



FIGURE 7.6. A car decorated with emblems of loyalty, and a sign modified to reject one kind of loyalty.

#### 4. THE AUTHORITY/SUBVERSION FOUNDATION

Soon after I returned from India I was talking with a taxi driver who told me that he had just become a father. I asked him if he planned on staying in the United States or returning to his native Jordan. I'll never forget his response: "We will return to Jordan because I never want to hear my son say 'fuck you' to me." Now, most American children will never say such an awful thing to their parents, but some will, and many more will say it indirectly. Cultures vary enormously in the degree to which they demand that respect be shown to parents, teachers, and others in positions of authority.

The urge to respect hierarchical relationships is so deep that many languages encode it directly. In French, as in other romance languages, speakers are forced to choose whether they'll address someone using the respectful form (*vous*) or the familiar form (*tu*). Even English, which doesn't embed status

into verb conjugations, embeds it elsewhere. Until recently, Americans addressed strangers and superiors using title plus last name (Mrs. Smith, Dr. Jones), whereas intimates and subordinates were called by first name. If you've ever felt a flash of distaste when a salesperson called you by first name without being invited to do so, or if you felt a pang of awkwardness when an older person you have long revered asked you to call him by first name, then you have experienced the activation of some of the modules that comprise the Authority/subversion foundation.

The obvious way to begin thinking about the evolution of the Authority foundation is to consider the pecking orders and dominance hierarchies of chickens, dogs, chimpanzees, and so many other species that live in groups. The displays made by low-ranking individuals are often similar across species because their function is always the same—to appear submissive, which means small and nonthreatening. The failure to detect signs of dominance and then to respond accordingly often results in a beating.

So far this doesn't sound like a promising origin story for a "moral" foundation; it sounds like the origin of oppression of the weak by the powerful. But authority should not be confused with power.<sup>28</sup> Even among chimpanzees, where dominance hierarchies are indeed about raw power and the ability to inflict violence, the alpha male performs some socially beneficial functions, such as taking on the "control role."<sup>29</sup> He resolves some disputes and suppresses much of the violent conflict that erupts when there is no clear alpha male. As the primatologist Frans de Waal puts it: "Without agreement on rank and a certain respect for authority there can be no great sensitivity to social rules, as anyone who has tried to teach simple house rules to a cat will agree."<sup>30</sup>

This control role is quite visible in human tribes and early civilizations. Many of the earliest legal texts begin by ground-

sentenced to death, even though he repents, he is not liable, for that person will be executed.<sup>46</sup> If, however, he embarrasses him, he is liable to pay a fine for embarrassing him.

13. If a person's father or mother committed a transgression punishable by lashes and the son is a court attendant, he should not lash them.<sup>47</sup> Similarly, if they were obligated to be placed under a ban of ostracism, he should not be the agent to apply this ban.<sup>48</sup> Nor should he push them or degrade them while acting as the emissary of the court<sup>49</sup> even though it is fit to do this to them and they have not repented.

14. A son should not serve as an agent to strike or curse [his parents] except if they entice others to worship idols.<sup>50</sup> For [concerning such a person], the Torah [Deuteronomy 13:9] states: "Do not have pity and do not cover up for him."<sup>51</sup>

15. In any situation where a person is obligated to take an oath to his son, we always endeavor that he never obligate him to take an oath that involves a curse.<sup>52</sup> Instead, he should have him take an oath that does not involve a curse.<sup>53</sup>

We already explained,<sup>54</sup> that when a father kills his son, none of the slain person's brothers becomes "the redeemer of the blood."<sup>55</sup> The Torah showed concern not only for striking or cursing one's parents, but also for shaming them. Anyone who shames his parents, even with words alone or merely with an insinuation, is cursed by the Almighty, as [Deuteronomy 27:16] states: "Cursed be he who degrades his father and his mother." And [Proverbs 30:17] states: "The eye that mocks a father<sup>56</sup> and scorns the training of a mother, [the ravens... will gouge it out]." The court has the right to administer stripes for rebellious conduct<sup>57</sup> because of this and to punish in the manner they see fit.

### CHAPTER SIX

**1** Honoring one's father and mother is a positive commandment<sup>1</sup> of great importance, as is fearing one's father and mother.<sup>2</sup> The Torah equates<sup>3</sup> [the

there is no concept of wounding a dead person. There is, however, a concept of wounding someone going to his death.

46. As stated in Chapter 7, Halachah 9, whenever a person is sentenced to death, it is as if he was already executed. See also *Hilchot Edu* 19:2.

47. Even though he is not acting on his own, but as the agent of the court, he should not be the one charged with this responsibility.

48. For this resembles cursing (Radbaz).  
49. See *Hilchot Sanhedrin* 24:5,9.

50. We have used general terms in our translation. In particular, the wording used by the Rambam has a specific connotation. A *mesit* is someone who attempts to entice an individual to worship false deities. A *madtach* is someone who attempts to lead an entire city astray. See *Hilchot Avodat Kochavim*, ch. 5.

