

Shemittah: Classical Themes and Contemporary Challenges

Contemporary Shemittah: Challenges & Compliance, Relevance & Rebirth, Part I

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Biblical Teachings on Shemittah

1. שמות פרק כג

(*) וְשֵׁשׁ שָׁנִים תִּזְרַע אֶת־אֲרָצְךָ וְאָסַפְתָּ אֶת־תְּבוּאָתָהּ:

(יא) וְהִשְׁבִּיעַת תְּשֻׁמְטָהּ וְנִטְשֵׁתָהּ וְאָכְלוּ אֲבִיגַי עִמָּךְ וְיִתְרֶם תֹּאכַל מִיַּת הַשָּׂדֶה בְּרִמְעָשֶׁה לְכַרְמֶךָ לְוִימָךְ:

(יב) וְשֵׁשׁ יָמִים תַּעֲשֶׂה מַעֲשֵׂיךָ וּבַיּוֹם הַשְּׁבִיעִי תִשְׁבֹּת לְמַעַן יָנוּחַ שׁוֹרְךָ וְחַמְלֶךָ וַיִּנְפֹּשׂ בֶּן־אִמְתֶּךָ וְהַגֵּר:

1. Exodus 23

10 And six years thou shalt sow thy land, and gather in the increase thereof; **11** but the seventh year thou shalt let it rest and lie fallow, that the poor of thy people may eat; and what they leave the beast of the field shall eat. In like manner thou shalt deal with thy vineyard, and with thy oliveyard. **12** Six days thou shalt do thy work, but on the seventh day thou shalt rest; that thine ox and thine ass may have rest, and the son of thy handmaid, and the stranger, may be refreshed. +

2. דברים פרק טו

(א) מִקֵּץ שְׁבַע־שָׁנִים תַּעֲשֶׂה שְׁמִטָּה:

(ב) וְזָה דְבַר הַשְּׁמִטָּה שְׁמוֹט כָּל־בַּעַל מִשָּׂה יָדוֹ אֲשֶׁר יִשָּׂה בְרַעְיוֹ לֹא־יִגֹּשׁ אֶת־רַעְיוֹ וְאֶת־אֶחָיו כִּי־קָרָא שְׁמִטָּה לְיִקְוֹן:

(ג) אֶת־הַנֶּכְרִי תִגֹּשׁ וְאֲשֶׁר יִהְיֶה לְךָ אֶת־אֶחָיֶךָ תִשְׁמַט יָדָךְ:

(ד) אֲפֹס כִּי לֹא יִהְיֶה־כֶּסֶף אֲבִיוֹן כִּי־בָרַךְ יִקְוֹן בְּאֶרְצוֹ אֲשֶׁר יִקְוֹן אֱלֹהֶיךָ וְתִמְלֹךְ נִחְלָה לְרַשְׁתָּהּ:

2. Deuteronomy 15

1 At the end of every seven years thou shalt make a release. **2** And this is the manner of the release: every creditor shall release that which he hath lent unto his neighbour; he shall not exact it of his neighbour and his brother; because the LORD'S release hath been proclaimed. **3** Of a foreigner thou mayest exact it; but whatsoever of thine is with thy brother thy hand shall release. **4** Howbeit there shall be no needy among you--for the LORD will surely bless thee in the land which the LORD thy God giveth thee for an inheritance to possess it--

3. דברים פרק טו

(יב) כִּי־יִמְכַר לָךְ אֶחָיֶךָ הָעֶבְרִי אוֹ הָעֶבְרִיָּה וְעַבְדְּךָ נָשָׂא שָׁנִים וּבִשְׁנֵה הַשְּׁבִיעִת תִּשְׁלַחְתָּנוּ חֲפָזִי מֵעִמָּךְ:

(יג) וְכִי־תִשְׁלַחְתָּנוּ חֲפָזִי מֵעִמָּךְ לֹא תִשְׁלַחְתָּנוּ רִיקָם:

(יד) הַעֲנִיךָ תַעֲנִיךָ לֹא מִצְאָנֶךָ וּמִגְרָנֶךָ וּמִקִּבְּךָ אֲשֶׁר בְּרַכְּךָ יִקְוֹן אֱלֹהֶיךָ תִתְּנוּ־לוֹ:

(טו) וְזָכַרְתָּ כִּי עֶבֶד הָיִיתָ בְּאֶרְצוֹ מִצְרַיִם וַיִּפְדֶּךָ יִקְוֹן אֱלֹהֶיךָ עַל־כֵּן אֲנִכִי מִצְוֶה אֶת־הַדָּבָר הַזֶּה הַיּוֹם:

3. Deuteronomy 15

12 If thy brother, a Hebrew man, or a Hebrew woman, be sold unto thee, he shall serve thee six years; and in the seventh year thou shalt let him go free from thee. **13** And when thou lettest him go free from thee, thou shalt not let him go empty; **14** thou shalt furnish him liberally out of thy flock, and out of thy threshing-floor, and out of thy winepress; of that wherewith the LORD thy God hath blessed thee thou shalt give unto him. **15** And thou shalt remember that thou wast a bondman in the land of Egypt, and the LORD thy God redeemed thee; therefore I command thee this thing to-day.

