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## פרשת משפטים

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פרק כד פסוק ז

וַיִּקְחֵל סֵפֶר הַבְּרִית וַיִּקְרָא בְּאָזְנֵי הָעָם וַיֹּאמְרוּ כֹּל אֲשֶׁר־דִּבֶּר יְהוָה נַעֲשֶׂה וְנִשְׁמָע:

מושב

בַּשָּׁעָה שֶׁהַקֹּדִימוֹ יִשְׂרָאֵל נַעֲשֶׂה לְנִשְׁמָע יָצְתָה בֵּת קוֹל וַאֲמָרָה לָהֶן מִי גִילָה לְבָנֵי רֵז זֶה שֶׁמְלַאֲכֵי הַשָּׁרֵת מְשַׁתְּמָשִׁין בּוֹ.

בַּשָּׁעָה שֶׁהַקֹּדִימוֹ יִשְׂרָאֵל נַעֲשֶׂה לְנִשְׁמָע, בָּאוּ שְׁנַיִם רִיבּוּא שֶׁל מְלַאֲכֵי הַשָּׁרֵת, לְכֹל אֶחָד וְאֶחָד מִיִּשְׂרָאֵל קִשְׂרוֹ לֹו שְׁנֵי כְתָרִים, אֶחָד כְּנֶגֶד נַעֲשֶׂה וְאֶחָד כְּנֶגֶד נִשְׁמָע. (שבת פח.)

### Translation:

When Israel preceded ‘we will do’ to ‘we will hear’, a Heavenly voice went forth and said to them, “Who revealed to My children this secret, which the Ministering Angels use?” At the time Israel preceded ‘we will do’ to ‘we will hear’, six hundred thousand ministering angels came and set two crowns upon each man of Israel, one as a reward for ‘we will do,’ and the other as a reward for ‘we will hear’.

### Explanation:

While we usually explain that the declaration of נַעֲשֶׂה וְנִשְׁמָע was an irrational act of blind faith - accepting to fulfill the commandments before ever hearing what they were or why they should accept them - the context of the פסוקים does not bear this out. Rather, it should be understood as a rational declaration of complete trust in Hashem. This trust was the result of the love the people felt for Him upon hearing the story told by the Torah from creation until the present. They then were ready to commit themselves to fulfill the commandments they had already heard, and also those that they were about to hear on Har Sinai. For agreeing to both of the above, they received two crowns. This love would become the very foundation for the building of the משכן.

### Looking in the Pasuk:

The fact that one usually listens and only then acts, leads to attach special significance to the fact that the people before סיני preceded their declaration to listen with a declaration that they would do. The fact that they made this declaration specifically after hearing Moshe read from the ספר הברית, leads us to wonder about the nature of their declaration.

## NOTES

Perhaps two of the most famous words ever uttered by the Jewish people are נעשה ונשמע. They are meant to convey ישראל's complete belief in Hashem in that they were willing to accept the Torah even before they heard the content of the commandments.

This seems to be the message of our Musag as well. The גמרא (שבת פה.), which is the source of our Musag, supports this understanding. The גמרא relates that at the moment the people gave precedence to the word נעשה over the word נשמע, a voice came out from heaven and asked who had revealed this secret which is employed by the angels. The גמרא proves that this is the way of the angels by quoting the פסוק in ספר תהילים *בְּכָרוּ ה' מְלֹאכֵי גִבְרֵי כַח עֲשֵׂי דְבָרוֹ לְשִׁמְעֵ בְּקוֹל דְבָרוֹ* : (קג:כ) which states that the angels do before they listen.

The גמרא also relates that the people were rewarded for their complete belief with two crowns<sup>1</sup>:

בשעה שהקדימו ישראל נעשה לנשמע, באו ששים ריבוא של מלאכי השרת, לכל אחד ואחד מישראל קשרו לו שני כתרים, אחד כנגד נעשה ואחד כנגד נשמע.

