

This *erev Rosh Hashanah*, as the *shemittah* year comes to a close, Jews around the world will fill out a *prozbul*, the legal device introduced by the sage Hillel over 2,000 years ago. This article explains what a *prozbul* is and its significance in Jewish life.

Does the Torah take more of a socialist or a capitalist approach to society? The Torah, in fact, embraces aspects of both socialism and capitalism. The *Aseret Hadibrot*, Ten Commandments, concludes with a warning not to covet one's neighbor's property,¹ which underscores an appreciation for individual ownership. *Masechet Avot*² understands that a society that eschews personal property, where "what's mine is yours and what's yours is mine," is a society of the ignoramus and is doomed to failure. At the same time, however, the Torah clearly calls for a redistribution of wealth and property with its multitude of socioeconomic welfare laws. Some of these include tithes, the commandment to leave standing grain in the corner of the field for the poor, the release of ownership of the land every seventh year (*shemittah*), the return of ancestral lands to the original owners in the fiftieth (*yovel*) year and the can-

of these requirements. Unlike *shemittah* of the land, *shemittat kesafim* applies throughout the world, not only in the Land of Israel.

Rav Ovadiah Seforno⁴ explains that the Jewish people were given Shabbat—a day devoted solely to spiritual pursuits and the negation of materialism—to emphasize that *melachah* (work) and acquisition of wealth are not the highest pursuits in life. The *Mechilta* points out that the Jewish people were already keeping Shabbat

solving all the loans we make to our fellow Jews every *shemittah* year, we will become more attuned to the Torah laws regarding interpersonal monetary dealings and will surely not take the possessions of others unlawfully.

The Prozbul

About a century before the destruction of the Temple, in the first century CE, Hillel observed that many people refused to loan money before a *shemittah* year, fearing that it would not be paid back before the debt was automatically cancelled. In response, he devised a legal device called a *prozbul*, whose function is to transfer the debt to a Jewish court.⁷ During the *shemittah* year, all loans made to one's fellow Jews are automatically canceled,⁸ but *shemittah* does not affect debts whose bonds belong to a court. The Talmud maintains that Hillel was able to create this legal loophole because *shemittat kesafim* is Biblically mandated only when the Jewish nation observes *yovel*. When *yovel* is not declared, as in the days of Hillel, these laws are rabbinic in nature and are thus subject to his ordinance. (*Yovel* can only be observed when the majority of Jews live in the Land of Israel, which was not the case in Hillel's time.)

By willingly absolving all the loans we make to our fellow Jews every *shemittah* year, we become more attuned to the Torah laws regarding interpersonal monetary dealings.

cellation of all debts at the end³ of the *shemittah* year (*shemittat kesafim*).

Shemittat kesafim entails the following: To absolve the debts of anyone who borrowed money during the previous seven years, to refrain from demanding payments for such loans and to not refuse lending money because

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when they received the Torah⁵ and were therefore prepared to accept the many *mitzvot* that demand one forgo material pursuits for spiritual ones. These *mitzvot* include laws governing business ethics and interpersonal monetary dealings, such as *shemittat kesafim*. *Sefer Hachinuch*⁶ adds that the purpose behind *shemittat kesafim* is to help us develop the attributes of generosity and kindness. By willingly ab-

Shemittat Kesafim: Reclaiming a Forgotten Mitzvah