4. ויקרא פרק כה

- (א) וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה בְּהַר סִינַי לֵאמֹר:
(ב) דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם כִּי תָבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אָנֹכִי נֹתֵן לָכֶם וְשָׁמַרְתָּ הָאָרֶץ שַׁבַּת לִיקְנוֹק:
(ג) שֵׁשׁ שָׁנִים תִּזְרַע שְׂדֶה וְשֵׁשׁ שָׁנִים תִּזְמַר כַּרְמְךָ וְאָסַפְתָּ אֶת־תְּבוּאָתָהּ:
(ד) וּבַשְּׁנָה הַשְּׁבִיעִית שַׁבַּת שַׁבְּתוֹן יִהְיֶה לְאָרֶץ שַׁבַּת לִיקְנוֹק שְׂדֶה לֹא תִזְרַע וּכְרַמְךָ לֹא תִזְמַר:
(ה) אֵת סְפִיס קְצִירְךָ לֹא תִקְצֹר וְאֶת־עֲנָבֵי נֹזְרֶה לֹא תִבְצֹר שְׁנַת שַׁבְּתוֹן יִהְיֶה לְאָרֶץ:
(ו) וְהָיְתָה שַׁבַּת הָאָרֶץ לְכֹל לֹאֲכָלָהּ לָהּ וּלְעַבְדָּהּ וּלְאֻמָּתָהּ וּלְשִׂכְרָהּ וּלְתוֹשֵׁבָהּ הַגֵּרִים עִמָּךְ:
(ז) וּלְבִקְמָתָהּ וּלְתִיָּה אֲשֶׁר בְּאַרְצָךָ תִּהְיֶה כָל־תְּבוּאָתָהּ לְאָכְלָהּ:

4. Leviticus 25

1 And the LORD spoke unto Moses in mount Sinai, saying: **2** Speak unto the children of Israel, and say unto them: When ye come into the land which I give you, then shall the land keep a sabbath unto the LORD. **3** Six years thou shalt sow thy field, and six years thou shalt prune thy vineyard, and gather in the produce thereof. **4** But in the seventh year shall be a sabbath of solemn rest for the land, a sabbath unto the LORD; thou shalt neither sow thy field, nor prune thy vineyard. **5** That which groweth of itself of thy harvest thou shalt not reap, and the grapes of thy undressed vine thou shalt not gather; it shall be a year of solemn rest for the land. **6** And the sabbath-produce of the land shall be for food for you: for thee, and for thy servant and for thy maid, and for thy hired servant and for the settler by thy side that sojourn with thee; **7** and for thy cattle, and for the beasts that are in thy land, shall all the increase thereof be for food.

5. ויקרא פרק כו

- (יב) וְאִם־לֹא תִשְׁמָעוּ לִי וְלֹא תַעֲשׂוּ אֵת כָּל־הַמִּצְוֹת הָאֵלֶּה...:
(לב) וְהִשְׁמַתִּי אֹנִי אֶת־הָאָרֶץ וְשָׁמְמוּ עָלֶיהָ אֵיבֵיכֶם הַיֹּשְׁבִים בָּהּ:
(לג) וְאִתְּכֶם אֲזַנְרָה בְּגוֹיִם וְהִרִיקְתִּי אֶת־רַגְלֵיכֶם תָּרֹב וְהִיָּתָה אֶרְצְכֶם שְׂמֵמָה וְעַרְיָכֶם יִהְיוּ חֲרָבָה:
(לד) אִזְ תִּרְצֶה הָאָרֶץ אֶת־שַׁבְּתֵיהָ כֹּל יְמֵי הַשְּׁמָה וְאַתֶּם בְּאָרֶץ אֵיבֵיכֶם אִזְ תִּשְׁבַּת הָאָרֶץ וְהִרְצַת אֶת־שַׁבְּתֵיהָ:
(לה) כָּל־יְמֵי הַשְּׁמָה תִשְׁבַּת אֵת אֲשֶׁר לֹא־שַׁבְּתָה בְּשַׁבְּתֵיכֶם בְּשַׁבְּתֵיכֶם עָלֶיהָ:

5. Leviticus 26

14 But if you do not listen to me, and do not perform all of these commandments...
32 And I will bring the land into desolation; and your enemies that dwell therein shall be astonished at it. **33** And you will I scatter among the nations, and I will draw out the sword after you; and your land shall be a desolation, and your cities shall be a waste. **34** Then shall the land be paid her sabbaths, as long as it lieth desolate, and ye are in your enemies' land; even then shall the land rest, and repay her sabbaths. **35** As long as it lieth desolate it shall have rest; even the rest which it had not in your sabbaths, when ye dwelt upon it.

Basic Categories of Shemittah

6. רמב"ם הלכות שמיטה ויובל הקדמה

הלכות שמיטה ויובל. יש בכללן שנים ועשרים מצוות, תשע מצוות עשה, ושלוש עשרה מצוות לא תעשה. וזהו פרטן: (א) שתשבות הארץ בשביעית ממלאכתה. (ב) שלא יעבוד עבודת הארץ בשנה זו. (ג) שלא יעבוד עבודת האילן בשנה זו. (ד) שלא יקצור הספיח כדרך הקוצרים. (ה) שלא יבצור הנוזרים כדרך הבוצרים. (ו) שישמט מה שתוציא הארץ. (ז) שישמט כל הלואתו. (ח) שלא יגוש ולא יתבע הלוח. (ט) שלא ימנע מלהלוות קודם שמיטה כדי שלא יאבד ממונו. (י) לספור השנים שבע שבע. (יא) לקדש שנת החמשים. (יב) לתקוע בשופר ב' בתשרי כדי לצאת עבדים חפשי. (יג) שלא תעבד אדמה בשנה זו. (יד) שלא יקצור ספיחיה כנגד הקוצר. (טו) שלא יבצור נוזריה כנגד הבוצרים. (טז) ליתן גאולה לארץ בשנה זו וזהו דין שדה אחוזה ושדה מקנה. (יז) שלא תמכר הארץ לצמיתות. (יח) דין בתי ערי חומה. (יט) שלא ינחל כל שבט לוי בארץ ישראל אלא נותנין להם ערים מתנה לשבת בהם. (כ) שלא יקח שבט לוי בבזה. (כא) ליתן ללויים ערים לשבת ומגרשיהן. (כב) שלא ימכר מגרש עריהם אלא גואלים לעולם בין לפני היובל בין לאחר היובל. וביאור מצוות אלו בפרקים אלו.

