

Small Tastings of Torah, Judaism and Spirituality

From Rav Binny Freedman

(Portion of Ki Teitzeh)

I recently read a vignette received in an email, which touched me:

A fellow, on his way home, stopped to watch a Little league baseball game being played in the park. Sitting down on the sidelines to watch he asked one of the boys playing what the score was: "We're behind fourteen to nothing" the boy replied with a grin.

'Really?' Said the fellow watching, "you don't seem at all discouraged?"

"Discouraged? Asked the boy with a puzzled look on his face:

"Why would I be discouraged? We haven't been up to bat yet!"

Sometimes, we get too focused on where we are headed and lose sight of where we really are....

This week's portion of *Ki Teitzeh* contains one of the most difficult set of laws in the entire Torah: the laws of the *Ben Sorer U'moreh*: the wayward son. This refers to a child who has adopted a pattern of negative behavior that we presume will eventually lead him to a horrible life of bloodshed and violence.

The Talmud (Mishna Sanhedrin 8:5) declares: "*Ben Sorer U'Moreh nidon al shem sofo.*"

The wayward son is judged based on what his end would be, even though as of yet he has not yet committed the crime. Jewish tradition thus declares: let him die now while he is still innocent, before he is executed for a capital offense that will otherwise certainly follow.

This is reminiscent of our modern day dilemma of the 'ticking time bomb', referring to the question of whether we should take out a terrorist before he actually commits the crime and judge him for what we believe he intended to do....

But this approach seems to be in conflict with another principle which we allude to in our Torah reading on *Rosh Hashanah*:

On the first day of Rosh Hashanah we read of the story of Yishmael, banished along with his mother (Avraham's handmaiden) from his home due to his wicked behavior (see Rashi Bereishit 21: 11). Lost in the desert with no food or water and seemingly dying of thirst, G-d has mercy and hears the voice of the lad (*Yishmael*) crying of thirst and miraculously saves them both.

The Talmud, (Rosh Hashanah 16b) notes that the verse (*Bereishit* 21:17) has G-d hearing the voice of the lad "*Ba'asher hu sham; Where he is.*" And **Rashi** (ibid.; quoting the *Midrash*) explains that the Angels cry out to G-d asking why He is sparing the lad whose descendants will cause so much pain and suffering to the Jewish people. To which G-d responds: right now he is repenting and is righteous, and we judge a person by virtue of where he is and not where he will be.

The clear implication here is that we do not pay attention to the possible future wickedness of an individual, if currently they have done no wrong.

So which is it? Do we punish a person based on where we think they are headed as suggested in the case of the wayward son in our portion of *Ki Teitzeh*? Or do we heed the message emanating from G-d's

saving of Yishmael, paying no mind to the evil that may lie down the road? How can we reconcile these two perspectives?

Interestingly, there are other cases where we similarly seem to punish an individual for evil that we presume will follow though the evil deed is not yet done.

For example, the case of a *Rodef* (*pursuer*), who is allowed to pursue the individual who accidentally killed his blood relative: We are allowed to stop the *Rodef* even if the only way to accomplish this is by killing him, a surprising law given that the *Rodef* has not yet actually done anything, thus essentially allowing us to punish an individual for an act he has not actually yet committed!

Some posit (see the *Birkas Avraham*) that we are not actually ***punishing*** the Rodef, or for that matter the wayward son, we are ***saving*** him from the terrible consequence that would be the result of his inevitable wicked acts. Better he should die free of sin....

The only problem with that approach is why G-d then saves Yishmael who is destined to live a violent wicked life? Imagine if Yishmael had indeed died and the Arab nations descended from him had not been born? How much pain and suffering would we have been spared? So why does G-d save Yishmael?

Perhaps the fundamental difference that sets apart the case of Yishmael, is precisely that his wickedness was not inevitable. G-d hears his cries, which means that he was crying out to G-d. In that moment, perhaps he regretted who he had become and genuinely desired to change. And this was what G-d heard in deciding to spare Yishmael....

Indeed, the essence of *tefilah* loosely translated as prayer, is struggling with what we really want, and what G-d really wants of us. And changing what we want, and who we want to be, can in fact change everything. Real change begins with *wanting* to change, and if we can decide to ***want*** something different, we can eventually succeed in actually ***becoming*** something different.

The wayward son does not want to change and does not seem to want anything different which is why technically at least, the Torah suggests we would be better off without him.

The Torah may well be suggesting that there can come a point where a person not only leads a wicked life but ***wants*** a wicked life, in which case (a decision only G-d can make) perhaps the world would be better off without him.... (Think how different the world would be if a young Adolph Hitler had never grown up....)

But no matter how far down an unhealthy path we may sometimes feel we have tread, if we can change what we want, just like the turnaround of Yishmael, we can change everything.

Wishing all a Shabbat Shalom, and a good, sweet happy and healthy New Year!

From Jerusalem,

Binny Freedman