

# ONEG SHABBAS

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## How the Early Rabbis Considered the Drinking, Rebellious Son

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). As this publication focusses on drinking, that is precisely our direction to consider. When we encounter the section in which it appears, it's not entirely clear what this child is doing drinking-wise 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 [???]." (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־יְהִי לְאִישׁ בֶּן סוֹרֵר וּמוֹרֵר אֵינֶנּוּ שֹׁמֵעַ בְּקוֹל אָבִיו וּבְקוֹל אִמּוֹ וְיִסְרוּ אֹתוֹ וְלֹא יִשְׁמָע אֲלֵהֶם: (יט) וְתִפְּשׁוּ בּוֹ אָבִיו וְאִמּוֹ וְהוֹצִיאוּ אֹתוֹ אֶל־זִקְנֵי עִירוֹ וְאֶל־שַׁעַר מִקְוָם: (כ) וְאָמְרוּ אֶל־זִקְנֵי עִירוֹ בְּנֵי זֶה סוֹרֵר וּמוֹרֵר אֵינֶנּוּ שֹׁמֵעַ בְּקוֹלֵנוּ זָוֵל וְסָבָא: (כא) וְרָגְמֻהוּ כָּל־אֲנָשֵׁי עִירוֹ בָּאֲבִיבִים וּמֵת וְכַעֲרַת הָרֶעַךְ מִקֶּרְבָּךְ וְכָל־יִשְׂרָאֵל יִשְׁמָעוּ וְיִרְאוּ

### How Can We Understand סבא

I have explicitly removed the translation of the word סבא - what is this



person? This word of סבא does not appear many times in the Bible (this is its only appearance in the Torah). It does, however, appear 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!"

אֲתִי וְאֶתְּיִין  
וְנִסְבָּאָה שִׁכָּר  
וְהָיָה כָּךְ יוֹם מָחָר  
גָּדוֹל יֶתֶר מֵאָדָּר

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:

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.

אֶל־תְּהִי בְּסָבְאֵי־יֵין  
בּוֹלְלֵי בָשָׂר לֶמֶת  
כִּי־סָבָא וְזוֹלֵל יִיָּרֶשׁ  
וְקִרְעִים תִּלְבֹּשׁ נִמְכָּה

So we see that it refers once to beer and once to wine in the Bible. So, perhaps we can translate סבא as a "guzzler".

### Mishnaic Parameters

When our sages consider what triggers a transgression for this problematic boy, 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?

מֵאִמְתִּי חֵיב, מִשִּׁיכָל טְרִטִימַר בָּשָׂר וְיִשְׁתָּה

From when he eats a *tarteimar* of meat and drinks a half-*log* of Italian wine.

חֲצִי לֹג יֵין הָאִיטָלִיקִי.

Rabbi Yosei says: "A *maneh* of meat and drinks a *log* of wine."

רַבִּי יוֹסֵי אָמַר, מִנֶּה בָשָׂר וְלֹג יֵין.

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

אִכַּל בְּחֻבּוֹרַת מִצְוָה, אִכַּל בְּעֻבּוֹר הַחֹדֶשׁ, אִכַּל מִעֲשֵׂר שְׁנִי בִירוּשָׁלַיִם,

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).

אִכַּל גְּבוּלוֹת וְטִרְפוֹת, שְׂקִיצִים וְרִמְשִׁים, אִכַּל טֶבֶל וּמִעֲשֵׂר רִאשׁוֹן שֶׁלֹא נִטְּלָה תְרוּמָתוֹ וּמִעֲשֵׂר שְׁנִי וְהִקְדֵּשׁ שֶׁלֹא נִפְדּוּ,

אִכַּל דָּבָר שֶׁהוּא מִצְוָה וְדָבָר שֶׁהוּא עֲבָרָה, אִכַּל כֹּל מִאֲכָל וְלֹא אִכַּל בָּשָׂר, שֶׁתִּהְיֶה כָּל מִשְׁקָה וְלֹא שֶׁתִּהְיֶה יֵין,

אִינוּ נִבְעָשׁ בֶּן סוֹרֵר וּמוֹרֵר, עַד שִׁיִּאֲכַל בָּשָׂר וְיִשְׁתָּה יֵין, שְׁנָאָמַר (דְּבָרִים כֹּא) זָוֵל וְסָבָא. וְאַף עַל פִּי שֶׁאֵין רָאִיָּה לְדָבָר, זָכָר לְדָבָר, שְׁנָאָמַר (מִשְׁלִי כג) אֵל תְּהִי בְּסָבְאֵי יוֹן בּוֹלְלֵי בָשָׂר לֶמֶת

Aside from 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. How much wine this boy is to drink to become culpable, according to the anonymous opinion, is around 7 ounces, whereas for Rabbi Yosei, it is 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.

