

Hakhel: An Alternative Interpretation

By: BEZALEL NAOR

Moses commanded them, saying, “At the end of seven years, at the time of the Sabbatical year, during the Sukkot festival; when all Israel comes to appear before the LORD, your God, in the place that He will choose, you shall read this Torah before all Israel, in their ears.

Assemble (*Hakhel*) the people—the men, the women, and the small children, and your stranger who is in your gates—so that they will hear and so that they will learn, and they shall fear the LORD, your God, and be careful to perform all the words of the Torah.

And their children who do not know—they shall hear and they shall learn to fear the LORD, your God, all the days that you live on the land to which you are crossing the Jordan, to possess it.”

(Deuteronomy 31:10-13)

The Torah does not specify who should read the Torah at this public assembly. It simply states, “*You* shall read this Torah.”¹ Rashi clues us in: “The king would read ... as it states in Tractate *Sotah*.”² If we hew to *pesbuto shel mikra*, the simple sense of Scripture, the part the king plays on this occasion is purely instrumental. And indeed, in his paean to the *Hakhel* ceremony—portrayed as a reenactment of the giving of the Torah

¹ Hizkuni’s understanding that the command was to Joshua, who would succeed Moses as “king,” was found unsupported by later commentators. See below (note 9) the remarks of Rabbi Yeruham Fishel Perla.

In a homiletic vein, the previous Rebbe of Gur, Rabbi Pinhas Menaḥem Alter, interpreted “you shall read” (*tikra*) to refer to every Jew, as “all Israel are royalty (*b’nei melakhim*)” (b. *Shabbat* 111a). See *P’nei Menaḥem*, Part 5 (*Devarim*) (Jerusalem, n.d.), *Hosha’na Rabbah* 5755 (248b).

² Rashi, Deuteronomy 31:11; *m. Sotah* 7:8; *b. Sotah* 41a.

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on Mount Sinai³—Maimonides casts the king in this role: “The king is an emissary (*shaliach*) to make heard the words of God.”⁴

One ventures that the very location Maimonides assigned to *Hakbel*, as a postscript to *mizvat re'iyah* in *Hilkebot Hagigah*, rather than in the Laws of Kings, *Hilkebot Melakhim*, reflects his judgment that *Hakbel* is not an essential component of the monarchy.⁵ Starting with Rabbi Israel Lipschitz of Danzig,⁶ and continuing with Rabbi Joseph Babad of Tarnopol⁷ and Rabbi Elijah David Rabinowitz-Te'omim (Aderet) of Ponevezh, Mir, and Jerusalem,⁸ halakhists have raised the distinct possibility that in the absence of a king, a national leader such as the high priest or head of the Sanhedrin may read from the Book of Deuteronomy in lieu of the king.⁹

³ MT, *Hil. Hagigah* 3:6.

⁴ Ibid.

Rabbi Joseph Baer Soloveitchik of Boston drew parallels between the king's Torah reading at *Hakbel* and our own practice of *Keri'at ha-Torah*. See Rabbi Mikhel Zalman Shurkin, *Harerei Kedem*, vol. 2 (Jerusalem, 2004), chap. 163 (“*Be-Inyan Keri'at ha-Torah u-Keri'at ha-Melekh be-Hakbel*”), pp. 329-332.

⁵ In the Yerushalmi (*Avodah Zarah* 1:1), the ability to read from the Torah at *Hakbel* is perceived by the people as the hallmark of the legitimate king. The Bavli (*Sanhedrin* 101b) has a different version of the contest between Jeroboam and Rehoboam, which pivots on the privilege of being seated within the Temple precincts. Rabbi Moses Margalio's attempt at harmonization of the two accounts in Yerushalmi and Bavli strikes one as artificial. See *Mar'eh ha-Panim* to the Yerushalmi, loc. cit.

⁶ *Tiferet Yisrael to Mishnah* (Danzig, 1843), *Sotah* 7:8.

