Zera Shimshon

by Rabbi Shimshon Chaim Nachmani zt"l Published Mantua 1778*

Chapter XXIV: Vayikra (Lev. 1:1-5:26)

Essay 8. The Jews alone are commanded to bring offerings

מִדְרָשׁ עַל פָּסוּק "אָדָם כִּי־יַקְרִיב", מָשָׁל לְמֶלֶךְ שֶׁהָיָה לוֹ פְּרָקְסִין אָמַר לוֹ לְעַבְדּוֹ קַפְּלוֹ וְנַעֲרוֹ וְכוּ', כָּדְ אָמַר מֹשֶׁה לְפְנֵי הַבְּרִי עִלְם כִּכִּל שָׁבְעִים אוּמּוֹת שֶׁיֵשׁ לְדְּ בְּעוֹלְמְדְּ אִי אַתָּה מְצַוּנִי אָלָא, "צַו אֶת־בְּנֵי יִשְׂרָאַל", "דַּבֵּר אֶל־בְּנֵי יִשְׂרָאַל", "אֱמֹר אֶל־בְּנִי־יִשְׂרָאֵל", אָמַר לוֹ שֶׁהֶם דְּבוּקִים לִי הְדָא הוּא דְכְתִיב "כִּי כַּאֲשֶׁר יִדְבַּק הָאֵזוֹר אֶל־מְתְנֵי־אִישׁ" וְכוּ'. אָמַר ר' אֶלְעָזָר מָשֶׁל לְמֶלֶךְ שֶׁהָיָה לוֹ פּוּרְפּוּרִין וְהָיָה מְצַנָּה עַל עַבְדּוֹ וְכוּ', אָמַר לוֹ שֶׁהֵם הִמְלִיכוּנִי תְּחִלְּה עַל הַיָּם וְאָמְרוּ "ה' אָמַר ר' בֶּרֶכְיָה מָשָׁל לְזָקוּ וְכוּ' שֶׁקְבָּלוּ מַלְכוּתִי וְאָמְרוּ בְּסִינֵי נַעֲשֶׂה וְנִשְׁמַע עכ"ל.

There is a Midrash on the verse "When a man brings an offering": 1

There is a parable of a king who had an undergarment. He said to his servant: "Fold it, shake it out, and pay close attention to it." His servant said to him: "My lord the king, of all the inner garments that you have, you command me only regarding this one." He said to him: "It is because I wear it directly on my body." So too, Moses said to the Holy One, Blessed be He: Master of the universe, of the seventy imperial nations that You have in Your world, You command me regarding: "Command [אַ] [tzav] the children of Israel [and say to them: Be punctilious in presenting to Me at stated times the offerings of food due Me]," "speak [אַמֹרְהַ] [daber] to the children of Israel [and say {אַמֹרְהַן [emor] to them: When one of you presents an offering of cattle]," "say [אַמֹרְהַ] [emor] to the children of Israel" He said to him: "It is because they are attached to Me." That is what is written: "For just as the belt cleaves to the waist of a man, [so I have attached to Me the entire house of Israel and the entire house of Judah]." "

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¹ Lev. 1:2.

² Num. 28:2.

³ Lev. 1:2.

⁴ Ex. 33:5 is the only location for this language, but it does not relate to sacrifices, so it doesn't make sense that the Midrash intends to quote it. There are other forms of the root verb "אמר" [amar] ["say"], such as "וְאָמֶרְהָּ" [va'amarta] ["and say"] which is part of the previous citation, Lev. 1:2, though that reads "say to them." While there isn't a verse relating to sacrifices with the specific language "say to the children of Israel," the point seems to be that there are three different verbs, "command," "speak," and "say," used in expressing the mitzvot regarding sacrifices.

⁵ Jer. 13:11.

Rabbi Elazar⁶ said: There is a parable of a king who had a royal garment. He would command his servant: "Pay close attention to it, fold it, and shake it out." His servant said to him: "My lord the king, of all the royal garments that you have, you command me only regarding this one." He said to him: "It is the one that I wore on the day of my coronation." So too, Moses said before the Holy One, Blessed be He: "Master of the universe, of the seventy governing nations that You have in Your world, You command me regarding only Israel: 'Command the children of Israel,' 'say to the children of Israel.' "He said to him: "They initially crowned Me at the sea and said: 'The L-rd will reign for ever and ever.' "

Rabbi Berechya said: There is a parable of an elder who had a handkerchief. He would command his disciple, saying to him: "Fold it, and shake it out." His [disciple] said to him: "My lord the king, of all the handkerchiefs that you have, you command me only regarding this one." He said to him: "It is the one that I wore when I was appointed elder." So too, Moses said before the Holy One, Blessed be He: "Master of the universe, of the seventy governing nations that You have in Your world, You command me regarding only Israel." He said to him: "It is because they accepted My kingdom upon them at Sinai and said: '[Everything that the L-rd has spoken] we will do and we will listen.' "8 Rabbi Yudan said: "Come and see how much the Holy One, Blessed be He loved Israel, as He mentioned them five times in a single verse, as it is stated: 'I have given the Levites, given [to Aaron and to his sons from among the children of Israel, to perform the service of the children of Israel in the Tent of Meeting, and to atone for the children of Israel, and there shall not be a stroke against the children of Israel, when the children of Israel approach the Sanctuary].' "9

