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annotated by

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*Religious laws and water footprint reduction**

Diritti religiosi e riduzione del water footprint

FABIO BALSAMO

ABSTRACT

The contribution highlights the impact of religious laws for the reduction of global water footprint and for the implementation of innovative and 'water-sustainable' productions, especially in the agri-food sector.

KEYWORDS

Religion and water; water footprint; religious laws; hydroponic agriculture; religious dietary rules; ISO 14046 Water footprint certification

RIASSUNTO

Il contributo evidenzia l'incidenza dei diritti religiosi nei processi di riduzione dell'impronta idrica globale e nella implementazione, soprattutto nel comparto agro-alimentare, di tecniche produttive che risultino innovative e idrosostenibili.

PAROLE CHIAVE

Religioni e acqua; impronta idrica; diritti religiosi e water footprint; agricoltura idroponica; regole alimentari religiose; certificazione ISO 14046 Water footprint

TABLE OF CONTENTS: *1. Introduction – 2. The responsible use of water resources in monotheistic religions – 3. The contribution of religions to water wastage reduction and to the protection of aquatic ecosystems – 4. Religious belonging and water footprint – 5. Jewish religious precepts and water footprint reduction: the hydroponic agriculture – 6. Religious dietary rules and ISO 14046 Water Footprint certification*

*The Italian version of the contribution will be published, with modifications, in the Proceedings of the International Conference *Water resource and environmental sustainability: the contribution of religious laws*, organized by the University of Genoa, 10-11 May 2022.

1. Introduction

The progressive reduction of water reserves is an issue that points nos. 33 and 34 and Goal 6, Targets 6.4 and 6.6 of the *UN 2030 Agenda for Sustainable Development*¹ aim to counteract through the protection and recovery of aquatic ecosystems, primarily rivers and aquifers², as well as through a more efficient use of water³.

With regard to the elaboration of rules that promote a moderate use and a fair distribution of water resources⁴, religions seem to offer multiple profiles of interest contributing to the identification of management models that exceed the local dimension of water efficiency policies.

In fact the solution of current environmental issues cannot be entrusted solely to technology, because it implies profound changes in individual's lifestyle habits, also based on a practical implementation of the ethical-religious values⁵. Religions, as systems «defining cultures and guiding human behavior [...] can provide the metaphysical foundation necessary for an environmental ethic»⁶, and can push for concrete and innovative solutions to ecological prob-

¹ The *UN 2030 Agenda for Sustainable Development*, approved by the UN General Assembly resolution on 25 September 2015, is available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/291/89/PDF/N1529189.pdf?OpenElement>.

² See *UN 2030 Agenda for Sustainable Development, Goal 6, Target 6.6*: «By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes».

³ See *UN 2030 Agenda for Sustainable Development, Goal 6, Target 6.4*: «By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity». On this topic see ELEONORA SPARANO, *Obiettivo acqua. Educazione, etica e valori alla base dello sviluppo sostenibile*, in *Culture e Studi del Sociale*, 1, 2020, pp. 101-118.

⁴ See BENEDICT XVI, Encyclical Letter *Caritas in veritate*, 29 June 2009, in AAS 101 (2009), pp. 641-709, especially point no. 51: «The Church has a responsibility towards creation and she must assert this responsibility in the public sphere. In so doing, she must defend not only earth, water and air as gifts of creation that belong to everyone».

⁵ On this subject see CHRISTOPH BÖTTIGHEIMER, WENZEL MAXIMILIAN WIDENKA (eds.), *The Concept of environment in Judaism, Christianity and Islam*, De Gruyter, Berlin-Boston, 2023.

⁶ Cf. İBRAHİM ÖZDEMİR, *Towards An Understanding of Environmental Ethics from a Qur'anic*, in RICHARD FOLTZ, FREDERICH DENNY, AZIZAN BAHARUDDIN (eds.), *Islam and Ecology. A Bestowed Trust*, Harvard University Press, Cambridge Massachusetts (USA), 2003, pp. 1-37, especially p. 3, where the Author states that: «Presumably religion, as a system defining cultures and guiding human behavior, can provide the metaphysical foundation necessary for an environmental ethic». On the relevance of religious laws as instruments of protection of the environment cf. MARIA ROSARIA PICCINI, *La tutela dell'ambiente nel diritto delle religioni*, Aracne, Rome, 2013; FRANCESCO SORVILLO, *Eco-fede. Uomo, natura, culture religiose*, in ANTONIO FUCCILLO (ed.), *Esercizi di laicità interculturale e pluralismo religioso*, Giappichelli, Turin, 2014, particularly pp. 107-113; Id.; *L'art. 9 della Costituzione e il contributo delle religioni alla tutela dell'ambiente*, in *diritto.it*, 9 April 2019, especially pp. 7-10; FABIO BALSAMO, *Religioni ed ambiente: il contributo delle confessioni religiose alla costruzione di una "democrazia ambientale"*, in *Diritto e Religioni*, 2, 2014, pp. 65-103; Id., *Enti religiosi e tutela*

lems, including the progressive reduction of water reserves.

2. The responsible use of water resources in monotheistic religions

The three great monotheistic religions, sprouted in a mostly desertic context, had an immediate perception of the scarcity of the water element. The recognition of its sacredness – of which its purifying and regenerating value is an immediate corollary⁷ – also stemmed from the need to ensure a prudent and supportive use of this resource for the survival of the community itself.

All Abrahamic religious traditions share the prohibition of every form of waste of this element, also when it is used for religious purposes. On this point, a Prophet Muhammad's *hadith* is emblematic. In this *hadith* the excessive use of water is condemned even during ablutions because any water wastage is considered *makruh* (detestable)⁸. That's why, in case of water shortage, the Muslim believer is allowed, as an alternative to ritual ablution⁹, to perform pulveral lustration (*tayammum*) with earth or sand¹⁰.

dell'ambiente, in *Stato, Chiese e pluralismo confessionale*, Online Journal www.statoechurchiese.it, 2 March 2015, pp. 1-26; GAETANO DAMMACCO, *Ambiente e creato nel diritto canonico: la tutela dell'ambiente e le garanzie contro il degrado*, in GAETANO DAMMACCO, CARMELA VENTRELLA (eds.), *Cibo e ambiente. Manipolazioni e tutele nel diritto canonico*, Cacucci, Bari, 2015, particularly pp. 103-104; ANGELA PATRIZIA TAVANI, *Fattore religioso e ambiente*, Edizioni dal Sud, Bari, 2020; DOMENICO BILOTTI, *Sostenibilità economica e transizione ecologica: l'apporto giuridico Buddhista*, in *Stato, Chiese e pluralismo confessionale*, Online Journal (www.statoechurchiese.it), 18, 2022, pp. 1-44.

