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PARASHAT HASHAVUA

PARASHAT BEHUKOTAI

The Harmony of Shemitta
By Rav Avraham Walfish

The two chapters of our parasha divide neatly into two separate topics: the blessings and curses of Chapter 26 and the laws of vows and consecrations of Chapter 27. The first of these topics would seem, upon cursory reading, to provide a fitting conclusion to the book of Vayikra, and indeed the concluding pasuk of the chapter (46) could readily serve as a summary of the book: "These are the statutes and the ordinances and teachings which Hashem gave, between Him and the Israelites, at Mount Sinai by the hand of Moshe." It is puzzling that the Torah does not conclude Vayikra with this chapter, but instead chooses to tack on a chapter dealing with a topic which, has no clear connection to its immediate context and appears to be a kind of "P.S." (R. Zev Whitman, Megadim 3, p. 16), providing a rather anti-climactic finale to the book.

Let's put this question on hold, for the time being, and prepare ourselves to grapple with it by examining a different question. The Torah remarks, at the height of the "tokhecha" (admonishment = curses, 26:34-35): "Then shall the land repay (tirtzeh) its shabbatot, all the days of its desolation, while you are in the land of your enemies; then shall the land rest and repay its shabbatot. During all the days of its desolation it shall rest, all that it did not rest during your shabbatot, when you dwelt upon it." The striking anthropomorphic image of the land as "owing" sabbatical years which it needs to "repay" by means of galut is as surprising in its theological explanation of the galut as in its personification of the land of Israel. Nothing in the opening and sequence of the tokhecha would seem to have prepared us for this single-minded focus on the violation of Shemitta as the underlying rationale for the curses and punishments suffered by Israel in this chapter. Rather, the Torah has explained that the tokhecha results from Israel's wholesale and thoroughgoing rejection of all of Hashem's commandments (14-15): "But if you don't hearken unto Me and don't do all these commandments. And if you reject My statutes and if your soul abhor My ordinances, so that you don't do all my commandments, but abrogate my covenant..."

If indeed the curses of our chapter result from rejection of all the commandments and abrogation of the covenant, why does the Torah, in pesukim 34-35, fasten upon Shemitta as the focal point of the tokhecha? To paraphrase Rashi's famous question from the beginning of parashat Behar: "what is Shemitta doing in the context (mah inyan Shemitta etzel) of the tokhecha?" Examination will reveal that the Torah's emphasis on the centrality of Shemitta in the tokhecha is not an arbitrary or isolated phenomenon. The Torah has carefully, if subtly, prepared us for this idea by the way in which it presents the mitzvot of Shemitta and Yovel, in parashat Behar. Let us

examine the concluding pesukim of the Torah's presentation of Shemitta and Yovel and compare them to the blessings which open parashat Bechukotai:

Behar 25:18-24

(18) And you shall do My statutes and My ordinances you shall observe & you shall dwell on the land securely

(19) and you shall dwell on it securely

(19) The land shall give its fruit

and you shall eat to satiation

(20-21) And if you shall say:

What will we eat in the seventh year?

Behold we don't sow and we don't

gather our produce! - I will appoint My

blessing to you in the sixth year and it

will provide produce for the three years.

(22) & you shall sow the eighth year

and eat of the old produce until the ninth year, until its produce comes, you shall eat old.

Bechukotai 26:3-13

(3) If you shall walk in My statutes

(3) & My commands you shall observe

5) you shall live securely in your land

(4) the land shall give its yield

and the tree... shall give its fruit

(5) you shall eat your bread to satiation

(10) and you shall eat old, long-kept &

shall bring out old from before new.

The passage in Behar establishes clearly that Shemitta is a mitzvah unique both in its demand and in its promise (see Study Questions 1 and 2). The demand that an entire society abandon their agricultural livelihood for an entire year - and when Shemitta and Yovel come back to back (forty-ninth and fiftieth years), for two successive years - presents a unique challenge to the halakhic man of faith, and the Torah responds by proclaiming a unique promise: Hashem will insure that those who observe Shemitta and Yovel will not go hungry. Observance of Shemitta carries with it an iron-clad guarantee of divine blessing. The divine blessing of the pre-Shemitta year is similar to the divine blessing promised in Bechukotai to those who observe the commandments: overabundant yields of crops, which ensure continuity between the lengthy consumption of "old" produce and the arrival of "new" produce.