The גמרא continues with a story which conveys the sentiment describe above:

ההוא מינא דחזייה לרבא דקא מעיין בשמעתא, ויתבה אצבעתא דידיה תותי כרעא, וקא מייץ בהו, וקא מבען אצבעתיה דמא, אמר ליה: עמא פזיזא דקדמיתו פומייכו לאודנייכו, אכתי בפחזותייכו קיימיתו ברישא איבעיא לכו למשמע, אי מציתו קבליתו, ואי לא לא קבליתו. אמר ליה אנן דסגינן בשלימותא כתיב בן (משלי יא) תמת ישרים תנחם הנך אינשי דסגן בעלילותא כתיב בהו (משלי יא) וסלף בוגדים ישדם.

*There was a certain Sadducee who saw Rava engrossed in his studies while the finger[s] of his hand were under his feet, and he crushed them, so that his fingers spurted blood. 'O rash people,' he exclaimed, 'who gave precedence to your mouth over your ears: you still persist in your impulsiveness. first you should have listened, if within your powers, accept; if not, you should not have accepted.' Said he to him, 'We who walked in integrity, of us it is written, The integrity of the upright shall guide them. But of others, who walked in perversity, it is written, but the perverseness of the treacherous shall destroy them'.*

In addition, there is a well known מדרש (פסיקתא רבתי כא) which highlights the perfect faith exhibited by the Jewish people in contrast to the nations of the world:

בתחילה הלך לו אצל בני עשו אמר להם מקבלים אתם את התורה? אמרו לפניו רבוננו של עולם מה כתיב בה? אמר [להם] לא תרצח! אמרו לו וכל עצמם של אותם האנשים לא הבטיחם אביהם אלא על החרב שנאמר על חרבך תחיה אין אנו יכולים לקבל את התורה. אח"כ הלך אצל בני עמון [ומואב] אמר להם מקבלים אתם את התורה? אמרו לפניו רבוננו של עולם מה כתיב בה? אמר להם לא תנאף! אמרו לו וכל עצמם של אותם האנשים אינם באים אלא מניאוף הדא [היא] דכתיב ותהרין שתי בנות לוט מאביהן אין אנו יכולים לקבל את התורה. אחר כך הלך לו אצל בני ישמעאל אמר להם מקבלים אתם את התורה? אמרו לפניו רבוננו של עולם מה כתיב בה? אמר להם לא תגנוב! אמרו לו כל עצמם של אותם האנשים אינם חיים אלא מן הגניבה ומן הגזל הדא היא דכתב יהיה פרא אדם וידו בכל יד כל בו אין אנו יכולים לקבל את התורה. ואח"כ בא לו אצל ישראל אמרו לו נעשה ונשמע.

All the above conveys a very clear message. The people exhibited complete faith in Hashem by declaring their willingness to accept the Torah even before they heard what was contained therein.

What I would like to explore is: How did we glean this message from these words?

On the face of things, I think the most common understanding is that usually one first hears and then commits to accept. Hence, the logical order should be נשמע ונעשה, we will listen and then we will accept. By reversing the order, the people are telling G-d that they will accept without having to first hear the commandments. In effect, the pronouncement נשמע ונעשה, "we will accept and hear" is to be taken to mean we will accept without first hearing.

There are, however, a number of reasons the above cannot be correct.

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<sup>1</sup> Not every commentator understands as does the גמרא. Both the תרגום אונקלוס and the תרגום יונתן follow the (איכה רבתי) מדרש which teaches that on סיני they were given a weapon on which was written the name of Hashem:

תני רשב"י כלי זיין היה לישראל בסיני והיה שם המפורש חקוק עליו, וכשחטאו נוטל מהן, היינו הא דכתיב ויתנצלו בני ישראל את עדים מהר חורב, כיצד נוטל מהן?.. ר' איבו אמר מאליו היה נקלף, ורבנן אמרי מלאך היה יורד ומקלפו.