שְׁעֵשֶׂה חֲשׂוּבָה – הַיְדֵי זֶה פְּטוּר, הוֹאֵל יְהוּא הוֹלֵךְ לְמִיתָהוּ. וְאִם בְּיִשׁוּ – חַיֵּב בְּקֹנֶם הַמְּבַשֵּׂשׁ.

יֵי עֵבֶר אָבִיו וְאִמּוֹ עַל עֲבֵרָה שְׁלוּקוֹן עֲלֵיהֶּ. וְהָיָה הוּא חוֹנֵן לְפָנֵי הַדַּיָּנִים – לֹא יִבָּה אוֹתָם. וְכֵן אִם נִחְיָבֵי נְדוּי – לֹא יִהְיֶה שְׁלִיט לְנִדְוָתָם. וְלֹא יִדְחֶה אוֹתָם וְלֹא יִבְיָה אוֹתָם בְּשִׁלְחֵיהֶם בֵּית דִּין, אֶף עַל פִּי שְׁוֹן רֵאוּיָיו לְבָד וְלֹא עֲשׂוֹ חֲשׂוּבָה.

יֵי לְכַל אֵין הַבֵּן נַעֲשֶׂה שְׁלִיט לְהַפְּחוֹ וּלְקַלְלוֹ, חוּץ מִפְּסִיט וּמְדִיט. שְׁוֹנֵי אֶמְרָה תוֹרָה: לֹא תִחַמֵּל וְלֹא תִפְסֶה עֲלָיו.

טו מִי שֶׁנִּחְיָבֵיט שְׁבִיעָה לְבֵנו – קֵד רֵאוּנוּ בּוֹ תְּמִיד, שְׂאִינוּ מִשְׁבִּיעוּ בְּשִׁבְעַת הָאֵלֵּי, שְׁוֹנֵי זֶה כֹּה לְקַלְלַת אָבִיו, אֲלֵּא מִשְׁבִּיעוּ שְׁבִיעָה שְׂאִין בָּה אֵלֵּה. וְיִכָּר בְּאֶרְצוֹ, שְׁוֹעָב שְׁוֹעָב אֵת בְּנו – אֵין אֶחָד מֵאֲחֵיו שֶׁל נְהַרְג נַעֲשֶׂה גוֹאֵל הַדָּם. וְלֹא עַל הַכָּזָה וְלֹא עַל הַקְּלָלָה בְּלִבֵּר הַקְּפִידָה תוֹרָה, אֲלֵּא אֶף עַל הַבְּדוּן. שְׁפֵל הַמְּבִיָּה אָבִיו אוֹ אִמּוֹ, אֲפִלּוּ בְּוִכְרִים וְאֲפִלּוּ בְּרִמְזוּת – הַיְדֵי זֶה אֲרוּר מִפִּי הַגְּבִירָה. שְׁנֹאָמַר: אֲרוּר מְקַלֵּה אָבִיו וְאִמּוֹ. וְהַיְדֵי הוּא אוֹמֵר: עֵין תִּלְעַג לְאֵב וְתִבְוֵי לִישׁוֹתָ אִם וְגוֹמֵר. וְהִשׁ לְבֵית דִּין לְהַפּוֹת עַל זֶה מִפְּחִ מְדִיטוֹת וְלַעֲנֵשׁ כְּפִי מַה שְׁוֹרָאוּ.

### פֶּרֶק עֵשֶׂר

א כְּבוֹד אֵב נֶאֱם – מִצְוֹת עֲשֶׂה גְדוּלָה. וְכֵן מוֹרָא אֵב נֶאֱם. שְׁקֵל אוֹתָן הַחַיִּיב בְּכִבּוֹד וּבְמוֹרָאוֹ.

51. Having one's son administer these punishments may be more painful to bear than the punishments themselves.

52. See *Hilchot Shi'vuot* 11:9.

53. I.e., he should take an ordinary oath, mentioning God's name and stating that he does not owe his son anything.

54. *Hilchot Rotzeach* 1:3.

55. Who is obligated to kill the slayer.

56. By mentioning an "eye that mocks," the prooftext emphasizes that any mocking, even a mere insinuation is considered worthy of punishment.

57. See *Hilchot Sanhedrin* 26:5.

1. *Sefer HaMitzvot* (positive commandment 210) and *Sefer HaChinuch* (mitzvah 33) count this as one of the 613 mitzvot of the Torah.

2. *Sefer HaMitzvot* (positive commandment 211) and *Sefer HaChinuch* (mitzvah 212) count this as one of the 613 mitzvot of the Torah.

3. See the Jerusalem Talmud, *Pe'ah* 1:1, which explains that the honor one is required to show one's parents exceeds that which one is required to show God, as it were (Radbaz).

honor and fear of one's parents] with the honor and fear of [God] Himself. [Exodus 20:12] states: "Honor your father and your mother," and [Proverbs 3:9] states: "Honor God from your wealth." Similarly, with regard to one's father and mother, [Leviticus 19:3] states: "A person must fear his mother and father," and [Deuteronomy 6:13] states: "And you shall fear God, your Lord." Just as He commands us to honor and fear His great name, so, too, He commands us to honor and fear our parents."

