

Drisha Institute for Jewish Education

From Revelation to Realization: Matan Torah & Shavuot

Part #1: Coercion, Commitment, or Covenant? Three Models for Matan Torah

A. Coercion

1. Shemot 19:16-17

שמות יט:טז-יז

(16) On the third day, as morning dawned, there was thunder, and lightning, and a dense cloud upon the mountain, and a very loud blast of the horn; and all the people who were in the camp trembled. (17) Moses led the people out of the camp toward God, and they took their places at the foot of the mountain.

(16) וַיְהִי בַיּוֹם הַשְּׁלִישִׁי בְהִיטּוֹת הַבָּקָר וַיְהִי קֶלֶת וּבְרָקִים וַעֲנַן כָּבֵד עַל־הָהָר וְקֵל שֶׁפָּר חֲזָק מְאֹד וַיִּחַרְדּוּ כָל־הָעָם אֲשֶׁר בְּמַחֲנֶה: (17) וַיּוֹצֵא מֹשֶׁה אֶת־הָעָם לִקְרֹאת הָאֱלֹקִים מִן־הַמַּחֲנֶה וַיִּתְיַצְּבוּ בְּתַחְתֵּית הָהָר:

2. Rashi on Shemot 19:17

רש"י על שמות יט:יז

At the bottom of the mountain: According to the simple rendering [in denotes] at the foot of the mountain. And its Midrashic interpretation is that the mountain was uprooted from its place and turned over them like a beer barrel.

בתחתית ההר. לפי פשוטו ברגלי ההר ומדרשו שנתלש ההר ממקומו ונכפה עליהם כגיגית:

3. Talmud Bavli, Shabbat 88a

תלמוד בבלי שבת פח.

The Torah says, "And Moses brought forth the people out of the camp to meet God; **and they stood at the lowermost part of the mount**" (Exodus 19:17). **Rabbi Avdimi bar Hama bar Hasa said:** the Jewish people actually stood beneath the mountain, and the verse **teaches that the Holy One, Blessed be He, overturned the mountain above the Jews like a tub, and said to them: If you accept the Torah, excellent, and if not, there will be your burial. Rav Aha bar Ya'akov said: From here there is a substantial caveat to the obligation to fulfill the Torah.** The Jewish people can claim that they were coerced into accepting the Torah, and it is therefore not

"וַיִּתְיַצְּבוּ בְּתַחְתֵּית הָהָר", אָמַר רַב אַבְדִּימִי בַר חַמָּא בַר חַסָּא: מִלְמַד שֶׁכִּפְּהָ הַקָּדוֹשׁ בְּרוּךְ הוּא עֲלֵיהֶם אֶת הָהָר כְּגִיגִית, וְאָמַר לָהֶם: אִם אַתֶּם מְקַבְּלִים הַתּוֹרָה מוֹטֵב, וְאִם לֹא – שֵׁם תֵּהָא קְבוּרַתְכֶם. אָמַר רַב אַחָא בַר יַעֲקֹב: מַכְאוּ מוֹדְעָא רַבָּה לְאוּרֵייתָא. אָמַר רַבָּא: אִף עַל פִּי כֹן הַדּוֹר קִבְּלוּהּ בִּימֵי אַחְשָׁרוּשׁ, דְּכָתִיב: "קִיְמוּ וְקִבְּלוּ הַיְהוּדִים" – קִיְמוּ מַה שֶׁקִּיְבְּלוּ כָּבֵר. אָמַר חֲזַקְיָה, מַאי דְּכָתִיב: "מִשְׁמַיִם הַשְּׁמַעַת דִּין אֶרֶץ יִרְאֶה וְשִׁקְטָה", אִם יִרְאֶה – לָמָּה שִׁקְטָה? וְאִם שִׁקְטָה – לָמָּה יִרְאֶה? אֵלָּא בְּתַחֲלִילָה יִרְאֶה וּלְבַסּוּף שִׁקְטָה. וְלָמָּה יִרְאֶה? כְּדָרִישׁ לְקִישׁ. דְּאָמַר רִישׁ לְקִישׁ, מַאי דְּכָתִיב: "וַיְהִי עֶרֶב וַיְהִי בֹקֶר יוֹם הַשְּׁשִׁי", ה'

binding. **Rava said: Even so, they again accepted it willingly in the time of Ahasuerus, as it is written:** “The Jews ordained, and took upon them, and upon their seed, and upon all such as joined themselves unto them” (Esther 9:27), and he taught: The Jews **ordained what they had already taken upon themselves** through coercion at Sinai.

