

מקראות גדולות

The
COMMENTATORS'
BIBLE

THE RUBIN JPS MIQRA'OT GEDOLOT

DEUTERONOMY דברים

*With the 1917 and 1985 English translations of
the Jewish Publication Society TANAKH, the questions of Abarbanel,
the commentaries of Rashi, Rashbam, Ibn Ezra, and Nahmanides,
and selections from the Masorah and from the commentaries of
Bekhor Shor, Kimhi, Hizkuni, Gersonides, Abarbanel, and Sforno*

Edited, translated, and annotated by

MICHAEL CARASIK



The Jewish Publication Society • Philadelphia

2015 • 5775

NJPS ¹⁸If 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, ¹⁹his 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. ²⁰They 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." ²¹Thereupon the men of his town shall stone him to death. Thus you will sweep out evil from your midst: all Israel will hear and be afraid.

RASHI portion of what the father actually possesses but not of anything he has coming to him after his death.

18 Wayward. One who turns aside from the "way." **Defiant.** Refusing to do what his father tells him: "From the day that you left the land of Egypt until you reached this place, you have continued *defiant* toward the LORD" (9:7). **Even after they discipline him.** By issuing a warning to him before a court of three and having him flogged. The Sages say that he cannot be called wayward and defiant until he steals and eats half a mina's weight of meat and drinks half a log of wine, making him "a glutton and a drunkard" (v. 20): "Do not be of those who *guzzle* wine, or *glut* themselves on meat" (Prov. 23:20). The wayward and defiant son is executed not on account of what he has done, but on account of what he will end up doing, for the Torah has penetrated his ultimate intentions: he will eventually use up his father's money and, wanting what he is used to and not getting it, will wait at a crossroads to rob people. Said the Torah: Let him die an innocent man, not a guilty one.

21 All Israel will hear and be afraid. We learn that there must be an official announcement in court: "So-and-So has been stoned for being a wayward and defiant son."

NAHMANIDES so does not take legal effect. All the more so is this true if he tries to pretend that this son is not the firstborn at all. These, by the way, are new commandments, not elaborations of commandments previously given.

18 A wayward and defiant son. Our Sages rule that he cannot be a minor, since a child is not subject to any punishment listed in the Torah or the commandments. He must be a boy who has produced two pubic hairs. [F] This son commits two violations: one, cursing his father and mother and rebelling against them; and two, being a glutton and a drunkard, which violates Lev. 19:2, "You shall be holy, for I, the LORD your God, am holy." [G] We are told in 13:5 to "worship none but Him, and hold fast to Him," which (as I explained in my comment to 11:22) means that we must know Him in all our ways—and a glutton and a drunkard does not know God's way. To be sure, these are not capital crimes; he is being put to death on account of what he will eventually become, as the Sages have said, which explains why "all Israel will hear and be afraid" (v. 21). He is not being put to death for the enormity of his crime, but to chasten the multitudes and to prevent him from becoming a danger to others. The text often takes this course. The "rebellious elder" of 17:12, for example, has not by his false teaching committed a crime deserving of death; he is executed to remove controversy from the realm of Torah (see my comment to 17:11). The scheming witnesses of 19:16–20, too, are likewise killed even though they have not killed anyone themselves. Again, one who entices someone to commit idolatry is put to death even if his victim has not gone ahead and done so, just to make sure that "such evil things will not be done again in your midst" (13:12).

With regard to our commandment, it may be a new one, or it may be an elaboration of "Honor your father and your mother" (Exod. 20:12) and "You shall each revere his mother and his father" (Lev. 19:3).

[F] Making him a legally responsible person. [G] See Nahmanides' comment to that verse.

[F] He must have both a father and a mother in order to be subjected to this. "a heretic."

[H] See Ibn Ezra's comment to Exod. 6:23.