- Lev. Rabbah 2:4

ּתִּחַלָּה קַשָּׁה אֵיף רָמִיז זָה בְּפָּסוּק "אָדָם כִּי־יַקְרִיב", וְעוֹד מָה הָיָה קַשֶׁה לְמֹשֶׁה עַל שְׁלוֹשָׁה לְשׁוֹנוֹת אֵלּוּ "צַוּ", "דַּבֵּר", וְמָלֹה קַשָּׁה אֵיף רָמִיז זָה בְּפָּסוּק "אָדָם כִּירִב "אֱמֹר" וּפְעָמִים "דַּבֵּר" וּפְעָמִים "צַו אֶת־בְּנֵי יִשְׂרָאַל", וְאִם תּאֹמֵר דְּקְשְׁיָא לֵיה לָמָה הוּצְרְכוּ כֹּל אֵלוּ הַלְּשׁוֹנוֹת יַחַד בְּמִצְוָה זָה שֶׁל הַקּרְבָּנוֹת שֶׁבִּשְׁאֵר הַמִּצְוֹת לֹא נִכְתָּב אֶלָּא אָחָד מֵהֶם לְבַד, אִם כֵּן מַה צוֹרֶה לוֹ לְהַקְדִּים, מִכָּל שִׁבְעִים אוּמוֹת וְכוּ' אִי אַתָּה מְצַוִּינִי אֶלֶא עַל יִשְׂרָאֵל, שֶׁבְּרְאָה שֶׁהָיָה רוֹצֶה שִׁיִצְנָה הַקּרְבֵּנוֹת אֵף לְאוּמוֹת דְּמָה לְשִׁרְיִא אַחַת. וְעוֹד מָה עִנְיָנוֹ שֶׁל הַשְּׁלוֹשֶׁה לְשׁוֹנוֹת שָׁכְּלָכָם יַחַד בְּקוּשְׁיָא אַחַת. וְעוֹד מָה עִנְיָנוֹ שֶׁל מִשְׁה לְהַלִיץ בַּעֵּד הַאוֹמוֹת.

Question 1: At first, it is difficult to understand how this is alluded to in the verse, "When one of you brings an offering."

⁶ Our version of the Lev. Rabbah reads "Rabbi Avin."

⁷ Ex. 15:18.

⁸ Ex. 24:7.

⁹ Num. 8:19.

Question 2: Also, what was difficult for Moses regarding the three terms: "command," "speak," "say"? After all, in other commandments, sometimes the word "say" is used, 10 sometimes "speak," 11 and sometimes "command the children of Israel." 12 If you say it was difficult for [Moses] to understand why all these terms were needed together in the commandment of the offerings, since for other commandments only one of [the terms] is used per commandment, then what was the need for [Moses] to begin with, "of the seventy governing nations that You have in Your world, You command me regarding only Israel"?

It appears that [Moses] wanted [G-d] to command the offerings even for the nations?

Question 3: What is the connection of this question of why the nations weren't commanded to bring offerings to the notice that three terms, "command," "speak," and "say" are mentioned regarding the command to Israel to bring offerings? Why are these two different things grouped together in one question?

Question 4: Also, what is Moses' concern about advocating for the nations?

ּוְגֵשׁ לוֹמַר שֶׁהַמִּדְרָשׁ סָמַךּ דְּרָשָׁה זוֹ עַל פָּסוּק "אָדָם כִּי־יַקְריב" מִשׁוּם דְּמֵהַכָּתוּב הַזָּה נָפְקָא לֵן בְּפֶרֶק קַמָּא דְּחוּלִין (דַּף ה') "אָדָם כִּי־יַקְריב מִכֶּם" וְלֹא כּוּלְכֶם לְהוֹצִיא אֶת הַמּוּמָר שֶׁאֵין מְקַבְּלִין נִדְבָתוֹ, וְאִיתָא עוֹד שָׁם, מִכָּאן אָמְרוּ מְקַבְּלִין קַרְבְּנוֹת מִפּוֹשְעֵי יִשְׂרָאֵל כָּדֵי שֵׁיִחַזָּרוּ בָּתִשׁוּבָה, חוּץ מִן הַמּוּמֵר וּמְנַסֵּךְ אֵת הַיַּיִן וּמְחַלֵּל שַׁבָּתוֹת.

Answer to Question 1, how does the Midrash base its teaching on the verse, "When one of you brings an offering"? One could say that the Midrash based this teaching on the verse "When one of you brings an offering," because from this verse we derive, in the first chapter of tractate Chullin (page 5a), that there are some people from whom an offering is not accepted. The verse says, "When one of you brings an offering," and it doesn't say "when any of you," to exclude a heretic with regard to the entire Torah, for whom we do not accept offerings. It is also brought there in Chullin 5a that we accept offerings from Jewish transgressors so that they will return in repentance, except for the heretic with regard to the entire Torah, and one who pours wine libations to idolatry, and one who desecrates the Sabbath in public.

וּפֵירְשׁוּ שָׁם הַתּוֹסָפּוֹת שֶׁהַפּּוֹשְׁעֵי יִשְׂרָאֵל בְּקַל יְחַזְּרוּ בִּתְשׁוּבָה אֲבָל מִי שֶׁהוּא מוּמָר וּמְנַפֵּך אֶת הַיַּיוַ וְכוּ' הוּא דָּבָר קַשֶּׁה שֶׁיַּחְזוֹר בִּתְשׁוּבָה וְעִיי"ש. וְאִיתָא עוֹד שָׁם, "מִכֶּם" בָּכֶם חָלַקְתִּי וְלֹא בָּאוּמוֹת, כְּלוֹמֵר שֶׁמְּקַבְּלִין קַרְבָּן אֲפִילוּ מִמִינִים שֶׁבָּאוּמוֹת הַאֵּדוֹקִים לַעֲבוֹדָה זָרָה, וָהָכִי נָמֵי אָמֵר רֵב וַחָמֵן הַתָּם (דַּף י"ג) אֵין מִינִים בָּאוּמוֹת לְעִנָין קַרְבַּן וְעִיי"ש.