⁷ Cf. MARIA D'ARIENZO, *Sacralità dell'acqua e sua simbologia nei riti religiosi*, in *Diritto e Religioni*, 1, 2021, pp. 296-308; EAD., *L'acqua nei riti di purificazione*, in MARIA VALERIA DEL TUFO, FRANCESCO FASOLINO, FRANCESCO LUCREZI (eds.), *Terre, acque, diritto. Forme delle società antiche*, Editoriale Scientifica, Naples, 2021, pp. 45-60; ROBERTO CIPRIANI, *L'acqua e la religione come fattori di integrazione*, in *Futuribili – Rivista di studi sul futuro e di previsione sociale*, 1, 2017, pp. 151-170; PATRICIA HIDIROGLOU, *Acqua Divina. Miti, riti, simboli*, Edizioni Mediterranee, Rome, 2007.

⁸ The episode refers to a meeting between the Prophet Muhammad and a believer, Sa'ad, who was reproached for the excessive use of water during ablutions. Although Sa'ad had pointed out that water was used for ritual washing, Muhammad replied that there could be waste even during ablutions and even when water was unnecessarily taken from a flowing river. Cf. *Sunan Ibn Majah*, vol. 1, Book. 1, Hadith 434: «*The Messenger of Allah saw a man performing ablution, and he said: 'Do not be extravagant, do not be extravagant (in using water)'*»; Ivi, Hadith 425: «*The Messenger of Allah passed by Sa'd when he was performing ablution, and he said: 'What is this extravagance?' He said: 'Can there be any extravagance in ablution?' He said: 'Yes, even if you are on the bank of a flowing river'*». The text of the hadiths is available, in Arabic with English translation, at <https://sunnah.com/ibnmajah/1>.

⁹ With specific regard to the ablutions of Islamic women see MARIA D'ARIENZO, *Sacralità dell'acqua e sua simbologia nei riti religiosi*, cit., p. 306.

¹⁰ Cf. NASOHA BIN SAABIN, *The interpretation of the meaning of the Holy Quran*, vol. 13, Surah Al-Maidah, verse 1 to 60, 2020, p. 30.

The *Qur'an* and the *Sunna* emphasise on several occasions that water is intended to satisfy a fundamental need in human life¹¹. They consequently impose a series of obligations and responsibilities on each Muslim: the conservation of existing water resources, the prevention of any activity that may cause pollution of water resources or the alteration of its purity, and the abstention from irresponsible use in its consumption¹².

Also Jewish law establishes the free access to water resources and their equitable distribution. In fact, the biblical command of “thou shalt not destroy” (*bal tashchit*) – dictated in Deuteronomy in relation to the prohibition of destroying fruit trees during warfare¹³ – has been interpreted extensively as a prohibition against the unnecessary destruction of objects¹⁴. Consequently, the *mizvâ* of *bal tashchit* has been referred also to the proper use of water. For this reason, the conduct of anyone who occludes a water source is expressly censured in Maimonides’ *Mishnè Torah*¹⁵.

In the Catholic sphere, since the pontificates of John XXIII¹⁶ and Paul VI¹⁷ the valorisation of the principles of Church’s social

¹¹ In the *Qur'an* the word “water” is mentioned more than sixty times. Cf. İBRAHİM ÖZDEMİR, *Towards An Understanding of Environmental Ethics from a Qur’anic Perspective*, cit.

¹² On this topic see MARIA ROSARIA PICCINI, *La tutela dell’ambiente nel diritto delle religioni*, cit., particularly pp. 201-211 and, with specific regard to the marketability of water in Islam, pp. 214-218.

¹³ Cf. *D’varim – Deuteronomy*, 20, 19-20: «¹⁹When thou shalt besiege a city a long time, in making war against it to take it, thou shalt not destroy the trees thereof by forcing an axe against them: for thou mayest eat of them, and thou shalt not cut them down (for the tree of the field is man’s life) to employ them in the siege²⁰: Only the trees which thou knowest that they be not trees for meat, thou shalt destroy and cut them down; and thou shalt build bulwarks against the city that maketh war with thee, until it be subdued».

¹⁴ The biblical command of “thou shalt not destroy” was extended by the Masters of the Talmud to the prohibition of destroying things – first of all natural resources – in a broad sense. Cf. PAOLO S. POZZI, *Il Creato: utilizzo consapevole di animali ed ambiente nell’Ebraismo*, in ILARIA ZUANAZZI, LUCA BATTAGLINI (eds.), *Religioni e sviluppo sostenibile*, cit., pp. 91-108, especially p. 101; MANFRED GERSTENFELD, *The environment in the Jewish Tradition: a sustainable world*, Institute for Israel Studies Edition, Jerusalem, 2002.

¹⁵ MOSES MAIMONIDES (Rambam) (1138-1204), *Mishne Torah, Melachim-Milchamot*, 6:10. Cf. PAOLO S. POZZI, *Il Creato: utilizzo consapevole di animali ed ambiente nell’Ebraismo*, cit., pp. 91-108, especially pp. 101-102. See also ELLEN BERNSTEIN, *Ecologia & ebraismo. Dove la natura e il sacro si incontrano*, with translation by MARIA FREDDI, Giuntina, Florence, 2000, p. 231, where it is reiterated that the *mizvâ* of *Bal tashchit* is transgressed by anyone who breaks utensils, tears clothing, destroys buildings, blocks a river and wastes food with destructive intent.

¹⁶ Cf. JOHN XXIII, *Encyclical Letter Mater et Magistra on Christianity and Social Progress*, 15 May 1961, in AAS 53 (1961), p. 440, also available at https://www.vatican.va/content/john-xxiii/it/encyclicals/documents/hf_j-xxiii_enc_15051961_mater.html.

