

Return

The Jewish mystical tradition offers depictions of periodic cosmic rebirth, in which every 50,000 years, the entire universe returns to its original state. This can be seen as a more mythic, cosmic version of the radical notion of land-return in our earthly yovel, the biblical commandment in which every fifty years, land would return to its original owners and people would go back to their families. This, together with releasing slaves, makes up the core unique act of yovel:

Leviticus 25

(י) וְקִדְשְׁתֶּם אֶת שָׁנַת
 הַחֲמִשִּׁים שָׁנָה וּקְרַאתֶם דְּרוֹר
 בְּאַרְצְךָ לְכָל יֹשְׁבֵיהָ יוֹבֵל הוּא
 תִּהְיֶה לָכֶם וּשְׁבַתְּם אִישׁ אֶל
 אֲחֻזָּתוֹ וְאִישׁ אֶל מִשְׁפַּחְתּוֹ
 תָּשֻׁבוּ : (יא) יוֹבֵל הוּא שָׁנַת
 הַחֲמִשִּׁים שָׁנָה תִּהְיֶה לָכֶם
 לֹא תִזְרְעוּ וְלֹא תִקְצְרוּ אֶת
 סְפִיחֶיהָ וְלֹא תִבְצְרוּ אֶת
 נִזְרֶיהָ : (יב) כִּי יוֹבֵל הוּא קֹדֶשׁ
 תִּהְיֶה לָכֶם מִן הַשָּׂדֶה תֹאכְלוּ
 אֶת תְּבוּאָתָהּ : (יג) בְּשָׁנַת
 הַיּוֹבֵל הַזֹּאת תָּשֻׁבוּ אִישׁ
 אֶל אֲחֻזָּתוֹ :

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 your holding and each of you shall return to your family. ¹¹That fiftieth year shall be a jubilee for you: you shall not sow, neither shall you reap the aftergrowth or harvest the untrimmed vines, ¹²for it is a jubilee. It shall be holy to you: you may only eat the growth direct from the field. ¹³In this year of jubilee, each of you shall return to your holding.

The idea of return can foster a wide variety of feelings, including tension and contradiction. Returning to family provokes different reactions within each of us, depending among other things on our relationships with our families of origin and of choice. The notion of returning land or homes to others will likely resonate differently for city and rural dwellers. Consequently, if we begin to think in terms of returning things and people to their original states, we inevitably have to wonder to what extent we share a common view of what that “original” state looked like.

Like all aspects of yovel, the practice of returning land to its original owner would have an impact on people’s experience throughout the fifty-year period, not just at its end. In this section, we investigate the link between periodic return of the land and the particular responsibility to consistently engage in fair transactions regarding land.

As you encounter the sources in this section, consider how you are understand “return” in contemporary terms. Is there a particular beginning point to land claims in Israel and the Palestinian territories? What would be considered “return”? What are the tensions that arise on all sides (and within you) when you think about return?

I. Returning to Landholding

A. Land returns to its owners: Rashi on Leviticus 25:10

וּשְׁבַתְּם אִישׁ אֶל אַחֲזוֹתָו—שֶׁהַשְּׂדוֹת
:חֹזְרוֹת לְבַעֲלֵיהֶן : Each of you shall return to your holding—the
fields return to their owners.

- » *Rashi’s comment seems straightforward—during yovel, the fiftieth year, the fields would return to whomever owned them fifty years earlier. But how far back would you go—should we keep going back in fifty-year increments to discover who “really” should own the land? How would you decide on the just, “original” state or ownership of the land?*
- » *In the context of the current reality, is there a particular historical (or mythic) moment to which you would have Israel’s landholdings—either national or individual—return?*

Rashi (Rabbi Shlomo Yitzchaki, France 1040-1105) is perhaps the best known commentator on the Bible. His commentary includes *midrash*, as well as explanations of *p’shat*—the surface meaning of the text.

B. Exile and intermingling prevent return: Babylonian Talmud (c. 5th century), *Arachin* 32b

משגלו שבט ראובן ושבט גד וחצי שבט
המנשה בטלו יובלות, שנאמר: (ויקרא
כ"ה) וקראתם דרור בארץ לכל יושביה,
בזמן שכל יושביה עליה ולא בזמן
שגלו מקצתן ;
יכול היו עליה והן מעורבין, שבט בנימין
ביהודה ושבט יהודה בבנימין, יהא
יובל נוהג? תלמוד לומר: לכל יושביה,
בזמן שיושביה כתיקונן ולא בזמן
שהן מעורבין!

