



THE שבוע MATTERS

לע"נ ברוך בענדיט וברכה גרוס ע"ה
by Mr. & Mrs. Duvy Gross

שבת קודש פרשת קרח

מסכת יבמות דף ו

לרפ"ש אחינו בני ישראל

Insights from our Chaburos

Fulfilling חיובין בכודי

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Our גמרא says that we should learn from the fact that the עשה of ואם תל א דוחה is not even עשה that לא דמחמר דוחה is not even עשה anywhere, to which the גמרא responds that ואם כיבוד is worse since it is a מצוה. In the חידושי ר' נחום, he discusses the question which is asked by many אחרונים which is how could you learn from ואם כיבוד to other places to says that אין עשה דוחה לית and the whole reason ואם כיבוד is not דוחה is because of "כולכם חייבין בכודי" and not because of a lack of דחייה? The broader, more fundamental question is really what does "כולכם חייבין בכודי" teach us? Does it mean there is no מצוה at all when the father asks for something that is against the תורה or is it still a מצוה but it is just not דוחה לית? He explains that there are two levels. On the level of דחייה, the מצוה of ואם כיבוד really should be דוחה לית. The concept of "כולכם חייבין בכודי" isn't a סתירה to this since, as רע"א explains in דף ל', if עשה was דוחה לית then it is כבוד ה' to do the will of the father as the תל was removed. The only reason it isn't דוחה is because כיבוד is a מצוה so it can't be learned from בציצית, but the מצוה is still a mitzvah. However, there is a second level which isn't דחייה but rather how to choose between two options. In תוספות דה"ה it is clear that even without being able to learn from כלאים, and even though אין עשה דוחה לית ועשה, we still might think that ואם כיבוד should win since המקום לכבוד. In that scenario we aren't talking about being דוחה לית out of existence since you can't be דוחה it. We are saying that we know an עשה ולית exists, but כיבוד should still win out since it's המקום הוקש. It is on that, that we say כולכם חייבין בכודי and if the לא still exists, that following that is the better כבוד ה'.

Review & Remember

1. What is the source that honoring one's parents does not include obeying when they instruct their child to sin?
2. Why does the verse mention Shabbos and Mikdash together?
3. Why is the melachah of lighting a fire singled out from all the other melachos?
4. What Shabbos prohibitions are violated if Beis Din executes a person by burning on Shabbos?

Stories of the Daf

Entering Har Habayis

"בשמך שאין בית המקדש קיים מנין"
Our Gemara states that it is prohibited to enter Har Habayis even nowadays. The first High Commissioner of Palestine was appointed by the British Mandatory authorities between the two World Wars. A semi-observant Jew, Sir Herbert Samuels was known to be careful not to violate Shabbos publicly. Every Shabbos, he would walk the long distance from his home on Augusta Victoria on Mount Scopus all the way to the great Churvah of Rav Yehuda HaChassid in the Old City. To the surprise of many, when Sir Herbert first met the Rav of Yerushalayim, Rav Yosef Chaim Sonnenfeld, zt"l, the venerable gadol made a request of the Jewish official. "Please have warning signs affixed near all of the entrances to Har Habayis so that ignorant Jews will know not to enter the area and risk transgressing the many prohibitions involved. They could even be liable to kares unless we take steps to prevent such violations!" In those years, the Jewish community was very careful with this prohibition and did not enter Har Habayis at all. Although there is documentary evidence that some Rishonim did enter certain permitted areas of the Har Habayis, later generations would not rely on this since there are conflicting opinions and there is too much of a possibility of error. Sir Herbert requested in turn that Rav Sonnenfeld put his request in writing. The Rav wrote, "I have taken the liberty to request permission of Your Honor to place signs in Hebrew, Yiddish, and Spanish to inform the Jewish people that we lack the ability to purify ourselves properly to enter this most holy place nowadays. It is therefore prohibited from the Torah for any Jew to enter the Har Habayis." When they left, the Rav's escort asked him why he made this request, since no Jews of the yishuv ever considered doing such a thing. Rav Sonnenfeld responded, "It is true that no one goes there now. However, what about Sir Herbert himself? As High Commissioner, isn't it likely that he will be required at some time to go there? Once the signs are posted, they will provide him with an excuse to refuse to enter the area without offending the British authorities!"

Parsha Connection

In this week's daf we find a discussion around the Mitzvah of honoring one's parents. There is an interesting reference to an important aspect of this Mitzvah in this week's Parsha. The Parsha lists Korach's lineage, up to Levi. What happened to Yaakov? As we learned in Parshas Vayechi, Yaakov asked that his name not be mentioned in connection with Korach, since being associated with Korach would be embarrassing to him. The Kitzur Shulchan Aruch (143, 21) indicates that the converse is also true. If a child wants to give true honor to his parents he should make it his occupation to study Torah and do good deeds for this will bring the greatest honor to his parents. When people see such children they will exclaim "Fortunate are the father and mother that raised a child such as this."

