



YESHIVAT CHOVEVEI TORAH RABBINICAL SCHOOL

WEEKLY PARASHA

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A Society Based on *Kedusha*

How can *kedusha* be created outside of the Temple? This is, in many ways, the theme that runs throughout the second half of the book of Vayikra. While the first half of Vayikra focuses on the rites of the Temple and how to maintain and protect its sanctity, the second half of Vayikra is devoted to how to bring that sanctity out into the camp, into the midst of the people.

The Torah lays out this goal in the opening of *parashat Kedoshim*, declaring that it is the responsibility of each individual to strive for *kedusha*, for holiness. "Holy shall you be, because holy am I, the Lord your God who makes you holy" (Vayikra 19:2). The goal of becoming holy, of not circumscribing holiness to the Temple and the Kohanim, is mandated for each individual. This is step one. But this still falls short. Holiness cannot just be the responsibility of each individual. It must also be the responsibility of the society at large, its institutions and its underlying structure.

The Torah begins this structuring with the *moadim* at the end of Emor. The Children of Israel are commanded to declare the holidays, the holy days, in their proper time. The calendar revolves around these foci of *kedusha*. The basic rhythms of daily life are then synchronized with the holy days. Shabbat, independent of the seasonal calendar, is the central component to our bringing *kedusha* into our week and our structure of time. To this foundation are added the seasonal festivals, bringing *kedusha* into the natural seasons of the year, and orienting all agricultural labors towards God.

Because all of our labor exists within the larger context of *kedusha* and of recognizing God's gift to us, we will naturally share our bounty - God's bounty - with those who are less fortunate than we: "And when you harvest the harvesting of your land, you shall not reap the corners of the field, and you shall not gather the

gleanings of your harvest. To the poor and the stranger you shall leave them, I am the Lord your God." (Vayikra 23:22). *Kedusha*, then, brings a God-consciousness to our activities, and this awareness finds its expression both in our relationship to God - giving of thanks and praying for the future - and in our relationship to our fellow human being.

Parashat Behar, then, is the culmination and apex of what it means to structure a society around *kedusha*. The deeply-held institutions of contemporary society - free exercise of one's property, private ownership in perpetuity, free-range capitalism, the ability to charge interest on a loan, the leaving of "charity" to personal choice - all of these are profoundly challenged in *parashat Behar*, in a society where God is at the center. The key paradigm shift that the Torah is telling us is that we must understand that the world and everything in it does not ultimately belong to us, it belongs to God: "And the land you shall not sell in perpetuity, for Mine is the land, and you are dwellers and residents with Me (in My land)" (Vayikra 25:23).

Once we are able to make this paradigm shift, to have God at the center, then the remainder of the *parasha* follows. If we do not own the land, but are given use of it by God, then we must always ask what is the proper and accepted use. We will need to periodically stop using the land to remind ourselves that it is not truly ours - so we will have a Sabbatical year, a "Sabbath of the land," but more significantly, "a Sabbath to God." (25:2). We will not only stop working the land, but we also will allow all to eat from its produce, in effect relinquishing our very ownership, and thereby acknowledging that such ownership is really an illusion. And on the Sabbath of Sabbaths of the Jubilee year, we will not only suspend our ownership, but truly reverse it, restoring the land to

its original owners and the people to their freedom.

The deep structuring of society by the principles of the Sabbatical year will reorient our relationship to property in other realms as well. Thus, when it comes to lending money, we will understand that money, like the land, is given to us by God, and that we must use it not as we see fit, but in ways that are proper. We will have an obligation to lend to the poor, and to do so without charging interest (25:35-38). Once the concept of complete ownership has been challenged, we will understand that even when we purchase a slave - an inescapable reality in ancient times - such a "purchase" can never mean true ownership, for if we cannot own land, how much less so can we own another human being? And, finally, we will acknowledge our responsibility to use our own funds to help restore the original owners to their inheritance, because our goal will be not to maximize our profit, but to make our residence on the land according to God's will, and to use our wealth that God has given us, in ways that help us serve God maximally.

The Torah's focus throughout is that of laying the foundation of *kedusha*. The societally beneficial practices are what naturally follows, but they are not the starting point. It is for this reason that the Torah does not refer to the Sabbatical year in this *parasha* as *Shmita*. That is the word used in Shemot (23:11) and Devarim (15:1-3), whose meaning is "to let go." The focus there is not the societal benefit *per se*, it is the giving of the produce of the land to the poor and the releasing of debts. In Behar such benefits are a mere consequence of the deeper reality of the Shabbat of the years. Once the concept of Shabbat is introduced not only into the calendar of days, but also into the calendar of years, once the concept of Shabbat is introduced into the deep structure of society, the entire orientation towards property, land, and ownership will shift. Once *kedusha* is taken out of the Temple and brought into the camp, once *kedusha* becomes the framing concept of our lives, then our society will be transformed, our entire lives will be transformed.

It is necessary not to lose sight of the importance of the foundation of *kedusha*, even at times when the practical implementations are beyond our reach. It may not be feasible at all times to fully follow the demands of the Sabbatical Year. Already in the early Talmudic period,

Hillel developed the *pruzbol* as a workaround to allow people, who otherwise would never have loaned to the poor, to collect their loans even after the Sabbatical year had transpired. And the rabbis, perhaps implicitly understanding that the Torah's call for not loaning with interest was less feasible, and less meaningful, in a commercial context, developed the workaround known as a *heter iska*, turning a commercial loan into an investment. And in modern times, Rav Kook developed the *heter mechira*, the selling of the entire Land of Israel to a non-Jew, as a workaround to allow the land to be worked, and real societal needs to be addressed, during the Shmita year.

Once we have all these workarounds, it is easy to lose sight of the principle of *kedusha*. We may easily come to see these laws as burdens, to see the goal as how to avoid them, and to maintain our non-*kedusha* orientation towards money, property, and land. Rav Kook was very sensitive to this concern. He stated explicitly in his introduction to his work on the *heter mechira*, *VeShavta Ha'aretz*, that he insisted on affirming the *kedusha* of the land, and using the sale as a technical solution, and rejected those who would solve the practical problems by denying the *kedusha* of the land. This, said Rav Kook, would make us lose sight of the core value of *kedusha* and *kedushat ha'aretz*. A practical solution may be needed at times but we cannot allow ourselves to lose sight of the principle.

Our challenge today remains how to both address practical realities, and at the same time, work to structure our society around the principles of *kedusha*, especially outside of the land of Israel. If we focus our efforts on this reorientation, on bringing *kedusha* into the camp, then we can strive to one day live in a society which is defined by *kedusha*, not just in principle, but in practice.

Shabbat Shalom!

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