



Morality of Torah: Case Study in the Rebellious Son

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Plato, *Euthyphro*

Is the pious loved by the gods because it is pious, or is it pious because it is loved by the gods?

G.W. Leibniz, *Reflection on the Common Concept of Justice*

It is generally agreed that whatever God wills is good and just. But there remains the question whether it is good and just because God wills it or whether God wills it because it is good and just; in other words, whether justice and goodness are arbitrary or whether they belong to the necessary and eternal truths about the nature of things.

Part I: The Torah

Deuteronomy 21: 18 -21	
If 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, his 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. They 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." Thereupon, 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.	כִּי־יְהִי לְאִישׁ בֶּן סוֹרֵר וּמוֹרָה אִינּוֹ שְׁמֵעַ בְּקוֹל אָבִיו וּבְקוֹל אִמּוֹ וַיִּסְרוּ אֹתוֹ וְלֹא יִשְׁמַע אֲלֵיהֶם: וְתִפְּשׁוּ בּוֹ אָבִיו וְאִמּוֹ וְהוֹצִיאוּ אֹתוֹ אֶל־זִקְנֵי עִירוֹ וְאֶל־שַׁעַר מִקְדָּמוֹ: וְאָמְרוּ אֶל־זִקְנֵי עִירוֹ בְּנֵנוּ זֶה סוֹרֵר וּמוֹרָה אִינּוֹ שְׁמֵעַ בְּקוֹלֵנוּ זֹלָל וְסָבָא: וְרָגְמֻהוּ כָּל־אָנָּשִׁי עִירוֹ בָּאֲבִנִים וּמֵת וּבִעֶרְתָּ הָרָע מִקִּרְבְּךָ וְכָל־יִשְׂרָאֵל יִשְׁמְעוּ וְיָרָאוּ:

For what crime is the son punished and does the punishment fit the crime? What qualifies someone as a wayward son? What is the role of the parents and the community? What sense do you make of this text and what does it mean for us today?



Part II: The Mishnah (0-200 c.e.)

Take a look at the Mishnah's treatment of these verses from the Torah. How do the earlier rabbis understand these verses from the Torah? Based on the Mishnah, make a list of everything you know about what qualifies one as a wayward son. How do they prove their interpretations from the verses? What new information do they add and how does this affect our understanding of this story? What do you think is motivating the rabbis to interpret these verses as they do?

Mishnah Sanhedrin 8:1-5

“A wayward and rebellious son”—at what time can he become a wayward and rebellious son? From when he grows two hairs until the beard grows full. [This refers to] the lower beard, not the upper beard, [but this expression is used] since the Sages spoke in clean language. As it says, “If a man have a son” (Deuteronomy 21:18)—“a son,” and not a daughter; “a son,” and not a man. A minor is exempt, for he has not entered the category of [those obligated in] the commandments.

From when is he liable [to be stoned]? When he eats a *tarteimar* of meat and drinks half a *log* [measure of liquid] of Italian wine. Rabbi Yosi says, a *maneh* [equal to one hundred *zuz*] of meat and a log of wine. [If] he ate [it] in a *mitzvah* gathering; [if] he ate [it] in [celebration of] the intercalation of the month; [if] he ate [it] as *ma'aser sheini* [the second tithe, which must be eaten in Jerusalem] in Jerusalem; [if] he ate *neveilot* [an animal not properly slaughtered] or *tereifot* [a mortally wounded animal] or creepy crawlies; [if he ate] *tevel* [untithed produce] or *ma'aser rishon* [the first tithe] from which *terumah* [the portion given to the priest] has not been taken; or *ma'aser sheini* or *hekdeish* that has not been redeemed; [if] he ate something [in fulfillment of] a commandment or something [in violation of] a transgression; [or if] he ate all foods but did not eat meat; [or] drank all drinks but did not drink wine, he does not become a wayward and rebellious son, until he eats meat and drinks wine. As it says, “He is a glutton and a drunkard” (Deuteronomy 21:20). And even though there is no proof to the matter [from a Scriptural verse], there is a reference to the matter, as it says,

