*]”, in Shapiro, ibid., 57. Shapiro further notes that Arthur Marmorstein likewise “concluded that there was ‘a school in Judaism, and an important one too, that believed in a God who accompanies man in human form and shape.’” Ibid., quoting Marmorstein, *The Old Rabbinic Doctrine of God*, 2 vols. (London, 1927–37), ii. 52.

60 Marc Shapiro, *Limits of Orthodox Theology*, 52; n. 35, ibid., acknowledges the difficulty of parsing anthropomorphic imagery in Jewish mystical literature: “it is never clear when descriptions of God [in such literature] are to be taken literally and when they are only symbolic.”

61 David R. Blumenthal, based on his “Tselem: Toward an Anthropopathic Theology,” in

The ethico-legal implications of this view are profound: if the corporeal human body corresponds to the corporeal divine body, there are two basic reasons that the physical human body must be treated with the utmost respect, nourishment, and care. First, because of the imperatives of *uvaharta bahayim, imitatio Dei*, and “*ush’martem me’od lenafshoteichem* (the commandment to care for the physical wellbeing of one’s body),” as discussed above; and secondly, as an outgrowth of another fundamental commandment: “*ve’ahavta et Hashem elokeikha*” (the commandment to love God) and “*et hashem elokeikha tira*” (the commandment to fear God). In other words, the human body must be honored and respected because the physical human body itself is an “image” of God: to treat the body properly is thus to honor God, and to malnourish the body is to debase God. This anthropological understanding of *tzelem elokim* may well have informed Hillel’s scrupulousness in his personal health and hygiene: as discussed above (*Leviticus Rabbah* 34:3), Hillel lent an ethico-theological rationale for this regular bathing: “If somebody appointed to scrape and clean the statues of kings in the theaters and circuses is paid to do the work and furthermore is considered noble for doing so, how much more so should I, created in the divine image [*tzelem*] and likeness [*demut*][of God], take care of my body!” According to Yair Loberbaum, the reason Hillel spoke in such terms was because Jews in the rabbinic era conceived of their bodies as *tz’lamim*, images of God, much in the same way that icons are images of a king, ruler, or a god.⁶²

Christianity in Jewish Terms, Tikva Frymer-Kensky, et al., eds. (Westview Press, Boulder, CO: 2000). Accessed at <http://js.emory.edu/BLUMENTHAL/image2.html>

62 Yair Loberbaum, *Image of God, Halakhah and Aggadah* (Tel Aviv: Schocken, 2004). In his discussion of the corporeality and incorporeality of God in Jewish theology, Shapiro references Loberbaum’s dissertation (“The Image of God: Rabbinic Literature, Maimonides, and Nahmanides” [*Tzelem elohim: Sifruit azal, arambam veharambam*] (Ph.D. diss., Hebrew University of Jerusalem, 1997)); shortly thereafter, Loberbaum’s dissertation was published by Schocken under this title. Shapiro’s *Limits of Orthodox Theology* bibliography also notes Loberbaum’s “The Doctrine of the Corporeality of God Did Not Occur Even for a Single Day to the Sages, May their Memory be Blessed” (Guide of the Perplexed I, 46): ‘Anthropomorphism in Early Rabbinic Literature—A Critical Review of Scholarly Research’ (Heb.), *Mada’ei yehadut*, 40 (2000), 3–54. For a recent attempt to relate the historical-theological analyses of *tzelem elokim* to current ethical concerns, see Aaron L. Mackler (ed. Y. Tzvi Langermann), “Finding Common Ground Among Monotheists in Bioethics,” *Monotheism and Ethics: Historical and Contemporary Intersections among Judaism, Christianity and Islam* (Brill, Boston: 2012), 219–31.

