

שמיטה, אידאל מציאות ומה שביניהם. Shmita, between Idealism to realism.

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ויקרא כה, א-יג, פרשת בהר Leviticus 25, 1-13, Behar

וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה בְּהַר סִינַי לֵאמֹר:

דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם כִּי תְבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם וְשָׁבַתְהָ הָאָרֶץ שְׁבַת לַיהוָה:

שֵׁשׁ שָׁנִים תִּזְרַע שְׂדֶךָ וְשֵׁשׁ שָׁנִים תִּזְמַר כְּרֶמֶךָ וְאָסַפְתָּ אֶת־תְּבוּאָתָהּ:

וּבַשְּׁנָה הַשְּׁבִיעִית שְׁבַת שְׁבַתוֹן יִהְיֶה לָאָרֶץ שְׁבַת לַיהוָה שְׂדֶךָ לֹא תִזְרַע וְכֶרְמֶךָ לֹא תִזְמַר:

אֵת סְפִיחַ קְצִירָה לֹא תִקְצֹר וְאֶת־עֵנָבִי נִזְיַרְךָ לֹא תִבְצֹר שְׁנַת שְׁבַתוֹן יִהְיֶה לָאָרֶץ:

וְהִיְתָה שְׁבַת הָאָרֶץ לָכֶם לֶאֱכֹלָהּ לָךְ וּלְעַבְדְּךָ וּלְאִמְתְּךָ וּלְשִׁכְיָרְךָ וּלְתוֹשֵׁבְךָ הַגֵּרִים עִמָּךְ:

וּלְבַהֲמֹתְךָ וּלְחַיָּה אֲשֶׁר בְּאֶרֶץ תְּהִיָּה כָל־תְּבוּאָתָהּ לְאֹכְלָהּ: (ו)

וּסְפַרְתָּ לָךְ שִׁבְעַת שְׁבַתֹת שָׁנִים שִׁבְעַת שָׁנִים שִׁבְעַת פְּעָמִים וְהָיָה לָךְ יְמֵי שִׁבְעַת שְׁבַתֹת הַשָּׁנִים תִּשַׁע וָאַרְבָּעִים שָׁנָה:

וְהָעֶבְרִית שׁוֹפֵר תְּרוּעָה בַּחֲדָשׁ הַשְּׁבִיעִי בְּעָשׂוֹר לַחֲדָשׁ בְּיוֹם הַכַּפָּרִים תַּעֲבִירוּ שׁוֹפָר בְּכָל־אַרְצְכֶם:

וּקְדַשְׁתֶּם אֶת שְׁנַת הַחֲמִשִּׁים שָׁנָה וּקְרַאתֶם דְּרוֹר בְּאָרֶץ לְכָל־יֹשְׁבֵיהָ יוֹבֵל הוּא תְהִיָּה לָכֶם וְשַׁבְתֶּם אִישׁ אֶל־אַחֲזָתוֹ וְאִישׁ אֶל־מִשְׁפַּחְתּוֹ:

תִּשְׁבוּ:

יוֹבֵל הוּא שְׁנַת הַחֲמִשִּׁים שָׁנָה תְהִיָּה לָכֶם לֹא תִזְרְעוּ וְלֹא תִקְצְרוּ אֶת־סְפִיחֶיהָ וְלֹא תִבְצְרוּ אֶת־נְזִירֶיהָ:

כִּי יוֹבֵל הוּא קֹדֶשׁ תְהִיָּה לָכֶם מִן־הַשָּׂדֶה תֹאכְלוּ אֶת־תְּבוּאָתָהּ:

בַּשְּׁנַת הַיּוֹבֵל הַזֹּאת תִּשְׁבוּ אִישׁ אֶל־אַחֲזָתוֹ:

The LORD spoke to Moses on Mount Sinai:

Speak to the Israelite people and say to them: When you enter the land that I assign to you, the land shall observe a sabbath of the LORD.

Six years you may sow your field and six years you may prune your vineyard and gather in the yield.

But in the seventh year the land shall have a sabbath of complete rest, a sabbath of the LORD: you shall not sow your field or prune your vineyard.

You shall not reap the aftergrowth of your harvest or gather the grapes of your untrimmed vines; it shall be a year of complete rest for the land.

But you may eat whatever the land during its sabbath will produce—you, your male and female slaves, the hired and bound laborers who live with you,

and your cattle and the beasts in your land may eat all its yield.

You shall count off seven weeks of years—seven times seven years—so that the period of seven weeks of years gives you a total of forty-nine years.

Then you shall sound the horn loud; in the seventh month, on the tenth day of the month—the Day of Atonement—you shall have the horn sounded throughout your land

and you shall hallow the fiftieth year. You shall proclaim release throughout the land for all its inhabitants. It shall be a jubilee for you: each of you shall return to his holding and each of you shall return to his family.

That fiftieth year shall be a jubilee for you: you shall not sow, neither shall you reap the aftergrowth or harvest the untrimmed vines,

for it is a jubilee. It shall be holy to you: you may only eat the growth direct from the field.

In this year of jubilee, each of you shall return to his holding.

ארבע מדות באדם. האומר שלי שלי ושלק שלי, זו מדה בינונית. ויש אומרים, זו מדת סדום. שלי שלי ושלק שלי, עם הארץ. שלי שלי ושלק שלי, חסיד. שלי שלי ושלק שלי, רשע:

There are four types of character in human beings: One that says: "mine is mine, and yours is yours": this is a commonplace type; and some say this is a sodom-type of character. [One that says:] "mine is yours and yours is mine": is an unlearned person (am haaretz); [One that says:] "mine is yours and yours is yours" is a pious person. [One that says:] "mine is mine, and yours is mine" is a wicked person.

