**YESHIVAT HAR ETZION**

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

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**THE PHILOSOPHY OF *SHEMITTA***

**By Rav Binyamin Zimmerman**

**Shiur #28: *Yovel*- The Count to make it Count**

**A *Kedusha* Engendered by the Community**

In our [last lesson](http://etzion.org.il/en/shiur-27-yovel), we noted that *shemitta* and *yovel* exhibit different types of holiness, as reflected in their respective laws. The seventh year is *shabbat* *ha-aretz*, and much like Shabbat, its *kedusha* is rooted in stone. *Yovel,* however, is something which must be consecrated. The court counts the years preceding it, and the Torah states "*Ve-kiddashtem*” (“And you shall sanctify”), an explicit command for man to make the jubilee year holy.

This notion has a halakhicbasis in the three main *mitzvot* recorded in regards to *yovel*: the blowing of the shofar, the freeing of slaves, and the returning of ancestral lands. What are the prerequisites of *yovel*?

Our Sages taught: “'It is *yovel'* — even though the lands were not returned and the shofar was not sounded. Can it be *yovel* even if the slaves were not freed? [Yes, and] for this reason it says 'it [is *yovel*],’ according to R. Yehuda. R. Yosei says: 'It is *yovel'* - even though the land was not returned to its owners, and even though the slaves were not freed. Can it be a *yovel* even if the shofar was not sounded? [Yes, and] for this reason it says 'it [is *yovel*]...’”

R. Chiya bar Abba said in the name of R. Yochanan: “These are the opinions of R. Yehuda and R. Yosei, but according to the Sages, all three are necessary conditions." (*Rosh* *Hashana* 9b)

The law follows the opinion of the Sages, as codified by the Rambam (*Hilkhot Shemitta* *Ve*-*yovel*, 10:13):

Three things are crucial to a *yovel* year: the sounding of the shofar, the freeing of slaves and the returning of fields to their owners.

This idea is very powerful. Not only does *yovel* require active counting of the years and *shemitta* cycles by the courts, but the existence of *yovel* altogether is predicated upon the fulfillment of its *mitzvot*. This notion is taken one step further by the Meshekh Chokhma, based on *Torat Kohanim.*

The holiness of Shabbat is different from that of the festivals; Shabbat is fixed and constant, whereas the festivals are sanctified by Israel, and it is in their power to hasten or delay the festival times ... Likewise, the holiness of the *shemitta* is different from that of the *yovel*. All that applies to the *shemitta* applies also to the *yovel* year, but in the *yovel* if the shofar was not sounded, or if the slaves were not freed, or if land was not returned to its original owners, then plowing and sowing are permitted; it is not considered a *yovel* at all, as is explicitly stated, and the Rambam rules accordingly. This is not so in the case of *shemitta*, which has the character of a "royal holiday" and comes about by itself.

*Yovel* doesn't come unless it is observed properly. It is a calling for the nation to rise to the occasion and to actively sanctify the period. The Jewish people must seize its opportunity. Therefore, the phrasing of *Bamidbar* 36:4 is "And if there will be a jubilee for the Israelites,” as its existence is not a given.

In a similar vein, Rav Chayim of Brisk explains that the sanctity of the *yovel* applies precisely through the counting of "seven years seven times over." HaRav Aharon Lichtenstein explains:

The constant and devoted action of counting the years, of preparation and readying, of paving the way towards the fiftieth year — that is precisely what sanctifies it; that is what determines the character and halakhic status of the fiftieth year as a "*yovel* year." There is no fiftieth year without forty-nine years of work and effort and sacrifice!

*Yovel*, therefore, is not a *shemitta* which occurs less often. It is rather a period which must be created and sanctified by man, to ensure that its lessons are conveyed. Thus, only when the majority (or all) of the Jewish people are settled in their land by tribe does it apply. *Yovel* can reform and renew society, but only when it is complete.

**The Three Aspects of *Yovel***

Yovel is usually translated ‘jubilee,’ but does that rendering fit?

