**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**THE PHILOSOPHY OF *SHEMITTA***

**By Rav Binyamin Zimmerman**

This shiur is available in the archives at:

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Dedicated in memory of Tzipporah Bat R’Mosheh z”l

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**Shiur #03: The Land and the People**

**The Importance of *Shemitta* Observance**

In last week's lesson, we discussed the various *parashiyot* that deal with the diverse legal aspects of the Sabbatical year. They portray a year with a new set of agricultural laws, financial implications, an economic vision, and a spiritual dimension. It is clear that *shemitta* is important, but the various *mitzvot* that accompany it, both positive and negative, do not seem to incur any out-of-the-ordinary punishment if they are violated. With all its importance, the fact that no severe punishment is mentioned would seem to indicate that the *mitzvot* of *shemitta* should be treated in the standard manner.

Ordinarily, one does not assign grades to *mitzvot*, nor does one try to arrive at conclusions regarding the relative importance of various *mitzvot*. This is seemingly the lesson of the Mishna in *Avot* (2:1):

One should be **cautious** with a light mitzva just as with a weighty one, for one does not know the reward for *mitzvot*.

Yet, at the same time, the Torah does give some means of determining preference among *mitzvot* when necessary. The Talmud (*Yoma* 83a) details the order of prohibited foods that may be fed to one whose life is in danger, with the guiding principle being that the lighter a food’s prohibition, the first it is to be used. For this reason, the Rambam in his commentary on the aforementioned source actually explains that as much as we take all *mitzvot* seriously, there are clearly gradations regarding their importance. He states:

Regarding all the negative precepts, we know from their punishments which of them is more severe, and which less so, there being eight levels…

Regarding the positive precepts, however, [God] did not explicitly state the reward for each of them, so that we may know which are grave and which are less so.  Rather, He commanded us to observe this one and that one, without informing us which one's reward is greater…

Even though the value of one *mitzva* in relation to another was never stated explicitly, there is a way to evaluate the matter.  That is, any positive precept regarding which you find that its violation carries a grave punishment, you know that its fulfillment brings great reward…

The Rambam states that while negative commandments are judged by the severity of punishment their violations incur, the importance of positive *mitzvot* can also be weighed by viewing how one’s failure to fulfill them is punished. For instance, the importance of the positive *mitzvot* of Shabbat is apparent from the capital punishment and excision given to Shabbat violators.

Based on what we have seen in the Talmud and the Rambam’s writing, we would be hard-pressed to categorize either the positive or negative *mitzvot* of *shemitta* as being overly significant. *Shemitta* observance involves a host of positive and negative *mitzvot*, but the most severe punishment would be lashes, the punishment common for all negative commandments. Violators of the *mitzvot* of *shemitta* would be taken to task and punished, but one would certainly not think it worthy of horrible punishment.

**A Challenge with Consequences**

It is interesting that at the same time that the punishment for nonobservance goes unmentioned, the difficulty involved in observing *shemitta* is very apparent. In fact, the Torah foresees and discusses the difficulty that might arise with respect to the observance of *shemitta*, regarding both the agricultural and the monetary *mitzvot* it involves. The Torah explicitly mentions the fear that some aspects of *shemitta* observance will involve. Regarding the cancelation of loans, the Torah admonishes (*Devarim* 15:9):

Beware that there be not an unworthy [*beliya'al*] thought in your heart, saying, ‘The seventh year, the year of release, is at hand;’ and your eye be evil against your needy brother, and you give him nothing; and he cry unto God against you, and it be reckoned to you a sin.

One can readily understand the unwillingness to be so forthcoming to lend money prior to the *shemitta* year's end, when all rights of debt collection will be revoked, yet the Torah refers to this thoughts as *beliya'al*, meaning *beli ol*, signifying complete removal of the yoke of divine kingship. This phrase *beliya'al* is found elsewhere in the Torah only in regard to idol worship; therefore, one must wonder: what could be so unacceptable about the natural fear that a loan (provided without interest) will not be repaid?