Furthermore, the passage in Behar opens (18) with an admonition to do and observe "statutes" and "ordinances" (chukkim u-mishpatim), phrased in generic terms. Regardless of whether we understand chukkim u-mishpatim in this pasuk in a restrictive context-bound sense, referring to Shemitta and Yovel alone, or see Shemitta and Yovel as instances of chukkim u-mishpatim (see Study Question 3), it seems clear that the Torah views Shemitta and Yovel as somehow representing, or summing up, the totality of mitzvot. Paradoxically, the Torah declares, our secure dwelling in the land is guaranteed not by intensive economic activity, but rather by refraining, at Hashem's behest, from exploitation of the land.

Why has the Torah singled out Shemitta and Yovel in this way? I believe that the answer resides in the Torah's conceptual summary of the laws of Shemitta and Yovel (see Study Question 4), at the conclusion of the passage we cited above (25:23): "and the land shall not be sold in perpetuity, because Mine is the land, for aliens and settlers (gerim ve-toshavim) are you with Me." (For analysis of similar pesukim, see Study Question 5). Two conclusions emerge from the Torah's characterization of the Jewish people as gerim ve-toshavim on Hashem's land:

(a) Our right to exploit and dispose of the land is restricted, inasmuch as we are not the full owners, but rather tenants on land whose title is retained by Hashem. The laws of Shemitta and Yovel express these limitations in the fullest and most dramatic fashion (parashat Behar).

(b) Our very presence on the land is contingent upon our fulfilling the conditions of our "lease", namely the mitzvot which Hashem has commanded us. Hence the ultimate punishment for violation of the mitzvot is exile, leaving the land desolate (26:32 = Bechukotai). Thus Behar and Bechukotai embody two different ramifications of the idea that Israel are gerim vetoshavim on Hashem's land.

If we examine the matter in greater depth, we can arrive at a fuller understanding of the blessings and curses, as well as the centrality of Shemitta and Yovel. The Torah's depiction of the mitzvot connected with the Shemitta year presents a further, very interesting parallel to the berakhot, as well as to the kelalot:

Behar 25:7

and for your animals and for wild beasts in your land, and all the produce shall be for them to eat

Bechukotai 26

(6) and I shall abolish evil wild beasts from the land

(22) and I shall send upon you wild beasts of the field and shall bereave you.

Just as the Torah taught us that, paradoxically, we must refrain from exploitation of the land in order to secure our hold upon it, so here the Torah teaches an equally paradoxical lesson: in order to free our land from the danger of wild beasts we must refrain, every seventh year, from closing our fields to domestic animals and wild beasts.

The Torah's perception is that man may achieve completely harmonious relations with his environment, as described in detail in the berakhot of Bechukotai: "and I will give peace in the land" (26:6) refers both to absence of human enemies and to the banishing of evil wild beasts. In the berakhot of Bechukotai, the land, vegetation, wild beasts, and human society are all at peace within the land of Israel (see Study Question 6). The Edenesque ambience of the berakhot, in which man lives in harmony with his environment, is reinforced by a literary allusion: "and I will walk (vehithalakhti) among you and I will be your God and you will be My people" (26:12). The verb hithalekh, meaning "walking here and there [without a specific destination], lingering here and there in order to examine things encountered along the way" (R. David Z. Hoffman), is normally used by the Torah to refer to how man acts out his relationship with Hashem (for example: Bereishit 6:9, 17:1). Only in Eden has the Torah applied this verb to divine activity, expressing the intimacy of Hashem's relations with man (see Study Question 7). The complete harmony between Israel and their environment, in the holy land, culminates in a harmonious relationship between Israel and Hashem. Hashem can mithalekh only in a setting in which man and his environment are at peace, just as Adam in primeval Eden lived at peace with the land, as well as with its flora and fauna.