And you shall sound a blast on the shofar in the seventh month on the tenth of the month; on Yom Kippur shall you sound the shofar throughout your land. And you shall sanctify the fiftieth year, and you shall proclaim liberty in the land for all its inhabitants. It shall be *yovel* for you, and each man shall return to his estate, and each man shall be returned to his family. The fiftieth year shall be for you *yovel*; you shall neither sow nor harvest that which grows by itself in the field or in the vineyard. For it is *yovel*, it shall be holy to you; you shall eat the produce of the field. In this year of *yovel*, each man shall return to his estate. (*Vayikra* 25:9-13)

Rashi explains that this year has a unique name, *yovel,* because this is a term for a horn, synonym to shofar. In fact, at Sinai, both *shofar* and *yovel* are referenced: *“*When the *yovel* sounds long, they may ascend the mountain” (*Shemot* 19:13).

Ibn Ezra believes that the Sages concur with Rashi and *yovel* refers to the sheep family, but he himself believes *yovel* means "release.”

The Ramban, however, takes issue with Rashi’s understanding, particularly because it doesn’t fit all three usages of *yovel* in the verses. The verse "For it is *yovel*, it shall be holy for you" doesn’t fit with *yovel* as a shofar. Additionally, *yovel* specifically refers to a ram's horn, which is the preferred shofar for Rosh Hashana, recalling the anniversary of the Binding of Yitzchak, but not necessarily for Yom Kippur of *yovel*. Therefore, the Ramban rejects Rashi's understanding and explains along the lines of Ibn Ezra.

In my opinion it is not the sounding of the shofar but the liberty that marks *yovel*… "It is *yovel*" during which everyone will be restored…"

He cites "*yuval*,” "will be brought" (*Yeshayahu* 18:7(, and other verses to prove that the root refers to bringing. *Yovel* is supposed to bring us somewhere, a homecoming. The Ramban notes that the word for the produce of one's crop is *yevul*; it is what one brings home from the field. Thus, it is called *yovel* because every man will be brought to his property.

 Why is the term used three times? Abarbanel offers three explanations, the first of which is very illuminating for our purposes. He states that one must be cognizant of God's two great acts on behalf of the Jewish people:

1) Physical creation of a world of perfection, which is recognized through *Shabbat* and *shemitta*, the sabbath of the land. Shabbat is the culmination of creation, and *shemitta* recognizes it through the land.

2) The second great gift, which is the essence of the *yovel* year, is God's granting the Torah, key to spiritual perfection, to His people. Just as seven periods of seven preceded the Giving of the Torah, seven periods of seven lead to *yovel*.

The shofar is not related to Creation, but to the experience at Sinai where the people were commanded to sanctify themselves, just as they are commanded to sanctify the fiftieth year.

*Yovel* does not refer to a shofar per se, but to the specific shofar sounded at the Giving of the Torah and its unique role.

Based on his understanding, we may say that our physical existence can easily get out of whack, and so we need to stop normal farming and economic life in order to refocus energy and ensure we’re on track. However, once every fifty years, at least once in an average lifetime, we must allow for society to be completely altered, to return to its beginnings, a nation founded in the desert and unified by the word of God and the Sinai experience.

Abarbanel adds that each “*yovel*” refers to a different aspect: release of servants, agricultural restrictions and joint partaking of the produce. All three relate back to Sinai where there was no servitude, no working or even treading upon the mountain, and no private property.

In a similar vein, the Meshekh Chokhma explains that the restrictions on one's field and the need to renounce ownership of the produce lessen the reluctance to return the land to its ancestral owners.

**The Three Focuses**

Thus, *yovel* has three focuses. First is the shofar blast we have discussed; it consists of a *mitzvat tekia*, for every individual to take a part in the proclamation of liberty. It may also tie in with the Rosh Hashana theme of coronation of God, recognizing the land as His.

The second aspect of the *yovel* year, freeing slaves, focuses on the social issue. HaRav Lichtenstein notes:

Its message is revolutionary both from a philosophical point of view and certainly in its practical implementation. To some extent this represents an act of erasing the gaps which have been created in the past and a new beginning. There is an aspiration towards social justice, towards a closing of gaps and equality. Until the *yovel* it appears that "he shall serve him forever" — the radical gap and difference between slave and master — will prevail eternally. Then the *yovel* year comes around and declares, "And you shall return each man to his estate and each to his family." There is economic and social restoration.

The third primary aspect of *yovel* affects the social sphere but also gets to the physical and economic infrastructure of social reform.

