

With the current *shemita* or sabbatical year drawing to a close, the present article by the spiritual leader of Adath Yeshurun of Kew Gardens, N.Y., is most appropriate. Rabbi Appel, who received both his *semikhah* and doctorate from Yeshiva University, has recently been appointed to the Editorial Committee of **TRADITION**. He received this year's Bernard Revel Memorial Award, given by the Yeshiva College Alumni Association, for his achievements in religion and religious education. Rabbi Appel has also translated and written the introduction to the excerpt on *Hakhel* which follows this article in the "Pages of Tradition" section.

## A REVIVAL OF THE ANCIENT ASSEMBLY OF HAKHEL

In Israel of old the Sabbatical year (*Shemita*) was climaxed by a great Assembly, known as *Hakhel*,<sup>1</sup> which took place in the Temple in Jerusalem.<sup>2</sup> Attempts have been made to revive the institution of *Hakhel* in recent times. The close of the present Sabbatical year will be the occasion for the second *Hakhel* Assembly to be convened since the establishment of the State of Israel.

What significance has the revival of this historic Assembly? What are its implications and possibilities for the Jewish communities in Israel and the Diaspora? In this article we shall dwell upon the historical character of this institution, neglected for almost two thousand years since the end of the Second Jewish Commonwealth, the halakhic aspects of its revival, and its meaning for our day.

Maimonides, in expounding upon the mitzvah of *Hakhel*, states:<sup>3</sup> "It is a positive commandment to assemble all Israel, men, women

1. See "From the Pages of Tradition" in this issue for the *Sefer ha-ChinUkh*'s exposition of the mitzvah of *Hakhel* and the nature of its observance. A brief study of *Hakhel* by the present writer appeared in the *Jewish Horizon*, (February 1953) under the title "Renewing the Covenant."

2. *Mishnah, Sotah* 7:8.

3. *Mishneh Torah, Hilkhos Chagigah* 3:1.

## TRADITION: A Journal of Orthodox Jewish Thought

and children, at the end of every Sabbatical year at the time of the pilgrimage on the Festival, and to read before them from the Torah chapters which will inspire them to observance of the commandments and strengthen them in the true Faith; as it is written, 'At the end of every seven years, in the set time of the year of Shemitah, in the Festival of Tabernacles, when all Israel is come to appear before the Lord Thy God in the place which He shall choose, thou shalt read this law before all Israel in their hearing. Assemble the people that they may hear and that they may learn . ' (Deuteronomy 31:10-12). According to the Mishnah,<sup>4</sup> it was the king, as head of the nation, who gathered the people and read the prescribed portions to them.

The ancient Assembly, by its stirring grandeur, its dramatic quality, and the presence of such a large multitude, was designed to create an electrifying effect and a lasting impression upon the people, inspiring them to a stronger and deeper loyalty to the Torah. Having been sustained by the mercy of God through the year of Shemitah, when there had been no planting and no reaping but the soil had been at rest for the entire year, Israel would feel moved to gather and to renew its faith in God and its allegiance to His eternal Law. Shemitah was an expression of the firm belief that the Land belonged to God and that Israel lived upon it by His grace alone. Hakhel was, then, a massive demonstration of that faith.

### HISTORICAL AND HALAXHIC CONSIDERATIONS

An indication of the tremendous spiritual impact of Hakhel is evident in the remarkable scriptural account of the finding and the reading of the Book of the Covenant during the reign of king Josiah. The second book of Kings states:<sup>5</sup> "And the king went up into the house of the Lord, and all the men of Judah and all the inhabitants of Jerusalem with him, and the priests and the prophets and all the people, from the small to the great; and he read before their ears all the words of the book of the covenant which had been found in the house of the Lord. And the king stood upon the stand and he made a covenant before the Lord, to walk after the Lord, and to keep His commandments and His testimonies and His statutes

4. Sotah 7:8.

5. II Kings 23:2, 3.

## A Revival of the Ancient Assembly of Hakhel

with all their heart and all their soul, to maintain the words of this covenant that are written in this book. And all the people entered into the covenant." The gathering convened by Josiah which resulted in the people's renewal of their eternal covenant with God was quite clearly an Assembly of Hakhel.<sup>6</sup>

King Solomon in his time appears to have utilized Hakhel as occasion for his penetrating discourses upon life and human destiny. According to tradition Solomon wrote the book of Ecclesiastes (Kohellet), and he is said in the Midrash<sup>7</sup> to be called Kohellet "because all of his teachings were spoken in the Assembly of Hakhel."<sup>8</sup> Significantly, the book of Ecclesiastes is read in the Synagogue on the festival of Sukkot.

