



Hakhel and the Revelation at Sinai
by David Silverberg

Parashat Vayelekh introduces us to the *mitzva* known as *hakhel*, which calls for an assembly of the entire nation once in seven years:

Moshe wrote this entire Torah and gave it to the *kohanim*... and to all the elders of Israel. Moshe commanded them, saying, “After seven years, during the occasion of the sabbatical year, on the festival of Sukkot, when all Israel comes to be seen in the presence of the Lord your God at the site He will choose, you shall read this Torah in front of all of Israel, in their ears. Gather the nation – the men, women and children, and the proselyte in your gates – in order that they will hear and in order that they will learn to fear the Lord your God and faithfully observe all the words of this Torah. And their children, who do not know, will listen and learn to fear the Lord your God all the days that you live on the land which you are crossing the Jordan to possess.

(31:11-12)

After Moshe has completed his instruction of Torah to *Benei Yisrael*, he records the instruction in writing and hands the scroll to the nation’s religious leaders. He orders that the Torah he gives them should be publicly read at a septennial, nationwide assembly, as a reminder, of sorts, of the nation’s obligation towards the Torah.

Maimonides famously indicates that the *hakhel* ceremony serves as a kind of reenactment of *Ma’amad Har Sinai* – the divine revelation at Sinai. Amidst his discussion of the laws of *hakhel* in his *Mishneh Torah* (Hilkhos Chagiga 3:6), he writes:

Proselytes who do not understand must set their hearts and lend their ears to listen with awe, fear and trembling joy, like the day on which it was given at Sinai. Even great scholars who know the entire Torah must listen with exceedingly intense concentration. And one who cannot hear should think this reading in his mind, because the Torah established it only to reinforce the true faith; and one should see himself as if he is now commanded with regard to it, and hears it from the mouth of the Almighty; for the king is a messenger conveying the words of the Almighty.

Maimonides demands maintaining an aura at this ceremony resembling the awe and fear experienced at the revelation at Sinai, and requires each individual to see himself as if this moment he stands at the foot of the mountain and receives the divine instruction. These requirements appear to reflect the essential definition of this *mitzva* – to reenact *Ma’amad Har Sinai*, to receive the Torah anew once in seven years.

As noted by several writers, this association drawn by Maimonides between *hakhel* and *Ma’amad Har Sinai* can be detected already in the Torah itself. Earlier in the Book of Devarim (4:10), Moshe describes the revelation at Sinai as follows:

The day on which you stood before the Lord your God at Chorev [Sinai], when the Lord said to me, “Gather the nation to Me so that I may have them hear My words, that they will learn to fear Me all the days that they live on the land, and that they may teach their children.”

Moshe's instruction concerning the *hakhel* ritual bears very strong resemblance to his earlier description of *Ma'amad Har Sinai*, perhaps suggesting that *hakhel* is intended specifically for the purpose of recreating that experience.

Still, one might wonder what permitted Maimonides to reach halakhic conclusions based on this parallel. He established the association between *hakhel* and the revelation not in a philosophical context, as a compelling yet speculative theory as to the rationale underlying this *mitzva*, but rather amidst his halakhic discussion of the obligation. This function of *hakhel*, he contends, requires that it be conducted with reverence and focused attention. Seemingly, this halakhic conclusion requires some basis in Talmudic writings. Due to the absence of any such reference, Rabbi Yitzchak Herzog (first Chief Rabbi of the State of Israel), as recorded in – among other places – the journal *Orayta* (vol. 12, p. 31), speculated that Maimonides had access to some Midrashic text that has since been lost, which established this connection between *hakhel* and the revelation. Interestingly enough, a number of years after Rabbi Herzog made this remark, the 13th-century compilation *Midrash Ha-gadol* on Devarim was republished and distributed. The *Midrash Ha-gadol* often cites comments by Maimonides as though they were an ancient Midrash, and in reference to these verses regarding *hakhel*, it indeed brings the passage from *Mishneh Torah* associating *hakhel* with the revelation at Sinai. But then the *Midrash Ha-gadol* adds, “On this basis they said: The day of *hakhel* is like the day on which the Torah was given. It says here, ‘Gather the nation... in order that they hear and in order that they learn,’ and it says there, ‘Gather the nation to Me so that I may have them hear My words’.” As Rabbi Elchanan Samet noted (www.vbm-torah.org/hparsha-7/rtf/46nitzavimvayelech.rtf), this citation very likely refers to an ancient Midrashic source, thus corroborating Rabbi Herzog's intuitive suspicion of a lost Midrash upon which Maimonides' theory is based.

