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IS OUR COVENANT WITH G-D EGALITARIAN?

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The opening chapter of Parshat Bechukotai (which Bishop Langton for some reason started at verse 3) has a seemingly obvious structure. Good behavior leads to rewards (verses 3:13); bad behavior leads to punishments (verses 14-38); but we will eventually repent, so the punishment will not be annihilation, and all will eventually be well (verses 39-45). The final verse (46) wraps up a much larger literary section and is not related specifically to the content of the chapter.

Chizkuni makes the good/bad parallelism of the first two sections explicit by lining up each phrase of verse 15 with a partner from verse 1.

"ואם בחקתי תמאסו" - כנגד "אם בחקתי תלכו".
 "ואם את משפטי תגעל נפשכם" כנגד "אם את משפטי תשמורו".
 "לבלתי עשות" כנגד "ועשיתם אותם".
 "להפרכם את בריתי" כנגד "והקמותי את בריתי אתכם"
"If you despise My chukim" – parallel to "If you walk in My chukim"
"If your soul reviles My mishpatim" – parallel to "If you keep My mishpatim"
"to not do" – parallel to "and do them"
"to your hafarah of My covenant" – parallel to "I will uphold My covenant with you"

All very neat. Except that the last phrase – "I will uphold My covenant with you" – is not actually in verse 1, but rather in verse 9. Exploring this breach of symmetry may lead us to an entirely different conception of the structure of this chapter, and its meaning.

Let's look at Chizkuni's framework again. Both the "good" and "bad" sides of the first three lines set a condition related to human behavior. Not so the fourth line. One side discusses human action, "your breaching My covenant," while the other discusses Divine action "I will uphold My covenant with you."

The surface reason for this asymmetry is that throughout Tanakh, human beings cannot upstand/*meikim* covenants with G-d; they can only guard/*shamor* them. This semantic point compels the deeper realization that our covenantal relationship with G-d is not symmetrical. God can give/*notein* a covenant with us, whether we wish it or not, or He can be *meikim* a covenant with our consent, but we cannot initiate covenants with Him (although Yaakov may have tried, when G-d revealed Himself to him at Beit El).

Can we withdraw from covenants with Hashem, with or without His consent?

Verse 15 implies that human beings can be *meifer* a covenant. The root *prr* is used in regard to covenants, vows, and advice, which makes its precise meaning very difficult to establish. It seems clear to me that with regard to covenants, *prr* does not mean "withdrawal," with or without the other party's consent. (I don't know whether Biblical Hebrew has a term for withdrawal from a covenant). I suggest instead that it refers to violation of the terms of the relationship **as if** there were no covenant, while really the covenant remains in force. This would mean either that we cannot withdraw from the covenant, or that we cannot do so without G-d's consent, which He will not grant. (Admittedly, this explanation fits the context of vows poorly.)

What about G-d? Can He withdraw from a covenant with humans, with or without our consent?

I suggest that He can, **if** we have already been *meifer* it by our actions. The nature of a covenant is a mutual (but not always symmetrical) commitment, and it makes no sense to hold one party to the terms of a deal that the other treats as a nullity. Human beings cannot **directly** withdraw from a covenant with G-d. However, we can create a situation in which G-d has the **legitimate** option of withdrawing Himself, which would indirectly release us as well.

But G-d promises us that He will never choose to withdraw from his covenant with the Jews.

How do we know this? Here we need to complicate the structure of the chapter again. It turns out that verses 42-45 are not merely a coda that mitigates the disobedience/punishment cycle; rather, they hark back to verse 15. They use *despise* and *revile*, reversing the referents from verse 15, so that *mishpatim* are *reviled* but *mishpatim* are *despised*. And G-d promises that he will not *despise* and *revile* the Jews to the point of wiping them out, **להפר בריתי אתם** = to be *meifer* My covenant with them.