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Halacha Highlight

Obedience Without Pleasure

דתניא יכול אמר לו אביו היטמא או שאמר לו אל תחזיר יכול ישמע לו וכו'

As it was taught in a Baraisa: One might think that if one's father told him to become tamei or his father told him not to return a lost object, it might be thought that he should listen etc.

Poskim debate whether a child is obligated to demonstrate obedience to a parent when the request does not provide any physical benefit to the parent. Rabbeinu Yom Tov ben Avrohom Ishbili, the Ritva, in his comments to our Gemara writes that a child is not obligated to comply with a parental request that does not provide physical pleasure to the parent and the cases of the Baraisa refer to where the father will benefit from his request. Similarly, Rabbeinu Yosef of Cologne, the Maharik, ruled concerning a father who protested against his son marrying a particular girl that any matter that does not relate to the physical wellbeing of the parent is outside the scope of the mitzvah to honor. Therefore, a child does not transgress the obligation to revere his parent when he does not obey a request that does not relate to the physical benefit of his parent.

Rav Yerucham Fishel Perlow, in his commentary to the Sefer Hamitzvos of Rabbeinu Saadyah Gaon, cites many authorities who maintain that there is a mitzvah to comply with the wishes of a parent even when it does not provide physical benefit to the parent. For example, Rabeinu Asher ben Yechiel, the Rosh, rules that if a parent instructs a child not to speak to someone, the parent should be ignored. One reason is that it is beyond the scope of the parent to instruct the child to transgress a prohibition, i.e. not speaking to one out of hatred, and secondly, since the parent demonstrating hatred he or she is not behaving properly and thereby forfeits the privilege of receiving honor. It is evident, notes Rav Perlow, that if the parent instructed the child to do something that did not involve a sin, there would be an obligation to comply even though the request does not provide any physical pleasure to the parent.

Later authorities advise following the wishes of the parents even when the mitzvah of honoring one's parents is not fulfilled especially when it does not involve a loss to the child. The reason is that it is likely that the mitzvah to revere (מורא) one's parents will be fulfilled even if the mitzvah of honor (כבוד) is not.

Mussar from the Daf

“There is a Borei Olam”

The Gemorah quotes a Braisa which teaches that just as one does not fear the Shabbos, but rather the One who commanded us to keep Shabbos, so too one should not fear the Mikdash, but rather one should fear the One who commanded us to build the Mikdash. Tosofos explain that this is coming to teach us that we cannot turn Bais Hamikdash into a deity. Rather we have to be clear that it is Hashem we are fearing. Sometimes we can get very involved in a mitzvah, and we can turn the mitzvah into the ikkur and almost forget about the One who commanded us about the mitzvah. There is a story about a Mashgiach who made an announcement during the yeshiva seder. His announcement was simply “There is a Borei Olam.” His point was that people can get so into their learning, they sometimes forget about Hashem, that it is His Torah, and He has asked us to learn His Torah. There is another story with a certain Gadol was once overheard one of his talmidim respond that the Shach holds the halacha is a certain way. The Gadol recommended that the Talmid say that Hashem holds that the halacha is the following. This simple Avodah would help the Talmid to remember that the Torah is a medium to learn what Hashem wants. A certain Rov laments over the fact that when we learn in the Gemara the phrase “Rachmana Amar” many frequently translate it as “The Gemara says.” The precise translation, however, is that “The Merciful One, i.e., the Ribono Shel Olam says.” If we focus on the correct translation we won't lose sight of the fact that we are learning Hashem's Torah. In order to not mistakenly make a mitzvah into an Avodah Zarah, and bring Hashem back into the picture, try visualizing that Hashem is asking you right now to do the mitzvah that you are about to perform.

Point to Ponder

The Gemara discusses what happens if a father tells his son, who is a Kohen, to go into a cemetery. Rashi says that the father asked the son to go in and fetch a lost item. When one picks up a lost item his Mitzva isn't done until he delivers the item to its rightful owner. How can we say that the Mitzva of returning a lost object should supersede the prohibition against a Kohen becoming Tame'ei? They are not happening at the same time, since he will not fulfill the Mitzva until sometime in the future, and we have a rule that they must be concurrent.

Response to last week's Point to Ponder

Since both men and women can become Nazirim why does Rashi write that Nazir Nazir is not a “universal” (אינו שוה בכל)? There are two ways to understand Nazir. One is that he is a regular person who made a vow to refrain from drinking wine, cutting his hair, and becoming טמא. The other way is that the Nazir becomes someone who is different from everyone else, he is a unique individual, and because of his uniqueness, he can't drink wine, etc. Rashi obviously understood Nazir like the second option and therefore considers his obligations unlike everyone else's. (See שו"ת אבני מילואים כ"ב)

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