

“Contracts and Covenants”

By Rabbi David Wolpe

One of the great achievements of civilization is the contract. Although we may make jokes about law and lawyers, the truth is that courts are preferable to Roman arenas and lawsuits are a giant civilizational step beyond revenge killing. In the ancient world it was difficult to persuade people to turn their rights over to a third body — a court — and give up their personal vengeance to society’s decision. Law, contracts — all of it is the mark of a settled society. Whatever excesses may exist, they are less significant than the overall progress.

The weakness of contracts is that they require external enforcement. People enter contracts because of a quid pro quo — they give, and they get. It is a calculation of interest.

Although a covenant — “Brit” in Hebrew — involves interests as well (God promises, as do we) it is far deeper. When one side does not hold up the obligation, a covenant is not simply broken. For a covenant is ultimately a commitment of the heart. It binds beyond the “letter of the law.” The ketubah, although commonly referred to as a “marriage contract,” is better termed “a marriage covenant.”

People who are married hurt each other and disappoint each other; marriage does not stop our being human. But if each partner feels bound by covenant, these slights will be overridden by the commitment that Brit brings.

At Sinai Temple we are a covenantal community. Are there disappointments, failures, errors? Absolutely. Do we always fulfill each other’s expectations? Of course not. Yet those who are part of our community know its warmth, its goodness — its covenantal character. Our task as a people is to maintain that sense of covenantal closeness to each other, and to God.