

The Land of Israel

The Jewish attitude to the Land of Israel is completely missing from the current mood of antagonism in both Western and Muslim society to Jewish history and culture. The Sabbatical year of 5775, which starts this Rosh Hashana, illustrates the depth and complexity of the issue.

Every seven years, says the Bible, one must leave one's fields and orchards fallow and not cultivate plants, vegetables and fruit. No reason is given in the Bible. One can guess it was an agricultural preservative system, like the rotation of crops that began in the Middle East some 6,000 years ago. But one could equally argue it was an opportunity for national education, to refresh and reinforce one's connection with Torah.

Nachmanides (1194-1270), living in Catalonia, said in his Biblical commentary that all Biblical laws were intended primarily to be adhered to in the Land of Israel. Beyond its borders, in exile, we keep them so as not to forget them, so that if we were ever able to reestablish a Jewish community in Israel we would know what to do and how. But everyone agrees the laws of Shmitah only apply within the inhabited Biblical boundaries. Not surprisingly, there is much debate as to whether the laws of Shmitah still apply, whether they depend on the defunct institution of the Jubilee, are of Torah obligation or now simply rabbinic, to keep the memory alive. So just think, for 3,000 years the actual land has been part of our psyche and our law.

Like many Biblical laws that became impractical or anachronistic, the rabbis found ways to accommodate them to new conditions. The Shmitah also required cancelling all debts. What was a humanitarian act in early times, lending to the poor, became unworkable in more advanced commercial societies, so Hillel found a way of transferring the loans to the courts. As only personal loans were released, this way the loan remained "on the books."

You might wonder why he didn't just cancel the law altogether. It has always been a principle that we do not eradicate a law altogether. Even if unworkable in its principles, it remains an expression of a religious ideal. We rather try (at least the few adventurous and strong ones amongst our leaders) to find a way round it while preserving the concept. Times change, human society advances in cycles, and what was thought to be modern at one moment becomes medieval at another. Thousands of years later, we have now adopted the idea of an intellectual sabbatical. Even crop rotation is coming back into organic fashion. How shortsighted we would look now if we had written the law out altogether.

Nowhere is this more obvious than in the land of Israel. When settlers began to arrive in the nineteenth century, the religious ones amongst them could not survive if they had had to leave their lands fallow and wait two years for another crop. The great Rav Yitzchak Elchanan Spektor adapted a well tried device for getting round the law. Sell it notionally to a non-Jew and buy it back at the end of the year. Rather like the device on Passover for

preserving large stocks of Chametz in grains or alcohol by selling it, and then buying it back afterwards. It looks like fiddle and it is. But at least the practical link between religion and the land was preserved. As the Jewish presence grew and agriculture flourished, the first Chief Rabbi of Palestine, Rav Kook, made this the policy of the rabbinate, and it became automatic for many years. As with many such laws, individuals found other ways of circumventing it. One bought produce from Arabs. Then one imported it from Cyprus, and more recently Israeli enterprise and innovation in hydroponics has helped meet the need.

Times change. Once only the few religious Kibbutzim and Moshavim kept the Shmitah and relied on the fictional sale. The Charedi world does not accept the rabbinate loophole. More and more individuals in Israel see the Shmitah as a way of asserting their new piety and/or their ancient bond with the Promised Land. As one would expect, asking for financial support has now become a fundraising tool to help more people keep the rigors of these ancient laws. And why not, if modern methods and charity make it achievable? (Although feeding the poor seems to me to be a priority.)

But it is good in another way. As our connection to the land is being disavowed and delegitimized, it is a powerful reinforcement, to ourselves at least, that this is a land we care for and have loved for thousands of years. This, I insist, does not mean it cannot be shared as it often was.

Dr. Margaret Brearley, a medieval historian and former advisor to several Archbishops of Canterbury, has shown the difference between Jewish and Christian poems at the time of the Crusades in her research about the Holy Land. To the Crusaders it was an abstraction, a theological mission into alien territory. Jerusalem was a town somewhere beyond the sea. To the Jews it was the dust, the boulders, and the ruins that made the land not an abstraction but a reality, a place that existed in this world, not some other. After 2,000 years of such dreaming, from long before Islam was invented, it is hardly surprising that we Jews did not want a quiet plot in Africa or the Russian steppes. Instead we wanted to return to our ancient land. For that is what our religion is based on regardless of how well or otherwise we have adapted to exile.