

BeHar-Bechukotai

May 20, 2017

וּבְכָל אֶרֶץ אֲחֻזְתְּכֶם גְּאֹלָה תִּתְּנוּ לָאָרֶץ

Lev 25:24 *And all the land in your possession, you shall redeem that land*



For most of their existence, the Jewish people have not had a homeland they could call their own. Yet, in part due to biblical narratives such as the one presented in this week’s assigned portion, the Jewish people have felt longing and entitlement to dwell in and govern the Land of Israel. The rights and responsibilities of landowning Israelites are outlined in *Behar*. These laws can only apply to Jews living within the land of Israel itself.

The descriptions bestow human qualities on the land. Like people, the

land requires “rest” - in this case, *shmita* - every seven years and, furthermore, a complete year of suspension from being “owned” by anyone every 50 years during the *yovel* - “jubilee.”

Just before Rosh Hashana (the Jewish New Year) of 1909-1910 year, Rav Avraham Kook published an in-depth analysis of *shmita* and *yovel* in his book *Shabbat Ha’Aretz* (recently translated to English). Kook reflected on the growing return to Eretz Yisrael by Jews in the Diaspora and what it meant to be both physically and spiritually re-connected to the land. Inspired by early messianic and kabbalistic Zionism, many Jews returned to Eretz Yisrael leading up to the year 5600 (1840), which represented the 600th year of the 6th millennia. Between 1808 and 1840, the Jewish population there more than doubled. Kook, who later became the first Chief

Rabbi of Palestine in 1921, asserted, “Our spirits are lifted by what we can fulfill of the *mitzvot* that are connected to the land, even though what we have is still only partial. Now is the time to revive those aspects of the Torah that speak precisely to the revival of the land: learning about the special *mitzvot* of the land is becoming more and more significant for all those of God’s people who are focusing on what is happening in the land to which G-d’s spirit has returned...”

Historical observance of *shmita* in modern Israel has varied. Israelis try to integrate the laws of Torah and also protect the future of Jewish settlement in Eretz Yisrael. Rav Kook reminded early farmers about *heter m’khirah* - a symbolic, temporary sale of land to non-Jews - to ensure that the young, poor landowners would be spared debilitating financial losses while remaining religiously observant. This symbolic sale of young farmers’ property for the *shmita* year enabled Jews who had come to establish themselves in Eretz Yisrael in the early days of state building to

profit from the yield of their land. Additionally, this legal loophole meant that consumers could purchase local produce and not go without or suffer exorbitant prices for imported produce.

Controversy has and continues to surround this observance and its *halachic* (Jewish legal) loophole. Some religious communities still insist on purchasing produce from other countries, and anti-Kook leaders pressure their constituents to do so. Price gouging and shady business practices prevail. Leading into the past two *shmita* years, the Israeli government involved itself in attempts to protect both businesses and consumers. (See additional references below)

Some communities, reflecting on the sentiments of Rav Kook, have tried to establish ways to observe *shmita* in a more holistic way that addresses not just Jewish law, but environmental concerns. Allowing the earth to regenerate and lie fallow for the sake of natural progression, some Israelis have committed to cultivating and purchasing only hydroponically grown produce during the *shmita*. Certain businesses and families have heightened practices that embrace conservation and sustainability in observance *shmita* years, turning off their printers and working only electronically, using non-disposables for all occasions and composting rather than disposing.

Whether people observe *shmita* in a traditionally *halachic* way or through a modern understanding of what it means to allow the land to “rest,” their efforts demonstrate how life in Israel moves forward as people negotiate ways to be contemporary Jews in a progressive land.

Discussion Questions:

1. Is the biblical seventh year sabbatical still relevant today? If so, in what ways should it differ and in what ways stay the same as in ancient days?
2. In your opinion, by reminding the new farmers and landowners about *heter michirah*, did Rav Kook depart from traditional Judaism?
3. Consider the consequences for each of us individually if we took the seventh year off to regenerate or recharge. How could we do that as a society? How would we pay for it? Could we expect compensation through taxes? Could we rest for an entire year? Should we have goals and expectations for the time off? How and by whom would it be administered?

Additional References:

The Heter Mechira Debate - [The Kosher Point July 29, 2014](http://kosherpoint.com/shmita/heter-mechira-controversy-en/)
<http://kosherpoint.com/shmita/heter-mechira-controversy-en/>

Rab Kook's Introduction to Shabbat Ha'Aretz, Bilingual Ed. Translation and Introduction by Julian Sinclair, 2014

Shmita 5775 – Restoring the Soul of an Ancient Tradition - [Jerusalem Post, February 18, 2014](http://www.jpost.com/Opinion/Op-Ed-Contributors/Shmita-5775-Restoring-the-soul-of-an-ancient-tradition-341841)
<http://www.jpost.com/Opinion/Op-Ed-Contributors/Shmita-5775-Restoring-the-soul-of-an-ancient-tradition-341841>