

Manifold Punishment

Introduction

Does the Punishment Fit the Crime?

Justice would seem to dictate that people should never get a greater punishment than they deserve. As such, verses which appear to imply that the nation, at times, might actually get more than its fair share of retribution pose a theological challenge.. For instance, in the rebuke of Vayikra 26, Hashem repeats four times:¹



וְאִם עַד אֵלֶּה לֹא תִשְׁמָעוּ לִי וְיִסְפַּתִּי לְיִסְרָה אֶתְכֶם שִׁבְעַ עַל חַטֹּאתֵיכֶם.

And if ye will not yet for these things hearken unto Me, then I will chastise you seven times more for your sins.

A simple understanding of this verse suggests that Hashem is warning the nation that if they continue to sin, they will get a seven-fold punishment, i.e. seven times what their crimes warrant.

In Yeshayahu 40, we similarly read:

(א) נַחֲמוּ נַחֲמוּ עַמִּי יֹאמַר אֱלֹהֵיכֶם. (ב) דַּבְּרוּ עַל לֵב יְרוּשָׁלַם וְקְרְאוּ אֵלֶיהָ כִּי מְלֵאָה צְבָאָה כִּי נִרְצָה עֲוֹנָהּ כִּי לְקָחָהּ מִיַּד יְיָ כַּפְלַיִם בְּכָל חַטֹּאתֶיהָ.

(1) Comfort ye, comfort ye My people, Saith your God. (2) Bid Jerusalem take heart, And proclaim unto her, That her time of service is accomplished, That her guilt is paid off; That she hath received of the Lord's hand Double for all her sins.

The prophet comforts the nation, telling them that their punishment is finally complete, for they have already paid double for their iniquities. Why, though would Hashem have made Israel suffer disproportionately for her sins? Is that not unjust?

The Context

The two verses discussed above have very different contexts. Vayikra 26 is replete with rebuke and warnings for disobedience, while Yeshayahu 40 is a prophecy of comfort. The former constitutes a threat of potential punishment, while the latter speaks of punishment already received. Though neither chapter is explicit regarding the specific sins which will merit / merited the manifold punishment, Vayikra speaks of general disobedience and repeat offenses, and alludes to the non-observance of the Sabbatical year laws. Yeshayahu, in contrast, is totally silent on the issue.² Can the varying contexts of the verses shed any light on the theological question raised above? Is manifold punishment limited to specific circumstances or to certain crimes (perhaps those of a repeat offender, as might be gleaned from Vayikra)?

Related Philosophical Issues

The problem of manifold punishment is related to several other philosophical issues:

- **Divine providence** – To what extent is the world run by natural order and to what extent via Divine providence? How often will Hashem actively intervene and perform miracles to either protect or punish?
- **Retribution and the World to Come** – What is the nature and purpose of the next world? Is it meant only for the soul, or for the body as well? Do individuals get their just deserts in this world or only in the next? Is there a difference between national and individual recompense?
- **"צדק ורע לו"** – How does the case of disproportionate punishment relate to the well known problem of "צדיק ורע לו"? While the latter is normally discussed in reference to individual suffering, our verses speak about the punishment of the collective of Israel. How significant is this distinction? Should it matter whether it is one person or the whole nation which is suffering unduly?
- **Collective and vicarious punishment** – Instances of collective punishment appear to abound in Tanakh,³ suggesting that they are a central part of Hashem's mode of justice. Hashem further says of Himself that he is "פֹּקֵד עֲוֹנוֹת אֲבוֹת עַל בְּנֵיהֶם", implying that such vicarious punishment is just. Is our case of manifold punishment parallel to either of these phenomena? Can any of the approaches taken to these issues be applied to our question?

¹ See Vayikra 26:18, 21, 24, and 28. There are only slight variations in each verse.

² As it is unclear regarding which era the prophet speaks, it is even more difficult to pinpoint the nation's crimes.

³ From the death of the generation of the Spies to the exile of all of Israel, innocents often appear to be punished along with the wicked.

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Exegetical Approaches

This topic has not yet undergone editorial review

Overview

Commentators disagree regarding whether Hashem ever punishes the nation more than it deserves. According to some, disproportionate punishment is part of Hashem's mode of justice and results from either the natural order by which the world is run, or from the collective punishment of children for their parents' sins. Others claim that the verses only make it seem that Hashem is excessive in His punishment. In reality, though, the people have either sinned more, or are punished less severely than implied by the verses. Thus, despite the initial impression given by the text, Hashem never punishes more than called for.

Punished More than Deserved

Sometimes, people are punished more severely than their sins call for. This position subdivides in how it explains why this is justified:

Natural Order

Since this world is run via natural order, it is possible that the nation might receive more than its proper share of retribution.