2. A person who curses his father or mother is executed by stoning and a person who blasphemes God is executed by stoning. Thus the punishment for the two is equated.

A father is mentioned before a mother with regard to honor and a mother is mentioned before a father with regard to fear to teach that they are both equal with regard to fear and honor.<sup>4</sup>

3. What is meant by fear and what is meant by honor? Fear [is expressed by] not standing in his place,<sup>5</sup> not sitting in his place,<sup>6</sup> not contradicting his words, nor offering an opinion that outweighs his.<sup>7</sup>

He should not call him by name, neither during his lifetime nor after his death. Instead, he should say: "My father and my master."<sup>8</sup> If his father or his teacher had the same name as others, he should call those [other people] by a different name.<sup>9</sup> It appears to me that one should be careful only with regard to this matter with regard to a name that is unusual and which is not used frequently by people. With regard to the names which people are generally called, by contrast, e.g., Abraham, Isaac, Jacob, Moses, and the like, one can call others by that name in any language and at any time outside [his father's] presence without thinking anything of the matter.<sup>10</sup>

What is meant by honoring them? One should bring them food and drink, clothe them and cover them from their own resources.<sup>11</sup> If a father does not have financial resources and a son does, the son is compelled<sup>12</sup> to sustain his father and his mother according to his capacity.<sup>13</sup> He should take him out and

4. *Kiddushin* 31a states that a child has a tendency to honor his mother more than his father. Therefore, his father is mentioned first with regard to this mitzvah. And his tendency is to fear his father more, so with regard to that mitzvah, his mother is given first mention.

5. I.e., taking his position in the place where elders usually stand and take counsel with each other. Alternatively, it refers to standing in his place in the synagogue [*Shulchan Aruch* (*Yoreh Deah* 240:2)].

6. I.e., the place where he dines at home.

7. Our translation is based on a responsum of the Rambam (Responsum 264). Others render the term as supporting his words. For supporting his father's decision implies that his support enhances his father's words. That is a mark of disrespect.

When quoting this law, the *Shulchan Aruch* (*op. cit.*) mentions that this applies in his father's presence. For that is a mark of disrespect. Outside his father's presence, he may differ with him or justify his father's opinion. It would appear that the Rambam himself

כותוב: פברו את אביו ואת אמו, וכותוב: פברו את יי מהוהו. וקאביו ואמו כותוב: איש אמו ואביו תיראו. וכותוב: את יי אלהיך תירא. פברו שצוה על פברו שמו הגדול ומרואו, קו צוה על פברום ומרואם.

כ המקלל אביו או אמו – בסקילה, והמגדף – בסקילה. הנה השנה אותן בענשו. והקדים אב לאם לכותוב, והקדים אם לאב למרוא. ללמד ששניהם שווים, בין למרוא בין לקבו.

ג אי ירהו מרואו, ואי ירהו פברו? מרוא – לא עומד במקומו, ולא יושב במקומו, ולא סותר את דבריו, ולא פקדיע את דבריו.

ולא יקרא לו בשמו, לא פתיוו ולא פווחו, אלא אומר: אבא קרי. קיה שם אביו או שם רבו לשם אחרים – משנה את שמם. יראה לי, שאין נזכר בקו אלא בשם שהוא פלא, שאין הפל דשין בו; אבל השמות שקוראין בקו את קעם, כגון אברהם יצחק ויעקב משנה וכיצא בקו, בקל לשון ובקל זמן – קורא בקו לאחרים שלא פקדו, ואין בקו פלום.

אי ירהו פברו? מאכלי ומשקה, מליבשי ומכסה – משל האב. ואם אין קמוו לאב, ויש קמוו לבן – מופין אותו וכן אביו ואמו כפי מה שהוה גול.

would accept this distinction, because we find that he did express different halachic opinions than his father. See *Hilchot Shechitah* 11:10.

This presumption is borne out by the Rambam's ruling in *Hilchot Talmud Torah* 5:6 where he states that a person may not contradict or support the words of his teacher "in his presence."

8. This is indeed the manner in which the Rambam refers to his father in *Hilchot Shechitah*, *loc. cit.* The Radbaz states that if a person refers to his father as Rabbi Abraham or the like, it is acceptable.

9. For others might think that he is referring to his father, and that will compromise his father's honor (Radbaz).

*Tosafot* Rabbenu Asher (*Horiot* 14a) gives an example of this concept. The Sage Rabbah raised the Sage Abbaye who was his nephew. The name Abbaye was actually coined by Rabbah because Abbaye shared the same name as Rabbah's own father. Indeed, that factor is indicated by the name itself. For Abbaye is an Aramaic derivative of the Hebrew *Avi*, meaning "my father." Ravva, Abbaye's colleague, by contrast, did not refer to him as Abbaye, but instead called him by his given name: Nachmeini.