In the pages that follow, we will examine how this basic theory concerning the essential nature of *hakhel* might affect several aspects – both halakhic and philosophical - of this obligation

Proselytes, Scholars, and Infants

One issue impacted by Maimonides' theory is the scope of the obligation, the question of to whom it applies. In the passage cited above, Maimonides very emphatically extends the obligation to *hakhel* to even “proselytes who do not understand.” On the surface, this would appear to include all Jews, even those who do not even understand Hebrew. The Mishna in Masekhet Sota 32a establishes that the Torah reading at *hakhel* was conducted specifically in Hebrew, and thus those unfamiliar with Biblical Hebrew would not gain any new knowledge by attending. Several centuries after Maimonides, a famous scholar named Rabbi Aryeh Leib of Metz (often known by the name of his magnum opus, *Sha'agat Aryeh*), in his Talmudic commentary *Turei Even* (Chagiga 2a), ridiculed such a notion. He rejected out of hand the possibility of including in the *hakhel* obligation those who would not understand any of the reading. A later writer, Rabbi Shemuel Shttrashon of Vilna, in his glosses to the *Turei Even* (and in his *Hagahot Ha-Rashash* to Masekhet Chagiga), noted that Maimonides appears to have held differently. He includes under the *mitzva* of *hakhel* even the newcomer who has yet to master Biblical Hebrew, for whom the public reading will be of no concrete educational value.

These two views reflect two vastly different approaches to the fundamental nature of *hakhel*. The *Turei Even* perceived it as primarily an educational experience, a mandatory, nationwide Torah study session. Naturally, then, a person who could not possibly follow the reading is exempt. Maimonides, by contrast, understood *hakhel* as a reenactment of *Ma'amad Har Sinai*, where the entire nation stood as one to collectively receive and accept the divine law. Neither general intellectual talent nor Hebrew language proficiency was necessary to attend *Ma'amad Har Sinai*; the covenant was established between the Almighty and the Jewish people in its entirety. The septennial reenactment of this experience thus likewise does not discriminate between different academic classes, and even the new proselyte as yet unfamiliar with the material read at *hakhel* must be in attendance.

By the same token, Maimonides naturally includes in this obligation “even great scholars who know the entire Torah.” For the scholarly elite, the Torah reading at *hakhel* hardly contributes any additional knowledge or insight. But once again, Torah knowledge and insight are not what lies at the heart of this experience. The nation assembles in Jerusalem just as it did at Sinai, with the accomplished scholar sitting alongside the ignorant newcomer.

Finally, *hakhel*'s function as a reenactment of the revelation explains the inclusion of children in this obligation. There is considerable discussion as to whether the Torah's inclusion of children refers to all ages, or only children old enough to gain and grow from the experience. Nachmanides, for example (31:13), assumes that only children at or near the age of *chinukh* (religious education and training) would attend *hakhel*. Maimonides, however, mentions the generic term *taf*, which might suggest that he demands bringing even infants to *hakhel*. This position would accommodate his general approach to *hakhel*, as modeled after the revelation at Sinai, which included Jews of every age and stage of life.

The Selected Portions from Devarim

Maimonides' understanding of *hakhel* may also relate to the content of the Torah reading conducted at this ceremony. The Mishna (Sota 41a) specifies various sections of the Book of Devarim as the selections read by the Jewish king during *hakhel*. The list concludes with the section referred to as *berakhot u-kelalot* – the blessings and curses that Moshe promises will befall the people as a result of their obedience or betrayal, respectively. Maimonides codifies this *halakha* in more specific terms, writing that the king reads from the verse “*Aser te'aser*,” in Parashat Re'ei (Devarim 14:22), “until the end of the blessings and curses, until [the verse] ‘besides the covenant that He made with them at Chorev’ (Devarim 28:69), and he stops.” Maimonides appears to emphasize the need for the king to stop at this point, after this concluding verse of the *berakhot u-kelalot* section. This emphasis requires some explanation, as it seems to indicate that the king must not continue reading beyond this point. Why does Maimonides insist on stopping the reading after this verse?