The Tosafot there explain that the sinners of Israel easily return in repentance, but for one who is a heretic regarding the entire Torah or who pours wine for idol worship, etc., it

¹⁰ As indicated in note 4, Ex. 33:5 is the only example of "say to the children of Israel," and it is unrelated to sacrifices. However, there are other verses that use the verb "אֱמֹר" [emor] ["say"] for commandments unrelated to sacrifices, such as Lev. 21:1, "Say to the priests, the sons of Aaron, and say to them: None shall defile himself for any [dead] person among his kin."

¹¹ There are many examples unrelated to sacrifices, such as Ex. 14:2, "Speak to the Israelites that they should turn back and encamp before Pi-hahiroth . . ."

¹² Such as Lev. 24:2, "<u>Command</u> the Israelite people to bring you clear oil of beaten olives for lighting, for kindling lamps regularly."

¹³ The Gemara makes a distinction between a heretic with regard to certain elements of the Torah, from whom we could accept offerings, and a heretic with regard to the entire Torah, from whom we should not accept offerings.

is difficult for them to return in repentance, and see there.¹⁴ Also brought there regarding the text "from you": I distinguished among you and not among the nations. That is as if to say, that we accept an offering from the heretics of the nations even if they are deeply involved in idolatry.¹⁵ Likewise, Rav Nachman said there in Chullin (page 13b), that we should not be concerned that a non-Jew is such a devout idolater that deriving benefit from his offering is prohibited, for there are no such heretics among the nations.

וּבְזֶה יוּבַן מֵאי דְקִשְׁיָא לִיה לְמֹשֶׁה, דְּנַדָּאי אֵלוּ הַשְׁלוֹשָׁה לַשׁוֹנוֹת שָׁיִיכִי שַׁפִּיר בְּישְׂרָאֵל הַשְׁתָא דְּאָמְרִינַן, בָּכֶם חָלַקְתִּי, שֶׁלְפִי שַׁהַמּתְנַדְּבִים בְּישְׁרָאֵל לְפְעָמִים הָם צַדִּיקִים וְלְפְעָמִים בֵּינוֹנִיִּים וְלְפְעָמִים פּוֹשְׁעִים. מִשׁוּם הָכִי בְּתוֹבִי שְׁלוֹשָׁה לַשׁוֹן הְיבָּה, וְ"דְבּוּר" לְשׁוֹן קַשָּׁה, וְ"צַו" הוּא כְּמוֹ מֶלֶךְ שֶׁמְצַנָּה לַעֲבָדָיו, וּכְשָׁיִשְׁרָאֵל אֵינָם עוֹשִׁים רְצוֹנוֹ שֶׁל מְקוֹם קְרוּיִים עֲבָדִים, וָכַל זָה הֹנֶה פְּשִׁיטָא לֵיה לְמֹשֶׁה. אֶלָּא אִי קְשְׁיָא, הָא קְשְׁיָא לֵיה, אֵיךְ אֶפְשָׁר שַׁבְּכִים אוּמוֹת אֵין הקב"ה מְצְנָּה בָּהֶם שׁוּם חִילּוּק כְּמוֹ בְּיִשְׂרָאֵל, וְהַלֹּא יֵשׁ בָּאוּמוֹת שֶׁמְּקוּלְקְלִים הַרְבֵּה בְּמַעֲשִׂיהֶם, וּכְשֵׁם שֶׁמָּבִיאִם נְדָבוֹת כָּךְ הָיָה יָכוֹל מְבִי לְצֵּוֹּוֹת לְצָה, וְעוֹד כְּשֵׁם שֶׁאָנוּ מְקַבְּלִים מֵהֶם אַף עַל כִּי שֶׁאִין סוֹפָם לְשוּב בִּתְשׁוּבָה כָּךְ הָיָה לָנוּ נָמֵי לְקבֵּל מַהַמּוֹמְרִים עָל יִשְׂרָאֵל הָיוּ בְּכָלֵל יִשְׁרָאל הָיִבּ בְּכַלְל יִשְׁרָאל הָיִּ בְּכָלְל יִשְׂרָאל הָיִּ בְּכָלְל יִשְׂרָאל הָיִּבּ שְׁכָּלֹים וֹבְיּלְא לֵן נְרְאָה וְנִדְחָה, שׁוּב אִינוֹ חוֹזֵר וְנִרְיָה, לְּמָר הָבְּלֵים מְכִּלְים וְכִּוֹי שָׁבְּל לְנִילְא לְנִי וְשָרָאל הָיוּ בִּכְלָל יִשְׂרָאל הָיוּ בָּכְלֹל יִשְׁרָאל וְיִצְאוּ מֵהַכְּלֶל, וְקִייִמְא לַן נְרְאָה וְנִדְחָה, שׁוּב אִינוֹ חוֹזֵר וְנִרְיָּא, לָּא הָנִי שָּבָּי לֹעוֹלְם בָּכְלָל, וְקִיִימָא לַן דְּיִבְיּת לֵוֹ מְעִיקְרָא, לָא הָנִי דִיחוֵנִי שָּבָּר, גִי בְּסוּבָּה וְעִיי"ש, אָבָל הַמִּינִים שָׁבָּאוֹמוֹת לֹא הָיוּ לְעוֹלָם בָּכְלָל, וְקִימָא לַן דְּבְיּהְנִי מֵעִיקְּרָא, לְא הָנִי דִיחוֹנִי בְּים בְּבָּלְית בְּים בְּיִבּים שִׁבְּל הָּלְיבִים שְׁבְּל הָּינִים שְּבְּלְל יִשְּרָב, בְּבְּעִים בְּבִים בְּים בְּיִבְים בְּיבְּים בְּבִּים בְּינִים שְׁנִיבְים בְּנִינִים מְנִים בְּנִיבְים בְּיבּים בְּיבּים בְּלְים מְנִינִים מְעֹים בְּבְּבְים בּיבּים בְּיבְּתְיבִים בְּיוּן בְּיִים בְּוֹיבְים בְּבְּבְים בְּיבְים בְּבְים בְּבְּים בְּיִים בְּלְים בְּבְּבְים בְּיבְּים בְּבְים בְּים בְּיִים בְּבְים בְּבְּים בְּיבְּים בְּיבְים בְּיבְים

