

The current year (5726) is observed as a "Sabbatical Year." In this essay the theological and moral aspects of this fundamental Jewish institution are examined. The practical problems that the *Shemittah* year poses to modern Israel will be discussed in the article immediately following. Rabbi Shapiro is a prolific author and a member of our Editorial Board. His most recent contribution to these pages was his essay on "The Meaning of Holiness in Judaism" in the Spring 1965 issue.

## THE SABBATICAL YEAR

### I.

The injunction to observe the seventh year of every septennial cycle as a Sabbath unto the Lord is first mentioned in Exodus: "And six years thou shalt sow thy land, and gather in the produce thereof; 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."<sup>1</sup> The juxtaposition of the law of the Sabbatical year to the series of laws assuring justice to the beast of burden, to the humble and lowly, and culminating in the guarantee of equality to the stranger,<sup>2</sup> reveals the inner meaning of the Sabbatical year as the year in which the divine demands for justice achieve their maximum fulfillment. In the Biblical text, the sequent to the Sabbatical year is the Sabbath of the weekly cycle in which the ox and ass, the son of the handmaiden and the stranger are granted rest.<sup>3</sup> The same motivation informs the year of the Sabbath. The poor are assured of their bread together with the wealthy landowner. Even the animals and wild beasts are once more admitted into the fellowship which they enjoyed in the first days after creation:<sup>4</sup> "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 sojourns with thee, and for thy cattle, and for the beasts that are in thy land, shall all the increase thereof be for food."<sup>5</sup>

Like the Sabbath upon which it is modeled, the Sabbatical year is not only an opportunity for rest. It is the segment of time in which the equality of the rights of all creatures to life and sustenance is more closely approximated, in which social distinctions become more tenuous, in which even the wild beasts are lifted above their savagery.<sup>6</sup> Isaiah's vision of a peaceful world in which "the wolf shall dwell with the lamb"<sup>7</sup> is replete with linguistic and ideational reminiscences of the law of the Sabbatical year.<sup>8</sup>

The Sabbath year, like the Sabbath day, was intended, of course, in the light of the foregoing, as a year of rest also for the servant and the stranger, as well as the animal. Unlike the Sabbath day, however, concerning which the Torah has explicitly stated that its purpose, among others, was also to give rest to the beast of burden<sup>9</sup> and to the slave "as well as thou,"<sup>10</sup> the Sabbatical year was not officially and specifically designated as a year of rest. It was assigned a unique place by the emphasis given it by the Torah as a year in which all, servant, stranger, and beast of the field, are to share alike with the master the yield of his land, in addition to the enjoyment of a greater degree of leisure for the servant and master together.

There must be a distinctive significance to the Sabbatical year vis-à-vis the weekly Sabbath. Nowhere in the Scriptures is the former associated with the prohibition to work as a reminder of the redemption from slavery, as is the case with the Sabbath and Festivals.<sup>11</sup>

Actually, no extra-agricultural activity is forbidden in the year of *Shemittah*, except traffic with the fruits of the Sabbatical year.<sup>12</sup> Even in the fields, labor that is directed towards the protection of trees from damage is not prohibited. The year of *Shemittah* is not one of enforced idleness. And yet it is the year of the Sabbath.<sup>13</sup>

The Sabbatical year is one in which the ideal of a democratically extended education can be achieved. The thrice-yearly pilgrimages to the "place which the Lord has chosen,"<sup>14</sup> as well as other occasions, viz., the presentation of the second tithe, the first-fruits, and the fruit of the tree in the fourth year after planting,<sup>15</sup> all offer an

## *The Sabbatical Year*

unusual opportunity for the peasants of the land to visit the great religious center and there learn to fear the Lord their God.<sup>16</sup>

Historically, the cultural and spiritual level of the peasantry — always a stronghold of conservatism and reaction — has been quite low. There were periods when this situation prevailed even in the land of Israel. To prevent such conditions was one of the Torah's motives in instituting the Sabbatical year.<sup>17</sup> In harmony with this directive the Sages of Israel have developed many instrumentalities for the spiritual and moral elevation of the people beyond the Sabbatical year.<sup>18</sup>

### II.

The goal of the Sabbatical year, however, goes even farther. The *Shemittah* year with its agricultural laws directed particularly towards ending the toils of husbandry aims at emancipating man from bondage to the soil.

