

A Mountain Over Their Heads
The Pedagogic Value of Coercion

Mois Navon

“And they stood under the mountain” (Ex. 19:17). R. Avdimi bar Hama bar Hasa said: This teaches that the Holy One Blessed Be He, overturned the mountain upon them like an [inverted] cask,¹ and said to them, ‘if you accept the Torah all is well, but if not, then there will be your grave.’ R. Aha bar Yaakov noted, ‘This furnishes a strong protest against [observance of] the Torah.’ Raba said, ‘Be that as it may, they accepted it in the days of Ahashverosh, for it is written, “the Jews observed and accepted” (Es. 9:27) – they observed what they had already accepted.

Shabbat 88a.

One of the most fundamental and cherished values of the human condition is that of free will. Rambam (Hil. Teshuva 5:4) explains that the entire concept of reward and punishment – something he includes in his Thirteen Principles of Faith (#11)² – is predicated on man’s ability to exercise his free will and thus be held accountable for his actions. Coercion, on the other hand, is something strongly reviled as negating the value of free will. It is thus with great consternation that we read in the Gemara that God forced the Jews to accept the Torah.

Further enshrouding this enigma of coercion is the fact that the Jews are so wholly praised by the same Gemara for accepting the Torah with the famous expression of unreserved selfless acceptance – *naaseh v’nishmah* – “we will do and we will hear” (Ex. 24:7). That is to say, if the Jews had already wholeheartedly accepted the Torah of their own volition, what is the meaning of forcing them to accept it? And if they were indeed forced to accept the Torah, then “this furnishes a strong protest against the Torah”, meaning that the Jews could not be held accountable to its demands³ until they willingly accepted it in “the days of Ahashverosh”. So then the question is: under what pretext were the Jews punished with exile from their land? And finally, what was so significant “in the days of Ahashverosh” that only then, and not before or after, did the full acceptance of the Torah take place?

In order to address these issues, a clear understanding of the significance of the declaration *naaseh v’nishmah* is of the essence. The Gemara (Shab. 88a) states, “At the moment that Israel stated *naaseh*, ‘we will do’, before stating *nishmah*, ‘we will listen’, a heavenly voice exclaimed, ‘who has revealed to my children the secret that the angels employ?’ As it is written, ‘Bless the Lord, Angels of His, mighty in strength [that] do – *asei* – His word, to listen – *lishmoa* – to His word’ (Ps. 103:20).” The verse in Psalms clearly employs the word “listen” to mean, “obey”.⁴ The import of the Gemara is that

¹ Ritva (s.v. *kafa*) explains that the textual impetus for this idea is based on the verse’s use of the word “*b’tachiti*” – in the bottom – implying “within the underneath” of the mountain.

² As listed in his commentary to the Mishna (Sanhedrin, ch 10).

³ Rashi (ibid., s.v. *modaah*); Ritva (ibid., s.v. *amar*).

⁴ Radak (ibid.).

just as the angels perform the will of God with absolute obedience, so too did Israel pledge obedience by declaring *naaseh v'nishmah*.

Ibn Ezra (Ps. 103:20)⁵ explains that the angels accept God's authority with such perfect obeisance that they expect no other reward than the opportunity to fulfill His word. In consonance with this understanding, Sforno (Ex. 24:7) explains that this was precisely the intent of the Jews when they said *naaseh v'nishmah*, by which they meant: "we will do", in order to fulfill the goal that "we will listen" – "like servants who work without the expectation of receiving reward." Thus *naaseh v'nishmah* is an expression of selfless unconditional acceptance of God's authority.⁶

Returning to the question of the necessity to exert coercion after such an altruistic expression of acceptance, Maharsha (Shab. 88a, s.v. *b'tos*) emphasizes that the *naaseh v'nishmah* declaration was not one of "complete acceptance", for that is something which can only be effected by an actual covenant and oath. Tosafot (Shab. 88a, s.v. *kafā*) explain that it was necessary for God to force their "complete acceptance" lest they reconsider their preliminary assent upon seeing the great fire that drew out their souls. Though this response is phrased in very specific terms, that the coercion was necessary due to an immediate impediment (i.e., the fire), it is not unreasonable to extrapolate that coercion was necessary to insure obedience upon the encounter of other future deterrents. Indeed Hatam Sofer (Shab. 88a, s.v. *vayiyatznu*) explains that the fire they saw was symbolic of the severe punishments for infractions committed – whether in the present or in the future.

These explanations, like a great many others,⁷ accept that the coercion employed thus absolved Israel of all Torah demands, and that only in the days of Ahashverosh when the Jews completely accepted the Torah were they then held accountable for their deeds. The question is then raised as to how the Jews were punished with exile to Babylon if they were not yet accountable. Tosafot (Shab. 88a, s.v. *modaah*) implies that though they were indeed not held accountable for the whole Torah, they were held accountable for the one prohibition of idol worship when they entered in to the covenant with Yehoshua, "Far be it from us to forsake the Lord to serve other gods" (Yehoshua 24:16)."⁸

Ritva (Shab. 88a, s.v. *amar*) asks, if it wasn't until the times of Yehoshua that they accepted the prohibition of idol worship (or even some other time slightly before that), how was it that they were punished for the idol worship of the golden calf?⁹ I would like to suggest that the declaration of *naaseh v'nishmah* made them accountable at the very least to worship God exclusively. For though we have explained that *naaseh v'nishmah* was not

⁵ Similarly Metzudat David (ibid.).