When the tribe of Reuben, the tribe of Gad and half the tribe of Manasseh went into exile, the *yovel* years were abolished, as it is said: “Proclaim release throughout the land to all the inhabitants thereof,” that is, [only] at the time when all the inhabitants thereof dwell upon it, but not at the time when some of them are exiled.

One might have assumed that if they were there, but intermingled, the tribe of Benjamin with Judah and the tribe of Judah with Benjamin, that *yovel* should apply, therefore it is said: “to all the inhabitants thereof,” which means, only at the time when its inhabitants are there [where] they ought to be, but not when they are intermingled!

- » *If yovel is designed to return lands to their original tribal owners as a kind of economic “reset”, one might imagine that the practice would be even more necessary at a time of greater disruption. This text takes the opposite position—that it can only happen in a time of social and territorial stability. Why might the ancient rabbis have taken the position that the practice of yovel was abandoned when the tribes did not hold the lands assigned at the time of Joshua?*
- » *The biblical text speaks of individual landholdings being returned. How might the idea of return apply (or not) to communal landholdings? To governments? Can a reset best happen in a time of disruption, or in a time of stability?*
- » *Is there a particular recent moment in Israel’s history to which you would imagine returning? If yes, why then; if not, why not?*

The Talmud is a compilation of law, narrative, folk wisdom, and more. It consists of the *Mishnah*, probably compiled around 200 CE, and the *Gemara*, compiled around 500 CE or later.

The Talmud is divided into 63 tractates, each mostly focused on one subject (but often including much material on other subjects as well).

When we refer to “The Talmud,” we usually mean the Talmud Bavli (Babylonian Talmud), codified in Babylonia. There is also a second Talmud, known as Talmud Yerushalmi (Palestinian Talmud), codified in the Land of Israel somewhat earlier. The latter is less complete and has been less central to the development of law.

C. Build immediately: Sforno on Leviticus 25:13

תשובו איש אל אחזתו. ומותר לבעלים
השבים אליה להחזיק בה לאחווה
ולהשתמש בה בבנין בתים ושובכים
וגדרות צאן וזולתם חוץ מעבודת
האדמה ושמירת פירותיה.

“Each of you shall return to your holding”—it is permitted for the returning owners to take possession of it as a holding, and to use it to build houses and dovecotes and fences for sheep and other things—just not to work the land and to keep its fruits.

- » *How does Sforno understand the word “holding”? Why might it be permitted to build buildings but not work the land? What is the difference between the tasks that are permitted and those that are forbidden with regards to one’s relationship to the land?*
- » *Today, the issue of working the land is a contentious one in the West Bank. Per Ottoman laws still applicable there, a person can lose the right to his or her land by failing to work it for three years. Military policies and specific action by settlers often deny Palestinians access to their land, and this land may eventually be declared state land (and thus available for settlements) or a closed military zone. How might Sforno respond to this situation?*

Rabbi Ovadia ben Jacob Sforno (Italy, c.1475-1550) was a biblical commentator, physician, and philosopher. His commentary on the Bible is known for its humanism and compassion.

D. *Yovel* as a force leading homeward: Nahmanides on Leviticus 25:10

ור"א אמר כי יובל כטעם שלוח. ולפי דעתי לא קראו הכתוב יובל על התקיעה רק על הדרור, כי לא הזכיר השם הזה בכתוב הראשון שאמר והעברת שופר תרועה, אבל אמר וקראתם דרור בארץ לכל יושביה, שיהיו כולם בני חורין לדור בכל מקום שירצו, ואמר יובל היא, שבה יובל כל איש אל אחוזתו ואל משפחתו יובילוהו רגליו מרחוק לגור.

ונשתמשו בלשון הזה בענינים רבים, יובל שי לה' צבאות (ישעיה יח ז), ואמר ועל יובל ישלח שרשיו (ירמיה יז ח), פלגים יבלי מים (ישעיה ל כה), הם המעמקים ששם יובלו המים. ונתנה הארץ יבולה (להלן כו ד), ואין יבול בגפנים (חבקוק ג יז), ענין הבאה גם כן, כמו שיקרא תבואה. ...

