Rebellious Son: Insights into Rosh Hashana

This sidra contains a plethora of laws, covering all areas of Jewish life. One of the strangest and most well known of these involves the ben sover u'moreh, the rebellious son.1 Briefly, this refers to a boy within the three months following his thirteenth birthday, who steals money from his parents with which he buys a certain type of meat and wine. This must all happen under very unusual circumstances, which include the exact nature of the theft, where the consumption of the food takes place, how many times the boy repeats his actions, the nature of the relationship between the parents, and a multitude of requirements about the physical attributes of all three of them. If all of these conditions are fulfilled, the boy may be executed by the heis din. Incidentally, this is extremely improbable, so much so that there is a view in the Gemara that a ben sover u'moreh has never fulfilled all of the conditions, nor will a case ever arise.2

To be classified as a rebellious son, he must steal money from his parents to eat and drink a gluton. This conduct shows, says Ibn Ezra, a distorted outlook. The gluton makes the pleasures of this world his only goal rather than seeing this world as the place to prepare for eternal spiritual life. The meat and wine he consumed could have been gelt kosher. It is not enough to teach a child that he may eat only kosher food. He must also understand why, so that he does not become a Jew in form but not in substance.

It was taught: Rabbi Yosi Hagelili said, “Could it be that because he ate a measure of meat and drank a half-measure of wine that the Torah requires us take him out of the heis din to be stoned? Rather, the Torah penetrates to the end result of the ben sover u'moreh. Ultimately, the property of his father [which has been stealing] will be exhausted, and he will want to continue in the manner to which he has become accustomed but won't find any money. So he will go out to the crossroads and rob passersby. Therefore the Torah says: Let him die innocent and let him not die guilty [of a far worse offense].” (ibid. 72a)

In reality, the whole reason for his execution seems hard to understand. What happened to teshuvah? Many wicked people have existed throughout the ages who have perpetrated evil but have eventually repented. Teshuvah is always possible, as the doors of repentance are never locked, even for the most wicked person, up to the very last moments of life.

The Gemara learns from the phrase, “he does not listen to our voices,” that to be deemed a rebellious son, both parents must have similar voices. Both parents’ guidance must reflect the same values, and they must be consistent in their instruction. If the parents do not speak with one voice, their child cannot be deemed rebellious because the blame for his rebellious behavior is not his alone.

The parents must point at their son and say “This is our son.” If the parents are blind and thus incapable of pointing him out, the son cannot be deemed a rebellious son. The requirement that the parents be able to see hints to the necessity of parents viewing each child as an individual, with unique gifts and needs, who must be educated according to his individual personality. If parents are blind to the child’s individuality and educate him according to a predetermined formula, the child can also not be fully blamed.

When the Torah teaches us about the rebellious son and his punishment, it says that he became that way because “he didn’t listen to his father’s voice and his mother’s voice.” Since no word in the Torah is superfluous and each letter and every dot is precious, why didn’t it say “his parents’ voices”? The Kotzker Rebbe offers an explanation which should inspire every parent. A child becomes rebellious because he does not hear his father’s voice: He never hears his father learning Torah, he never hears his father saying brachos aloud, benching aloud, or saying Shema aloud. What can you expect from him? Such a child never heard his mother’s voice either: He didn’t see his mother lighting Shabbos candles, he didn’t hear her mother saying Tehillim, he didn’t hear her praying, and he never heard her voice teaching him to say blessings out loud. That is why he became a rebellious son — he heard neither his father’s voice nor his mother’s voice.
To understand the difference between the ben sorer u’moreh and other potential penitents, we need to look at one aspect of teshuvah itself.

If one does teshuvah, He will show you favor. You might think that this applies to all, so the verse says to you (Bemidbar 6:26), and not to any other nation.

(Midrash Tanchuma, Ha’azinu 4)

This Chazal indicates that the teshuvah process as we know it is a special gift to khal Yisrael which the non-Jewish nations do not merit. We receive this gift as part of our inheritance from the Avos. They were exceptionally holy people who created a unique relationship with God for themselves and their descendants for all time. Their souls, and by extension ours, are intrinsically pure. Any sin which is committed may temporarily sully this holy soul, but the stain is removed through teshuvah. The desire to repent arouses a deep feeling which flows from the most primal aspects of one’s Jewish soul — the connection to the Avos who began the relationship with God. In so doing, one draws renewed life force to begin again after the error of sin. This enables one to remain steadfast in one’s repentance, becoming faithful once more to God and His Torah.