Hizkiya said: What is the meaning of that which is written: “You caused sentence to be heard from heaven; the earth feared, and was silent” (Psalms 76:9)? If it was afraid, why was it silent; and if it was silent, why was it afraid? Rather, the meaning is: At first, it was afraid, and in the end, it was silent. And why was the earth afraid? It is in accordance with the statement of Reish Lakish, as Reish Lakish said: What is the meaning of that which is written: “And there was evening and there was morning, the sixth day” (Genesis 1:31)? Why do I require the superfluous letter *heh*? It teaches that the Holy One, Blessed be He, established a condition with the act of Creation, and said to them: If Israel accepts the Torah on the sixth day of Sivan, you will exist; and if they do not accept it, I will return you to the primordial state of chaos and disorder.

יתירה למה לי? – מלמד שהתנה הקדוש ברוך הוא עם מעשה בראשית ואמר להם: אם ישראל מקבלים התורה – אתם מתקיימין, ואם לאו – אני מחזיר אתכם לתוהו ובוהו.

4. Meshech Chochma, Shemot 19:17

משך חכמה שמות יט:יז

R' Simcha HaKohen of Dvinsk, Latvia (1843-1926)

“They stood at the base of the mountain,” it teaches that He coercively held the mountain over them like a cask (Shabbat 88a). The explanation is that He showed them God’s Glory, in full awareness, and wonderful revelation, until really their natural free will was void, and their souls left them from the comprehension of God’s Glory, and they were compelled, like

ויתיצבו בתחתית ההר. מלמד שכפה עליהן הר כגיגית (שבת פח, א), פירוש שהראה להם כבוד ה' בהקיץ ובתגלות נפלאה עד כי ממש בטלה בחירתם הטבעי ויצאה נשמתם מהשגת כבוד ה', והיו מוכרחים כמלאכים בלא הבדל, וראו כי כל הנבראים תלוי רק בקבלת התורה.

angels, no difference, and they saw that all creation was entirely dependent on the acceptance of the Torah.

5. Tosafot, Talmud Bavli Shabbat 88a

תוספות שבת פח.

Overtured the mountain above them like a tub: And even though they had already first said, "We will do," before, "and we will hear" (Shemot 24:7) - perhaps they would retract when they would see the great fire [on the mountain], such that their souls departed...

כפה עליהן הר כגיגית - ואע"פ שכבר הקדימו נעשה לנשמע שמא יהיו חוזרים כשיראו האש הגדולה שיצאתה נשמתן...

6. Maharal, Tiferet Israel 32

מהר"ל תפארת ישראל לב

R' Judah Loew ben Betzalel, 16th Century, Prague

And regarding that the mountain was held over them as a tub, so that the Jewish people would not say that they accepted the Torah themselves. And if they didn't want to, they wouldn't have accepted it. And this would not have been worthy of the Torah, since the entire world is dependent on Torah. And if the Torah didn't exist, the entire world would return to chaos. Therefore, it was not appropriate that the acceptance of Torah would be dependent on choice, but that G-d would obligate and force them to accept the Torah, so that the world would not return to chaos.

אבל מה שכפה עליהם ההר, שלא יאמרו ישראל אנחנו קבלנו התורה מעצמנו. ואם לא היינו רוצים, לא היינו מקבלים התורה. ודבר זה לא היה מעלת התורה. כי התורה כל העולם תלוי בה. ואם לא היתה התורה, היה העולם חוזר לתהו ובהו (שבת פח.). ולפיכך אין ראוי שתהיה קבלת התורה בבחירת ישראל, רק שהיה הקב"ה מחייב ומכריח אותם לקבל התורה, שאי אפשר זולת זה, שלא יחזיר* העולם לתהו ובהו.