ויהיה פירוש "יובל היא תהיה לכם" הבאה היא ותהיה כן לכולכם כי תבאו ותשובו איש אל אחוזתו ואיש אל משפחתו.

Ibn Ezra said that *yovel* means "sent." And I think the biblical text names *yovel* not after the shofar [the sounding of which ushers in the *yovel*] but after the release; it does not mention *yovel* where it says "sound the shofar"—but where it says "proclaim release throughout the land to all its inhabitants"—that is, that everyone will be free to live wherever they would like. And it says there, "it is *yovel*," that every person will be led [*yuval*, from the same Hebrew root] to their holding and to their family, and their legs will lead them (*yoviluhu*) from afar to live.

This language is used regarding many other matters: "Tribute shall be brought [*yuval*] to the Lord of Hosts" [Isaiah 18:7]; "like a tree planted by waters, sending forth its roots by a stream [*yuval*]" [Jeremiah 17:8]; "...and on every high mountain and on every lofty hill, there shall appear brooks and watercourses [*yivlei mayim*]" [Isaiah 30:25]—these are all deep places where water flows. So too with another set of associations—"The earth shall yield its produce [*yevulah*]" [Leviticus 26:4]; "and no yield [*yevul*] is on the vine" [Habakkuk 3:17]—these too express the idea of bringing...

The interpretation, therefore, of "it is a *yovel* for you" is [as] a bringing—and it will be this way for all of you, that you will come and return, each person to their holding and each person to their family.

- » *How does Nahmanides understand the core idea in the word "yovel" here? How might each of the two sets of images he offers—of watercourses, and of bringing harvest—shape your understand of the fiftieth year?*
- » *Nahmanides first indicates that yovel allows us to live wherever we would like, but then suggests an inexorable flow towards holding and family. In what ways does this inevitability carry positive valence for you? A negative valence?*
- » *In this source, each individual would experience the force of the collective return. What would that look like if applied in the contemporary context*

to Israel and the Palestinian territories? At this fifty-year mark, what forces pull on the variety of individuals who call “the land of Israel” and “Palestine” home or see themselves as having a “holding” there?

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).

II. Returning to Family

A. Family reunification: *Meshech Hochmah* on Leviticus 25:10

ושבתם איש אל אחוזתו ואיש אל משפחתו תשובו. פשטא דקרא דמורה לנו התועלויות, כאשר ישובו איש אל אחוזתו, הרי הפיזור בין חיי המשפחה בא ממסבות הזמן אשר מרחק אחים—זה פונה לצפון וזה לדרום לבקש טרפו ומזונו. אמנם אם ישובו איש אל אחוזתו, ישובו בתי האבות לדרום במקום הורישום אבותם, ויתלקטו אנשי המשפחה אשר מכרו אחוזותיהם ונתרחקו זה מזה.

“Each of you shall return to your holding and each of you shall return to your family.” The simple meaning of the verse teaches us the value of each person returning to their holding. With the passage of time and the scattering of families, there comes to be distance between siblings—this one turns north and that one south to seek their fortunes. But if each person returns to their holding, they will return to the house of their parents to dwell in the place they inherit from the parents, and the people of the family, who have sold their holdings and become distant from one another, will gather together.

- » *What value do you imagine Rabbi Meir Simcha sees in bringing families back together? What does this part of the verse—“each of you shall return to your family”—capture that is different from returning to a particular family plot of land?*
- » *In your wider family, have these past fifty years of events in Israel wrought separation or distance of any kind? If so, what kind of reunification or reconnection would you hope for?*

The *Meshech Hochmah* is a commentary on the Torah by Rabbi Meir Simcha Kalonymus of Dvinsk (Lithuania and Poland, 1843–1926), a prominent rabbinic leader in his time. It combines Jewish thought and law with commentary on the text.