SOURCES: Keli Yekar, opinion brought by Shadal,

"וְיִסְפְּתִי לְיִסְרָה אֶתְכֶם שִׁבְעַת עַל חַטֹּאתֵיכֶם" – Keli Yekar explains this verse literally. Hashem threatens the people that if they continue to sin they will pay seven-fold for their crimes, for Hashem will leave them to chance, which has no mercy.

"כִּי לִקְחָה מִיַּד יְיָ כְּפָלִים בְּכֹל חַטֹּאתֵיהֶם" – According to the opinion brought by Shadal, this verse, too, should be understood literally. The people did, in fact, receive double the punishment due to them. Hashem had given them into the hands of their enemies, who proceeded to afflict Israel as they wished, resulting in their inflicting more suffering on the nation than deserved.

Divine providence vs. natural order – This approach justifies the disproportionate punishment by viewing it as part of the natural order by which the world is run. However, the position divides regarding whether natural order is the norm or the exception:

- **Natural order predominant** – This approach could suggest that Hashem rarely intervenes to disrupt the natural running of the world, preferring to let nature takes its course. As such, it is often possible to suffer from the vicissitudes of chance and human decisions. In addition, once Hashem unleashes His messengers to destroy, they are unlimited and indiscriminate, leading to the possibility that they might inflict unwarranted punishment.¹

- **Divine providence predominant** – Keli Yekar, in contrast, assumes that normally the world is run via Divine providence. Hashem only leaves the world to chance as a punishment for sins. This is the exact context in which the manifold punishment in Vayikra is mentioned. Hashem threatens the nation, "וְאָמַרְתִּי בְּקִרְבִּי וְהִלַּכְתִּי אִתְּכֶם בְּקִרְבִּי", telling them that if they don't recognize Hashem's providence, but rather assume that what occurs to them is the product of chance,² Hashem will punish them accordingly and deliberately leave their fate to such chance.³

"מִיָּד יִי" / "וְהִכִּיתִי אֶתְכֶם גַּם אֲנִי" – Though this position assumes that the excessive suffering is actually inflicted by humans or natural forces, the verses nonetheless attribute it to Hashem since He is the one who begins the process.

Compensation in the World to Come? These sources might take one of two positions regarding the World to Come, in line with the different understandings of Divine providence above:

- **Compensation** – According to those who say that this world is generally run by nature, full justice is only meted out in the World to Come. At that point, anyone who suffered excessively in this world is compensated, so no injustice is committed.⁴
- **No compensation** – According to the approach that the world is generally run by Divine providence, full justice is meted out already in this world. In a case where Hashem intentionally hides His face, it is possible that the resulting afflictions are not compensated for in the Next World at all. A lack of belief in Divine providence justifies the removal of that providence, even if this results in being punished out of proportion to one's crimes.

"אֲשֶׁר אֲנִי קֹצֵפְתִי מֵעַט וְהֵמָּה עֲזְרוּ לְרַעָה" – This verse in Zekharyah describes a reality in which other nations might punish Israel more than Hashem would have wanted, supporting the idea that Hashem does not always intervene to prevent undue punishment. Sometimes the messengers He has chosen to inflict punishment go beyond their assignments. There are several other examples of this throughout Tanakh:

- **Egypt** – The decision to not only enslave the Israelites but also kill all firstborns has been understood by several sources⁵ as going beyond Hashem's decree of "וְעַבְדוּם וְעָנוּ אֶתְכֶם אַרְבַּע מְאוֹת שָׁנָה".
- **Assyria** – Yeshayahu 10:5-11 suggests that though Assyria had been appointed Hashem's "rod of wrath", they attacked Israel beyond what Hashem desired. While Hashem sent Assyria "to take spoils," it was intent on destruction ("כִּי לְהַשְׁמִיד בְּלָבֹב").⁶

Theodicy and collective punishment – The approach taken here has been used to explain other similar philosophical quandaries such as why the righteous suffer while the wicked prosper, or why collective punishment is justified. These phenomena, too, are understood to be the result of the natural order by which the world is run. For elaboration, see Theodicy – צדיק ורע לו and Collective Punishment.



Punished for Parent's Sins

Hashem's system of justice allows for the vicarious or collective punishment of children for their parent's sins, resulting in undue suffering of the descendant.

SOURCES: perhaps Rashi,⁷ R. Yosef Kimchi, Abarbanel #3,

"כִּי לִקְחָהּ מִיָּד יָי כְּפָלִים בְּכָל חַטָּאתֶיהָ" – According to these sources, this verse can be understood according to its simple, literal sense. The nation did get punished "double," once for their own sins and once for the sins of their parents, in line with the principle of "פִּקְדוֹן עֲבֹת עַל בְּנֵי" (Shemot 20:4).