Scholars have been puzzled by the seemingly abrupt disappearance of this great institution from Jewish life. A historical reference to what may have been one of the last assemblies of Hakhel in the time of the Second Jewish Commonwealth is to be found in the account in the Mishnah of the reading by King Agrippa,<sup>9</sup> who died in 44 C. E. in Caesarea, two and a half decades before the destruction of the Second Temple.

In his *Antiquities of the Jews*,<sup>10</sup> Josephus records the assembly of Hakhel but, contrary to the Mishnah, he states that the reading is done by the High Priest. This apparent contradiction is resolved once it is noted that Josephus lived at the close of the Second Jewish Commonwealth, when Judea had for some time already been ruled by Roman procurators. We may surmise, therefore, that his statement that the High Priest reads at Hakhel only reflects the conditions and circumstances in his own day. This is borne out halachically as well, since some authorities are of the opinion that the Halakhah would merely require that the reading be done by the titular head

6. It is thus accepted in the traditional halakhic literature. See *Sefer Yeraim*, Commandment 289; *Semag* 230.

7. *Kohelet Rabbah* 1:2.

8. The word *5m7*, meaning assembly, is the root of both *5rpn* and *p5mp*.

9. This occurred in the year 41 C. E. Cf. Margolis and Marx, *A History of the Jewish People* (Phila: 1938) p. 189.

10. Book IV, Chapter 8.

of the people in his time, not necessarily a king."

It is noteworthy at this point to consider another significant reference to Hakhel. The Talmud<sup>12</sup> cites an incident following the famous dispute between Rabban Gamaliel, the head of the Sanhedrin at Jabneh, and Rabbi Joshua which resulted in the deposition of Rabban Gamaliel and the elevation of Rabbi Elazar ben Azariah to head the Sanhedrin. It was reported to Rabbi Joshua that Rabbi Elazar ben Azariah had lectured one Sabbath on the subject of Hakhel. The incident, it is believed, took place in the year 90 C. E. which, in accordance with our reckoning, was a Shemitah year.<sup>o</sup> We are confronted here, evidently, with a new dimension in the observance of Hakhel. Rabbi Elazar ben Azariah, himself of a priestly family, direct descendant of Ezra, and a leader in his generation, took the occasion to lecture on Hakhel in an assembly of scholars. The Talmud quotes his interpretation of the scriptural verse regarding the mitzvah of Hakhel, his comments on the Shema, which is of the first portions read at Hakhel, as well as his comments upon the verse in Ecclesiastes 12:11, "The words of the wise are like goads, and like nails fastened are the words of the men of the assemblies which are given by one shepherd."

In light of the above, we may approach an evaluation of Hakhel on a broader scale. We would venture the suggestion that the institution of Hakhel was not suspended abruptly with the Destruction but that it was continued either in its original form as an assembly of the people or in a modified form as an assembly of scholars and students under the leadership of the head of the Sanhedrin or Academy. The succession of events with the decline of the Second Commonwealth may, therefore, have resulted in different periods in the life of the institution of Hakhel, wherein it stood successively under leadership of the King, the High Priest, and the

11. See Tiferet Yisrael, Sotah 7:8. The Minchat Chinukh, in this commentary on the Sefer ha-Chinukh, Commandment 612, indicates that where there is no king or the assembly cannot take place in the Temple, the recognized leader of the people must call them together and the Assembly may be held elsewhere in Jerusalem.

12. Chagigah 3a.

13. See *A History of the Jewish People* by Margolis and Marx (Philadelphia: 1938) p. 207. See note 9 above for the date of the Hakhel in the time of King Agrippa.

## A Revival of the Ancient Assembly of Hakhel

head of the Sanhedrin and the Academies. We have here an intriguing development which may hold the answer to the question of the historical fate of Hakhel and perhaps bolster, as well, the view that Hakhel can be revived in a modified form under current conditions.

