**YESHIVAT HAR ETZION**

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

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**THE PHILOSOPHY OF *SHEMITTA***

**By Rav Binyamin Zimmerman**

This shiur is available in the archives at:

[www.vbm-torah.org/archive/shemitta75/06shemitta.htm](http://www.vbm-torah.org/archive/shemitta75/06shemitta.htm)

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Dedicated to Liora & Ari Tuchman - In honor of the Bat Mitzvah of Danelle Sophia and in Honor of the Birth of their son, Adin Emanuel

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

This week’s shiurim are dedicated in memory of Herschey Hawk z”l
by Dr Jerry Hawk

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**Shiur #06: The Return**

**The Connection**

In our last lesson, we discussed the various connections between the *shemitta* year and the ultimate punishments detailed in *Parashat Bechukkotai*:

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 shall be appeased (*tirtzeh*) 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. (26:33-35)

We noted thatEretz Yisraelbears a special connection to the Jewish people in general, and this connection is heightened when it comes to *shemitta*, because of its nature as Shabbat and the natural connection between the Land of Israel and its *mitzvot*. However, there is also a paradox expressed in the verses. As we have seen, the Jewish people must be properly settled in Israel for *shemitta* to be biblically binding, so when the Jewish people sin and are therefore exiled from their land, *shemitta* observance itself becomes only rabbinically mandated (according to most authorities). If so, the forced exile seemingly obliterates *shemitta*, as it makes it inapplicable, with no planting and no growth, with desolation and destruction; yet it is defined as some form of *ritzui*, appeasement, for the unobserved *shemittot,* an extended period of *Shabbat ha-aretz*.

How are we to look at these verses? Perhaps the verses merely detail the past, informing us why it is that the nation was punished and expelled from their land: due to their nonobservance of *shemitta*. However, another perspective sees these verses as not only descriptive of the past but instructive of the future. Let us explore this view and its implications. There may be a message in the rabbinical enactment of observing *shemitta* even when the absence of the Jewish people makes it biblically inapplicable — a prescription for *shemitta's* connection to our future, and indeed our present as well, in which we have been privileged to return to the land.

**Defining *Ritzui***

The verses which declare the punishment for *shemitta* in observance, focus on it as being a Shabbat and speak of the period of desolation being *ritzui* for the unobserved *shemittot.*

This term is a little unclear, and the Chizkuni (*Vayikra* 26:34) offers three possible explanations: compensation, expiation or reconciliation. Nine verses later, as the Torah describes the people’s recognition of their culpability for this sorry situation, he embraces the third explanation and writes:

There will be reconciliation between the people and their God. They will be penitent, admitting that they had only suffered due to their disloyalty to God and their negative attitude towards his Torah.

According to the Chizkuni, the people must learn the historical lesson and recognize that expulsion is caused by nonobservance of *shemitta*. Only this may about reconciliation with God.

Rav Hirsch (26:34) explains sin as a debt to be paid off: "As soon as the sinner attains true insight, he is happy that his past sin has been converted into a debt, for this gives him the possibility of redressing the wrong. He finds solace and satisfaction in the debt of the sin, and from then onward his whole focus is to satisfy the claim upon him."

This duality of satisfying and taking solace… All the years of desolation are regarded as Shabbat years… The Sabbaths of the land that were not kept by us are converted into a debt which we must pay. This debt demands repayment, and we are expected to satisfy this demand. The debt is settled by the desolation of the land during the years of exile. The land rejoices in the Sabbath-desolation of the period of our exile, and satisfies the demand of the *Shabbatot ha-aretz* that were neglected by us.

Similarly, the Netziv (*Hamek Davar Vayikra* 26:35) notes that the *shevita* (rest) of the land when the Jews are in exile is much greater than what the *mitzvot* of *shemitta* call for, as then one may not plant but there is still growth, while during the exile, the land is totally desolate.

**The Message behind the Expulsion and Desolation**

While the Land of Israel is connected to the people, and the people's sins demand payment through the land, one might still wonder what message is supposed to be gleaned from the land's desolation. One understanding amongst the commentaries is that *shemitta* observance sends a message to the people and the world; when *shemitta* is not being observed, the message specifically comes through the desolation of the land.