⁷ *Minhat Hinukh* to *Sefer ha-Hinukh* (Lemberg, 1869), commandment 612. First edition published anonymously.

On the other hand, one might infer from the concluding words of the anonymous *Hinukh*, “And so the king, if he did not wish to read, nullified this positive commandment,” that the *mizvah* devolves upon the person of the king (*ramya a-karkajta de-gavra*). See [Aderet], *Zekher le-Mikdash* (Warsaw, 1889) 1:1, 8c. Published anonymously.

⁸ *Zekher le-Mikdash*, 1:1 (7b-9a).

⁹ See Rabbi Levi ben Gershon (Ralbag or Gersonides), *To'aliyot*, Deuteronomy 31:10-13; Malbim, *Ha-Torah ve-ha-Mizvah*, Deuteronomy 31:10, s.v. *Vayezav Moshe 'otam le'mor*; and Rabbi Yeruham Fishel Perla's commentary to *Sefer ha-Mizvot le-Rabbenu Sa'adya Gaon*, vol. 1 (Warsaw, 1914), positive commandment 16 (129c-d).

However, when we engage with the rabbinic sources (not all of which were available to Maimonides, as we shall see, and some which he rejected outright), a somewhat different picture of *Hakbel* emerges.

For starters, the Mishnah refers to the *Hakbel* ceremony as *Parashat ha-Melekh* (the Portion of the King).¹⁰ That is the general rubric. Yet within the various prescribed readings in the Book of Deuteronomy, we find specifically “*Parashat ha-Melekh*” (the Portion of the King). Rashi explains that this refers to the Torah portion that commences with the verse in Deuteronomy 17:14, “I will set over myself a king” (“*Asimah ‘alai mel-ekh*”).¹¹

As noted already by Rabbi Abraham de Botton in his commentary to Maimonides’ code, the latter did not have this specific “*Parashat ha-Melekh*” in his version of the Mishnah.¹² For that reason, in Maimonides’ list of readings for the day, Deuteronomy 17:14 does not occur.¹³ Had Maimonides encountered this passage, he might have been forced to paint a slightly different picture of *Hakbel*.

¹⁰ *m. Sotah* 7:2, 8.

¹¹ Rashi, *Sotah* 41a, s.v. *Shema‘ ve-bayab ‘im shamo‘a*.

This “*Parashat ha-Melekh*” should not be confused with that of *Tosefta*, *Sanbedrin*, chap. 4 (Zuckerman edition, p. 421), *b. Sanbedrin* 20b, and Maimonides, *MT*, *Hil. Melakhim* 4:1, which refers to 1 Samuel 8:11-17.

¹² *Lehem Mishneh*, *Hil. Hagigah* 3:3. See Rabbi Moshe Margalit, *Mar’eh ha-Panim to y. Sotah* 7:8, who observes that Maimonides’ version of the Mishnah is that of the *Talmud Yerushalmi*.

¹³ It should be clarified that in Maimonides’ reckoning too, the verses pertinent to establishing the monarchy are to be read, but the passage was not singled out for mention as it is read in sequence, whereas in Rashi’s version of the Mishnah, the passage is read out of sequence and therefore mentioned explicitly. See Rabbi Melech Schachter, *The Babylonian and Jerusalem Mishnah Textually Compared* (Hebrew) (Jerusalem: Mossad Harav Kook, 1959), p. 202, chap. 492 (*Sotah* 7:8), s.v. *u-farashat ha-melekh*.

Lieberman conjectured that originally the text of the Mishnah did not contain the words “*u-farashat ha-melekh*” and that they were transcribed from the *Tosefta*. Furthermore, he throws out the suggestion that this was the minority opinion of Rabbi Judah in the *Tosefta*. See Saul Lieberman *Tosefta Ki-Fshutah*, *Sotah*, pp. 683-684.