There are several biblical moments of siblings coming together in profoundly emotional meetings despite tense relationships—Isaac and Ishmael coming together to bury Abraham; Leah and Rachel negotiating about their shared family life; Joseph and his brothers reuniting in Egypt; and Aaron, Miriam, and Moses navigating shared leadership, to name a few. Here, we take a brief look at Jacob and Esau’s reunification, one particularly intense emotional reunion. After more than twenty years away, Jacob prepares to return to his family and to meet his brother, Esau. When Jacob left, he was fleeing from Esau, who was homicidally angry at Jacob’s stealing the birthright and blessing. On returning to the land, Jacob learns that his brother is approaching with a large entourage. Commentators notice that within a single verse, two different words are used to describe his being afraid:

B1. Genesis 32:8

וַיִּירָא יַעֲקֹב מְאֹד וַיִּצַר לוֹ וַיִּחַץ אֶת
הָעַם אֲשֶׁר אִתּוֹ וְאֶת הַצֹּאן וְאֶת הַבָּקָר
וְהַגְּמָלִים לְשְׁנֵי מַחֲנוֹת :

Jacob was greatly frightened and distressed; he divided the people with him, and the flocks and herds and camels, into two camps.

B2. Genesis Rabbah, Vilna edition, Parashat Vayishlach, 76:2

וַיִּירָא יַעֲקֹב מְאֹד וַיִּצַר לוֹ, אָמַר ר' יְהוּדָה
בְּר' עֵילַי לֹא הִיא יְרָאָה לֹא הִיא צָרָה
אֲלֵא וַיִּירָא שְׁלֵא יִהְרֹג וַיִּצַר לוֹ שְׁלֵא
יִהְרַג, אָמַר אִם הוּא מִתְגַּבֵּר עָלַי הוֹרְגִי
וְאִם אֲנִי מִתְגַּבֵּר עָלָיו אֲנִי הוֹרְגוֹ הָדָא
הוּא וַיִּירָא שְׁלֵא יִהְרֹג וַיִּצַר לוֹ שְׁלֵא יִהְרַג

“Jacob was greatly frightened and distressed”—Rabbi Yehudah bar Ilai said: This is not just fear and not just distress. Rather, he was frightened lest he be killed and he was distressed lest he kill. He said to himself—if he is stronger than I, he will kill me; and if I am stronger than him, I will kill him. That is the meaning—he was frightened lest he be killed and distressed lest he kill.

- » *Reading the text as Rabbi Yehudah bar Ilai does, how do you understand these two aspects of Jacob’s fear? How might these two kinds of fear shape how Jacob sees himself? How he sees others?*
- » *One of the most prominent elements in conversations about Israel/Palestine is fear. Israelis and Jews fear Palestinians. Palestinians fear Israelis. Many of us fear a change to the status quo. In what ways do your own fears affect your relationship to Israel and to the current political situation? How might Jacob’s experience model addressing this fear?*
- » *What circumstances might help us all move beyond our fears?*

Genesis Rabbah is a collection of *midrashim*—rabbinic expansions on the biblical text. It consists of stories and interpretive material on the book of Genesis and was probably compiled in the Land of Israel in the fifth century.

III. Buying and Selling Without Oppression

If land will always ultimately revert to its original owners, how can it also serve as equity for its current owners? How might land be fairly bought and sold within the constraints of yovel? As you will see in the sources below, buying and selling land is fundamentally altered by the practice of yovel. As you study these sources, consider how we might enact the ethical principles that yovel embodies regarding land transactions.

A. How to buy and sell land: Leviticus 25: 13-17 and 25-28

(יג) בְּשָׁנַת הַיּוֹבֵל הַזֹּאת תָּשָׁבוּ אִישׁ אֶל אֲחֻזָּתוֹ : (יד) וְכִי תִמְכְּרוּ מִמֶּכָר לְעַמִּיתְךָ אוֹ קָנָה מִיַּד עַמִּיתְךָ אֶל תּוֹנוּ אִישׁ אֶת אֲחֵיו : (טו) בְּמִסְפַּר שָׁנִים אַחֲרֵי הַיּוֹבֵל תִּקְנֶה מֵאֵת עַמִּיתְךָ בְּמִסְפַּר שָׁנֵי תְבוּאֹת יִמְכַר לָךְ : (טז) לְפִי רֹב הַשָּׁנִים תִּרְבֶּה מִקְנָתוֹ וּלְפִי מְעוֹט הַשָּׁנִים תִּמְעִיט מִקְנָתוֹ כִּי מִסְפַּר תְּבוּאֹת הוּא מִכַּר לָךְ : (יז) וְלֹא תוֹנוּ אִישׁ אֶת עַמִּיתוֹ וְיָרֵאתָ מֵאֱלֹהֶיךָ כִּי אֲנִי ה' אֱלֹהֵיכֶם :

¹³In this year of jubilee, each of you shall return to your holding. ¹⁴When you sell property to your neighbor, or buy any from your neighbor, you shall not wrong one another. ¹⁵In 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: ¹⁶the 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. ¹⁷Do not wrong one another, but fear your God; for I the Lord am your God.