Additional contemporary scholarship on the concept of *tzelem elohim* is brought to readers’ attention by Shapiro in *The Limits of Orthodox Theology*; such sources include Morton Smith, *Studies in the Cult of Ya-hweh* (Leiden, 1996), ch. II; Byron L. Sherwin, “The

Indeed, because the Jewish and rabbinic conception of *tzelem elokim* [*imago Dei*] is that the physical body of the human being (and not merely our intellect or spirit) is God-like, the imperative of choosing life (*uvaharta bahayim*) becomes a much more forceful *halakhah* obligation in the context of healthy eating, as does the admonition to safeguard oneself (*venishmartem me'od lenafshoteichem*) from any foods that, in sufficient and consistent levels of consumption, diminish life. If preserving the quantity and quality of the human body is a positive value because the human body is an icon of God, and if the physical body itself is precious in the eyes of God⁶³ (as Rabbi Akiva said of the human being's overall "preciousness" in the eyes of God—"the human is beloved", or precious, "because he and she were created in the image of God," *Avot* 3:14⁶⁴), nutrition is transformed from a lifestyle choice to a transcendent religious activity (much in the same way that Hillel transformed bathing and hygiene into religious practices).

Extrapolating from the meta-*halakhah*, ethico-theological principle of *tzelem elokim* to *halakhah* in order to reinforce and reinterpret pre-existing *halakhah* obligations is far from unprecedented. Loberbaum argues that this anthropological view had significant *halakhah* ramifications in the Talmud, particularly in the areas of life and death. For example, capital punishment (which is consistently advocated in the Torah) was minimized because killing a

Human Body and the Image of God," in Dan Cohn-Sherbock (ed.), *A Traditional Quest* (Sheffield, 1991), 75–85; Warren Zev Harvey, "The Incorporability of God in Maimonides, Rabad, and Spinoza" (Heb.), in Sarah

O. Heller-Willensky and Moshe Idel (eds.), *Mehkarim behagut yehudit* (Jerusalem, 1989), 69–74; Martin Cohen, *The Shiur Qomah: Liturgy and Theurgy in Pre-Kabbalistic Jewish Mysticism* (Lanham, Md., 1983); 321–35, and David Aaron, "Shedding Light on God's Body in Rabbinic Midrashim: Reflections on the Theory of a Luminous Adam, *Harvard Theological Review* 90 (1997), 299–314.

63 See Joseph B. Soloveitchik (Michael S. Berger, ed.), *The Emergence of Ethical Man* (Jersey City, NJ: KTAV, 2005) (affirming the physical body as created in the image of God; thus, our instincts, living actions, and biological behaviors are also, in some respects, Godly).

64 The continuation of this *mishnah* is also critical: "Especially beloved is man because it was made known to him that he had been created in the image [of God], as it is said: 'for in the image of God He made man.'" (Gen 9:6). Because we are loved by God—and God loves us because there is no replacement for each and every one of us—we therefore should love others who are created in the image of God and should love ourselves (and take proper care of ourselves) as well. Showing love towards others and towards ourselves is thus showing love to God; loving others, and loving oneself, is a demonstration of our belief that we are created in the image of God. Mistreating the body by over-eating, under-eating, or denying it proper exercise, is thus to show contempt to the image of God in the body, and to show contempt to the human body is to show contempt of God.

human being is nearly equivalent to killing God. At the same time, the *mitzvah* of *p'ru ur'vu* [procreation] was maximized⁶⁵ and held to be a cardinal Jewish obligation,⁶⁶ despite the real uncertainty as to whether it was an explicit biblical *mitzvah* incumbent on Jews. (Genesis 1:28, “Be fruitful and multiply,” could easily be interpreted as a divine blessing rather than a divine mandate; in fact, the verse begins in that language: “And God blessed them, and God said unto them, Be fruitful and multiply.”)

The Ethics of Nutrition: Towards a Jewish Nutrition Ethic

The principles of nutrition ethics have been established on terra firma by the Talmud and other classical sources. These sources will be discussed momentarily, though *ab initio*, it should be noted that the crafting of a new ethic and the institution of updated halakhot to safeguard one's health would not be an entirely new phenomenon. The concept of *sakanah* (safeguarding oneself from bodily danger) has been used before in the crafting of Jewish laws; for example, as Rabbi Dov Linzer has observed, *the Shulchan Aruch's* prohibition of mixing meat and fish is a prohibition that is grounded not in ritual, as is the prohibition of mixing meat and milk, but in bodily danger and health—it was once thought that eating meat with fish was a danger to one's health.

