

The Jubilee Year
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DC Beit Midrash, May 10, 2004

Lev. 25:8-16. (8) You shall count off seven weeks of years—seven times seven years—so that the period of seven weeks of years gives you a total of forty-nine years. (9) Then you shall sound the horn [shofar] loud; in the seventh month, on the tenth day of the month—the Day of Atonement—you shall have the horn sounded throughout your land (10) and you shall hallow the fiftieth year. You shall proclaim release throughout the land for all its inhabitants. It shall be a Jubilee for you: each of you shall return to his holding and each of you shall return to his family. (11) That fiftieth year shall be a Jubilee for you: you shall not sow, neither shall you reap the aftergrowth or harvest the untrimmed vines, (12) for it is a Jubilee. It shall be holy to you: you may only eat the growth direct from the field. (13) In this year of Jubilee, each of you shall return to his holding. (14) When you sell property to your neighbor, or buy any from your neighbor, you shall not wrong one another. (15) In buying from your neighbor, you shall deduct only for the number of years since the jubilee, and in selling to you, he shall charge you only for the remaining crop years: (16) The more such years, the higher the price you pay, the fewer such years, the lower the price: for what he is selling you is a number of harvests.

Lev. 25:29-31. (29) If a man sells a dwelling house in a walled city, it may be redeemed until a year has elapsed since its sale, the redemption period shall be a year. (30) If it is not redeemed before a full year has elapsed, the house in the walled city shall pass to the purchases beyond reclaim throughout the ages; it shall not be released in the Jubilee. (31) But houses in villages that have no encircling walls shall be classed as open country: they may be redeemed, and they shall be released through the Jubilee.

Lev. 25:39-41. (39) If your kinsman under you continues in straits and must give himself over to you, do not subject him to the treatment of a slave. (40) He shall remain with you as a hired or bound laborer; he shall serve with you only until the Jubilee year. (41) Then he and his children with him shall be free of your authority; he shall go back to his family and return to his ancestral holding. (JPS)

Controversies

Are there similar customs elsewhere in the region?

Bamberger in Plaut, ed., *The Torah: A Modern Commentary*: "...we should take note of the word *deror*, 'release' (v. 10). ... The Babylonians had a term, *duraru*, also *anduraru*, which resembles *deror* both in sound and meaning. ... *Duraru* was sometimes a release of freemen who had been enslaved, sometimes the restoration of real property to its original owners, sometimes a cancellation of debts—or a combination of these. So striking a parallel can hardly be accidental. The Babylonian *duraru* was not, indeed, a regularly recurring procedure. It was an exceptional act of grace on the part of a ruler. Sometimes it marked the accession of a new king. Prof. Mattiahu Tsevat has suggested that, in a somewhat similar way, the sabbatical and Jubilee years in Israel celebrated the renewal of the covenant between the divine King and His people."

What is the authorship date of the passage?

Levine, JPS commentary on Leviticus, Excursus 10, pp. 273-74. "...we should perhaps see in [Lev. 25] an attempt to deal with a radically new situation. The legislation enacted in response to this new situation sought, as its paramount objective, to prevent the loss of land by Israelites and their families. The close parallels with Nehemiah 5, discussed above, suggest a common historical setting for both sources: the situation of the Judean community under Persian domination. Lev. 24:45f. recalls the complaints of the citizenry in Nehemiah 5 and betrays the probability that both reflect the life of the post-exilic community. ... Historically, the returning Judean exiles were repatriates allowed to resettle in their ancestral land and to rebuild their Temple in Jerusalem. Those terms were granted by the edict of Cyrus the great, issued in 538 BCE... But that edict did not guarantee that Judeans would recover their former lands or take possession of other lands within their new areas of settlement. ... it was undoubtedly necessary in many cases to repurchase land from non-Judeans, and there was probably conflict over rights of ownership. ... The priestly leaders of the repatriated Judean community formulated a theory to legitimize their situation: God had granted the Land of Israel to his people as an everlasting '*ahuzzah*, "holding." His people were His tenants and were granted the right to work the land and enjoy its fruits. They were, however, denied the right usually considered a *sine qua non* of ownership, the right to alienate what one owns. Following this line of reasoning, the edict of Cyrus was translated into a divine land grant."