- » *What principles or values do you see reflected in this biblical passage about how to buy and sell land in relation to the yovel year? What exactly are people buying and selling?*
- » *To which unfair practices might a buyer or a seller of land be vulnerable? And how do you understand the commandment here not to wrong one another? What are the safeguards here to make such transactions fair? What other safeguards would be useful so that participants in the transaction might avoid wronging one another?*

B1. Rashi on Leviticus 25:14 and 25:17

אל תונו—זו אונאת ממון :	“You shall not wrong”—that is oppression through money.
ולא תונו איש את עמיתו—כאן הזהיר על אונאת דברים	“Do not wrong one another”—here the text warns about oppression through words.

B2. Rabbi Moses ben Nahman Girondi (Spain, 1194–1270) on Leviticus 25:14-15

אל תונו—זו אונאת ממון, “במספר שנים אחר היובל”. פשוטו של מקרא על אופניו, על האונאה בא להזהיר. כשתמכור או תקנה קרקע, דע כמה שנים יש עד היובל, ולפי השנים ימכור המוכר ויקנה הקונה שהרי סופו להחזיר לו בשנת היובל, ואם יש שנים מועטות וזה מוכרה בדמים יקרים הרי נתאנה לוקח, ואם יש שנים מרובות ויאכל ממנה תבואות הרבה צריך לקנותה לפי הזמן, וזהו שנאמר “במספר שני תבואות ימכר לך”, לפי מנין שני התבואות שתהא עומדת ביד הלוקח תמכור לו.	“You shall not wrong”—that is oppression through money. “You shall deduct only for the number of years since the <i>yovel</i> ”—the surface meaning of the verse is about the method of sale, coming to warn against oppression. When you sell or buy land, know how many years remain until the <i>yovel</i> ; the seller sells and the buyer buys according to those years, because it will return to the buyer in the <i>yovel</i> year. If the remaining years are few and the seller sells it for a high price, the buyer is oppressed; if many years remain and the buyer will enjoy many harvests, they must buy it according to the time—that is why it says “in selling to you, he shall charge you only for the remaining crop years”—it must be sold according to the crop years that the buyer will enjoy.
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- » *Following a rabbinic midrash, Rashi identifies each prohibition against wronging another with a different kind of oppression. How might each of these kinds of oppression might enter into land- and home-related transactions, both historically and today?*
- » *In the second source on oppression through money with its framing of fair transactions, how might a buyer or seller be vulnerable to oppression? Do you see the buyer or the seller as more vulnerable, or equally so? Is one party more responsible for the ethics of the transaction? Who benefits from fairness in land transactions, and who benefits when the transactions are not fair?*
- » *One of the most prominent lines of argument between those who support settlements and those who oppose them concerns the ways in which property is acquired from Palestinians. Supporters of settlements often contend that the land has been acquired legally, either through state land being transferred to settlers, or—in East Jerusalem in particular—through the sale of property or through declaring certain homes to have been abandoned in 1967. Those who oppose settlement construction counter*

that much “state land” was actually seized from Palestinians or declared ownerless after Palestinians lost the right to access it (generally through the classification of the land as a “closed military zone), and that settler organizations use legal loopholes and shady purchasing techniques to acquire land in East Jerusalem. How might this biblical text respond to these arguments?

- » *If an end to the Occupation were to include land transfers between Israel and Palestinian territories, how might the principles of yovel be played out?*

IV. The Rural/Urban Divide

The Torah prescribes different yovel practices for urban and rural land, responding to the relationship with the land that is cultivated by living in each of these very different settings. As you study the sources below, consider the weight of your own experience and how that influences your perceptions of the meaning and value of various kinds of real estate.