6. Introduction to Hilchos Shemita (translation, chabad.org)

- 1) That the earth should rest in the seventh year from all labor performed because of it;
- 2) Not to perform agricultural work during this year;
- 3) Not to perform work with trees during this year;
- 4) Not to harvest produce that grows on its own in an ordinary manner;
- 5) Not to harvest grapes in an ordinary manner;
- 6) To give up ownership of all the produce of the earth;
- 7) To renounce all debts;
- 8) Not to pressure a debtor, nor to demand payment from him;
- 9) Not to refrain from lending before the Sabbatical year so that one will not forfeit his money;
- 10) To count the years in sets of seven;
- 11) To sanctify the fiftieth year;
- 12) To sound the *shofar* on the tenth of Tishrei [of the fiftieth year] so that the servants will be released as free;
- 13) Not to perform agricultural work during this year;
- 14) Not to harvest produce that grows on its own in an ordinary manner;
- 15) Not to harvest grapes in an ordinary manner;
- 16) To provide for the redemption of the land during this year; this refers to the laws pertaining to ancestral fields and purchased fields;
- 17) That the land never be sold in a permanent manner;
- 18) The laws pertaining to [the sale of] homes in walled cities;
- 19) That the tribe of Levi should not receive a tribal inheritance in *Eretz Yisrael*; instead, they are given cities to live in as presents;
- 20) That the tribe of Levi not take a portion of the spoils [of war];
- 21) To give the Levites cities to dwell in [together with] their open land;
- 22) That the open land of their cities never be sold [permanently]; instead they have the opportunity to redeem it whether before the Jubilee year or afterwards.

Themes of Shemittah

7. תלמוד בבלי מסכת סנהדרין דף לט עמוד א

מאי טעמא דשביעיתא? - אמר ליה: השתא אמינא לכו מילתא דשויה לתרוייהו. אמר הקדוש ברוך הוא לישראל: זרעו שש והשמיטו שבע, כדי שתדעו שהארץ שלי היא,

7. Babylonian Talmud, Sanhedrin 39a

What is the reason for Shevi'it? He [R. Abahu] said: Now I will tell you something that you both agree to: The Holy One, Blessed be He, said to Israel: Plant six [years] and leave [the land] the seventh, in order that you will know that the land is Mine.

8. ספר מורה הנבוכים חלק ג פרק לט

ואמנם כל המצות אשר ספרנום בהלכות שמיטה ויובל מהם לחמלה על בני אדם והרחבה לבני אדם כולם, כמו שאמר ואכלו אביוני עמך ויתרם תאכל וגו', ושתוסיף הארץ תבואתה ותתחזק בעמדה שמוטה, ומהם חנינה בעבדים ועניים כלומר השמטת כספים והשמטת עבדים, ומהם עיון בתקון הפרנסה והכלכלה על ההתמדה, והוא היות הארץ כולה שמורה לבעלים אי אפשר בה מכירה לצמיתות, והארץ לא תמכר לצמיתות, וישאר ממון האדם שמור עליו ועל יורשיו

8. Maimonides, Guide of the Perplexed, Volume 3 Chapter 39 (trans. Sefaria)

As to the precepts enumerated in the laws concerning the year of release and the jubilee (Hilkhot shemittah ve-yohel) some of them imply sympathy with our fellow-men, and promote the well-being of mankind; for in reference to these Precepts it is stated in the Law, "That the poor of thy people may eat" (Exod. 23:11); and besides, the land will also increase its produce and improve

when it remains fallow for some time. Other precepts of this class prescribe kindness to servants and to the poor, by renouncing any claims to debts [in the year of release] and relieving the slaves of their bondage [in the seventh year]. There are some precepts in this class that serve to secure for the people a permanent source of maintenance and support by providing that the land should remain the permanent property of its owners, and that it could not be sold." And the land shall not be sold for ever" (Lev. 25:23). In this way the property of a person remains intact for him and his heirs, and he can only enjoy the produce thereof.

9. הרב צבי הירש קאלישר, פירוש על התורה, פרשת בהר

טעמי השמיטה ייפרדו לכמה צרכים. האחת: להורות לבני אדם כי לא להם הארץ, כי לה' היא, וזה שנאמר: "כי תבוא אל הארץ אשר אני נותן לכם", שתדעו ותזכרו תמיד שאני הנותן לכם הארץ, ושלי היא ואין הארץ שלכם... וכי תאמר אם אינה שלי לא אעבוד בה מלאכה, על זה נאמר: "שש שנים תזרע שדך". אני מרשה לך לעבד את אדמתך: "ואספת את תבואתה". ולא עוד אלא שיש חיוב לעבוד האדמה ולא להשליך הכל מגד כי ברכך ה' בכל אשר תעשה. עבודת אדמת הקודש היא מצווה רבה והיא תועלת עצומה גם בזמן הזה. ובשנה השביעית "שבת שבתון", למען תדע כי לי הארץ ומלוואה. וכן אמרו חז"ל במילים קצרות: "אמר הקב"ה: זרעו שש ושטמו שביעית, כדי שתדעו שהארץ שלי, וכולם שווים בה בשנה זו.