¹⁷ Cf. PAUL VI, *Visit of the Pope Paul VI to the FaO on the 25th anniversary of its institution*, 16 November 1970, in AAS 62 (1970), p. 833, available at https://www.vatican.va/content/paul-vi/it/speeches/1970/documents/hf_p_vi_spe_19701116_xxxv-istituzione-fao.html. Pope Paul VI, for the first time, warned about the risk of an ecological catastrophe and underlined the need for a rethinking

doctrine¹⁸ has taken concrete form in the affirmation of the need for prudent management of natural resources¹⁹, especially non-renewable ones²⁰. The turning point in the evolution of the Pontifical Magisterium is represented by Benedict XVI's Encyclical Letter *Caritas in Veritate*, where has been enshrined the assumption of the Catholic Church's direct responsibility for the safeguarding of Creation, and, specifically, in the defence of the earth, air and

of man's relationship with the environment. See specially no. 3 («[...] But the carrying out of these technical possibilities at an accelerated pace is not accomplished without dangerous repercussions on the balance of our natural surroundings. The progressive deterioration of that which has generally come to be called the environment, risks provoking a veritable ecological catastrophe. Already we see the pollution of the air we breathe, the water we drink. We see the pollution of rivers, lakes, even oceans – to the point of inspiring fear of a true «biological death» in the near future, if energetic measures are not immediately and courageously taken and rigorously put into practice. It is a formidable prospect which you must diligently explore in order to save from destruction the fruit of millions of years of natural and human selection [...] In brief, everything is bound up together. You must be attentive to the great consequences which follow on every intervention by man in the balance of nature, whose harmonious richness has been placed at his disposal in accordance with the living design of the Creator»; see also no. 4 («[...] We have wished to evoke them briefly before you only in order to underline better the urgent need of a radical change in the conduct of humanity if it wishes to assure its survival. It took millennia for man to learn how to dominate, «to subdue the earth» according to the inspired word of the first book of the Bible (Gen. 1:28). The hour has now come for him to dominate his domination; this essential undertaking requires no less courage and dauntlessness than the conquest of nature itself. Will the prodigious progressive mastery of plant, animal and human life and the discovery of even the secrets of matter lead to anti-matter and to the explosion of death? In this decisive moment of its history, humanity hesitates, uncertain before fear and hope. Who still does not see this? The most extraordinary scientific progress, the most astounding technical feats and the most amazing economic growth, unless accompanied by authentic moral and social progress, will in the long run go against man»).

¹⁸ The attention for ecological issues already emerges in Pope Leo XIII's Encyclical Letter *Rerum novarum*. Cf. CRISTIANA MARIA PETTINATO, *Aversio a Deo: l'origine della riflessione ecologica nel magistero papale da Leone XIII a Francesco*, in *Stato, Chiese e pluralismo confessionale*, Online Journal (www.statoechiese.it), 17, 2022, pp. 111-137, especially pp. 122-123. On this topic see also ALESSANDRO ANDREOTTI, *La tutela dell'ambiente nella dottrina sociale della Chiesa*, in *Stato, Chiese e pluralismo confessionale*, Online Journal (www.statoechiese.it), 9, 2023, pp. 1-23.

¹⁹ Cf. ANGELA PATRIZIA TAVANI, "Frate sole" e il fotovoltaico. Il ruolo della parrocchia e la tutela dell'ambiente tra normativa statale e Magistero della Chiesa cattolica, in *Diritto e Religioni*, 2, 2011, pp. 305-326; FABIO BALSAMO, *Religioni ed ambiente: il contributo delle confessioni religiose alla costruzione di una "democrazia ambientale"*, cit., pp. 65-78; CRISTIANA MARIA PETTINATO, *Il grido di Abacuc. La questione ecologica alla luce delle istanze del giusnaturalismo cristiano contemporaneo*, in *Stato, Chiese e pluralismo confessionale*, Online Journal (www.statoechiese.it), 13 October 2014, pp. 1-36; EAD., *Aversio a Deo: l'origine della riflessione ecologica nel magistero papale da Leone XIII a Francesco*, cit., pp. 111-137; LAURA DE GREGORIO, *Laudato si': per un'ecologia autenticamente cristiana*, in *Stato, Chiese e pluralismo confessionale*, Online Journal (www.statoechiese.it), 19 December 2016, pp. 1-33.

²⁰ Cf. JOHN PAUL II, *Encyclical Letter Sollicitudo rei socialis*, 30 December 1987, in AAS 80 (1988), pp. 513-586, especially n. 34, p. 560: «The second consideration is based on the realization – which is perhaps more urgent – that natural resources are limited; some are not, as it is said, renewable. Using them as if they were inexhaustible, with absolute dominion, seriously endangers their availability not only for the present generation but above all for generations to come».

water, «gifts of creation that belong to everyone»²¹.

Catholic Church's ecological commitment has been further enhanced with the Pontificate of Francis. The progressive reduction of water reserves and the access to drinkable and safe water as a «*basic and universal human right*»²² constitutes two central themes of His Pontificate, fundamental for the construction of an integral human ecology, as demonstrated by nos. 27-31 of the *Encyclical Letter Laudato Si' on care for our common home*²³, by no. 117 of the *Encyclical Letter Fratelli tutti on fraternity and social friendship*²⁴ and by no. 14 of the *Post-synodal Apostolic Exhortation Querida Amazonia*²⁵,

²¹ Cf. BENEDICT XVI, *Encyclical Letter Caritas in veritate*, 29 June 2009, cit., no. 51.