Mei HaShiloach, Volume 1, Leviticus, Behar.

The idea of the Shemita year and the Jubilee year corresponds to the characters mentioned in Avot (Avot 5:10) - what is mine is yours, what is yours is yours. That is, even if the land was given to human beings, to the point that there is such a thing as acquisition of the land, that one can take from the land all the good things in the world - you know, that all good things in the world come actually from the land, as it says "all came from the dust" (Kohelet/Eccl. 3:20). And in the seventh [year/day], [when] one gives the land to the Holy One of Blessing, since one stops from working and tilling the land because of God's desire, and one observes God's commandment, one is called "mine is Yours" - that is, a person acquires for the Holy One of Blessing all one's possessions in the land. And the Jubilee corresponds to "Y/yours is Y/yours" since the mitzvah of the Jubilee is that a person returns to their holding and to their family, because in truth E-lohim made humans be on the earth, and distributed to each human an inheritance that corresponds to one's soul-root, and set each under their banner, and said to them: you are My servants. But due to the many desires of making many accounts, until one comes to expand one's boundaries and even acquires one's friends as servants, and this [friend] goes down and sells [the friend's] inheritance to the point that eventually [the friend] sells their own person, it was [necessary to establish that] God's word will exist forever and that it wouldn't, God forbid, change because of the deeds of humans, therefore even though they transgressed the laws regarding humans, [the transgression] does not reach the soul-root, since the Holy One created times when everything returns to their holding, and the [laws of the] Jubilee year were created so that every person will return to their place and the inheritance that belongs to them.

Heter Mechirah היתר מכירה

In the nineteenth century, when Jews began resettling the land in significant numbers, the population was on the verge of starving. Due to the dire situation, many prominent rabbinic leaders endorsed what is known as *heter mechirah*, which permits the sale of Jewish-owned land to non-Jews for the duration of the *shemittah* year. According to many opinions, produce grown on land owned by a non-Jew does not have *kedushat shevi'it*.

Otzar Beit Din אוצר בית דין

A distribution system run by a rabbinic court: the *beit din* hires the farmers themselves as its agents to tend to and harvest the crops. Farmers are hired to engage only in activities that are permitted during the *shemittah* year, as explained earlier. (Hence, they are allowed to water the trees to ensure that they don't die and they can pick the fruit. But they cannot fertilize the tree to enhance its growth, for example.)

The *beit din* appoints middlemen to distribute the produce. While the *beit din* is not permitted to make a profit off these fruit, it can set a price that will cover the expenses involved in executing the aforementioned, paying the farmers and the middlemen a fee.

This system is an excellent option when properly organized and supervised. Since produce sold in the *otzar beit din* systems have *kedushat shevi'it*, special care must be taken to ensure that the farmers do not perform any of the prohibited activities in the fields in order to reap a bountiful harvest. Additionally, prices and selling conditions must be tightly controlled by the *beit din*.

Can/should Shmita be relevant to us?

Let's face it: Shmita has a marketing problem. It comes only once every seven years. It has little name recognition. It treads perilously close to being confused with the handy but derogating Yiddish word *shmata* – rag. It has no memorable ritual to ground it; no identifiable symbol associated with it; no compelling narrative to frame it. It is – as presented in the Torah and in tradition – just a series of laws... So how do we capture the power of the seventh year in an image or symbol that can move the spirit? As a start, we have to embed it in a story. Perhaps that is one of our first jobs this coming Shmita year: figuring out how to articulate, frame and fashion Shmita's irresistible, inspiring, integrated story.

Nina Beth Cardin, The Narrative of Shmita, The Sova Blog, February 3, 2014 (The Hazon Shmita sourcebook)

What if we looked at Shmita not as a problem, but as a solution, and then considered what problems it's meant to solve? In that light, Shmita becomes a political statement of social and environmental import, raising deep questions about the nature of a healthy and sustainable life, for individuals, society and the land. For instance, currently only academics have a sabbatical year. Why? Our "affluent" society actually decreases leisure and family time, as more people not only choose to work to fulfill what they want to be, but feel compelled to work, in order to afford what society says they should have. Consumerism necessitates "producerism" to keep both supply and demand high. Yet as Shmita hints, people are indeed like the land, in ways that are more obvious in the modern world: For both, when overwork leads to exhaustion, we engineers continue "vitality" not with true renewal, but with chemicals... Just as silence is an integral part of speech, punctuated periods of fallowness are crucial for guaranteeing continued fertility.

– Rabbi Jeremy Benstein, Stop the Machine! The Jerusalem Report May 21, 2001

Taken on its own, Shmita is a riddle with no answer. In order to begin to understand the intricate puzzle that is Shmita, we must first connect the 6 years to the 7th, the individual parts of the cycle to its flowering conclusion. The 6 years of the Shmita Cycle are those of cultural design, and the 7th year is the indicator year; the ultimate 'check-in' to see how we are collectively doing as a culture. Shmita itself is not an isolated moment in time, but rather a cyclical expression of a vibrant culture rooted in local food systems, economic resiliency, and community empowerment. For us today, the Shmita Cycle can take shape as a story of transition, from the isolated self towards a holistic community; from perceived scarcity towards revealed abundance. It is a story so old and ancient that we have forgotten just how much we need it today, now, for our own survival, for our own evolution and growth.

Yigal Deutscher, Envisioning Sabbatical Culture

