

## PARASHOT NITZAVIM-VAYELEKH

### Punishment of the Individual and of the Nation

By Rav Mordechai Sabato

Parshat Nitzavim, comprising slightly less than two whole chapters (29:9-30:20), opens in the middle of Moshe's speech. The speech begins at the end of the previous parasha, at the beginning of chapter 29: "And Moshe called to all of Israel and said to them..." It concludes at the end of chapter 30. Proof of the connection between the beginning of our parasha and the previous section is to be found in the linguistic similarity between the last verse of Ki Tavo, "And you shall observe the WORDS OF THIS COVENANT and perform them", and the first verse of Nitzavim: "You are all standing today before the Lord your God... to enter into THE COVENANT OF THE LORD YOUR GOD and into His oath which the Lord your God seals with you today... Not with you alone do I seal THIS COVENANT and this oath..." (29:9-13).

There can be no doubt, then, that our parasha is not an independent literary unit, and that it should be treated as part of Moshe's speech starting in chapter 29. In this shiur, we shall address the structure of chapter 29 and its significance.

At the center of chapter 29 stands the covenant that Moshe makes with Israel in the plains of Moav. The word "covenant" (berit) appears five times in the chapter (8, 11, 13, 20, 24), and connects chapter 29 with the conclusion of chapter 28, where we read, "These are the words of the COVENANT that God commanded Moshe to make with the children of Israel in the land of Moav, aside from the COVENANT that he made with them at Chorev." Thus we may deduce that chapter 28 concluded the speech of the mitzvot and the subsequent blessing and curse, which are called in the Torah "the words of the covenant." In chapter 29, now that the nation has been made aware of the details of the covenant, Moshe actually carries out the ceremonial sealing of the covenant.

Let us now look at the structure of chapter 29.

The first section of the chapter, comprising verses 1-8, serves as a sort of introduction to the covenant ceremony, where Moshe urges the nation to observe the covenant:

...You have seen all that God did before your eyes in the land of Egypt, to Pharaoh and all of his servant and all of his land... And you shall observe the words of this covenant and perform them, in order that you may succeed in all that you do.

The next section, verses 9-14, describes the ceremony whereby the covenant is sealed:

(9) You are all standing today before the Lord your God: the heads of your tribes, your elders, your officers – all the men of Israel,

(10) your children, your wives and the strangers that are amongst your camp, from the hewers of wood to the drawers of water,

(11) to enter into the covenant of the Lord your God and His oath, which the Lord your God seals with you today.

(12) In order that He may establish you today as His nation, and He will be your God, as He spoke to you and as He promised to your forefathers, to Avraham, to Yitzhak and to Ya'akov.

(13) It is not with you alone that I make this covenant and this oath,

(14) but with those who are standing here with us today before God our God as well as with those who are not standing with us here today.

In this section, a distinction should be made between the bracketing verses (9-11 and 13-14), which indicate that the covenant is indeed being made, and the central verse of this unit (12), emphasizing the significance of the covenant.

The bracketing verses correspond to one another in chiasmic form: verse 11 parallels verse 13; both mention the sealing of the covenant and the oath. Verses 9-10 parallel verse 14; both mention Israel standing before God. The main point that is emphasized in the bracketing verses is the absolute universality of participation in the covenant. Verses 9-10 stipulate that participants include all strata of the nation and all social levels. Verses 13-14 tell us that the covenant includes all generations of the nation. Later on we shall address the significance of this point in the chapter as a whole.

In the third section, verses 16-20, Moshe emphasizes the punishment that awaits someone who violates the covenant:

(15) For you know how we dwelled in the land of Egypt and how we passed through the nations that you have passed by;

(16) you have seen their abominations and their idols of wood and stone, silver and gold, that were among them.

(17) Lest there be among you a man or woman or family or tribe whose heart turns today away from the Lord our God, to go and worship the gods of those nations, lest there be among you a root that gives forth gall and wormwood,

(18) and it happens, when he hears the words of this oath, that he blesses himself in his heart, saying, Peace will be with me, although I walk in the stubbornness of my heart, in order to add drunkenness to thirst.

(19) God will not agree to forgive him, for then the anger and jealousy of God will smoke against that person, and all the curse that is written in this book will come upon him, and God will erase his name from under the heavens.