Additionally, the Talmud's enactment of *mayim aharonim* (‘last waters’ water poured on one's fingertips and lips after a meal), and its conceptualization of *mahim aharonim* as a *hovah* [obligation]—as opposed to *mayim rishonim* (‘first waters’) *netilat yadayim*—ritual hand-washing prior to a meal)—is indicative of the fact that the sages support, and have in fact practiced, the crafting of laws of practices that are based on health concerns; the reason *mayim aharonim* is a *hovah*, states the Talmud, is because late-antiquity salt was so pungent that it could be dangerous if one wiped one's eyes with salt-tinged fingers (similar to how, nowadays, it is dangerous to touch one's eyes immediately after cutting jalapeño peppers with one's bare hands); thus, the rabbis decreed that one must wash one's hands and lips after a meal as a prophylactic measure to prevent oneself from incurring this bodily danger.⁶⁷ Furthermore, the Rabbis were wont to dispense nutritional advice—*sine pecunia*, of course: “Men who are still deprived of children [*hasukhei banim*] should not eat coriander,” says a

65 Ibid.

66 See BT *Shabbat* 31a.

67 BT *Eruvin* 17b; See also *ibid.*, Rashi, *loc. cit.*, s.v. “*she'melah sedomit*,” and Tosafot, s.v. “*mayim aharonim*.”

baraita (BT *Eruvin* 28a), because coriander was believed to cause a reduction in sperm count;⁶⁸ neither should raw beets [*silka haya*] be eaten because they could “kill a living person” [*katil gavra haya*]— viz., they were believed to be unhealthy.⁶⁹ In our *mesorah*—in Jewish tradition—food is intimately linked to life; foods which may cause an enhancement of life should be eaten—“a dish of cooked beets [*tavshil shel t’radin*] is healthy for the heart and good for the eyes [*yafeh lalev v’tov la’einayim*], and certainly is good for the stomach [*v’khol sh’ken livnei mei’ayim*]”⁷⁰— and foods which may cause a diminishment of life should be avoided.

Classical and rabbinic precedents are thus amply available to support the proposition that, just as new ethics and updated *halakhot* were once crafted for the purpose of safeguarding not merely the spiritual health but the physical health of human beings. It is therefore incumbent on us in our own time to be aware of the genuine health risks involved in unhealthy eating, and to craft a new nutrition ethic and to update traditional *halakhot* concerning health in a way which would be conducive to healthy lifestyles and in comportment with the overriding Jewish theurgic ethic to choose life.

As aforementioned, the ethico-theological foundation for principles of nutrition ethics is the *k’lal gadol* of *tzelem elokim*: if the idea of the human as made in the image of God is properly understood, every *mitzvah* should be understood as a logical outflow of this concept.⁷¹ Through realizing that the human is created in the image of God, one should intuitively understand that taking proper care of one’s being (Deuteronomy 4:9) is a religious obligation.⁷² The foundation for these principles is also formed by the ethical imperative of *v’halakhta bidrakhav*, and the overriding *halakhah* obligation of *uvaharta bahayim* [choose life]. After having established the theological, ethical, and *halakhah* foundations for nutrition ethics, we can understand how the specifics of the Talmudic discussions of nutrition can help us begin to formulate a nutrition ethic for our times.

68 Ibid., 28a, Rashi, loc. cit., s.v. “*gud’gedaniot*.”

69 Ibid., 28b–29a.

70 Ibid., 29a.

71 P’nei Moshe on YT *Nedarim* 9:4, s.v. *zeh sefer*.

72 Understood properly, *tzelem elokim* means that if you treat your body improperly, you’re treating God improperly, in that you are treating a representative (*tzelem*) of the divine improperly. And if one honors the body properly, one is showing respect for God, as Hillel realized. Thus, the logical outcome from a full understanding of *tzelem elokim* is that one should watch carefully over one’s being (Deuteronomy 4:9); this *mitzvah*, then, is a behavioral response to the metaphysical conception of being created in the image of God.

The Talmud was not unaware of the importance of healthy eating; more significantly, its integration of nutrition into Jewish legal texts established an important precedent for the integration of current knowledge of healthy eating into contemporary *halakhah* guidelines. In the second to sixth centuries C.E., despite limited knowledge of nutrition, basic nutritional principles were nevertheless known, such as the importance of eating green vegetables:

Rav Huna said: Any city that does not have vegetables [available] in it, a Torah scholar may not reside in it (“because vegetables are beneficial for one’s health, are inexpensive, and allow scholars to study Torah;”⁷³ Rashi, ad loc.) (BT *Eruvin* 56a).

