

The Land is Mine

Each yovel—the last year of a fifty-year cycle—returns the entire land to its original owners. What might be described as radical land reform aims to prevent the development of a permanent underclass, but beyond this, expands our consciousness to understand that land is fundamentally not for sale, that on some level the entire earth belongs to God and never really to us.

The sources in this section interpret a single verse:

Leviticus 25:23

(כג) וְהָאָרֶץ לֹא תִמָּכַר לְצִמְתָּת
כִּי לִי הָאָרֶץ כִּי גֵרִים וְתוֹשְׁבִים
אַתֶּם עִמָּדִי :²³But the land must not be sold
beyond reclaim, for the land
is Mine; you are strangers and
residents with Me.

Before you study the other texts below, consider these essential questions:

- » *How does understanding the land as belonging to God shape how we see and think about the land? Ourselves in relationship to the land?*
- » *What might it mean to view ourselves as a “strangers and residents” on the land with respect to God?*

I. Whose Land is It?

A. It is not ours: Abravanel on Leviticus 25

והנה השכל יגזור זה רוצה
לומר שהארץ לא תמכר
לצמיתות מבלי חזרת
הנחלות לבעליהן ביובל כיון
שלי הארץ ואינה שלכם. ואיך
ימכור אדם בית או שדה של
אחר וזהו כי גרים ותושבים
אתם עמדי כלומר הרי אתם
כאורחים בביתי ובארצי ואיך
תמכרו אותה.

Common sense would dictate that the text says “the land must not be sold beyond reclaim,” without returning inherited lands to their owners at *yovel*, because “the land is Mine” and isn’t yours. And how can a person sell a house or a field of another? This is what “you are strangers and residents with Me” means—that is, you are like guests in my house and in my land, so how could you [really] sell it?

- » *What is the impact of Abravanel’s emotional retelling of the verse, speaking in God’s voice? What are some additional ways of understanding and even*

articulating, perhaps again in God's voice, the claim that the land is simply not ours?

- » *How might our relationship to Israel change if we see the land as belonging to God?*

Rabbi Isaac Abravanel (Portugal 1437-1508) was a biblical commentator and philosopher, who often addressed the everyday concerns of his Jewish community, living under persecution.

B. It is ours because we are God's: *Sifra Parashat Behar 3:8*

כי לי הארץ אל תרע עינך בה כי גרים ותושבים אתם, אל תעשו עצמיכם עיקר, וכן הוא אומר כי גרים אנחנו לפניך ותושבים ככל אבותינו, וכן דוד אומר כי גר אנכי עמך תושב ככל אבותיי, אתם עמדי, דיו לעבד שיהיה כרבו כשתבוא שלי הרי היא שלכם.

“For the land is Mine.” Do not take it badly [that I forbid you to sell the land in perpetuity], for “you are but strangers and residents with me.” Do not make yourselves foremost. As it is written [I Chronicles 29:15], “For we are strangers with You and residents, as all of our fathers.” And thus [King] David said [Psalm 39:13], “For I am a stranger with You, a sojourner, like all of my fathers.” “With me.” It suffices for a servant to emulate their master. When you are Mine, it [the land] will be yours.

- » *How does the Chronicles verse affect the reading of the Leviticus verse here? What is this text trying to highlight through the juxtaposition? In this reading, who are we in relation to God? What actions does this relationship demand?*
- » *What does it mean for the land to be ours if we belong to God? Do we belong to God? How or how not? What would it look like in practice for us to imagine God saying, “You are Mine?”*
- » *How are we to understand the paradox that the land can only be ours when we recognize that it belongs to God? How might this relate in practice to the current situation in Israel and the occupied Palestinian territories?*

Sifra is a collection of midrash on the book of Leviticus, probably compiled around the third century. It is considered a work of legal (rather than narrative) midrash because it expands on and explains the laws of the book of Leviticus.

C. It isn't ours because it isn't God's: Rabbeinu Bahya on Leviticus 25:23

”כי לי הארץ“, עתידה לחזור לי ביובל, ולזה רמז דוד המלך ע”ה באמרו: (תהלים כד, א) ”לה‘ הארץ ומלואה“. או יאמר: ”לי הארץ“ העליונה, ובשנה השביעית אינה פועלת בתחתונה, וכאלו אין התחתונה שלי, לכך לא תהא שלכם. וזה שאמרו במדרש: (ספרא ד, ח) ”כי גרים ותושבים אתם עמדי“, אל תעשו עצמכם עקר. ”אתם עמדי“, דיו לעבד שיהא כרבו, כשהיא שלי הרי היא שלכם.