Milgrom, *Anchor Bible* 3B:2242. "In any event, these parallels in the ancient Near East contemporary with or prior to Israel's settlement on its land tip the scales in favor of a preexilic and, probably, premonarchic date [i.e. 700s or prob. 800s BCE] for the inception of the jubilee concept, a time when family membership and land ownership had 'critical weight in the matter of one's own standing in the religious community.' To claim that

Lev. 25 was enacted in the Persian period in order 'to prevent the loss of land by Israelites and their families' (Levine, above) only turns one's back on the early evidences of the ancient near east and the requisite societal structure for a land in the possession of kin groups. Moreover, not only does such a late date undermine the existence of Deuteronomy's law of debt remission (15:1-3), which surely would have been invoked by the returning exiles (admitted by Levine) but it also leaves unanswered this question: What comfort would the jubilee law have brought to indentured Israelites knowing that they would have to wait as long as fifty years before they would be restored to their lands?"

Was the Jubilee a real institution? Was it ever actually observed?

Milgrom, pp. 2247. "The Bible itself bears hints to the effect that the Jubilee law was enacted, even if attempts at its enforcement may have failed. Patrick correctly observes that one must distinguish between moral law, governed by social mores, and judicial law, which enforceable by the use of sanctions. Thus since the Jubilee legislation is devoid of sanctions, 'obedience must be elicited by appeal to the theological and moral sensibilities of the community' (Fager). That the Jubilee was not completely utopian is, in my opinion, proved by the insertion into the law of the section on houses in walled cities (vv. 29-34); had the Jubilee been a utopian statute, there would have been no need to alter or add to it. Moreover, Ezekiel 46:17 takes the concept of *deror* for granted—that is, when allotted or inherited property returned to its original owner. Thus just as the law of slave release existed but was not practiced (Jer 34:8-11), so too the Jubilee."

[Fried and Freedman, in Milgrom pp. 2256-70, argue that the Jubilee was observed on four occasions: 688/87, 588/87, 538/37, 438/37 BCE]

Bamberger. "[Sifra on 25:12 states that the Jubilee was] in effect only when all the tribes are resident in their respective territories; it therefore fell into abeyance as soon as the trans-Jordanian tribes of Reuben and Gad were exiled. There is no record that it was ever practiced during the Second Commonwealth. Indeed, the basic assumption behind the law—namely, that at some time in the past every Israelite family had its own holding, all approximately equal—is, to put it mildly, open to question. ... The ideal past, which the Jubilee legislation sought to restore, probably never existed. Our credulity is further strained by the notion that, even once in a half-century, agricultural work should have been suspended for two consecutive years. The 'sabbath of the land' entailed serious hardship; two years without cultivation would have meant ruin and famine."

In the Jubilee year, can the fields be sown by non-Jews?

Ibn Ezra (on 25:11): The fields must not be sown in that year.

Rashi (same): The rules of the jubilee year correspond to those of the sabbatical year; consequently there were two consecutive rest years, the sabbatical and the jubilee.

Milgrom (p. 2171): "'It shall be a Jubilee for you,' [v. 10] But not for the alien! As the Jubilee does not release the alien slave

(vv. 45-46), it allows the *ger* to continue to work the land. This is the reason why the term 'sabbath' is assiduously avoided in describing the Jubilee. In contrast to the sabbatical year, which falls uniformly on the land (vv. 4-5), the Jubilee observance is only 'for you,' the Israelites (repeated in vv. 11-12)."

If it was once observed, why was the Jubilee not retained?

