

D'VAR TORAH



No Going Back Ilana Kurshan

I'm sure my children are not alone in their exasperating tendency to make the same request of each of their parents in the hope of eliciting different responses. "Ima, can we have ice cream for dessert tonight?" my daughter will ask me, and I'll tell her no, the ice cream is for Shabbat, but she can have a cookie instead. Then, when I've left the room and my husband has come in, she'll repeat her request:

"Abba, can we have ice cream for dessert tonight?" And then he'll say yes, unaware that I've already responded, and I'll get frustrated at her and at him – at her for asking him, and at him for not checking with me. After all, how can we expect our kids to obey us when it seems as if we're not even in agreement with one another?

Such family dynamics are alluded to in the law of the "wayward and defiant son," one of the many commandments discussed in this week's parashah. To be sure, I would not want to suggest that I'd compare my daughter—or any of my children, for that matter—to the disobedient child who refuses to heed his parents' voice even after they discipline him. Such a child is seized by his parents and taken to the public square, where the parents declare, "This son of ours is disloyal and defiant; he does not heed us. He is a glutton and a drunkard" (21:20). The elders of the town then stone the disobedient son as a way of sweeping out evil from the midst of the people of Israel. This is a far cry from the kind of punishment I would ever want to inflict on my own children, and yet the Talmud's discussion of the laws of the "wayward and defiant son" offers a way of thinking about parenting and discipline that seems relevant in our household, too.

The Talmud in tractate Sanhedrin devotes an entire chapter, at least nominally, to the laws of the wayward and defiant son, explaining who might qualify for this designation. The Talmud severely limits the applicability of such laws, reading each of the Torah's words highly literally. Since he is a "son," he cannot be a daughter; these laws apply to boys only. Moreover, he must be a "son" but not a minor or a full-grown adult, which the Talmud interprets as signifying that the laws of the wayward and defiant son only apply during the brief three-month window in which a boy is obligated in the mitzvot, and yet is still at the beginning stages of puberty (69a). In addition, since the child is described as a "glutton and a drunkard" who disobeys his parents, the Talmud specifies that he must have stolen meat and wine from both his mother and his father (71a). However, he cannot have eaten this meat at a religious celebration, because the consumption of large quantities of meat and wine is considered meritorious in such a context. With these highly restrictive laws, the Talmud renders it nearly impossible for a child to qualify as "wayward and defiant."

The laws limiting the cases in which a son may be designated as “wayward and defiant” impose considerable restrictions on the parents as well. Since both parents have to seize the child and bring him to the public square, they must be able-bodied enough to do so; neither parent may be lame or missing an arm in order for the son to qualify. And since the parents have to point out their son and make a declaration before the elders about their son’s disobedience, neither parent may be blind or mute or deaf. Perhaps even more implausible – and more relevant to the problem of discipline in my own home – the parents have to speak in one voice, since the Torah teaches that the parents must declare that their son “does not heed us,” or, more literally, “does not listen to our voices.” Based on these words, Rabbi Yehuda teaches that the mother and father must be “equal in their voices” (71a). One parent can’t say yes to ice cream while the other says no.

Expanding upon this notion, Rabbanit Dr. Penina Neuwirth (in *Drasha*, p. 459, untranslated) explains the stipulation that the parents must be “equal in their voices” as signifying that only when both parents uphold the same values and enforce the same rules is the child held liable for disobedience. A child cannot be expected to obey his parents when they offer that child conflicting models of how to behave. In such a situation, the child is likely to get confused by the mixed messages, and to make errors of judgment as a result. Such a child does not get punished as “wayward and defiant” because the fault lies not with the child, but with the parents who fail to transmit a consistent educational message.

Perhaps the law of the wayward and defiant son reflects an awareness of how difficult it is for children to navigate conflicting parental models. The Torah’s law, while seemingly cruel and merciless, actually reflects tremendous compassion for children by shifting the responsibility to their parents, who must strive to speak in one voice before their children. Of course, even in two-parent households where the parents are happily married, those parents will not agree about everything – certainly my husband and I do not. But as much as possible, we try to keep our disagreements private so that our children experience us as a united front. If I suspect that my children are approaching me with the same question they’ve already asked their father, I try first to determine if he has already responded, and to stand by his decision – regardless of whether or not it’s the decision I would come to on my own.

Granted, our children are likely to encounter many different voices over the course of their lives, and learning how to navigate that cacophony of values and opinions is part of the work of becoming one’s own person. But for now, our children are still young. At these early stages of maturation, when they are still figuring out who they will be as teenagers and then as adults, I would like us, as parents, to model harmoniously the values we wish for them to uphold. I hope that when that time comes, the firm foundation we have set for them will be an anchor, allowing them to sail calmly and confidently into new, uncharted waters without feeling adrift and unmoored.