Understandably, then, a number of commentators use the vivid descriptions of the desolation that will befall the land as proof that God has left it, with the ensuing hunger and destruction befalling the inhabitants serving as a sharp contrast to the once-beautiful state of the land. The Ibn Ezra makes reference to *Eikha* 2:15 and points out that the nations who once praised the beauty of the Holy Land will be disgusted by its current state. The nation's failure to recognize that the land is in fact God's requires that God display his ownership through destruction

Others add that the level of desolation of the once-beautiful land will serve as a proof to the people, as well as to the world that only divine retribution for sin could be responsible for such a magnitude of destruction... In a similar but broader vein, Rav Hirsch (ibid.) explains that proper dwelling in the land expresses God's kingship to the world; when the nation doesn't fulfill this mission through their settlement of the land, the message must be exclaimed through their exile and the continued desolation:

Just as *shemitta* and *yovel* are supposed to express homage to God in the life of the country, and to give light amidst the nations even faraway, so too, the desolation of the Land of Israel expresses homage to God. God warns of it in advance, and He carries out the decree which He ordained long ago. The desolation of the land continues throughout all the hundreds of years of our exile, until this very day. The desolation is a large exclamation mark in God's book of history, attesting that the land is God's and that He expects his Torah to be observed in the land.

The land must be given its part in exhibiting God's control over the world. If it can't do so in the ideal state of the Jewish people's prosperity living in the land and observing *mitzvot,* then it must do so through the ravages of desolation following their expulsion.

Thus, the expulsion and subsequent desolation indicate to the people (and possibly the world) who in fact is the real, legitimate owner of the land. They enable the land to display its Godly message on its own, when the people do not do their part.

While not discounting the severity of this punishment, some commentators approach the destruction and desolation from another angle, with a positive light.

**A Blessing in Disguise?**

Let us ask the following question: Is the land lying desolate a punishment for the Jewish people or not? After all, if the Jewish people do not inhabit the land, would they really desire it to be cultivated? One understanding is that the desolation serves as a constant reminder of the Jewish people's sins, and therefore is part of the punishment; on the other hand, other commentators see a hint of consolation in this message of destruction. Rashi states:

“And I will bring the land into desolation” — this is a good tiding for Israel that their enemies will find no solace in the land, and it will remain desolate.

The Maharal (Gur Aryeh) explains that although the context of the verse is divine retribution, God describes Himself with the term “*Ani*,” the first person singular, indicating the attribute of loving-kindness. The desolation is rooted in affection for the Jewish people; specifically because the expulsion and desolation are due to divine retribution, they are also the secret of Israel's rehabilitation.

The Ramban furthers this idea by explaining how this is indicative of the Jewish people's inherent connection to the land:

That which God states here, "So devastated will I leave the land that your enemies..." constitutes a **good tiding**, proclaiming that during all our exiles, our land will not accept our enemies. This is a great proof and assurance for us, for in the entire inhabited world one cannot find such a good and large land which was always lived in, and yet is as ruined as it is [today]. For from the time we left it, it has not accepted any nation or people; they all try to settle it, but to no avail.

The Ramban interprets the desolation as a divine promise indicating the continued relationship between the land and the people, even in the absence of Jewish settlement. The land will remain true to its people, and will not grow crops for anyone else. While the Ramban could attest to the truth of this desolation through the late 1200's when he inhabited the land, the truth remained the same until the return of the Jewish people to the land with a commitment to recreate the agricultural oasis that the Holy Land was and could be.

The *adama* of the Land of Israel only responds to the nation it was given to; as the land of Eretz Yisrael*,* like man himself, has a dual character. It is physical land, dust and earth, but it contains a spiritual soul. Only for the nation who recognizes the soul of the land will the dust produce. In the dirt and dust of the Land of Israel, everything that grows is sanctified. The *mitzvot ha-teluyot ba-aretz,* the unique agricultural *mitzvot* of the land, remind us that the physical growth of the land is sanctified, and only the people who acknowledge this consecrated aspect of the land can hope to succeed in causing the land to flourish.

The Ramban's words are echoed in the commentary of Rabbeinu Bachya:

All the nations seek to do so but cannot build it up. This is a great sign for Israel: ever since the land was laid waste, it has refused to harbor any nation or tongue, nor will it do so in the future, until its scions return to it.

**The Ramban's Aliya**

To appreciate the Ramban's comments on these issues, it is important to be somewhat familiar with his biography. The Ramban lived the majority of his life in Spain, yet after putting into writing his successful defense of the Jewish religion, his life was in danger. Although there were other closer and safer places to run to, he chose to follow his dream and travel to Israel. After initially arriving in Acre, he refused the entreaties of the locals to stay there in the relatively safety of the city, as he desired to travel to Jerusalem. After arriving there and bearing witness to the devastation, he wrote to his son these unforgettable words describing the sad reality of destruction:

Many are [Israel's] forsaken places, and great is the desecration. The more sacred the place, the greater the devastation it has suffered. Jerusalem is the most desolate place of all.