10. It would appear that within his father's presence, this is forbidden.

11. Implied is that the son does not have to use his own resources to provide for his parents.

12. I.e., the court may use physical force to compel him to provide for them.

13. I.e., he is compelled to sustain them from the money that he would donate to charity [*Kesef Mishneh*; *Ramah* (*Yoreh Deah* 240:5)]. The *Ramah* adds that if the person has ample resources, he should be cursed if he sustains his father from money for charity.

bring him home and serve him in all the ways one serves a teacher.<sup>14</sup> Similarly, he should stand before him as one stands before a teacher.<sup>15</sup>

4. When a father was the student of his son, the father need not stand in the presence of the son.<sup>16</sup> The son, by contrast, must stand before his father even if he is his student.

[A son] is obligated to honor [his father] in other matters when he is carrying out his business and seeing to his concerns. What is implied? If a person went to a place because of his father's words, he should not say: "Hurry [and free] me on my own account," or "Let me go on my own account," instead "Hurry [and free] me because of my father," "Let me go because of my father."<sup>17</sup> Similar laws apply in all analogous situations. He should always include in his words [statements that indicate] that he is concerned with his father's honor and that he fears him.

5. A son] is obligated to honor [his father] even after his death. What is implied? If he repeats a teaching in his father's name, he should not say: "This is what my father said." Instead, he should say: "This is what my father, and teacher - may I serve as atonement for him<sup>18</sup> - said."

When does the above apply? Within twelve months of his passing.<sup>19</sup> After twelve months, he says of him: "May he be remembered for the life of the world to come."<sup>20</sup>

6. Both a man and a woman are obligated to honor and fear [their parents].<sup>21</sup> It is only that the man has the capacity to do this and a woman is subject to another's influence.<sup>22</sup> Therefore if she is divorced or widowed,<sup>23</sup> they are both equal.

7. To what degree does [the mitzvah of] honoring one's father and mother extend? Even if [one's parent] takes his purse of gold and throws it into the sea in his presence, he should not embarrass them, shout,<sup>24</sup> or vent anger at them. Instead, he should accept the Torah's decree and remain silent.<sup>25</sup>

14. See *Hilchot Talmud Torah* 5:8 which states that all the services a servant performs for his master must be performed by a student for his teacher.

15. See *ibid.*:7 which states that a person must stand in his teacher's presence from the time he sees him until he passes from his vision.

16. Even though that would have been appropriate as a mark of deference because he is his teacher. The Radbaz questions this ruling, stating that seemingly, out of respect for his Torah knowledge, the father should show the son this mark of deference and thus they should both stand for each other. This is the position taken by the *Tur* and the *Shulchan Aruch* (*Yoreh Deah* 240:7).

17. By making such statements, he enhances his father's prestige. Conversely, if he is unsure of whether speaking in the name of his father will not produce such positive results - and certainly if he is certain that it will not - he may or should make the request in his own name [Rashi (*Kiddushin* 32b); *Siftei Cohen* 240:8-9].

ומוציא ומקנים ומשמעו בשאר הדברים שהשמעים מהם בשם אביו וקרב ונעמד מפניו כדרך שהיה עומד מפני רבו.

ד והאב שהיה תלמיד בנו - אין האב עומד מפני הבן והבן עומד מפני אביו, אף על פי שהוא תלמידו.

והאב לברו בשאר דברים שישעו משאו ומתנו ועשיית הפצוי. ביצד? הנשבע בדבר אביו למקום - לא יאמר: מהרתי בשביל עצמי! פטורתי בשביל עצמי! אלא: מהרתי בשביל אבא! פטורתי בשביל אבא! וכן כל ביצא בזה, לעולם וכלל בכלל דבריו שהיה חושש בכבוד אביו ושמירתו ממנו.

ח והאב לברו אפילו לאחר מותו. ביצד? היה אומר דבר שמועה מפיו - לא יאמר: כך אמר אבא; אלא אומר: כך אמר אבא מרבי. אפי' פקדו משכבו.

כמה דברים אמורים? בתוך שנים עשר חדש שלאחר מיתתו; אכל לאחר שנים עשר חדש - אומר; וזכרונו לחיי העולם הבא.

ו אחר האיש ואחר האשה תבין במוח וזכור; אלא שהאיש יש בידו לעשות, והאשה אין בידה לעשות, שגורי רשות אחרים עליה. לפיכך, אם נתגורשה או נתאלמנה - הגוי שניהם שונים.

ז ער הדין הוא כבוד אב ואם? אפילו נטלו פיס של זהובים שלו והשליכו בפניו לים - לא יקלימם, ולא יצאק בפניהם, ולא יקעם בגודם; אלא יקבל ויגור הנחוב וישקוף.

18. I.e., may any misfortune be visited upon him in the spiritual realms be visited upon me.

19. After twelve months, however, this is unnecessary, for our Sages say that even the wicked are not judged in Gehinnom for longer than twelve months. Hence, all retribution will have already been visited upon him (*Kessef Mishneh*).

20. The *Shulchan Aruch* (*Yoreh Deah* 240:9) states that one should say: "May his memory be blessed." The *Turei Zahav* 240:13 states that a combination of both expressions should be used.

21. *Kiddushin* 30b derives this concept from the fact that the command to fear one's parents uses a plural verb, implying both a man and a woman.

22. I.e., her first obligation is to her husband.

*Shulchan Aruch* (*Yoreh Deah* 240:17) states that a woman is not obligated to honor her father while she is married for this reason. One might infer that she is liable to fear him even when married.