⁶ Though others explain the *naaseh v'nishmah* declaration with slightly different nuances, they too view it as unconditional acceptance of authority – see Rashi (Shab. 88a, s.v. *osei*), Rashbam (Ex. 24:7).

⁷ For other approaches to this issue, all of which accept that coercion was effected, see: Midrash Tanhuma (Noach [Buber] 3), Iyuv Yaakov (Shab. 88a, s.v., *vayiyatznu*), Ramban (Shab. 88a, s.v. *v'ha*), Pnei Yehoshua (Shab. 88a, s.v. *b'gemaru*), Maharal (Gur Aryeh, Shmot 19), R. Kook (Ein Ayah, Shab. 88a).

⁸ See fn. 18 for a reconciliation of this idea with the Gemara that states the Jews were exiled for the three cardinal sins.

⁹ Ritva dismisses the whole issue as being brought to respond to the heretics of the day. Be that as it may, I propose herein that, there is a powerful lesson to be learned both about the nature of the society in the desert as well as man's own development.

a “complete acceptance” of the Torah *in toto*, we also saw that it was an angelic expression of selfless unconditional acceptance of God’s authority.¹⁰ Integrity would thus demand that the people’s act of idol worship – i.e., their explicit rejection of the authority they willingly accepted – made them culpable of Divine consequences.

To summarize: Israel accepted God’s authority and were then compelled to accept His whole Torah,¹¹ for which they were only held accountable for infidelity, their complete accountability remaining contingent on their volitional acceptance.

This explanation of the Gemara (Shabbat 88a) is consistent with the text of the Torah when we view the nation of Israel as an individual going through the emotional developmental stages to maturation. The Midrash Tanhuma (Vethanan 826) refers to the Jews in Egypt as “a fetus in the womb” that God delivered. They were “born”, as it were, upon their exodus from Egypt, passing through the “birth canal” of the Red Sea. As such, the Jews in the desert can be likened to children in respect to their relationship with God and His Torah. They were “spoon fed” like babies from their Father in heaven through His daily ration of manna. To any problem, inconvenience, or difficulty that they experienced, they simply cried and were immediately answered.

When children are developing, they of necessity need definitions of appropriate behavior, boundaries of acceptable action, education of right and wrong – in short: a system of morality.¹² If children are allowed to choose of their own free will, they will choose self-gratification, they will choose based on what “looks good, feels good, tastes good.” Only when one has an appreciation of oneself and the world around – something referred to as “maturity” – can one then begin, of one’s own free will, to accept things that are not associated with self-gratification.

This notion is brought to life in an anecdotal but very much true and telling story. A mother calls a psychology talk show to bemoan the state of her three boys. The oldest is in jail, the second is on drugs and the youngest one is dropping out of high school. Over the course of their conversation, the woman reveals that, though both she and her husband are moral upstanding citizens, they made an agreement that they would not impose their morals and beliefs on their children who should be allowed to exercise their own freedom of choice.¹³

¹⁰ This idea is in consonance with the teaching that it is essential one accept God’s authority before one accept His commands. The (Mishna, Berachot 13a) learns this from the order of paragraphs in the Shma prayer; the Zohar (Behar 108a) sees the idea expressed in that slaves are free from religious obligation, their first needing to accept the authority of Heaven (and not a slave owner) following which they can accept religious performance.

¹¹ The Gemara (Avoda Zara 2b-3a) makes the point that coercion without initial altruistic acceptance will result in rejection. It does this most colorfully by depicting the final day of judgment wherein God offers reward to all who occupied themselves with His Torah. The nations of the world claim that they were not given the same opportunity as Israel to be so occupied since God did not “hold the mountain over their heads” to force their acceptance. God then forces them to fulfill a mitzvah where upon, in their attempt to fulfill it, their discomfort causes rebellious rejection of the imposed mitzvah.

¹² See Thomas Lickona, *Raising Good Children: Helping Your Child Through The Stages Of Moral Development*, Bantam Books, New York, 1983.

¹³ This author heard the exchange on a Los Angeles Talk Radio Show.