First is the fact that Rashi in (לז:כז) ספר בראשית teaches that the word נשמע here is not to be understood as listen but rather as accept:

וַיִּשְׁמְעוּ. "וְקָבְלוּ מִנִּיה" (אונקלוס), וְכָל שְׁמִיעָה שֶׁהִיא קִבְלַת דְּבָרִים, כַּגֹּן זֶה, וְכַגֹּן "וַיִּשְׁמַע יַעֲקֹב אֶל אָבִיו", "וַעֲשֵׂה וְנִשְׁמַע", מִתְרַגֵּם "וְקָבַל". וְכָל שֶׁהִיא שְׁמִיעַת הָאָזְנוֹ, כַּגֹּן "וַיִּשְׁמְעוּ אֶת קוֹל ה' אֱלֹהֵים מִתְהַלֵּךְ בְּגֹן", "וְרַבְּקָה שׁוֹמַעַת", "וַיִּשְׁמַע יִשְׂרָאֵל", "שְׁמַעְתִּי אֶת תְּלַבוֹת", כְּלוֹ מִתְרַגֵּם "וַיִּשְׁמְעוּ, וַיִּשְׁמַעְתָּ, וַיִּשְׁמַע, שְׁמִיעַ קִדְמִי":

This leads us to wonder: How would Rashi understand the concept of giving precedence to doing over hearing if the word נשמע is not to be understood as hearing but rather accepting?<sup>2</sup> We must also wonder: How did Rashi know that the word נשמע must mean to accept and not to hear? This is especially difficult due to the fact that if the word נשמע means to accept how does it differ from נעשה?

A second difficulty is found in the wording of the גמרא regarding the gift of the two crowns. On the one hand, the גמרא says clearly that they were gifted with the crowns not for saying נעשה ונשמע alone but for preceding נעשה to נשמע. And yet, the גמרא continues and relates that they received one crown as reward for נעשה and another as reward for נשמע. This leads commentators to wonder why כלל ישראל received two crowns? Either they should have received only one crown, as reward for their perfect faith as evidenced by saying נעשה first, or three crowns, one for each proclamation, plus one for their act of faith.

A third difficulty is: how are we to truly understand the act of accepting before hearing? Why would anyone enter an agreement without ever hearing what he or she is accepting? And how could such an irrational acceptance be in any way binding?

In order to answer all the above, a minor correction is required in our understanding of נעשה ונשמע. The correction is actually mandated by a rather obvious question which must be asked: How can we entertain the thought that נעשה ונשמע was this type of 'blind acceptance' uttered before ever hearing what Hashem commanded? The פסוקים tell us clearly that the words נעשה ונשמע were not uttered in a vacuum, but rather said as a reaction to the ספר הברית which Moshe had written and read before them!

It is therefore obvious that נעשה is to be understood as an acceptance of the מצות which had been previously taught and committed to writing. These included, as Rashi comments, the entire Torah from בראשית until ה' סיני, including the מצות they were given at מרה.<sup>3</sup> Which leads us to question: How are we to understand נשמע? Now, if נשמע were to have been said before נעשה, then it too would have been understood to be a response to the reading of the ספר הברית; the people would simply be declaring that they will listen to that which has been written and accept to act accordingly. But due to the fact that נשמע was written after נעשה it must be taken as an independent proclamation regarding future commandments. Since it obviously cannot mean that the people will simply listen (as in hear) to future commands, (but not necessarily decide to accept them), as that would mean a totally meaningless proclamation, the only possible way to understand the word נשמע is to mean that they will *accept* all future commands. Thus Rashi accurately taught that the word נשמע here cannot possibly mean to hear but rather must mean to accept.

The above explanation is supported by the commentary of the רשב"ם who writes:

נעשה מה שדיבר ונשמע מה שצונו עוד מכאן ולהבא ונקיים.

With this we can now understand the גמרא regarding the gift of the two crowns. Indeed one crown was given for נעשה, accepting the ספר הברית, and another for נשמע, accepting all future commands. If however, they would have said נשמע first we would have translated it as to hear, and understood it to be part of the response to hearing the ספר הברית. Only due to the fact that they first said נעשה do we understand that נשמע must be translated as to accept – referring to future commands – and thus deserves its own crown.