### REVIVAL OF THE HAICHEL ASSEMBLY

A proposal to revive the observance of Hakhel was made at the end of the nineteenth century in an anonymous brochure, under **the title Zekher Le-Mikdash**,<sup>14</sup> which appeared in Warsaw in 1889. Its author was subsequently identified as the renowned Rabbi Eliyahu David Rabinowitz Teumim of Ponivezh, later rabbi in Jerusalem and father-in-law of Rabbi Abraham Isaac Kook, the first Chief Rabbi of the Holy Land. In 1945 the Merkaz Ha-tarbut of Hapoel Hamizrachi reprinted the brochure and called for an assembly in renewal of Hakhel. Such an assembly was convened by the Chief Rabbinate in 1952, seven years ago, at the consummation of the Sabbatical year observed for the first time since the establishment of the State of Israel. Thousands of Jews, led by hundreds of scrolls of the Torah, thronged the roads of Jerusalem leading up to Mount Zion which, since the loss of the Wailing Wall and the Old City to the Arabs, has virtually become the spiritual center of Jerusalem.

Whether or not the mitzvah of Hakhel is binding today and is to be renewed in its original historical form is, from the halakhic point of view, uncertain and must await the decision of a universally recognized authority in Jewish life. The question would turn, in large part, on the extent to which Hakhel is dependent upon Shemitah and the pilgrimage to Jerusalem.

Hakhel, to be sure, is related in the Torah to the Sabbatical year. **It** may be argued therefore that, since Shemitah is not biblically binding at this time, neither is Hakhel. In this connection it is perti-

14. Reprinted along with a collection of essays by Chief Rabbi I. H. Herzog and other scholars on the halakhic and practical considerations attendant upon its revival under the title *Hakhel*, edited by Benjamin Rabinowitz-Teumim (Jerusalem: 1945). A scholarly and interesting study of this brochure and of the subject of Hakhel was written by Prof. Samuel K. Mirsky in a Hebrew pamphlet entitled *Hakhel*, published by Talpioth of Yeshiva University (New York: 1952).

ment to note the contention of some authorities that the laws of Shemitah, in regard to the prohibition of working the land, may be binding in Israel today according to the Torah.<sup>15</sup> A statement of Maimonides is tentatively cited as upholding this view. Maimonides states:<sup>16</sup> "The law of the Sabbatical year is to be observed only in Israel, as it is written, 'When ye come into the Land which I give you, then shall the Land keep a Sabbath unto the Lord ... thou shalt neither sow thy field, nor prune thy vineyard . . .' (Lev. 25:2-4); and it is to be observed both in the days when the Temple exists and when it does riot exist."

However, granting the prevailing opinion that Shemitah is presently binding only as rabbinic law, it is not certain that Hakhel is halakhically limited to such time as Shemitah is in full force. There is good reason to believe that the statement, "At the end of every seven years, in the set time of the year of Shemitah . . .," which precedes the commandment, is paranthetical and the Torah's intention is but to indicate the designated time of its observance. Indeed, we find no basis in the Talmud or in the early rabbinic sources for an express dependence of Hakhel upon Shemitah.

Whatever the halakhic status of the mitzvah of Hakhel in our day, there are compelling considerations for its revival in a modified form in accordance with present needs and circumstances.

There is pointed significance to the fact that the Assembly was convened at the end of the Shemitah year. The Shemitah year was a year of freedom from the usual care and toil of life on the soil thus providing an opportunity for the Israelite to seek greater knowledge of the Torah. It is quite probable that the year was utilized for extensive activity in behalf of Torah study among the people. The Assembly of Hakhel, then, took on the character of a people's action, a colorful demonstration for Torah education for young and old. The little children were especially to be brought by their parents to witness the impressive Assembly and to be initiated into Torah study.<sup>17</sup>

15. Tosafot Arakhin 32b, Gittin 36a, Kesef Mishneh on Maimonides' Hilkhot Shernitah Ve-Yovel 4:25.

16. Mishneh Torah, Hilkhot Shemitah Ve-Yovel 4:25.

17. See Chagigah 3a, where Rabbi Elazar ben Azariah is quoted in his interpretation that the parents were obligated to bring the little children in order to be deemed worthy of a special reward. See also the commentary of the Maharsha on this talmudic passage.

## A Revival of the Ancient Assembly of Hakhel

It is this aspect of the institution of Hakhel, as a nationwide action for Torah education, that most readily lends itself for a revival in present day Israel. For Israel it can be the spur to a rededication on the part of Torah Jewry to answer the call of Rabbi Akiva to "arise and fill the land with Torah." For the Jews of the world it can help bring to reality the prophecy that "out of Zion shall go forth Torah and the word of God from Jerusalem."