But if the boy’s parents forgive his actions, this changes the situation considerably. For by pardoning his errors, they may unilaterally reestablish their relationship with him. If they choose to do this, they perform a great act of cheshed for him, as they reconnect him to them and thus to his ancestry and, by extension, to the Avos themselves. As such, the ben sorer u’moreh again becomes a potential penitent, for he may once more tap into his spiritual inheritance. Of course, now there is no need to execute him, for he has at least the chance of a valuable future.

We are members of an enigmatic covenantal community which was formed with our ancestor, Abraham. A covenant is a mutually established compact, an agreement binding one or several parties to particular obligations. Jewish history speaks of two primary covenants established by God with the Jewish people. The first was the Patriarchal Covenant, which was concluded with Abraham (Gen. 15:8, 17:1), repeated with Isaac (ibid. 26:2), and again with Jacob (ibid. 28:13-16). The second was the Sinaitic Covenant, the Revelation at Mount Sinai, Mattan Torah, in which the entire Jewish people, Kenesset Yisrael, participated (Ex. 19).

The nature of the Sinaitic Covenant and its enduring meaning for all future generations is clear. The Jewish people individually and collectively committed itself and all future generations to the observance of the Commandments, taryag mitzvot,² to which no other people was obligated.

What is puzzling, however, is the Patriarchal Covenant, which does not seem to have imposed any particular commandments upon the patriarchs and upon future generations, except for circumcision which is an ot, an insignia of the covenant. God, as the text indicates, did promise them the Holy Land as an historical inheritance (Gen. 15:18) and to maintain a singular relationship with them in history (17:7). But what did the covenant impose upon the Jewish people, and what has been its enduring relevance and influence over the centuries?

One of the many conditions is discussed later in the Gemara:

With regard to a ben sorer u’moreh, if his father and mother want to forgive him, then he may be forgiven.

(Sanhedrin 88b)

The laws of the ben sorer u’moreh require the boy’s parents to take him to the beis din for punishment and, if he repeats his act, eventual execution. If, however, they choose to forgive his crime, they may do so, and the case against him will be dropped. This seems very reasonable, until we consider another matter — the reason for the harsh treatment of a boy who appears to have done little to warrant execution:

In the light of this explanation, the forgiveness of the miscreant’s parents would seem to have very little purpose. Surely his potential to become a highwayman is unaffected by their compassion. If so, he should be executed whether or not his parents wish to forgive him, in order to save him and society from a far worse evil.

We have seen that the whole teshuvah process only works because of our connection to the Avos. This relationship is established through one’s parents and grandparents and so on, back through the generations to the founders of Judaism. If so, the ben sorer u’moreh puts himself in an invidious position through his actions. His criminal acts repulse his parents — he steals from them, defies them, and thus severely damages his connection with them. As such, he also cuts off his link to the past and to the Avos, his only possible source of genuine teshuvah. Even if he temporarily regrets his actions, he will not be able to maintain his connection and will return to his evil ways. This will eventually worsen, until petty theft becomes highway robbery. It is clear why the Torah does not consider the possibility that the ben sorer u’moreh will do teshuvah, for he cannot.

Strive For Torah (1:1) Ed. R. Corral

[We often ask God in our prayers to show us mercy “because of the merit of our forefathers, Avraham, Yitzhak and Yaakov,” and there is many a precedent for this in Tenach. How are we to understand this request?]

We are accustomed to think that the meaning is quite obvious. Since we are descended from those great and saintly forefathers, who were so close to the Almighty, we assume that we are specially privileged in the sight of God. Consequently He will not judge us according to the tenets of strict justice but will exercise leniency in our favor. We apparently believe that His love for our forefathers will lead Him to show mercy where justice and truth would demand otherwise. This, we think, is the great heritage we have received from our forefathers, those spiritual giants who came closer to God than anyone else on earth. If we were to take this to its logical conclusion it would mean that we could do whatever we liked, within reason, and rely on God not to punish us as we deserve. We have only to remind Him of the great deeds of our forefathers, His beloved ones, and straight away our sins will be forgiven.

But can this be right? Can we have understood the concept properly?
Similarly, in the Rosh Hashanah Musaf liturgy called Zikhronot, which is an affirmation that God remembers the deeds of men and of nations, both covenants are mentioned, with primary precedence being given to the Patriarchal Covenant, the brit avot. Wherein is the special significance of the Patriarchal Covenant? The primary potency of the Patriarchal Covenant was acknowledged in the Talmud: “When Israel sinned in the desert, Moses rose before the Lord and said many prayers and petitions without effect. When he added, ‘Remember the covenant of Your servants Abraham, Isaac, and Jacob,’ God immediately responded” (Shab. 30a).

