

Parsha Ponders

Purim | March 7, 2023 | 14 Adar 5783

Wrongful Rabbinic reservations¹

ויוצא משה את-העם לקראת האלקים מן-המחנה ויציבו בתחתית ההר

Moshe took the people out from the camp to greet Hashem, and they stood at the foot of the mountain²

Before the great revelation of the Divine at Mount Sinai, when the Jews were given the Ten Commandments, the Torah says that the Jews stood at the foot of the mountain. However, literally read, the verse says that they stood “under” the mountain. *Chazal* learn from here³ that this teaches us that Hashem picked up the mountain and held it over their heads. He said to them: “If you accept the Torah, good. But if not, then this⁴ will be your burial place”. Thankfully, the Jews accepted the Torah. In fact, they later accepted it anew in the days of Achashverosh, out of love. However, this shows us that initially it was only through coercion. This seems to contradict a different verse⁵, where the Jews proudly announced that they will do whatever Hashem commands them. This sounds like they were initially happy to accept the Torah. If so, why then did Hashem force them to accept it? How do we resolve this contradiction?

There are many resolutions which are suggested⁶. One popular one is that when the Jews declared, “we will do and we will listen”, this was in reference to the Written Torah. They accepted upon themselves whatever the basic text expects of them⁷. What they didn’t voluntarily accept, and that which required a coercive approach, was the Oral Torah⁸. Hashem put the mountain over their heads to ensure that they accept the Rabbinic tradition for how to understand the Written Torah, as well the Rabbinic enactments and decrees which complement the Torah⁹.

¹ Based on Teshuvos Chasam Sofer Orach Chaim § 208 s.v. ולתשלום

² Exodus 19:17

³ Shabbos 88a; Mechilta D’Rabbi Yishmael Masechta DeBeChodesh § 3; Mechilta D’Rashbi ad. loc.; Midrash Tanchuma Noach § 3, as well as the sources in note 6. It’s also mentioned in passing in Avoda Zarah 2b

⁴ שם תהא קבורתכם, literally: “there” will be your burial place. The commentators are bothered by this expression and have various approaches to explain why it is phrased this way. However, the version in Mechilta D’Rashbi loc. cit. says “here” will be your burial place

⁵ Exodus 24:7. These two verses are in two different *parshiyos*: *Yisro* and *Mishpatim*. Rashi to 24:1 says that that section of *Mishpatim* occurred before the Ten Commandments were given. As we’ll see, it’s a matter of debate exactly when the first verse occurred in relation to the second

⁶ For example, Tosafos ad. loc. s.v. כפה עליהן הר כגיגית and Maharal’s introduction to Ohr Chadash. However, according to Mechilta D’Rashbi loc. cit., the question doesn’t begin. The *Midrash* clearly states that they only said נעשה ונשמע (we will fulfill and we will listen) **because** Hashem hung the mountain over their heads. Otzar Midrashim Kisvei Yad | pg. 96, which brings a *Sheiltah* to *parshas VeZos HaBeracha*, shows this as well. However, the Midrash Tanchuma loc. cit. clearly disagrees and says that they had said נעשה ונשמע prior to having the mountain put over their heads. This is similarly evident from ibid Shoftim § 8. See as well note **Error! Bookmark not defined.** For other resolutions to this contradiction, see Torah Sheleimah ad. loc. § 224

⁷ See Ohr Chadash loc. cit., where the Maharal finds it ludicrous to suggest a sincere acceptance of the Written Torah alone, since it’s impossible to decipher without the Oral Torah

⁸ Midrash Tanchuma Noach loc. cit. The Chasam Sofer cites this explanation from “the *Rishonim*”, although I’m not familiar with which *Rishonim* he’s referring to

⁹ This addition of the Chasam Sofer doesn’t appear in the Midrash Tanchuma loc. cit. As well see, it’s an integral part of his whole piece

This explanation is actually alluded to in the verses. When the Jews were going to receive the Torah, they said: “we will do and we will listen”. However, when the Torah recounts the giving of the Torah, it says¹⁰ the Jews told Moshe that: “we will listen and we will do”, which is the opposite of what we were originally told. What’s the intent? The Jews were telling Moshe that they believe that Hashem has their best interest in mind¹¹. He wouldn’t command us in things we can’t keep. Whatever He says, we will do. Therefore, they said: “we will do and we will listen”. However, to be beholden to the Rabbis, and to follow whatever they decree, that was too much. Anything they enact will always be suspect, and the people couldn’t commit to blindly accept what is imposed on them. Perhaps it won’t be in their best interest! Therefore, they said: “we will listen and we will do”.

Nevertheless, Hashem put the mountain over their heads. Despite their concerns about the Rabbis, they were forced to agree. Anything enacted by the Rabbis was now their obligation to follow. However, since it was under duress, they always had an escape clause. Our Sages say that that which was imposed upon them provided them an excuse. If they ever failed to live up to their obligation, they could simply say that they never willingly accepted this obligation in the first place. It was imposed on them. However, during the days of Purim, they accepted the Torah anew. They lost their excuse, because they accepted everything willingly. What changed?

Mordechai at first glance didn’t behave in the best way. He refused to bow to Haman, even though there didn’t seem to be any reason not to. It appeared to be an excessive stringency, one which riled up Haman’s wrath. An onlooker would think that Mordechai was the reason for the decree against the Jews in the first place. The Jews weren’t too pleased with what they were seeing¹². And yet, that all disappeared once the Purim story came to a close. They realized that Hashem concurred with Mordechai’s actions, as everything came to a satisfying end. Mordechai and Esther’s plans were successful, and Haman’s plot was a failure. After Mordechai’s clear heavenly aid, the Jews realized there’s no justification to question the Rabbis. Everything they do is for the Jews’ best, and it would be wise to follow them. It’s no wonder then why they accepted the Torah, both Written and Oral, after the Purim Story.

Purim Sameach! A freilichen Purim!

¹⁰ [Deuteronomy 5:24](#)

¹¹ This is the [Chasam Sofer](#)’s understanding of [Shabbos 88b](#) (top)

¹² See [Megillah 12b, 13a](#), where the Jews complained about Mordechai. Cf. [Michtav M’Eliyahu Emunas Chachamim](#), who understands that the Jews never questioned Mordechai’s actions