7. Talmud Bavli, Bava Kamma 87a

תלמוד בבלי בבא קמא פז.

Rav Yosef [who was blind] said: At first I would have said that were someone to say that the halacha is according to Rabbi Yehuda, who said a blind man is exempt from mitzvot, I would make a festive celebration for the sages. For what reason? For I am not commanded and I perform mitzvot. Now that I have heard this [teaching] of Rabbi Chanina, that Rabbi Chanina said, 'Greater is one who is

אמר רב יוסף: מריש הוה אמינא מאן דאמר הלכה כר"י דאמר סומא פטור מן המצות קא עבידנא יומא טבא לרבנן, מאי טעמא? דלא מפקדינא וקא עבידנא מצוות. והשתא דשמעית להא דרבי חנינא, דאמר רבי חנינא 'גדול המצווה ועושה ממי שאינו מצווה ועושה, מאן דאמר לי אין הלכה כרבי יהודה עבידנא יומא טבא לרבנן. מאי טעמא? דכי מפקדינא אית לי אגרא טפי.

commanded and does [a mitzva] than one who is not commanded and does [a mitzva], were someone to say to me that the halacha is not according to Rabbi Yehuda, I would make a festive celebration for the sages. For what reason? That when I am commanded I have greater reward.

8. R' Yaakov Kamenetzky, Emet li'Yaakov

אמת ליעקב, ר' יעקב קמנצקי

United States, 1891-1986

...For truly they needed both matters, namely worship out of love and worship out of fear, for sometimes the love is not enough for him, and sometimes his fear weakens, and for this reason even though they already accepted on themselves the Torah out of love, "we will accept and we will do," nevertheless they hadn't out of fear...

שבאמת צריכים לשני הענינים, היינו העבודה מאהבה והעבודה מיראה, כי לפעמים לא תספיק לו האהבה ולפעמים תחלש אצלו היראה, ועיי"ש, ולכן אע"פ שכבר קבלו על עצמן את התורה מאהבה, נעשה ונשמע, מכל מקום מיראה לא נסו...

9. Rabbi Joseph Soloveitchik, The Lonely Man of Faith, note at end of Chapter 5

Boston/NY, 1903-1993

...The reason for introducing an element of coercion in the great Sinai covenant, in contradistinction, prima facie, to the Biblical story, lies in the idea that covenantal man feels overpowered and defeated by God even when he appears to be a free agent of his own will...

10. Rabbi Joseph Soloveitchik, Catharsis

...What is heroism in the Halacha? What does the Halacha recommend to us, that we may attain heroic stature? The answer is: one must perform the dialectical movement. The Halachic catharsis expresses itself in paradoxical movement in two opposite directions - in surging forward boldly and in retreating humbly. Man's heroic experience is a polar, antithetic one. Man drives forward only to retreat and to reverse, subsequently, the direction of his movement...

...Bride and bridegroom are young, physically strong and passionately in love with each other. Both have patiently waited for this rendezvous to take place. Just one more step and their love would have been fulfilled, a vision realized. Suddenly the bride and groom make a movement of recoil. He, gallantly, like a chivalrous knight, exhibits paradoxical heroism. . He takes his own defeat. There is no glamor attached to his withdrawal. The latter is not a spectacular gesture, since there are no witnesses to admire and to laud

him. The heroic act did not take place in the presence of jubilating crowds; no bards will sing of these two modest, humble young people. It happened in the sheltered privacy of their home, in the stillness of the night. The young man, like Jacob of old, makes an about-face; he retreats at the moment when fulfillment seems assured.

This kind of divine dialectical discipline is not limited to man's sexual life, but extends to all areas of natural drive and temptations. The hungry person must forego the pleasure of taking food, no matter how strong the temptation; men of property must forego the pleasure of acquisition, if the latter is halachically and morally wrong. In a word, Halacha requires of man that he possess the capability of withdrawal...