Book of Legends, ed. Bialik and Rabnitsky, p. 486:9, based on *Mekilta de-Rabbi Ishmael, Be-shallah, Va-yassa*, 6: "It is a sign forever' (Ex: 31:17). The verse tells that the Sabbath will never case in Israel. You find any observance for which Israel were willing to give up their lives has been preserved among them. But any observance for which Israel were not willing to give up their lives has not been preserved among them. Thus the Sabbath, circumcision, and study of Torah, for which Israel were willing to give up their lives, have been retained by them. But such Institutions as the Temple and the sabbatical and Jubilee years, for which Israel were not willing to give up their lives, have not been retained by them."

Milgrom, p. 2251. "The Jubilee law existed, was intended to be implemented, and would have been implemented were it not for the typical and expected resistance from those who might be adversely [a]ffected: the rich and the political leaders in control."

What does the Jubilee mean for us today?

Bamberger. "Today we are all keenly aware of the evils and dangers inherent in a society where unconscionable wealth and unbearable poverty exist side by side and where the urge for immediate profit threatens the destruction of the environment. Thus, this chapter is of major importance to us, if not for the solutions it offers, certainly by its challenge to us to seek out our own solutions to the perennial problems of poverty and injustice."

Milgrom. "I was invited to participate in a 'Jewish-Christian Symposium on the Jubilee,' sponsored by the World Council of Churches at the Ecumenical Institute, Bossey, Switzerland, May 19-23, 1996. Present were thirty-two representatives from fifteen countries, including India, Uganda, Brazil, the Philippines, and Indonesia. I single out the Third World nations because, first, I was able to feel, even vicariously, their people's pain and suffering, and second, I was witness to a vivid demonstration that their hopes for remedial action are expressed in the biblical Jubilee. The jubilee has become the rallying cry for oppressed peoples today, as was the exodus theme for their counterparts in previous decades. ... As a result, the debtor world has issued the following demands to the creditor nations ... (1) cancellation of their debts (2) restitution of land and resources to their original owners; (3) cessation from pilfering natural resources and polluting them ... (4) termination of economic slavery... by universally raising wages to a subsistence level. The Jubilee prescribing remission of debts, restoration of land, sabbath rest for land and people, and release from economic servitude corresponds to all four demands. ... In May 1996, in Bossey, Switzerland, I witnessed the unfurling of the flag of the jubilee."

Behar/Bechukotai@ the DC Beit Midrash

Monday, May 10, 2004; Yom Sheini, 19 Iyar 5764

Welcome to the DC Beit Midrash!

The Chumash (Five Books of Moses) is divided into 54 portions, which Jews read sequentially each week in services. On a regular evening, a member of our community will lead us in a text-study of this portion, or *parsha*. The voices of both past and contemporary interpreters will inform our discussion. Every week, a sheet summarizing the Torah portion of the week and the other sources the teacher will use will be provided to aid you in your study.

This Week's Parsha (Torah Portion):

Behar/Bechukotai (Leviticus), Chapter 25: Verse 1 to Chapter 27: Verse 34

Behar begins with the laws of the Sabbatical year and the Jubilee year. During the Sabbatical year, which occurs every seventh year, the land must lie fallow, as an acknowledgment of God as the Creator and owner of all. After every 49 years (seven cycles of seven years), there is a "Jubilee" year, in which slaves go free, certain debts are canceled, and land returns to its original titleholders. As the portion continues, further laws are given pertaining to debts and property: one must help people avoid debt-servitude, and one must help people to avoid losing their property. Interest and oppressive financial practices are prohibited. Behar ends with a general reminder to keep God's laws, especially Shabbat and the prohibition on idolatry. Bechukotai takes on a different form. The opening verses describe all the blessings and rewards that will benefit Israel as long as they uphold the covenant and follow God's commands. However, following this list of great benefits is a passage which our tradition identifies as the *tochechah* - "rebuke" or "reproof". It is a much longer list of the curses and terrible punishments that will befall the people of Israel if they do not follow the mitzvot. The portion concludes with additional teachings about vows, tithes and gifts.

(http://www.kolel.org/pages/parasha/vayikra_summary.html)

This Week's Teacher

Allan Tulchin

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