דרך שניה, שילמדו לעמוד בניסיון ולהאמין בו יתברך, כי עיני ה' בנו מראשית השנה עד אחריתה. ובזה נודע, כי ברוך הגבר אשר יבטח בה', שגם אם ישבות מעבודתו יצווה ה' יתברך את הברכה לו... ובזה ירגיל עצמו לבטוח בה' ולהאמין בהשגחתו על כל פרט ופרט, כי מה' מצעדי גבר כוננו. וגם ללמוד מזה, שלא יתנשא העשיר על העני – אמרה תורה שבשנה השביעית כולם שווים, יחד עשיר ואביון יש להם רשות בגנות ובשדות לאכול לשבעה. ועוד טעם: כי לא לעולם יהיו טרודים בעבודת האדמה לצורך החומר, רק שנה אחת יהיה חופשי לנפשו. וכאשר יפרוק עול עבודה יעסוק בתורה וחוכמה, לאנשים אשר לא ידעו ללמוד יעסקו במלאכת חרש וחושב ובניין בתים והיכלות, למען גם זה לא יחסר מארץ ישראל; חושבי מחשבות עושים במלאכה – ימציאו חדשות בעת החופש לצורך העולם ותיקונו, ומי שיש בו דעת תורה – יעסוק רק בתורה ויראה, כי זה האושר האמיתי.

9. R. Tzvi Hirsch Kalischer, Commentary on Torah, Behar

The reasons for Shemittah split into several purposes:

First: To teach people that the land is not theirs, but is the Lord's. This is what is said: "When you enter the land that I am giving you" (Lev. 25:2), that you should know and remember always that I am the one giving you the land, and it is Mine and not yours...

And if you say: 'If it is not mine I won't work in it,' for this it is said "Six years you shall plant your fields" (Lev. 25:3). I permit you to work My field. "And you shall gather its produce" (Lev. 25:3). And not only that, but there is an obligation to work the land and not throw it all back at God, because the Lord blessed you with all you do. Working the holy land is a great commandment and it has an important impact, even nowadays. And in the seventh year, "A Sabbath of Sabbaths," in order that you know that the land and its fullness is Mine. So say the rabbis in few words: "the Holy One, blessed be He, said to plant for six [years] and leave it in the seventh, in order that you know that the land is Mine, and that all are equal in it in this year.

Another [goal of Shemittah]: In order that they learn to withstand the test and believe in Him, may He be blessed, because the eyes of the Lord are upon us from the beginning of the year to its end. And in this it is know, that blessed is the man who trusts in the Lord, that even if he stops his work the Lord, may He be blessed, will still instruct His blessing... And in this a person will accustom himself to trust in God and believe in His providence over every detail, because from the Lord a person's steps are directed. And one can also learn from this, that the rich should not hold themselves over the poor – the Torah say that in the seventh year all are equal, the rich and poor together have rights to gardens and orchards to eat their fill.

Another reason: That people shouldn't always be busy with working the land for material reasons, and just one year should be free for their souls. When a person overthrows the yoke of work they can deal with Torah and wisdom. And for people who don't know how to learn, they

can deal with weaving and other creative endeavors and build houses and palaces, in order that this also not be lacking from the Land of Israel. Those who think thoughts doing the work will find innovations in their free time, for the sake of the world and its improvement, and whoever has knowledge of Torah – will deal only with Torah and fear [of Heaven], because this is true happiness.

10. ספר החינוך מצוה פד

מצות שמיטת קרקעות

להפקיר כל מה שתוציא הארץ בשנה השביעית, שהיא נקראת מפני המעשה הזה שנתחייבנו בה שנת השמיטה, ויזכה בפירותיה כל הרוצה לזכות, שנאמר [שמות כ"ג, י"א] והשביעית תשמטנה ונטשתה ואכלו אביוני עמך ויתרם תאכל חית השדה כן תעשה לכרמך לזיתך...

משרשי המצוה (= היינו טעמי המצווה), לקבוע בלבנו ולצייר ציור חזק במחשבתנו ענין חדוש העולם כי ששת ימי עשה ה' את השמים ואת הארץ [שמות כ', י"א], וביום השביעי שלא ברא דבר הכתיב מנוחה על עצמו.

ולמען הסיר ולעקור ולשרש מרעיונינו דבר הקדמות אשר יאמינו הכופרים בתורה ובו יהרסו כל פנותיה ויפרצו חומותיה, באה חובה עלינו להוציא כל זמנינו יום יום ושנה שנה על דבר זה למנות שש שנים ולשבות בשביעית, ובכן לא יתפרד הענין לעולם מבין עינינו תמיד, והוא כענין שאנו מוציאים ימי השבוע בששת ימי עבודה ויום מנוחה. ולכן ציוה ברוך הוא להפקיר כל מה שתוציא הארץ בשנה זו מלבד השביתה בה, כדי שיזכור האדם כי הארץ שמוציאה אליו הפירות בכל שנה ושנה לא בכוחה וסגולתה תוציא אותם, כי יש אדון עליה ועל אדוניה. וכשהוא חפץ הוא מצוה אליו להפקירם.