B. Marriage

11. Talmud Bavli, Taanit, 26b

תלמוד בבלי תענית כו:

And similarly, it says in another verse: “Go forth, daughters of Zion, and gaze upon King Solomon, upon the crown with which his mother crowned him on the day of his wedding, and on the day of the gladness of his heart” (Song of Songs 3:11). This verse is explained as an allusion to special days: **“On the day of his wedding”; this is the giving of the Torah** through the second set of tablets on Yom Kippur. **“And on the day of the gladness of his heart”; this is the building of the Temple, may it be rebuilt speedily in our days.**

וכן הוא אומר: “צאִינָה וּרְאִינָה בְּנוֹת צִיּוֹן בְּמַלְךְ שְׁלֹמֹה בְּעֵטְרָה שְׁעֵטְרָה לוֹ אִמּוֹ בְּיוֹם חַתֻּנֹתָיו וּבְיוֹם שְׂמֵחַת לְבוֹ.” “בְּיוֹם חַתֻּנֹתָיו” – זֶה מִתֵּן תּוֹרָה, “וּבְיוֹם שְׂמֵחַת לְבוֹ” – זֶה בְּנִין בֵּית הַמִּקְדָּשׁ, שְׂיִבְנֶה בְּמַהֲרָה בְּיָמֵינוּ.

12. Midrash Mechilta D’ Rebbi Yishmael, Yitro

מכילתא דרבי ישמעאל, מִסְכָּתָא דְּבַחֲדָשׁ ג

Rabbi Yosi said, Yehuda would expound, (Devarim 32:2) ‘And he said, Hashem came from Sinai’ don’t read it as this, rather Hashem came to Sinai to give the Torah to the Jewish people or perhaps otherwise, rather He came from Sinai to accept the Jewish people, as this groom who goes out to greet his bride. And they stood, they pressed together [...] we learn that the mountain was uprooted from its place and they encroached and stood beneath the

”אמר ר' יוסי, יהודה היה דורש, (דברים לג) ”ויאמר ה' מסיני בא”, אל תקרא כן, אלא ה' לסיני בא, ליתן תורה לישראל או אינו אומר כן, אלא ה' מסיני בא, לקבל את ישראל, כחתן זה שהוא יוצא לקראת כלה. ויתצבו, נצפפו. [מלמד שהיו ישראל מתיראין מפני הזיקין מפני הזועות מפני הרעמים מפני הברקים הבאים. – בתחתית ההר]. מלמד שנתלש ההר ממקומו, וקרבו ועמדו תחת ההר, שנאמר (שם ד) ותקרבו ותעמדו תחת

<p>mountain as it says (Devarim 4:11) 'and you came close and you stood under the mountain'. Of them it is described in Shir Ha'Shirim (2), "oh my dove that is in the cleft of the rock."</p>	<p>ההר. עליהם מפורש בקבלה (שה"ש ב) יונתי בחגוי הסלע בסתר...</p>
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13. Yirmiyahu 3:1

ירמיהו ג:א

<p>[The word of GOD came to me] as follows: If a man divorces his wife, and she leaves him and gets married to another man, can he ever go back to her? Would not such a land be defiled? Now you have whored with many lovers: can you return to Me?—says GOD.</p>	<p>לֵאמֹר הֲנִי יִשְׁלַח אִישׁ אֶת־אִשְׁתּוֹ וְהִלְכָה מֵאִתּוֹ וְהִיְתָה לְאִישׁ־אַחֵר הַיֹּשֵׁב אֵלֶיהָ עוֹד הֲלוֹא חֲנוּף תִּחְנַף הָאָרֶץ הַהִיא וְאֵת זְנִית רַעִים רַבִּים וְשׁוֹב אֵלַי נֹאמֶה׃</p>
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14. Maharal, Gur Aryeh, Exodus 19:17

מהר"ל גור אריה שמות יט:ז

<p>...And I found a Midrash that states that when G-d gave the Torah to Israel, He held the mountain over them like a tub, until they were forced to accept the covenant of G-d. And we find it written in the case of a forced woman (Devarim 22:29) "and she shall be his wife and he cannot send her away all of his days." Therefore, since G-d forced them, G-d can never send them away...</p>	<p>...ובמדרש מצאתי כיון שבא הקב"ה ליתן התורה לישראל, כפה עליהם הר כגיגית, עד שהיו אנוסים לקבל בריתו של הקב"ה, וכתוב אצל אונס (ר' דברים כב, כט) "ולו תהיה לאשה לא יוכל לשלחה כל ימיו", ובזה שהיה הקב"ה מאנס אותם, נשארו להקב"ה עד שלא יוכל לשלח אותם לעולם...</p>
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C. Ancient Treaty