²² Cf. FRANCIS, *Encyclical Letter Laudato Si' on care for our common home*, 24 May 2015, in AAS 107, 9 (2015), pp. 847-945. In no. 30 Pope Francis underlines that: «Even as the quality of available water is constantly diminishing, in some places there is a growing tendency, despite its scarcity, to privatize this resource, turning it into a commodity subject to the laws of the market. Yet *access to safe drinkable water is a basic and universal human right, since it is essential to human survival and, as such, is a condition for the exercise of other human rights*. Our world has a grave social debt towards the poor who lack access to drinking water, because *they are denied the right to a life consistent with their inalienable dignity*. This debt can be paid partly by an increase in funding to provide clean water and sanitary services among the poor. But water continues to be wasted, not only in the developed world but also in developing countries which possess it in abundance. This shows that the problem of water is partly an educational and cultural issue, since there is little awareness of the seriousness of such behaviour within a context of great inequality». The issue of sustainable development is one of the main themes addressed by the *Encyclical Letter Laudato Si'*, as noted by GIUSEPPE ZEPPEGNO, *Gli obiettivi dello sviluppo sostenibile nell'Enciclica Laudato Si'*, in ILARIA ZUANAZZI, LUCA BATTAGLINI (eds.), *Religioni e sviluppo sostenibile*, cit., pp. 109-137.

²³ Cf. FRANCIS, *Encyclical Letter Laudato Si' on care for our common home*, 24 May 2015, cit., nos. 27-31, expressly dedicated to the issue of water. No. 28, for example, states that «Fresh drinking water is an issue of primary importance, since it is indispensable for human life and for supporting terrestrial and aquatic ecosystems».

²⁴ Cfr. FRANCIS, *Encyclical Letter Fratelli tutti on Fraternity and Social Friendship*, 3 October 2020, in AAS 112, 11 (2020), pp. 969-1074, especially no. 117: «When we speak of the need to care for our common home, our planet, we appeal to that spark of universal consciousness and mutual concern that may still be present in people's hearts. Those who enjoy a surplus of water yet choose to conserve it for the sake of the greater human family have attained a moral stature that allows them to look beyond themselves and the group to which they belong. How marvellously human! The same attitude is demanded if we are to recognize the rights of all people, even those born beyond our own borders».

The importance of the *Encyclical Letter Fratelli tutti on Fraternity and Social Friendship* with respect to the implementation of the goals of the *UN 2030 Agenda for Sustainable Development* also emerges with respect to the pursuit of goal no. 16 («Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels»). Cf. ELEONORA SIRSI, *La pace come metodo e come obiettivo nella dimensione dello sviluppo sostenibile e per lo sviluppo umano integrale*, in ALLEANZA ITALIANA PER LO SVILUPPO SOSTENIBILE, «Fratelli tutti» alla luce dell'obiettivo 16 dell'Agenda 2030 dell'Onu. *Letture ragionate dell'Enciclica papale*, ASVIS, 2, April 2021, pp. 13-18: «the *Encyclical Letter "Fratelli Tutti"* and the *UN 2030 Agenda for Sustainable Development* are presented in their own way as two pillars supporting the social structure of our future», p. 13. The source is also available at https://asvis.it/public/asvis2/files/Pubblicazioni/Quaderno_ASviS_Goal16_Enciclica.pdf.

²⁵ Cf. FRANCIS, *Post-synodal Apostolic Exhortation Querida Amazonia*, in AAS 112, 3 (2020), pp.

which clearly denounces the risks of excessive use of water resources and the privatisation of drinking water sources.

The importance recognised by all religions to the responsible use of water should therefore lead to a greater engagement of religious organisations in the management of environmental issues, based on a re-evaluation of the teachings of religious traditions that outline the relationship between man and nature²⁶.

3. *The contribution of religions to water wastage reduction and to the protection of aquatic ecosystems*

The commitment of religious denominations to moderate water wastage can be realised in many areas.

Suffice it to think of the religious tourism sector, increasingly characterised by the phenomenon of eco-friendly pilgrimages (so-called green pilgrimages)²⁷. In “green religious tourism” the environmental sustainability is also implemented through the reduction of the individual pilgrim’s water footprint, as demonstrated by the initiatives recently adopted for the pilgrimage to the holy city of Mecca²⁸.

231-273, particularly no. 14: «the businesses, national or international, which harm the Amazon and fail to respect the right of the original peoples to the land and its boundaries, and to self-determination and prior consent, should be called for what they are: *injustice and crime*. When certain businesses out for quick profit appropriate lands and end up privatizing even potable water, or when local authorities give free access to the timber companies, mining or oil projects, and other businesses that raze the forests and pollute the environment, economic relationships are unduly altered and become an instrument of death [...]». Pope Francis stigmatises, in other words, the capitalist phenomenon of *water grabbing*, considered to be among the most relevant forms of neo-colonialist conquest of energy resources [...] aimed at obtaining the most precious resource to quench the thirst of the mega-owners acquired. The definition given by the *Transnational Institute, The Global Water Grab*, describes the phenomenon as a situation in which powerful actors, public or private, take control of water resources with the aim of diverting them to their own advantage, taking them away from rural communities who base their livelihoods on the resources they are deprived of». Cf. ELEONORA SPARANO, *Obiettivo acqua. Educazione, etica e valori alla base dello sviluppo sostenibile*, cit., p. 107.

²⁶ Cf. EMILIO CHUVIECO, *Approcci religiosi alla gestione dell’acqua e alla conservazione dell’ambiente*, in *Politica dell’acqua*, 14, 2012, pp. 9-20, especially pp. 18-19, where the Author emphasises the need for a greater involvement of religious organisations.

²⁷ Cf. MARIA LUISA LO GIACCO, *Il turismo religioso: un esempio di turismo sostenibile*, in *Quaderni di diritto e politica ecclesiastica*, 2, 2020, pp. 413-425.

²⁸ *The Green Hajj and Umrah Guide* «allows pilgrims to perform Hajj and Umrah in an environmentally friendly manner, consistent with Islamic values in protecting the earth and all life upon it. The Green Hajj and Umrah Guide serves as a starting point to allow 1.8 billion people to reflect on how ordinary Muslims can act together to have an extraordinary impact to save the planet from climate change and become an Ummah for Earth. In addition to providing recommendations

Equally noteworthy is the contribution of religious organisations participating to the *Interfaith Centre on Corporate Responsibility*, where religious leaders support multinational companies in their efforts to develop sustainable water practices²⁹.

