



Confused Home Confused Son

Ki Seitzei 5780

In the Parsha of Motzi Shem Rah, the Psukim say the following:

ולקח אבי הנער ואמה והוציאו את בתולי הנער אל זקני העיר השערה: ואמר אבי הנער אל הזקנים את
בתי נתתי לאיש הזה לאשה וישנאה (כב, טו-טז)

Rashi points out the fact that both the father and mother bring their daughter to court, but only the father speaks teaches us **מלמד שאין רשות לאשה לדבר בפני האיש**. That a wife does not have permission to speak in front of her husband.

However, in the beginning of the Parshah when it talks about Ben Sorer Umoreh, the Psukim say as follows:

ותפשו בו אביו ואמו והוציאו אתו אל זקני עירו ואל שער מקומו: ואמרו אל זקני עירו בננו זה סורר ומרה
איננו שמע בקלנו זולל וסבא (כא, יט-כ)

We see from these Psukim that when both the parents come in to Beis Din to turn their wayward son in, they **both** make the statement **איננו שמע בקלנו** as the Pasuk says **ואמרו**. Why do we not say in this context **שאין רשות לאשה לדבר בפני האיש**?

One answer could be based on the opinion of Reb Yehuda in the Gemara Sanhedrin 71a who says the following:

רבי יהודה אומר אם לא היתה אמו שוה לאביו בקול ובמראה ובקומה אינו נעשה בן סורר ומורה מאי טעמא
דאמר קרא איננו שמע 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 ע"כ.

Reb Yehuda is of the opinion that if the voice and appearance of the father and mother of the wayward son are not the same, then the son can't be halachically considered a Ben Sorer Umoreh because the situation doesn't fulfil the necessary requirements. Perhaps we could suggest that this condition needs to be met in order for the son to be considered a Ben Sorer Umoreh, therefore when the parents make their claim in Beis Din they must speak at the same time in order for the Beis Din to discern whether or not their voices are the same.

Another answer could be based on the following. The Gemara in Sukkah 56b has the incident with Miriam Bas Bilgah who stomped on the Mizbeach and her entire family was punished. The Gemara questions if it was her issue, why was her entire family punished? To which the Gemara answers **מה שהתינוק מדבר**. Rashi explains **כדאמרי אינשי: שותא דינוקא בשוקא, או דאבוה או דאימיה**. The utterances of a child come from what the child hears from their mother and father and therefore the family was punished. We see from here that a child is heavily



influenced by his or her surroundings and their words and actions can be a direct result of their parents.

According to this we could say that a Ben Sorer Umoreh is most likely a product of a marriage with poor Shalom Bayis, to the point where the mother speaks at the same time as her husband and doesn't adhere to the concept שאין רשות לאשה לדבר בפני האיש. As a result, such a child is inevitable, as he grows up and is influenced by his poor and dysfunctional environment.

To add as proof that this child comes from a poor marriage, Rashi, in the beginning of the Parshah, explains the connection from each topic to the next (סמיכת הפרשיות) beginning with Eishes Yifas Toar all the way down to the Ben Sorer Umoreh. Rashi on Pasuk 11 says as follows:

אבל אם נשאה, סופו להיות שונאה, שנאמר אחריו (פסוק טו) כי תהיין לאיש וגו' וסופו להוליד ממנה בן סורר ומורה, לכך נסמכו פרשיות הללו ע"כ.

We see that the Eishes Yifas Toar will eventually become the שונאה who will then be the one to give birth to the Ben Sorer Umoreh. Therefore we could suggest that the reason why such a child came to be was because of the lack of Shalom Bayis and respect between husband and wife, as we see the mother speaks alongside the husband in court and disregards the concepts שאין רשות לאשה לדבר בפני האיש.

(Malchus Beis Dovid)