<sup>2</sup> While one might try to deflect this point by claiming that Rashi did not wish to include the lesson of our Musag in his commentary (a claim that could be supported by the fact that Rashi does not quote it at all on our Pasuk, or anywhere else for that matter), this would be difficult to sustain due to the fact that Rashi himself did choose to include the idea of the double-crown in his commentary later in (לז:כז) איש: ספר שמות (לז:כז) עדין. פתרים שנתנו להם בחורב כשאמרנו "נעשה ונשמע"

<sup>3</sup> This follows the opinion of Rashi, whose source is the (שמות יט) מכילתא, that the entire episode written here actually happened before the Torah was given on ה' סיני.

We now can also answer our final question: How is it possible to accept on blind faith? What would lead a rational person to commit to doing something before even hearing what it entailed? And, if the acceptance was irrational, how can it possibly be binding or of any value?

The answer is that בני ישראל did not accept blindly. This acceptance was due to the fact that they had heard the story of creation and of Hashem's love for the Jewish people beginning with the אבות and continuing through יציאת מצרים and קריעת ים סוף. The love they felt in return fostered a complete trust in Hashem. It was crystal clear to them that לטב עבד רחמנא, and that they had no need to ever question that truth.

Interestingly, when Rava answered the Sadducee, he did not say that we walk in faith – המניותא – but rather with integrity – שלימותא. Rashi comments:

דסגינן בשלימותא - התהלכנו עמו בתום לב, כדרך העושים מאהבה וסמכנו עליו שלא יטעננו בדבר שלא נוכל לעמוד בו. Rashi explains accordingly that Rava was not pointing to a blind faith that we possess in God, but rather a complete trust based on the love we feel for Him. We have no doubt that Hashem loves us as well and thus would never burden us with a task we could not withstand. Much in the same fashion in which a young child will follow his loving father without question or reservation, due to the fact that he knows from previous experience that his father would never harm him, so too we follow our Father in heaven<sup>4</sup>.

For this reason the Har Sinai experience is described as a marriage between God and כלל ישראל.

Just as a חופה is the pinnacle of love between husband and wife, so too do we describe קבלת התורה.

ה' וְקִרְאתָ בְּאָזְנֵי יְרוּשָׁלַם לֵאמֹר פֶּה אָמַר ה' וְכָרַתִּי לָךְ חֶסֶד וְעוֹרִיךָ אֶהְבֵּת כְּלוּלִימִיךָ לְכַתֵּף אַחֲרֵי בִמְדָבָר בְּאַרְצְךָ לֹא זְרוּעָה: (ירמיהו ב:ב). האהבה שהיה לי עליך בעת היית ככלה בזמן חופתה, וזהו במעמד הר סיני לקבל התורה (מצודת דוד).

We might now explain that the crowns that they were given were meant to be the adornments worn by the bride on her wedding day, as the (ישעיה סא:י) describes: וְכִכְלֵה תַעֲדָה כְּלִיָּהּ. Therefore, upon displaying their infidelity by worshipping the עגל, they were stripped of the crowns as the (שבת פח.) teaches:

וכיון שחטאו ישראל, ירדו מאה ועשרים ריבוא מלאכי חבלה, ופירקום. שנאמר (שמות לג:ה) ויתנצלו בני ישראל את עדימם<sup>5</sup> מהר חורב.

However, the גמרא concludes by teaching that when Hashem ends our bitter גלות and returns His people to ארץ ישראל we will once again merit to be adorned with those very same crowns:

אמר ריש לקיש: עתיד הקדוש ברוך הוא להחזירנו לנו, שנאמר (ישעיהו לה:י) ופדויי ה' ישבון ובאו ציון ברנה ושמחת עולם על ראשם - שמחה שמעולם על ראשם.

