

## Ki Teitzei Sermon 5777

In 1920s Soviet Russia, in the middle of the jockeying for power following Lenin's death, Stalin emerges to address an expectant crowd. "Comrades!" he says. "I have in my hand a telegram from Comrade Trotsky, which I think will resolve our current differences of opinion. Let me read it to you: 'You were right and I was wrong. You are the true heir of Lenin. I should apologize. Signed, Leon Trotsky.'" The crowd goes wild! But wait, there's one man in the crowd signaling to get Stalin's attention. "Yes, comrade?," Stalin asks. "Comrade Stalin, I think you know Comrade Trotsky is Jewish." "Yes, I do." "Well, I'm Jewish, too, and I thought I might have an extra insight on what Comrade Trotsky was trying to say. May I read the telegram myself?" "Of course, comrade!," Stalin asks. The man gets up and starts reading: "*You were right and I was wrong? You are the true heir of Lenin? I should apologize? Signed, Leon Trotsky.*" Sometimes, intonation is everything.

At the beginning of the reading today, we heard the case of *ben soreir u'moreh*, the wayward and defiant son. The Torah describes a son who does not listen to his mother or father, who does not respond to discipline, who is a glutton and a drunkard. In such a case the Torah demands that his parents take him before the elders of the town for judgement, and that he should be stoned to death in order to remove evil from the community and instill fear in others. This passage troubles us, on any number of levels. The ability, and presumed willingness, of parents to sentence their son to death causes us to recoil. Public stoning, to put it mildly, does not reflect what we typically consider to be a Jewish response to poor behavior. To make matters even more troubling, the sages of the Talmud interpret this passage as describing a person who has not

committed any crime yet, but whose present actions indicate that in the future he will do so; he punishment is a pre-emptive death sentence.

But the early rabbis do something else in their treatment of this case which tells us a great deal about how they viewed the Torah and their own role in interpreting it. In the Talmud tractate Sanhedrin, the sages examine the words of this passage in great detail, and as they do they begin to chip away at the application of the mitzvah of *ben soreir u'moreh*. The Torah says that the person doesn't listen to his father and mother; the sages rule that a son who doesn't listen to his father *or* his mother cannot be *ben soreir u'moreh*. The Torah says he is a glutton and a drunkard; the sages rule that if he is only one or the other, he is not a *ben soreir u'moreh*. The Torah says that his parents take hold of him, bring him out to the elders, and say "This is our son..." and the rabbis of the Talmud thereby rule that if either of them is missing an arm, and cannot take hold of him, cannot walk, and therefore cannot bring him anywhere, are mute, and therefore cannot say these words, or are blind, and therefore cannot identify him by sight, in none of these cases is the son *ben soreir u'moreh*. I have greatly condensed the arguments of the rabbis; the word by word examination of the passage would take us a great deal more time to discuss. Finding a loophole in every word, narrowing the definition of such a person to the point where no such case could conceivably survive scrutiny, they legislate the case entirely out of existence. At the end of their exegesis, the rabbis boldly state "There never was a case of *ben soreir u'moreh*, and there never will be." Then why does the Torah even mention it? In order to teach us proper child rearing techniques: By specifying that both parents take action, the Torah is teaching that mothers and fathers should speak with one voice, agreeing on how to raise their child, etc.

If we were concerned about the Torah making a ruling that encourage parents to have their disobedient children stoned to death, how do we feel about the talmudic sages' claim that the Torah is talking about a non-existent case, that its description of parents leading their son to his execution is merely metaphoric? It's hard to say which outcome is the more astounding! The Torah doesn't footnote this case as rare or exceptional; it doesn't make a distinction between this situation and any other legal case it describes. Without the argumentation in the Talmud, relying on only the text of the Torah itself, we would have no way of knowing that this case is anything but literal. Moreover, we now have to grapple with the idea that anything in the Torah is subject to being interpreted away by the rabbis. And that is a key to understanding the rabbinic relationship with the written Torah.

Why did the sages define the *ben soreir u'moreh* out of existence? Because they were as troubled by it as we are. But note how they responded to their anxiety that the Torah was not representing a reality that they could relate to: through interpretation. They did not ignore the passage; they did not claim that the Torah doesn't say what it does; they did not say that the Torah was wrong. Any of those approaches were unthinkable to them, because they viewed the text as divinely revealed and unerring. With that assumption as a starting point, the only path left is that of interpretation. The rabbis adopt a methodology which preserves the written text and makes no apologies for it. Instead, they understood it in a way that leaves the words of the Torah intact, but breathes new life into those words, even to the extent of saying that a particular case was only for the purpose of study, not application, as in this case.

The wider implication of that approach is that rabbinic authority is so wide that any particular verse or mitzvah can take on meanings that the written Torah does not, on its face,

appear to be able to bear. And from the era of the earliest rabbis until our own time, what Torah means has always been what the rabbis *say* Torah means. If you can interpret away *ben soreir u'moreh*, you can interpret away anything. As the guardians of the text, the judges who decide between competing claims, and the final arbiters of Jewish belief and practice, rabbis must know Torah, and they must know how and when to understand Torah in novel ways, in ways that may appear to turn the words of Torah on their head, but which seek to set them on their feet. In order to stay true to Torah, in other words, it has often been necessary to find ways to turn the Torah's own words and values in one place against its more troubling passages in other places.

In our time, the obligation to remain true to the words of Torah remains as strong as ever, as does our right, our obligation to remain true to the Torah's values. While they wouldn't say it this way, the Torah's instructions about public execution of one's children was abhorrent to the rabbis. But since Torah can by definition never be abhorrent, they reinterpreted the *ben soreir u'moreh* passage, reinterpreted it *hard*, to mean something that they found uplifting and a source of deep intellectual satisfaction. We should seek to do the same. When systems of belief no longer reflect the deepest values of a people, the systems must adapt. Those that do not risk rupture or, more commonly, abandonment. If we ask why so many modern people drift away from religion, one answer is that they lack the tools to adapt ancient words to modern needs. They read the bible without recourse to commentary or interpretation, and so mistake the written Torah for the whole of Jewish thought and behavior. Without the mediating force of the Mishna, the Gemara, midrashic collections, the codes, responsa literature and Jewish philosophical works, Torah can seem merely a curious snapshot of antiquity, an outdated set of rules that in no way correspond to current circumstances. It can seem hopelessly irrelevant, or even silly.

The reason it is not is that the methods that the early rabbis used to understand Torah are still operative now. Like our predecessors, we yearn for a sacred tradition, rooted in Torah, which speaks to this moment's most vital concerns. We too interpret the text, sometimes in ways that are novel and even stretch the plain meaning of the text far beyond earlier understandings. Far from being destructive to tradition, this is the very essence of what it means to be a rabbi, to be a Jew, because Torah should only ever be a source of comfort, of uplift, of inspiration to us. "Turn it over and over" we read about Torah in Pirkei Avot, "because everything is in it." There is no subject foreign to Torah, no problem it cannot help to address, no pain it cannot salve. We need only to hear its words with the proper intonation to clearly discern the voice of God emerging from them.

Shabbat shalom.