23. Or if her husband consents (*Sifte Cohen* 240:19).

24. Our translation is based on the authoritative manuscripts of the *Mishneh Torah*. The standard printed text is slightly different.

25. The Rambam's words are taken from *Kiddushin* 32a. The commentaries have



To what degree does [the mitzvah of] fearing them extend? Even if one was wearing fine garments and sitting at the head of the community, if one's father and mother came, ripped the clothes, struck him on the head, and spat in his face, he should not embarrass them.<sup>26</sup> Instead, he should remain silent and fear the King of kings who commanded him to conduct himself in this manner. Were a mortal king to decree something which would cause him even more suffering, he would not be able to move a limb [in protest]. Certainly, this applies [when the command emanates from] He who spoke and [caused] the world to come into existence as He desired it.

8. Although these commands have been issued, a person is forbidden to lay a heavy yoke on his sons and be particular about their honoring him to the point that he presents an obstacle to them.<sup>27</sup> Instead, he should forgo his honor and ignore [any affronts]. For if a father [desires to] forgo his honor, he may.<sup>28</sup>

9. A person who strikes a son who has attained majority<sup>29</sup> should be placed under a ban of ostracism, for he is transgressing [the charge, Leviticus 19:14]: "Do not place a stumbling block in front of the blind."<sup>30</sup>

10. When a person's father or mother lose control of their mental faculties, [their son] should try to conduct his [relationship] with them according to their mental condition until [God] has mercy upon them.<sup>31</sup> If it is impossible for him to remain with them because they have become very deranged, he should leave them, depart, and charge others with caring for them in an appropriate manner.<sup>32</sup>

11. A *mamzer*<sup>33</sup> is obligated to honor and fear his father even though he is not liable for striking him or cursing him until he repents.<sup>34</sup> Even when his father

questioned this ruling, for as stated above, a son is not obligated to suffer financial loss in order to honor his father. Indeed, *Kiddushin*, *loc. cit.*, speaks of the purse as belonging to the father, explaining that although the son is fit to inherit that purse, since the money is presently his father's, the son may not protest. Implied is that if the purse is the son's, he may.

The *Kesef Mishneh* explains that although he is not obligated to honor his father with his own funds, he must sacrifice all the money in the world not to cause him discomfort. The *Tur* and the *Ramah* (*Yoreh Deah* 240:8) state that if the father has already thrown the purse into the sea, the son must remain silent. Before he throws it, however, the son may try to prevent him from doing so. The *Bayit Chadash* and the *Siftei Cohen* 240:11 state that the son may sue the father for any loss he causes him. Hence, he may not embarrass him for causing him that loss.

26. The Rambam's words are taken from *Kiddushin* 31a which cites the example of a gentile in Ashkelon who conducted himself in this manner. Our Sages explain that, in this regard, he should be looked up to as an exemplar.

27. I.e., by presenting extensive demands, he may cause them to transgress and spurn the

נרד הידן מוּדָאָן? אִפְלוּ הִיָּה לְהִבָּשׁ בְּגָדִים תְּמוּדוֹת וְיִוָּשֵׁב בְּרֹאשׁ בְּנֵי תַקְהָל, וְיָבֵא אֲבִיו וְאִמּוֹ וְקָרַע בְּגָדָיו וְהִכּוּהוּ בְּרֹאשׁוֹ וְהִרְקוּ בְּפָנָיו – לֹא יִקְלִימֵם, אֲלֵא יִשְׁתַּק וְיִדְא וְיִפְחַד מִפְּלֶךְ מַלְכֵי הַמְּלָכִים שְׂאֵוֹתוֹ בְּקֹדֶשׁ שְׂאֵלוֹ מִלֶּךְ בְּשֵׁר וְגַם עֹזר עָלָיו דְּבַר שְׁהוּא מְצַעַר יְהוּר מִיָּה – לֹא הִיָּה יָכוֹל לְפָרֶס בְּדַבָּר; קַל הוֹמֵר לְמִי שְׂאֵמַר וְהָיָה הַעוֹלָם כְּרֹצוֹנוֹ.

ח אף על פי שִׁבְכוּ נְצֻוּיָנוּ, אִסּוּר לְאָדָם לְהִכְבִּיד עָלָיו עַל בְּנָיו וְלִדְחֹק בְּכֹדוֹ עִמָּהֶם, שְׂלֵא יִבְאֵם לְיָדֵי מְכָשׁוֹל, אֲלֵא יִחַל וְיִתְעַלֵּם; שְׂהָאָב שְׂמַחַל עַל כְּבוֹדוֹ – כְּבוֹדוֹ מְחֻל.

ט וְהַפְּחָה בְּנוֹ גְדוֹל – מְגֻדוֹן אוֹתוֹ, שְׁתְּרֵי הוּא עוֹבֵר עַל לִפְנֵי עוֹר לֹא תִהְיֶה מְכֻלָּה.

