



Dealing With Difficult Children

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Mary Douglas, Purity and Danger

I believe that ideas about separating, purifying, demarcating and punishing transgressions have their main function to impose system on an inherently untidy experience. It is only by exaggerating the difference between within and without, about and below, male and female, with and against, that a semblance of order is created [...](pp. 4)

Danger lies in transitional states simply because transition is neither one state nor the next it is undefinable... to say that the boys risk their lives says precisely that to go out of the formal structure and to enter the margins is to be exposed to power that is enough to kill them or make their manhood. (pp. 97)

דברים כא:יח-כא

¹⁸כִּי יִהְיֶה לְאִישׁ בֶּן סוֹרֵר וּמוֹרֵה אֵינָנוּ שֹׁמְעֵי בְּקוֹל אָבִיו וּבְקוֹל אִמּוֹ וַיִּסְרוּ אוֹתוֹ וְלֹא יִשְׁמַע אֲלֵיהֶם: ¹⁹וַתִּפְשׁוּ בוֹ אָבִיו וְאִמּוֹ וְהוֹצִיאוּ אוֹתוֹ אֶל זִקְנֵי עִירוֹ וְאֶל שַׁעַר מִקְדָּמוֹ: ²⁰וְאָמְרוּ אֶל זִקְנֵי עִירוֹ בְּנֵנוּ זֶה סוֹרֵר וּמוֹרֵה אֵינָנוּ שֹׁמְעֵי בְּקוֹלֵנוּ זֹלָל וְסָבָא: ²¹וַרְגְּמֵהוּ כָּל אַנְשֵׁי עִירוֹ בָּאֲבָנִים וּמָת וּבַעֲרָתָהּ הָרַע מִקִּרְבָּךְ וְכָל יִשְׂרָאֵל יִשְׁמְעוּ וִירָאוּ:

Deuteronomy 21:18-21

¹⁸If a man has a wild 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.

1. Parents vs. Others

שמות כא:טו, יח, יט

¹⁵מִכָּה אָבִיו וְאִמּוֹ מוֹת יוּמָת: [...] ¹⁸וְכִי־יִרְיֹבֶן אֲנָשִׁים וְהִכָּה־אִישׁ אֶת־רֵעֵהוּ... ¹⁹[...] רַק שְׂבָתוֹ יִתֵּן וְרִפָּא יִרְפָּא:

Exodus 21:15, 18, 19

¹⁵He who strikes his father or his mother shall be put to death. [...] ¹⁸When men quarrel and one strikes the other... ¹⁹[...] except that he must pay for his idleness and his cure.

2. What Does “Son” Mean?

משנה סנהדרין ח:א

בן סורר ומורה מאימתי נעשה בן סורר ומורה? משיביא שתי שערות, ועד שיקיף זקן, התחתון ולא העליון. אלא שדברו חכמים בלשון נקיה. שנאמר “כי יהיה לאיש בן” (דברים כא:יח) - “בן” ולא בת; “בן” ולא איש. קטן פטור, שלא בא לכלל המצות.

Mishnah Sanhedrin 8:1

A wild and unruly son—from what time can he become a wild and unruly 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.

3. What Does “Minor” Mean?

משנה חגיגה א:א

הכל חייבים בראיה חוץ מחירש שוטה וקטן [...] איזהו קטן? כל שאינו יכול לרכוב על כתפיו של אביו...

Mishnah Hagigah 1:1

Everyone is obligated in seeing [the Temple Mount] except for a deaf-mute, an incompetent or a minor. [...] What is a minor? Anyone who can't ride on his father's shoulders...

משנה שקלים א:א-ג

באחד באדר משמיעין על השקלים [...] בעשרים וחמשה ישבו במקדש. משישבו במקדש התחילו למשכן. את מי ממשכנין? לויים וישראלים, גרים ועבדים משוחררים אבל לא נשים ועבדים וקטנים.

Mishnah Shekalim 1:1-3

On the first of Adar, a proclamation is made about the [giving of the] *shekalim*. [...] On the 25th they would set up in the Temple. When they moved to the Temple, they began to mortgage. Who did they take mortgages from? Levites, Israelites, converts and freed slaves—but not women, slaves and minors.

Exodus 30:14

שמות ל:יד

Everyone who is entered in the records, from the age of twenty years up, shall give the Lord's offering.

כל העֶבֶר עַל הַפְּקָדִים מִבֶּן עֶשְׂרִים שָׁנָה וּמַעְלָה יִתֵּן תְּרוּמַת ה'.

4. What does “סורר ומורה” / “Wild and Unruly” Mean?

a. Innovation—חידוש

Deuteronomy 2:27

דברים ב:כז

I will keep strictly to the highway, turning off neither to the right nor to the left.

אֶעֱבֹרָה בָּאָרֶץ, בַּדֶּרֶךְ בַּדֶּרֶךְ אֲלֵךְ לֹא אָסוּר, יָמִין וּשְׂמָאוֹל:

b. Rejecting, opposing—שלילה

Zechariah 7:11

זכריה ז:יא

But they refused to pay heed. They presented a balky back and turned a deaf ear.

וַיִּמָּאֲנוּ לְהִקְשִׁיב וַיִּתְּנוּ כֹתֵף סָרְרָת וְאַזְנֵיהֶם הִכְבִּידוּ מִשְׁמוֹעַ:

c. Control—שליטה

Proverbs 5:13

משלי ה:יג

I did not pay heed to my teachers,
Or incline my ear to my instructors.

וְלֹא־שָׁמַעְתִּי בְּקוֹל מוֹרֵי
וְלִמְלַמְדִּי לֹא־הִטִּיתִי אָזְנִי:

5. Internal Biblical Development

Genesis 42:37

You may kill my two sons if I do not bring him back to you.

בראשית מב:לז

וַיֹּאמֶר רְאוּבֵן אֶל-אָבִיו לֵאמֹר אֶת-שְׁנֵי בְנֵי תָמִית אִם-לֹא
אֶבְיָאֵנּוּ אֵלַיךְ...

Genesis 38:24

Bring her out, and let her be burned.

בראשית לח:כד

... הוציאוהּ וְתִשְׂרֶף:

6. Between the Private and the Public

א. תלמוד בבלי סוטה כה.

דאמר ר' יאשיה, שלשה דברים סח לי זעירא מאנשי ירושלים: בעל שמחל על קינויו - קינויו מחול, וזקן ממרא שרצו בית דין למחול לו - מחולין לו, ובן סורר ומורה שרצו אביו ואמו למחול לו - מחולין לו.

a. Babylonian Talmud Sotah 25a

As R. Yoshayah said: "Three things Zeira related to me from the people of Jerusalem: If a husband forgave his warning—his warning is forgiven; if a court wanted to forgive a rebellious elder—they forgive him; and *if the father and mother of a wayward and rebellious son wanted to forgive him—they forgive him.*

b. Kate Millet, Sexual Politics, pp. 33-35

The chief contribution of the family in patriarchy is the socialization of the young (largely through the example and admonition of their parents) into patriarchal ideology... As co-operation between the family and the larger society is essential, else both would fall apart, the fate of three patriarchal institutions, the family, society, and the state are interrelated.

c. Catherine MacKinnon, Feminism Unmodified pp. 99, 101

The liberal ideal of the private... holds that so long as the public does not interfere, autonomous individuals interact freely and equally...

Abstract privacy protected abstract autonomy, without inquiring into whose freedom of action is being sanctioned at who's expense.