

## Gather the People: the Politics and Pedagogy of the Hakhel Ceremony

Vayelech 5783

### I. The Ceremony

1. "Commemoration of *Hakhel*" Ceremony, 5776 (2015)

מעמד הקהל תשע"ו בכותל המערבי

2. Deuteronomy 31:10-13

וַיֹּצֵא מֹשֶׁה אוֹתָם לֵאמֹר מִקֶּץ | שִׁבְעַת שָׁנִים בְּמַעַד שָׁנַת הַשְּׁמִטָּה בְּחַג הַסֻּכּוֹת: בָּבוֹא כָּל־יִשְׂרָאֵל לְרֹאוֹת אֶת־פְּנֵי יְהוָה אֱלֹהֶיךָ בַּמָּקוֹם אֲשֶׁר יִבְחַר תִּקְרָא אֶת־הַתּוֹרָה הַזֹּאת נֹגֵד כָּל־יִשְׂרָאֵל בְּאָזְנֵיהֶם: הַקְהֵל אֶת־הָעָם הָאֲנָשִׁים וְהַנְּשִׁיִּם וְהַטֹּף וְגֵרָה אֲשֶׁר בְּשַׁעְרֶיךָ לְמַעַן יִשְׁמְעוּ וְלִמְעַן יִלְמְדוּ וַיִּרְאוּ אֶת־יְהוָה אֱלֹהֵיכֶם וְשָׁמְרוּ לַעֲשׂוֹת אֶת־כָּל־דְּבָרֵי הַתּוֹרָה הַזֹּאת: וּבְנֵיהֶם אֲשֶׁר לֹא־יָדְעוּ יִשְׁמְעוּ וְלִמְדוּ לִירְאֶה אֶת־יְהוָה אֱלֹהֵיכֶם כָּל־הַיָּמִים אֲשֶׁר אַתֶּם חַיִּים עַל־הָאָדָמָה אֲשֶׁר אַתֶּם עֹבְרִים אֶת־הַיַּרְדֵּן שָׁמָּה לְרִשְׁתָּהּ: {פ}

And Moses instructed them as follows: Every seventh year, the year set for remission, at the Feast of Booths, when all Israel comes to appear before the Lord your God in the place that [God] will choose, you shall read this Teaching aloud in the presence of all Israel. Gather the people—men, women, children, and the strangers in your communities—that they may hear and so learn to revere the Lord your God and to observe faithfully every word of this Teaching. Their children, too, who have not had the experience, shall hear and learn to revere the Lord your God as long as they live in the land that you are about to cross the Jordan to possess.

### II. What Is it About?

3. Deuteronomy 30:11

כִּי הַמִּצְוָה הַזֹּאת אֲשֶׁר אֲנִי מְצַוֶּה הַיּוֹם לֹא־נִפְלְאָת הִוא מִמֶּךָ וְלֹא רְחֹקָה הִוא: לֹא בַשָּׁמַיִם הִוא לֵאמֹר מִי יַעֲלֶה־לָנוּ הַשָּׁמַיְמָה וְיִקְחֶהָ לָנוּ וְיִשְׁמַעֵנוּ אֶתְּהָ וְנַעֲשֶׂנָּה:

**נפלאות.** נסתרת או דבר פלא שתלאה לעשותו:

Surely, this Instruction which I enjoin upon you this day is not too baffling for you, nor is it beyond reach. It is not in the heavens, that you should say, "Who among us can go up to the heavens and get it for us and impart it to us, that we may observe it?"

**Too baffling (*niflet*):** concealed. Or its meaning is, wondrous, that is, something that will cause you to grow weary while trying to accomplish it.