OJPS ¹⁸If a man have a stubborn and rebellious son, that will not hearken to the voice of his father, or the voice of his mother, and though they chasten him, will not hearken unto them; ¹⁹then shall his father and his mother lay hold on him, and bring him out unto the elders of his city, and unto the gate of his place; ²⁰and they shall say unto the elders of his city: "This our son is stubborn and rebellious, he doth not hearken to our voice; he is a glutton, and a drunkard." ²¹And all the men of his city shall stone him with stones, that he die; so shalt thou put away the evil from the midst of thee; and all Israel shall hear, and fear.

כִּי-יְהִי־לְאִישׁ בֶּן סוֹרֵר וּמוֹרֵה אִינּוֹ 18
שֹׁמֵעַ בְּקוֹל אָבִיו וּבְקוֹל אִמּוֹ וַיִּסְרּוּ אֹתוֹ
וְלֹא יִשְׁמַע אֲלֵיהֶם: 19 וַתִּפְּשׂוּ בּוֹ אָבִיו
וְאִמּוֹ וַהֲוִצִיאוּ אֹתוֹ אֶל-זִקְנֵי עִירוֹ וְאֶל-
שַׁעַר מְקוֹמוֹ: 20 וְאָמְרוּ אֶל-זִקְנֵי עִירוֹ בְּנֵי
זֶה סוֹרֵר וּמוֹרֵה אִינּוֹ שֹׁמֵעַ בְּקוֹלֵנוּ וְזוֹלָל
וְסָבָא: 21 וְרָגְמָהוּ כָּל-אֲנָשֵׁי עִירוֹ בְּאֲבָנִים
וְמָת וּבְעֵרַת הָרַע מִקְרָבָה וְכָל-יִשְׂרָאֵל
יִשְׁמְעוּ וַיִּרְאוּ: ס

RASHBAM rich; I have gotten *wealth!*" (Hosea 12:9); "His own hands must give back his *wealth*" (Job 20:10).

18 Defiant. Deliberately provocative: "I know how wrong I was to *disobey*" (Lam. 1:20).

IBN EZRA to that verse. [E] **Since he**—the one who has been acknowledged as the firstborn—is the **first fruit of his vigor**. At least if the father is speaking honestly; and a Jew is presumed to be doing so.

18 Wayward and defiant. Both with respect to the Lord and with respect to his parents, assuming they are God-fearing people. But the Hebrew does not mean "wayward"; it means "stubborn" (OJPS), as in "Israel has balked like a stubborn cow" (Hosea 4:16). He "stubbornly" refuses to perform the positive commandments, and "defiantly" violates the prohibitions. **Even after they discipline him.** In front of witnesses.

19 His father and mother shall take hold of him and bring him out. It is a commandment for them to do so, and what tradition says about this is true. [F]

20 A glutton. Prov. 23:30 speaks of being gluttonous for meat, but in fact the word can apply to anything one has an appetite for. **A drunkard.** Not merely a drinker, but actually a drunkard. Someone who is a glutton and a drunkard is literally an Epicurean, [G] for he is not even interested in the life of this world except to indulge hedonistically in food and drink. You see that this passage follows naturally after the one about the "beautiful captive"; this wayward son is the product of a mixed marriage, like "the son of the Israelite woman [who] pronounced the Name in blasphemy" (Lev. 24:11). I alluded to this in my comment about the sons of Aaron. [H]

[E] We do not have Ibn Ezra's commentary to 2 Kings. [H] See Ibn Ezra's comment to Exod. 6:23.

ADDITIONAL COMMENTS **18 A wayward and defiant son.** Consuming the quantities laid down by the Sages just once does not make him "wayward and defiant," any more than healing someone once turns a man with no medical training into a doctor (Gersonides). He is "wayward" (really, "stubborn") with respect to God, and "defiant" to his parents (Abarbanel).

19 His father and mother shall take hold of him. They must both agree to do so (Gersonides). They are commanded to do so, for compassion toward the wicked is really cruelty (Abarbanel).

21 Thereupon the men of his town shall stone him to death. No witnesses or investigation are required; the mind cannot conceive of parents who would bring this accusation against their son if he were innocent (Abarbanel).