ועוד יש תועלת נמצא בדבר לקנות בזה מדת הותרנות, כי אין נדיב כנותן מבלי תקוה אל הגמול. ועוד יש תועלת אחר נמצא בזה האדם שיוסיף האדם בטחון בשם ברוך הוא, כי כל המוצא עם לבבו לתת ולהפקיר לעולם כל גדולי קרקעותיו ונחלת אבותיו הגדלים בכל שנה אחת, ומלומד בכך הוא וכל המשפחה כל ימיו, לא תחזק בו לעולם מדת הכילות הרבה ולא מיעוט הבטחון.

10. Sefer Ha-Hinnukh, Commandment 84

The commandment of the releasing (*shmitat*) of lands:

To make ownerless everything that the earth put out in the seventh year, which is called the *shmitta* (release) year, because of this process in which we are obligated; and that all who want to [take] its fruits may do so - as it is stated (Exodus 23:11), "But the seventh you shall release it and abandon it, and the needy among your people will eat of it, and what they leave the beasts will eat; you shall do the same with your vineyards and your olive groves."...

It is from the roots of this commandment to affix in our hearts and make a strong impression in our minds [about] the matter of the world having been created. As (Exodus 20, 11) "in six days did God make the heavens and the earth, and on the seventh day" - in which He did not create anything - He imposed rest on Himself.

And in order to remove and uproot and eradicate from our thoughts the idea of the eternity [of the world] - which the deniers of the Torah believe in, through which they destroy all its principles and break through its walls - did the requirement come upon us to expend all our time, day by day and year by year, for this matter, by counting six years and resting on the seventh so that this matter will never depart from between our eyes for all time. And this is similar to the manner in which we count the days of the week [by dividing them] into six days of work and the seventh is a day of rest. Therefore, He, blessed be He, did command to render ownerless all that the land produces in this year - in addition to resting during it (i.e. during the year) - so that a person will remember that the land which produces fruits for him every year does not produce them by its [own] might and virtue. For there is a Master over it and over its master - and when He wishes, He commands him (i.e. the master of the land) to render them (i.e. the fruit) ownerless.

And there is another benefit in this matter - to acquire the trait of letting go (i.e. of one's possessions), for there is no one more generous than he who gives without hope for recompense.

And there is another benefit - the outcome of this is that a person will add to his trust in God, may He be blessed, since anyone who finds it in his heart to give and abandon to the world all of the produce of his lands and his ancestral inheritance for an entire year - and educates himself and his family through this for all of his days - will never have the trait of stinginess overcome him too much, nor will he have a deficient amount of trust.

11. זוהר כרך ג (במדבר) פרשת שלח לך דף קעא עמוד ב

ת"ח בכל שמטה ושמטה כרוזא נפיק אתכנישו גוברין ונשין וכל אינון בני מהימנותא וסליקו כדין כלהו מתפשטין דכורין ונשין וסלקין וכל אינון ינוקי מחלב עאלין לגו מתיבתא דרקינא וחדאן חדוה, ועלויא דלהון ותמן חדו על חדו, וההוא נער דמפתחן דמאריה בידיה קם ואמר לון כמה מלין חדתין ועתיקין וכלהו חמאן חדוה דלית חדוה כההיא חדוה, לבתר עאלין כלהו לגו כמה פרוכתין וכמה היכלין גניזין תמן דאינון נהרין בנעם יי' בגו היכלא דאהבה דקודשא בריך הוא ודא הוא דכתיב (תהלים כז) לחזות בנועם ה' ולבקר בהיכלו

11. Zohar vol. 3 (Bemidbar), Shelah p. 171b

Come and see: every Shemittah year an announcement goes out: gather men and women and all who are children of faith and come up! As such, all come out, male and female, and come up, and all who are weaned off milk go up to the Yeshiva of heaven and rejoice, and this is the greatest joy of all joys. And that youth who has the keys of his Master rises and says to us some words, new and old, and all see the unparalleled joy. After this all go into various curtains, with many hidden palaces there, which enlighten with the pleasantness of the Lord, inside the palace of love of the Holy One, blessed be He. This is what it says “to see the pleasantness of the Lord and to visit in His palace” (Ps. 27:4).

12. דון יצחק אברבנאל, נחלת אבות, פ"ה, יא

רצה הקב"ה, שכמו האומה בכללה תעשה זכר בשביתת היום השביעי, אל הפינה הקדושה מבריאת העולם וחידושו, ככה הארץ הנבחרת תעיד עליה בשמיטתה השנה השביעית; ולזה נתן הסבר במצוות השמיטה: "שבת שבתון יהיה לארץ, שבת לה". רוצה לומר, ששמיטת הארץ תהיה כמו השבת המקודש אשר לישראל ושענין השביתה ההיא לרמוז ולהעיד על שבת בראשית - שבת לה, כי בו שבת מכל מלאכתו, וכאילו הארץ ההיא למעלת קדושתה, עם היותה בלתי מדברת, תעיד בפניה הזאת מה שיעיד העם הישראלי בשבתותיהם, ותהיה עדות הארץ בזמן היותר ניכר בה והוא השנה, מענין התבואה המתחדש בה.

12. Don Isaac Abravanel, Commentary on Avot 5:11

The Holy One, blessed be He, wished that just like the nation in its entirety offers a commemoration by resting on the seventh day, noting the holy corner of the creation of the world and its renewal, so too the chosen land will testify to it [creation] by leaving it for the seventh year. This is the explanation for the commandment of Shemittah: “There shall be a Sabbath of Sabbaths for the land, a Sabbath for the Lord” (Lev. 25:4). This means that leaving the land should be like the sanctified Shabbat for Israel, and that this resting will hint at and testify to the Sabbath of creation – a Sabbath for the Lord, because He rested on it from all His work. It is as if the land, according to its level holiness, being unspeaking, testifies in this corner what the Israelite people testify to with their Sabbaths, and the testimony of the land will be for a more recognizable period of time, namely a year, based on produce cycles.