Answer to Question 2, what difficulty did Moses have with the use of three verbs in the commands regarding offerings? In this way, we'll understand Moses' difficulty. Certainly, these three terms are fine for Israel, as we say "From you I have separated," because those who volunteer in Israel are sometimes righteous, sometimes average, and sometimes sinners. Because of this, these three terms are written. "Say" is a term of affection, "speak" is harsh language, and "command" is like a king commanding his servants. When Israel does not fulfill the will of the Holy One, they are called servants, and all this was clear to Moses.

Answer to Question 3, why does Moses ask why the nations aren't commanded regarding offerings, and why does he tie it to the use of three verbs regarding Israel being commanded regarding offerings? Rather, if there is a question, this is what is difficult for him: How is it possible that among all seventy nations, the Holy One, Blessed be He commands no differentiation as with Israel. After all, there are nations that are deeply corrupt in their actions, and just as they are allowed to bring freewill offerings, He could also have commanded them by distinguishing among them, so that the worst of them are forbidden to bring offerings.

Answer to Question 4, was Moses truly advocating for the nations? Also, just as we accept offerings from [the idolators of the nations], even though they will never truly repent, so too should we accept from the heretics of Israel who reject the entire Torah. So Moses was really advocating on behalf of the heretics of Israel.

The Holy One, Blessed be He, answered [Moses]: "Israel is different from the nations, because they are attached to Me," or "Because they crowned Me," etc. One rabbi said this and another rabbi said that, but they do not argue. That is, it as if to say that the heretics of

¹⁴ Tosafot for Chullin 5a.

¹⁵ Chullin 5a.

Israel had been in the category of Israel, but left the category. We hold that anything that was first fit and afterward rejected does not return to being fit, ¹⁶ as the Ran wrote on the 3rd chapter of Sukkah (33a), and see there.

But the heretics of the nations were never in the category of Israel, and we hold that disqualification from the outset is not permanent disqualification, ¹⁷ as concluded by the Talmud in the 3rd chapter of Sukkah.

וּמַעַתָּה נָבֹא לְפָּרָשׁ אֵלוּ הַשְּׁלוֹשָׁה תְּשׁוּבוֹת שָׁנּוֹתֵן לוֹ הקב"ה, וּמִתְּחַלָּה אָמַר, שָׁהַם דְּבוּקִים לִי, כְּלוֹמֵר שָׁאַף שֶׁבְּשֶׁהִיוּ בְּמִצְרִים שְׁכְחוּ אֶת ה', לֹא עַבְדוּ עֲבוֹדָה זָרָה אֶלָּא מִתּוֹךְ אוֹנֵס וְלָעוֹלָם הִיוּ דְּבוּקִים לִי, וְהָרְאָיָה שֶׁלֹּא שִׁינּוּ אֶת שְׁמָם וְאֵת לְשׁוֹנָם וְהִיּוּ אָרִרִים מִן הָעֶרְוָה וּמִן לְשׁוֹן הָרַע. וְאַל תִּאֹמְרוּ כִּי זָה הוּא מְעַט דְּבִיקוֹת וְאֵינִוֹ נַקְרָא דְּבִיקוֹת מַמְשׁ, שָׁהַרִי בְּפֶּרָק ט' דְּחוּלִין מְצִינוּ שֶׁהָצִין הַבְּשָׁר הַמְדוּלְדָּלִין בְּאָדָם וּבְרָהַמָּה אֵינָם מְטַמְּאִים וְאֵינִוֹ נַקְרָא מֵת רַק בְּשֶׁכּוֹפר בְּכָל הַתּוֹרָה, כְּמוֹ הַמְּחֵלֵּל שְׁבִּי מְנִבְירִם אָף עַל פִּי שֶׁאִינָם דְּבוּקִים אֶלְּא בְּחוּט הַשִּׁצְרָה. וְעִי"ש דְּרַק מִיתָה עוֹשֹׁה נִיפּוֹל, וְאַף כָּאן אֵינוֹ נַקְרָא מֵת רַק בְּשֶׁכּוֹפר בְּכָל הַתּוֹרָה, כְּמוֹ הַמְּחֵלֵּל שְׁבָּת וְמוּמְר לְעֲבוֹדָה זָרָה, שָׁאָז הוּא מֵת לְנַמְרֵי. וְהוֹאִיל שֶׁהֵם דְּבוּקִים לִי הֶם לִי לְבָנִים וַאֲנִי אָהָה לָבְנוֹ בָּבְּי אָנִה לְבְנוֹ בְּבְּלוֹי בְּבְּלוֹ עְלִבְם וְעָב" וְמוֹל הָעָלִיהָם עִלֹיך בְּלְּבְי מִילְה וְעָלִים הָעָלִים וְעָלִי וְנִבְּי אִנְהִי מְלָּוֹ בְּבְּלוֹ בְּבְּלוֹ בְּבְּי יִשְׂרָאֵל". וְעוֹד שֶׁמִילְי שֵׁי, צְּלִים וְעָדִ" וְכוּוּ לְבָבוֹ הַבְּי וְשְׁרָאל" לְשׁהוֹם הָמְלְבִי עֵל הַיָּם שָּאָמִרוּ וְהִין בְּלְדְּ וְעִבּים הַטּוֹב, וְזְהוּ, מִבְּרֵי יִשְׂרָאל" לְשׁוֹן קְשָׁה, כְּהָהִים שְּאָים עַלֶיךְ מְלֹבְּן לְעָלָם וְעָדִ" שְׁהָבּא צִימְתוֹ עָלִיךְ לְּשֹׁר וְאוֹמֵר לְהָב "בְּבָּוֹ יִשְׁרָאל" לְשׁוֹן קְשָׁה, כְּהָהים תְּעֹים תְּעִיך בְּיִבְי שִּבְּר וְעִבּי וְעָר.