15. Ancient Hittite Suzerain/Vassal Treaties:

<ol style="list-style-type: none"> 1. Historical prologue documenting the previous relationship between the parties (and how suzerain saved the vassal) 2. Covenant stipulations vassal must keep 3. Provisions for periodic reading and safekeeping of covenant 4. Witnesses to the covenant 5. Blessings and curses should vassal fail to keep covenant
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16. Rabbi Joshua Berman, Brit Sinai in Ancient Context,

<https://www.torahmusings.com/2013/09/rethinking-orthodoxy-and-biblical-criticism-iii/>

...It is commonplace that the Torah speaks of a *brit* that was formed between God and Israel at Sinai. But just what is a *brit*? Translating *brit* into English, “covenant” is of little help, and merely begs the question then, of what is a “covenant”? More to the point, we should note the unusual dynamics present in this relationship. *Brit* seems to be a compact, contract, or pact between two parties. Yet, in modern times both sides to a contract freely enter the agreement and each side has the right to decline entering the agreement, if it wishes. While Israel at Sinai expresses its agreement—*na’aseh ve-nishma*—it is also plain that she had little choice but to do so. Put differently, what we have at Sinai is a form of agreement where the parties are unequal, and where the lesser side (Israel) is expected to agree to the terms dictated by the stronger side (God). On the other hand, it seems that the stronger side is not tyrannical or cruel, but seeks a genuine relationship with the lesser side, but on His terms. There is no modern counterpart to this type of relationship.

However, we do see precisely this type of relationship in political treaties of the late second millennium BCE, the proposed period of the bondage, Exodus and settlement of the Land. This type of relationship—bi-lateral but fundamentally between unequals; dictated, yet while establishing a positive relationship between the parties—is found in what are known as the vassal treaties of the period, between stronger and lesser kings. The Torah articulates the relationship between God and Israel as one between a great king and a lesser king engaged in just such a treaty... In the fourteenth and thirteenth centuries BCE, all nations around the eastern Mediterranean rim participated in these relationships. What I will show here are some of the ways in which the Torah adopts—and yet adapts—this idea, to help Israel understand the nature of her relationship with her Heavenly King...

1. Historical prologue:

...Almost universally, these treaties opened with an historical prologue, which delineates the events that led to the establishment of the treaty between the stronger and lesser king. Oftentimes written at great length, it tells of the salvation rendered by the sovereign on behalf of the vassal that led the vassal to subordinate himself to the sovereign: a stronger king could send troops, thereby affording the lesser military salvation, or he could send food supplies in time of drought. Universally in these treaties, we find that the lesser king appeals to the stronger for assistance. The stronger king agrees to act on behalf of the subordinate, but does so without specifying conditions. Once salvation has been delivered, it is clear to all parties that the sovereign may now dictate the terms of an amicable relationship between the two, and that the lesser is expected to agree to those terms, in recognition of the salvation offered him...

Strikingly, these treaties would begin with the formula “The words of [name of the sovereign king]” followed by a delineation of the favor bestowed upon the subordinate.

The Decalogue reveals such an introduction. Before the delineation of the laws themselves, we find the following introduction (Shemot 20:1-2): “God spoke all these words, saying: ‘I the Lord am your God who brought you out of the land of Egypt, the house of bondage.’”...

2. Treaty stipulations:

...One treaty warns the vassal of punishment, “if you seek the well-being of another [king]... thereby you will break the oath.” Such clauses add new dimensions to readily familiar passages in the Torah. The opening stipulation of the Ten Commandments, “You shall have no other gods beside Me,”... takes on a different light when seen in the context of ancient Near Eastern treaty formulations. God is the sovereign, Israel the subordinate. When Israel reveres another god it violates a relationship... For the subordinate king to establish treaties or other ties with another power would be tantamount to treason...