History seems to indicate that indeed the Torah’s fear came to pass, and since people refused to lend out money, Hillel found it necessary to enact the *prozbul* (*Mishna* *Shevi’it* 10:3), handing over these debts to the court so they could ultimately be collected.

Regarding agricultural *shemitta*, the Torah foresees the question that would be nagging those observing *shemitta* as they wonder what they will be able to eat. The Torah says as follows in *Parashat Behar*:

And if you should say, "What shall we eat in the seventh year? We will not sow, and we will not gather in our produce!" (*Vayikra* 25:20).

Here, in response, the Torah promises a special blessing:

I will send you such a blessing in the sixth year that the land will yield enough for three years. While you plant during the eighth year, you will eat from the old crop and will continue to eat from it until the harvest of the ninth year comes in. (*Ibid*. 21-22)

It is interesting to note that both of these descriptions of the presumed difficulty involved in the observance of *shemitta* are not found in the primary description of these *mitzvot*. The Torah seems to conclude its discussion of the laws of *shemitta* in verse 7 of *Vayikra,* chapter 25, as it then starts discussing the *mitzvot* of *yovel*. Yet, thirteen verses later, it returns to the nagging question that is bound to be on the minds of many, "What shall we eat"? Similarly, in *Parashat* *Re'eh*, after seemingly concluding the description of the mitzva of *shemittat kesafim* and discussing the more general mitzva of giving charity,the Torah returns to the topic, criticizing the illegitimate thought that might enter one's mind before the cancellation of debts in the seventh year.

In both places, the mitzva is described independently, and the difficulty involved is addressed as an afterthought, embedded in the description of the similar but different mitzva that follows each discussion. Possibly, the reason to such a presentation is that only after having the time to digest the revolutionary agricultural and financial ideas of *shemitta* is one able to formulate the difficulty associated with the mitzva.

Why does the Torah demand something so hard of us? The answer to this question is self-evident. Since these *mitzvot* come from God, the all-powerful and omniscient Creator, certainly there must be a significant reason for them, despite their difficulty. If God indeed calls for something so challenging, the stakes of what it has to offer must be quite high.

On the other hand, one might suggest that the fact that its observance is so trying might be a mitigating factor, and a possible reason to lessen the punishment for nonobservance, as God might factor in the vexing nature of these *mitzvot*.

***Parashat Bechukkotai***

This brings us to *Parashat* *Bechukkotai*. While we might have had ideas about getting off lightly for violating *shemitta,* here the Torah sets us straight. It discusses the blessings that are awarded to the nation when they follow God's *mitzvot*, followed by the *tokhacha,* the rebuke, delineating the horrible punitive measures that will befall the nation if they violate God's Will.

In the section of the blessings, we are told that adhering to God's Will ensures that the people will live safely in the Land.

If you follow my statutes and observe my commandments… I will give your rains in their time, the land will yield its produce … and you will live in security in your land. And I will grant peace in the land, and you will lie down with no one to frighten [you]… (*Vayikra* 26:3-6)

The converse as well is mentioned in the ensuing verses of the *tokhacha.* Violation of God's Will results in punishment. At first it seems like the punishments are a result of general disobedience leading to abrogation of the covenant, as the verses state:

But if you do not obey Me and do not observe all these commandments, if you reject My laws, and spurn My rule, so that you do not observe all My commandments and you break my covenant... (14-15)

However, in the continuation of the verses, after detailing the starvation, plagues and exile that will befall the Nation, the Torah teaches that all the punishment has come for a particular purpose:

I will scatter you among the nations and will unsheathe the sword to pursue you. Your land will be desolate and your cities in ruins. The land [*ha-aretz*] shall be appeased for its Sabbaths while it is desolate and you are in the land of your enemies; the land shall rest and have appeasement for its Sabbaths. All the days of its desolation it shall be at rest, according to the rest that it did not enjoy while you dwelt in it. (33-35)

Here the sabbatical year is given special mention, as if its violation is the cause for all the punishments detailed in the *tokhacha*. In truth, it is not explicit that the punishments are a direct result of nonobservance of *shemitta*, but it is clear that the land will need to be appeased for all the *Shabbatot ha-aretz* (Sabbaths of the land) which were not properly fulfilled. Just as *Shabbat ha-aretz* involves leaving the land uncultivated, the exile of the Jews from the land and its desolation will bring about the necessary rest which was ignored during Israel's sojourn on the land. The severity of punishment is linked to the nonobservance of *shemitta*.