Early Fears of Shemittah's Inapplicability

13. ויקרא פרק כה

- (יא) וַעֲשִׂיתֶם אֶת־חַקְמֵי וְאֶת־מִשְׁפָּטֵי תִשְׁמְרוּ וַעֲשִׂיתֶם אִתְּכֶם וַיִּשְׁבַּתֶם עַל־הָאָרֶץ לְבָטָח:
(יט) וְנָתַתְּ אֶת־הָאָרֶץ פְּרִיָּה וְנֹאכַלְתֶּם לְעֹבֵעַ וַיִּשְׁבַּתֶם לְבָטָח עֲלֵיהָ:
(כ) וְכִי תֹאמְרוּ מִה־נֹּאכַל בְּשָׁנָה הַשְּׁבִיעִת הֵן לֹא נִזְרַעְנוּ וְלֹא נִקְטַף אֶת־תְּבוּאָתֵנוּ:
(כא) וְצִוִּיתִי אֶת־בְּרַכְתִּי לָכֶם בְּשָׁנָה הַשְּׁבִיעִת וְעִשְׂתֶּם אֶת־הַתְּבוּאָה לְשֵׁלֶשׁ הַשָּׁנִים:
(כב) וְזָרְעֵתֶם אֶת הַשָּׂנֵה הַשְּׁמִינִת וְנֹאכַלְתֶּם מִן־הַתְּבוּאָה וַיִּשְׂן עַד וְהַשָּׂנֵה הַתְּשִׁיעִת עַד־בּוֹא תְּבוּאָתָהּ תֹאכְלוּ וַיִּשְׂן:

13. Leviticus 25

18 Wherefore ye shall do My statutes, and keep Mine ordinances and do them; and ye shall dwell in the land in safety. 19 And the land shall yield her fruit, and ye shall eat until ye have enough, and dwell therein in safety. 20 And if ye shall say: 'What shall we eat the seventh year? behold, we may not sow, nor gather in our increase'; 21 then I will command My blessing upon you in the sixth year, and it shall bring forth produce for the three years. 22 And ye shall sow the eighth year, and eat of the produce, the old store; until the ninth year, until her produce come in, ye shall eat the old store.

14. דברים פרק טו

(ט) השמר לך פנייהך דבר עם-לבבך בליעל לאמר קרבה שנת-השבע שנת השמיטה ורעה עיניך באחיה האביון ולא תתן לו וקרא עליה אל-יקינה ויהיה כן חטא:
(י) נתון תתן לו ולא-יברע לבבך בתתן לו כי בגללו הדבר הזה יברכה יקנה אלהיה בכל מעשיו ובכל משלח ידו:

14. Deuteronomy 15:9-10

9 Beware that there be not a base thought in thy heart, saying: 'The seventh year, the year of release, is at hand'; and thine eye be evil against thy needy brother, and thou give him nought; and he cry unto the LORD against thee, and it be sin in thee. 10 Thou shalt surely give him, and thy heart shall not be grieved when thou givest unto him; because that for this thing the LORD thy God will bless thee in all thy work, and in all that thou puttest thy hand unto.

15. תלמוד ירושלמי (וילנא) מסכת דמאי פרק א

רבי בעי משרי שמיטתא סלק רבי פנחס בן יאיר לגבי א"ל מה עיבורי עבידין א"ל עולשין יפות מה עיבוריא עבידין א"ל עולשין יפות וידע רבי דלית הוא מסכמה עמי

15. Jerusalem Talmud, Demai 1:3

Rabbi wanted to permit Shemittah. Rabbi Pinchas ben Yair went to him, and said to him: What is produce doing in the field? He [Rabbi] said to him: It's nice endives. [R. Pinhas ben Yair said:] What is produce doing in the field? He [Rabbi] said to him: It's nice endives. And Rabbi knew that he [R. Pinhas ben Yair] didn't agree with him.

The Challenge of Shemittah Today

16. ר' אברהם יצחק קוק, שבת הארץ, הקמה, חלק יד

ומה שאנו סומכים על היתר השמיטה ע"י המכירה, ולא נמצא מעולם ולא נראה שסמכו ע"ז החכמים הקדמונים ז"ל, בזמן בית שני וכל ימי חכמי התלמוד הירושלמי והישוב הנמשך בארץ ישראל אח"כ בימים הראשונים, אין זה פלא. ושלוש סבות בדבר: ...
ומלבד כל זה, עצם שינוי המנהג, שבדורות הראשונים, שאז לא הי' גדול כל-כך הצורך, לא נכנסו כ"כ בהיתר הערמה ואח"כ בדורות האחרונים, כשנתגבר ההכרח, החלו להתיר בזה ולהנהיג כן את הציבור, - זהו ענין רגיל מאד. ובחמץ גופא מצינו...
שבכ"מ שלא היה ההכרח גדול לא רצו חכמי הדורות לפרסם היתר של הערמה, והוי בכלל "כבוד אלהים הסתר דבר"... שכשהכרח מחייב להנהיג כן מפני הדחק אז בודאי מצוה להורות כן, בדברים אלו וכיו"ב, כדי להסיר המכשול מהנכשלים ולהרויח את הדחק הגדול של אותה שעה. ומשוי"ה החלו גם כן גדולי הדורות להנהיג בפומבי את מכירת החמץ כפי הנהגה, מאחר שנתברכו עסקי התעשיות ובתי החרושת באפנים גדולים, שא"א הי' בהם בלא פרסום דרך המכירה. וכן גבי ענינו: בימים הראשונים, כשמעמד הישוב הי' בעיקרו של יסוד עבודת אדמה לאכילה, הי' אפשר להנהיג קדושת שביעית כדת בלא היתר של הפקעה, שהרי סוף סוף היו הפירות מופקרים והי' עי"ז ריוח לענים והי' קרוב לכונת התורה: "ואכלו אביוני עמך", על-כן לא נתפרסם אז היתר של הפקעה ע"י מכירה, אבל בימינו שיסוד הישוב הוא ע"י מסחר בפרי תבואות המושבות, וכשימנע מהלך המסחר תהרס גם כל פרנסתו ומעמדו על להבא, - במצב כזה ודאי חובה להנהיג את היתר הפקעה ע"י המכירה, ע"פ הסכמת חכמים בכל שמיטה, עד אשר ירחם ד' את עמו וארצו וישובו הימים הטובים, ויהי' אפשר גם מצד מהלך המסחר לשמור קדושת השביעית כדינה במילואה, בלא שום הפקעה.