(20) And God will separate him for evil from among all the tribes of Israel, as all the curses of the covenant that are written in this book of Torah.

The principal difficulty in understanding this section lies in verse 18. Two points in this verse require explanation: a. Why would a person whose heart has turned away from God still believe that all will be well with him, despite the fact that he has heard all the words of the oath, and its curses? B. What is the meaning of the idiom, "to add drunkenness to thirst?"

Rashi writes: "Whose heart turns today – i.e., refuses to accept the covenant upon himself." From here we may understand that the person believes that the curse will not affect him because he does not accept the covenant. Rashi then interprets the difficult idiom as pertaining to the punishment that will come upon him:

"In order to add drunkenness" – For I shall add punishment for him over and above what he has done so far by mistake, and I shall review them and now cause them to be counted as intentional sins, and I shall punish him for all of it...  
"Drunkenness" – an unintentional sin that was performed, like a person who is drunk and is not aware of his actions. "Thirst" – that which he does knowingly, out of desire.

The idiom therefore relates not to the thoughts of the sinner, but rather to the punishment that awaits him.

Both aspects of Rashi's explanation seem somewhat forced. The reason for the person's thoughts ("whose heart turns today") should seemingly have been written adjacent to the quotation of his thoughts, not prior to them. Likewise, the interpretation of the idiom as relating to the punishment seems forced, for it is only in verse 19 that we read, "God will not agree to forgive him" – meaning that it is only there that the description of the punishment begins.

The Ibn Ezra quotes R. Yehuda ha-Levi in his explanation, as follows:

"And he will bless himself in his heart" – R. Yehuda ha-Levi z"l taught that this expression is meant literally; when he hears the curse then he will bless himself in his heart, saying, "All will be well with me." As though, upon hearing the curse, he says, "excluding me." "In order to add (sefot)" – R. Yehudah ha-Levi taught that this is an expression of being destroyed, as in "Will you destroy (tispeh) the righteous with the wicked?" In other words, the person who blesses himself thinks to cancel or destroy the words of the righteous, who is referred to in the word "ravah" (previously translated as drunkenness, here interpreted as satiation), by means of his thirst. For the righteous is strong in his satiation like a tree planted by the water, and the wicked one languishes in thirst like a tamarisk in the desert. And he believes that his own blessing in his heart will stop the curse.

What R. Yehuda ha-Levi means is that a person whose heart turns from God (and such a person is referred in the text as one who is "thirsty") believes that his prediction that "All will be well with me," which is a kind of blessing, has the power to cancel the effect of the curse uttered by Moshe (who is referred to as "satiated").

The advantage of this explanation lies in the fact that it connects the idiom to the thoughts of the sinner, and the text itself hereby explains why he believes that the curse will not come upon him.

However, this explanation also presents some difficulties, concerning both syntax and content. The preposition "by" (et) (in "destroying satiation by thirst") is not appropriate here, for this word appears nowhere else meaning "by means of." What the text should have said, then, is "in order that the thirst cut off the satiation," for it is the words of the wicked one that are meant to cancel the words of the righteous. Moreover, we may argue that it is difficult to understand why a person would believe that his prediction, "All will be well with me," has the power to cancel the curse.

Hence, it may be preferable to adopt the interpretation of the Ibn Ezra himself, who writes:

In my opinion, the word "sefot" is derived from "tosefet" (addition)... The verse then means: All will be well with me even though I walk in the stubbornness of my heart, because I shall live by merit of the righteousness of the righteous ones, for they are many and I am an individual sinner. But God will not agree to forgive him... Thus, "sefot" means "added," for the satiation will be added to the thirst. The righteous is represented by satiation, for he is compared to a "tree planted by streams of water," while the wicked one is represented by thirst, for he is compared to a "lone tamarisk in the desert."

The Ibn Ezra teaches that the person blesses himself in his heart, saying that all will be well with him, because he believes that the merit of the many righteous people will save the lone sinner.