"וַיִּסְפְּתֵי לְיִסְרָה אֶתְכֶם שִׁבְעַת עַל חַטָּאתֵיכֶם" – The context of this verse is specifically the repeat offenses of the nation,⁸ which this approach understands as the continued sinning of successive generations of Israelites.⁹ Hashem warns the nation that if they continue in the path of their fathers, they will be punished severely¹⁰ for both their own crimes and those of the previous generation.

"Seven" and "Double": Literal or figurative? While this approach reads the word "double" literally, it suggests that "שִׁבְעַת" should be understood figuratively to mean "many" rather than seven specifically.¹¹ Other examples of such usage include Mishlei 24:16: "כִּי שִׁבְעַת יִפּוֹל צְדִיק וְיָקָם" and Shemuel I 2:5: "עַד עֲקָרָה יִלְדָה שִׁבְעָה".

Collective or vicarious punishment? The verses in Vayikra speak of the collective punishment of both generations. Despite the initial punishments given to the first generation of sinners, the second generation continued in their rebellious ways, resulting in their double punishment. Yeshayahu, on the other hand, might be speaking of either vicarious or collective punishment for the sins of the nation's ancestors.

Why is this just? These sources seem to take it for granted that collective or vicarious punishment of children for their parents crimes is a legitimate and justified mode of Divine punishment. For extensive analysis of how it works and why it is justified, see Are Children Punished for Parents' Sins. Several explanations which can easily be applied to our verses follow:

- **Collateral damage** – According to Ralbag, children suffer as a natural consequence of their parents being punished.¹² If Yeshayahu is comforting those in exile,¹³ then this explanation is apt. Though the people's own sins might not have merited them exile, they found themselves suffering there as collateral damage for their parent's crimes.
- **Necessary for rehabilitation** – Children who follow in the path of their parent's sins, as described in Vayikra, are so accustomed to sinning that it is difficult to extract them from the cycle. As such, they need double the punishment to act as a corrective.
- **Collective body** – U. Cassuto views the Jewish nation as a unified transgenerational community with a collective life of its own. Thus, he says, it is only reasonable that the actions of any generation or part of this body could impact any other generation.

"פִּקְדוֹן עֲבֹת עַל בְּנֵי": **Individual or collective?** This approach views the principle of "פִּקְדוֹן עֲבֹת עַל בְּנֵי" as applying on the national level, and not simply on the individual familial level.



Sin More Egregious than Appears

The sin for which the nation is punished is actually more severe than the verses make it appear. As such, the harsh punishment described is justified.

SOURCES: Sifra Vayikra, Eikhah Rabbah, Rashi, R. Yosef Bekhor Shor, Radak, Paneach Raza, Ralbag, Abarbanel #2, Or HaChayyim

"וַיִּסְפְּתֵי לְיִסְרָה אֶתְכֶם שִׁבְעַת עַל חַטָּאתֵיכֶם" – These sources amplify the sin spoken of in one of two ways:

- Most of these sources claim that the seven-fold punishment is measure for measure punishment for the nation's seven-fold transgression.¹⁴ As such, there is a one to one correspondence between sin and punishment, not seven to one.¹⁵
- Ralbag, instead, maintains that the verses are speaking of a repeat offender, who, being mired in his sin, requires greater punishment to help him out of his morass than other sinners do.¹⁶

"כי לקחה מיד י"י כפלים בכל חטאתיה" – Radak¹⁷ explains that the "double punishment" refers to the two exiles, each a punishment for its own set of sins. The nation's many crimes (כל חטאתיה) merited them two stints in exile.¹⁸

"Seven" and "Double": Literal or figurative? Most of these sources read each of the terms literally, suggesting that Hashem speaks of either seven or two punishments (and not simply "many" punishments), to match either seven or two sets of sins. Ralbag, however, apparently reads "seven" as a figurative term for "many".

Who is punished? The commentaries on Vayikra understand the punishment to be inflicted on one generation, who has itself erred in multiple ways, while Radak on Yeshayahu assumes that the prophet is speaking of the nation's sins and retribution during two distinct generations. Radak is viewing the nation as a transgenerational body, and assuming that the prophet does not distinguish between afflictions suffered by ancestors and those suffered by later generations. He, thus, can comfort the latter as if they themselves had suffered two-fold.

Divine providence – This approach assumes that the world is run by Divine providence and that Hashem watches over the nation to punish it exactly as it deserves, and no more. As these verses speak only on the national level, however, it is not clear if these sources would say the same regarding individual providence.