The Ramban observed the situation with his own two eyes. He recognized the destruction, yet reiterated his belief that it was proof that the Jewish people would return. In his "Prayer at the Ruins of Jerusalem" (1267), after extolling the once-beautiful city of Yerushalayim, he describes its current state; it not only lacks Jews, but is uncultivated. This suggests that if Yerushalayim were still beautiful and not destroyed, the problem would only be its occupation by other nations.

He continues that utter desolation does not befit the land, which deserves more, but it will only produce for the Jewish nation. In a powerful way, he explains that any small yield it provides for other nations may be likened to a nursing mother who has lost her child; she may still provide some milk for a time, but it is only a trifle, to be given to the animals. The same may be said of the land flowing with milk and honey; it may provide for the other nations for a bit, but its true sustenance is reserved for its children only.

And the fruits of the land, a pride and adornment (*Yeshayahu* 4:2)

Its fruit and produce are plentiful;

It is still a land which flows

With milk and honey for its dwellers!

I have likened you, my mother,

To a woman in birth whose child died in her lap.

The milk in her breasts causes her pain,

And so she gives suck to the pups of dogs.

And with all this, "Your lovers despise you" (*Yirmeyahu* 4:30),

And your enemies find you desolate…

"And the forsaken places are many

In the midst of the fat and large land" (*Nechemya* 9:35)

For they are not befitting you,

Nor are you fit for them...

The Ramban, while bemoaning the destruction, recognizes the divine displeasure with the situation at hand, as the land anxiously awaits the return of the people who will succeed in bringing back the beauty that is so natural to it.

The Ramban spent the last three years of his life in Jerusalem, taking the first steps to reinstate the Jewish presence in the land that would allow it to flourish. He awaited the day when it would bloom again, signaling the end of the period of destruction and the commencement of the period of return.

**The Late 1800s and Beyond**

This desolation was the reality that the *chovevei Tziyon,* those pushing for a return to Zion, witnessed: areas which had been so fertile in biblical times were infested wastelands. They saw it as a sign that the land was waiting for the only nation that could be its redeemer: that is, the Jewish people. Scattered throughout the four corners of the earth (see *Avoda* *Zara* 10b), they were waiting for an ingathering of the exiles which would also constitute flourishing settlement in the land.

The Abarbanel, a high official in the Spanish government prior to the Expulsion of 1492, examines the verse in the *tokhacha*, "I will scatter you among the nations and will unsheathe the sword to pursue you" (*Vayikra* 26:33). He explains that any haven in exile is only temporary, as sooner or later the sword will be unsheathed against the Jewish people; those who dwell in foreign lands with a feeling of security will realize it is an illusion. At some point, the people will feel the need to return, and in the process Eretz Yisrael will return to itself.

Modern Arabs claim a lengthy period of successful settlement in the Land of Israel under the banner of a Palestinian people, but the truth is very different. What was true at the time of the Ramban was true as long as the Jewish people had not returned to the land as a nation. Mark Twain, in a passage in *Innocents Abroad* (1867), describes the desolation of Israel and the Torah's prophetic reality.

Palestine sits in sackcloth and ashes. Over it broods the spell of a curse that has withered its fields and fettered its energies. ... Where the hosts of Israel entered the Promised Land with songs of rejoicing, one finds only a squalid camp of fantastic Bedouins of the desert; Jericho the accursed, lies a moldering ruin, today …. Renowned Jerusalem itself, the stateliest name in history, has lost all its ancient grandeur, and is become a pauper village… the wonderful temple which was the pride and the glory of Israel, is gone…. Palestine is desolate and unlovely. And why should it be otherwise? Can the curse of the Deity beautify a land?

Mark Twain merely puts into words the reality of the Land of Israel without its Jewish inhabitants — the desolation the Jewish people so desire. He recognizes the curse, and in the process unwittingly gives voice to the view of the Ramban: the land is waiting for a change.

This situation continued until the Jewish settlement in the land was large enough to transform that reality. The land had not been successfully cultivated and was deemed a bunch of unfertile deserts surrounded by "oases” of malaria-infected marshes; therefore, it remained sparsely populated. According to those nomadic individuals who tried to cultivate the land, the land was cursed; growth was impossible. In fact, in 1880, the American Consul in Jerusalem reported: “The population and wealth of Palestine has not increased during the last forty years” (Ben Halpern, *The Idea of a Jewish State*, p. 108).

As Jewish settlement began to arise, so did the reality that the only places where there was agricultural growth was in Jewish villages. The Report of the Palestine Royal Commission (p. 233) quotes an account of the Maritime Plain in 1913:

The road leading from Gaza to the north was only a summer track suitable for transport by camels and carts. . .  no orange groves, orchards or vineyards were to be seen until one reached [the Jewish village of] Yavne. . .

