

## Renewing the Covenant

*R. Yitz Greenberg – [ygreenberg@hadar.org](mailto:ygreenberg@hadar.org)*

### Parashat VaYelekh 5781

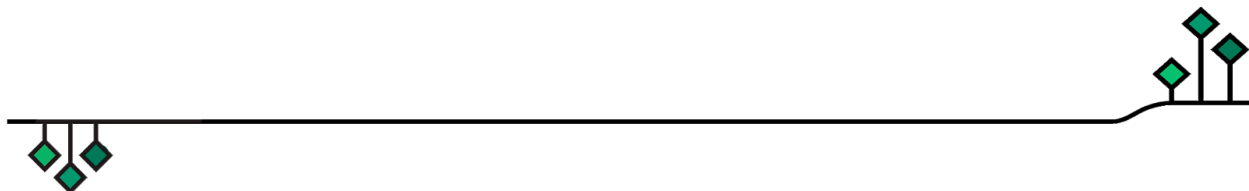
In Parashat VaYelekh, Moses completes the entering-into-the-covenant ceremony for the new Israelite generation that was begun last week in Nitzavim. He hands over the leadership reins to Joshua, and deposits the Torah scroll he has written into the Ark of the Covenant, along with the tablets. He instructs all the people—men, women, and children—to gather together and read the scroll at a public assembly every seven years.<sup>1</sup> In this way, the Israelites will know the content of the *brit* (covenant) and what they are committed to as the people of the covenant.

The question is why? Why was this re-entry ceremony necessary? All of Israel stood at Sinai. The Divine Presence enveloped the mountain and the people publicly committed “all that God has proclaimed we shall do” (Exodus 19:8). Since the Torah is an eternal covenant, each generation thereafter is born into the *brit*. The Talmud (Yoma 73b) states that an oath to violate a commandment of the Torah is automatically null and void because the individual “is already sworn and obligated from Sinai”—so the new oath is disqualified.<sup>2</sup> Why then did

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<sup>1</sup> The ceremony is known as *hak'hel* (assemble) and took place during Sukkot every seven years in the Shemitah (Sabbatical) year. In fact, 5782 will be a Shemitah year. In recent times, the Israeli Chief Rabbinate has tried to restage a *hak'hel* ceremony, but with limited success.

<sup>2</sup> See also Mishnah Shevuot 3:6.



Moses repeat the covenant swearing-in with the generation that was about to enter the Land of Israel?

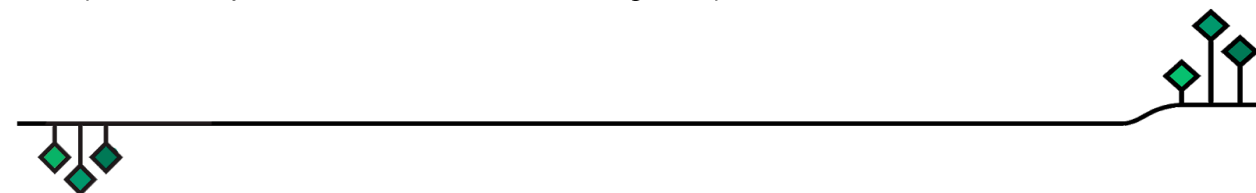
It would appear that the main point of the ceremony is to illuminate the nature of the Torah's authority. The renewal teaches us that the binding nature of the Torah and the *berit* is not because it was decreed at Sinai and all future generations are bound by that moment, whether they like it or not. The authority of the Torah is binding because each generation rereads the partnership contract, is inspired by the vision, accepts the task and the terms, and signs on anew. Although we receive the Torah from our ancestors, one might say that being a covenantal Jew is not really an inheritance. It is rather a personally accepted commitment because I understand for myself and choose to be part of this ongoing covenant.<sup>3</sup>

Furthermore, the Torah teaches us that the Jewish covenant is open and being offered every day to whoever is ready to join in. Says Moses: "It is not with you alone I [God] make this covenant and this oath, but with the ones that stand here with us today before the Lord our God, and **also with the ones who are not here with us today**" (Deuteronomy 29:13-14). Future generations, born Jews, converts from outside—all are welcome. The offer is made today and every day. We can join the covenantal community by committing ourselves and our lives to this purpose.

