

## Geulas Yisrael #51: Shmitta and the Struggle to Settle Israel

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The experience of Shmitta is both fascinating and iconic. Occurring once in seven years, it carries the mystique of something "extraordinary" or even enchanted. Intended as a seminal national experience, it was rarely practiced in its truest form. In the modern context, our encounter with shmitta has dramatically shifted from the fields and orchards to the rows of the supermarket.

Tragically, during the first mikdash era, shmitta was largely ignored. During that deeply flawed 400-year period, seventy shmitta and yovel periods were disregarded. A seventy-year galus in Babylonia provided respite, allowing the land to recoup its lost shmitta cycles. Ironically, the Jews of the second mikdash era did adhere to the laws of shmitta. However, during this period, the caliber of this mitzvah was compromised. Most Jews did not return from Exile, and under these disappointing conditions, the Biblical experience of shmitta no longer applied. Shmitta was still practiced at a Rabbinic level, but the ideal performance of the mitzvah remained elusive.

In effect, during the initial nine hundred years of residence in our homeland, shmitta never achieved its full stature. In the year 70 AD, the long night of Jewish exile began and shmitta, effectively, faded from view for close to eighteen hundred years. When it resurfaced, it would become entangled in significant controversy.

Surviving Shmitta

Toward the end of the 19<sup>th</sup> century, Jewish settlement in Israel expanded beyond the vicinity of Jerusalem. New agrarian settlements, almost exclusively dependent upon farming, sprouted up. The specter of a full year of shmita, absent of any agricultural activity, threatened both the livelihood and the lives of these new yishuvim or moshavot. In the lead up to the shmita year of 1889, a fierce controversy erupted surrounding potential workarounds for shmita. Leading Israeli and European rabbis debated the legality of circumventing shmita prohibitions by selling Jewish lands to Gentiles. Many authorities rejected this legal fiction known as 'heter mechira', recommending instead, full compliance and a complete work stoppage. Alternatively, many rabbis who were exposed first-hand to the dire situation, were more supportive of this potential leniency. Shmita became a divisive issue.

The struggle wasn't only divisive, it was also sadly ironic. We had dreamed of this historical "moment" for centuries. Having been scattered across the globe, we yearned for a return to the fields and pasturelands of Israel. How sadly paradoxical that, clawing our way home in the late 19<sup>th</sup> century, we were obliged to sell our land to Gentiles. What a sad commentary upon the imperfect nature of our return. Evidently, history and the land were not yet ready for a full Jewish return.

Gradually, as the cycles of shmita passed, reality overcame ideology and the heter mechira policy of selling the land of Israel finally became institutionalized by Rav Kook in the year 1909.

Modern Shmitta

For most of us who do not live agricultural lives, shmita has transformed into a year in which we insert one more "check box" to our kashrut checklist. Most of the overall population relies upon the heter-mechira sale, while continuing to purchase Israeli products, as they would during a non-shmita year. Others, who are uncomfortable with this "halachik bypass", import their produce or purchase it from local Arabs, or from farms located outside the boundaries of biblical Israel. It should be plainly obvious that each of these solutions is severely deficient.

These two differing strategies reflect fundamentally different attitudes about religious life in Israel. One approach places almost exclusive emphasis upon personal religious experience. Imported fruits or Gentile-owned vegetables are optimal for preserving the kashrut level of my personal plate of food. If personal religious quality is the primary factor, this approach is far superior.

Other Jews adopt a more nationalistic view- one concerned with sweeping shmita ramifications, beyond their own kitchen or meal plan. Individuals may be able to import from Gaza, Turkey or Jordan. Nationally though, a full cessation of labor would starve the agricultural industry. Shutting down this sector for an entire year and ceasing exports, would practically forfeit international markets. My personal salad can be imported, but the agricultural industry- a vital national asset- requires a different shmita solution.

Additionally, the heter-mechira bypass is valuable for national kosher 'coverage'. Fervently religious people may be willing to incur greater cost or enjoy lower quality produce to maintain shmita laws. General Israeli consumers, though, may be less dedicated and less willing to sacrifice quality. To enable national shmita observance, heter mechira is necessary to insure readily

available "kosher" produce. Heter-mechira may not represent the highest standard of kashrut but it remains the best vehicle for stretching shmita to the national stage.

### Religious One-upmanship

Shmita possesses unifying potential: Collectively, we return the land to God and retire for a year-long spiritual retreat. Economic ledgers are wiped and, for an entire year, the divisions between affluent and poor vanish. During the Sukkot immediately after shmita, an entire nation descends upon the city of unity for a public recital of Torah known as Hakhel- which caps the solidarity which shmitta generated.

In the modern world we have lost so much of our shmita experience. Can we at least retain shmita as a unifier? Let us not turn shmita into a "kashrut competition" or a smug conversation about which "flawed approach" to shmita kashrut is halachikally superior. If we still haven't solved shmita in the modern state, let it not degenerate into sanctimony or holier-than-thou posturing. Those who don't rely upon the heter-mechira workaround should appreciate the needs of national shmitta. Those who do rely upon the workaround should have the intellectual honesty to realize how flimsy it is and how, in an ideal world, we would not sell off our country to non-Jews.

Shmita is also a year of humility before God. Hopefully, we all navigate this shmita with humility, appreciating and respecting different approaches to this quandary.