Inter alia, Lieberman found it inconceivable that the readings for the day did not include the very passage wherein the commandment of *Hakbel* occurs (Deuteronomy 31:10-13). His attempt to force this passage onto the words of the *Tosefta* (“*u-farashot ha-nidrashot bab*,” or in the reading of MS Erfurt, “*u-farashab ha-nidreshet bab*”) seems to this writer (BN) contrived. See *Tosefta*, ed. Saul Lieberman, *Sotah*, chap. 7, p. 197, lines 145-146; *Tosefta Ki-Fshutah*, *Sotah*, p. 684.

Besides the Mishnaic variant to which Maimonides appears to have been oblivious, there is an opinion in *Sifré* that he outright rejected. Namely, “‘He [i.e., the king] shall write for himself this *Mishneh Torah* (Deuteronomy)’ [Deuteronomy 17:18]. We do not read on the day of *Hakbel* other than *Mishneh Torah*” (as quoted by Rashi).¹⁴ Maimonides opted instead for the opinion in *Sifré* that the king was commanded to write for himself not only the Book of Deuteronomy but the entire Torah from “*Bereshit*” to “*le-eynei kol Yisrael*.”¹⁵ Here too an essential link between the monarchy and the *Hakbel* ceremony fell to the wayside. In the opinion of the *Sifré* quoted by Rashi, the king would have read on that day from a special scroll he had written upon assuming the throne, which consisted solely of the Book of Deuteronomy.¹⁶

For a different understanding of the words of the *Tosefta*, see Ze’ev Erlich, “*Hakbel shel Yarav’am*,” *Kotlenu* 12 (5747/1987), pp. 368-372. (Archived at Asif.co.il.) Erlich contends that the Scroll of *Kobelet* or Ecclesiastes, attributed to King Solomon, is actually a compilation (by King Hezekiah’s courtiers) of several discourses delivered by Solomon at *Hakbel* gatherings over the years. See earlier Samuel K. Mirsky, “*Hakbel*,” *Talpioth*, Year 6, nos. 1-2, p. 103. In a mystical vein, see Rabbi Yehudah Aryeh Leib Alter of Gur, *Sefat Emet, Va-yelekh* 5642, s.v. *be-Parashat Hakbel*.

¹⁴ Rashi, *Sotah* 41a, s.v. *she-ne’emar mi-kez sheva’ shanim*, *Sifré* to Deuteronomy 17:18.

¹⁵ The text of the *Sifré* reads:

“*Mishneh Torah* (Deuteronomy).” I have only *Mishneh Torah*. From whence [do I derive] the rest of the words of the Torah? Therefore, it says: “To keep all the words of this Torah” [Deuteronomy 17:19].

If so, why is it said, “*Mishneh Torah*”? Because in the future [the script] will change [from *Ketav Ivri* to *Ketav Ashuri*].

Others say: We do not read on the day of *Hakbel* other than *Mishneh Torah*.

¹⁶ See Rabbi Hayyim Heller’s note to Maimonides, *Sefer ha-Mizvot* (Jerusalem–New York: Mossad Harav Kook, 1946), positive commandment 18 (p. 41, n. 2); and Rabbi Yeruham Fishel Perla’s commentary to *Sefer ha-Mizvot le-Rabbenu Sa’adya Gaon*, vol. 1, positive commandment 16 (129d-130b); and vol. 3 (Warsaw, 1917), communal commandment 10 (123c-126a).

With these other building blocks in hand, how would we structure differently the ideology of *Hakbel*?

In addition to calling for renewed commitment to Torah, *Hakbel* might also have been purposed as a renewal of the kingdom.¹⁷ If you would have it, a “renewal of vows” vis-à-vis the king.¹⁸ (I shall not enter

¹⁷ I see now that this novel idea occurred earlier to Rabbi Shmuel Baruch Genuth. See his *Parashat ha-Melekh*, 3rd edition (5782), p. 18.