ובאור זה: כשהיא שלי, בשאר השנים, שהיא פועלת בארץ, הרי היא שלכם, אבל בשביעית שאינה פועלת בארץ וכאלו אינה שלי, לכך לא תהא שלכם לפי שדיו לעבד שיהא כרבו.

“For the land is Mine”—it will return to Me during the *yovel*, and this is what King David hinted at when he wrote [Psalm 24:1] “The earth is the Lord’s and the fullness thereof.”

Or you might say: “The land is Mine”—the upper [Divine] realm. And in the seventh [*sh’mittah*] year it does not act in the lower world, and so it is as if the lower realm is not Mine, and therefore will not be yours. This is what is written in the midrash [*Sifra* 4:8]:

“For you are strangers and residents with Me”—do not make yourselves foremost. “You are with Me.” It suffices for a servant to emulate their master. When you are Mine, it [the land] will be yours.

In light of this, when the land is Mine, in the ordinary years, when the upper realm acts in the land, then the land is yours. But in the seventh year, when the upper realm does not act in the land, and it is as if it is not Mine, so too it will not be yours—since it is enough for a servant to emulate their master.

- » *Rabbeinu Bahya is reading the biblical verse through a mystical lens: in each seventh (sh’mittah) year, and similarly in the yovel year, even God’s relationship to the land changes. This is a difficult text to understand. What do you imagine it might mean for the upper realm not to act in the earthly realm, with regards to the land?*
- » *How is Rabbeinu Bahya re-reading the Sifra? What is he saying about the relationship between servant and master here? What are the implications for how we should relate to the land if we are the servants in Bahya’s scenario?*

Rabbeinu Bahya (Bahya ben Asher, Spain 1255-1340) wrote a biblical commentary heavily influenced by Ramban, and including multiple levels of interpretation, including mystical interpretations.

D. It isn't ours because God gave it as a temporary gift; *Panim Yafot* on Leviticus 25:23

כי לי הארץ כי גרים ותושבים אתם עמדי. יש לפרש כי לה' הארץ והוא נתנה לישראל, ובשנת היובל קי"ל [בכורות נב ב] דמתנה כמכר וחוזרת ביובל לנותן, א"כ ביובל חוזרת לה' הארץ ואחר היובל חוזר ונותן להם במתנה, וזהו גרים בשנת היובל תושבים בין יובל ליובל, כדכתיב [תהלים קטו, טז] והארץ נתן לבני אדם.

“For the land is Mine; you are but strangers and residents with Me.” We can interpret this verse to mean that the land belongs to God and God gave it to Israel, and in the year of *yovel* we hold that [according to Talmud *Bechorot* 42b] “a gift is like a sale, and returns in the *yovel* to the giver.” If so, in the *yovel* the land returns to God. After the *yovel*, God goes back and gives it to them as a gift, and so they are strangers in the year of the *yovel* and residents between *yovel* years, as it is written [Psalm 115:16] “The earth is given to human beings.”

- » *The Panim Yafot reads God's relationship with the land in the sh'mitah and yovel years differently from Rabbeinu Bahya. How are their interpretations different? What is your reaction to each version? Which is more comfortable and appealing to you? Challenging? How?*
- » *Which of these interpretations of “the land is mine” do you find the most compelling? Inspiring? Why? Which do you find most hopeful and/or helpful in moving forward constructively with regards to the future of Israel/Palestine?*

Panim Yafot is a mystical commentary on the Torah written by Rabbi Pinhas HaLevi Horowitz (Ukraine and Germany, 1731-1805)

II. Tempering Our Emotions

A. Think of it this way at the outset: Nahmanides on Leviticus 25:23

ויתכן שיהיה "לא תמכר לצמיתות" לאו במוכר, שלא ימכרנה לחלוטין לומר הריני מוכרה לך לעולמים גם אחרי היובל, ואע"פ שהיובל מפקיעה, הזהיר הכתוב למוכר או לשניהם, שלא יעשו ממכרם לצמיתות. ואם אמרו כן יעברו בלאו הזה, ולא יועיל להם כי תחזור ביובל. וכך פירשו הרב רבי משה (הל' שמיטה ויובל פי"א ה"א): [ואם מכר לצמיתות שניהם עוברין בלא תעשה, ואין מעשיהן מועילין אלא תחזור השדה לבעליה ביובל.]