The harmony promised by Bechukotai between man, his environment, and Hashem is bestowed by divine blessing upon the people which have carried out the divine precepts. Of these precepts, the mitzvot of Shemitta and Yovel exemplify the harmony between man and environment which is promised in the berakhot. In the Shemitta year man allows the earth to rest: "and the land shall keep a shabbat for Hashem" (25:2), refraining from working the land and exploiting its produce. All

men and beasts are afforded equal access to the free-growing Shemitta produce (25:6-7). In the Yovel year, all land is returned to its rightful possessor - and all possessors return to their land and family (freeing of slaves - 25:41) - because we recognize, just as Adam did in Eden, that we are not truly landowners, but only custodians of land belonging to Hashem. The Shemitta is also called "shabbat for Hashem", because the Shemitta harmony between man, land, and his fellow creatures is rooted in the same premise: the land is Hashem's, and He periodically requires us to surrender our custodial rights and express His sovereignty by effacing the barriers which symbolize our human control over the land (See Study Question 8).

Shemitta and Yovel, periodically re-create within the land of Israel an Edenesque relationship between man, his environment, and Hashem. This periodic return to Eden ensures the reception of an Edenesque blessing from Hashem, who guarantees that man will constantly enjoy harmonious relations with his environment and that He will *mithalekh* among us. More than any other mitzvot, these two mitzvot demand of man the fullest recognition and expression of the divine sovereignty, which is the source of all the mitzvot, as well as all the berakhot which Hashem has promised. Transgressing these two mitzvot is a double failure: a failure to recognize the true nature of his relationship with Hashem, as well as a failure to understand the relationship with his environment which is thereby implied. Hashem will punish Israel for their failure to relinquish control by releasing the forces of the environment from human domination. First human enemies (26:17, 25 ff.), then crop failures (26:20), then wild beasts (26:22), and finally the land itself (26:34) will exact payment from Israel for failing to live in proper harmony with their environment. The Torah personifies the land: Israel must allow it to observe a shabbat for Hashem (25:2, 4), or else it will exact repayment by lying desolate while Israel is scattered among the nations (26:34-35). This personification gives powerful expression to the idea that the Torah is trying to convey: man is not master of his environment. As custodian of God's land, he needs to maintain a dialectical relationship with his environment, of control and surrender, acted out in the rhythm of six work years and one Shemitta, seven Shemittot and one Yovel.

The closing pasuk of the berakhot *u-kelalot* clearly indicates both their profound relationship to parashat Behar and the role that parashiyot Behar and Bechukotai play in the book of Vayikra as a whole (26:46): "These are the statutes and the ordinances and the instructions which Hashem gave between Him and the Israelites, at Mt. Sinai by the hand of Moshe." The mention of Sinai is puzzling, inasmuch as the book of Vayikra opens in Ohel Mo'ed, where all the commandments of Vayikra were given. However, parashat Behar opens with the same formula (25:1): "Hashem spoke to Moshe on Mt. Sinai, saying..." Clearly the parashiyot of Behar and Bechukotai form one unit, located by the Torah on Mt. Sinai in order to indicate that the mitzvot of Behar and the covenantal conditions of Bechukotai form the conclusion of the Sinaitic covenant (See Study Question 9). Here we return to the opening remarks of this shiur: after this powerful concluding portion of the Sinaitic covenant, why does the Torah tack on a group of laws dealing with vows and consecrations (Chapter 27), concluding once again with a closing summation (27:34): "These are the mitzvot which Hashem commanded Moshe [to convey] to the Israelites, on Mt. Sinai."

The repeated mention of Mt. Sinai in this pasuk indicates that Chapter 27 is connected to Chapters 25-26. A further connection of this chapter to Chapters 25-26 is the repeated reference to Yovel, and indeed the Bible scholar M.Z. Segal (Mavo Hamikra, p. 94) suggested that Chapter 27 serves as a kind of appendix to the laws of Yovel - redemption of objects, persons, or land which have been consecrated, rather than sold to a person (see critique of his view by Rav Yehudah Shaviv, in *Megadim* 6, p. 14). Other scholars have suggested explanations of the location of our chapter, within the context of Vayikra as a whole, rather than the context of chapters 25-26. Rav S.R. Hirsch suggests that the optional mitzvot of Chapter 27 serve as a fitting supplement to the mandatory mitzvot of the rest of the book (see Study Question 10). In a similar vein some contemporary scholars (Rav Shaviv, pp. 15 ff.; D. Raviv, *Netuim* 3, pp. 35-36) have suggested that the theme of Chapter 27 is the ability of man to create new obligations, supplementing the divinely-ordained mitzvot of Vayikra with the humanly-created "mitzvot" listed in the chapter.