Man, according to the Bible, was placed in the Garden of Eden to cultivate it and guard it.<sup>19</sup> But the work he was expected to do was pleasant, not back-breaking and time-consuming. Man was to eat freely of all fruits of the garden and to enjoy the co-operation of all other creatures.<sup>20</sup> Man's disobedience brought upon the earth the curse of God and, henceforth, he was to eat bread with the sweat of his brow. The earth, recalcitrant to man's needs, would produce thorns and thistles. The burden of human existence was thus increased. Through hard labor man was to learn the high responsibilities of life. Instead of tilling the soil of Eden in the most pleasant and exhilarating circumstances man was sent forth to till the soil from which he was taken.<sup>21</sup> Man's bond with the earth was made all the closer. Man's life was now to revolve around the earth which was the matrix of his existence. Like other creatures, he was made from the earth.<sup>22</sup> He was dust and was to return to the dust.<sup>23</sup>

Soon some men ventured to free themselves from this bondage to the earth by seeking other occupations that spared them the drudgery to which disobedience had committed man. Apparently the Biblical writers did not regard man's tie to the accursed earth as an inexorable fate or as a divine commandment. Man

could seek other vocations of a more pleasant and elevating character once the severe discipline of rigorous labor became superfluous. Thus Abel, rebelling against peonage to the soil, became a shepherd, a companion to other living creatures. Cain remained a peasant without other interests. Cain did not believe in the possibility of freeing himself from his impulsive character and his hostilities<sup>24</sup> any more than he believed in the possibility of escape from enslavement to the earth. Even God's assurances failed to convince him. The tiller of the soil became the embodiment of submission to fate and self-destructive attachment to the dust from which he originated. Like the ground of the earth, he becomes hard and intractable. Abel, by associating with sheep, learned to be patient, humble and peaceable. Cain yields to spells of anger and riles against his fate, against God Who ordained his fate, and finally against his brother who, unintelligibly, somehow succeeded in escaping the seemingly inexorable and yet found grace in the eyes of God. He believed that God was partial to his brother and unfair to him and he slew his brother in a fit of anger. His too close association with the soil had, instead of disciplining, completely brutalized him. In order to achieve redemption Cain was ordered to go into exile and seek the companionship of other creatures. He ends up as the first builder of a city, the first social unit mentioned in the Scriptures.<sup>25</sup>

With the birth of Noah there begins once again the striving for the liberation of man from the drudgery imposed by a life devoted to agricultural pursuits. "This same shall comfort us in our work and in the toil of our hands, which cometh from the ground which the Lord hath cursed."<sup>26</sup> Noah, paradoxically, the comforter of man through whom the world was saved, once more becomes a "man of the soil," and in doing so, disgraces himself, and brings a curse upon his descendants.<sup>27</sup> The earth-bound man is adept in bringing on divine resentment.

The Patriarchs of Israel are not men of the earth. They live in the society of men, and are shepherds whose contact is with living creatures. Only Isaac at one time in his life turns farmer.<sup>28</sup> But his is not back-breaking and degrading toil. The Patriarchs, whose very lives are a blessing,<sup>29</sup> managed to convert the cultivation of the soil into a blessed activity, thus foreshadowing the Messianic

## *The Sabbatical Year*

era.

