

# Parsha Ponders

Mishpatim | February 12, 2021 | 30 Shevat 5781

## *Joyous acceptance<sup>1</sup>*

ואל-אצילי בני ישראל לא שלח ידו ויחזו את-האלקים ויאכלו וישתו

[Hashem] didn't send His hand against the dignitaries of the Children of Israel, [although] they had seen G-d and ate and drank<sup>2</sup>

After detailing various monetary and ritual laws, the Torah returns to the story of the Divine Revelation at Sinai. As the Jews were receiving the Torah, the dignitaries of the Jewish People feasted; they ate and drank. While this normally could have been justified, they were in front of the Divine Presence. The environment commanded a very high level of awe and respect. A public feast perhaps wasn't appropriate at that moment, and the Torah seems to rebuke them for it. The Torah implies that the dignitaries could have been wiped out at that moment, but Hashem had compassion and spared them. One explanation is that this was to not ruin the celebratory event of the giving of the Torah<sup>3</sup>. Instead, the dignitaries were later punished with death when they complained unjustifiably<sup>4</sup>.

What's hard to understand is that these dignitaries weren't average people. They were very pious and learned. Shouldn't they have had the proper sensitivity for the occasion? How could they shamelessly feast in front of Hashem's presence? Due to these issues, the Ramban suggests<sup>5</sup> that they didn't act disrespectfully at all. Rather, their feast was akin to a *seudas mitzvah*, a celebratory *mitzvah* feast. They were celebrating having just received the Torah. If that's so, how can it be reconciled with the verses? Saying that Hashem "didn't send His hand against the dignitaries" implies that He considered doing so, so-to-speak<sup>6</sup>. As well, at the very least, we see that their behavior was questionable. It *could* have appeared disrespectful, considering the timing. Why then did they choose this moment to celebrate?

Our Sages teach us<sup>7</sup> in many places that Hashem coerced the Jewish people into accepting the Torah. He picked up Mount Sinai over their heads and gave them an ultimatum: If you accept the Torah, good. If not, then this will be your burial place. Thankfully, the Jews accepted the Torah. Now, when someone is forced to do something against their will, they often will feel very upset by what just happened. They'll have no appetite, and will have no interest in eating or drinking. This in fact was the state of the Jewish people. They had just been coerced into accepting the Torah, and they weren't in the mood to celebrate<sup>8</sup>.

The Torah is telling us that the dignitaries of the Jewish people felt differently. They were overjoyed at the opportunity to receive the Torah. They chose this moment to show their joy with their brothers, and

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<sup>1</sup> Based on Kesav Sofer to Exodus 24:11. For a slightly similar treatment of this verse, see his father the Chasam Sofer's explanation at <https://parshaponders.com/mishpatim-5779/>

<sup>2</sup> Exodus loc. cit.

<sup>3</sup> Rashi to v. 10

<sup>4</sup> Numbers 11:1

<sup>5</sup> Ramban to Exodus 24:11

<sup>6</sup> The Ramban doesn't seem bothered by this implication. He says the Torah is stating as a matter of fact that Hashem didn't send His hand against them, as they acted properly. It's not clear how he understood why I would have thought they were deserving of punishment. Perhaps because as we said, it could have been understood as disrespectful, and the Torah is testifying that it was not

<sup>7</sup> Shabbos 88a; Mechilta D'Rabbi Yishmael Masechta DeBeChodesh § 3; Mechilta D'Rashbi to Exodus 19:17; Midrash Tanchuma Noach § 3; ibid Shoftim § 8. It's also mentioned in passing in Avoda Zarah 2b

<sup>8</sup> See Maharal's introduction to Ohr Chadash, who takes on a more optimistic approach to this teaching of Chazal. I believe according to him, the Jewish people weren't upset after they were forced to accept the Torah

made a celebratory feast. The fact that they had an appetite showed that they didn't feel coerced at all. There was no need to hang the mountain over their heads, as they would have accepted the Torah anyways<sup>9</sup>.

There's a dispute amongst the Sages<sup>10</sup> what our attitude is supposed to be with regards to the Festivals. Are we supposed to entirely devote them to prayer and study? Or is it more proper to celebrate them with Earthly delights such as delicious meat and fine wine? Some say that either mode is acceptable. Others say that one should split their Festival in two: half devoted to prayer and study and half devoted to feasting. However, the *gemarra* concludes<sup>11</sup> that everyone agrees that on Shavuot, the Festival commemorating the giving of the Torah, there's an obligation to Feast. The reason is to emulate the dignitaries; to demonstrate that we are overjoyed at the opportunity to receive the Torah<sup>12</sup>. We would have accepted it willingly, even without coercion.

We now have a new way to read the verse we started with. When the Torah says that Hashem didn't "send His hand against the dignitaries", it's not discussing punishment. Obviously, there was no need to punish them, as they acted properly. What then is the Torah saying? The phrase "send His hand" is referring to putting Mount Sinai over the Jews' heads. Even though the Jews were coerced into accepting the Torah, it wasn't the same experience for everyone. For the dignitaries, there was no need to do so! They would have accepted the Torah anyways. The Torah is telling us that the dignitaries were eating and drinking to show their joy, because Hashem didn't need to "send His hand" by lifting the mountain over their heads. They didn't need any coercion.

Despite this coercion, our Sages tell us<sup>13</sup> that the Jews willingly accepted the Torah anew. After their miraculous salvation in the Purim story, the Jews were so overjoyed and so grateful. They wanted to express their gratitude to Hashem, and they accepted the Torah again out of love, not out of coercion. Perhaps this is one of the reasons that Mordechai instituted celebrating Purim with a feast. Just like the dignitaries, that when they willingly accepted the Torah, ate and drank and celebration, so too the Jewish people as a whole, after accepting the Torah in the Purim story.

Good Shabbos

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<sup>9</sup> See Chida in his Ahavas Dovid Drush 16 ודע דמוכח מריעא ד"ה, who infers from Zohar III Raya Mehemna parshas Nasso p. 125a that only the עמי הארץ had the mountain lifted over their heads. According to this approach, it's not that the dignitaries didn't *need* to have the mountain put over their heads. It didn't even happen! The Chida also says this in his commentary on the Zohar, Nitzotzei Oros ad. loc. § 4. See also Keli Chemdah to Genesis 46:10, the Ostrovzter Rebbe, Rav Meir Yechiel (brought in Siach Chochmah Shavuot § 16), and Rav Eliyahu Shik in Ein Eliyahu to Zevachim 101b, who infer from the *gemarra* in Zevachim that Moshe wasn't coerced into accepting the Torah. Cf. Maharsha ad. loc. However, Da'as Zekeinim to Numbers 11:26 imply that even the most righteous Jews needed to be coerced, and in the introduction to Shev Shematesa the author understands even Moshe had to be coerced

<sup>10</sup> Pesachim 68b; Beitzah 15b

<sup>11</sup> Pesachim loc. cit.

<sup>12</sup> See Rashi ad. loc.

<sup>13</sup> Shabbos 88a