בן סוֹרֵר וּמוֹרֶה, מֵאִמְתִּי נֶעֱשֶׂה
בן סוֹרֵר וּמוֹרֶה, מִשִּׁבְיָא שְׂתִי
שְׁעָרוֹת וְעַד שִׁיקְיָף זָקָן, הִתְחַתּוֹן
וְלֹא הָעֲלִיין, אֲלֵא שְׂדִבְרוּ חֲכָמִים
בְּלִשׁוֹן נִקְיָה, שְׁנֶאֱמַר (דְּבָרִים
כֹּא), כִּי יִהְיֶה לְאִישׁ בֶּן, בֶּן וְלֹא
בֵּת, בֶּן וְלֹא אִישׁ. הִקְטֵן פְּטוּר,
שֶׁלֹּא בָּא לְכָלֵּל מִצְוֹת:

מֵאִמְתִּי חֵיב, מִשִּׁיאֲכַל טַרְטִימָר
בְּשֶׁר וְיִשְׁתֶּה חֲצִי לֹג יֵין הָאִיטָלְקִי.
רַבִּי יוֹסִי אוֹמֵר, מִנֶּה בְּשֶׁר וְלֹג יֵין.
אֲכַל בְּחִבּוּרֵת מִצְוָה, אֲכַל בְּעִבּוּר
הַחֹדֶשׁ, אֲכַל מִעֶשֶׂר שְׁנִי
בִירוּשָׁלַיִם, אֲכַל נִבְלוֹת וּטְרֵפוֹת,
שְׂקָצִים וְרִמָּשִׁים, אֲכַל טָבַל
וּמִעֶשֶׂר רֵאשׁוֹן שֶׁלֹּא נִטְלָה
תְּרוּמָתוֹ וּמִעֶשֶׂר שְׁנִי וְהִקְדֵּשׁ
שֶׁלֹּא נִפְדּוּ, אֲכַל דְּבָר שֶׁהוּא מִצְוָה
וְדָבָר שֶׁהוּא עֲבֵרָה, אֲכַל כָּל
מֵאֲכַל וְלֹא אֲכַל בְּשֶׁר, שֶׁתֵּה כָּל
מִשְׁקָה וְלֹא שֶׁתֵּה יֵין, אִינוּ נֶעֱשֶׂה
בֶּן סוֹרֵר וּמוֹרֶה, עַד שִׁיאֲכַל בְּשֶׁר
וְיִשְׁתֶּה יֵין, שְׁנֶאֱמַר (דְּבָרִים כֹּא)
זֹלִל וְסָבָא. וְאִם עַל פִּי שְׂאִין
רֵאִיָּה לְדָבָר, זָכָר לְדָבָר, שְׁנֶאֱמַר
(מִשְׁלִי כֹג) אֵל תִּהְיֶה בְּסִבְאִי יֵין
בְּזִלְלִי בְּשֶׁר לְמוֹ:

“Be not among winebibbers, among gluttonous eaters of flesh” (Proverbs 23:20).

If he stole from his father and ate in his father's domain; [if he stole] from others and ate in others' domain; [if he stole] from others and ate in his father's domain, he does not become a wayward and rebellious son, until he steals from his father and eats in others' domain. Rabbi Yosi bar Yehudah says, until he steals from his father and from his mother.

If his father wants [to bring the son to court] and his mother does not want, [or if] his father does not want and his mother does want, he does not become a wayward and rebellious son, until they both want. Rabbi Yehudah says, if the mother were not appropriate for the father, he does not become a wayward and rebellious son. If one of [the parents] had a hand cut off, or was lame, mute, blind, or deaf-mute, he does not become a wayward and rebellious son. As it says, (Deuteronomy 21:19) “Then shall his father and his mother lay hold on him,” and not those whose hands have been cut off. “And bring him out,” and not a lame person. (Deuteronomy 21:20) “And they shall say,” and not mute people. “This our son,” and not blind people. “He does not listen to our voice,” and not deaf-mute people. They warn him in front of three and lash him. If he repeats his misdeeds, he is judged by a court of twenty-three. And he is not stoned until the original three [judges] are present, as it says (Deuteronomy 21:20), “This our son,” he who was lashed before you. If he flees before the verdict has been reached and then his lower beard grows full, he is exempt. But if once the verdict was reached he fled, and then his lower beard grew full, he is [still] liable.