The promise was given to the Patriarchs that their children would inherit the Land of Canaan. The fulfillment of the promise would result in their becoming a nation of farmers. Israel had to be saved from becoming a nation of *peasants* whose souls are wholly emptied of anything divine, who have lost their human potentialities, and in whose countenances the Image of God is no longer reflected (cf. Edwin Markham's "The Man with the Hoe"). Labor on the soil was therefore to become associated with divine commandments, with giving heave-offerings (*terumah*), tithes (*ma'aserot*), with the presentation of fruits in the Central Sanctuary.<sup>30</sup> Thus the peasant would frequently come in contact with the educated elite as well as with the spiritual leadership of his people. He would have an opportunity to learn that there were days of rest and festivals, during which he would find himself in the company of his family, his servants and friends. He would no longer remain a mere beast of burden, but would have to study the various laws relating to planting and sowing,<sup>31</sup> or the gifts to be left for the poor and the strangers,<sup>32</sup> or the treatment of animals on the farm.<sup>33</sup>

The land which the children of Israel entered was, according to the Bible, unaffected by the primeval curse. "It lacked nothing, a land of brooks of water, of fountains and depths, springing forth in valleys and hills, a land of wheat and barley, and vines and fig-trees and pomegranates, a land of olive-trees and honey; a land wherein thou shalt eat bread without scarceness."<sup>34</sup> Flowing with milk and honey,<sup>35</sup> it stands under the direct Providence of God: "a land which the Lord thy God careth for; the eyes of the Lord thy God are always upon it, from the beginning of the year even unto the end of the year."<sup>36</sup> It is unlike Egypt, which despite its fertility that makes it like a garden of God,<sup>37</sup> still yields its fruit only after hard labor and extreme drudgery.<sup>38</sup> God watches over the land, sends His rains upon it, and provides the grass in the field.<sup>39</sup> In this land man will live in fellowship with all creatures, all of whom are equal beneficiaries of a benign Providence.<sup>40</sup>

It is, nevertheless, not a land that encourages idleness. Before everything else, the people must work and God will bless them in the house and in the field.<sup>41</sup> But above all the institutions of the

## TRADITION: *A Journal of Orthodox Thought*

Torah, the Sabbatical year aims at liberating man from his kinship with the earth, in favor of a new relationship with God and his fellow-creatures. By prohibiting the tasks associated with husbandry, the Torah has for a complete year broken the chains that tie man to the earth, so that he rises above the natural order itself. No longer dependent upon its rigorous laws, he receives his bounties directly from the hand of God Who commands His blessing upon the land so that it produces a threefold crop to make provisions against possible starvation.<sup>42</sup> In this year, man, freed from bondage to soil and nature, is borne "upon the wings of eagles" to live in the presence of his Maker as he once did in Eden.

In the light of the above it becomes clear why the failure to observe the Sabbatical year, according to Biblical teaching, entails dire penalties, including exile from the Holy Land.<sup>43</sup> The blessed land of Israel, the dwelling-place of the Divine Presence, can be contaminated by the evil behavior of its inhabitants.<sup>44</sup> The Canaanites were ejected from the land; the same fate would befall the children of Israel if they were to walk in the ways of the Canaanites.<sup>45</sup> Failure to observe the Sabbatical year entails loss of the land that was blessed by God. It would fall again under the original curse to which the earth was subjected after man's disobedience. The Holy Land would become desolate, its people would go into exile till they expiate their sin of neglecting the Sabbath of the land.

### III.

The Book of Deuteronomy mentions the Sabbatical year twice,<sup>46</sup> but it nowhere refers to the prohibition of agricultural activities during this year. It is impossible that the "Deuteronomist," even if we were to grant the existence of such a writer or editor at a later date (which, of course, we do not) was unaware of this prohibition. It is recognized in the "Book of the Covenant" which, even according to the unanimous opinion of Biblical critics, antedated the Deuteronomist, and certainly the Priestly Code. The silence of the "Deuteronomist" in respect to the agricultural laws pertaining to the Sabbatical year makes sense on the basis of the critical theory only if we are to assume that by the time the Deuteronomist (presumed by the critics) lived and proclaimed his

## *The Sabbatical Year*

Code, these laws were so well known that there was no need to repeat them — the Book of the Covenant and the Levitical Code had already adequately dealt with these laws.<sup>47</sup> Moreover, the Deuteronomist speaks of the seventh year as the “year of release.”<sup>48</sup>