## 4. Deuteronomy 4:6-8

וּשְׁמַרְתֶּם וְעָשִׂיתֶם כִּי הוּא חֲכַמְתְּכֶם וּבִינְתְּכֶם לְעֵינֵי הָעַמִּים אֲשֶׁר יִשְׁמְעוּן אֶת כָּל-הַחֻקִּים הָאֵלֶּה וְאָמְרוּ רַק עִם-חֻכְּכֶם וּנְבוֹן הִגְוִי הַגָּדוֹל הַזֶּה: כִּי מִי-גְוִי גָדוֹל אֲשֶׁר-לוֹ אֱלֹהִים קְרִבִּים אֵלָיו כִּי הִנֵּה אֱלֹהֵינוּ בְּכָל-קְרָאנוּ אֵלָיו: וּמִי-גְוִי גָדוֹל אֲשֶׁר-לוֹ חֻקִּים וּמִשְׁפָּטִים צְדִיקִים כָּכֵל הַתּוֹרָה הַזֹּאת אֲשֶׁר אָנֹכִי נֹתֵן לְפָנֵיכֶם הַיּוֹם:

Observe them faithfully, for that will be proof of your wisdom and discernment to other peoples, who on hearing of all these laws will say, "Surely, that great nation is a wise and discerning people." For what great nation is there that has a god so close at hand as is the Lord our God whenever we call? Or what great nation has laws and rules as perfect as all this Teaching that I set before you this day?

## 5. Rashi on Deuteronomy 31:12

**האנשים. ללמד: והנשים. לשמע:**

**The men** - to learn. **And the women** - to listen.

## 6. Sefer HaChinuch, Mitzvah 612

משרשי המצוה. לפי שכל עקרון של עם ישראל, היא התורה, ובה יפרדו מכל אומה ולשון להיות זוכין לחיי עד, תענוג נצחי שאין למעלה הימנו בנבראים, על כן בהיות כל עקרון בה ראוי שיקהלו הכל יחד בזמן אחד מן הזמנים לשמוע דבריה, ולהיות הקול יוצא בתוך כל העם, אנשים ונשים וטף לאמר מה הקבוץ הרב הזה שנתקבצנו יחד כולנו? ותהיה התשובה, לשמוע דברי התורה שהיא כל עקרנו והודנו ותפארתנו, ויבוא מתוך כך לספר בגודל שבחה והוד ערכה ויכניסו הכל בלבם חשקה, ועם החשק בה ילמדו לדעת את השם ויזכו לטובה, וישמח השם במעשיו, וכענין שכתוב בפרוש בזאת המצוה ולמען ילמדו ויראו את יי.

The reasons for the commandment: because the entire essence of the people of Israel is the Torah; and through it are they separated from every nation and language, to be meritorious for life of the forever - eternal pleasure that is not surpassed by anything among the creatures. Therefore since their entire essence is in it, it is fitting that everyone should gather together at one point in time to hear its words, **and for the voice to go out amongst the whole nation - men, women, and infants - to say, "What is the great gathering, that we have all been gathered together?" And the answer would be, "To hear the words of the Torah, which is our entire essence and glory and splendor."** And they will come from this to tell of the great praise and the splendor of its value; and its yearning will enter all of their hearts. **And with this yearning for it, they will learn to know God and merit good**, and 'God will be happy with His creations' - like the matter that is written in explanation of this commandment "and in order that they will learn and fear the Lord."

### III. Legal Legitimacy and Political Authority

7. Thomas Aquinas, *Summa Theologica* 90:4

**Objection 1:** It would seem that promulgation is not essential to a law. For the natural law above all has the character of law. But the natural law needs no promulgation. Therefore it is not essential to a law that it be promulgated.

**Objection 2:** Further, it belongs properly to a law to bind one to do or not to do something. But the obligation of fulfilling a law touches not only those in whose presence it is promulgated, but also others. Therefore promulgation is not essential to a law.

**Objection 3:** Further, the binding force of a law extends even to the future, since "laws are binding in matters of the future," as the jurists say (Cod. 1, tit. De lege et constit. leg. vii). But promulgation concerns those who are present. Therefore it is not essential to a law. On the contrary, It is laid down in the Decretals, dist. 4, that "laws are established when they are promulgated."

**I answer that,** As stated above (Art 1), a law is imposed on others by way of a rule and measure. Now a rule or measure is imposed by being applied to those who are to be ruled and measured by it. **Wherefore, in order that a law obtain the binding force which is proper to a law, it must needs be applied to the men who have to be ruled by it. Such application is made by its being notified to them by promulgation.**

**Wherefore promulgation is necessary for the law to obtain its force.** Thus from the four preceding articles, the definition of law may be gathered; and it is nothing else than an ordinance of reason for the common good, made by him who has care of the community, and promulgated.