It is not surprising that many individuals who were not sympathetic to the Zionist cause still accepted the fact that things only began to grow amidst Jewish settlement; therefore, they deemed the arrival of Jews a necessity. In fact, of all people, Sharif Hussein, the Guardian of the Islamic Holy Places in Arabia stated:

The resources of the country are still virgin soil and will be developed by the Jewish immigrants. One of the most amazing things until recent times was that the Palestinian used to leave his country, wandering over the high seas in every direction. His native soil could not retain a hold on him, though his ancestors had lived on it for 1000 years. At the same time we have seen the Jews from foreign countries streaming to Palestine from Russia, Germany, Austria, Spain, America. The cause of causes could not escape those who had a gift of deeper insight. They knew that the country was for its original sons (*abna’ihi-l-asliyin*), for all their differences, a sacred and beloved homeland. The return of these exiles (*jaliya*) to their homeland will prove materially and spiritually [to be] an experimental school for their brethren who are with them in the fields, factories, trades and in all things connected with toil and labor. (Samuel Katz, *Battleground — Fact and Fantasy in Palestine*, p. 126)

As Hussein foresaw, the regeneration of Palestine, and the growth of its population, would come only after Jews returned in massive numbers. It was not the Jewish people taking over Arab lands, as there was little or nothing that grew, but rather the Jewish settlement, with its divinely promised reawakening of prosperity that brought Arabs from surrounding lands who came to try to take advantage of the newfound growth.

**The Land and the People**

One can only imagine the passion of the Jews returning to the land from all four corners of the world, as they witnessed their hard work on the land literally bear fruit where it had not done so for generations. Simultaneously, those with historical perspective and a religious outlook understood that maintaining the rights to continue settling the land meant doing so in line with God's Will. The return meant an opportunity for fulfilling the various *mitzvot ha-teluyot ba-aretz.* At the same time that these opportunities were embraced, they were often accompanied by recognition of the challenges their observance brought about. No set of *mitzvot* was as challenging as those of *shemitta*; moreover, none would have the same repercussions for non-observance.

When they returned to the Holy Land after 2000 years of exile, the Jews found the Land of Israel to be in complete and utter desolation. The divine prophecy had been fulfilled; without a Jewish presence, without Jewish farmers, the Land of Israel would not respond. Even though there was always a small Jewish presence in the Land of Israel, it had not engaged in farming for the most part. It only began when the students of the Vilna Gaon and others arrived in the land for the express purpose of bringing about an agricultural revolution that would herald the ultimate redemption. In fact, the Talmud explicitly links the physical rebirth of the land to promising indications of the upcoming redemption:

Rabbi Abba said: “There is no clearer indication of the End than this, as it is stated (*Yechezkel* 36:8): ‘But you, O mountains of Israel, you shall shoot forth your branches and bear your fruit for my people Israel [when they are soon to come].’” (*Sanhedrin* 98a)

Rashi explains that the land’s bringing forth fruit in abundance acts as a sign of the impending redemption.

The reawakening of the land is a sign; could it be that the period of the *tokhacha* was coming to an end? Had the *ritzui* been achieved, and now the land would bear witness to the divine message through its responding to the only nation who has rights to the land? As the individuals returned, they started to transform the malaria-infested areas into the most advanced agricultural territory in the world.

Was *shemitta* to be viewed as an obstacle to this reawakening or as its guarantee? The connection between observance of *shemitta* and the return to the Land of Israel also explains a bit of the controversy surrounding it. However, before we discuss the issue of *heter mekhira* controversy, let's appreciate the historical destiny which brought about this challenge. The rebirth of Israeli agriculture is the sign of the Jews’ return, and any issues it might raise, *shemitta* chief among them, are a welcome reflection of the land’s faithfulness to its people, as well as a call for man's faith in God.

**The Rabbinical Status of *Shemitta***

As we mentioned in the previous lesson, the overwhelming majority of halakhic authorities understand that *shemitta* in our day and age is only rabbinically mandated, as the biblical requirement only exists so long as the nation is settling the land in the ideal manner, according to its tribes. Since *shemitta* is so challenging and its nonobservance has brought about exile, why make it rabbinically binding at all?

Evidently, the question is its own answer. If such a challenge has been revived by rabbinic decree, evidently its message is still relevant. This is all the more striking according to those who maintain that the unique blessings of the sixth year may be applicable only during the period when *shemitta* is biblically ordained. If so, rabbinical *shemitta* might prove more of a challenge than biblical shemitta. Nevertheless, the Sages wanted to maintain the *mitzvot* of *shemitta* even without *yovel,* indicating the relevance of its message.

In order to understand why *shemitta's* message is so essential, we must understand the rationale of its *mitzvot*. This will be the subject of our coming lesson.