



# The Greater Washington Community Kollel SHABBOS DELIGHTS

## TORAH MINUTE

IN MEMORY OF RABBI KALMAN WINTER ZT"L

### The Wayward Son's Fate

**Presented by Rabbi Moshe Sadwin, Kollel Adjunct**

**If a man will have a *ben sorer u'moreh* – a wayward son... (21:18)**

Our Parsha discusses the fascinating but tragic case of the *ben sorer u'moreh* – the wayward son. A boy who, within the first few months after turning thirteen, steals and consumes meat and wine, is first warned to stop such behavior. If he persists, he is ultimately put to death by stoning – the most severe form of capital punishment. There are, however, many specific conditions that need to be met before one could be designated as a *ben sorer u'moreh* – so many in fact that the Gemara (Sanhedrin 71a) relates: "Rabbi Shimon says... there never was and there never will be [a *ben sorer u'moreh*.] So why is it written? So one can expound on it and receive reward."

Our sages explain that the boy's actions of stealing and gluttony by themselves certainly do not warrant the death penalty. However, his actions reveal to us that he is so captive to his desires that it is inevitable that he will end up robbing and murdering in order to support his habits. The Torah therefore says that it is better for him to die now, while relatively innocent, rather than waiting until he actually commits the most severe forms of sin.

Rav Chaim Kanievsky cites a question of earlier commentators regarding the *ben sorer u'moreh's* fate. Normally, the capital punishment for murder is *sayif* – beheading, which is considered less severe than stoning. If in fact the *ben sorer u'moreh* is being sentenced now for the murder that he will inevitably commit, his punishment should also be *sayif*. Why then is he punished by stoning?

Rav Chaim explains in the name of the Dubno Maggid that there are, in actuality, two types of murderers. One type is a person who murders someone in order to achieve a separate goal such as stealing. The other type is one who completely disregards human life and kills even when he doesn't gain from it. It would stand to reason that the second type of murderer is viler than the first and should be punished more severely. However, the Jewish court cannot know what thoughts the murderer actually had when carrying out his crime and therefore they must administer the same less severe punishment for any convicted murderer.

In the unique case of the *ben sorer u'moreh*, however, the omniscient wisdom of the Torah tells us that the boy will end up committing murder even when not in the throes of passion or desperation. Since he has become so desensitized to others due to his self-indulgence, he will eventually stoop to disregard human life. This cruel ruthlessness indeed warrants a more severe death penalty.

**Wishing you a Good Shabbos!**

## SPONSOR

**To sponsor an issue of Shabbos Delights, please contact [info@gwckollel.org](mailto:info@gwckollel.org).**

## TABLE TALK

### Point to Ponder

**When a man will have committed a cheit (sin) whose judgment is death, he shall be put to death... (21:22)**

The word *cheit* refers to a sin transgressed accidentally (*Avnei Eliyahu on Shemoneh Esrei*).

Why does the Torah use the word *cheit* / sin which refers to an accidental transgression? One can only be put to death when transgressing a sin purposely, never for transgressing accidentally!

### Parsha Riddle

**For which part of this week's Torah reading is there a biblical commandment to hear it this year according to some opinions?**

Please see next week's issue for the answer.

Last week's riddle:

**For a man is the tree of the field (20:19).**

**How is a person compared to a tree?**

**Answer: Just as trees are created to grow, so too man is created to grow. For this reason, what man produces is called his fruit. (Maharal)**

## HATORAH V'HAMITZVAH

### HALACHA INSIGHTS FROM THE PARSHA

In *parashas Ki-Seitzei* (22:1), the Torah commands: "You shall not see the ox of your brother or his sheep or goat cast off, and hide yourself from them; you shall surely return them to your brother." Chazal explain that the phrase "and hide yourself from them" means that "there are **occasions in which you may disregard** lost items **and** there are **occasions in which you may not disregard** them," and one of the occasions in which one may disregard a lost item is "where **he was an elderly person and it is not in keeping with his dignity** to tend to the item." (*Sifrei*, cited in *Bava Metzia* 31a)

The Rambam (*Aveidah* 11:13) rules that "A person who seeks to follow a good and upright path and go beyond the measure of the law should return a lost article at all times, even if it is unbecoming to his dignity." The Rosh (*Bava Metzia* 2:21) disagrees: "It appears to me that since the Torah has exempted the elderly person from degrading his dignity, it is prohibited for him to do so, for he is degrading the dignity of the Torah where he is not obligated to do so." He adds that a scholar who seeks to go beyond the measure of the law should compensate the owner of the lost property out of his own pocket rather than compromise the dignity of the Torah by tending to the lost item.

The Rosh seems to assume that the "elderly person" referred to by Chazal is a Torah scholar, and the Ritva (*ibid.* and *Shevuos* 30b) indeed explicitly limits the dispensation in question to a Torah scholar, and maintains that other elderly and distinguished people must (i.e., not merely as a matter of going beyond the measure of the law) either return the lost item or compensate the owner for it. A number of later authorities, however, do extend the dispensation beyond Torah scholars to those whose distinction derives from other qualities, such as wealth or family, albeit not to someone who is merely self-important but whose dignity is not recognized by society (*Chochmas Shlomo Bava Metzia* *ibid.*; *Drishah CM siman* 272 *os* 8; *Bach* *ibid.*; *Shulchan Aruch Harav Metzia* 36).

PRESENTED BY  
RABBI YITZHAK GROSSMAN, ROSH CHABURAH

## KIDS KORNER

### Who Am I?

#### #1 WHO AM I?

1. I apply to men.
2. I exist because of inhospitality.
3. I am a result of Bilaam.
4. I am forever.

#### #2 WHO AM I?

1. I am fiction, yet I am real.
2. I am a big 'winer'.
3. I am needy and meaty.
4. My end justifies my end.

#### Last Week's Answers

**#1 Mum (Blemish)** (My beginning and end are the same, I disqualify, I am permanent, I am not your mother.)

**#2 Navi (Prophet)** (I am not a net gain, I have messages, Kill the fake, Listen to me.)

## KOLLEL BULLETIN BOARD

INSPIRED  
TEFILLAH

An in-depth exploration  
of the Shemoneh Esrei

a class for  
women with  
Mrs. Sara Malka  
Winter

Tuesdays  
at 8:15pm  
on Zoom

Zoom info at:

[www.gwckollel.org](http://www.gwckollel.org)