The wayward and rebellious son is judged on the basis of his end. He should die innocent and not liable, because the death of the wicked is beneficial to them and beneficial to the world;

גִּנֵּב מִשְׁלַּל אָבִיו וְאָכַל בְּרִשְׁוֹת אָבִיו, מִשְׁלַּל אֲחֵרִים וְאָכַל בְּרִשְׁוֹת אֲחֵרִים, מִשְׁלַּל אֲחֵרִים וְאָכַל בְּרִשְׁוֹת אָבִיו, אִינוּ נֶעֱשֶׂה בֶן סוֹרֵר וּמוֹרֶה, עַד שִׁיִּגְנֹב מִשְׁלַּל אָבִיו וַיֹּאכַל בְּרִשְׁוֹת אֲחֵרִים. רַבִּי יוֹסִי בַר רַבִּי יְהוּדָה אוֹמֵר, עַד שִׁיִּגְנֹב מִשְׁלַּל אָבִיו וּמִשְׁלַּל אִמּוֹ:
הִיא אָבִיו רוֹצֶה וְאִמּוֹ אֵינָה רוֹצֶה, אָבִיו אֵינוֹ רוֹצֶה וְאִמּוֹ רוֹצֶה, אִינוּ נֶעֱשֶׂה בֶן סוֹרֵר וּמוֹרֶה, עַד שִׁיִּהְיוּ שְׁנֵיהֶם רוֹצִים. רַבִּי יְהוּדָה אוֹמֵר, אִם לֹא הִיְתָה אִמּוֹ רְאוּיָה לְאָבִיו, אִינוּ נֶעֱשֶׂה בֶן סוֹרֵר וּמוֹרֶה. הִיא אֶחָד מֵהֶם גֵּדֵם אוֹ חֲגֹר אוֹ אֵלֶם אוֹ סוּמָא אוֹ חֲרָשׁ, אִינוּ נֶעֱשֶׂה בֶן סוֹרֵר וּמוֹרֶה, שֶׁנֶּאֱמַר (דְּבָרִים כֹּא) וְתִפְשׁוּ בּוֹ אָבִיו וְאִמּוֹ, וְלֹא גִדְמִין. וְהוֹצִיאוּ אוֹתוֹ, וְלֹא חֲגָרִין. וְאִמְרוּ, וְלֹא אֱלָמִין. בְּגִנּוֹ זֶה, וְלֹא סוּמִין. אֵינָנו שֹׁמְעִים בְּקִלְנוֹ, וְלֹא חֲרָשִׁין. מִתְרִין בּוֹ בְּפָנָי שְׁלֹשָׁה וּמִלְקִין אוֹתוֹ. חֲזַר וּקְלַקֵּל, נִדּוֹן בְּעֶשְׂרִים וּשְׁלֹשָׁה. וְאִינוּ נֹסְקֵל עַד שִׁיִּהְיוּ שֵׁם שְׁלֹשָׁה הָרָאוּשׁוֹנִים, שֶׁנֶּאֱמַר (שִׁם) בְּגִנּוֹ זֶה, זֶהוּ שְׁלֵקָה בְּפָנֶיכֶם. בָּרַח עַד שֶׁלֹּא נִגְמַר דִּינוֹ וְאַחֵר כָּךְ הִקְיָף זָקֵן הַתַּחְתּוֹן, פְּטוֹר. וְאִם מִשְׁנִגְמַר דִּינוֹ בָּרַח וְאַחֵר כָּךְ הִקְיָף זָקֵן הַתַּחְתּוֹן, חַיִּב:

בֶּן סוֹרֵר וּמוֹרֶה נִדּוֹן עַל שֵׁם סוּפוֹ, יְמוֹת זָכָא וְאֵל יְמוֹת חַיִּב, שְׁמִיתָתָן שֶׁל רְשָׁעִים הַנָּאֵה לָהֶן

but for the righteous, it is bad for them and bad for the world. Wine and sleep: for the wicked, they are a benefit to them and a benefit for the world; but for the righteous, they are bad for them and bad for the world. Being scattered: for the wicked, it is a benefit to them and to the world; but for the righteous, it is bad for them and bad for the world. Being gathered: for the wicked, it is bad for them and bad for the world; but for the righteous, it is beneficial to them and beneficial to the world. Quiet: for the wicked, it is bad for them and bad for the world; but for the righteous, it is beneficial for them and beneficial to the world.

וְהַנָּאָה לְעוֹלָם, וְלִצְדִּיקִים, רַע לָהֶן
וְרַע לְעוֹלָם. יֵין וְשֵׁנָה לְרָשָׁעִים,
הַנָּאָה לָהֶן וְהַנָּאָה לְעוֹלָם,
וְלִצְדִּיקִים, רַע לָהֶן וְרַע לְעוֹלָם.
פְּזוּר לְרָשָׁעִים, הַנָּאָה לָהֶן וְהַנָּאָה
לְעוֹלָם, וְלִצְדִּיקִים, רַע לָהֶן וְרַע
לְעוֹלָם. כְּנוּס לְרָשָׁעִים, רַע לָהֶן
וְרַע לְעוֹלָם, וְלִצְדִּיקִים, הַנָּאָה לָהֶן
וְהַנָּאָה לְעוֹלָם. שָׁקֵט לְרָשָׁעִים,
רַע לָהֶן וְרַע לְעוֹלָם, וְלִצְדִּיקִים,
הַנָּאָה לָהֶן וְהַנָּאָה לְעוֹלָם:

What does it mean for the son to be judged on the basis of his end? How do you understand the Mishnah's perspective on how the same things: wine, sleep, being scattered or gathered, could be good or bad depending on who we're talking about?

Part III: The Gemara (200 c.e. - 500 c.e.)

What new information do the rabbis of the Gemara add in interpreting the original verses in context of the Mishnah? How do they prove their interpretations from the Torah. Again, make your list of what now qualifies one to be a wayward son. What do you think is motivating the rabbis to interpret these verses and the Mishnah as they do? How have the rabbis of the Mishnah and the Gemara changed our initial reading of the verses of the Torah? What do you think of their interpretations?

Babylonian Talmud, Massekhet Sanhedrin 71a

The Gemara asks: **What** does Rabbi Yehudah mean when he speaks of the mother as being **not suited** for the father? **If we say** that due to their union they are among **those who are liable to** receive **kareit**, in which case the marriage does not take effect, **and** certainly if the union puts them in the category of **those who are liable to** receive one of the types of **court-imposed death** penalty, in which case the marriage also does not take effect, there is a difficulty: Why should it matter if they are not married? **Ultimately, his father is** still **his father and his mother is** still **his mother**, and the verses concerning the stubborn and rebellious son can be fulfilled.

מאי אינה ראויה אילימא
חייבי כריתות וחייבי מיתות
ב"ד סוף סוף אבוא אבוא
נינה ואמיה אמיה נינהו



Rather, Rabbi Yehudah **is saying** that the boy's mother must be **identical to his father** in several aspects. The Gemara comments: **This is also taught** in a *baraita*: **Rabbi Yehudah says: If his mother was not identical to his father in voice, appearance, and height, he does not become a stubborn and rebellious son.** The Gemara asks: **What is the reason** for this? **As the verse states: "He will not obey our voices [koleinu]" (Deuteronomy 21:20)**, which indicates that they both have the same voice. And **since we require** that they be **identical in voice, we also require** that they be **identical in appearance and height.**