**Reply to Objection 1:** The natural law is promulgated by the very fact that God instilled it into man's mind so as to be known by him naturally.

**Reply to Objection 2:** Those who are not present when a law is promulgated, are bound to observe the law, in so far as it is notified or can be notified to them by others, after it has been promulgated.

**Reply to Objection 3:** The promulgation that takes place now, extends to future time by reason of the durability of written characters, by which means it is continually promulgated. Hence Isidore says (Etym. v, 3; ii, 10) that "lex" [law] is derived from legere [to read] because it is written."

8. Emile Durkheim, *On the Elementary Forms of Religious Life*, Book II, Chapter 7, Pt 1

There are occasions when this strengthening and vivifying action of society is especially apparent. In the midst of an assembly animated by a common passion, we become susceptible of acts and sentiments of which we are incapable when reduced to our own forces; and when the assembly is dissolved and when, finding ourselves alone again, we fall back to our ordinary level, we are then able to measure the height to which we have been raised above ourselves. History abounds in examples of this sort. It is enough to think of the night of the Fourth of August, 1789, when an assembly was suddenly led to an act of sacrifice and abnegation which each of its members had refused the day before, and at which they were all surprised the day after. This is why all parties, political, economic or confessional, are careful to have periodical reunions where their members may revivify

their common faith by manifesting it in common. To strengthen those sentiments which, if left to themselves, would soon weaken, it is sufficient to bring those who hold them together and to put them into closer and more active relations with one another. This is the explanation of the particular attitude of a man speaking to a crowd, at least if he has succeeded in entering into communion with it. His language has a grandiloquence that would be ridiculous in ordinary circumstances; his gestures show a certain domination; his very thought is impatient of all rules, and easily falls into all sorts of excesses. It is because he feels within him an abnormal over-supply of force which overflows and tries to burst out from him; sometimes he even has the feeling that he is dominated by a moral force which is greater than he and of which he is only the interpreter. It is by this trait that we are able to recognize what has often been called the demon of oratorical inspiration. Now this exceptional increase of force is something very real; it comes to him from the very group which he addresses. The sentiments provoked by his words come back to him, but enlarged and amplified, and to this degree they strengthen his own sentiment. The passionate energies he arouses re-echo within him and quicken his vital tone. It is no longer a simple individual who speaks; it is a group incarnate and personified.

#### IV. Hakhel in Practice

##### 9. 2 Kings 23:1-5

וַיִּשְׁלַח הַמֶּלֶךְ וַיֹּאסְפוּ אֵלָיו כָּל־זִקְנֵי יְהוּדָה וַיְרוּשָׁלַם: וַיַּעַל הַמֶּלֶךְ בֵּית־יְהוָה וְכָל־אִישׁ יְהוּדָה וְכָל־יִשְׂבֵי יְרוּשָׁלַם אִתּוֹ וְהַכֹּהֲנִים וְהַנְּבִיאִים וְכָל־הָעָם לְמִקְטָן וְעַד־גָּדוֹל וַיִּקְרָא בְּאָזְנֵיהֶם אֶת־כָּל־דְּבָרֵי סֵפֶר הַבְּרִית הַנִּמְצָא בְּבֵית יְהוָה: וַיַּעֲמֵד הַמֶּלֶךְ עַל־הָעַמּוּד וַיִּכְרַת אֶת־הַבְּרִית | לִפְנֵי יְהוָה לְלָקֵת אַחַר יְהוָה וּלְשַׁמֵּר מִצְוֹתָיו וְאֶת־עֲדוּתָיו וְאֶת־חֻקֹּתָיו בְּכָל־לֵב וּבְכָל־נֶפֶשׁ לְהִקְיָם אֶת־דְּבָרֵי הַבְּרִית הַזֹּאת הַכְּתוּבִים עַל־הַסֵּפֶר הַזֶּה וַיַּעֲמֵד כָּל־הָעָם בְּבְרִית: וַיִּצֹו הַמֶּלֶךְ אֶת־חַלְקִיָּהוּ הַכֹּהֵן הַגָּדוֹל וְאֶת־כַּהֲנֵי הַמִּשְׁנָה וְאֶת־שֹׁמְרֵי הַסֹּף לְהוֹצִיא מֵהִיכָל יְהוָה אֵת כָּל־הַכֵּלִים הָעֲשׂוּיִם לְבַעַל וּלְאֲשֵׁרָה וּלְכָל צָבָא הַשָּׁמַיִם וַיִּשְׂרָפֵם מִחוּץ לְיְרוּשָׁלַם בְּשָׂדֵמוֹת קִדְרוֹן וַנִּשָּׂא אֶת־עַפְרָם בֵּית־אֵל: וְהַשְּׁבִית אֶת־הַכְּמֹרִים אֲשֶׁר נִתְּנוּ מִלְכֵי יְהוּדָה וַיִּקְטֹר בְּבַמּוֹת בְּעָרֵי יְהוּדָה וּמִסְבֵי יְרוּשָׁלַם וְאֶת־הַמִּקְטָרִים לְבַעַל לְשֹׁמֵשׁ וּלְיִרְחָ וּלְמִזְבְּלוֹת וּלְכָל צָבָא הַשָּׁמַיִם:

At the king's summons, all the elders of Judah and Jerusalem assembled before him. The king went up to the House of the LORD, together with all the men of Judah and all the inhabitants of Jerusalem, and the priests and prophets—all the people, young and old. And he read to them the entire text of the covenant scroll which had been found in the House of the LORD. The king stood by the pillar and solemnized the covenant before the LORD: that they would follow the LORD and observe His commandments, His injunctions, and His laws with all their heart and soul; that they would fulfill all the terms of this covenant as inscribed upon the scroll. And all the people entered into the covenant. Then the king ordered the high priest Hilkiyah, the priests of the second rank, and the guards of the threshold to bring out of the Temple of the LORD all the objects made for Baal and Asherah and all the host of heaven. He burned them outside Jerusalem in the fields of Kidron, and he removed the ashes to Bethel. He suppressed the idolatrous priests whom the kings of Judah had appointed to make offerings<sup>c</sup> at the shrines in the towns of Judah and in the environs of Jerusalem, and those who made offerings to Baal, to the sun and moon and constellations—all the host of heaven.

## 10. Nehemiah 8

וַיֵּאסְפוּ כָל־הָעָם כְּאִישׁ אֶחָד אֶל־הַרְחֹוב אֲשֶׁר לִפְנֵי שַׁעַר־הַמַּיִם וַיֹּאמְרוּ לְעֶזְרָא הַסֹּפֵר לְהֵבִיא אֶת־סֵפֶר תּוֹרַת מֹשֶׁה אֲשֶׁר־צִוָּה יְהוָה אֶת־יִשְׂרָאֵל: וַיָּבִיא עֶזְרָא הַכֹּהֵן אֶת־הַתּוֹרָה לִפְנֵי הַקָּהָל מֵאִישׁ וְעַד־אִשָּׁה וְכָל מִבֵּין לְשִׁמְעַת בַּיּוֹם אֶחָד לַחֲדָשׁ הַשְּׁבִיעִי: וַיִּקְרָא־בּוֹ לִפְנֵי הַרְחֹוב אֲשֶׁר ׀ לִפְנֵי שַׁעַר־הַמַּיִם מִן־הָאֹרֶךְ עַד־מַחְצִית הַיּוֹם נִגְדוּ הָאֲנָשִׁים וְהַנְּשִׁים וְהַמְּבִינִים וְאֲזַנֵּי כָל־הָעָם אֶל־סֵפֶר הַתּוֹרָה: ... וּבַיּוֹם הַשֵּׁנִי נֶאֱסְפוּ רֵאשֵׁי הָאֲבוֹת לְכָל־הָעָם הַכֹּהֲנִים וְהַלְוִיִּם אֶל־עֶזְרָא הַסֹּפֵר וְלַהֲשִׁיל אֶל־דְּבַרֵי הַתּוֹרָה: וַיִּמְצְאוּ כְּתוּב בַּתּוֹרָה אֲשֶׁר צִוָּה יְהוָה בְּיַד־מֹשֶׁה אֲשֶׁר יֵשְׁבוּ בְּנֵי־יִשְׂרָאֵל בְּסֻכּוֹת בְּחָג בַּחֲדָשׁ הַשְּׁבִיעִי: ... וַיִּצְאוּ הָעָם וַיָּבִיאוּ וַיַּעֲשׂוּ לָהֶם סֻכּוֹת אִישׁ עַל־גֹּגֹל וּבַחֲצֵרֵיהֶם וּבַחֲצֵרוֹת בֵּית הָאֱלֹהִים וּבַרְחֹוב שַׁעַר הַמַּיִם וּבַרְחֹוב שַׁעַר אֶפְרַיִם: {ס}