Additionally, the relationship of the sabbatical year to the punishments of the *tokhacha* may also be gleaned from the recurrence of the number seven in the description of the punishments:

And if you will not listen to Me, I will chastise you sevenfold for your transgressions. (18)

And if you walk with me with indifference and will not hearken to Me, I will strike you sevenfold according to your transgressions. (21)

I will also strike you sevenfold for your transgressions. (24, 28)

After seeing *shemitta* described in multifaceted manners in the other *parashiyot* we discussed last week, we may see here that it is not to be treated as a *mere* assortment of positive and negative commandments, but almost as if it is the ticket to secure dwelling in the Land of Israel. If the nation fails to leave their land fallow in the seventh year, God promises that the land will remain fallow for many years, as Israel will be in exile and incapable of cultivation and planting.

In fact, with almost the same words, in the concluding chapter of *Tanakh*, we are told that this came to be, as nonobservance of *shemitta* caused a lengthening of the exile:

And those who had escaped from the sword were taken by King Nevukhadnetzar into exile to Babylon, and they became servants to him and his sons until the kingdom of Persia came to power. The Land of Israel finally enjoyed Sabbath rests. All the days it lay desolate, it kept the Sabbath, to complete seventy years, in fulfillment of the word of God. (II *Divrei Ha-yamim* 36:20-21)

These verses in the Torah would seem to be the basis for the Mishna’s (*Avot* 5:9) statement:

Exile comes to the world on account of idol-worshippers, illicit relations, bloodshed, and [nonobservance of] *shemitta* of the land.

But why is this so important? Without *Parashat Bechukkotai,* we would have little reason to believe that violating *shemitta* would be the cause of exile and dispersion, yet *Parashat* *Bechukkotai* makes very clear that to live in the land securely—or at all—requires observance of Shabbat of the land. But why?

**The Shabbat Connection?**

Evidently, there is some deeper significance to this set of *mitzvot*; although violating it is not punishable with capital punishment in human court or even excision in the Heavenly Court, its violation by the nation precipitates exile and destruction.

At first glance, one might attribute the significance of *shemitta* observance to the Shabbat element of the *shemitta* year. Shabbat is a mitzva of fundamental importance, as pointed out by the Rambam above, which can be readily understood when viewing the severity of the punishments for one who performs prohibited *melakha* (labor) on it. However, despite the connection between *shemitta* and Shabbat, there is good reason to believe that the severity of Shabbat desecration is due to elements that are not shared with *shemitta*, as the Rambam himself explains elsewhere why nonobservance of Shabbat results in one being treated like an idolater:

[The observance of] the Sabbath and [the prohibition against] worshiping false deities are each equivalent to [the observance] of all the *mitzvot* of the Torah. And the Sabbath is the eternal sign between the Holy One, blessed be He, and us. For this reason, whoever transgresses the other *mitzvot* is considered to be one of the wicked of Israel, but a person who violates the Sabbath is considered as an idolater….(*Rambam Hilkhot Shabbat* 30:15)

The weekly Shabbat reminds us of and even serves to testify to God's creation of the world ex nihilo. *Shabbat ha-aretz* indeed is referred to as Shabbat, but its importance is not as readily apparent. Furthermore, *shemitta* observance is specifically connected in the verses in *Bechukkotai* to the Land of Israel, something which does not seem to hold true in regards to Shabbat.

If it has been said about the weekly Shabbat that more than the Jews have safeguarded Shabbat, the Shabbat has safeguarded the Jews; these verses make it clear that safeguarding the Shabbat of the land is what safeguards and ensures a thriving Jewish presence in the Land of Israel.