World to Come – The existence of a World to Come does not preclude justice in this world; thus Hashem never punishes Israel unduly. It is also possible that the World to Come is reserved for individual justice, while all justice pertaining to the nation as a whole must be meted out already in this world.

Theodicy – Aspects of this approach can be used to address the larger question of unjust suffering of the righteous (צדיק ורע לו). It is possible that, as in this case of disproportionate punishment, the phenomenon does not really exist, and is just a misperception. One who appears righteous to the outsider, might not really be as upright as he seems; his sins might be more numerous or severe than first thought, justifying his suffering. For further discussion, see Theodicy – צדיק ורע לו.



Punishment Less Harsh than Appears

The verses' description of the punishment makes it sound worse than it really is. As such, the nation did not really suffer more than deserved.

SOURCES: Ibn Ezra, R. Eliezer of Beaugency, Akeidat Yitzchak, Abarbanel, Shadal, Malbim

"וְיִסְפְּתִי לִי־סִרָה אֲתֶכֶם שֶׁבַע עַל חַטֹּאתֵיכֶם" – Though these sources agree that in reality the people did not suffer as much as the verse suggests, they differ in how they explain why the verse implies that they did:

- **Intentional exaggeration** – Hashem deliberately exaggerated when speaking of the people's punishment, so as to most effectively frighten them into obedience.¹⁹
- **Unintentional exaggeration** – Alternatively, the impression of excessive punishment is unintentional.
 - **Figurative language** – In Tanakh, the number seven is often used to express a large quantity.²⁰ As such, Hashem is merely relaying that the people will deserve a large punishment, not that they will get seven times their due.²¹
 - **Relative punishment** – According to Akeidat Yitzchak and Abarbanel, the punishment mentioned is relative. Hashem told the nation that if they did not improve their ways, they would be punished seven times the amount they had been punished previously (but in proportion to their crimes).

"כי לקחה מיד יי כפלים בכל חטאתיה" – The general approaches mentioned above can be applied to the verse in Yeshayahu as well:

- **Intentional exaggeration** – According to most of these sources,²² the exaggeration is intentional. When comforting another, it is natural to exaggerate the afflictions that the person suffered.²³ Thus, Hashem, too, intentionally overstated the people's suffering so as to better comfort them.
- **Unintentional exaggeration** – Ibn Ezra, in contrast, suggests that the prophet was simply speaking in relative terms. Yeshayahu told the people that they received double the punishment that other nations received (but one which was proportional to their sins).²⁴

"דברה תורה בלשון בני אדם" – This approach assumes that Tanakh often expresses itself in the way that people do. As such, certain verses can best be understood in light of the norms of people's behavior and speech, recognizing that they use hyperbole and the like.²⁵

Empty threats – One might question whether Hashem's use of an empty threat is an effective tool to deter disobedience. If one exaggerates in describing a prospective punishment and does not carry it through, does it not lead the sinner to assume that other warnings of punishment can similarly be ignored?

Divine providence – This position assumes that the world is run via Divine providence, and that Hashem would never let the collective of Israel suffer if not warranted. It is possible, however, that individual providence works differently, and though the collective always gets its just due, individual Israelites do not.

Theodicy – The approach presented here to explain disproportionate punishment can be applied to the more general issue of "צדיק ורע לו". In such cases, too, it is possible that it only seems that someone is getting more punishment than deserved. On closer inspection, however, it might turn out that the apparent suffering was actually not a punishment at all. For elaboration, see Theodicy – צדיק ורע לו.

¹ See Rashi who understands the command to the nation during the Plague of Firstborns, "ואתם לא תצאו איש" in light of this phenomenon. Hashem tells the nation to stay indoors since once the "מַשְׁחִית" (destroyer) was given permission to destroy, it would not differentiate between Egyptian and Israelite unless they stayed put in their marked homes.

² According to Keli Yekar, the word "קָרִי" is related to the word "מַקְרָה," happenstance.

³ It is in such periods that nature takes over, allowing for "seven-fold" punishments.

⁴ One might still question why it is just to defer proper reward rather than receive it immediately.