Of considerable interest, moreover, especially in Islamic contexts, is the role assumed by religious laws as barriers to policies of privatising water and limiting its public use. The Indonesian experience is emblematic³⁰. Its legislations, in fact, allows main economic actors to have the possibility of purchasing rivers and springs with the aim of transforming a common good into an economic resource³¹. It is precisely with regard to these hypotheses of so-called *water grabbing* that the contribution of religious communities in affirming the sacredness of certain watercourses for their subsequent legal anthropomorphisation³² can be significant. This is the case, for example, of *Whanganui River*, sacred to the Maori people and recognised in New Zealand as a living entity with full legal rights in 2017³³.

Even greater importance can be given to the role of religious denominations in the prevention of conflicts that may arise from the exploitation of so-called ‘boundary waters’³⁴. Especially with respect to trans-boundary

for communities, governments and institutions to enable a greener pilgrimage, the Guide shows the potential that ‘the Ummah’ has to be part of the solution not only through the direct environmental benefits of ‘greening’ these pilgrimages but also because of their potential to influence people as centres of culture, spirituality and community life. Ordinary muslims taking action can have an extraordinary impact when it comes to preserving Planet Earth». Cf. <https://ummah4earth.org/en/greenguide/>.

²⁹ Cf. <https://www.iccr.org/>. About the contribution of religious denominations to environmental protection in the international community see CATERINA GAGLIARDI, *La prospettiva di genere tra appartenenza religiosa e sostenibilità ambientale*, in VINCENZO BUONOMO, MARIA D’ARIENZO, OLIVIER ÉCHAPPÉ (eds.), *Lex rationis ordinatio. Studi in onore di Patrick Valdrini*, tomo II, Luigi Pellegrini Editore, Cosenza, 2022, pp. 725-749, especially pp. 734-739.

³⁰ Cf. IJA SUNTANA, *The Controversy of Water Resources Legislation in Indonesia: an Islamic Constitutional Law Approach*, in *Jurnal Hukum Islam*, 2, 2021, pp. 193-212.

³¹ See ELEONORA SPARANO, *Obiettivo acqua. Educazione, etica e valori alla base dello sviluppo sostenibile*, cit., p. 107,

³² On the phenomenon of the legal anthropomorphisation of nature and its entities see LIVIO PERRA, *L’antropomorfizzazione giuridica*, in *Diritto e questioni pubbliche*, 2, 2020, pp. 47-70 and LAURA ALESSANDRA NOCERA, *La Natura come soggetto di diritto nell’ordinamento dell’Uganda*, in *Nuovi Autoritarismi e Democrazie: Diritto, Istituzioni, Società*, 2, 2021, pp. 189-201.

³³ Cfr. MELISA LIANA VAZQUEZ, *People Moving Water: Religious and secular perspectives at play in legal water management*, in *Quaderni di diritto e politica ecclesiastica*, 2, 2018, pp. 437-465, especially pp. 438-439.

³⁴ Cf. ELEONORA SPARANO, *Obiettivo acqua. Educazione, etica e valori alla base dello sviluppo sostenibile*, cit., p. 108: the issue of trans-boundary waters must be approached, according to UN-Water, the UN inter-agency coordination body, with great caution, as it is at the root of potential armed conflicts fought in the name of water. See also AHMED TAYLA, *Transboundary Water Conflict Resolution Mechanisms: Substitutes or Complements*, in *Water*, 7, 2019, p. 1337.

waters³⁵, in fact, dialogue between different religious communities can lead to the identification of shared plans for the responsible management of water resources³⁶, capable of concretely implementing that essential and universal human right of everyone to access to drinking water³⁷.

4. *Religious belonging and water footprint*

The religious affiliation has a direct impact on the so-called ‘water footprint’³⁸. In fact the individual’s religious faith inevitably influences his or her lifestyle habits, including food choices³⁹. As confirmed by recent studies, for example, the individual water footprint of a Hindu believer is particularly low⁴⁰, due to a diet characterised by a reduced consumption of meat⁴¹. And this does not come as a surprise if we consider that the production and consumption of one kilogram of intensively reared beef in Italy requires more than 15,000 litres of water, unlike the approximately 2,500 litres needed for

³⁵ On this theme see UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE, *The Convention on the Protection and Use of Transboundary Watercourses and International Lakes*, 17 March 1992, available at <https://unece.org/DAM/env/water/pdf/watercon.pdf>.

³⁶ The importance that dialogue between monotheistic religions can play in the management of “boundary waters” is also emphasised by RYAN LEFERSA, ROBERT G. MALIVAB, THOMAS M. MISSIMERC, *Seeking a consensus: water management principles from the monotheistic scriptures*, in *Water Policy*, 5, 2015, pp. 984-1002, especially p. 1000: «many large transboundary river and groundwater systems are shared by monotheistic cultures (e.g., the Nile River and the Nubian Sandstone Aquifer). People of multiple monotheistic faiths share water resources in areas having water disputes that have contributed to violent confrontations or war (e.g., Palestine and Israel)».

³⁷ Cf. FRANCIS, *Encyclical Letter Laudato Si’ on care for our common home*, 24 May 2015, cit., no. 30.

³⁸ The term ‘water footprint’ refers to the amount of water consumed directly and indirectly in the production of a good or service, as well as in the performance of any human activity. The concept of water footprint was introduced in 2002 by ARJEN Y. HOEKSTRA (ed.), *Virtual water trade: Proceedings of the International Expert Meeting on Virtual Water Trade*, Delft, The Netherlands, 12–13 December 2002, Value of Water Research Report Series No. 12, UNESCO-IHE, Delft, The Netherlands, 2003. See also RICK J. HOGBOOM, *The Water Footprint Concept and Water’s Grand Environmental Challenges*, in *One Earth*, Volume 2, Issue 3, 2020, pp. 218-222.

³⁹ Cf. FRANCESCA HARRIS, CAMI MOSS, EDWARD J. M. JOY, RUTH QUINN, PAULINE F. D. SCHEELBEEK, ALAN D. DANGOUR, ROSEMARY GREEN, *The water footprint of diets: A global systematic review and meta-analysis*, in *Advances in Nutrition*, 2, 2020, pp. 375-386.

⁴⁰ On the relevance of environmental issues in Hinduism, see ALBERTO PELISSERO, *Elementi di sviluppo sostenibile nell’hinduismo*, in ILARIA ZUANAZZI, LUCA BATTAGLINI (eds.), *Religioni e sviluppo sostenibile*, cit., pp. 81-90.