Now we will come to explain the three answers that the Holy One, Blessed be He, gives to Moses, viz, "they are attached to Me;" "they initially crowned Me at the sea and said: 'The L-rd will reign for ever and ever;' " and "they accepted My kingdom at Sinai and said 'we will do and we will listen.'"

Explaining: "They are attached to Me." Initially, He said that "They are attached to Me," as if to say that even though when they were in Egypt they forgot G-d, they only served idolatry out of compulsion, and "They were always attached to Me." The proof of this is that they did not change their names or their language, and they were guarded from immorality and from evil speech. Do not say that this attachment is minimal and shouldn't be called a true attachment. For we find in Chullin (129b) that the limb and the flesh that are partially detached and remain hanging from a person or an animal do not become impure and are not considered as completely detached, even though they are not attached except by a hair's breadth. See there that only death causes complete separation, and here too, one is not called dead unless they deny the entire Torah, such as one who desecrates the Sabbath in public or becomes a heretic with idol worship, for then he is completely dead. Since they are attached to Me, they are My children, and I will be their Father, and just as a father commands his son, so I command you: "Command the children of Israel."

Explaining: "They initially crowned Me at the sea and said: 'The L-rd will reign for ever and ever.' "Also, immediately when they went out to freedom, when they were no longer compelled, they accepted the yoke of My kingship completely and willingly, and this is the meaning of "They crowned Me at the sea and said: 'The L-rd will reign for ever and ever.' "Because of this, I am like a king to them and say to them, "speak to the children of Israel,"

¹⁶ Pesachim 73b.

¹⁷ Sukkah 33b.

¹⁸ Mishnah Chullin 9:7, 9:8; Chullin 129b.

which is harsh language, as with "you shall be free to set a king over yourself," ¹⁹ that his fear should be upon you. ²⁰

ְוַיֵשׁ לְדָקְדֵּק בִּלְשׁוֹן הַמִּדְרָשׁ, לְפִּי שֶׁהֶם הָמְלִיכוּנִי עַל הָיָם תְּחִלָּה, דְּמַהוּ "תְּחַלָּה". וְיֵשׁ לוֹמֵר דְּאָמְרינַן בְּבָבָא מְצִיעָא (דַּף ס"ו) ההוּא דְמָבֵר שָׁדָה שֶׁלֹא בָּאַחְרִיוּת, חַזְיֵיה דַּהְנָה עֲצִיב, אָמַר לֵיה: אַמֵּאי עֲצִיבַתְ אִי טֶרְפוּ לַה מִינְּךָ, מַגְבֵּינָא לָךְ שְׁבָחָא, שׁוּפְרָא, וּפִּרָא, שׁוּפְרָא, וּפִירָיוּת, אַמֵּר אַמִּימָר: פַּטוֹמֵי מִילֵי בְּעַלְמָא הוּא. מִשׁוּם דְּלוֹקֵח קָא בָּעֵי לְאַתְנוֹיֵי וְאַתְנִי מוֹכֵר מִשׁוּם הָכָא פַּטוֹמֵי מִילֵי בְּעַלְמָא הוּא. וְכִידוּ עַל סוֹף לְקְנוֹת שֶׁלֹא בְּאַחְרָיוּת, אֲבָל אָם מִתְּחַלָּה הָיָה תְּנָאי זֶה בִּינֵיהֶם וּלְבַסּוֹף הוּא. וְכִתְבוּ הַמְּחַבְּה הָנָה תְּנָאי הָרָאשׁוֹן גָּמְרוּ אֶת הַמֶּקְח, וְכֵן פָּסָק שֵׁלְחָן גָּמְרוּ אֶת הַמֶּקְח, וְכֵן פָּסַק שֵׁלְחָן עָרוּד, חֹשֶׁן מִשְׁכָּט (סִימָן ר"ז), וְעִיי"ש.

We need to check the language of the Midrash, that "They initially crowned Me at the sea," for what is the meaning of "initially"? It can be said that it's stated in Bava Metzia (page 66):

A certain man who sold a field to another without a guarantee [that if the field is repossessed, the seller will compensate the buyer for his loss]. [The seller] observed that [the buyer] was sad, [as he was concerned that he could lose his investment]. [The seller] said: Why are you sad? If [the creditor] seizes it from you, I will pay you [for any] improvement, [and for] the best-quality [land], and [for any] produce [taken from you].