- ⁵ See Shemot Rabbah, Radak, and the Raavad who use this fact to justify why the Egyptians deserved punishment if they were only fulfilling a Divine decree. For elaboration, see Divine Plans and Egyptian Free Choice.
- ⁶ See Radak on Yeshayahu 52:4 who explains the phrase "וְאִשׁוּר בְּאֶפְסֵי עֶשְׂקוֹ" similarly. Assyria afflicted Israel in an unwarranted manner, and as such, despite her acting on Hashem's decree, she deserved retribution for her excessive actions.
- ⁷ Rashi merely states that it is Hashem's manner to pay someone double for their sins without elaborating, but he brings a proof-text from Yirmeyahu 16:18, which he explains there as relating to children paying for their parent's sins.
- ⁸ Throughout the passage Hashem says, "וְאִם עַד אֵלֶּה לֹא תִשְׁמְעוּ לִי", "וְאִם בְּאֵלֶּה לֹא תִנְסְרוּ לִי", "וְאִם בְּזֹאת לֹא תִשְׁמְעוּ לִי" and the like, warning the people that if they keep sinning despite their punishments, they will receive more retribution.
- ⁹ The more common understanding is that it speaks of the repeated sinning of one generation.
- ¹⁰ See the next point, that this approach is reading "שִׁבְעַ" as a means of expressing "severe punishment" but not necessarily "seven-fold".
- ¹¹ See Rashbam and Ibn Ezra.
- ¹² Ralbag offers an analogy to a person punished by the confiscation of his property whose children will consequently be poorer as they receive no inheritance.
- ¹³ Commentators divide regarding the intended audience of Yeshayahu's words in Chapter 40. According to some sources, Yeshayahu is consoling the nation exiled to Babylonia, while others maintain that he is speaking of Messianic times and comforting the nation in the current exile. A third approach, instead, suggests that he is speaking to his contemporaries. See Historical Backdrop of Yeshayahu 40 for details.
- ¹⁴ See the lists of transgressions brought by R. Yosef Bekhor Shor and Or HaChayyim. Each commentator finds seven sins in the immediately preceding verses in Vayikra.
- ¹⁵ The phrase "וְיִסְפְּתִי לְיִסְרָה אֶתְכֶם שִׁבְעַ עַל חַטָּאתֵיכֶם" appears three times in Vayikra 26 (verses 18, 24 and 28) and one final time (verse 21) with a slight difference, "וְיִסְפְּתִי עֲלֵיכֶם מִכָּה שִׁבְעַ כְּחַטָּאתֵיכֶם". This last version of the phrase might support the idea that the punishment was measure for measure - seven times, just like your (seven) sins.
- ¹⁶ This is similar to Hashem punishing children who continue in their parent's sinful path for both their own sins and also their parent's sins since it is harder for them to correct their ways.
- ¹⁷ See also the second possibility raised by Abarbanel.
- ¹⁸ According to this reading, the prophecy of Yeshayahu speaks of Messianic times. Yeshayahu comforts the nation by telling them that since they have already suffered through two exilic periods, their punishment is finally complete, and the ultimate redemption is at hand.
- ¹⁹ See Shadal regarding the rebellious son, who suggests that there, too, the Torah exaggerates his punishment, not intending for it to be carried out except under exceptional circumstances: "וְזֶה אִמְנֵם כָּלל גְּדוּל, "הַרְבֵּה מִשְׁפָּטִים צְרִיכִים לְהֵאמֵר דֶּרֶךְ גִּזְזוּם אִיוִם, מִבְּלֵי שִׁיּוּדֵק לְהוֹצִיאֵם לִפְעַל אֵלֶּה בְּתַנָּאִים שְׂאִין מִצִּיּוֹתֵם קְרוּבָה".
- ²⁰ See examples brought above and others listed by Rashbam.
- ²¹ Both Rashbam and Ibn Ezra point this out, but it is not clear if they do so in order to address the theological question of the justice of Hashem's actions, or only to highlight that the verse need not be speaking of specifically seven punishments.
- ²² See R. Eliezer of Beaugency, Akeidat Yitzchak, Abarbanel, and Shadal.

²³ Abarbanel points out that an individual does not want to hear that they deserve their punishment, but rather that their suffering was more than their due. As evidence, he points to Iyyov who was not comforted by the friends who told him that his suffering was just retribution for sins.

²⁴ Malbim raises a third possibility – that the people received double the punishment but for half the time. Thus, if they were supposed to suffer 50 lashes a day over 10 years, they instead received 100 a day over 5 years. He compares this to the enslavement in Egypt. Though the people were supposed to be in Egypt for 400 years, they were instead there for only 210 years, but under much harsher conditions.

²⁵ Examples of such interpretation abound. See Rashbam's understanding of the repetition in Esav's words "הָאָדָם הָאֵדָם הָאֵדָם הָזֶה" as being the way of one who is in a hurry, or his dismissal of reading any significance into the fact the angels in Yaakov's dream first go up and then down, since "כִּן דֶּרֶךְ אֶרֶץ לְהַזְכִּיר" "עלייה קודם ירידה."

