

# THE LIMITS OF AUTONOMY

by Nechama Stampler

## The Limits of Autonomy<sup>1</sup>

*Moshe took the nation out from the camp towards G-d and they stood ready besachtis of the mountain.*

Rashi: The plain sense of the last phrase is that they stood at the foot or base of the mountain. The medrash, however, has it that He uprooted the mountain from its place and overturned it over their heads like a barrel.

Maharal: Tosafos<sup>2</sup> ask that the people had already fully accepted the Torah with a memorable proclamation of na'aseh v'nishmah - we will do, and we will listen. Why would they need to be coerced into accepting the Torah when they had already accepted it with a full heart?

Tosafos answer that the Bnei Yisrael reconsidered their enthusiastic acceptance of the Torah when they experienced the awesome fire that accompanied Hashem's Presence at the time of the Revelation. That sight caused their souls to depart from them, and they balked at all future contact with Him.

Tosafos' approach does not seem proper to us. They reduce the monumental achievement of na'asseh v'nishmah to a short period of time, after which it vanished when the Bnei Yisrael experienced buyer's remorse.

Although even this approach is not so attractive to us, it is possible that Tosafos did not see the Bnei Yisrael's backing away from accepting the Torah as a stain on their record. HKBH knew what was in their hearts. They became petrified by their experience of closeness with G-d, and believed that they were simply incapable of withstanding such an overwhelming Presence any longer. They (wrongly) assumed that a continued relationship with Hashem would mean an endless stream of such physical and spiritual overload. They did not realize that it was only at Sinai that they were meant to endure such direct contact with the Divine. Their original acceptance of the Torah was not at all diluted or refuted by this natural fear. Backing away from it was nothing to be ashamed of.

The correct explanation of this passage, however, seems obvious. Even though Klal Yisrael was asked whether they wished to accept the Torah, Hashem needed to show them that Torah was not really a matter of human choice. Torah was a necessity; without it, the world would perforce return to nothingness.

Hashem had, as it were, respected their autonomy. He did not impose His Will upon them, but asked them if they were willing to accept Him as their King, and His law as their obligation. They responded perfectly with na'aseh v'nishmah. Because they were given a choice, it would be possible for them (or some other generation) to regard Torah as an option, a choice that could be exercised by those who had use for it. Torah could come to be regarded as a great tool and a wonderful asset - but not the defining element of worldly existence. It was critical to the future of the Jewish people for them to understand the primacy of Torah, and how all existence was predicated on its presence in this world as a vehicle for Hashem's word.

Not coincidentally, after discussing the mountain held over the heads of the Bnei Yisrael, the gemara<sup>3</sup> turns back to the Creation story. It cites the anomalous usage of the definite article in the case of the sixth day of Creation. (Preceding it were "second day," "third day," "fourth day," "fifth day" - finally arriving at yom hashishi, the sixth day.) Chazal emphasize that all the work of Creation was contingent upon that famous sixth day of Sivan, at which time the Jewish people would accept the Torah. The two passages may be juxtaposed so that we can realize why Hashem found it necessary to suspend the mountain over the heads of a people who had so enthusiastically embraced the Torah a short while before. Despite this explanation, Rava was perfectly on target in characterizing the circumstances of kabbalas ha-Torah as "a great notification," meaning that the mountain poised over the heads of the people had the same legal effect as a party to a transaction giving notice in advance that he was acting under duress and not his own free-will. This was not because the Bnei Yisrael accepted the Torah only because they were compelled. As we have explained, this was not the case. They acted entirely of their own volition. The mountain dangled above them only to teach them an important truth about the necessity of Torah.

Nonetheless, Rava is correct. And he is correct in arguing that the "notification" was withdrawn and nullified by Klal Yisrael's voluntary assumption of a new mitzvah of Purim.

This is why. What is the core flaw in a coerced transaction? You only need to force something that does not fit flawlessly. Things that completely belong together need not be forced together. Holding the mountain over their heads may have shown us that a world cannot exist without Torah, but what does that have to do with us? Where do we fit in? Showing one people that they were compelled to receive the Torah leaves room to argue that Torah may be organically part of the world, but not particularly related to them! The upshot of this reasoning would be that any failing on their part to uphold the Torah would be somewhat natural and excusable. (You can engineer ways to suspend a rock in the air. If the rock falls after some time, however, no one is surprised. The rock doesn't "belong" suspended off the ground. It has to be forced to stay there.) This was the "notification" - an excuse for future failure to uphold the Torah as Hashem demanded. The events in Shushan changed the equation. When Klal Yisrael accepted a new mitzvah upon itself, it indicated that its relationship with Torah was not forced, foreign, or jury-rigged - despite initial appearances. By accepting a new mitzvah, Klal Yisrael demonstrated that its relationship with Torah was essential, not accidental.

Torah fits the Jewish people by essential design - their design as much as its design. The two are, literally, made for each other.

A medrash<sup>4</sup> attaches the story of Sinai's aerial suspension to the Torah's treatment of the rapist. "To him she shall become a wife. He may not send her away all his days."<sup>5</sup> The rape victim, at her option, may lay claim on her abuser; he may never exercise the prerogative of divorce. Some wrongly understand this medrash to be saying that since Hashem compelled us to accept the Torah, He has lost the ability to ever rid Himself of us.

That is incorrect. The law of the rapist is a reaction to sin. It has nothing to contribute to our understanding of Hashem's relationship with us. Its meaning, rather, relates to the ideas we have discussed. A relationship that is entirely voluntary, that does not reflect either essence of tight-fit, is the easiest to break. Marriage is entered into by the mutual choice and consent of two parties. A consensual knot can be untied. The Torah leaves room for divorce.

When something is forced, however, it can be joined with power. A nail can be driven into a plank in for which it has no natural affinity. Once driven, it is difficult to remove it. By acting with force, the rapist engineers a bond that he may no longer break, and leaves no room for choice. When G-d forces something to happen, He can do what no rapist can. He can make the relationship between objects something that becomes part of their nature, something essential to their being. That is the point of the medrash. In holding the mountain over their heads, Hashem also created a forced relationship, stronger than a purely consensual one. In this case, however, it was an essential one, a matter of the true inner nature of the Jewish people. (The idea of force here is different from what we discussed above, but the upshot is still the same.)

The bottom line is that all the different pieces can be harmonized: Hashem asking the people to accept the Torah, rather than forcing them; their voluntary acceptance; the suspension of Sinai over their heads that signified a different kind of relationship. What we are left with is a Torah that had to become part of the world, and a people perfectly designed to accept study, understand and practice it.

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1. Based on Gur Aryeh, Shemos 19:17; Ohr Chadash pg 45B; Netzach Yisrael chap. 8

2. Shabbos 88A s.v. kafu

3. Shabbos 88B

4. Source unknown

5. Devarim 22:29

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