In this particular instance I am happy to say that Hashem has given me the merit to discover an important key which will help to elucidate the questions we refer to above. And more: it will help to shed light on several other problems which we may have to face. I have found this wonderful insight in the holy writings of our Master, Rabbi Hayim of Volozhin, of blessed memory, who was an outstanding disciple of the great Gaon of Vilna, of blessed memory. In his great work Ruach Hayim on Pirkey Avot, on the mishna near the beginning of the fifth chapter [he points out the curious fact that in mishna 2, which refers to the ten generations from Noah to Avraham, the latter is referred to simply as “Avraham,” while in mishna 3, which mentions the ten tests which he had to undergo, he is referred to as Avraham Avinu, “Avraham our forefather.” In elucidation] Rabbi Hayim goes on to quote the verse in Mishle:

The tsaddik walks in his perfection; Happy are his children after him!

Note well: this is our very problem! Let us give our full attention to the way Rabbi Hayim deals with it. He continues:

For there are many attributes which the tsaddik labors hard and long to attain, while to his children they come almost naturally and they can achieve them with little effort.

Let us follow Rabbi Ḥayim a little further:

And so the purpose of all the ten tests was to straighten the road for us [that is, to make it easier for us to arrive at certain spiritual levels]. Why do we find that a Jew is suddenly seized with a desire to emigrate to the Holy Land? This is derived from [Avraham’s successful completion of] the test: “Go away from your land, your family and your father’s house, to the land I will show you.”

It is indeed amazing, when we come to think of it, that we Jews should have retained our deep love for Eretz Yisrael after having been exiled from it for two thousand years. We have been torn from our homes, from our burial places, from the land of our forefathers, from the holy places that were sanctified by their names. Yet here we are, after millennia, with our eyes fixed on the land of our ancestors, with our hearts filled with yearning for the Holy Land.

The Patriarchal Covenant apparently imparts teachings to the Jewish people by example rather than by prescription. While the Sinaitic Covenant tells the Jew what to do and how to act as a member of the covenantal community, the Patriarchal Covenant addresses the “I” awareness of the Jew, teaching him how to experience his Jewishness. It sensitizes him in specifically Jewish ways: it expresses attitudes, ideals, and sentiments which still speak to us. It guides our feelings and consciousness rather than our physical acts, for we are duty-bound not only to act as Jews, but to feel as Jews. In a word, it is the backdrop of the Sinaic Covenant; the latter is the behavioral fulfillment of the truths, values, and Jewish self-awareness established by the former.

Children can also inherit their parents’ character-tendencies and spiritual potential. These are two factors which can alter the level of beḥira, without of course affecting the essential act of beḥira itself. Spiritual attainments of parents can have extremely long-range effects in this sense. Rabbi Ḥayim goes on to attribute certain positive tendencies of the Jewish people, which could still be observed in his day, to the effects of the epoch-making spiritual achievements of Avraham Avinu. Each of the great tests which he triumphantly withstood left its mark on the characteristics of his descendants down to the present day. [Incidentally, this explains—says Rabbi Ḥayim—who the Mishna uses the title “Avraham Avinu” in this connection, when recounting the ten tests. It is here that Avraham has shown himself to be “our father,” in the spiritual as well as the physical sense, by passing down to us his great spiritual attainments.]

For example, he goes on:

We have seen with our own eyes on many occasions how ignorant Jews who know nothing of Torah nevertheless readily give up their lives for the sanctification of the Divine Name [that is, they allow themselves to be killed rather than submit to conversion]. This is ingrained in us from Avraham Avinu, who was ready to give up his life in the furnace of Ur Kasdim, for the sake of his faith.

This is an amazing insight. From what source indeed can a simple, ignorant man derive such tremendous spiritual power? Here is a man who has had very little contact with spiritual ideals, who in his life up to now has known and thought of little but his earthly needs. How can such a person suddenly be ready, without a moment’s hesitation, to give up his life for the sake of God, for the sake of an ideal he would certainly be unable to express in words? What can account for it? Only that he has acquired this power by inheritance from Avraham Avinu.