והטעם בזה, כי בידוע בדעות בני אדם שאם יעשו ממכרם מתחילה כמספר שנים עד היובל יקל בעיניהם הענין, ואם יקנה לחלוטין תקשה בעיניו החזרה מאד.

ויהיה כענין שאמרו (תמורה ד ב), מאי דאמר רחמנא לא תעביד אי עבד לא מהני ולקי משום דעבר אהורמנא דמלכא: והנכון בעיני שאין זה לאו ללקות עליו, אבל הוא טעם, יאמר הנהיגו ביניכם היובל ואל יקשה בעיניכם, "כי לי הארץ" ואיני רוצה שתמכר לצמיתות כשאר הממכרים:

It seems that "the land must not be sold beyond reclaim" is a negative commandment that applies to the seller, that the seller should not sell the land in perpetuity, saying, "Behold I am selling you this land forever, even after the *yovel*," and even though the *yovel* would expropriate the land, the text warns the seller, or [both parties], that they should not make their sale in perpetuity. But if they nevertheless did so, would they [be considered to] transgress this negative commandment, even though [such terms of sale] would have no impact and the land would return [to the seller] in the *yovel*? That is [precisely] how Maimonides explained it [*Mishneh Torah, Laws of Sh'mitah and Yovel, 11:1*: "If it was sold in perpetuity, the two of them, seller and buyer, transgress a negative commandment, and their act has no impact, for the field returns to its owner in the *yovel*."]

But why is the reason for [the prohibition, since such a clause would have no effect]? We know that in the workings of human minds, if at the outset they make their sale according to the years remaining until the *yovel*, the matter [of the return of the land to the seller in the *yovel* year] will be easier for them [to handle], but if the buyer buys it in perpetuity, it will be much harder for him to accept the remission of the land.

This could be like the idea from Mishnah [*Temurah 4:2*] "What the Merciful One says not to do, [even] if you do it [yet] get no results, you should receive lashes because you have transgressed the command of the King." The correct reading as I see it is that this is not a negative commandment for which one should receive lashes, but rather this is the reason: It is as if God is saying: "Practice the *yovel* among yourselves and don't make it hard to accept, 'for the land is Mine' and I do not want it to be sold in perpetuity like other sales."

- » *Nahmanides is concerned with a potential redundancy: it does not seem necessary to forbid terms of sale that specify that the land will be sold in perpetuity, as yovel will not end up invalidating these terms regardless. How does he understand the purpose of the prohibition?*
- » *What is your reaction to this psychological analysis of the prohibition? Why might it be important to have these yovel-based transactions of return go smoothly, both practically and psychologically?*

- » *What is difficult in your own experience or knowledge about selling property? Returning property? Giving it away? What are the ways that being prepared for the transaction is helpful? What other kinds of advance mental preparation might you think would be helpful?*
- » *How might all of this apply to any eventual exchange or transfer of land between Israel and a future Palestinian state? In what ways do you feel you (or others) are already preparing for such an eventuality? In which ways do you think we are not prepared, or are even trying to prevent it? How might our psychological condition affect the success of any ultimate negotiations?*

Rabbi Moses ben Nahman Girondi (Spain, 1194–1270), known as Nahmanides or Ramban, was a prominent philosopher, mystic, and biblical commentator. His commentary on the Torah includes mystical elements, along with explanations of the basic meaning of the text and references to *midrash* (rabbinic interpretation).

III. Limits of Human Existence

A. Life is bounded: *Kli Yakar* on Leviticus 25:8

צוה לקדש את שנת החמשים להודיע כי
יש גבול וקצבה לכל מעשיו וכי הוא אינו
בעל השדה בהחלט אלא הוא כגר בארץ
ואין לו כח בה כי אם חמשים שנה

God commanded us to sanctify the fiftieth year to inform each person that there is a limit and an end to all their actions. They are not the definitive owner of the field, but they are like a stranger in the land, and they have no claim to it beyond fifty years.