A. What happens in cities: Leviticus 25: 29-31

(כט) וְאִישׁ כִּי יִמְכַר בַּיִת מוֹשָׁב עִיר
 חוֹמָה וְהָיְתָה גְאֻלָּתוֹ עַד תֵּם שְׁנַת מִמְכָּרוֹ
 יָמִים תִּהְיֶה גְאֻלָּתוֹ : (ל) וְאִם לֹא יִגָּאֵל
 עַד מְלֵאת לוֹ שְׁנָה תְּמִימָה וְקָם הַבַּיִת
 אֲשֶׁר בָּעִיר אֲשֶׁר לֹא לוֹ חֹמָה לְצִמְיֹתָתָהּ
 לְקִנְיָה אֶתוֹ לְדֹרֹתָיו לֹא יֵצֵא בְיָבֵל : (לא)
 וּבְתֵי הַחֲצָרִים אֲשֶׁר אֵין לָהֶם חֹמָה סָבִיב
 עַל שְׂדֵה הָאָרֶץ יִחָשֵׁב גְאֻלָּה תִּהְיֶה לוֹ
 וּבְיָבֵל יֵצֵא :

²⁹If a person 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. ³⁰If it is not redeemed before a full year has elapsed, the house in the walled city shall pass to the purchaser beyond reclaim throughout the ages; it shall not be released in the *yovel*. ³¹But 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 *yovel*.

- » *Why do you imagine is the reasoning behind the three classifications of land in this text (that is, fields, homes in walled cities, and homes in villages)? How does your own experience living in one or more contexts shape your understanding of this text?*
- » *The three categories described in this biblical text closely parallel the three categories of space in the West Bank, following the Oslo Accords:*
- *Area A consists of eight major cities (including Ramallah and Bethlehem), comprising about 18% of the West Bank, and is under the civil and security control of the Palestinian Authority (though Israel still retains the ability to send in troops). Israel prohibits its citizens from entering Area A.*

- *Area B consists of suburban areas, comprising about 22% of the West Bank, and is under Palestinian civil control and Israeli security control. While Israel permits its citizens to enter Area B, no settlements are permitted there.*
 - *Area C consists primarily of rural areas, comprising about 63% of the West Bank, and is under full Israeli civil and security control. All of the settlements are in Area C, and Palestinians are effectively prohibited from building new structures. Israelis living in Area C live under Israeli law, while Palestinians live under military law.*
- » *How might the biblical text address the situation in Areas A, B, and C? What guidance might it offer us for moving forward?*

B. Moving houses is different from leaving land: Nahmanides on Leviticus 25:29

ואיש כי ימכר בית מושב עיר
חומה—בעבור שממכר ביתו של אדם
קשה בעיניו מאד ויבוש ממנו בעת
שימכרנו, רצתה התורה שיגאלנו בתוך
השנה הראשונה.

ובעבור כי האדם לשדה נעבד וממנו יצא
לחם למחיתו, רצה שיצא השדה ביוכל.

אבל הבית לאחר היאוש ששינה דירתו
ועמד שנה בבית אחר לא יזיק לו, כי לא
תמעט מחיתו אם יחלט.

ובתי החצרים עשויים לשמירת השדות
ולהיותם מושב לעובדי האדמה, ועל כן
דינם כשדה הארץ.

“If a person sells a dwelling house in a walled city”—It is very hard for a person to sell their home, and they might feel shame at the time of sale. Because of this, Torah permits a person to redeem their home during the first year.

With a field—a person works it and brings out bread to give life—therefore the field is returned at *yovel*.

But with a house—after the despair of moving when a person lives in another house for a year, it no longer pains them, because their life is not diminished.

And with houses in villages—these are made to protect the fields and to be a dwelling place for those who work the land, and therefore the same law applies to them as to the fields.