The Gemara asks: **In accordance with whose opinion is that which is taught** in a *baraita*: **There has never been a stubborn and rebellious son and there will never be one in the future**, as it is impossible to fulfill all the requirements that must be met in order to apply this *halakhah*. **And why**, then, **was** the passage relating to a stubborn and rebellious son **written** in the Torah? So that **you may expound** upon new understandings of the Torah **and receive reward** for your learning, this being an aspect of the Torah that has only theoretical value. **In accordance with whose opinion is this?** It is **in accordance with** the opinion of **Rabbi Yehudah**, who requires that the parents have certain identical characteristics, making it virtually impossible to apply the *halakhah*.

If you wish, say instead that this *baraita* **is** in accordance with the opinion of **Rabbi Shimon**. **As it is taught** in a *baraita* that **Rabbi Shimon says: And is it simply due to the fact that the boy ate a tarteimar of meat and drank a half-log of Italian wine that his father and his mother shall take him out to stone him? Rather, there has never been a stubborn and rebellious son and there will never be one in the future.** **And why**, then, **was** the passage relating to a stubborn and rebellious son **written** in the Torah? So that **you may expound** upon new understandings of the Torah **and receive reward** for your learning. **Rabbi Yonatan says:** This is not so, as **I saw** one. I was once in a place where a stubborn and rebellious son was condemned to death, **and I even sat on his grave** after he was executed.

אלא בשוה לאביו קאמר
תניא נמי הכי רבי יהודה
אומר אם לא היתה אמו
שוה לאביו בקול ובמראה
ובקומה אינו נעשה בן סורר
ומורה מאי טעמא דאמר
קרא איננו שומע בקלנו
מדקול בעינן שוין מראה
וקומה נמי בעינן שוין

כמאן אזלא הא דתניא בן
סורר ומורה לא היה ולא
עתיד להיות ולמה נכתב
דרוש וקבל שכר כמאן כרבי
יהודה

איבעית אימא ר' שמעון
היא דתניא אמר רבי שמעון
וכי מפני שאכל זה תרטימר
בשר ושתה חצי לוג יין
האיטלקי אביו ואמו מוציאין
אותו לסקלו אלא לא היה
ולא עתיד להיות ולמה
נכתב דרוש וקבל שכר אמר
ר' יונתן אני ראיתי וישבתי
על קברו

The Gemara raises a similar question: **In accordance with whose opinion is that which is taught** in a *baraita*: **There has never been an idolatrous city and there will never be one in the future**, as it is virtually impossible to fulfill all the requirements that must be met in order to apply this *halakhah*. **And why**, then, **was** the passage relating to an idolatrous city **written** in the Torah? So that **you may expound** upon new understandings of the Torah **and receive reward** for your learning. **In accordance with whose** opinion is this? It is **in accordance with** the opinion of **Rabbi Eliezer, as it is taught** in a *baraita* that **Rabbi Eliezer says: Any city that has even one mezuzah** or any other sacred scroll **cannot become an idolatrous city**. It is difficult to imagine an entire city without even one *mezuzah*.

The Gemara asks: **What is the reason** that a city that has even one *mezuzah* cannot become an idolatrous city? The Gemara answers: **The verse states: “And you shall gather all the spoil of it into the midst of the open space of the city, and shall burn with fire both the city and the entire plunder taken in it” (Deuteronomy 13:17).** **And since if there is a mezuzah there it is impossible** to burn all the contents of the city, **as it is written:** “And you shall overthrow their altars, and break their pillars, and burn their *asherim* with fire... **This you shall not do so to the Lord your God” (Deuteronomy 12:3–4).** It is derived from this verse that it is prohibited to destroy a sacred item such as a *mezuzah*. Therefore, in a city that has even one *mezuzah*, it is impossible to fulfill the *halakhot* of an idolatrous city, as not all of its contents may be burned. **Rabbi Yonatan says:** This is not so, as **I once saw** an idolatrous city that was condemned to destruction, **and I even sat on its ruins.**