The question is: why? What is the secret of *shemitta's* significance and its connection to the land?

**The Connection between Man and the Land**

In order to take the first steps towards answering such a question, we must begin by analyzing the broader issue of the impact man's actions can have on the land. Is it only in regards to the observance of *shemitta* that the Torah connects observance to the right to dwell in the Land of Israel, or is it a larger phenomenon?

If one looks at the Torah, it is apparent that *shemitta* is not the first mention of such a connection, although it is the first in a while. Let's explain.

At the dawn of time, as man was created, there was a relationship between man and the ground. After all, man was a composite of the dust of the earth and a divine soul, as his name would testify: Adam, man, is derived from the word *adama*.

And the Lord God formed Adam of the dust of the *adama,* ground, and breathed into his nostrils the breath of life; and the man became a living soul.  And the Lord God planted a garden eastward in Eden; and there he put the man whom He had formed. (*Bereishit* 2:7-8)

The Midrash points out that the relationship of Adam to *adama* is inherent in man's name:

Why from earth? For man was created from earth, and he is called Adam because he comes from earth (*adama*).

This relationship between man and the ground expresses itself in the punishment and curse placed on Adam and the *adama* after sinning and eating from the tree of knowledge:

Cursed be the ground (*adama*) because of you; by your toil you shall eat of it all the days of your life. Thorns and thistles shall it sprout for you, but your food shall be grass of the field. By the sweat of your brow shall you get bread to eat until you return to the ground from which you were taken. For dust you are and to dust you shall return. (3:17-19)

Although Adam himself sins, it is the ground that is cursed. This interrelationship of man's actions to the state of the *adama* continues to haunt the next generation as well, as seen from Kayin's punishment after killing his brother Hevel.

Then God said, "What have you done? Your brother's blood cries out to me from the ground (*adama*). Therefore you shall be more cursed than the ground which opened up its mouth to receive your brother's blood from your hand. If you till the ground, it shall no longer yield its strength to you. You shall become a ceaseless wanderer on the earth." (4:10-12)

At this point Kayin is cursed more than the *adama*, and the growing abilities of the field are further compromised. Upon deeper analysis, it is clear that there is another element in both Adam's and Kayin's curses which is also very relevant to the curses in *Parashat* *Bechukkotai*. Adam's actions result in his exile, as he is sent out of the Garden of Eden. Kayin's actions also result in banishment, as he is to become a ceaseless wanderer on the earth. This is similar to exile from the Land of Israel, and the land being "cursed" by laying fallow for *shemitta* nonobservance; in *Bereishit* as well it is clear that to be given the rights to one's *adama,* one must act accordingly.

The connection between Adam and *adama* continues to express itself in numerous places in the Torah. It lies at the heart of the destruction of the earth at the time of the flood, as man's sins result in mankind being almost completely annihilated and removed from the earth:

And God saw that the wickedness of man was great in the land… and God repented for having made man in the land… And God said: I shall wipe out man whom I have created from the ground… but Noach found favor in God's eyes. (6:5-8)

It is interesting to note that although God initially sees the wickedness of man in the “*aretz*,” he decides to wipe man off the face of the “*adama.”* These terms are similar, but there may be an important difference in what each implies.

Yet, after Noach emerges from the destruction of the flood and brings an offering, God forges a covenant with man that seems to sever the relationship between man's actions and the state of the ground:

Noach came out, together with his sons, his wife ... and every animal.... The Lord said to himself: "Never again will I curse the ground because of man since the inclinations of man's mind are evil from his youth; nor will I ever destroy every living being as I have done.” (8:18-21)

Here the Torah seems to explicitly release the ground from culpability for man's actions. Why then does *Parashat* *Bechukkotai* seems to reinstate such a connection, specifically regarding observance of the *shemitta* year?

In order to understand, we must deepen our appreciation of man, why he is referred to as Adam; the difference between “*adama”* and “*aretz*;” and the irrevocable connection between the Jews’ actions and their presence in the Land of Israel. For all that, we will have to wait for next week.