

Parsha Shiur by Rabbi Mayer Friedman

פרשת כי תצא

כי יהיה לאיש בן סורר ומורה איננו שמע בקול אביו ובקול אמו ויסרו אתו ולא ישמע אליהם

“If a man will have a wayward and rebellious son, who does not hearken to the voice of his father and the voice of his mother, and they discipline him, but he does not hearken to them” (21:18)

Why does the Torah repeat that he did not listen to “the voice of his father and the voice of his mother”? R’ Dovid Feinstein explains that when a child hears two different voices from his father and mother, things are liable to go wrong. Parents must be united with one voice and be on the same page in their approach to dealing with the child. This is the proper attitude for good chinuch. Even though the parents later tell the judges that their son “does not listen to our voice,” with a unified message, by then it is already too late. Once the child sees conflicting attitudes from his parents the damage has been done.

Chazal write that a בן סורר ומורה never happened and never will. Even so, these laws are recorded so that we can “learn and earn reward.” Rav Samson Raphael Hirsch interprets this as follows: “A detailed study of the law would seem to indicate that all its provisions are based on one premise. In order for a ‘disobedient son’ to incur the death penalty, not only must his actions reflect extreme brutality and lustfulness but, in addition, the mortals who act as his judges must be given no reason to think that his parents may have left something undone in his training. Only if, as far as human judgment can tell, the parents have not merely fulfilled their obligations towards their son but have been completely above reproach also in their own conduct, leaving no room for any question whether their son might have turned out differently had he been raised by better parents, can a judge accept the son’s conduct as proof that he is indeed beyond redemption...”

“Accordingly, unless we are completely mistaken, a truly ‘rewarding’ inquiry into this law would have to include not only the individual criteria of depravity that necessitate the death penalty but also the circumstances under

which a ‘disobedient son’ is *not* subject to the death penalty. In this manner we will be able to see which aspects of human nature are viewed by G-d’s Law as the most serious challenges to character training and what the attitude of the parents must be if the moral training of their child is to bring the desired results.” (Collected Writings of Rabbi S.R. Hirsch, Vol. VII, pp. 333-4)

As such, Rav Hirsch proceeds to outline each of the laws of the *בן סורר ומורה* and explain the underlying lessons for chinuch of each one. Regarding the issue mentioned above, Rav Hirsch writes: “From this... we infer a basic prerequisite that may well be the most important factor of all in the raising of a child. In order for their endeavors to succeed, the child’s father and mother must be equals, completely in agreement, of one heart and mind with regard to the education of their child and their influence upon him. It is a common occurrence that children will perceive their father as lenient and their mother as strict, or vice versa. Too many unthinking mothers make constant use of the trite threat, ‘Just wait till your father comes home,’ little realizing how damaging this can be in the character training of a child. But the damage is infinitely greater if the child’s father and mother differ from one another not merely in their educational methods but on the fundamental rules and principles by which the child is to be raised...”

“*Our* voice – these words hold the key to the secret of proper child-raising. A father and a mother united in their one love for their child and in complete agreement on the principles by which he should be raised – herein lies the strength and the hope of all education. But such true unity can be achieved only if the child’s father and mother are united also in their own subordination to the Will of G-d; if they view the sacred function of child-rearing as their most sacred task, to be performed for G-d and in keeping with His holy Will...” (ibid. pp. 347-8)

כי יקח איש אשה ובעלה והיה אם לא תמצא חן בעיניו כי מצא בה ערות דבר וכתב לה ספר כריתת ונתן בידה ושלחה מביתו

“If a man marries a woman and lives with her, and it will be that she will not find favor in his eyes, for he found in her a matter of

immorality, and he wrote her a bill of divorce and presented it into her hand, and sent her from his house” (24:1)

The Torah provides three legal ways in which one can marry a wife: giving money or something of value, writing a document, or engaging in marital relations. This posuk is the source for the latter method of acquisition. Rabbi Yissocher Frand asks: Why does the Torah continue with the laws of divorce in connection with this type of acquisition? Furthermore, why is the Torah so explicit here when it usually attempts to refer to such matters in a subtle way? He answers that when marriage is based on what each partner can get and on fulfilling personal needs and desires, that is a textbook case for divorce. Rabbi Dr. Abraham Twerski writes, “Marriage is not ‘me’ but ‘we.’” The relationship is meant to be a mutually beneficial and when each gives to the other it creates the harmony and love that characterize a good marriage. The Torah feels it important enough to make this point loud and clear that it uses such open language.

Rabbi Twerski writes further that most of the שבע ברכות are about the choson and the kallah, but what is the message of שהכל ברא לכבודו, “that all was created for His glory”? How does that related to a wedding? In truth, this blessing contains a message that can make or break a marriage. If the couple realizes that everything was created for Hashem’s glory, including marriage, they will succeed, because this outlook will sustain their marriage and guide them. But if they think that everything is about them, then they will not succeed. Hashem’s honor is increased when we emulate His ways. We know that Hashem is described as compassionate and kind and giving. We should imitate these qualities, especially in our marriages, thereby bringing more honor to Hashem in this world.

זכור את אשר עשה ה' אלקיך למרים בדרך בצאתכם ממצרים
“Remember what Hashem, your G-d, did to Miriam on the way, when you were leaving Egypt” (24:9)

Ramban says that, aside from the prohibition against speaking loshon hara, this posuk teaches a separate positive commandment to mention Miriam’s story verbally as a reminder of the punishment for evil speech. Ramban writes further that we specifically mention Miriam because even

though she only spoke about her brother, whom she loved, didn't embarrass him to his face and only spoke privately to her other brother, she was still punished. Certainly, one who speaks publicly with the intent to harm the subject will be punished. There is a mitzvah to remember the story of Miriam to teach us that loshon hara is always forbidden, regardless of how we say it or how noble our intentions may be.

Targum Yonasan says "One must be careful not to suspect his fellow so that he will not be afflicted. Remember what Hashem did to Miriam, who suspected Moshe of something that he had not done, and was afflicted with tzaraas." One has to remember to give his friend the benefit of the doubt at all times. It is easy to assume that someone else has done wrong, but one must consciously make an effort to interpret the person's actions in a positive light, because often things are not as they appear to us and our suspicions are unfounded. To suspect innocent people of wrongdoing is a very serious sin.

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