The Book of Deuteronomy has added a new dimension to the observance of *Shemittah*, by introducing the law of the release of debts. At the termination of the Sabbatical year, immediately before Rosh Hashanah, all debts are automatically cancelled. After learning the lesson of the Sabbatical year and achieving his freedom from the shackles of soil and nature, man can truly begin to think of his fellow-man as his brother.<sup>49</sup> It is then possible for him to regard his fellow not as an object of legal claims, but as a person deserving of love beyond the strict measure of the law. In a spirit of warm-hearted generosity he is prepared to say: “I give up my claims against you.”<sup>50</sup> The vestige of bondage that keeps one man in the clutches of his fellow — the debtor is a slave to the creditor<sup>51</sup> — has faded away. The one “who is mighty in strength” to the extent that he permits his field to lie untilled in the Sabbatical year and leaves it open to all to enjoy its yield<sup>52</sup> has now become even mightier in spirit. After sharing his own with his brother, he no longer demands from him the return of what is legally his.

A man may rejoice at the opportunity of helping a human being in need, but it is almost impossible to relinquish a debt for no reason. One default on a debt will make a creditor reluctant to loan money, especially where there is a possibility that he will never be repaid.<sup>53</sup> The proper observance of the Sabbatical year girds a man with spiritual fortitude, enabling him to accept the divine commandment, to waive his own rights, and not to be deterred by the possibility of an eventual loss from coming to the aid of a brother in need. The Sabbatical year has the power of lifting man above his own nature.

### IV.

When the year of *Shemittah* reached its conclusion at the time of the festival of Tabernacles, all Israel appeared at the Central Sanctuary in Jerusalem.<sup>54</sup> There the King of Israel read the Torah

to his people.<sup>55</sup> The King of Israel whose life was to be devoted to two goals, the needs of his people and the study of the Torah,<sup>56</sup> appeared before his people not as the commander-in-chief of the armies nor as the supreme sovereign, but as the teacher who instructs his subjects to learn to fear the Lord and obey His commandments. This was a new role for a sovereign, unique in the annals of man — the King as a teacher.

The climactic conclusion of the Sabbatical year showed the citizens of the state that the King was not merely a tax-collector,<sup>57</sup> or one eager to advance his own glory by military exploits.<sup>58</sup> He is to them now the exemplar of the God-fearing teacher who has no greater desire than to implant the fear of God in all his people.

The God of Israel is the God of wisdom, understanding and knowledge. With wisdom He created the world<sup>60</sup> and its creatures.<sup>61</sup> Out of His intellectual attributes there emanate the spiritual qualities of love, power and harmony, and from these emerge the attributes of action, victory, majesty and creativity. The divine Sovereignty gathers all these qualities into its oceanic receptacle and out of it emerge all the worlds, higher and lower, seen and unseen. The King of Israel, to a greater degree than any other member of his people, must emulate the attributes of God.<sup>62</sup> To justify his title, he must be eminent in intellectual ability and achievement, and from him should flow the spirit of counsel and the fear of the Lord.<sup>63</sup> The King of Israel was commanded to write two scrolls of the Law to accompany him wherever he goes, so that he may read the words of the Law all the days of his life (including the nights)<sup>64</sup> and thereby learn to fear the Lord his God and never turn aside from His commandments.<sup>65</sup> For the King's intelligence represents no longer a tool of power, but rather his power is the tool of intelligence. In the selection of the King of Israel, therefore, the extent of his knowledge, or potential knowledge of the Torah is a decisive factor.<sup>66</sup>

The first prototype of the Jewish ruler was Joseph who was both the wise,<sup>67</sup> as well as the righteous, man.<sup>68</sup> The first redeemer of Israel, Moses, has been known throughout the ages as *Moses Our Teacher*. Following his example the Kings of Israel should be addressed as: "Our master and teacher."<sup>69</sup>

The major function of the Messianic King in the eschato-



## *The Sabbatical Year*

logical vision of the Midrash is to serve as a teacher to the nations of the world.<sup>70</sup> According to the sages of Chabad, his highest function will be the revelation to the sages of Israel of the ultimate intellectual and spiritual insights imbedded in the Torah.<sup>71</sup> The Messianic era has long been considered in Jewish thought as that ideal age in which the study of Torah and wisdom will be the occupation of all mankind.<sup>72</sup> The King of Israel, at the close of the year of *Shemittah*, appears in a proto-Messianic role, as the teacher of Israel.