⁴¹ Cf. FRANCESCA HARRIS, ROSEMARY F. GREEN, EDWARD J. M. JOY, BENJAMIN KAYATZ, ANDY HAINES, ALAN D. DANGOUR, *The water use of Indian diets and socio-demographic factors related to dietary blue water footprint*, in *Science of the Total Environment*, 587-588, 2017, pp. 128-136.

one kilogram of rice or the approximately 1,900 litres needed to produce and dispose of one kilogram of pasta⁴².

To prove an effective impact of religious laws on water footprint reduction, it is therefore necessary to first examine their positive impact on the agri-food sector⁴³. Agri-food sector, in fact, absorbs about the 92 % of humanity's global water footprint⁴⁴ and it is the cause of one out of every two river droughts, as recently confirmed by the *Barilla Center for Food & Nutrition's* 2021 report⁴⁵. In other words, it is necessary to verify how the observance of the religious dietary rules dictated for the production and consumption of food can lead to a reduction in the use of fresh water and to a promotion of more water-saving production techniques.

A first confirmation of this positive influence can be found in the specific sector of *halal* food products⁴⁶, where the modification of production protocols can favour a considerable water footprint reduction. The case of the production of Gran Moravia hard cheese is significant. With the aim of acquiring *halal* certification by the *Islamic Food Council of Europe* the enterprise has in fact achieved a drastic water footprint reduction to produce this cheese⁴⁷, passed from 5000 litres per kilogram to only 2,094 litres, of which just 72 litres as blue water footprint⁴⁸. In this case, the decrease was also possible

⁴² Cf. GIOVANNI PIETRO BERETTA, *Impronta idrica: il consumo di acque nella produzione di beni e alimenti*, in *Acque Sotterranee – Italian Journal of Groundwater*, 1, 2017, p. 5; with specific regard to the water footprint of animal production cf. MESFIN M. MEKONNEN, ARJEN Y. HOEKSTRA, *Global Assessment of the Water Footprint of Farm Animal Products*, in *Ecosystems*, 15, 2012, pp. 401-405.

⁴³ Water used for agriculture is regarded by Holy Scriptures as a blessing from the divinity. See RYAN LEFERSA, ROBERT G. MALIVAB, THOMAS M. MISSIMERC, *Seeking a consensus: water management principles from the monotheistic scriptures*, cit., pp. 984-1002, especially p. 991. The authors also highlight the usefulness that a greater confrontation between monotheistic religions could have on the issue of water management for agri-food production (pp. 1000-1002).

⁴⁴ Cf. ARJEN Y. HOEKSTRA, MESFIN M. MEKONNEN, *The water footprint of humanity*, in *Proceedings of the national academy of sciences*, February 13, 2012, pp. 3232-3237.

⁴⁵ Cf. BARILLA CENTER FOR FOOD & NUTRITION, *Europe and Food. Ensuring environmental, health and social benefits for the global transition*, available at <https://www.fondazionebarilla.com/wp-content/uploads/2021/02/europe-and-food.pdf>. This information is also confirmed by the *Water Footprint Network*, a network of international organisations specialising in water consumption, according to which 90% of the water consumed is required for cultivation and livestock farming, as well as the harvesting, storage and transport of foodstuffs that require water to produce fuel and packaging.

⁴⁶ Sometimes *halal* certification also concerns the commercialisation of water itself. Cf. ASMA ALI ZAIN, *Why water is halal-certified in some countries*, in *Zawya.com*, 15 May 2019, available at <https://www.zawya.com/en/business/why-water-is-halal-certified-in-some-countries-ixcnw4ms>.

⁴⁷ The information is available at <https://www.granmoravia.com/water-footprint/>.

⁴⁸ The term blue water footprint refers to surface water – rivers, lakes or groundwater – used in the production cycle. The Water Footprint Network distinguishes between *green, blue e grey water footprint*: «green water footprint is water from precipitation that is stored in the root zone of the soil and evaporated, transpired or incorporated by plants. It is particularly relevant for agricultural,

thanks to the elimination of animal rennet, which became necessary precisely to acquire the *halal* certification⁴⁹.

5. Jewish religious precepts and water footprint reduction: the hydroponic agriculture

The observance of religious precepts can lead to a reduction of water wastage even in Judaism, although some Jewish religious prescriptions foresee the use of not negligible quantities of fresh water.

To reduce the consumption of water during the *Pesach* feast, for example, the use of boiling water in special containers or the immersion in cold water for three days (*sherià*)⁵⁰ is suggested as an alternative to the traditional wash-

horticultural and forestry products. Blue water footprint is water that has been sourced from surface or groundwater resources and is either evaporated, incorporated into a product or taken from one body of water and returned to another, or returned at a different time. Irrigated agriculture, industry and domestic water use can each have a blue water footprint. Grey water footprint is the amount of fresh water required to assimilate pollutants to meet specific water quality standards. The grey water footprint considers point-source pollution discharged to a freshwater resource directly through a pipe or indirectly through runoff or leaching from the soil, impervious surfaces, or other diffuse sources», in <https://www.waterfootprint.org/water-footprint-2/what-is-a-water-footprint/>.