The Torah is actually hinting at another reason for renewing the covenant. When a major change in condition is about to happen—in this case, when the Israelites are to go from a

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<sup>3</sup> On the word *morashah* (equal inheritance) in Deuteronomy 33:4 ("an inheritance of the congregation of Jacob"), an early midrash reads *me'orasah*, which means betrothal or marital commitment. See Sifrei Devarim #345, quoted in Babylonian Talmud Pesachim 49b (among other places).



nomadic existence to a settled society of people in their homeland—then one should reread the constitution of the covenant to see if one really accepts it. The people should read its terms and make a good faith affirmation that they can—and will—live by its terms in the new situation.

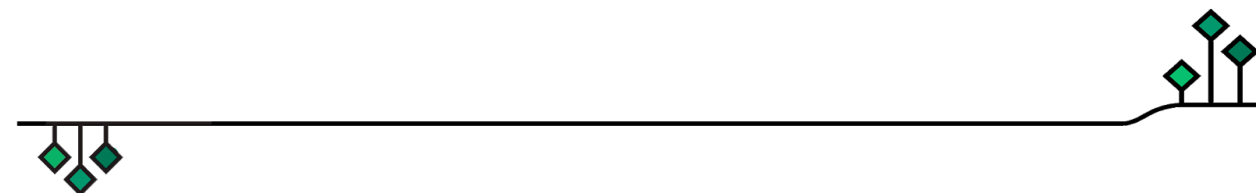
In fact, the covenantal offer may be modified to apply to the new condition. The Book of Deuteronomy contains many laws that apply only in the Land of Israel and that could not be fulfilled in the desert. Also, in Deuteronomy's iteration of the covenant, the Torah says, "Parents (fathers) shall not be put to death for [the sins of the] children; neither shall children be put to death for the [sins of the] parents; every person shall be put to death [only] for his own sin" (Deuteronomy 24:16). This is a revision of the original terms of the Sinai covenant. In the Ten Commandments, it is said: "punishing the iniquity of the fathers upon the children into the third and fourth generations..." (Exodus 20:5). A midrash suggests that Moses made this revision and God approved it.<sup>4</sup>

The renewal of the covenant has a double function. It may represent a new level or substantive commitment on the part of the Jewish people,<sup>5</sup> or it may represent a shift in the divine expectations. I have written extensively on the Rabbis' interpretation that God renewed the covenant in their times by self-limiting and transforming the original covenantal partners' roles. God gave up total dominance in the *brit*, whereby the Lord decided all the events and outcomes in history. The Divine reduced control and invited the human partner to

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<sup>4</sup> Bemidbar Rabbah 19:33. In Berakhot 47a the Talmud explains that, in the original offer, the punishment for parents' sins into following generations was only if the children continued the wicked ways of their parents. If the children were righteous, the sins of the previous generation would not be visited on them. See also Mekhilta Massekhta de-va-Hodesh 6.

<sup>5</sup> In Babylonian Talmud Shabbat 88a, the Talmud describes the renewal of the covenant after Purim in the book of Esther.



take on more responsibility and authority.<sup>6</sup> Revelation from Heaven ended, as did prophecy. From that time on, the Oral Torah plays a decisive role. If you want to know what God asks of us at this moment, humans must study past revelations and adjust them to the new circumstances. This is what Rabbis do. Their insight—or one might say “discovery”—is the will of God in the covenant.<sup>7</sup> Furthermore, human behavior and policies account much more for the outcomes in history. God stops intervening with visible miracles that override natural laws and human forces for the sake of those faithful to God.

In light of the above, I argue that the Jewish people’s decision to go on living the covenant after the Holocaust constituted a renewed acceptance of the Torah and *berit* under new terms. Post-Shoah, although God will be with us more than ever, there will be no guaranteed security and victory, even if we obey the Torah. We are responsible for defending ourselves and for accomplishing the fulfillment of the covenant in history. Similarly, the establishment of the State of Israel constitutes renewal of the partnership with humans acting as the agents responsible for redemption, such as the rescue of Arab Jews and Ethiopian Jews and the liberation of Soviet Jewry.<sup>8</sup>

