

ONEG SHABBAS

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Early Rabbis on the Rebellious Son

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When encountering the curious, yet somewhat morally challenging situation of the rebellious son there are many different directions to pursue (indeed, a simple search yields hundreds, if not thousands of results on the Internet), yet we shall focus on the drinking. When we encounter the section in which it appears, it's not entirely clear what this child is drinking during his transgressing (Deut. 21:18-21):

If a man has a wayward and defiant son, who does not heed his father or mother and does not obey them even after they discipline him, (19) his father and mother shall take hold of him and bring him out to the elders of his town at the public place of his community. (20) They shall say to the elders of his town, "This son of ours is disloyal and defiant; he does not heed us. He is a glutton and a drunkard." (21) Thereupon, his town's elders shall stone him to death. Thus, you will sweep out evil from your midst: all Israel will hear and be afraid.

(יח) כִּי־הָיָה לְאִישׁ בֶּן סוֹרֵר וּמוֹרָה אֵינְנו שֹׁמֵעַ בְּקוֹל אָבִיו וּבְקוֹל אִמּוֹ וַיִּסְרוּ אוֹתוֹ וְלֹא יִשְׁמָע אֲלֵיהֶם: (יט) וַתִּפְשׁוּ בוֹ אָבִיו וְאִמּוֹ וְהוֹצִיאוּ אוֹתוֹ אֶל־זִקְנֵי עִירוֹ וְאֶל־שַׁעַר מִקְוָמוֹ: (כ) וְאָמְרוּ אֶל־זִקְנֵי עִירוֹ בְּנֵינָה זֶה סוֹרֵר וּמוֹרָה אֵינְנו שֹׁמֵעַ בְּקוֹלְנוֹ זוֹלָל וְסָבָא: (כא) וְזָרְמָהּוּ כָל־אֲנָשֵׁי עִירוֹ בְּאֲבָנִים וּמָת וַיִּבְעֲרֶת הָרַע מִקִּרְבָּךְ וְכָל־יִשְׂרָאֵל יִשְׁמָעוּ וְיִרְאוּ:

This word of סבא does not appear many times in the Bible (this is its only appearance in the Torah), as it appears in successive verses in the book of Proverbs and a couple of times in the prophets. In addition to appearing in Ezekiel 23:42, it appears in Isaiah 56:12:

"Come, I'll get some wine; Let us swill beer. And tomorrow will be just the same, Or even much grander!"

While the verse in Ezekiel refers to a group of drunken men, it is interesting that the verse in Isaiah mentions wine, but getting drunk off of beer. In Proverbs, it appears in 23:20-21 where it refers to wine:

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Do not be of those who guzzle wine, Or glut themselves on meat; For guzzlers and gluttons will be impoverished, And drowsing will clothe you in tatters.

אל־תְּהִי בְּסֹבְאֵי־יַיִן בּוֹדְלֵי בֶּשֶׂר לִמּוֹ כִּי־סָבָא וְזוֹלָל יוֹרֵשׁ וְקִרְעִים תִּלְבֹּשׁ נוֹמָה

So we see that it refers once to beer and once to wine. However, when our sages consider what triggers a transgression, they focus only on wine, as they quote the verse in Proverbs (Mishnah Sanhedrin 8:2):

From when is a stubborn and rebellious son liable? From when he eats a *tarteimar* of meat and drinks a half-*log* of Italian wine. Rabbi Yosei says: "A *maneh* of meat and drinks a *log* of wine." If he ate them with a *mitzvah* gathering, or he ate them at the intercalation of a month, or he ate them as second tithe in Jerusalem, if he ate the meat of unslaughtered animal carcasses or animals that had wounds that would have caused them to die within twelve months or repugnant creatures or creeping animals, or he ate untithed produce, or first tithe from which its *terumah* was not separated, or second tithe outside Jerusalem or consecrated food that was not redeemed, if he ate an item that a *mitzvah* or an item of a transgression, or if he ate any food but did not eat meat, or if he drank any beverage but did not drink wine, he does not become a stubborn and rebellious son, unless he eats meat and drinks wine, as it is stated: "is a glutton and a drunkard" (Deut. 21:20). And although there is no proof to the matter, there is an allusion to the matter, as it is stated: "Be not among wine drinkers, among gluttonous eaters of meat" (Prov. 23:20).

