**PARASHAT BEHAR**

Third Year of Triennial Cycle

*Va-Yikra* 25:29 – 26:2

*Eitz Hayim* 742; Hertz 535; Plaut 948

The third year of the Triennial cycle of Torah readings for Parashat Behar extends in Va-Yikra from 25:9 to 26:2. Most of the material in this part of the *Book of Vayikra* involves the definition of the Sabbatical Year and the Jubilee, together with the influence of those years on Israelites whose income is insufficient for their families so they sell themselves to serve as slaves. However, one small portion of the text—verses 25:29 to 25:33—deals with the selling of land—and that will be the focus of my d’var and, as you will soon see, to the Haftarah taken from the *Book of Jeremiah*.

Those five verses are specific about the character of the land being sold, which can be divided into three types:

1. Some of the land is walled for defense, much as with large cities. According to Rabbi Plaut (Pg 948; note to 25:29), such land “was not considered tribal terri-tory in the same sense as farmland, and therefore it might be sold in perpetuity.” Referring to the same passage, *Eitz Hayim (*Pg 42) notes that the main people living in walled cities were professional people, skilled workers, and priests—people that I suggest had the political power to obtain tax exemptions because they lacked agriculture, which was the main way to earn a livelihood in those days. However, God had made a strong statement in the text immediately before our parashah (25:23-24):

But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident with Me. Throughout the land that you hold, you must provide for the redemption of the land.

Regardless of that statement, land in walled cities *could* be sold from one person to another, but with one exception. Those sales could be nullified if the original owner (or a relative acting for him) redeemed it within one year of the sale.

Beyond that year, it could not be redeemed, not even in a Jubilee Year.

1. The situation is very different in in unwalled towns and villages, and on farms, timberland, and wasteland. In them, buildings including homes and the land were treated as a single unit and could be sold as such. However, here is where rulings of the Jubilee Year play its greatest role. That land could still be sold, but in the Jubilee Year, it had to revert to its original owner, something that is defined in Joshua 11:23. Of course, the actual provisions for purchase and sale were more complicated, as explained earlier in Parashat Behar, but all were governed by Verse 25:14:

When you sell property to your neighbor, or buy any from your neighbour, you shall not wrong one another.

1. The third category of land is that held by Levites who—uniquely among the tribes—were not granted any land of their own, but they were given 48 cities from the other tribes’ portions (Bmd 35:1). The wording says the land shall forever be subject to redemption, which is to say that it will always belong to the Levites. In other words, urban land can be sold but only from one Levite to another. If it is open, unenclosed land, it cannot be sold at all (25:33), “for that is theirs for all times.”

Remarkably, this pair of verses is the only reference to Levites in the whole priestly *Book of Va-Yikra.* Presumably, we are supposed to know that Levites have plenty of work to do in support of the priests. Therefore, they must have some uncontested source of food and other agricultural products, which leads us neatly to the Haftarah of Parashat Behar and to one of the most remarkable portions of the *Book of Jeremiah.*

Briefly told, Chapters 32:6-27 tells of Jeremiah’s fulfillment of two Torah command-ments: first, that land should stay with the family that received in the first allotment after the conquest (Joshua 12-21); and, second, as related above, land owned by Levites should stay with Levites. Jeremiah wanted to own some land even though it was likely to be captured by the advancing Babylonian army (586 BCE). His symbolic action was intended to hearten the distraught Israelites and convince them that their land would later be rebuilt by their children in the restored Kingdom of Judah. That prophecy was half correct; the land was restored, but it was never again Judah. Now let’s look at those 22 chapters in more detail.

At the start, it seems that everything is going according to the rules. A well-bred Levite named Hanamel wants to sell some land, and Jermiah is a close enough relative to purchase it. Of course, from early in the Book that bears his name, we know that Jeremiah was a member of a priestly family and that he was born in Anathoth where the field is located. As Hanamel says to Jeremiah (32:7), “the right of redemption is yours to buy it” and later (32:8) “the right of inheritance is thine . . . buy it for thyself.” There is no discussion about price. Jeremiah simply “weighed him the money even seventeen shekels of silver.” Commentary follows as to whether 17 is too little or too much, but in the absence of any information about the location or size of Hanamel’s field, it is use-less. What is important is that the term “weighed him” implies that the exchange was done in front of witnesses. Further, Jeremiah had two copies of the shift in ownership prepared. One copy was given to the local records keepers, who sealed it in front of witnesses, in an earthen jar.[[1]](#footnote-1) The other “open” copy was given to his scribe Baruch ben Neriah. After some blessings related to the exchange, that is the end of the story. Could any shift in ownership have been any easier? So what is the problem?