The Torah thus speaks of two very different experiences that took place at the foot of הר סיני. The first was the חופה experience that is described here. The second was vastly different:

פרק יט:טז ויהי ביום השלישי בהיית הבקר ויהי קלת וברקים וענן כבד על-ההר וקול שפף חזק מאד ויחרד כל-העם אשר במחנה: יז ויצא משה את-העם לקראת האלהים מן-המחנה ויתנצבו בתחתית ההר:

פרק כ:טז וכל-העם ראים את-הקולות ואת-הלפידים ואת קול השפף ואת-ההר עשן וירא העם ויגעו ויעמדו מרחק:

While the first experience led to a close, almost intimate meeting with the שכינה – as פסוקים י-יא attest to<sup>6</sup> – the second experience induced trembling, fear and distance<sup>7</sup>, and included כפי עליהם הר כגיגית (These two experiences are mentioned in the Haggadah, first לפני הר סיני, and second את התורה<sup>8</sup>).

The above can help us answer the following most perplexing question: If, as Rashi understands, this event took place before the giving of the לוחות, why did the Torah report it to us after the לוחות, and wait until the end of פרשת משפטים to do so? The answer is, that it is not the end of פרשת משפטים that made placement here appropriate, but rather, the beginning of the following Parsha, פרשת תרומה and the discussion of the building

<sup>4</sup> Accordingly, the mistake the nations of the world made by not accepting the Torah was not only by asking what is written in the Torah, but by thinking that God would demand from them something they could not handle.

<sup>5</sup> Note that the word used for adornment in ישעיה matches the word used in the פסוק שמות.

<sup>6</sup> י ויראו את אלהי ישראל ונסתה רגליו כמעשה לבנת הספיר וכעצם השמים לטהר: יא ואל-אצילי בני ישראל לא שלח ידו ויחזו את-האלהים ויאכלו וישתו:

<sup>7</sup> To explain why the second experience was necessary, see my essay on ויתנצבו בתחתית ההר.

<sup>8</sup> Thank you to Rabbi Zev Roness for this insight.

of the משכן. Just as a חופה is followed by יחוד and the building of a home, so too the building of our shared home with the שכינה was based on a foundation of אהבה, which was expressed by the חופה experience which took place before מתן תורה. Therefore, the Torah does not mention the חופה experience in פרשת יתרו, distancing it from the fire of Sinai, and inserts it here instead, before פרשת תרומה. The Torah is thus teaching us that it was precisely the love we showed for Hashem by declaring נעשה ונשמע which earned us the blessing of ושכנתי בתוכם.

### Questions for Further Thought:

- a. Can you think of other places in the Torah where we find examples of complete trust in Hashem? Are they different from here?
- b. Do you ever exhibit this trait in your personal life?

### Addendum

Above we have explained the meaning of the words נעשה ונשמע according to the גמרא in מסכת שבת. However, there are many commentators who explain the words differently. (For an excellent discussion of the various opinions, I would highly recommend the essay on נעשה ונשמע found in the ספר אז ישיר, authored by משה שוורד). I would likewise propose to add an explanation of my own:

We would like to believe that a person who commits him/herself to keeping to the ‘letter of the law’ of the Torah would lead a moral and spiritual life. Unfortunately, we know differently. For we are well aware that, if so inclined, one could seem to be following the ‘letter’ while completely missing out on the ‘spirit’. (Unfortunately, I see no need to give examples.) In the end result we can do the מצוה but remain totally and completely deaf to what the mitzvah was supposed to have taught us. In effect, we did the מצוה but did not listen to it. For within every מצוה is a message, a moral imperative that seeks not only to touch us, but even more importantly, to transform us. This is the meaning of נעשה ונשמע. We commit ourselves to not only do the מצוה but listen to their message, to internalize what they tell us and to change ourselves accordingly. This understanding of what the word נשמע means is reflected in our daily Tefilah, when we say אשרי איש אשרי איש שישמע למצותיך ותורתך ודברך ישים על לבו, blessed is the person who listens to your commandments, and takes your Torah and words to his heart. The true essence of listening is taking to heart, internalizing the message of the מצוה.

We now understand why this acceptance became exceedingly important after the first laws were put to writing. It is precisely when laws are written that we are faced with the danger of following the ‘letter’ while ignoring the ‘message’. (Which is why the Oral Law was not to be put to paper.) Thus, a new type of acceptance was now needed; נעשה ונשמע, we will not only do the מצוה, but listen to it as well. We affirm that the מצוה that we fulfill will not only touch us, but transform us as well.