...In some treaties we find that the subordinate king must make regular appearances before the sovereign. One treaty states that the vassal king “must come before his Majesty and look upon the face of His Majesty. As soon as he comes before His Majesty, the noblemen of His Majesty (will rise) from their seats. No one will remain seated above him.”...We find similar language in the stipulations of the brit narrative of Shemot 19-24. In 23:17, we read “three times a year, all of your males shall be seen by the face of the Lord-Hashem”... The mitzvah of aliyat regel—pilgrimage on the festivals— is a call to the vassal Israel to pay a visit of homage to the sovereign King of Kings.

...The treaties routinely mandate the periodic reading of the treaty within the subordinate king’s court. In one treaty, the vassal is told, “(This tablet which) I have made (for you), shall be read out (before you three times yearly).” Once again, we see a parallel stipulation in the Torah, but one that is extended to include all members of Israel... that “treaties” or, the terms of the covenant between God and Israel are read out before the whole people on a number of occasions: at Sinai (Shemot 24:3-4, 7-8), and at the mitzvah of Hakhel (Devarim 31:10-13).

3. Deposit of the Treaty in the Temple

The next typical element of the vassal treaty called for a copy of the treaty to be deposited within the temple of the subordinate’s deity. This would demonstrate and affirm that the local deity of the subordinate was interested in the fulfillment of its terms...The Torah adopts this same idea, but transforms it to help Israel realize its “treaty” obligations. The text of the “treaty” or, at least a part of it—the Tablets of Testimony (luhot ha-brit)—was deposited within the Ark of the Covenant (aron ha-brit) within the Kodesh-kodashim (Shemot 25:21; 40:20; cf. Devarim 31:26)....Within the pagan logic of the vassal treaty, the vassal deposited the tablets of the treaty into the temple of his own god, displaying that that god attested to the binding nature of the treaty. At Sinai, of course, the “deity” of the subordinate king is none other than the sovereign king, the Almighty.

4. Witnesses to the treaty

Vassal treaties typically included a long list of divine witnesses that were called upon to enforce the treaty and to punish the subordinate in the event of violation. These were often gods of the natural world. One representative text reads:

The mountains, the rivers, the springs, the great sea, heaven and earth, the winds and the clouds. They shall be witnesses to this treaty and this oath. All the words of the treaty and oath which are written on this tablet—if (name of vassal king) does not observe these words of the treaty and oath, but transgresses the oath, then these oath gods shall destroy (name of the vassal king).

Similarly, the natural elements of the heaven and the earth bear witness to God's treaty with Israel (ex: וְאֶת־הָאָרֶץ וְאֶת־הַשָּׁמַיִם הַיּוֹם הַזֶּה בְּכֶם הֵעִידְתִּי בְּכֶם, "I call heaven and earth this day to witness against you..." in Devarim 4:26).

5. Blessings and curses

Finally, these vassal treaties concluded with blessings that would be bestowed upon the subordinate by the gods in exchange for his loyalty, and, conversely, curses that would befall him, in the event of violation of the terms of the treaty. These were usually juxtaposed, and located at the end of the treaty, as in the following passage:

If you... do not observe the words of this treaty, the gods... shall destroy you... they will draw you out like malt from its husk. ... And these gods... shall allot you poverty and destitution... Your name and your progeny... shall be eradicated from the earth. The ground shall be ice, so that you will slip. The ground of your land shall be a marsh of [tablet broken]... so that you will certainly sink and be unable to cross.

If you observe this treaty and oath, these gods shall protect you... together with your wife... her sons and grandsons...

Both in Vayikra 26 and Devarim 28, similar conventions are employed. A series of blessings of prosperity and bounty open with the phrase "If you heed... then..." (Vayikra 26:3; Devarim 28:1) followed by a longer, more elaborate series of curses, which likewise opens with the phrase, "if you do not heed... then..." (Vayikra 26:14; Devarim 28:15).

To summarize:

... We can see within this use of the vassal treaty model, the manner in which the Torah introduced Israel to the idea of the kingship of God. Moreover, the Torah uses this model to help concretize for Israel what it means to be in relationship with God, using a model that was readily familiar throughout the region at that time. We have always known that the Torah portrayed God as a sovereign, a king. The vassal treaty literature allows us greater definition in our understanding of God as king and we as His servants.