- » *The Kli Yakar connects the limits embodied in the yovel to a broader understanding of our own limits. What do you think he is trying to say here regarding the human condition? Regarding what we need to understand about it?*
- » *What experiences in your own life evoke reflection on human limitations? Or even mortality?*
- » *How might all these insights be important not only existentially but politically, in terms of the current situation in Israel and the occupied Palestinian territories?*

Rabbi Shlomo Ephraim ben Aaron Luntschitz (Prague, 1550–1619), often referred to by the title of his most famous work, the *Kli Yakar*, served as Chief Rabbi of Prague. The *Kli Yakar* is a homiletical commentary on the Torah.

B. Generations go and come: Ibn Ezra on Leviticus 25:23

כי לי כל הארץ זה טעם נכבד, וכן אמר משה בתפלתו, ה' מעון אתה היית לנו (תהלים צ, א). אתה כמו מעון עומד, ודור הולך ודור בא:

“For the land is Mine”—that is a fitting [literally, honorable] explanation. Moses spoke similarly in his prayer [Psalm 90:1] “Adonai, you have been an abode for us.” You are like a fixed abode, [while] a generation goes and a generation comes.

- » *In Ibn Ezra’s framework, what is the significance of the phrase “for the land is Mine”? Why does he like this as an explanation of the yovel? What does he think we should remember and be aware of about ourselves when we read this phrase?*
- » *If this phrase were a mantra, what kind of consciousness would Ibn Ezra want us to cultivate from reciting it regularly? What other ways of thinking might arise and be strengthened from regularly calling to mind the words “for the land is God’s”?*

Rabbi Abraham Ben Meir Ibn Ezra (Spain, 1089–1167) was a poet, grammarian, and biblical commentator whose commentary focuses on the literal meaning of the text, rather than bringing in *midrash*.

C. Stranger vs. resident: Rabbi Jacob ben Wolf Kranz (the Maggid of Dubnow), *Ohel Yaakov* on Leviticus 25:23

אם גרים—אינם תושבים, ואם תושבים—אינם גרים? הפשט הוא: שאני ואתם (אתם—עמדי) הננו תמיד ביחס של גר ותושב. היינו, אם אתם מרגישים עצמכם בעולם הזה כגרים, שהעולם הזה הוא לכם רק כפרוזדור, ודירתכם כאן היא רק דירת ארעי, כאורח נטה ללון, אז אני אצלכם תושב—שכינתי ביניכם. אבל אם התנהגותכם בעולם הזה היא כשל תושבים, בישיבת קבע, אכול ושתה בלי פחד של יום-הדין, אז אני אצלכם גר. כי גרים ותושבים אתם עמדי—בין שנינו תמיד אחד גר ואחד תושב.

If strangers, they are not residents; and if residents, how can they be strangers? The simple meaning is this: that I and you (you—with Me) are always in a relationship of stranger and resident. That is, if you feel yourselves in this world to be strangers, that this world is for you just a passageway to the next, and your dwelling here is just an impermanent dwelling—then My presence [*sbechinah*] dwells among you. But if your behavior in this world is as residents, fully settled in, eating and drinking without fear of the day of judgment, then I am a stranger to you. For you are strangers and residents with Me—between the two of us, one is always a stranger and one a resident.

- » *In this creative reading, we live in the world either as strangers or residents. Surprisingly, the Maggid of Dubnow portrays in positive terms living in the world as a stranger! What does it mean to feel and act like a stranger in the world? A resident? What does each look like in terms of behaviors and dispositions?*

- » *What are the implications of the Maggid of Dubnow saying that God is, respectively, either a resident among us or a stranger to us? What is your reaction to this idea of a kind of balance of powers between humanity and the Divine?*
- » *If you could take in this aspect of “yovel consciousness”, what would change about what you believe? About how you act? About how you relate to others? Are there any downsides to it?*
- » *Do you believe that God is a resident or a stranger in Israel right now? Why? How can we ensure that God remains a resident there?*

Rabbi Jacob ben Wolf Kranz (Lithuania and Poland, 1740-1804), known as the Maggid of Dubnow, was a Hasidic leader famous for his parables. *Ohel Yaakov* is a homiletic commentary on the Torah, published posthumously.

Final questions

- » *How might we make concrete in our individual and communal lives, and in the life of the Jewish people, the idea that the land ultimately belongs to God? What would that look like in practical terms? What other values would we want to be sure to either combine or balance with this one in continuing to build and repair Jewish communal and national life?*
- » *How might the notion that the land belongs to God, per the various interpretations above, speak to the situation in Israel and the occupied Palestinian territories?*