י מִי שְׂנִמְרָפָה דְעִמּוֹ שֶׁל אֲבִיו אוּ שֶׁל אִמּוֹ – מִשְׁתַּבֵּל לְהַרְגֵם עִמָּהֶם כְּפִי דְעִמָּם עַד שְׂעִתָּם עַל לִקְוֹ. וְאִם אֵי אִפְשֵׁר לוֹ לְעַמֵּד מִפְּנֵי שְׂנִישְׁפִּטוֹ בְּיִתְרוֹ – יִיחַם וְיִלָּךְ לוֹ, וְיִצְהֵר אַחֲרֵים לְהַרְגֵם כְּרֹאֵי לְהֵם.

יא הַמְמָזֵר חֵיב בְּכֹדוֹ אֲבִיו וּמוֹרָאוֹ, אִף עַל פִּי שְׁהוּא פְטוּר עַל מַפְחָו וְקָלְתוֹ עַד שְׂעִתָּה הַשְׁתְּבָה.

mitzvah. The *Kesef Mishneh* implies that this law is the Rambam's own deduction which he derived from the following halachah.

28. And thus a son will not be punished for failing to show the required honor; the son nevertheless fulfills a mitzvah by doing so (*Radbaz*, Vol. I, Responsum 524).

29. We have translated the term *gadol* according to its usual halachic meaning. The *Ramah* (*Yoreh Deah* 240:20) interprets this as referring to a son who has reached the age of 22 or 24.

30. As the Rambam explains in *Hilchot Rotzeach* 12:14, this command is interpreted as meaning, "Do not cause the spiritually blind to transgress." In this instance, by hitting his son after he has reached adulthood, the father is provoking him to perhaps respond in kind or to dishonor him in some way.

31. And heal them.

32. The Rambam's ruling is based on a narrative in *Kiddushin* 31b which relates how Rav Assi cared for his semite mother.

The Ra'avad differs with the Rambam's ruling, maintaining that if a son will not care for his parents, no one else will. The Radbaz supports the Rambam's ruling, explaining that the parents will take advantage of the child's obligation to respect them and make no effort to control their behavior. Other people, by contrast, will rebuke the parents severely and rather than suffer such rebuke, they will control themselves. (See, however, the *Turei Zahav* who offers a different interpretation of the Ra'avad's position.)

33. A person born out of an incestuous or an adulterous relationship.

34. For as reflected in the notes to Chapter 5, *Halachah* 12, a person is liable for striking and cursing his parents only when they are observant. And hence, until the father repents,

15. A person is obligated to honor his father's wife even though she is not his mother throughout his father's lifetime, for this is included in honoring his father. Similarly, he should honor his mother's husband throughout her lifetime. After [his parents'] death, however, he is not obligated to honor their spouses.<sup>44</sup>

It is a Rabbinical decree that a person is obligated to honor his oldest brother as he is obligated to honor his father.<sup>45</sup>

## CHAPTER SEVEN

### INTRODUCTION

Deuteronomy 21:18-21 states:

If a person will have a wayward and rebellious son who does not heed the voice of his father or the voice of his mother and they chastise him, but he does not heed them. His father and mother shall take hold of him and bring him out to the elders of his city and to the gate of his place. They say to the elders of his city: "This son of ours is wayward and rebellious. He does not heed our voice; he is gluttonous and a lush." All of the men of his city will clout him with stones, killing him, and you shall remove evil from your midst. All Israel shall hear and fear.

Our Sages (primarily in *Sanhedrin* 68b ff.) interpret this passage precisely, explaining how each term used in the passage teaches us a different concept. In the chapter that follows, the Rambam summarizes and organizes their teachings, giving us a clear-cut picture of the requirements of the mitzvah. It is important to emphasize that there is a difference of opinion among our Sages if the judgment of "a wayward and rebellious son" ever took place (*Sanhedrin* 71a). Some maintain that such a judgment was never issued. Indeed, from all the particulars mentioned by the Rambam, one can understand that it could be impossible for such a judgment to have been issued. Others maintain that they know of an instance where an individual was executed because of this transgression.

*Sanhedrin* 72a asks: Is eating the gluttonous meal (to be described by the Rambam) a sufficient cause for a person to be executed? In resolution, our Sages explain that the Torah considered the ultimate fate of such a person. He will be drawn after his natural tendencies and continue to steal and eat gluttonously. Ultimately, he will become a robber and slay people in order to support his habit. It is preferable, the Torah maintains, for him to be executed early in life, before he commits such severe sins.

1. It is explicitly stated that the wayward and rebellious son described in the Torah should be stoned to death! Now the Torah does not administer a punishment unless a warning was issued first. Where was the warning issued? [In Leviticus 19:26]: "Do not eat upon the blood," [which can be interpreted to mean]: "Do not partake of food that will lead to the shedding of blood." This refers to the [meal] eaten by the wayward and rebellious son who is executed only because of the hateful feast of which he partook as [Deuteronomy 21:20] states: "He is gluttonous and a lush." According to the Oral Tradition, we learned that this was interpreted to mean that he ate meat and drank wine in a ravenous manner.

טו טיב אדם לכבוד אִת אשת אביו, אף על פי שאינה אמו, כל זמן שאביו קיים; שיענה ככלל כבוד אביו.