The repetition of *despise* and *revile* tells us that G-d had the option of being *meifer* His Covenant once we *despised* and *reviled* the obligations it placed on us. But He chose not to. Why? Here the Torah introduces another verb related to covenants – *zakhor* = remember/remind. G-d remembers His covenant with Avraham, Yitzhak, and Yaakov; this is enough to prevent total destruction, but, it seems, not enough to generate an ongoing positive relationship. But in verse 45:

**וְזָכַרְתִּי לָהֶם בְּרִית רְאִשִּׁימִם
אֲשֶׁר הוֹצֵאתִי-אֹתָם מֵאֶרֶץ מִצְרַיִם
לְעֵינֵי הָגוֹיִם
לְהוֹיֹת לָהֶם לֹא-לֵהִימ
אֲנִי ה'**
*I will remember for their sake/remind them of
the covenant of the earlier ones
whom I took out of the Land of Mitzrayim
before the eyes of all the nationalities
to be for you God
I, Hashem.*

The message of this verse seems to be that G-d will ultimately choose to renew the Covenant for the same reason that He initially instituted it; so that He could be our G-d. Moreover, the manner in which He initially instituted this covenant bound His prestige forever to our behavior and success. As Mosheh Rabbeinu pointed out to Him, starting over and being G-d for a different people is not really an option; the memory of His reaction to Jewish failure would taint any future attempt at building a particularistic relationship. No nation would ever escape from underneath the mountain to make a free-willed choice for Him. G-d has the **right** to withdraw; but He admits that he has no sensible option for doing so. All he can do is freeze the relationship until we return to it.

This leads us to yet another flaw in Chizkuni's structural model. He showed the parallels between verses 1 and 15; but the fulcrum of the unit, the transition from obedience/reward to disobedience/punishment, is actually verse 14.

**אִם-לֹא תִשְׁמָעוּ לִי
וְלֹא תַעֲשׂוּ אֶת-כָּל-הַמִּצְוֹת הָאֵלֶּה:
וְאִם-בְּחִקְתִּי תִמְאַסוּ וְאִם-אֶת-מִשְׁפָּטִי תִגְעַל וְנִפְשַׁכֶּם
לְבַלְתִּי עֲשׂוֹת אֶת-כָּל-מִצְוֹתֵי לְהַפְרֹכֶם אֶת-בְּרִיתִי:
If you do not heed me
and you don't do all these mitzvot
If you despise my chukim
and your soul reviles My mishpatim
to not do all My mitzvot
to breach My covenant.**

Chizkuni is actually paralleling the first verse of the “good” section with the **second** verse of the “bad.” That seems very odd literarily.

Verse 15 also contains a phrase that seems redundant with verse 14: “not doing *mitzvot*.” I suggest that the best way to resolve this is to read the verses in a step structure, sort of like what the Talmud calls *lo zu af zu* = not only this but even that. Verse 14 deals with simple disobedience. Verse 15 moves on to disobedience combined with active emotional rejection. Only the second is considered a breach of the covenant.

In other words – covenants can contain punishments for disobedience. In such cases, the disobedience/punishment cycle cannot legitimate withdrawal from it; rather, it enacts the covenant. But despising and reviling the terms of the covenant can legitimate the other party's withdrawal.

It therefore turns out that verse 46 as well **is** directly related to our chapter. This is the verse from which Chazal learn that G-d can no longer alter the terms of the covenant by adding new mitzvot; “These are the *mitzvot*” – teaching that a post-Mosaic prophet cannot add new *mitzvot* (Yoma 80a). Freezing the covenant becomes a symbol of G-d's unchanging commitment to it, and thereby to us.

G-d is bound by the covenant because He chooses to be, whereas we are bound willy-nilly. But G-d wishes us to choose Him as well. The only way He can do that is by promising us that He will stay no matter what we do, so that our choice is a function of desire rather than of fear of loss. The Covenant begins with asymmetry, but its goal is symmetry.