When the Sabbatical year reaches its conclusion, we stand face to face with the possibilities of a new world, a proto-Messianic world, in which man is free from his subjection to the soil, to his own unredeemed nature. He no longer needs rulers to restrain him from evil, but rather is blessed with leaders who consider it their supreme task to help every man, woman, and child<sup>73</sup> attain their full stature as servants of God on high.<sup>74</sup>

### NOTES

1. Exodus 23:10-11.
2. *Ibid.* 23:1-9.
3. *Ibid.* 23:12.
4. Cf. Genesis 1:29-30; 2:19-20.
5. Leviticus 25:6-7.
6. The Hebrew *chayat ha-sadeh* everywhere throughout Scriptures refers to wild beasts. Cf. Mandelkern's *Concordance*.
7. Isaiah 11:6.
8. See my *Torat Moshe Ve-Haneviim* (Jerusalem, Mossad Harav Kook, 1961) p. 250.
9. Exodus 23:12.
10. Deut. 5:14.
11. *Ibid.* 5:15; 16:3,12.
12. See *Mishnah Sheviit* 8:3 ff.; Maim. *Mishneh Torah*, *Shemittah*, Chapter 6.
13. See *Moed Katan* 3a. The seventh year is called "shenat shabbaton" (Lev. 25:4). R. Meir Simchah Cohen in his great Biblical commentary, *Meshekh Chakhmah*, broadens the scope of the term "shenat shabbaton" to include release from all kinds of business activities and exaction of loans during the Sabbatical year. Although Halakhically there is no specific prohibition to engage in commerce during the year of release except in reference to the fruits of the Sabbath year (above, note 12), nor does the release from debts take effect

## TRADITION: *A Journal of Orthodox Thought*

till the end of the Sabbatical year (see below, note 48), nevertheless the Torah seeks a voluntary remission of competitive activities during this year. The view of Ibn Ezra (Deut. 15:1) that debts are cancelled from the very beginning of the year of *Shemittah* may thus be justified. This view is also confirmed by the Asheri in his Compendium, *Gittin* IV, 20. See, however, *Beth Joseph* to *Tur Choshen Mishpat* 67, 32.

14. Exodus 23:14; 34:24; Deut. 16:16.
15. Deut. 14:23; 26:1-11; Lev. 19:24; cf. Maim. *op. cit.*, *Ma'aser Sheni* 9:1.
16. Cf. *Tossafot*, *Bava Batra* 21a.
17. Cf. *Pesachim* 49b; *et passim*.
18. See my *Midrash David* (Milwaukee, 1952), p. 30-32, and note on p. 222.
19. Genesis 2:15.
20. *Ibid.* 2:15-20.
21. *Ibid.* 3:17-19, 23.
22. *Ibid.* 1:24; 2:17,19.
23. *Ibid.* 2:19; cf. 18:28; Ps. 103:14.
24. *Ibid.* 4:6.
25. *Ibid.* 4:1-16. See my father's *Devarim Va-Amarim* (New York, 5722) pp. 8-12 on the Cain-Abel relationship with reference to their respective activities. After completing this paper, I found in the commentary of Malbim (*Torah Or* to Deut. 26) a strikingly similar interpretation of the Cain-Abel episode and the difference between agricultural pursuits in the land of Israel and agriculture elsewhere.
26. Genesis 5:29.
27. *Ibid.* 9:10-25.
28. *Ibid.* 26:12.
29. *Ibid.* 12:3; 26:4; 28:14; *et passim*.
30. Exodus 22:28; Numbers 18:8 ff.; cf. above note 15.
31. Lev. 19:19; Deut. 22:9.
32. Lev. 19:9-10; Deut. 24:19-21.
33. Lev. 22:24; 19:19; Deut. 22:10.
34. Deut. 8:7-9; contrast to the latter phrase the one from Gen. 3:19 "In the sweat of thy brow thou shalt eat bread."
35. Ex. 3:8.
36. Deut. 11:12.
37. Gen. 13:10.
38. Deut. 11:10.
39. Lev. 26:4; Deut. 11:14-15.
40. *Ibid.* 7:13; 11:15; 28:4.
41. Deut. 14:29; *Tanna-debe-Eliyahu*, 14.
42. Lev. 25:20-22.
43. *Ibid.* 26:34-35. Cf. Jer. 17:4; II Chr. 36:21.
44. Lev. 18:25; 19:29; Nu. 35:33; Deut. 21:23.
45. Lev. 18:24 ff.; 20:22 ff.
46. 15:9; 31:10.