ובן מבכר בעל אמו, כל זמן שאמו קיימת; אבל לאחר מיתתה – אינו טיב. ומבכר סופרים, שיהיה אדם טיב בכבוד אחיו הגדול בכבוד אביו.

## פֶּרֶק שֶׁבִיעִי

א בן סוֹרֵר וּמוֹרֵד הָאָמוּר פְּתוּרָה, הוֹרֵי נְהַפְרֵשׁוּהּ בּוּ קָטְלוּהּ; וְלֹא עֲנֵשׁ הַתְּנוּכָה אֶלָּא אִם כֵּן הוֹקְרִי, וְהִכְרָו הוֹקְרִי?

לא האכלו על הדם – לא האכל אִכְלִיָּה מִכִּבְיָאָה לִידֵי שְׂפִיכוֹת דְּמַיִם; וְזוֹ אִכְלִית בֵּן סוֹרֵר וּמוֹרֵד, שְׂאִינוּ נְהַרְגוּ אֶלָּא עַל אִכְלִיָּה מִכִּבְיָאָה שְׂאֶכְל.

שְׂאֶאֱמַר: זוֹלָל וְסֹבָא. מִפִּי הַשְּׂמוּעָה לְמַדָּה, שְׂזוּלָל הוּא הַאוֹכֵל בְּשֵׁר בְּרַעֲבֻתָּו, וְסֹבָא – הַשּׂוֹתֵה זֵינ בְּרַעֲבֻתָּו.

44. The *Shulchan Aruch* (*Yoreh Deah* 240:21) states that even though there is no obligation for a son to continue to honor his step-mother after his father's death, it is proper for him to do so. The commentaries note that this ruling appears to be based on the words of Rabbi Yehudah HaNasi who, at the time of his death, instructed his sons to continue to honor their step-mother (*Ketubot* 103a).

45. In his gloss to *Sefer HaMitzvot*, the *Megilat Esther* states that from the fact that the Rambam does not qualify this ruling by stating that it applies only during the father's lifetime, we can conclude that it applies even after his death.

1. *Sefer HaMitzvot* (negative commandment 195) and *Sefer HaChinuch* (mitzvah 248) include the commandment not to act as "a wayward and rebellious son" as one of the 613 mitzvot of the Torah.

formal Jewish learning. The ceremonies of Bar/Bat Mitzvah and Confirmation are important milestones along the road of the child's Jewish education, but they do not mark the end of that road. The *mitzvah* of Torah study lasts a lifetime.

*Adults.* The *mitzvah* of *ta'bud torah* is incumbent upon a Jew throughout life. Adults should study Torah, whether or not they received a formal Jewish education during childhood. They should study together with their children at home. It is particularly worthwhile for parents to attend Jewish study classes at the synagogue during the time their children are in religious school, for in so doing they demonstrate to their children by their own example the importance of Torah study. Adults who have not celebrated Bar/Bat Mitzvah or Confirmation but who are involved in continuing Jewish education should consult their rabbi as to the possibility of observing these joyous events in later life.

*Hebrew.* It is a *mitzvah* to learn and teach the Hebrew language. Hebrew connects us to Jews and to Jewish communities in all ages and locales. It is the language of Torah, of the State of Israel, and of Jewish religious and cultural creativity throughout history. The renaissance of Hebrew prayer in the Reform synagogue is but the most obvious expression of the movement's commitment to the Hebrew language as a medium of Jewish expression.

#### *Between Parents and Children*

It is the responsibility of parents to teach Torah to their children. The synagogue and the school are indispensable means to this end, and the community bears the obligation of providing for these institutions and for the training of teachers and other educational specialists. But the child's essential religious and moral development occurs at home, based upon values established and exemplified by his or her parents. It is therefore incumbent upon parents to insure that theirs will be a truly and unmistakably Jewish household. Home rituals, such as blessings recited over the meal and Shabbat and holiday observance, are the core of Jewish life and ought to be experienced as such in the Jewish home. It is a *mitzvah* to set aside time for daily prayer. When there are no services at the synagogue or if one cannot attend the synagogue, the home is a perfectly appropriate place for the prayer service. A Jewish

home should have a Jewish library, and time should be set aside for regular Torah study.

The Torah enjoins that each person "honor your father and your mother" (Exod. 20:12) and that "you shall each reverence your mother and your father" (Lev. 19:3). According to the tradition, "honor" refers to the parent's physical needs: the adult child is obliged to feed, clothe, and provide for housing and sustenance for parents who cannot do these things for themselves. "Reverence" involves matters of respect: the child does not appropriate the parent's customary place, does not publicly contradict the parent's words, and does not refer to the parent by his or her first name. These duties are to be taken most seriously, note the Rabbis, because we owe the same obligations of "honor" and "reverence" toward God (Prov. 3:9 and Deut. 6:13).

