



## The Community

12550 Biscayne Boulevard · Suite 310 · North Miami, Florida 33181

(305) 892-1234 · Chabadnmiami@gmail.com

Weekly Newsletter Published by The Jewish Center - Chabad of North Miami

Boruch Hashem

Rabbi Avrohom Lipszyc

Vol. 26, No. 31

## Rabbi's Article

*"Pleased With You, Son!"*

In this week's Torah-portion we have the laws of *shmitah* - the Sabbatical year (-[Link](#)), which includes the laws of: the land laying fallow, the slave being set free, and releasing all loans.

The *shmitah* of the field has two parts to it: (i) Not to work the field, and, (ii) that the produce of the field be *ownerless*, of which the poor can take. The first exploration is, whether the produce of the Sabbatical year is rendered ownerless by G-d, or by the landowner. The legal difference would be, if the landowner is clearly *not* releasing his produce --even though this is a sin from his part--, is the poor man allowed to take the produce (-because it is ultimately set free by G-d), or is it stealing (-for ultimately it must be released by the landowner). So too, in the not working the field on the Sabbatical year, is this a law upon the *land* or upon the *landowner*? The legal difference here is if a gentile works the land of a Jew. The answer is extrapolated from the verse (-Deuteronomy 15:2), "*And this is the 'Dvar' (manner) of the (i) release; to (ii) release the hand of every creditor...*," upon which our sages teach (-Talmud, Gittin 36a), "*The verse speaks of two (types of) releasing: One (is) the release of land, and one (is) the release of monetary (debts).*" The Talmud goes on to apply a law of the release of debts to the release of land. Here too, we will do the same (apply the law that the *lender* must release the loan, and not say that it is automatically released by G-d).

Concerning the releasing of monies, the Mishna (-[Link](#); Chapter 10, Mishnah 8) states, "*One who repays a debt to his friend during the Sabbatical (Year, the creditor) must say to him: I abrogate (the debt), but if (the debtor then) said to him: Nevertheless, I (want to repay you), he may accept it from him, as it is stated: 'And this is the 'dvar' of the release.'* (From the fact that the verse employed a term, *devar*, that can also mean: This is the *statement* of the cancellation, the Sages derived that the creditor *must state* that he cancels the debt, but he is allowed to accept the payment if the debtor insists on repaying.)" However, if --even without the creditor's saying-- the debt was released by G-d, (i) how can our sages still refer to it as, "*One who repays a debt*," (ii) even more so, how can the debtor repay this as a *debt*, and (iii) why do the sages then go on to say, "*One who repays his debts after the seventh year, the sages are pleased with him.*"

Hence, we see *two* things: (a) that the debt is not automatically released by G-d, but rather, the lender must say that he is releasing the debt, and (b) even when he does release the debt, the commandment is not that the debt itself is completely released, but rather, the mitzvah is that the lender *may not exact* from the borrower the money. Hence, being that the debt in itself is not released, it makes sense why the term *debt* is used, why it may be repaid as a *debt*, and why the sages are pleased with him for doing so. We now apply that the *lender* must release the loan to the releasing of land, that the release is not one of (-Talmud, Gitten 39b) "*Expropriation by the King (G-d)*," but that it must be done by the landowner.

This understanding (that the debt in itself is not completely released on the Sabbatical Year, and hence, our sages are pleased with one who repays it) now leads us to understand the three statements of the last mishna of *Tractate Shvi'it* (-[Link](#)):

"*One who repays his debts after the seventh year, the sages are pleased with him:*" In this case we have *three* factors why the sages are pleased with him: (i) The *lender* gave the loan, (ii) the *borrower* took the loan, and (iii) the *loan* itself is not completely released, and still exists (albeit the lender is prohibited to exact it).

"*One who borrows from a convert whose sons had converted with him, the debt need not be repaid to his sons, but if he returns it the sages are pleased with him:*" In this case we have only *two* factors, and the sages are pleased with him for nevertheless paying back: (i) The *borrower* took the loan, and, (ii) the *loan* itself is never removed. However, there is no *lender* of the loan anymore<sup>1</sup>.

"*All movable property can be acquired [only] by the act of drawing (moving it), but whoever fulfills his word (if he said he was going to buy it, even though he didn't draw it, and hence, can back out of the purchase), the sages are well pleased with him:*" In this case we have only *one* factor, and the sages are pleased with him for nevertheless keeping his word: (i) the *object* itself, which connected to the purchaser through his word that he would buy it. However, there is no *purchaser*, nor a *seller*, since there was no legal acquisition.

1. Biblically speaking, a convert becomes an entirely new human being, and hence, all his previous biological relationships do not exist as biological relationships, and hence, after the convert's death, his sons from before the conversion are not inheritors of the debt.

FRIDAY, MAY 20, 2022 ★ יט' אייר תשפ"ב

Shabbat Candle Lighting: North Miami: 7:44 PM · Mincha: 7:15 PM

SATURDAY, MAY 21, 2022 ★ כ' אייר תשפ"ב

TORAH READING: [Behar](#) (Leviticus 25:1-26:2) · HAFTORAH: [Jeremiah](#) 32:6-22  
Shacharit: 9:30 AM · Mincha: 7:15 PM · Shabbat Ends: North Miami: 8:41 PM

**This Week...**