Jewish law and lore acknowledge the staged development of man. Jewish lore explains that until the age of maturity man has only a *yetzer hara*, a selfish will;¹⁴ and only upon reaching the age of maturity does one acquire a *yetzer hatov*, a selfless will.¹⁵ Jewish law expresses this idea by exempting minors of culpability for any violation of the Torah.¹⁶ Nevertheless both parent and teacher do demand absolute obedience to their authority, and it is to this one violation that the child can and must be disciplined. To not do so would be to abandon the child as King Solomon wrote, “He who spares the rod hates his son, but he who loves him corrects him” (Proverbs 13:24).¹⁷

So just as children have to be forced to accept a system of morality, so too did the Jews have to be forced to accept the Torah. And like a child who naturally accepts the authority of his parents, so too did the Jews accept God’s authority – through *naaseh v’nishmah*. And like a minor, though he cannot be held “legally” accountable for his violations, is nevertheless accountable for obedience to his parents; so too the Jews, though not punishable for violation of all the various demands of the Torah, were nevertheless liable to punishment for infidelity – otherwise known as idol worship.¹⁸

Upon reaching maturity, one becomes responsible for one’s actions, which are then punishable in a court of law. When did such maturity occur for the Jews? The Gemara explains that it was “in the days of Ahashverosh.” What deemed those days as days of maturation? The “days of Ahashverosh” referred to are those recorded in the book of Esther. Of all the books in the Bible, the book of Esther is the only one in which the name of God does not appear. Until that time, the Jews always had God’s immediate presence and revealed response available to them, whether through the prophets or the *urim v’tumim* of the Cohen Gadol. In the days of Ahashverosh, the Jews had no recourse to such supernatural exchanges; as a result, they had to take complete responsibility for themselves.¹⁹ They had matured to the point where they would now have to solve their problems through their own devices.

¹⁴ San. 91b. Similarly Rashi (Gen. 8:12).

¹⁵ Zohar (Vayishlach 165b); Torah Temimah (Ecc. 4:13); Rashi (ibid).

¹⁶ Avot 5:21. San. 68b. Rambam (Hil. Ishut 2). Shulchan Aruch (Oreh Hayim 616:2) and Beit Yosef (ibid).

¹⁷ It is not my intention to enter into a discussion of the appropriateness of corporeal punishment, or whether that was the sole intent of the verse, but rather to simply point out that punishment is a necessity to insure obedience to authority.

¹⁸ Though the Gemara (Yoma 9b) explains that the destruction of the first Temple was due to violation of the three cardinal sins (idolatry, sexual immorality, bloodshed), the fact is that death, not exile, is the statutory punishment for violation of these sins (Rambam, Sefer HaMitzvot, Negative Commandments 6, 289, 330-355). However, this true punishment was mitigated to “just” exile since the Jews were not responsible for anything more than the obedience of a child to parent, as the Midrash (*Eikba Rabba* (Vilna) ch.4 s.v. [14] “*kala Hashem*”) explains, “He poured His wrath on wood and stones and not on His **children**.” Furthermore, the Gemara (Ned. 81a) explains that the reason for the destruction and subsequent exile was due to the fact that the people did not say the blessing over learning Torah. The incongruity between sin and punishment can be understood in that a blessing is essentially a declaration of intent. Maharal (*Tifferet Yisrael*, Introduction, pp. 79-81 [T.A., 1979]) explains that in the case of Torah-learning, one is declaring that the Torah being learned is from the Creator as an expression of the deep bond with Him. By omitting this acknowledgement they violated the unconditional – “*naaseh v’nishmah*” – acceptance of God’s authority.

¹⁹ “... as the cumulative knowledge of Israel and civilization rises, the cumulative psyche of man demands greater freedom... This in turn demands a corresponding contraction of here-and-now consciousness on the part of the Deity to yield man greater freedom and concomitant privacy, responsibility, and selfhood” (David Birnbaum, *God and Evil* [Ktav, NJ, 1989], p.113).

This does not mean that they did not rely on God for his behind the scenes support, but it does mean that they realized they would have to do everything humanly possible to solve their dilemma, to save their existence. It was this combination of human effort coupled with faith in divine support that is the message of the book of Esther.²⁰ When the Jews took action within the political realm and at the same time fasted and prayed, they acted like mature adults who actively accepted God's system of Torah and mitzvot. And though this took place during a time of crisis, after the dust settled from their miraculous victory, the Jews formally accepted the Torah when they were under no coercion of fear for their lives.²¹

In conclusion, though free will is a fundamental principle of our existence, its proper expression is something to be achieved through mature development. To permit the free exercise of a child's will without proper inculcation of moral values – through coercion – will result in wayward youth and corrupt adults.²² And just as it is essential for the individual to follow the developmental stages of: (a) acceptance of authority, (b) education through a compulsory system of values, (c) free will acceptance, so too was this true for the nation of Israel.

²⁰ Y. Hazony, *The Dawn* [Shalem Press, Jerusalem, 2000], ch. 23.

²¹ Rashi (Shab. 88a, s.v. *yimei*). This acceptance was in contradistinction to the acceptance at Har Sinai which was done in fear – Meam Loez (Es. 9:27), Pnei Yehoshua (Shab. 88a, s.v. *b'gemarà*).

²² First and foremost children must be provided with authority figures worthy of their position – authoritative not authoritarian. Parents and teachers must then present a consistent system of values whereby they hold their charges accountable for obedience to their authority, nothing more and nothing less. And finally, the freedom to act must then be provided to allow the individuals the room to exercise their potential and choose the system of their own free will. All this must be done with love and affection to encourage compliance through respect and love lest compulsion lead instead to rebellion. (I would like to acknowledge Dr. Steve Bailey for pointing out to me this critical observation).