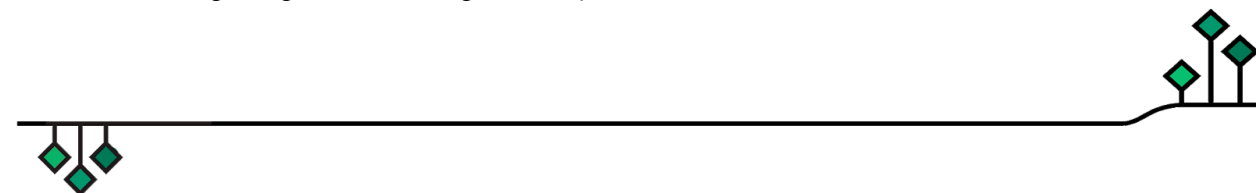
It follows that there is something missing in Jewish life today, a covenant renewal ceremony like the one that Moses enacted with the people of Israel on the plains of Moab. In my book

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<sup>6</sup> See, for example, “The Age of Chastisement is Over,” Parashat Ki Tavo, available here: <https://www.hadar.org/torah-resource/age-chastisement-over>. I discuss this at length in my book, *The Triumph of Life* (forthcoming).

<sup>7</sup> The Talmud Yerushalmi (Peah 2:6 / 17a) says that everything that a future veteran student of Torah innovates was revealed to Moses at Sinai.

<sup>8</sup> The haredi failure to read the terms of the renewal covenant has led them to fail to meet their obligations. Thus, they do not serve in the IDF to protect Jewry, nor did they build the State, society, and economy which constitutes the beginning of the flowering of redemption.



*The Jewish Way*, written in the 1980s, I report Herschel Blumberg's<sup>9</sup> proposal that, on Yom Ha'Atzmaut, there should be a national renewal-of-the-covenant ceremony. Representatives of all the communities of diaspora Jews and Israel would gather and exchange "ratifications" of the covenant and expressions of unity and pledges of mutual help.<sup>10</sup> Similarly, at CLAL: The National Jewish Center for Learning and Leadership, we developed a personal renewal-of-commitment-to-the-covenant ceremony modeled on the Covenant between the Pieces. Through this ceremony, Abraham became the first Jew and the first to embrace the Jewish covenant.<sup>11</sup> A passageway is created, demarcated by a cleft ritual object (such as a large hallah). People line up in dyads (spouses, friends, family members) facing each other on both sides. Each dyad dances a Torah scroll through the passageway and hands it over to the counterpart dyad who dance it back. All sing the song: "The people Israel, the Torah, the Holy One the Blessed are one [a unity], *torah orah* (the Torah is light), hallelujah."

By passing through, individuals affirm faithfulness and renewed commitment to the covenant of redemption of the Jewish people. They commit to work together to realize the goal of *tikkun olam*, in which the Torah's ideal of paradise on earth will be realized in the real world.

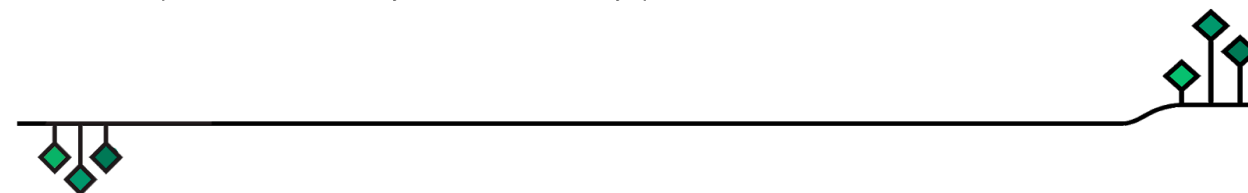
In a time when we anxiously watch the rise of anti-semitism, and the signs of Diaspora Jewry and Israel drifting away from each other, we should put our heads together and plan a covenant renewal ceremony for world Jewry. As Moses put it in our *parashah*: "Gather the people together, men, women, and children, and the stranger within your gates... that they may hear and that they may learn" (Deuteronomy 31:12). It is a time to particularly express

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<sup>9</sup> Former chairman of United Jewish Appeal (UJA); then chairman of CLAL: The National Jewish Center for Learning and Leadership.

<sup>10</sup> See *The Jewish Way*, pp. 399-401.

<sup>11</sup> For a description of the ceremony, see *The Jewish Way*, p. 92.



our unity and common commitment to our duty as partners with God. We commit to join all humanity in healing the world in the face of environmental degradation and terrorist enemies of human dignity, equality, and peace.