¹⁸ One of the seven additional blessings recited by the king at *Hakbel* upon concluding his Torah reading is a blessing that the kingdom of Israel continue. See Maimonides, *MT*, *Hil. Hagigah* 3:4. However, this blessing is not unique to the event of *Hakbel*. On *Yom ha-Kippurim*, the high priest, upon the conclusion of his public Torah reading, would recite the identical blessing that the kingdom not depart from Israel. See *MT*, *Hil. Avodat Yom ha-Kippurim* 3:11. Earlier that day, inside the *sanctum sanctorum* (*Kodesh ha-Kodashim*), the high priest would recite a short prayer which included the words, “may the royal scepter not depart from the House of Judah” (*ibid.* 4:1).

What may have been unique to *Hakbel* is the “Blessing of the King” (*Birkat ha-Melekh*), which is one of six elements (whose mnemonic device is *pazer kasher*) that set *Shemini ‘Azret* apart as a festival unto itself, distinct from *Sukkot*. See Rashi, *Sukkot* 48a, s.v. *berakhab le-‘azmo*, quoting the *Tosefta*, *Sukkah*, chap. 4 (Zuckerman edition, pp. 199-200). (Rabbenu Tam disagrees; see *Tosafot*, s.v. *regel bi-fnei ‘azmo*.) This is assuming, of course, that the first utterance of the “Blessing of the King,” which took place at the conclusion of the dedication ceremony of Solomon’s Temple, was indeed a *Hakbel* ceremony.

Ze’ev Erlich has argued that the dedication of Solomon’s Temple took place on the eighth year of the *Shemitah* cycle, which would make it a bona fide *Hakbel* ceremony. Presented with the chronology of *Seder ‘Olam*, whereby the dedication of Solomon’s Temple took place on the fourth year of the *Shemitah* cycle, Erlich was forced to reduce the ceremony from a full-fledged *Hakbel* to a “quasi-*Hakbel*” (*me-‘eyn Hakbel*). See Ze’ev Erlich, “*Hakbel shel Yarav’am*,” pp. 372-377. See also *Seder ‘Olam*, ed. Chaim Milikowsky (Jerusalem: Yad Ben-Zvi Press, 2013), vol. 1, chap. 15 (p. 265); vol. 2, pp. 259-260.

The upshot of the dedication of the Temple was the *Birkat ha-Melekh*, as recorded in 1 Kings 8:66: “On the eighth day, he [i.e., Solomon] sent the people away, and they blessed the king.” Rabbi Joseph Baer Soloveitchik pointed out that the people’s blessing to the king was their response to King Solomon’s blessing to the people (1 Kings 8:55-56). See Rabbi Mikhel Zalman Shurkin, *Harerei Kedem*, vol. 1 (Jerusalem, 2000), chap. 152 (“*Keri’at ‘Ve-Zot ha-Berakhab’ be-Aharon shel Hag*”), p. 265. (The chapter concerns the *Birkat ha-Melekh* and the way it is observed today.)

here into a discussion of John Locke’s “social contract” theory versus David Hume’s famous essay “Of the Original Contract,” wherein the purported contractual basis of monarchy received a sound thrashing.)¹⁹

For Maimonides, the focus of *Hakbel* is recommitting to the Torah; the king is a glorified mouthpiece. I would not go to the opposite extreme and posit that the focus of *Hakbel* is recommitment to the reigning monarch and that the Torah comes to legitimize the monarch’s authority. More likely, the two go hand in hand.

One of the obvious questions that we have in regard to *Hakbel* may be addressed by our new interpretation. Why did the Torah legislate that the ceremony take place at the end of the seventh, *Shemital*, year?²⁰

Ancient Israel was an agrarian society. The seven-year cycle which governs *terumot* and *ma’aserot* (tithes), culminating with the Sabbatical year when the land is to “rest” (which is to say, lie fallow), beyond all of its halakhic punctilios—is an economic cycle. Maimonides, by titling the section of his code “Laws of Kings and Their Wars” (“*Hilkhhot Melakhim u-Milhamoteihem*”), clearly defined the role of the king as commander-in-chief. (This role is made explicit in *Hilkhhot Melakhim* 4:10.) I would counter by assigning to the King of Israel the role of Minister of the Economy (*Sar ha-Kalkalah*).