כמאן אזלא הא דתניא עיר
הנדחת לא היתה ולא
עתידה להיות ולמה נכתבה
דרוש וקבל שכר כמאן כר'
אליעזר דתניא רבי אליעזר
אומר כל עיר שיש בה
אפילו מזוזה אחת אינה
נעשית עיר הנדחת

מאי טעמא אמר קרא
(דברים יג, יז) ואת כל
שללה תקבוצ אל תוך
רחבה ושרפת באש וכיון
דאי איכא מזוזה לא אפשר
דכתיב (דברים יב, ד) לא
תעשון כן לה' אלהיכם אמר
רבי יונתן אני ראיתיה
וישבתי על תילה

Why is the story of the idolatrous city introduced to our Gemara? What is it meant to teach? How do you understand the positions of Rabbi Yonatan in contrast to the positions attributed to either Rabbi Yehudah or Rabbi Shimeon? How do the rabbis understand the punishment of the wayward son in the Torah? Why do you think these verses are in the Torah?

Part IV: The Commentators

Melekheth Sh'lomo, Sanhedrin, Chapter 8, 16th century	מלאכת שלמה סנהדרין פרק ח הרב שלמה בן הרב ישועה עדני 16th century
The wayward son is judged according to his end: In the Gemara, there's a <i>baraita</i>, Rabbi Yosi HaGalili says, "And because he ate a <i>tarteimar</i> of meat and drank a half of <i>log</i> of Italian wine, the Torah says he should go out to be stoned?" Rather the Torah comes to the end of the mindset of the wayward son, that eventually, he'll finish the possessions of his father, and he won't find more, and he'll go out to the crossroads, and he'll steal from others. For this reason, the Torah says he should die innocent rather than die guilty, because the death of the wicked is good for them and good for the world.	בן סורר ומורה נידון על שם סופו. גמרא תניא ר' יוסי הגלילי אומר וכי מפני שאכל זה תרטימר בשר ושתה חצי לוג יין האטלקי אמרה תורה יצא לב"ד ליסקל אלא הגיעה תורה לסוף דעתו של בן סורר ומורה שסוף מגמר נכסי אביו... ואינו מוצא ויוצא לפרשת דרכים ומלסטים את הבריות אמרה תורה ימות זכאי ואל ימות חייב שמיתתו של רשעים הנאה להם והנאה לעולם
Responsa of Beit Mordechai, Section 2 <i>R. Mordechai Fogelman, 19th century</i>	שו"ת בית מרדכי חלק ב סימן כג
The practice of the Meiri in his books is not to leave out a single thing, small or large, that is mentioned in the Gemara. He brings the different opinions, established his position, explains, clarifies, and finally makes a ruling. In our <i>sugya</i>, he passes over in silence the words of the Sages that with regard to the wayward son, the idolatrous city, and the leprous house, say, "they never were and never will be, and why were they written, to interpret and receive merit." In	דרכו של המאירי בספרו זה שלא להשמיט דבר קטן וגדול של הגמרא. הוא מביא את הדעות השונות, נוקט עמדה, מסביר ומברר ולבסוף פוסק. בסוגייתנו הוא עובר בשתיקה על דברי החכמים האומרים שסורר ומורה, עיר הנדחת ובית המנוגע לא היו ולא עתידין להיות, ולמה נכתבו - דרוש וקבל שכר. בספרו לסנהדרין עא, א פוסק המאירי בקצרה: "ואין הלכה כר' יהודה, ודין סורר ומורה נעשה אף בשאין שוים, וכן אף בשאינה ראויה לו... כבר



his writings on Sanhedrin 71, the Meiri briefly writes, “the *halakhah* is not according to Rabbi Yehudah, and the law of the wayward son is executed even when the parents are not equal, and even when the mother is not appropriate for the father... And you also know that the law of the idolatrous city... you learned that which they said that “even if there is a single *mezuzah*, the city is saved,” and the *halakhah* doesn’t follow that opinion.