## *The Sabbatical Year*

47. A law which had already been proclaimed in two previous books would require no repetition by the "Deuteronomist." It appears to this writer that the Book of Deuteronomy does not include any of the laws which had previously been stated twice. However, this subject requires closer examination. See also David Hoffman, *Deuteronomium* (Berlin, Verlag von M. Poppelauer, 1913), I, 223 ff.

48. Deut. 15:2.

50. *Mishnah Sheviit* 10:8.

51. See Proverbs 22:7.

52. *Midrash Tehillim* 103:18.

53. See Deut. 15:9.

54. Deut. 31:10-13.

55. *Sotah* 41a.

56. *Tosephta Sanhedrin* 4:5; Maim. *Mishneh Torah, Melakhim*, 3:5.

57. There is little likelihood of the King collecting taxes in the Sabbatical year. Even foreign governments oftentimes exempted Jews from paying taxes in this year, e.g., *Jos. Antiquities* XI, 8, 5. The products of the Sabbatical year are also exempt from tithes. (*Mishnah Peah* 6:1.)

58. It would by no means be in keeping with the spirit of the Sabbatical year for the King of Israel to utilize idle farm-hands for military adventures. The Torah does not envision any support for the *Shemittah*-observing people from booty acquired in war, nor from the agricultural products of lands acquired in war (Lev. 25:20). Legally, conquered lands themselves acquire the status of the Land of Israel and are subject to the laws of the Sabbatical year (Maim. *op. cit.*, *Melakhim*, 5:6).

59. See Maim. *ibid.* 4:10.

60. Proverbs 3:19.

61. Ps. 104:24.

62. See Maim. *Guide*, I, 54.

63. Isa. 11:2. The expression *daat E-lohim* may also be translated as *love of God*. Cf. Gen. 4:1. Cf. in Hosea 6:6 the parallelism of *chesed* (love) and *daat E-lohim*. The use of this expression may account for the absence of the concept of love of God (by man) in the prophetic writings, although admittedly (even from the critical point of view) this concept is very old. See Judges 5:31.

64. Deut. 17:18-19; *Sifre, ibid.*; *Tosephta Sanhedrin, ibid.*

65. Deut. 17:19.

66. Maim. *Mishneh Torah, Melakhim*, 1:7.

67. Gen. 41:39.

68. *Ketuvot* 3a; *Yoma* 35b; cf., Maim. *op. cit. Yesode Ha-Torah* 5:10.

69. *Tosephta Sanhedrin, ibid.* Although the term "rav" in Talmudic literature also means "master" and "lord", it is very likely, because of the concept of King as master of the Law, that he would be addressed as teacher in addition to lord; otherwise the phrase would be tautological.

70. *Gen. Rabbah* 98:9.

71. See *Derech Mitzvotcha* by R. Menachem Mendel of Lubavitch (the

## TRADITION: *A Journal of Orthodox Thought*

Tzemach Tzedek) pp. 108-111 (5th ed. New York, *Otzar Ha-Chassidim*, 5716).

72. Maim. *op. cit.* *Teshuvah* 9:2; *Melakhim*, end.

73. Cf. *Chagigah* 3a.

74. On the proto-Messianic character of the Sabbatical year, see R. Abraham Isaac Kook, *Orot Ha-Kodesh* (Jerusalem, 5698), Vol. II, p. 581. See also Introduction to his *Shabbat Ha-Aretz* (3rd ed. Jerusalem, 5711).