⁴⁹ Cf. <https://www.granmoravia.com/gran-moravia-ha-ottenuto-la-certificazione-halal/>. On religious food certification cf. ELENA TOSELLI, *Le diversità convergenti. Guida alle certificazioni alimentari kasher, halal e di produzione biologica*, Franco Angeli, Milan, 2015; ELETTRA STRADELLA, *Ebraismo e cibo: un binomio antico e nuove tendenze alla prova del multiculturalismo*, in *Stato, Chiese e pluralismo confessionale*, Online Journal (www.statoechiese.it), 28, 2019, pp. 129-168; ARMANDO GIUFFRIDA, *La certificazione di conformità del c.d. Halal Food*, in *Il diritto dell'economia*, 1, 2017, pp. 95-135; ANTONIO FUCCILLO, *Il cibo degli dei. Diritti, religioni, mercati alimentari*, Giappichelli, Turin, 2016; ANTONIO FUCCILLO, FRANCESCO SORVILLO, LUDOVICA DECIMO, *Diritto e religioni nelle scelte alimentari*, in *Stato, Chiese e pluralismo confessionale*, Online Journal (www.statoechiese.it), 16 May 2016, pp. 1-34; LAURA SCOPEL, *Le prescrizioni alimentari di carattere religioso*, EUT Edizioni Università di Trieste, Trieste, 2016; ALESSANDRO CESERANI, *Cibo 'religioso' e diritto: a margine di quattro recenti pubblicazioni*, in *Quaderni di diritto e politica ecclesiastica*, 2, 2016, pp. 369-384; ALESSANDRO FERRARI, *Cibo, diritto, religione. Problemi di libertà religiosa in una società plurale*, in *Stato, Chiese e pluralismo confessionale*, Online Journal (www.statoechiese.it), 15, 2016, pp. 1-13; MARIA CHIARA GIORDA, SARA HEJAZI, *Nutrire l'anima. Religioni in cucina*, Effatà, Turin, 2015; GAETANO DAMMACCO, CARMELA VENTRELLA (eds.), *Cibo e ambiente. Manipolazioni e tutele nel diritto canonico*, cit.; FABRIZIO BALDASSARRE, RAFFAELE CAMPO, *Cultura islamica e marketing: il ruolo della certificazione halal nelle scelte del consumatore musulmano*, in AA. VV., *Atti del XII Convegno Annuale della Società Italiana Marketing*, Italian Marketing Society, Turin, 22-23 October 2015; MARIO RICCA, *Sapore, sapere del mondo. Tradizioni religiose e traduzioni dei codici alimentari*, in *Quaderni di diritto e politica ecclesiastica*, Special Issue, December 2014, pp. 33-66; GIOVANNI FILORAMO, *A tavola con le religioni*, in *Quaderni di diritto e politica ecclesiastica, Daimon Special Issue. Diritto comparato delle religioni. Regolare il cibo, ordinare il mondo. Diritti religiosi e alimentazione*, 2014, pp. 17-32; ANTONIO GIUSEPPE CHIZZONITI, MARIACHIARA TALLACCHINI (eds.), *Cibo e religioni: diritto e diritti*, Libellula Edizioni, Tricase, 2010.

⁵⁰ Cf. SANDRO CENSI, *Alimenti halal e kosher. Caratteristiche, certificazione e mercato*, Cibarìa

ing of the utensils in cold running water (*shetifà*). Nevertheless, in the case of copious quantities of salted *kosher* meats it is possible to rinse the meat by wrapping it in damp cloths and spraying it with sprays or jets of water to prevent an excessive water wastage⁵¹.

Beyond the use of these alternative procedures⁵², the main contribution that Jewish law can offer to the construction of a ‘water-sustainable’ economy concerns the overall reduction of the water footprint of agricultural production. Significant in this sense are the advantages – replicable on a global scale – that can derive from the application of the Sabbath Year’s principle (*Shemita*)⁵³ to the agri-food sector, which, as provided for in the *Torah*⁵⁴, imposes the resting of the land in the last year of the seven-year agricultural cycle⁵⁵. During the

edizioni, Turin, 2016, pp. 57-59, and RAV. ROBERTO COLOMBO, Pesach: *regole e commenti*, edited by RABBINICAL OFFICE OF ROME, available at <http://www.archivio-torah.it/feste/pesach/regoleecommenti.pdf>.

⁵¹ SANDRO CENSI, *Alimenti halal e kosher. Caratteristiche, certificazione e mercato*, cit., p. 56.

⁵² The possibility of implementing religious dietary prescriptions with the adoption of alternative less environmentally impactful techniques constitutes the proof of the adaptability of religious laws, already amply confirmed during the recent pandemic crisis through the introduction of changes to the celebration of religious rites and measures capable of effectively preventing the spread of contagion to protect the common good. On this subject cf. MARIA D’ARIENZO, *Is the suspension of Mass in public form legitimate?*, in PIERLUIGI CONSORTI (ed.), *Law, Religion and Covid-19 emergency*, Diresom, Pisa, 2020, p. 251 ff.; EAD., *Emergenza coronavirus, autorità ecclesiastica e bene comune*, in *Il Regno*, 10, 2020, p. 260 ff.; EAD., *Libertà religiosa e autonomia confessionale ai tempi dell’emergenza coronavirus*, in MARIO CATERINI, SALVATORE MULEO (eds.), *La giustizia al tempo del coronavirus*, Pacini giuridica, Pisa, 2020, pp. 209-213; PIERLUIGI CONSORTI, DANIELA TARANTINO, *Il diritto liturgico alla prova dell’emergenza pandemica*, in *Rivista Liturgica*, 4, 2021, pp. 167-179; FABIO BALSAMO, DANIELA TARANTINO (eds.), *Law, Religion and the Spread of Covid-19 Pandemic*, Diresom, Pisa, 2020.

⁵³ The term *Shemita* derives from the root *shamot*, meaning to leave, to remain uncultivated. For more on the applications of *Shemita* to agriculture see YOSEF ZVI RIMON, *Shemita: Halacha Mimekorah – From the Sources to Practical Halacha*, KTAV Publishing House, New York, 2021.

⁵⁴ Cf. *Leviticus*, 25:2-7 «2 Speak to the Israelites and say to them: When you enter the land I am going to give you, the land itself must observe a sabbath to the LORD.

3 For six years sow your fields, and for six years prune your vineyards and gather their crops.

4 But in the seventh year the land is to have a year of sabbath rest, a sabbath to the LORD. Do not sow your fields or prune your vineyards.

5 Do not reap what grows of itself or harvest the grapes of your untended vines. The land is to have a year of rest.

6 Whatever the land yields during the sabbath year will be food for you—for yourself, your male and female servants, and the hired worker and temporary resident who live among you,

7 as well as for your livestock and the wild animals in your land. Whatever the land produces may be eaten»

See also *Exodus*, 23:10-11: «10 For six years you are to sow your fields and harvest the crops, 11 but during the seventh year let the land lie unplowed and unused. Then the poor among your people may get food from it, and the wild animals may eat what is left. Do the same with your vineyard and your olive grove».