Additionally, the Talmud, based on its knowledge of proper nutrition (limited by today’s standards, but still revelatory, and precedential for the integration of nutrition into normative Jewish thought and practice), discusses which foods are healthy and which should be avoided:

Garlic and leek [are nutritious], as a *baraita* taught: ‘Garlic is a vegetable [i.e., is healthy], and leeks are half-vegetables [i.e., are half as healthy as garlic]. If a radish appears, a medicine has appeared [i.e., radishes are healthy] ... the leaves [of a radish are not healthy], the roots [of the radish, though, are healthy] ... [radish roots are healthy] during the summer months, but even radish roots are unhealthy] during the winter months. (ibid.) A person should not eat an onion because of the poison [*nahash*] within (ibid., 29b).

The Talmud also discusses which foods should, for health reasons, be eaten:

Abaye said: My mother told me that roasted grains are good for the heart [*ma’alu leliba*] and sooth one’s worries [*u’mevatlei mahashavta*] (ibid.).

Moreover, both the Torah and Talmud advocate portion control and moderation. Rashi views the manna and *s’lav* (quail) narrative as a lesson in portion control. Based on the Talmud, Rashi interprets the statement of Moses—“When, in the evening, Hashem gives you meat to eat and bread to

73 Presumably because one must be in optimal physical condition in order to engage in Torah study at the highest level; as we now know (e.g., regarding the countless studies linking exercise to improved mental ability), one’s physical health affects one’s mental capacities.

satiety in the morning”—to mean that meat is given to be “eaten,” but not for “satiety”:

The Torah teaches *derekh erez* [proper behavior] (in the context of food and nutrition): that meat is not to be eaten to the point of satiety (BT *Yoma* 75a).⁷⁴

We may quibble with Rashi’s and the Talmud’s nutritional guidelines; after all, many nutritionists teach that there are plentiful health-benefits in lean, non-fatty meat, which is a good source of heme-iron, vitamins B-6 and B-12, and protein. However, what is significant about this comment of Rashi is not the specific nutritional guideline he offers, but the fact that he (and the rabbis of the Talmud) believe that the Torah is instructive, and does have something to say, about the matter of health and nutrition—not only about what should be eaten, but how we should eat.

The Talmud further emphasizes the importance of portion control:

One who eats as much as this measure [i.e., as the minimum quantity specified for *hallah*] is healthy (because one has eaten what his body needs; Rashi, ad loc., s.v. “*harei zeh bari*”) and blessed (because one has not eaten too much; Rashi, ibid., s.v. “*u’mvorakh*”); [if he eats] more than this, [he is considered] a glutton. If he eats [less than this, his innards (i.e., his digestive system) are defective]⁷⁵ (BT *Eruvin* 83b).

What is significant about this passage is that the Talmud does not only condemn overeating but condemns under-eating as well. The body, the rabbis realized, must be given what it needs—not too much, and not too little. Also noteworthy is that the context in which this statement is found is within a discussion of the size of the daily portion of *manna* that fell for each person in the desert (see Exodus 16:36). That a proper portion fell from heaven for each person is indicative of a divine wish that humans practice portion control; to diminish or increase one’s proper portion of food is to contravene the will

74 Rashi, commentary to Exodus 16:8, s.v. *basar le’ekhol*. On the notion of having fixed, daily, non-excessive portions of food as rooted in the *manna* narrative, cf. Nahum M. Sarna, *The JPS Torah Commentary: Exodus* (Philadelphia: Jewish Publication Society, 1991), 86, commentary to Exodus 16:4, s.v. *devar yom b’yomo*.

75 Translations from the Talmud are from the Artscroll-Schottenstein edition of the Talmud, *Eruvin* vol. II (Mesorah: Brooklyn, NY, 1991). Translations from Rashi’s commentary are my own.

of heaven. Moreover, Rashi buttresses the grafting of religious values onto the practice of healthy eating by attaching a scriptural admonishment to gluttons. He cites a verse from Proverbs 13:25—the stomach of the wicked shall lack—to argue by implication that it is religiously improper to overeat or under-eat; the linking of wickedness with gluttony and with conscious under-eating indicates that the sages felt it proper to condemn unhealthy eating not only in nutritional terms but in ethico-religious terms as well. The utilization of religious discourse in the context of proper nutritional practices may be the most significant precedent for the utilization of religious discourse in the context of the current dialogue surrounding nutrition.