מֵאִימָתָה חַיִּב, מִשִּׁיאֲכַל סְרִטִימַר בֶּשֶׂר וְיִשְׁתֶּה חֲצִי לֹג יַיִן הַאיטָלְקִי. רַבִּי יוֹסֵי אוֹמֵר, מִנְּהָ בֶּשֶׂר וְלֹג יַיִן. אֲכַל בְּחִבּוּרַת מִצְוָה, אֲכַל בְּעֵבֶר הַחֹדֶשׁ, אֲכַל מִעֶשֶׂר שְׁנֵי בִירוּשָׁלַיִם, אֲכַל נְבִלוֹת וּטְרֵפוֹת, שְׂקָצִים וּרְמֵשִׁים, אֲכַל טְבֵל וּמִעֶשֶׂר רֵאשׁוֹן שְׁלֹא נִטְלָה תְרוּמָתוֹ וּמִעֶשֶׂר שְׁנֵי וְהִקְדַּשׁ שְׁלֹא נִפְדּוּ, אֲכַל דְּבַר שֶׁהוּא מִצְוָה וְדְבַר שֶׁהוּא עֵבֶרָה, אֲכַל כָּל מִאֲכָל וְלֹא אֲכַל בֶּשֶׂר, שֶׁתָּה כָּל מִשְׁקָה וְלֹא שֶׁתָּה יִשְׁתֶּה אִינוֹ נִעֲשֶׂה בֶּן סוֹרֵר וּמוֹרָה, עַד שִׁיאֲכַל בֶּשֶׂר וְיִשְׁתֶּה יַיִן, שְׂנָאָמַר (דְּבָרִים כֹּא) זוֹלָל וְסָבָא. וְאַף עַל פִּי שֶׁאֵינוֹ רְאוּיָה לְדַבֵּר, וְכִּי לְדַבֵּר, שְׂנָאָמַר (מִשְׁלֵי כֹ) אֵל תְּהִי בְּסֹבְאֵי יַיִן בּוֹדְלֵי בֶּשֶׂר לִמּוֹ

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Setting aside all of the conditions concerning eating, when it comes to problematic drinking, the sages narrow down the problematic drinking to a certain amount of wine and no other beverages. Concerning the minimum amount, this is either about seven ounces or, according to Rabbi Yosei, over 13 ounces. This is certainly not an insignificant amount of wine, but considering all of the loopholes, it is pretty small, considering that 13 ounces is just over half of a typical bottle of wine these days. Another aspect is that if it is a non-wine intoxicating beverage, this child is able to be exempt from this category, such as beer. Finally, according to this mishnah, there are plenty of occasions on which this child would be able to consume such amounts of wine, yet not be culpable, whether of laudatory mitzvah activities or of regrettable transgressions.

In addition to all of these limitations concerning drinking, there are also limitations concerning meat-consumption. Without getting into the particulars, there are also other non-consumptive limitations that the sages place on this boy, making it seem to be so comically narrowly possible for one to actually be culpable for this category. Indeed, with all of these restrictions, even the Talmud points this out (*Sanhedrin* 71a):

There has never been a stubborn and rebellious son and there will never be one in the future, so why was it written? To expound and receive reward.