Thematically, this explanation is greatly advantageous, since it gives special significance to this section, and to chapter 29 as a whole, as well as relating our chapter to the curses in chapter 28 – a significance that would seem to fit in well with the language of the chapter. Most of the curses in chapter 28 pertain to the nation as a whole; there is almost no mention there of punishment to individuals. The most outstanding example is the final curse – exile – which is described in chapter 28 as a national punishment, not a punishment for individuals. In our chapter, by contrast, Moshe highlights the fact that he is speaking to individuals: "Lest there be among you a man or a woman or a family or a tribe..." This is a series of individual exceptions: one man among the many, one family among the many, or one tribe among the many. The sinful individual therefore believes that the curse described in chapter 28 will not come to pass for him, because it is directed to the community as a whole, and since the community is not sinful – only he is, alone – the "satiation" will protect the "thirst."

Ibn Ezra thus understands that in our section, the Torah means to teach that this perception is mistaken. The curse, which is essentially meant as a curse to the nation, may also apply to a sinful individual. "For then God's anger and His jealousy will smoke against THAT MAN and all the curse that is written in this book will come upon HIM." Indeed, the end of the section reads, "And God will separate him for evil from among all the tribes of Israel, according to all the curses of the covenant that is written in this book of Torah." In other words, although chapter 28 treated the entire nation as a single unit, when necessary one tribe may be singled out from among all the tribes of Israel for the curses of the covenant.

Despite the thematic advantage of the Ibn Ezra's explanation, we are still left with a syntactical question concerning his interpretation of the idiom. The righteous one does not "add" to the wicked one, but rather "protects" him.

The Abarbanel adopts the Ibn Ezra's main idea in one of his explanation, and writes as follows:

Perhaps the individual... with bless himself in his heart, saying, "All will be well with me... because I will be included in that good that the blessed God bestows upon Israel, and the curses will not be able to affect me individually, because He will not curse the nation since they are blessed." And this is what he means by "All will be well with me" – individually, while I walk in the stubbornness of my heart and do whatever I wish to. And this is what is meant by, "In order to add satiation to thirst," which is a parable. For if a person has two fields, one alongside the other, one in need of water and the other well watered and having no need for irrigation – there is no doubt that when watering the dry field, he will come to water also the other one, even though he does not water it intentionally. Likewise, this heretic believes that although God does not mean to shower blessings upon him, since he walks in the stubbornness of his heart, he will nevertheless still receive goodness and salvation and success because he is part of the whole.

The difference between the Abarbanel and the Ibn Ezra is that the former does not understand "satiation" and "thirst" as referring to the righteous person and the wicked one, but rather as being part of the parable itself. It is the way of the world that a well-watered field receives some of the water that is directed towards the neighboring dry field.

This explanation is advantageous in that in many places in Tanakh the words "satiated" and "thirsty" are used to describe land or a field. But we still have a problem with the word "add" (sefot) as it appears here.

S.D. Luzzato proposes a correction to the above explanation, suggesting that the root "s-f-h" is related to the root "s-f-ch," meaning joining or annexing, but this still seems forced.

Perhaps we should adopt the suggestion of N.H. Tur Sinai that the root of the word "sefot" is "s-f-a," meaning "eating" in Ugaritic or "feeding" in Aramaic. According to this theory, the interpretation of the idiom would be that a well-watered field also provides water to a dry field, in the same way that the Abarbanel explained.

In summary, the Torah's intention in these verses is to negate the mistaken perception that the concept of collective punishment described in chapter 28 means that there is no individual punishment. The Torah teaches in Chapter 29 that its curses can come upon the individual – whether an individual person, an individual family, or an individual tribe. To this we must add the fact mentioned above, that at the beginning of the parasha Moshe emphasizes that the covenant applies to everyone, including every individual of every social level and in every generation. Thus the Torah removes the possibility of any individual in any generation escaping the covenant and its curse.

To complete our understanding of this section, we should add that both the Ibn Ezra and the Ramban comment on verse 19 that the Torah's description of the punishment relates to all three levels – individual, family, and tribe – in order to illustrate most clearly that there is no escape from punishment for the individual on any level. The Ramban writes,

"God's anger and His jealousy will smoke against that person" – this is a curse upon the individual man or woman; "and He will erase his name" – a curse upon the family, for the entire household is called after its head; "and He will separate him for evil..." – namely, He will separate this tribe from among all the remaining tribes of Israel.