Halchel can provide the finest cultural tie with Israel for the Jewish communities in the Diaspora and the stimulus to great worldwide projects in Torah and Jewish education. It can be made the occasion for a periodic assembly of scholars, students, and educators from all over the world to spend an extended period of time for study in Israel during the Sabbatical year.

The Sabbatical year should be climaxed with a great convocation of Torah leaders from all parts of the world. Such a conclave, called by the Chief Rabbinate in conjunction with rabbinical bodies in other countries, would deliberate upon ways and means to strengthen the study of Torah and to spread the faith and the observance of Torah Judaism among Jews in Israel and throughout the world. In no other time could such possibilities have been envisaged for a universal Assembly for Torah as at present. With an imaginative and well planned use of the modern media of communication, transportation, radio, and television such an Assembly could well reach into every Jewish home in every country and envelop literally the whole Jewish people. It affords the means of forging a stronger bond of unity between Israel and world Jewry.

## A RENEWAL OF THE COVENANT

There is an even deeper significance to the institution of Hakhel when viewed from a national perspective. As the *Sefer ha-Chinukh* explains,<sup>18</sup> Hakhel was designed to demonstrate that "the whole essence of the people of Israel is the Torah, whereby they are distinguished from all other peoples." The eternal Covenant between God and His Chosen People is founded upon the Torah, and Israel's sojourn in the Holy Land is predicated upon its acceptance of the Torah as the Constitution of the Land. This is often and explicitly stated: "For on the condition of these words have I made a Covenant with thee and with Israel" (Exod. 34:27). "These are the statutes

18. Commandment 612.

and the ordinances which ye shall observe to do in the land which the Lord, the God of thy fathers, hath given thee to possess" (Deut. 12:1).

Jewish history records a periodic renewal and resealing of the Covenant between God and Israel. The Covenant made at Sinai was sealed again on the shores of the Jordan before crossing into the Promised Land. It was later renewed by Joshua, and later still by King Solomon at the dedication of the Temple, which probably took place at a Hakhel Assembly as intimated by the Midrash,<sup>19</sup> and then again by King Josiah upon the finding of the Book of the Law in the Temple. When Ezra and Nehemiah led the people back to the Holy Land following the exile in Babylonia, they assembled and renewed the Covenant. The Assembly of Hakhel derives its greatest importance in this concept of a periodic renewal of the Covenant. This is its significance as an institution of a national character. It was, therefore, fitting that the national leader, in the time of the Mishnah, the King, who as Maimonides points out, acted in the capacity of representative of the people, was given the duty of convening the Assembly and reading the terms of the Covenant.

The portions designated to be read were, in large part, a declaration of the laws governing the commonwealth and a pledge of allegiance to these laws. Indeed they included the regulations governing the selection, qualifications, and duties of the king, as well as the constitutional limits of his powers — in effect, an affirmation of the terms of the Torah constitution by which he reigned as monarch in Israel. The national leader proclaimed before the people those chapters of the Torah which most clearly and forcefully enunciate the eternal ideals and the basic laws of Israel. His reading began with a review of national history followed by the Ten Commandments, the Shema, laws of tithes and Shemitah, laws of justice and government, laws on morality and the purity of family life, laws of equity and humanity, ending with a stern warning against idolatry and faithlessness to God lest Israel be punished with exile from the Land. He concluded his exhortation with "These are the words of the covenant which the Lord commanded Moses to make with the children of Israel."<sup>20</sup>

Maimonides defines the basic objective of Hakhel by stating:<sup>21</sup>

19. *Kohelet Rah/2(th* 1:2. See I Kings, Chapter 8.

20. Deuteronomy 28:69.

21. *Mishneh Torah, Hil. Chagigah* 3:6.



## A Revival of the Ancient Assembly of Hakhel

"The Torah established Hakhel in order to strengthen the true Faith, and every one present must imagine that he were now receiving the Torah and hearing it from the Lord Himself." If we consider the revival of the Assembly of Hakhel in the light of this objective, then we must ask, when in Jewish history was it ever more vital to Israel and the future of our people to strengthen our faith and loyalty to the Torah than at this time, when the Torah way of life is struggling for its very existence in Israel and throughout the world?

Hakhel can again achieve its full meaning and its historical significance as a dramatic renewal of Israel's covenant with God and the Torah.