Ameimar [later] said: "These are entirely empty words [and not legally binding]," because the buyer needs to stipulate [this and failed to do so], and here the seller stipulated. Because of this, they are entirely empty words."

- Bava Metzia 65b–66a

The Tosafot wrote that this is specifically the case here, where they already resolved to a purchase without a guarantee. However, if initially this stipulation existed between them, and at the end they concluded the contract without the stipulation, there is no distinction whether it was the stipulation of the seller or buyer, for it was with the knowledge of the initial stipulation that they concluded the contract.²¹ This is the ruling of the Shulchan Aruch, Choshen Mishpat, siman 207, se'if 1, and see there.

וְאַף כָּאן לְפִי הַדִּין הָיָה לוֹ לְהקב"ה לְהַתְּנוֹת תְּנַאי זֶה לְפְחוֹת בִּשְׁעַת מַתָּן תּוֹרָה עַל מְנַת שֶׁתְקַבְּלוּנִי עֲלֵיכֶם לְמֶלֶךְ, שֶׁהוּא לְטוֹבָתוֹ וְהִתְנוּ יִשְׂרָאֵל וְסָלְקָא דַּעְתָּא לוֹמֵר שֶׁפַּטוֹמֵי מִילֵי בְּעָלְמָא הוּא, לָכֵן אוֹמֵר הַמִּדְרָשׁ שֶׁהֵם הִמְלִיכוּנִי תְּחִלָּה עַל הַיָּב דִּוְקָא תִּחִלָּה, וָאַף אָם בִּמַעֲמֵד הַר סִינֵי גַּמַרְנוּ אֵת הַמֵּקָח סָתַם, עַל דַּעַת הַתִּנִאי הַרְאשׁוֹן נָגָמַר הַמֵּקַח וָהָם אֵינַם יִכוֹלִים לְחִזוֹר.

Even here, according to the law, the Holy One, Blessed be He should have made this condition, at least at the time of giving the Torah, on the condition "that they accept Me as their king, for their own good." Israel made this condition, and one might think to say that

²⁰ Sanhedrin 19b.

¹⁹ Deut. 17:15.

²¹ Tosafot, Bava Metzia 66a.

this is just empty words. Therefore, the Midrash is saying that "they initially crowned Me at the sea," specifically "initially," and even if it was only while standing at Mount Sinai they concluded the contract, it was with the knowledge of the initial condition that the contract was concluded, and therefore they are not able to retract.

ָוָלֹא דֵּי שֶׁקּבָּלוּ מַלְכוּתִי בִּלְבַד אֶלָּא שֶׁהָרָאוּ בְּעַצְמָם אָהָבָה יְתֵירָה בִּמַה שֶׁהִקְדִּימוּ "נַעֲשֶׂה" לִ"נִשְׁמַע". וְלָכֵן אָמַר לוֹ "אֱמֹר לָבְנֵי־יִשְׂרָאֵל" לְשׁוֹן חִיבַּה, אַמְנַם לָאוּמוֹת הַעוֹלָם שֵׁלֹא הַיָה בַּהֶם שׁוּם מִמְדּוֹת טוֹבוֹת הַלְלוּ לְבֵן לֹא צָוָה לָהֶם קַרְבַּנוֹת, אַלַא . שָׁאָם יִרצוּ לָהַקְרִיב אֵינוֹ מָן הַרַאוּי לְדָחוֹתַם מְטַעַם הַנִּזְכֵּר לְעֵיל

Explaining: "They accepted My kingdom at Sinai and said 'we will do and we will listen.'" It is not enough "that they accepted My kingship" alone, but they also demonstrated an extra measure of love by preceding "we will do" before "we will listen." Therefore, He said to him, "Say to the children of Israel" in a language of affection. However, for the nations of the world, who did not possess any of these virtues, He did not command them to bring offerings. Nevertheless, if they choose to bring offerings, it would not be appropriate to reject them for the reasons mentioned above.