Concerning the quantitative consumption of this boy, Rachel Rosenthal describes in her 2019 doctoral dissertation ("Rebel with a Clause: Interpretation, Pedagogy, and the Problem of the Stubborn and Rebellious Son", 91-92):

Even as the volumes of meat and wine seem smaller than we might have expected, tying the stubborn and rebellious son to only meat and wine still accomplishes the unstated goal of limiting the scope of the case.

After framing the base amounts of meat and wine that are required for conviction, the mishnah further limits its already narrow requirements...by limiting the cases where those requirements are {continued on next page}

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imposed. ... The notion that a son cannot be prosecuted as a stubborn and rebellious son when he is performing a commandment is rational. Judaism is not a religion of asceticism. Bodily pleasure is not only permitted but encouraged, as long as it takes place within prescribed parameters. This becomes even more true when partaking in pleasure is for the sake of fulfilling a commandment, whether through consuming a sacrifice or the celebratory Sabbath meal. Within this framework, the possibility of overindulgence seems probable, if not ideal.

More importantly, as we see in our mishnah, eating and drinking can sometimes be at the heart of performing a commandment. It is not ancillary or a reward for the fulfillment of the commandment, but actually at the heart of the commandment itself. Even as it seems unlikely that the son, who has so little regard for his parents, will have much regard for the fulfillment of commandments in general, there is a clear benefit in encouraging him to fulfill commandments, even if they are performed for the wrong reason. The hope is that commandments that are fulfilled for the wrong reasons can ultimately be observed for the right reasons.

Indeed, 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, as we read of Rosenthal further describing this problematic son (Ibid., 95):

Ultimately, the stubborn and rebellious son, as defined by the mishnah, is a son who is out of control. He shows no fear of his parents and follows his appetites wherever they lead him—even, eventually, to violence. Because of the potential severity of his crimes, a reader might come to believe that the rules for qualifying foods should be extended to include food that is otherwise forbidden, and especially food that rightfully belongs to the priests, the Levites, or the Temple. The mishnah comes to tell us that this is not the case. The requirement of food and wine is absolute, and the meat and wine themselves have to be otherwise permissible in order for the son to be eligible for conviction as stubborn and rebellious. No other case can be combined with that of the stubborn and rebellious son—a dramatic limitation imposed on the case. This does not mean that he will not be prosecuted for eating forbidden things in a forbidden way, but rather, that the violation blocks him from being stubborn and rebellious. Here, categories of violations cannot be mixed, and again, a layer of protection is added for the son.

As we understand from Rosenthal, there are 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.

## Other Rabbinic Perspectives

Indeed, with all of these restrictions, even the Talmud points the very narrow likelihood of anyone achieving such culpability (*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
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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 was taught: Rabbi Yosei The Galilean says: "And since he ate a <i>tarteimar</i> 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...."	תניא רבי יוסי הגלילי אומר וכי מפני שאכל זה תרטימר בשר ושתי חצי לוג יין האיטלקי אמרה תורה יצא לבית דין ליסקל אלא הגיעה תורה לסוף דעתו של בן סורר ומורה שסוף מגמר נכסי אביו ומבקש למווד 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
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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 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 

# New Episode

## Medieval Jewish Wine Poetry



The newest episode of *The Jewish Drinking Show* is now out, on Medieval Jewish Wine Poetry, featuring Professor Ronnie Perelis

The episode is available on YouTube, Spotify, Apple Podcasts, or wherever else you enjoy listening to podcasts, as well as at [JewishDrinking.com/MedievalWinePoetry](http://JewishDrinking.com/MedievalWinePoetry)



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