¹⁹ In *David Hume on Morals, Politics and Society*, ed. Angela Coventry and Andrew Valls (New Haven: Yale University Press, 2018), pp. 208-223.

²⁰ Starting with various Tosafists, several commentators advanced the rationale that at this time, coming as it does on the heels of the Sabbatical year, the people (who were primarily agriculturalists) will be well rested and in a receptive mode to hear the words of the Torah. See Rabbi Joseph Bekhor Shor, *Hadar Zekenim*, Malbim and *Mesbekh Hokhmah* to Deuteronomy 31:10. Cf. Rabbi Abahu’s explanation in *y. Sotah* 7:8 for reading ‘*Aser te’aser* (Deuteronomy 14:22) and *Ki tekholeh la’ser* (Deuteronomy 26:12): “Since Israel have gone out from the seventh year to the eighth year, so as not to forget the *ma’aserot* (tithes).”

How touching is the anecdote told in the Talmud:

At daybreak, the sages of Israel entered [David's presence].
They said to him: "Our master, the king, your people Israel need
livelihood (*parnasah*)."²¹

As Israel would embark upon a new economic cycle, the commitment to the reigning king would be renewed—together with renewed commitment to Torah.²² ❧

²¹ B. *Berakhot* 3b.

²² Rabbi Isaac Hutner's constant invoking of the verse in 1 Samuel 11:14, "Come let us go (to Gilgal), and renew there the kingdom (*u-nehadesh sham ha-melukhal*)," within the context of *Hakbel*, comes tantalizingly close, yet never quite crosses the threshold of our conception, whereby renewal of the monarchy is itself part and parcel of the pageantry of *Hakbel*. Instead, the author of *Pahad Yizhak* utilizes the theme to illustrate his point that throughout the ages there were several generations in which the People of Israel needed to reaffirm and refresh their commitment to the Kingdom of Heaven and to Torah, at which time a quasi-*Hakbel* would be reenacted. Rabbi Hutner's examples are the generations of Joshua, Ezra and Nehemiah, Mordechai and Esther, and lastly—Rabbi Joseph Karo and Rabbi Moses Isserles.

(Significantly, Rabbi Hutner omits from the paradigm King Josiah's public reading from the Torah scroll, though this might have been the most obvious example of a quasi-*Hakbel*. See 2 Kings 23:1-3; Rabbi Eliezer of Metz, *Sefer Yere'im*, chap. 289, and Rabbi Moses of Coucy, *Sefer Mizvot Gadol*, positive commandment 230. S.K. Mirsky suggested correlating *Hakbel* with the chronology of *Seder 'Olam*, chap. 24, whereby King Josiah's discovery of the Torah scroll took place at the beginning of *Yovel*. See Mirsky, "*Hakbel*," p. 103, n. 23. See above note 18 for a view of the dedication of Solomon's Temple as a quasi-*Hakbel*.)

What prompted the Prophet Samuel to call for a renewal of the kingdom was the fact that there were holdouts who hitherto refused to recognize King Saul's authority. See 1 Samuel 10:27, 11:12, and Rashi to 11:14.

Rabbi Hutner's thoughts on the topic of *Hakbel* were originally delivered as a *ma'amar* on *Sukkot* 5734, and were later reworked to serve as the Introduction to Makhon Yerushalayim's edition of Rabbi Moses Isserles' *Darkei Moshe* (5739). See *Ma'amrei Pahad Yizhak, Sukkot* (New York, NY, 2002), *ma'amar* 116 (pp. 287-295), and *Pahad Yizhak: Iggerot u-Ketavim* (New York, NY, 2016), pp. 155-162.

See my own comparison of the public *Megillah* reading to *Hakbel* in Bezalel Naor, *Ba-Yam Derekh* (Jerusalem, 1983), "*Adif Yom Purim ke-Yom she-Nitnah bo Torah*," pp. 119-121.