ַנעַדִיין יֵשׁ לִדַקְדֵּק בָּמָדָרַשׁ זֵה, מַה רַאוּ יִשְּׂרָאֵל שֶׁהִמְלִיכוּהוּ בִּיַם דַּוְקָא, דָּאִי מְשׁוּם הַנֵּס שַׁנַעֲשֶׂה לָהֶם, הַיָּה דִּי לָהֶם לִיתַּן לו שָׁבָח וְתוֹדָה דָהַיִינוּ הַשִּׁירָה שֵׁאַמְרוּ. וַיֵשׁ לוֹמַר דָאַמְרִינַן בְּמַסֶּכֶת אַבוֹת הָוֵי מְתַפַּלֵּל בְּשָׁלוֹמַה שֶׁל מַלְכוּת שֵׁאָלְמֵלֵא מוֹרַאַה, אָישׁ אָת רָעָהוּ חַיִּים בָּלַעוֹ. וּמוּכָח מָזָה שֶׁבָּשֶׁיֵשׁ מַלְכוּת אֶין גַזָל אָין לְסָטִים בַּעוֹלַם אֶין מִי שֶׁיַעֲשֶׂה שֶׁלֹּא כָּדִיז. וּבִמְדְרַשׁ יַלְקוּט עַל פַּסוּק "מִקְדָשׁ ה' כּוֹנָנוּ יָדֵיךּ", מַשַּׁל לִלְסִטִים שֶׁנָכִנְסוּ לְפַּלָטִין שֶׁל מֶלֶךְ וְהָחָרִיבוּהוּ וּבַזְזוּ וְהַרְגוּ בָּנֵי הַמֶּלֶךְ, לְאַחֵר זְמַן יָשַׁב עַלִיהֶם הַמֶּלֶךְ בְּדִין תַּפַּס מֵהֶם הָרַג מֵהֶם צָלַב מֵהֶם, יָשַׁב בְּפַּלָטִין שֶׁלוֹ וְאַחַר כַּךְ נִתְוודַע מַלְכוּתוֹ בַּעוֹלָם עכ"ל. וַהָכִי נָמֵי מִיּוֹם שֶׁנָבָרָא הָעוֹלָם וְעַד עַכִשִׁיו שֶׁיָצָאוּ מִמִּצְרַיִם לֹא עַשָּׁה הקב"ה בִּפַרָהֶסְיָא מִשְׁפָּט לָעֲשׁוּקִים לְהַצִּילָם מִיַּד עוֹשְׁקִיהֶם, וּמֵעַתַּה שֶׁהָרֵי יֵשׁ הַּרוֹב רַחַמֵּיו הָצִּילָנוּ מִיַּדָם וְעַשַּׁה בַּהֶם שִׁפַטִּים, וְנַפַּל פַּחַד וְאֵימַתָה עַל כַּל הַעַמִּים, רַאוּי הוּא לְמְלוּכָה, שֶׁהָרֵי יֵשׁ מוֹרָאוֹ הַגָּדוֹל שֶׁמִּתּוֹךְ כָּדְ לֹא יִבְלְעוּ עוֹד אִישׁ אֶת רֵעָהוּ, וּמִשׁוּם הָכִי אָמְרוּ "ה' יִמְלֹדְ לְעֹלֶם וַעֶד", שֶׁבְּמַלְכוּתוֹ דַּוְקָא יִתְקַיֵּים הַעוֹלָם, וּלְפִיכַךְ בִּזְכוּת זָה נַתַן לָהֶם הַתּוֹרֵה שֶׁהִיא הַיִּסוֹד הַעִּיקַרִי בִּקִיוּם הַעוֹלַם.

Still, we need to check this Midrash: What did the Israelites see that made them crown Him specifically at the sea? If it was because of the miracle that occurred for them, it would have been sufficient for them to give Him praise and thanks, that is, the song they recited, Ex. 15:1–18. It can be said that it's stated in tractate Pirkei Avot 3:2: "Pray for the welfare of the kingdom, for were it not for the fear it inspires, every man would swallow his neighbor alive." It's proven from this that when there is kingship, there's no robbery, no robber in the world, there's no one who will act against the law. In the Midrash Yalkut Shimoni on the verse, "The sanctuary, L-rd, which Your hands established,"22 there is a parable of thieves who entered a king's palace, destroyed it, looted it, and killed the king's sons. Later, the king came back, captured them, killed some, and crucified others. He sat in his palace, and afterward, his kingship became known in the world.²³

²² Ex. 15:17.

²³ Yalkut Shimoni, Beshalach, remez 253:3.

Similarly, from the time the world was created until now, when the Israelites left Egypt, the Holy One, Blessed be He, did not secure justice for those who were wronged,²⁴ to save them from the hand of their oppressors. Now that the Holy One, Blessed be He, in His great mercy, saved us from them and executed judgment upon them,²⁵ terror and dread have fallen²⁶ upon all the peoples. He is worthy of kingship, for His great awe prevents people from swallowing his fellow. Therefore, they said, "The L-rd will reign forever and ever," for it's particularly by His kingship that the world exists. For this reason, He gave them the Torah, which is the fundamental basis for the existence of the world.

וּלְפִי דֶּרֶךְ זֶה נָבִין הַמִּדְרָשׁ עַל פָּסוּק "אֶשְׁמְעָה מַה־יִדבֵּר הָאֵל ה' ", אָמְרוּ אוּמוֹת הָעוֹלֶם לְבִלְעָם מִפְּנֵי מָה אָמַר הקב"ה לִישְׂרָאָל שָׁיָבִיאוּ קַרְבָּנוֹת וְלָנוּ לֹא אָמַר, אָמַר לָהָם הַקּרְבָּנוֹת אֵינָם אָלָא שָׁלוֹם וּמִי שֶׁקְבֵּנוֹת וְלָנוּ לֹא אָמַר, אָמַר לָהָם הַקּרְבָּנוֹת אֵינָם אָלָא שָׁלוֹם וּמִי וְיְבָרַךְּ אֶת־עַמּוֹ בַשְּׁלוֹם" עכ"ל. וְגַם וְאַהֶּם פְּסַלְתָּם אוֹתָה מִמְּחִלָּה וְעַכְשִׁיו אַהֶּם רוֹצִים לְהַקְרִיב וְכוּ', וְזֶהוּ "ה' עֹז לְעַמּוֹ יִמֵּן ה' יְבָרַךְּ אֶת־עַמּוֹ בַשְׁלוֹם" עכ"ל. וְגַם עַל תְּשׁוּבָה זוֹ קַשֶּה, שֶׁהְבֵי לְעוֹלָם יֵשׁ פִּתְחוֹן פֹּה לָאוּמוֹת שֶׁלֹא כָּפָה עֲלֵיהֶם הָהָר כְּגִיגִית כְּמוֹ שֻׁעָשָׂה לְיִשְׂרָאֵל, וְאַף עַל פִּי שֶׁלְהָה בִּימִי אֲחַשְׁנִהוֹשׁ סוֹף סוֹף, כְּשֶׁצִּוָּה הַקּרְבָּנוֹת לְיִשְׂרָאֵל עֲדִייִן לֹא קַבְּלוּ אוֹתָה אֶלָּא מָתוֹך אוֹנָת בַּלְעָם, בִּשְׁלָמָא יִשְׂרָאֵל שֶׁמִּתְּחָלָּה הָיוּ דְבוּקִים לוֹ וְהָיוּ לוֹ כְּבָנִים, הָאָב יָכוֹל לָכוֹף אֶת הַבֵּן לְעַבְדוֹ אַף בְּעַל כָּרְחוֹ.