The entire people assembled as one man in the square before the Water Gate, and they asked Ezra the scribe to bring the scroll of the Teaching of Moses with which the LORD had charged Israel. On the first day of the seventh month, Ezra the priest brought the Teaching before the congregation, men and women and all who could listen with understanding. He read from it, facing the square before the Water Gate, from the first light until midday, to the men and the women and those who could understand; the ears of all the people were given to the scroll of the Teaching... On the second day, the heads of the clans of all the people and the priests and Levites gathered to Ezra the scribe to study the words of the Teaching. They found written in the Teaching that the LORD had commanded Moses that the Israelites must dwell in booths during the festival of the seventh month... So the people went out and brought them, and made themselves booths on their roofs, in their courtyards, in the courtyards of the House of God, in the square of the Water Gate and in the square of the Ephraim Gate.

## 11. Mishnah Sotah 7:7

פְּרֻשֵׁת הַמֶּלֶךְ כִּיצַד מוֹצְאֵי יוֹם טוֹב הָרֵאשׁוֹן שֶׁל חַג בְּשִׁמְיֵי בְּמוֹצְאֵי שְׁבִיעִית עוֹשִׂין לוֹ בֵּימָה שֶׁל עֶץ בַּעֲזָרָה וְהוּא יוֹשֵׁב עָלֶיהָ שֶׁנֶּאֱמַר מִקֵּץ שֶׁבַע שָׁנִים בְּמַעַד וְגו' חֲזַן הַכִּנְסוֹת נוֹטֵל סֵפֶר תּוֹרָה וְנוֹתְנָה לְרֵאשׁ הַכִּנְסוֹת וְרֵאשׁ הַכִּנְסוֹת נוֹתְנָה לְסֹגֵן וְהַסֹּגֵן נוֹתְנָה לְכַהֵן גָּדוֹל וְכַהֵן גָּדוֹל נוֹתְנָה לְמֶלֶךְ וְהַמֶּלֶךְ עוֹמֵד וּמִקְבֵּל וְקוֹרֵא יוֹשֵׁב. אֲגָרִיפּס הַמֶּלֶךְ עֹמֵד וְקִבֵּל וְקָרָא עוֹמֵד וְשִׁבְחוּהוּ חֲכָמִים וְכִשְׁהִגִּיעַ לְלֵא תוֹכֵל לְתַת עָלָיו אִישׁ נְכָרִי זָלְגוּ עֵינָיו דְּמַעוֹת אָמְרוּ לוֹ אַל תִּתְּרָא אֲגָרִיפּס אַחִינוּ אֶתְּהָ אַחִינוּ אֶתְּהָ.

How is the portion of the Torah that is read by the king recited [at *Hakbel*]? At the conclusion of the first day of the festival of *Sukkot*, on the eighth, after the conclusion of the Sabbatical Year, they make a wooden platform for the king in the Temple courtyard, and he sits on it, as it is stated: "At the end of every seven years, in the Festival of the Sabbatical Year" (Deuteronomy 31:10). The synagogue attendant takes a Torah scroll and gives it to the head of the synagogue that stands on the Temple Mount. And the head of the synagogue gives it to the deputy High Priest, and the deputy High Priest gives it to the High Priest, and the High priest gives it to the king. And the king stands, and receives the Torah scroll, and reads from it while sitting. King Agrippa arose, and received the Torah scroll, and read from it while standing, and the Sages praised him for this. And when Agrippa arrived at the verse in the portion read by the king that states: "You may not appoint a foreigner over you" (Deuteronomy 17:15), tears flowed from his eyes, because he was a descendant of the house of Herod and was not of Jewish origin. The entire nation said to him: Fear not, Agrippa. You are our brother, you are our brother.