16. R. Abraham Isaac Kook, *Shabbat ha-Aretz*, Introduction, Section 14 (trans. Aryeh Edrei, modified)

The sabbatical dispensation by a permit of sale on which we rely was never used and does not appear to have been relied upon by the early sages, of blessed memory, at the time of the Second Temple, in all the days of the sages of the Jerusalem Talmud, nor when the population continued to live in the land of Israel afterwards, in the days of the early authorities. This is not surprising, and there are three reasons for this. [...]

Aside from these [another reason]: In the early generations, the need was not so pressing, and so they did not enter into the use of a permit based on evasion, but subsequently, when the necessity intensified, they began to issue such permits, and directed the congregation accordingly; this is exceedingly common. We find this with regard to [the sale of] *hamets* [on Passover]. [...]

Whenever there was no pressing need, the sages of that generation did not want to publicize dispensations based on legal fiction, following the maxim, “It is the glory of God to conceal a matter” (Prov. 25:2). [...] But when it became necessary to do so due to exigent circumstances, then it was surely meritorious to instruct them [to act] thus, on these and similar matters, in order to remove the stumbling block that the unsteady are facing, and to ease the great pressure of the hour. For this reason all the great rabbis of the generations began to publicly undertake the sale of Hametz as is practiced, because the businesses and factories were blessed in such significant ways that it was impossible for them without publicizing the method of the sale.

And so too concerning our matter: in the early days, when the Jewish population lived primarily from working the land for sustenance, it was possible to observe the sanctity of the sabbatical year according to the details of the law, without any dispensation, because in the end the fruits were made ownerless and there was space for the poor [to function] and this was close to the Torah’s intent “that the poor of your nation should eat” (Exod. 23:11). For this reason they didn’t publicize the permission of undoing [ownership of the land] through sale.

But in our days, when the existence of the community depends on commerce in the produce and crops of the agricultural settlements, and the effect of preventing commerce would also lead to the destruction of future stability – under these circumstances, it is certainly our obligation to introduce the dispensation by way of sale [of the land], through the agreement of the rabbis in each Shemittah, until the Lord has mercy on His nation and land and the good days return, and it will be possible even from an agricultural perspective to guard the sanctity of Shevi’it according to the law in its fullness, with no undoing [ownership of the land].

17. R. Zev Weitman, “Shemittah Observance in the Modern Economy,” *HaMaayan*, Tevet 5754 (trans. R. Jonathan Ziring)

Observance of the commandment of Shemittah today is easier and simpler than in during the periods of the Torah, the Second Temple, or the Mishnah and Talmud. Undoubtedly, even today there is a great, serious challenge in keeping this mitzvah, and we must deal with many new problems arising from implementing the mitzvah of Shemittah in a modern agricultural framework, far removed from the nature and problems of ancient agriculture. However, the range of solutions in our hands today is also large and wide and there is no doubt that this test can and should be met... In the past the mitzvah of Shemittah seemed like a great existential problem, while today, at most, it can be seen as a major economic problem.

Precisely because this mitzvah, the mitzvah of Shemittah, places before the nation, as it always has, a requirement for a lofty degree of faith, the Torah establishes that more than any other mitzvah, the dwelling of the people of Israel in the Land of Israel depends on the observance of the Shemittah. The logic is that this mitzvah, more than anything else, is a test of the people’s faith in G-d, and therefore this mitzvah is a central touchstone for the right of the people of Israel

to inherit the land and become established therein, as befits the mitzvah which is the pinnacle of G-d's expectations of man....

What is the point and benefit of the commandment of Shemitah when only a small minority is engaged in agriculture? Why should such a heavy burden be placed on the shoulders of this minority...?

And the sacrifices necessary for the observance of the commandment of the Shemitah lead to a tightening of our grip on our ancestral inheritance... Shemitah stamps in the heart of the Jew the belief that although he must invest and work for his livelihood with all his might, in the end, the crop of his land will be a gift from G-d. Without such faith it is difficult to obey such a difficult mitzvah. For only if a person believes that the blessing of the six years depends not on his strength and the power of his hand but on G-d's blessing, understands that every year the harvest is completely a gift of G-d, and if G-d forbade benefits from the produce for one year, this is not a demand that man relinquish something valuable that belongs to him, rather it is a contraction of the great gift of G-d to six of seven years.