Rabbi Yitzchak Hutner (see www.torah.org/learning/ravfrand/5760/netzavim.html) insightfully suggested that Maimonides emphatically insisted on completing the *hakhel* ceremony with the reading of the words, “*ha-berit asher karat itam be-chorev*” – “the covenant that He made with them in Chorev.” The last words that should remain in the people's minds, the enduring memory of this event, should be “the covenant of Chorev,” *Ma'amad Har Sinai*. As *hakhel* serves primarily to reenact the covenantal experience of Sinai, Maimonides demanded that the reading culminate with a reference to this event.

An even more ambitious attempt to relate the content of the *hakhel* reading to the *Ma'amad Har Sinai* theme is undertaken by Menachem Kasdan, in an article on this topic in the journal *Gesher* (Yeshiva University, 1969), where he detects a parallel between this reading and the process of *geirut* (conversion). In the *Hilkhot Isurei Bi'a* section of *Mishneh Torah* (chapter 14), Maimonides outlines the procedure for dealing with a prospective convert. He writes that the Jewish court first attempts dissuading the gentile, describing to him the persecution historically suffered by the Jewish people, and the hostility and discrimination with which it is often been treated by other nations. If the prospective convert persists, he is informed of the basic tenets of the Jewish faith, particularly the oneness of God and the absolute rejection of pagan beliefs. From there the court proceeds to present the gentile a sampling of Jewish law, particularly agricultural obligations, such as the required tithes and gifts to the poor. Finally, he is read the *berakhot u-kelalot* – the section to which we referred earlier, in which Moshe promises blessing should the people obey the Torah, and calamity should they neglect their religious duties.

A careful look at the sections read at *hakhel*, as outlined by Maimonides (*Hilkhot Chagiga* 3:3), reveals a general correspondence between these sections and the court's response to a prospective proselyte. The *hakhel* reading begins with the opening chapters of the Book of Devarim, which tell

of some of *Benei Yisrael*'s experiences during their travels in the wilderness. Strong emphasis is placed in these chapters on the hostility displayed towards them by the nations they encountered – Amalek, Edom, the Emorites, and the empire of Bashan. These chapters thus perhaps correspond to the court's warning to the prospective convert of the animosity historically suffered by the Jewish people. The next sections read at *hakhel* are the first two chapters of the *shema* service, which, of course, deal with the fundamental Jewish belief of God's oneness and the disastrous consequences of idolatry. From there the king skips to the section of "Aser Te'aser," which begins with the laws of tithing and kind treatment to the underprivileged. The king continues with the next several chapters, which introduces numerous *mitzvot* from across the spectrum of Halakha, and concludes with the section of *berakhot u-kelalot*.

Quite possibly, then, the *hakhel* reading reflects this ceremony's role as a formal reentry into the covenant with the Almighty. As Maimonides writes a chapter earlier in *Hilkhot Isurei Bi'a*, the conversion process is modeled after the process underwent by *Benei Yisrael* at the time of the Exodus from Egypt and at Sinai. A proselyte enters the covenant through a procedure similar to the process required when that covenant was established initially. At *hakhel*, we reenact *Ma'amad Har Sinai* in order to "convert" – to reaffirm and renew our commitment to the covenant with God. The king's reading of selected portions of the Book of Devarim therefore correspond to the Jewish court's warnings and instructions to a prospective convert.

Hakhel and the Shemita Year

As explicitly mentioned in the verses cited at the outset of our discussion, the *hakhel* obligation applies only once in seven years. The Torah's ambiguity in specifying the precise timing of *hakhel* ("*miketz sheva shanim be-mo'ed shenat ha-shemita be-chag ha-sukkot*") has given rise to considerable discussion among the commentators. Though Ibn Ezra and Abarbanel claimed that *hakhel* is conducted during the Sukkot festival at the beginning of the *shemita* ("sabbatical") year, most others held that *hakhel* occurs on the Sukkot of the eighth year, just after the end of *shemita*. Maimonides describes *hakhel* as occurring on "*motza'ei shemita*" (*Hilkhot Chagiga* 3:1), clearly indicating that he subscribed to this second position, according to which *hakhel* takes place on Sukkot of the eighth year.