One must also be aware that eating whatever one wishes and counting on God to protect one from the negative health consequences of poor eating choices is not a pious attitude but is in fact inimical to traditional Judaism. As the Talmud states, *ki ha d'amar Rabbi Yannai: le'olam al ya'amod adam binkom sakanah v'yomar osin li ness, shema ein osin lo ness, v'im timtzei lomar osin lo ness, m'makin lo miz'khuyotav* (Rabbi Yannai said: A person should never stand in a dangerous place and say, "A miracle will be performed for me to save me from the danger, because the miracle may not be performed for him. And even if you find your way to say that a miracle will be performed for him, it will be deducted from his merits") (BT *Taanit* 20b).

The seminal Jewish thinker and *halakhist* Maimonides not only wrote legal codes and philosophic texts, but ethical treatises (embedded in his legal code, *the Mishneh Torah*) as well. In his *Hilkhot De'ot*, sometimes translated as "Laws of Ethics" (lit., "opinions"), he expanded on the Talmudic illustrations of healthy eating by integrating the most advanced nutritional knowledge of his age into a medieval Jewish nutrition ethic:

He who regulates his life in accordance with the laws of medicine with the sole motive of maintaining a sound and vigorous physique and begetting children to do his work and labor for his benefit is not following the right path. A man should maintain physical health and vigor in order that his soul may be upright, in a condition to know God . . .

Whoever throughout his life follows this course will be continually serving God, even while engaged in business and even during sexual relations, because his purpose in all that he does will be to satisfy his needs so as to have a sound body with which to serve God. Even when he sleeps and seeks repose to calm his mind and rest his body so as not to fall sick and be incapacitated from serving God, his sleep is his service to the Almighty (3:3).

Similarly, when one eats, drinks, and has sexual relations—it should not be done simply for the pleasure alone, for then [one might come to] eat and drink only sweet foods and have sexual relations only for pleasure. Rather, pay attention to eat and drink in order to keep the entire body healthy. Therefore, one should not eat anything the palate desires, like a dog or a donkey; rather, eat [also] things that are good for the body—whether they are sweet or bitter. Also, one should not eat things that are bad for the body, even if they are sweet to the palate ... (ibid., 3:2).

Overeating is considered like poison to one's body—this is the essence of sickness. The majority of sicknesses that befall a person are from eating harmful foods, filling one's belly and overeating—even healthy foods (ibid., 4:15).

A crucial addendum to the ethics of eating is that just as overeating is a violation of the ethic of “choose life,” so too is under-eating. The authoritative Jewish legal and philosophical sources are in consensus regarding the proposition that under-consumption is sinful:

A person may say, “Since jealousy, honor, and similar things are a bad path and remove people from this world, I will separate myself from them by doing the opposite.” The person would not eat meat, not drink wine, not get married, not live in a nice home, not wear fine clothing; but rather this person would wear sackcloth and uncomfortable wool and the like ... This is also a bad path down which one is forbidden to walk. The one who chooses this path is considered a sinner ... Also, this category [of sinners] includes those who constantly fast. This is not a good path, for the Sages forbade us from afflicting ourselves with [constant] fasts.⁷⁶

Maimonides' proposition that it is spiritually fulfilling to make sure one's belly is full (but not stuffed) should serve as encouragement to those afflicted with anorexia, bulimia, or other under-consumptive eating disorders. As Rabbi Judah Ha-Levi reminds us, taking care of the body and choosing life is essential to religious life; we should not be misled into thinking that religiosity is coterminous with denial:

The Divine law imposes no asceticism on us. It rather desires that we should keep the balance and grant every mental and physical faculty

⁷⁶ Maimonides, *Mishneh Torah*, Laws of Ethics (*De'ot*) 3:1.

its due, without overburdening one faculty at the expense of another (Yehuda Ha-Levi, *The Kuzari*, Part 2, paragraph 50).