- » *What different experiences does Nahmanides describe, of living in and leaving these different kinds of places? What feelings are associated here with each of the different kinds of dwellings, and why? With which of these experiences do you identify, and how?*
- » *How do you see or imagine these urban–rural differences playing out in contemporary conversations, legislation, and negotiation about land in Israel and the occupied Palestinian territories? What might be important for various groups to understand about each other’s relationship to land—both within Israel and the Palestinian territories, and between them?*

C. City dwellers must know each other: *Meshech Hochmah* on Leviticus 25:29

ואיש כי ימכר בית מושב עיר חומה וכו'. יתכן טעם קצת, דערי המבצר הם הערים המגינים מפני האויב ומתחזקים אם באים במצור, ... ולפי זה, אם היה הדין דבית בעיר מבצר חוזר ביובל, במשך חמשים שנה הלא יתכן כי ימכר בתים הרבה, ובשנת היובל "ישבו איש לאחוזתו", ויהיו כל אנשי העיר חדשים וגרים, ואינם יודעים ומכירים מוצאי ומובאי העיר, ואין להם הקשר והאיגוד כי אינם מכירים זה את זה, ולא יוכלו להתחזק. לכן נתנה התורה זמן—שנה—ואם לא יגאל, יוחלט.

"If a person sells a dwelling house in a walled city"—It is possible that the reason for this could be that fortified cities are the cities defended from enemies, which need to be strengthened lest they come under siege. Because of this, if it were the law that a house in a fortified city be returned in the *yovel*, over the course of the fifty years the houses would be sold many times, and in the fiftieth year people would "return to their holdings" and all the people of the city would be new and strangers, and would not know the entrances and exits of the city and would have no connection or sense of unity because they do not know each other, and they could not strengthen each other. Therefore the Torah gives some time—a year—and then the sale is final.

- » *What argument is Rabbi Meir Simcha making here about turnover in city properties? Why is it so important that city dwellers know one another and their city? And how would it matter to bar the return of city houses with yovel?*
- » *In our own time, do you see city homes as fundamentally different from rural land as far as ownership claims are concerned? What factors do you see as crucial to strengthening the fabric of a city or a society?*
- » *The current situation makes it difficult for Israelis and Palestinians to know one another. Israeli law prohibits Israelis from entering Area A (the major cities) of the West Bank, and Palestinians must go through an arduous process to receive permits to enter Israel. The two can primarily meet only in parts of the West Bank. Even in Jerusalem, where those living in West Jerusalem and those living in East Jerusalem can move between the two parts, there is rarely mixing between the populations. How does this reality exacerbate the conflict?*

D. Redeeming Jerusalem: *Or HaHayim* on Leviticus 25:29

וְאִישׁ כִּי יִמְכַר בֵּית מוֹשָׁב עִיר חוֹמָה
וְהָיְתָה גְאֻלָּתוֹ עַד תָּם שְׁנַת מִמְכָּרוֹ יָמִים
תִּהְיֶה גְאֻלָּתוֹ :

בית מושב פירוש בית שבו מושב אלהים
זה בית המקדש, עיר חומה זו ירושלים
דכתיב (תהלים קכ"ה) ירושלים הרים
סביב לה,

... לזה והיתה גאולתו של עם וגאולת
הבית כי יש תקוה ושבנו בנים לגבולם :

"If a person 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."

"A dwelling house" [*beit moshav*]*—*that means the house [*bayit*] in which God dwells [*moshav*]*—*that is, the Temple. "A walled city"*—*that is Jerusalem, as it is written [in Psalm 125], "Jerusalem is surrounded by hills."

"... it may be redeemed"*—*the people and the House, for there is hope, "and the children will return to their borders."

- » *Rabbi Hayim ibn Attar interprets each of the three phrases of the verse as referring to Jerusalem. What hopeful message does he derive from the text, and how? How do you react to his understanding of the ancient Temple as a "dwelling house" in this context?*
- » *Jerusalem carries particular challenges. What is your hopeful vision for those who dwell in the city? Does that vision differ from what you ideally hope for the areas surrounding it? The rest of the land of Israel?*

Rabbi Hayim ibn Attar (known as the *Or HaHayim*, Morocco/Jerusalem 1696-1743) was a Talmudic and mystical scholar. The *Or HaHayim* is a Torah commentary that includes multiple levels of textual interpretation.

Final Questions

- » *How do notions of return in these texts impact your thinking about the meaning of return in our contemporary circumstances? To land? To family?*
- » *What are the emotional dynamics you see at play here around returning?*
- » *How does the notion of return link to questions of fairness in land transactions? In these sources? Today? What questions and understandings arise for you about fairness in contemporary land transactions as you encounter these sources?*
- » *How might these texts about return guide our thinking about approaching questions of occupation, liberation, and the future of Israelis and Palestinians?*