The *yovel* year therefore spreads its influence in three main areas: the religious sphere, the social sphere and the physical-economic sphere. Each of them is indispensable, as HaRav Lichtenstein states:

When we translate this *halakha* into more general terms, it means that we are obligated to internalize most profoundly the realization that there can be no "shofar blast" — no coronation of God — without "freeing of slaves" and "returning of fields," without an awareness of social justice and of economic development and reform. Conversely, there can be no social justice nor real equality in the absence of a consciousness of man's "Divine image" and of Divine Kingship. There can be no possession of land if there is not at the same time sufficient concern for people living upon it. The strengthening of the people must go hand in hand with the redemption of the land. We are speaking here of spheres which must be intertwined, with each nourishing and being nourished by the other. Neglect of one area means neglect of the entire framework.

***Deror***

*Yovel’s* message also requires an understanding of the term *deror*, liberty. The Torah refers to the slaves going free after their six years of servitude in both *Shemot* (21:2) and *Devarim* (15:12) and the root that is used in those contexts is *chofesh*, literally freedom. The commentaries wonder about the exact meaning of *deror*, which appears almost exclusively in the context of *yovel*. The Ramban understands it as freedom of movement, to settle wherever one sees fit. As an adjective, it modifies myrrh in *Shemot* 30:23, but its exact meaning is somewhat elusive. Yet one thing is clear, as Nechama Leibowitz points out: the word includes much more than physical freedom. *Deror* connotes the positive aspects of freedom and liberty, while *chofesh* refers to release from the yoke of servitude. Only during *yovel*, when the entire nation is freed and receives liberty and independence is this term appropriate. As the Torah states twice in the *parasha*:

For the Israelites are my servants; they are my servants, whom I brought forth out of the land of Egypt. (*Vayikra* 25:55, cf. 25:42)

To a certain degree, the servitude to God prevents the need for any servitude to man. We are servants of God, and not servants of servants. As *Avot* 6:2 states, "There is no free man other than one who is involved in Torah study.” Although the Torah may be perceived as something which binds man, places restriction and responsibility upon him, if we understand that it comes from God, then it is completely reasonable. This is a servitude which precludes subjugation to anything else.

In this context, the connection of *yovel* to the shofar blast of Sinai is also understandable, as it recognizes that through Sinai and the Giving of the Torah, freedom is truly achieved.

A similar idea is expressed by Rabbi Joseph B. Soloveitchik:

A very eminent psychiatrist once said to me: Had I the authority to do so, I would eliminate the prayer recited on the High Holy Day that begins with the words, “Cast Thy fear,” as fear is the major cause of the mental illnesses that beset mankind. In order to preserve one’s mental health one should be free of fears, and so there is certainly no reason why one should ever pray for fear.

Rav Soloveitchik counters that fear of God is actually the most liberating of emotions:

Though I am not a psychiatrist, what he said helped me to understand the true nature of that prayer which was ordained by the Sages of Israel. And that is what I told that psychiatrist: Everyone seems to be beset with fears of all kinds. Some are afraid that they will not be able to succeed in their careers, others fear losing their wealth or status or that they will fail to attain sufficient prominence. Many people are afraid of sickness and bodily weakness. In generations past, fear of leprosy engulfed the world; today people live in fear of cancerous growth. Many people do not go to see a doctor even when they have pains lest he diagnose “the disease.” Man is plagued constantly by all sorts of lesser fears. I am not a psychiatrist, but I do know that one major source of fear can wipe out all of these lesser fears. What fear can overtake man, thereby uprooting all other fears, such as that of failure, of poverty, of old age, of rejection or of disease? Only the fear of the Lord! That is the reason behind the expression in the High Holy Day prayer, “Cast Thy fear, O Lord our God, upon all Thy handiwork and Thine awe upon all that Thou hast created.” We pray that this great fear will free us from those other ones which lurk everywhere, upsetting our lives. (*On Repentance*, pp. 223-224)

*Deror* refers to this paradox.The ultimate freedom and liberation is the recognition that one is responsible only to God. This is therefore the term that the prophet Yirmeyahu (34:17) uses to describe *yovel*, where the punishment for those who don't grant the liberty required by *yovel* is unleashing the sword and pestilence to rein in on all those who deny that freedom. Either one surrenders physical "freedom" and gains God as a protector, or one chooses to be "free" and ends up losing everything, from wealth to one’s life.