It is only when one starts to think about the process that questions arise. I maintain that the process is suspicious from a local level, from an international level, and from a divine level, none of which is really hidden from the careful reader of these verses.[[2]](#footnote-2)

As for the local level, Hanamel is much too eager to sell this piece of land without ever describing it. His whole case for the sale is based on his biological relationship with Jeremiah, but it was not that close. If he was son of Jeremiah’s uncle, he and Jeremiah were cousins, and by this time in their lives there must have been many cousins. More-over, though Jeremiah was a fellow Levite, he was not welcome in his family. He had long since parted company with them, and they with him, as indicated by their public disputes. Perhaps Hanamel is naïve, but more likely he is presenting Jeremiah with a trap. However, he completely misjudges Jeremiah’s rationale for eagerly walking into it.

Jeremiah walking into Hanamel’s trap illustrates the international role in this story. Jeremiah may be an idealist when he thinks of a new covenant with God, but he is a realist when looking at conditions on the ground for the Kingdom of Judah. From the start of his time as a prophet, he has told the Israelites that God will punish them for their failure to follow God’s commandments. Therefore, he sees the Babylonian army under the able command of Nebuchadnezzar as the arm of God on its way to conquer the land of Judah—at least for now. Indeed, he has even urged King Zedekiah to surrender. But he also prophesizes that the capture of Judaea won’t last forever. Jeremiah is openly paying good money to buy a piece of land, for when that land once again belongs to the Judeans, it will be well worth his “investment.”

And third we come to the divine role in the story, something with which I am never truly comfortable. I am even more uncomfortable in this case because my earlier essay on Jeremiah notes that, in his enthusiasm, he may actually speak for God on several occasions. In our case, right at the start of Chapters 32:6-27, God seems to be a spoiler in the story by announcing just what it is that Hanamel intends to do by selling a field to Jeremiah. At the same time, with those words Jeremiah, who is traditionally very suspicious of people who claim to be speaking or acting for God, is assured that Hanamel is indeed doing just that, though he himself does not know it, Once the text recognizes that (32:8), “this was the word of the Lord,” Jeremiah could proceed to pur-chase the field, make copies of his new deed, and show it to the public.

The remaining ten or so verses praise God’s ability to bring everything to a positive conclusion despite the unworthiness of the Israelites and the power of the Babylonian army, as described just above. Then, quite independently, God brings Parashat Behar to a conclusion. In the last two verses, God says (26:1-2):

You shall not make idols for yourselves or set up for yourselves carved images or pillars, or place figured stones in your land to worship upon, for I the Lord am your God. You shall keep My sabbaths and venerate My sanctuary, Mine, the Lord’s.

What a perfect way to close the parashah! Shabbat shalom

WRITTEN COMMENTS ON PARASHAT BEHAR

THAT COULD NOT FIT INTO THE ORAL D’VAR

Annex One: The Earthen Jar

The use of an earthen jar to preserve and guard important documents is well described by Rabbi W. Gunther Plaut in pages 308 to 313 of his 1996 book, *The Haftarah Commentary* (New York: UAHC Press). He refers to the sale and purchase as, “The most detailed biblical description of the legal specifics of a land sale.” And he goes on to indicate how the hidden copy (that is, sealed in the jar) and the other copy (that is, held openly by Baruch) would be used to resolve future disagreements.

It is for insights such as these that I read the late Rabb Plaut so often. He cares as much about the cultural norms and folkways of the Biblical era as about the Halakhah with which other rabbis propose to guide us.

Annex Two: The Missing Travel

No commentary on the *Book of Jeremiah* or on Parashat Behar comments on an apparent gap in the text. Jeremiah was in prison at the time the land sale is presumed to take place. He had been placed in prison after he urged King Zedekiah to surrender his kingdom to then General (later King) Nebuchadnezzar and thereby preserve the sacred buildings in Jerusalem. At first, he was put into a miserable muddy pit, but Zedekiah was respectful of Jeremiah, and extracted him from the pit and placed him in the far more comfortable court of the guard. That is where to Hanamel came to see him (Jeremiah 22:8), but that is where the problem starts. *The rest of the relevant text takes place not as if Jeremiah were “shut up” in the court of the guard, which was in the king of Judah’s home (32:2) but in some public place, likely in in Anathoth.* Jeremiah must have travelled, no doubt with the king’s permission and with some guards, from Jerusalem to Anathoth.

I believe that this annex adds to the veracity of the events and to the confidence people must have felt when he told them that Judaea would be free once again. After all, he was a Hebrew prophet, not really a traitor, and their king seemed to like him.

1. See Annex One in the written version of my d’var. [↑](#footnote-ref-1)
2. See Annex Two in written version of my d.var. [↑](#footnote-ref-2)