⁵⁵ Cf. PAOLO S. POZZI, *Il Creato: utilizzo consapevole di animali ed ambiente nell’Ebraismo*, cit., p. 104. The Author underlines that *Shemita* is a *mitzvah* that consists of a series of ten *mitzwot*, six of which are related to the stewardship of the land and four related to the ‘sabbatical of money’ or

Sabbath Year, as is well known, the farmer may not sow, plant, cut or reap his crops⁵⁶. He will only have to limit himself to carry out the necessary care to prevent the death of the plants, such as controlling pests and diseases, watering them in areas where dryness would cause their death, and transplanting them where they must be cut down for the construction of buildings⁵⁷.

Primarily, the beneficial impact of *Shemita* on the regeneration of soil fertility and groundwater, often compromised by the excessive use of fertilisers and herbicides, is evident. The most important spin-off from the application of the 'rest of the earth' principle, however, can be found in the need to seek new agricultural techniques, alternatives to the traditional ones. This necessity has led, especially in Israel, to the experimentation of innovative production methods, including hydroponic agriculture, practised through cultivation in suspended greenhouses structured in such a way that the plants, as prescribed by the *Shemita*'s command, are not anchored to the ground during the Sabbatical Year.

In hydroponic agriculture an inert substrate of clay, coconut fibre or rock wool substitutes the soil, and the plant is irrigated with a nutrient solution of mineral compounds and water⁵⁸. The main advantage of hydroponic cultivation can be measured in terms of environmental sustainability: in fact, the use of herbicides and pesticides is not necessary, and fertilisers, often organic, are used extensively without any dispersion underground. In addition, hydroponic agriculture requires the use of 10% of the amount of water needed for normal soil crops⁵⁹ and, for this reason, it stands out as an agricultural technique that can also effectively counteract the phenomena of progressive soil desertification.

The use of hydroponic cultivation, in other words, can lead to a 90 %

forms of remission of debts.

⁵⁶ SOFIA TRANCHINA, *La Shemita: una pratica ebraica per salvare il pianeta*, in *Bet Magazine Mosaico*, 2 September 2021, available on the official website of the Jewish Community of Milan at <https://www.mosaico-cem.it/vita-ebraica/ebraismo/la-shemita-una-pratica-ebraica-per-salvare-il-pianeta/>.

⁵⁷ *Ibidem*.

⁵⁸ *Ibidem*.

⁵⁹ The percentage is indicated by ENRICO MARIUTTI, *La decarbonizzazione felice*, Il Sole24ore Publishing and Digital, Milan, 2020. The Author states that the advantages of hydroponic cultivation are significant: water consumption is reduced to a tenth of that of conventional crops, yields are on average higher, the use of herbicides or pesticides is unnecessary, nutrients can be specifically selected. See also NICOLA TAGLIAFERRO, *Back to the circular: l'agricoltura circolare che guarda al futuro*, in *Materia Rinnovabile*, 1 March 2023: «hydroponic agriculture makes it possible to reduce water consumption by up to 80% and to produce, in the same amount of space and in less time, up to 10 times the amount of food produced by traditional methods».

reduction in the water footprint in the agricultural sector and, in this direction, moves the collaboration set up in 2020 between the Israeli Embassy in Italy and the General Confederation of Italian Agriculture (*Confagricoltura*) to promote, also in Italy, the development of this form of agriculture for the production of more sustainable food thanks to the considerable saving of soil and water⁶⁰.

6. Religious dietary rules and ISO 14046 Water Footprint certification

The efficiency of hydroponic agriculture and the reduced water footprint of some *halal* productions confirm that the observance of religious precepts can be a positive factor of technological innovation in the agri-food sector, leading to the refinement of production techniques that are more water efficient and less impactful on terrestrial and aquatic environmental ecosystems.

In this sense, the introduction, in 2014, of the international standard *ISO 14046 Water Footprint* certification – thanks to which it is possible to certify, also in Italy, the water footprint of a certain production – can be a further tool through which to convey religious values as well. This happens, for example, when the reduction of the water footprint is achieved thanks to the adaptation of the production techniques to religious precepts, also in view of the acquisition of religious food certifications. In this way, the *ISO 14046 Water Footprint* certification, together with the *halal* or *kosher* certification, can constitute a useful tool to intercept the interest of those consumers more sensitive to a production that is ‘water-sustainable’ precisely because it conforms to religious dietary rules. It follows that the *ISO 14046 Water Footprint* certification seems to be able to determine a further competitive advantage for religiously oriented food products.

In the Italian legal system, the protection of these religious values could be guaranteed first and foremost by the application of the criminal provisions dictated on the subject of ‘fraud in the exercise of trade’ (Article 515 of the criminal code) and ‘ideological falsity’ (Articles 481, 483 of the criminal code), in the case of the supply of products that do not conform to what it is stated in the certifications⁶¹. Nonetheless, in such cases, in addition to

⁶⁰ Cf. <https://coltureprotette.edagricole.it/orticoltura/israele-confagricoltura-idroponica/>.

⁶¹ According to COURT OF CASSATION, Third Criminal Section, judgement 22 March 2016, no. 35387, the criminal offence of “commercial fraud” referred to in Article 515 of the Italian Criminal Code, including the aggravated hypothesis provided for by Article 517 *bis*, is integrated by the sale of a product due to origin, provenance, quality or quantity other than that declared or agreed, regardless

the action for the contractual termination, it is feasible a civil law action for damages that can also extend to the prejudice caused to the religious interests⁶² hurt by the non-fulfilling conduct of the supplier or by the falsehood committed by the certifying body.

The safeguard of the veracity of *halal/kosher* and *ISO 14046 Water Footprint* certifications and the protection of religious interests guiding consumers to purchase products with a reduced water footprint due to their compliance with religious dietary rules thus become important tools for the promotion of increasingly ‘water-sustainable’ productions and markets.

of the profit obtained or the damage caused. Cf. *Diritto e Giustizia*, 24 August 2016.

⁶² On the private protection of religious interests cf. ANTONIO FUCILLO, *L'attuazione privatistica della libertà religiosa*, Jovene, Naples, 2005, especially p. 124 ff.