The servant of God does not withdraw himself from secular contact lest he be a burden to the world and the world to him. He does not hate life, which is one of God's bounties granted to him . . . On the contrary, he loves this world and a long life because they afford him opportunities of deserving the world to come: the more good he does, the greater his claim on the world to come (ibid., Part 3, paragraph 1).

These ethical guidelines, written in the medieval era, serve as the preliminary foundations for a modern Jewish nutrition ethic. Maimonides, following Hillel's line of thought, transforms healthy eating, and maintaining a healthy lifestyle in general, into a theurgical pursuit: taking care of the body becomes not merely a physical activity but a means of serving God. Making sure to get enough sleep⁷⁷ and eating healthily are not to be taken lightly, for they are "service[s] to the Almighty."⁷⁸ It is now in the hands of this generation to carry forward the Talmudic, Maimonidean, and rabbinic precedents for contemporary nutrition ethics by crafting a twenty-first century nutrition ethic that fully integrates the multitude of advanced knowledge of the body, food, and nutrition into *halakhah* praxis and normative Jewish life.

77 Sleep is a crucial component of a healthy lifestyle as well and should not be overlooked. See, Jane Brody, "Cheating Ourselves of Sleep," *New York Times*, June 18, 2013: "Failure to get enough sleep night after night can compromise your health and even shorten your life. . . . According to sleep specialists at the University of Pittsburgh School of Medicine and Western Psychiatric Institute and Clinic, among others, a number of bodily systems are negatively affected by inadequate sleep: the heart, lungs and kidneys . . . and brain function. . . . Several studies have linked insufficient sleep to weight gain. . . . The risks of cardiovascular diseases and stroke are higher in people who sleep less than six hours a night. Even a single night of inadequate sleep can cause daylong elevations in blood pressure in people with hypertension. Inadequate sleep is also associated with calcification of coronary arteries and raised levels of inflammatory factors linked to heart disease." (emphasis added) And especially for yeshiva students and others focused on mental performance and intellectual endeavors, heed should be taken that "[s]ome of the insidious effects of too little sleep involve mental processes like learning, memory, judgment and problem solving. . . . People who are well rested are better able to learn a task and more likely to remember what they learned . . . Sleep duration and quality can be as important to your health as your blood pressure and cholesterol level." Adequate sleep is thus a key integument in any nutrition ethic.

78 For many of the *halakhah* sources related to life, I am indebted to the helpful aggregation of these materials found in Elliot N. Dorff and Louis E. Newman (eds.) *Jewish Choices, Jewish Voices: Body* (Philadelphia: Jewish Publication Society, 2008), 4–25. Some of the translations of these sources are from *Jewish Choices*; others are my own.

CONCLUSION

The purpose of this article has been to adumbrate the theological, anthropological, *halakhah* (legal), and ethical premises that would form the theoretical and practical basis for a modern Jewish nutrition ethic. My purpose has been to demonstrate that the thrust of biblical, Talmudic, and post-Talmudic rabbinic writings favor a nutrition ethic. This article has done so by establishing that healthy eating, although not explicitly mandated by traditional Jewish sources, is a fundamental obligation that can be inferred from the basic theological, ethical, and *halakhah* postulates of Judaism. Biblical, Talmudic, and rabbinic precedents, this article has illustrated, broadly support the postulate that healthy, balanced, nutritious eating is a fundamental Jewish value that inexorably flows from the basic Jewish imperative to choose life. Hence, choices about what to eat and drink must be made based on an assessment of the particular food item's ability to increase or decrease the quantity and quality of one's life. Jewish tradition recognizes that there are no neutral choices; each life- decision implicates a religious, ethical, or legal value, and eating choices are no different. If making healthy choices in eating is as important as choosing to eat kosher and as important as reciting blessings over food—a position this article has sought to validate—then the same kind of religious rigor that is applied to kosher eating and to the recitation of blessings over food must be applied to healthy eating as well. In this way, placing the criteria of health, nutrition, and life on eating elevates healthy eating to the plane of a crucial ethical, spiritual, and religious activity. And, perhaps most significantly, the consideration of the sources on life, health, and the body clearly demonstrate that a Jewish ethic of nutrition is not a radical innovation, but merely an explication of the implicit religious obligation to eat healthily that is latent in Judaism's most fundamental precept: "choose life."