These non-financial duties do not cease when the children grow into adulthood, but their observance at that point becomes problematic. To what extent may a parent expect deference from an adult child, especially when this deference may interfere with the child's marriage and family life? The child is not expected to heed the parent's instruction to violate another religious obligation. Tradition teaches that should the parent protest the child's desire to move to the land of Israel, to go to another city to learn Torah, to marry the person whom the young person wishes to marry, or to make peace with one of the parent's enemies, the child may ignore these objections. In general, the parent is warned against placing excessive demands upon the child. In an intergenerational conflict within the family, one's primary responsibility is toward spouse and children. When husband or wife objects to what he or she considers undue interference from the spouse's parents, the spouse must heed that objection over any sense of obligation owed to the parents. The trend of Jewish thought has been to stress the child's duties toward the parents but to limit the circumference of these duties so that the child would not be subjugated to every whim and desire of the older generation.

One of the obligations owed to a parent is that of financial support. It is therefore appropriate for communities to compel children to contribute toward the care of their aged parents. Jewish tradition disputes whether a child may compel an aged or ailing parent to enter a nursing home over the parent's objections. On the one hand, the very nature of the *mitzvah* to honor one's father and mother emphasizes the child's personal responsibility to provide the needed care, and the love we are ex-



pected to show to those who brought us into the world, raised us, and taught us would seem to require no less. Yet there are times, say the authorities, when a child is physically or emotionally incapable of providing the proper care and supervision for the parent, and in those situations the child is permitted to hire others to provide that care. This is certainly the case today, when complex and specialized treatment regimens far beyond the ability of the family are prescribed for the aged and infirm. The best that can be said, perhaps, is that in every case of this nature the children should carefully examine their own motives. If they are certain that their intended course of action is not undertaken out of selfish desires but rather truly for the good of the parent, then that action adheres to the standards of honor and reverence.

### *Kashrut and Reform Judaism*

Many Reform Jews observe certain traditional dietary disciplines as part of their attempt to establish a Jewish home and life style. Each Jewish family should study *kashrut* and consider whether it may enhance the sanctity of their home.

The above statement taken from *Gates of Mitzvah* represents a revolution in the religious thought of North American Reform Judaism. Through most of its history the Reform movement has been closely identified with the rejection of *kashrut*, the traditional Jewish dietary laws. In 1885, the framers of the Pittsburgh Platform stated this position in no uncertain terms:

We hold that all such Mosaic and Rabbinical laws as regulate diet, priestly purity, and dress originated in ages and under the influence of ideas altogether foreign to our present mental and spiritual state. They fail to impress the modern Jew with a spirit of priestly holiness; their observance in our days is apt rather to obstruct than to further modern spiritual elevation.

Although both the Columbus Platform of 1937 and the Centenary Perspective of 1976 take a more positive stance toward ceremonial observance than does their predecessor, neither mentions the dietary laws at all, let alone favorably. None of this meant that Reform Jews were somehow forbidden to "keep kosher" or that no Reform Jews ever chose to do so. It implied, however, that in the eyes of Reform Judaism the observance of the dietary laws was at best irrelevant to a proper conception of liberal Jewish religious life. Reform Jewish leaders and thinkers

were, when not openly hostile, at least supremely indifferent to the entire issue. This indifference is reflected in the fact that out of nearly 1100 published Reform responsa we find only one *teshuvah* which deals with a substantive matter of *kashrut* and that Rabbi Solomon B. Freehof's comprehensive *Reform Jewish Practice* does not refer to the subject at all. At no time prior to 1979 did any official Reform rabbinic document suggest that Reform Jews ought to think positively about the observance of *kashrut* or consider adopting it into their religious lives.

*Gates of Mitzvah* effectively reverses this trend. The book marks the first time that an "official" American Reform movement publication has looked favorably upon *kashrut* as a religious option. With the publication of *Gates of Mitzvah*, it is no longer the movement's official position that the dietary laws offer no spiritual meaning to today's Reform Jew. This means that while some Reform Jews will continue to find nothing of value in the observance of *kashrut*, those who do are encouraged to adopt it as a *mitzvah* which enhances the sanctity of the home.

What accounts for this change to a more positive attitude? It stems, first and foremost, from an acknowledgment of historical and religious fact: *kashrut* has been a basic element of Judaism for too long for Reform Jews—as Jews—to ignore. Put differently, we have come to recognize that Reform practice does not exist in isolation from historical Jewish religious experience, nor does it trace its roots exclusively to the European Enlightenment of the late-eighteenth century. If Reform Judaism has done away with certain aspects of traditional observance, it does not declare its independence from tradition itself. Reform religious expression takes shape rather within the broader context of historical Jewish religious life, and the centrality of *kashrut* to Jewish religious life can hardly be overstated. Since biblical times, the Jews have recognized a very real religious dimension to the preparation and consumption of food; the Jewish response to God's call has always included a dietary regimen. Through the discipline of *kashrut*, Jews have traditionally imposed sanctity upon the most elemental human necessity, transforming the physical act of eating into a symbolic sacrifice to God. As Jews, we are part of that tradition, that historical continuity, and this implies that the traditional Jewish sense of the holy is not foreign to us. It no longer makes sense to declare, by dint of "reason" or "enlightenment," that the dietary laws *cannot* be a source of spiritual fulfillment to the Reform Jew. On the contrary: it is more reasonable for a movement