And the reason for this is it doesn’t make sense that the wayward son, the idolatrous city, and the leprous house, positive and negative commandments, were not written in the Torah so that they they would be observed and performed and executed, but only for the purpose of “interpret and receive merit.” Meaning, to interpret and examine in the name of interpretation and examination of the issues alone, never with the purpose of executing them in the future! “The *midrash* is not the essence but the action.” Tens, even hundreds of times, the Torah commands us, especially in Deuteronomy, in its beloved language, with emphasis and different expressions, the laws and rules of the Torah. Meaning, not to relate to them as if they were symbolic commandments, purely educational, academic, and abstract. The sages opposed, as it’s known, symbolic interpretations and explanations of the commandments of the Torah, as is the way

ידעת בדין עיר הנדחת... למדת במה שאמרו בכאן
"...שאף מזוזה אחת מצלת, שאין הלכה כן

וטעמו של דבר הוא: לא מסתברת הדעה שבן
סורר ומורה, עיר הנדחת ובית המנוגע, מצות
עשה ולא תעשה שבתורה
לא נכתבו כדי לשמרן ולעשותן ולבצען למעשה,
אלא משום "דרוש וקבל שכר" בלבד. כלומר,
לדרשן ולחקרן לשם דרוש וחקירה עיוניים בלבד,
ושאף פעם לא בוצעו למעשה בעבר, ואף פעם לא
יבוצעו למעשה בעתיד! "לא המדרש הוא העיקר
אלא המעשה". עשרות, ואולי מאות פעמים,
נצטוינו בתורה, במיוחד במשנה תורה, בלשונה
הנלבבת, בהדגשות ובביטויים שונים, לשמור
ולעשות את כל המצוות, המשפטים והחוקים של
התורה. כלומר, לא להתייחס אליהם כאל צווים
סמליים, חנוכיים ועיוניים ומופשטים בלבד. חז"ל
התנגדו, כידוע, לפירושים והסברים סמליים של
מצות התורה, כדרכם של הקרובים לחכמת
יונית... הם ראו בשיטה זו סכנה לקיומן ולביצוען
למעשה של מצות התורה וחוקיה

of those who are associated with Greek wisdom. They saw in this method a danger to the establishment and execution of the commandments of the Torah and her laws. ... But, rather it doesn't make sense to say that the commandments of the Torah were never meant to be performed and never will be performed, and they were written only "to interpret and receive merit."	... אבל לא מסתבר לומר שבתורה נכתבו מצוות שמעולם לא קוימו ולעולם לא תקוימנה, ונכתבו רק משום "דרוש וקבל שכר" בלבד
Arvai Nahal, Devarim, Parshat Re'eh <i>Rav David Shlomo Eibshitz (1755-1814)</i> Therefore, it seems to me the opposite, as it's said in Sanhedrin, "the wayward son never was and never will be, and it was only said to interpret and receive merit." Regardless, this law doesn't fall under the courts of human jurisdiction, because human courts refers to that which is handed to the lower <i>beit din</i> to judge, which isn't true in this case, which is only for the purpose of interpreting and receiving merit. Regardless, this law falls under the heavenly courts, in the heavenly courts, people are judged on future actions, for better or for worse, as in the case of the wayward son... but in human courts, one does not judge based on the final end in any circumstance.	ערבי נחל דברים ראה - דרוש א לכן נ"ל להיפך, לפי שאמרו רז"ל (סנהדרין עא א) בן סורר ומורה לא היה ולא עתיד להיות, ולא נאמרה אלא דרוש וקבל שכר. ממילא דין זה אינו כלל דיני אדם, כי דיני אדם היינו מה שנמסר לבית דין שלמטה לדון, משא"כ זה אינו אלא דרוש וקבל שכר ממילא דין זה אינו נקרא רק דיני שמים, ממילא בדיני שמים נידון על העתיד בין לרעה כמו בן סורר ומורה ... אבל בדיני אדם אין נידון על שם סופו בשום דבר