Let us move on to the final section of the chapter:

(21) So that the later generation, your children who will rise up after you, and the stranger who will come from a far-off land, who will see the plagues of that land and its sicknesses that God has sent to it, will say,

(22) with the whole land burning in brimstone and salt, not being sown nor bearing fruit nor giving forth any grass, like the overthrow of Sedom and Amora, Adma and Tzevoyim, which God overthrew in His anger and His fury,

(23) Then all the nations will say, "Why did God do thus to this l; what is the heat of this great anger?"

(24) And they shall say, "Because they abandoned the covenant of the Lord, God of their fathers, which He made with them when He took them out of the land of Egypt.

(25) And they went and worshipped other gods and bowed down before them, gods that they did not know and that He did not give to them.

(26) And God's anger burned against that land, to bring upon it all the curse that is written in this book.

(27) And God rooted them out of their land with anger and fury and great wrath, and sent them to another land until this day.

At first glance, this section would seem to be an exception to the subject of our chapter, as we explained it above. It appears to describe the destruction of the land and the exile of the nation as a whole (as would seem explicit from verse 27) and not to refer to punishment of the individual.

Indeed, some commentators maintain that this section is not a continuation of the previous one, but rather continues from where the Torah left off in chapter 28. After the description of exile in chapter 28, the Torah goes on in 29:21 to describe the reaction of the nations to the sight of the land in its destruction and the nation led away into exile. The verses in between – 29:1-20 – are a sort of parenthetical explanation of certain points.

However, close examination of the language of the text reveals that the above explanation is difficult to accept, for two reasons:

- a. These verses emphasize once again that the plagues came upon "that land" (21, 26). This expression is not generally used in the Torah to refer to the land of Israel as a whole, but rather to a certain part of it that has previously been mentioned.
- b. Verse 21 distinguishes between the later generation, "your children that will rise up after you," and "the stranger that will come from a far-off land." The text does not say of the children that they will come from a far-off land as it does of the stranger. This means, logically, that the children are already in the land, and have no need to come from afar. Thus, the Torah cannot be talking about children who were exiled from the land.

The combination of these two questions shows that the land referred to by the Torah in these verses is not the land of Israel in its entirety, but rather the land belonging to the tribe mentioned at the end of the previous section. "The later generation" means the children of the tribes who were not exiled, and it is they who wonder at the meaning of the destruction that meets their eyes in that portion of the land whose inhabitants were exiled.

But we may still ask why the Torah devotes an entire section to what the stranger will say, arriving from a far-off land, and why his astonishment is described specifically in the context of the punishment of a single tribe, rather than the exile of the nation as a whole.

Concerning the first question, the Rashbam writes:

"Because they abandoned" – They will not say, "For lack of God's ability..." as I explained on the words, "And I fell before God and I said..." (9:25-26)."

This refers back to the Rashbam's commentary on 9:25 –

"And I fell before God for forty days... and I fell before God and I said..." - Who is wise enough to pay attention and understand why there is a need to repeat this "falling before God" for forty days? Does the Torah then usually repeat itself? ... The text should have said, "And I said..." in the previous verse, without any need to repeat itself in order to tell Israel what exactly was the content of the prayer.

But there is a great wisdom here, with which to reprove Israel. Lest you say: In a sin as great as that of the golden calf, Moshe's prayer was effective and we were saved; so in Eretz Yisrael, too, if we sin then the prayers of the prophets will be effective. Moshe is telling them: Prayer will not help you in Eretz Yisrael. For here you were forgiven only in order that God's Name not be desecrated, for that is in fact what I prayed: "Lest they of the land from which you took us out will say, It is for lack of God's ability to bring them [to the land, that He destroyed them]." For this reason you were not given the death sentence in the desert. But after God wipes out thirty-one kings before you, and makes you inherit the land, then He will be able to expel you from the land, for there is no longer an issue of desecration of God's Name, that the nations will say that God was unable to help you. Rather, the nations will say, "Israel sinned before Him," as we are told explicitly in the parasha of Nitzavim: "And all the nations will say, For what reason did God do this to this land; what is this great heat of anger?" And they will answer, "Because they abandoned the covenant of the Lord, God of their fathers... and God uprooted them from upon their land with anger and fury and great wrath, and He sent them to another land until this day."

Here the Rashbam answers our first question, but he fails to answer the second one: why do the nations speak thus only concerning a partial exile, and not concerning the exile of the whole nation?