According to this approach, we will understand the Midrash on the verse, "Let me hear what G-d, the L-rd, will speak," 27

The nations of the world said to Balaam: "Why did God tell Israel they should bring offerings, but did not say this to us?" He said to them, "The offerings are only for peace, and anyone who accepts the Torah must bring offerings. You rejected it from the beginning, and now you want to bring offerings?" This is the meaning of, 'May the L-rd grant strength to His people; may the L-rd bestow on His people wellbeing.' "28

- Yalkut Shimoni on Torah 493:1

Regarding this answer, there is also a difficulty, for the nations always have a claim, that the mountain, Mount Sinai, was not overturned over them like a tub, as [G-d] did to Israel, when He said, "If you accept the Torah, excellent, and if not, there will be your burial." Even though the generation finally accepted [the Torah] without compulsion in the days of Ahasuerus, when [G-d] had initially commanded the sacrifices to Israel, they had only accepted [the Torah] out of compulsion. He could have done the same for the nations. I.e., G-d could have also imposed the Torah upon the nations, and then the nations wouldn't have been able to reject it.

²⁴ Cf. Ps. 146:7.

²⁵ Pesach Haggadah, Magid, Dayenu 2.

²⁶ Cf. Ex. 15:16.

²⁷ Ps. 85:9.

²⁸ Ps. 29:11.

²⁹ Shabbat 88a.

Rather, this was the intent of Balaam: Granted that Israel was initially devoted to [G-d] and they were like sons to Him, and the father is able to force his son to serve him, even against [the son's] will.

ְּזֶהוּ שֶׁאָמֵר "צֵּוּ אֶת־בְּנֵי יִשְׂרָאֵל" וְעוֹד שֶׁקּבְּלוּהוּ עֲלֵיהֶם לְמֶלֶךְ וְכוּ', אֲבָל אַתֶּם הוֹאִיל שֶׁלֹּא הָיָה לוֹ מָקוֹם לָכוֹף אֶתְכֶם, הָיָה לָכֶם לְקבְּלָה מֵאַהְבָה, וְהוֹאִיל שֶׁלֹּא קַבְּלָתִם אוֹתָה לָכֵן אֵין לָכֶם חַלֶּק בַּקְרְבָּנוֹת. וְזֶהוּ נָמִי דְּאָמְרינֵן בְּמִדְרָשׁ פָּרָשַׁת אֱמֹר, אָמַר ר' יְהוּדָה בָּר סִימּוּן עֶשְׂרֵה מִינֵי בְּהַמוֹת מָסְרְתִּי לְךְּ וְכוּ' לֹא הִטְרַחְתִּי לָכֶם לְהִתְיַיגַעַ בֶּהָרִים וּלְהָבִיא מֵאוֹתָן שֶׁאֵינָם בִּרְשׁוּתְדּ עָפֹל. דְּהוֹאִיל שֶׁיִּשְׁרָאֵל נִקְרָאוּ בָּנִים וְאָמְרִינֵן בְּיוֹרֵה דֵּעָה אָסוּר לְאַב לְהַבְּיִד עוּלוֹ עַל בָּנִיו אֶלְּלָא מֵב וְמִין לוֹ לְהַכְבִּיד עוּלוֹ עַל יִשְׂרָאֵל אַף עַל וֹלְדַקְדֵּק עֲלֵיהֶם יוֹתַר מִדָּאִי שֶׁמֶּא יְבִיאֵם לִידֵי מִכְשׁוֹל, וְאַף כָּאן הקב"ה נִקְרָא אַב וְאֵין לוֹ לְהַכְבִּיד עוּלוֹ עַל יִשְׂרָאֵל אַף עַל פִּי שֵׁמְחַלָּה כַּפָּה אוֹתָם לְקבֵּל הַתּּוֹרָה בְּמֵלֶך.

This is the meaning of what is said, "Command the children of Israel," and also that they accepted Him upon themselves as a king etc. But you, since there was no reason for [G-d] to compel you, it was for you to accept [the Torah] out of love, and since you didn't accept [the Torah], therefore you have no share of the sacrifices.

This is also the meaning of what is said in the Midrash Rabbah, parashat Emor:

Rabbi Yehuda bar Rabbi Simon said: The Holy One, Blessed be He, said: "I have given you ten types of animals, three in your domain and seven that are not in your domain. Three that are in your domain: 'An ox, a sheep, and a goat.'³⁰ Seven that are not in your domain: 'A deer, a gazelle, a fallow deer, a wild goat, an oryx, an aurochs, and a wild sheep.'³¹ I did not impose upon you to exhaust yourselves on the mountains in order to bring an offering from those that are not in your domain but rather, from what is in your domain and is raised from your trough." That is [the meaning of] what is written: "A bull, or a sheep, or a goat."³²

- Lev. Rabbah 27:6

Since Israel is called sons, and it is said in Yoreh De'ah (Shulchan Aruch, Siman 240, Se'if 19), it is forbidden for a father to be overly strict with his children or to be too demanding, lest he cause them to stumble. Here, too, the Holy One, Blessed be He, is called Father, and He should not burden Israel excessively, even though He initially compelled them to accept the Torah, as a king would do.

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³⁰ Deut. 14:4.

³¹ Deut. 14:5.

³² Lev. 22:27.