18. Gerald Blidstein, "Man and Nature in the Sabbatical Year," *Tradition* 9:4 (1966), 48-55, at pp. 50-51

[T]his conflict between the radical demands of *shevi'it*, on the one hand, and the social reality it seeks to undermine, on the other, is a paradigm of the history of the institution. Ironically, the more potent its observance became, the less were its chances of survival. We have here more than the common-place struggle between a radical religious demand and an unconsenting world. Rather we have here an institution that in its essence contests the legitimacy of that world, and threatens to become not merely the symbolic repudiation of its normal social and economic patterns, but its real menace and ultimately its victor.

The potency of *shevi'it* has been its historical doom... [I]n the course of history this idyll was held to be shattered... [T]he more effective *shevi'it* became – or was judged to have become – the harder the world fought back. "R. Judah the Prince wished to abolish *shemittah*" (*Y. Demai* 3.1). This is the dynamic of the centuries-old struggle between those who would maintain the *shemittah* and those who would not.

19. R. Aharon Lichtenstein, "Thoughts About Shemittah," in *Leaves of Faith II: The World of Jewish Living*, 179-185

The simple fact is that the shemittah year of 5733 constitutes a halakhic tragedy. It is not pleasant to hear this – and even less pleasant to say it – but it is the cold, bitter truth, and there is no escaping it except through deception...

The experience of conflict and contradiction constitutes the focus of the tragic view. Ruin and loss – the popular sense of tragedy – are no more than the outcome of a process accompanied throughout by a tragic undercurrent: a torn, divided life in which the individual is influenced by a variety of factors and simultaneously has to face conflicting demands... [T]he immediate daily life [the tragic poet] deals with is characterized by conflict...

[T]he purpose and intent of the *mizvot* related to shemittah... [T]he "Sabbath of the land" instills an awareness of God's absolute and exclusive ownership of the land and His authority over it... [I]t liberates farmers from the drudgery of everyday chores in order to afford them time for the contemplation of eternal issues... Third, it has a clear democratic strain; it provides equality for great and small...

What remains for us today of this enchanting vision? Nothing but a hollow shell! The transition from an agricultural economy to an industrial one has taken most of the prohibition of work off

the agenda for nearly everyone. For most people, the situation is relatively convenient and also straightforward – they need not circumvent or distort the prohibitions; they are simply lucky enough not to confront them.

However, as regards the prohibitions pertaining to consumption and the obligation to treat the produce of the shemittah year as *kedushah*, the situation is considerably more serious. What options are available to people who are anxious to observe the *kedushah* of shemittah with careful attention to all the details? They can rely on the legal fiction that – woe to the ears that hear this! – the fields of Eretz Yisrael, from Lebanon to Egypt and from the Mediterranean to the Jordan, have been sold or leased to non-Jews...

Those who do not wish to rely on this *heter* have the option of going to the trouble of importing produce from abroad... [T]hey may purchase produce from fields cultivated by Arabs. But what of this running to a lone fruit-and-vegetable seller in order to pay exorbitant prices for produce grown by non-Jews, when the people doing so are annoyed by the bother of the trip and the expense, on the one hand, and half-proud of themselves for their great righteousness, on the other? What has this to do with the biblical rule that “you may eat whatever the land produces during its sabbath”? Is there any recognizable connection between this (perhaps overweening) pride and the feeling of man’s subservience and the Creator’s supremacy that lies at the heart of the *mizvah* of shemittah, and is engendered by performing it? Among those who are punctilious... how many of them accept and live the shemittah year in simple joy, as opposed to the many who are waiting, with all but bated breath, for it to end?

I do not want to give the wrong impression; I am not criticizing those who rely on the *heter* of selling the land... On the other hand, I am not suggesting, God forbid, that we should ignore our halakhic obligations, however unpalatable they may seem to us... I insist on only one thing: that we should recognize the reality – and lament it.

The reality is that there is no practical solution that can quiet our conscience... While it is entirely possible to *accept* the *heter*, how can anyone *embrace* it?... That is the root of the halakhic tragedy. We are forced to choose between two values – the ideal that “the land shall have a sabbath of complete rest” (Vayikra 25:4), and the economic requirements of the state, whose existence also constitutes, to a great extent, a moral and pragmatic value. We are forced to sacrifice one for the other, but we mourn, with a divided heart, the very need to decide...

Liberals often cite the establishment of the institution of the *prozbul* as an example of the Halakhah’s ability to adapt to new circumstances. Every other day they point out Hillel’s dynamic flexibility, as opposed to the supposedly fossilized conservatism of later *poskim*. But truth will out. Anyone who considers the *prozbul* a victory worthy of celebration does not begin to understand Hillel’s thinking. Do you think he was happy to circumvent a *mizvah*, even though he had all the authority in the world to do so? Did he not approach his task with a broken, despairing heart?... What price would Hillel not have been willing to pay in order to avoid being confronted by this cruel dilemma? He certainly did not celebrate this decision as a victory...

This is our situation today, with respect to the agricultural aspect of the shemittah. In a formal sense, perhaps, all is well; but we are not fulfilling the *mizvah* of giving the land its “sabbath of complete rest.” All of us – those who support and oppose the *heter* alike – are not so much observing the shemittah as avoiding its observance. I do not see any way to improve the situation in the foreseeable future. But at least, let us feel the pain of it, as Hillel did in his day... Since we have no choice, we will make use of all the *heterim* and other means of circumvention... But we will not – nay! A thousand times not – make peace with it. We will admit our failure and regret it – and hope that God will provide what is missing.