תניא בן סורר ומורה לא היה ולא עתיד להיות ולמה נכתב דרוש וקבל שכר

While this text presents an easy way out of the moral considerations of killing such a young person for these activities, one early second century rabbi provided a framing for why the Torah included this mitzvah (*Sanhedrin* 72a):

It is taught: Rabbi Yosei The Galilean says: "And since he ate a *tarteimar* of meat and drank a half-*log* of Italian wine, the Torah states he shall be taken out to court to be stoned? Rather, the Torah penetrated the ultimate mind-set of the stubborn and rebellious son that, in the end, he will squander his father's property, and, seeking that to which he had become accustomed but not finding them, he will go out to the crossroads and rob people. The Torah said he should die innocent, and not die guilty, because the death of the wicked is beneficial to them and beneficial to the world, [while the death] of the righteous is detrimental to them and detrimental to the world. Sleep and wine of the wicked is beneficial to them and beneficial to the world, [while that] of the righteous is detrimental to them and detrimental to the world. Tranquility of the wicked is detrimental to them and detrimental to the world, [while the tranquility] of the righteous is beneficial to them and beneficial to the world. Dispersal of the wicked is beneficial to them and beneficial to the world, [while the dispersal] of the righteous is detrimental to them and detrimental to the world."

תניא רבי יוסי הגלילי אומר וכי מפני שאכל זה תרטימר בשר ושתה חצי לוג יין האיטלקי אמרה תורה יצא לבית דין ליסקל אלא הגיעה תורה לסוף דעתו של בן סורר ומורה שסוף מגמר נכסי אביו ומבקש למודו ואינו מוצא ויוצא לפרשת דרכים ומלסטם את הבריות אמרה תורה ימות זכאי ואל ימות חייב שמיתתן של רשעים הנאה להם והנאה לעולם ולצדיקים רע להם ורע לעולם שינה ויין לרשעים הנאה להם והנאה לעולם לצדיקים רע להם ורע לעולם שקט לרשעים רע להם ורע לעולם ולצדיקים הנאה להם והנאה לעולם פיוזר לרשעים הנאה להם והנאה לעולם ולצדיקים רע להם ורע לעולם

this boy's life at this point in time. Moreover, it is only the boy's parents who have the ability to bring him to be considered to be guilty of this problematic behavior. I am also fascinated by his indirect reference to the subsequent verse in Proverbs that is not quoted in The Mishnah, that such people will become "impoverished and drowsing will clothe you in tatters" (Prov. 23:21). Concerning Rabbi Yose the Galilean's statement, Rabbi David Fried wrote a few years ago ("*Ben Sorer U-moreh Was and Will Be*"), that, "If God gave us a law, we must have faith that in at least some instances, it is the right thing to do, even if those instances may be rare. What we can do is work on our own morality; work on making sure we never give up on any child; work to ensure that we build a society where the kind of circumstances that call for such an unpleasant consequence never arises."

Indeed, this whole consideration is clearly a challenging situation where the boy has defied his parents to such a great degree and is consuming in a clearly problematic way that they are even concerned for his well being, not only in the present, but certainly the future. While teenagers may eat a lot of food, to be drinking even seven or 13 ounces of wine may seem only a moderate amount for adults, when one considers how their appetite for meat grows, their tolerance for wine will also likely grow, yielding an older teenager or young adult who consumes to such a great degree as to be quite worrisome. What we ultimately end up with is a curious tension between never wanting to see such a situation occur with a young boy, but also seeking to curb ravenous appetites and dangerous behaviors.

L'chaim 🍷

The Jewish Drinking Show

After taking a summer break, *The Jewish Drinking Show* is back! Kicking-off the fall schedule is guest Jay Buchsbaum speaking on "Producing Kosher Wine in European Wineries". Buchsbaum has been with Royal Wine Corporation (producers of Kedem, Bartenura, Herzog, and more) for over 30 years, currently serving as their executive vice president of marketing, as well as the director of wine education. The episode is available at JewishDrinking.com/KosherWineEurope



While there is certainly a lot to unpack in his statement, Rabbi Yosei the Galilean is pointing out the broader value to the society of ending