A brief comment by Rav D.Z. Hoffman points to a way of understanding the placement of our chapter which will account both for its relationship to Chapters 25-26 and for its relationship to the book of Vayikra as a whole. Rav Hoffman (p. 269) suggests that our chapter comes as a "supplement to the statutes of holiness, laws were given regarding people and things which were consecrated to the Temple..." We may note that "the statutes of holiness" begin in Chapter 19 and culminate in parashat Behar, in which the holiness of the Israelite person is integrated with the holiness of space (land of Israel) and of time (Shemitta and Yovel). Consecration to the Temple, on the other hand, harks back to the opening section of Vayikra, which discusses the sacrificial service in the Sanctuary. Chapter 27 concludes the book of Vayikra by weaving together the two main themes of the book: (a) the sanctity derived from the indwelling divine Presence, symbolized and embodied by the Sanctuary, and (b) the sanctity of the Israelite individual and community, embodied in all walks of life, but achieving its chief expression in the way in which Israel realizes the sanctities of space and time. In Chapter 27, the Israelite expresses his sanctity by consecrating his person, other persons, animals, objects, or land to the Sanctuary. The forms that this humanly-created sanctity takes, as well as the relationship of this sanctity to the sanctity of the Yovel year, round out the book of Vayikra by showing the highest form of interaction between the sanctity of persons and the sanctity of the indwelling divine Presence in the Sanctuary.

STUDY QUESTIONS

1. In context of laws related to Shemitta in parashat Re'eh (Devarim 15), the Torah again shows that there is a special relationship between Shemitta and the divine blessing - where and how?
2. In the view of Chazal, there is another mitzvah which guarantees man a divine blessing. In tractate Ta'anit 9a, the doubled verb "aser te'aser" (you shall surely tithe - Devarim 14:22) is interpreted: "Aser bishvil shetitasher" (tithe so that you may become wealthy). Can you think of biblical support for this connection (see Devarim 26 and Malakhi 3:10)?

a. Is this idea identical to the guarantee of divine blessing by observance of Shemitta, or is there a difference between them? Explain your answer.

3. What is the relationship between chukkim u-mishpatim and the laws of Shemitta and Yovel, according to Rashi and Ramban to 25:18? Is there a difference between the two commentators, and if so - what?

4. Does 25:23 apply to Shemitta, as well as to Yovel? In your answer take account of the language and the context of the pasuk - do they lead to the same conclusion?

5. Compare 25:23 with 25:38, 42, 55. What common theme runs through these pesukim?

a. How are they different, and how does each pasuk relate to its immediate context?

6. The berakhot (26:6) describe Israeli society at peace. Why, then, does the Torah speak of our chasing our enemies (26:7-8)?

a. How do these pesukim impact on our explanation of the berakhot as possessing a utopian, Edenesque character?

7. There is one other place in Torah where hithalekh is used for divine activity - Devarim 23:15. Can you explain how this pasuk relates to Eden and to our parasha?

a. Where and regarding whom does the Torah use the term hithalekh regarding the way in which man is supposed to relate to Hashem? Do you see a relationship between the use of the term regarding man and its use regarding Hashem? Explain.

8. Can you find in the mitzvot regarding Shabbat (the seventh day) similar ideas regarding the relationship between man and environment and between man and Hashem? Where and how?

9. How does Ramban (beginning of Behar) explain the reference to Mt. Sinai at the beginning of Behar? Does his explanation fit the one suggested in the shiur? Explain.

a. Where else in the Torah do we find blessings and curses associated with the covenant between Hashem and Israel?

10. Z. Whitman (Megadim 3, pp. 16-17), explains the structure of Chapters 25-27 as follows:

(a) Fundamental mitzvot - Shemitta, idolatry (26:1), Shabbat (26:2), Sanctuary (26:2).

(b) Covenant (blessings and curses) regarding fundamental mitzvot (Chapter 26)

(c) Supplement to fundamental mitzvot = optional mitzvot (Chapter 27).

How is his approach similar to and different from the various approaches suggested in the shiur? Do you find his approach convincing - why?

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