Perhaps we may answer as follows: In the event of a complete exile, there is no assurance that the nations will attribute the exile to the sins of Israel. It is more likely that they will attribute the exile to the limited power of Israel's God, to their view, as opposed to the nation that waged war against Israel and its God. However, if the exile affects only one tribe, while the rest of the nation remains in place, then even the nations will recognize that the reason for the destruction is God's anger at their sins – as our parasha teaches.

Was there any period in history when the threat set down in our chapter was actualized? We may point to at least two instances of partial exile:

1. Divrei ha-Yamim I 5:25-26 – "And they sinned against the God of their fathers and went astray after the gods of the nations of the land which God had destroyed before them. And the God of Israel stirred up the spirit of Pul, king of Ashur, and the spirit of Tilgat-Pilnesser, king of Ashur, and He exiled them – the tribes of Reuven, Gad, and the half-tribe of Menashe, and He brought them to Chalach and to Chavor and to Hara and to the river of Gozan, until this day."
2. Melakhim II 17:6 – "In the ninth year of Hoshea, the king of Ashur captured Shomron and exiled Israel to Ashur, and settled them in Chalach and in Chavor at the river of Gozan, and the cities of Madai."

In both places, the exile affected more than one tribe. But both are instances of a partial exile, and not the exile of the nation as a whole.

It is instructive to note that when Chazal discuss the question of whether the "ten lost tribes" will eventually return, they bring proof from our chapter.

The ten tribes are not destined to return, as it is written (Devarim 29:27), "And He will send them to another land until (lit., like) this day." Just as "this day" disappears as does not return, so they who go will not return – this is the opinion of R. Akiva.

R Eliezer says, Just as the day first becomes dark and then becomes light, so the ten tribes, who at first suffered darkness (exile) will eventually enjoy light.  
(Sanhedrin 10:3)

It seems, therefore, that Chazal, too, interpret these verses as pertaining to a partial exile, and not the exile of the entire nation.

R. Akiva's proof from the text seems somewhat forced. It is especially difficult to understand in light of the fact that in the next chapter (30), the Torah promises the return of Israel to their land, if only they will return to God.

It is possible that R. Akiva claims as he does because of the context of our chapter. As we mentioned in the shiur on parashat Ki Tavo, chapter 30 adopts the language of the end of

chapter 28, and clearly continues the description there. We asked why the two sections are divided, and why chapter 29 is inserted between them. We may now return to this question.

Chapter 29 opens with a description of the sealing of the covenant. The fact that this description comes before chapter 30, which speaks of teshuva (repentance) and redemption, teaches that teshuva and redemption are not part of the covenant. This also arises from the language of the verse that concludes chapter 28, "These are the words of the covenant that God commanded Moshe to make with the children of Israel in the land of Moav." These words – and no more. This means, as we have said, that teshuva and the promise of redemption that will follow it are not part of the covenant. Redemption in the wake of teshuva is a gift from God's attribute of mercy and kindness; it is beyond the letter of the law. The covenant ceremony is not the place for promises that are beyond the letter of the law; these promises are beyond the framework of the covenant itself.

On the other hand, since chapter 30 echoes the language of chapter 28, we may conclude that the promise of redemption in the wake of teshuva relates only to the event of a total exile of the nation, as described at the end of chapter 28, but does not apply to the exile of a tribe or a few tribes, as described at the end of chapter 29.

Hence we may say, concerning the status of the individual – man, woman, family or tribe - is the opposite of what the sinner thinks. The sinner believes that collective punishment could serve as the refuge of the individual, who would be saved because of the merit of the community. But the text teaches us that not only will the individual not be saved in the merit of the community, and not only will all the curses of the covenant come upon him, but his punishment will be even harsher than that of the community. If the nation is exiled, they are promised that they will be redeemed, if only they will return to God. If an individual (person, family or tribe) is exiled, no such promise is extended. This, then, is the background to R. Akiva's view.

Perhaps R. Eliezer's view may also be anchored in our chapter. It is true that, linguistically, chapter 30 is a return to chapter 28, but it is located after chapter 29. Perhaps it is because of this that R. Eliezer maintains that the promise contained here applies even to the instance described in chapter 29. Thus we may conclude that even if a single tribe or group of tribes is exiled, they are promised that God will return their exile and bring them back to the land – if only they will return to God.

(Translated by Kaeren Fish)

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