**Return**

Moreover, *yovel*’s freedom is expressed in its being a year of return:

And each man SHALL RETURN to his estate, and each man SHALL BE RETURNED to his family... In this year of jubilee, each man SHALL RETURN to his estate.

HaRav Lichtenstein points out that the goal is not just to be a year of return to one’s point of departure, but "like the process of teshuva on Yom Kippur — ‘Return us, O God, to You and we shall return; renew our days as of old’ — the ‘return’ and *teshuva* of the *yovel* year, too, are a return not just to the ‘days of old’ of Adam, as the Midrash interprets it, but also a renewal which is built on the past. Not a cycle but rather a spiral."

**Rav Kook on *Yovel***

Rav Kook poetically describes the power of *shemitta*, allowing us to take a necessary time out from the vicissitudes of life in order to reveal the spiritual goals of the nation and to renew the link between one's physical existence and one's spiritual goals. He notes that *yovel* goes one step further as it is:

Strong enough to correct the deviations and the turpitude of the past, and to restore the conditions of life of the nation to the original state of its tender infancy…

The timing of Yom Kippur is appropriate for the shofar blast heralding *yovel* as:

The supreme spirit of total forgiveness that pervades every individual on the Day of Atonement rises here through the sanctity of the *yovel* in its collective aspect, while the nation, imbued with the spirit of forbearance and repentance, endeavors to rectify the distortions of the past.

Through the seven cycles of seven years, social ills arise which need rectification, such as the phenomenon of individuals:

who allowed themselves to become servants, forgetting their own sublime value and that the "ear that heard declare on Mount Sinai: ‘For the Israelites are my servants’ — not servants to servants, yet they chose to acquire a master for themselves” (Rashi *Shemot* 21:6), they recover their personal respect and liberty through the life-stream of sanctity that emanates from the supreme source from which the nations draws the light of her soul, and liberty is proclaimed throughout the land.

In addition, it is conducive to the restoration of property:

To compensate for the unbalanced state of the landed property, the result of physical and spiritual weakness caused by man's sins, which sap his strength and cause him to forfeit the inheritance of his forefathers — to right this imbalance comes *yovel*, which harmonizes with the pristine moral standard of the nation, bringing this basic real property to those who had been weighted down with the burden of life which distorted their values. In this year of *yovel*, each man shall return to his estate.

Rav Kook sees the societal norms which develop over the forty-nine years as a synonym for "deviations and turpitude" which must be rectified. They dim the radiance of the nation's soul. Shabbat accomplishes a respite for the individual, *shemitta* (*shabbat ha-aretz*) for the nation, and *yovel* proclaims liberty and engenders a spirit of forbearance and repentance to allow the rectification of the distortions of the past.

*Yovel* is not supposed to be a once-in-a-lifetime event, but the Torah continues to enumerate how its financial effects last beyond as well. The laws of *ona'a* declare that one cannot sell fields in Israel, but only the rights to the produce, and one must sell within market value. This is a socioeconomic principle that is rooted in the overall perspective that *shemitta* is supposed to convey.

There are indeed two separate aspects of the laws of *ona'a*; one is financial, the other behavioral. *Ona'at mammon,* financial exploitation, refers to cheating when selling and buying within a sixth of market value, while *ona'at devarim* refers to insulting others. Furthermore, the various laws of *yovel* are followed in *Parashat Behar* by the laws of how to deal with one who has lost his fortune and become impoverished.

These aspects associated with *yovel* make it clear that *yovel*'s message and even its financial laws are not merely economic policy; they are part of the remedy for society's ills and are supposed to guide the community to a much more moral and redeemed system, coupled with righteous societal interaction.

***Yovel* for Us**

We live in a period in which *yovel* does not apply, but its message must not be lost. Although *yovel* requires complete fulfillment, we must consecrate the lessons of *yovel* even in a world where its conditions cannot be met. *Shemitta* as a prelude to *yovel* is supposed to teach us that *yovel* provides messages throughout the forty-nine years and specifically during *shemitta*. In our next lesson, we will see how *shemitta* and *yovel* combine to provide a radically new vision of what a redeemed and righteous economy is supposed to look like.