Related to this is the ability to revolutionize our lives, to change our ways and remedy our mistakes; in short, the ability to “do teshuva.” If we delve down within ourselves we may find that the idea is not so strange to us after all. It may be hidden not far below the level of our consciousness. This too is an indication of the hidden riches we have inherited from our ancestors Avraham, Yitzhak and Ya’akov, and the scores of generations of loyal Torah-adherents which link us with them. Of course, we still have the prerogative of free will. We can accept or reject this heritage. But if we decide to accept, what riches are there, stored deep within us, only waiting to be released!
All that we have described above is indeed zehut avot, usually translated as “the merit of the fathers.” These are the forces which lead us towards merit. But zehut comes from a root meaning purity. Our true heritage is a nexus of pure tendencies which aid us to attain truth and justice in our lives. These are the zehutot by which we are linked to our great forefathers, so long as we still adhere to the characteristics they transmitted to us. So long as these good middot and refined tendencies are active within us, Hashem sees in the profundity of His wisdom that the lifeline that links us with our saintly forefathers is still intact. There is still hope that we may choose the way of teshuvah and remedy our wrongs. In this case justice demands that the Judge of all the earth shall show us mercy. The zehut, that is the zekut (purity), of our fathers is still within us, and there is hope for us yet. This is the “merit of the fathers” on which we rely to rouse the mercies of Almighty God. [The profound insight focus on how He provided for previous generations. Sometimes Jews whose parents or grandparents were far removed from Judaism wonder how they can find a model of someone who has a personal relationship with God. This prayer teaches us that no matter how far removed a Jew’s personal ancestors were from God, our past history always has strong links to Him. It also teaches us that as individuals, we have the capacity to forge a personal relationship with God.

The law of the rebellious son is applicable only when the child is thirteen and for the next three months, i.e., at the very inception of his manhood. This points to the importance of a proper foundation in the education of children— that early education forms the basis of the child’s experience and hence is the root and foundation of his life. Avoos deRav Nosson expounds on the Mishnah in Pirkei Avos (4:25), “Who one studies Torah as a child, to what can he be likened?”— to ink written on fresh paper! Just as ink is readily absorbed into new paper, so the Torah learned when young permeates the very fiber of the child’s being.

Alshich explains the injunction (Mishlei 22:6), “Educate the youth according to his path,” as a warning to put him on the proper path before he develops the wrong path on his own. The proper beginning is crucial, for it forms the root, and any blemish in the root will manifest itself a thousand-fold in the resultant growth. A strong root, however, insures a healthy plant.

Rosh Hashanah is the conception of the year and the next ten days are its gestation. That is why these days are so critical to the whole year. That is why a person is judged for the entire year as he appears on Rosh Hashana — the personality as it exists then is the core; it will take supreme effort later to change. Change on Rosh Hashana is much easier — one can manipulate the “genes” of one’s character then. People of spiritual knowledge take extreme care to live perfectly on Rosh Hashana — the year is being conceived. Many have a custom not to sleep at least during the morning hours; they wish to lay down the genes of the year in consciousness, not oblivion.
What is the source of this special energy? The first Rosh Hashana ever, which of course must represent its true nature most powerfully, was the day of the Creation of man. That day of Creation was the world’s first Rosh Hashana and its climactic event was the Creation of the human. That is why the day always retains its power to re-create man! When we genuinely and intensely decide to elevate our personalities on Rosh Hashana, become inspired to live the coming year as higher beings, we are using the day’s deeply-rooted energy as the day of human creation. The day has the power to energize real change and help a person become unrecognizably different.

Rabban Gamliel says (Berachot 8b), “Since the sins of the forefathers are written on tablets which are placed in the Ark, the new tablets which the Rabbis represent a madregah so high that it was no longer relevant to Israel after the sin, to what end were they preserved? There is a great lesson to be learned from this. Whatever the person’s actual spiritual status at the moment, if he is determined to rise higher he must aim for the top. Our Rabbis tell us that a person should always ask, ‘When will my deeds resemble the deeds of my forefathers Avraham, Yitzhak and Yaakov?’ (Tanna de-bei Eliyahu 1:25). A vision of the very highest is necessary to arouse one from his lethargy to embark on any spiritual journey. The preservation of the first tablets together with the second means that we should never lose sight of that sublime madregah which we attained before the sin. By considering our loss we may come to yearn for an acceptance of Torah which will be both sincere and sublime.

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[16] INTERVIEWER: Is there something I can keep in mind in order to feel confident that I will succeed in a spiritual endeavor if I try hard enough?

RABBI YOSEF HURWITZ: “Remember the principle: AIN DOVOR SHEOLEMAD BIFNAL HARAZON.” That is, ‘there is nothing that can stand in your way when you have a strong desire to accomplish something.’

[Comments: Having a slight wish is insufficient. Only when you have an intense passion and a strong will to accomplish something, will you find ways and means to do what would have otherwise seemed impossible. If you are not accomplishing as much as you would have wished, the first step is to reinforce your inner will. Keep repeating to yourself, “I am intensely motivated to accomplish this task.” Even if in the beginning you do not yet feel this, when you repeat it with enthusiasm you will eventually become more motivated.]

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