How might we explain the timing of *hakhel* in light of Maimonides' theory associating this ceremony with *Ma'amad Har Sinai*? Why would this function of *hakhel* necessitate observing it specifically upon the culmination of the *shemita* year?

Rabbi Mordechai Zaks, in his discussion of this topic (in the journal *Torah She-be-al Peh*, vol. 2, p. 73), suggests that the *shemita* year generates a sense of national unity that is indispensable for experiencing *Ma'amad Har Sinai*. In one of the most famous passages in his Torah commentary, Rashi (Shemot 19:2) cites the Midrash's comment that *Benei Yisrael* encamped at Sinai "*ke-ish echad be-lev echad*" – "as one person, with one heart." *Benei Yisrael*'s collective acceptance of the Torah and the establishment of a national covenant with the Almighty require a unity of mind and purpose. During the *shemita* year, all agricultural activity is forbidden, and landowners must temporarily forfeit ownership over their fields. In effect, then, during the *shemita* year, there is no economic competition or even any economic classes. Everyone shares precisely the same assets and fate, withdrawing from agricultural work and spending a year engaged in more spiritual endeavors. The social harmony and elimination of commercial rivalry is a necessary prerequisite to the *Ma'amad Har Sinai* experience which the *hakhel* ceremony is intended to replicate.

The Nation's Reentry Into the Land

Another possible approach to the scheduling of *hakhel* would be to view the eighth year as *Benei Yisrael*'s "reentry" into their land. After a year of agricultural inactivity, when the farmer effectively lost ownership over his land, he now retakes possession over his fields and prepares to

renew his agricultural life. The Torah demands that before *Benei Yisrael* reclaim their property, they renew their covenant with the Almighty by reenacting *Ma'amad Har Sinai*. *Hakhel* is aimed at ensuring that *Benei Yisrael* will “learn to fear the Lord your God all the days that you live on the land which you are crossing the Jordan to possess.” Likewise, the purpose of the revelation at Sinai was “that they will learn to fear Me all the days that they live on the land.” The Land of Israel is given to the Nation of Israel for them to observe the Torah there; therefore, before entering the Land, they must hear God’s word and instruction regarding the way they must live their lives in that land.

In effect, the first occasion of *hakhel* was Moshe’s address or addresses to the people prior to his death, meaning, the presentation of the Book of Devarim. *Ma'amad Har Sinai* was to have constituted the establishment of the covenant with God that preceded the nation’s entry into *Eretz Yisrael*. Unfortunately, however, the sin of the spies resulted in a forty-year sojourn and the death of the generation that stood at Sinai. Therefore, just before the new generation crossed over into the Land, Moshe conducted a reenactment of the revelation, by gathering the entire nation, admonishing them to perform the commandments, and warning of the consequences of disobedience. Upon completing his address, he instructs the nation to repeat this event every time they prepare to “enter” the Land of Israel, meaning, upon the culmination of the *shemita* year. Before beginning their lives in *Eretz Yisrael*, the people must reaffirm their commitment to the laws that govern life in God’s special land.

This understanding of *hakhel* perhaps sheds new light on Maimonides’ emphasis on the intense concentration and reverence required during this assembly. This attention and focus is necessary towards achieving the very essence of *hakhel* – the affirmation of the nation’s loyalty to God and His laws. Hearing the words of the Torah read by the king, which reenacts God’s proclamation of the Ten Commandments at Sinai, reminds the nation that they are given *Eretz Yisrael* as part of a mutual pact with God. Even once they reclaim their fields, they are not the true owners. The land they till ultimately belongs to the Creator, who merely grants them access to its treasures for the sole purpose of enabling them to become a sacred nation that abides by His laws and represents Him to all mankind. This message must be inculcated over the course of the *hakhel* experience. Understandably, then, the people must attend this ceremony with a sense of awe and reverence, solemnly reaffirming their acceptance of God’s laws, and pledging loyalty and devotion as they prepare to once again begin their lives in the Land of Israel.