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WHAT DOES KIBBUD AV VA'EM ACTUALLY MEAN?

WEEK THREE SUMMARY OF SBM 2018

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There are four pesukim in the Torah from which we derive Mitzvot regarding Kibbud Av Va'Em (KAVE):

1. כִּבְד אֶת-אָבִיךָ, וְאֶת-אִמֶּךָ--לְמַעַן, יֵאָרְכוּן יְמֶיךָ, עַל הָאָדָמָה, אֲשֶׁר-יְהוָה אֱלֹהֶיךָ נָתַן לָךְ. (שמות כ"א)
2. אִישׁ אָמוֹ וְאָבִיו תִּירָאוּ, וְאֶת-שִׁבְתֵּי תִשְׁמְרוּ: אָנִי, יְהוָה אֱלֹהֵיכֶם. (ויקרא י"ג)
3. וּמִכָּה אָבִיו וְאִמּוֹ, מוֹת יוֹמֵת. (שמות כא:טו)
4. וּמִקֵּל אָבִיו וְאִמּוֹ, מוֹת יוֹמֵת. (שמות כא:ז)

We spent this week trying to figure out what we could learn from these pesukim. How do they relate to each other, and to other mitzvot in general?

We began our discussion through the lens of the sugya about **אתי עשה ודחי לא תעשה**, the discussion about whether the fulfillment of a Mitzvat Aseh can override a prohibition (Yevamot 5B-6B).

The Gemara intends to prove that an Aseh can override a Lo Taaseh whose punishment is Karet by bringing in KAVE. If not for Vayikra 19:3, which is interpreted as subordinating KAVE to Shabbat because Shabbat represents Kevod Hashem, we would have thought that honoring one's parents could supersede the prohibition of Shabbat. We would then have generalized this to mean that all Asehs override all prohibitions involving karet (when the Aseh can only be done by violating the prohibition).

However, the Gemara rejects that claim by saying that even before the verse, we would never have thought that KAVE could override all Shabbat prohibitions. Rather, we would have thought this only about the prohibition against directing animals (*mechamer*), which is not punished with Karet. Ie, the fact that in the end KAVE does not override Shabbat also cannot teach us a general rule that Asehs **don't** override Lo Taasehs. This is because we would usually be breaking the Lo Taaseh only for a Hechsher Mitzvah of KAVE, and not for the Guf Mitzvah, which would be worth violating Shabbat for. (The rishonim

discuss what to do about the cases where the violation of Shabbat **would** directly benefit the parent, and why simply obeying a command to be *mechamer* wouldn't directly fulfill KAVE even if the physical benefit was indirect, e.g. by having the animal bring desired foodstuffs.)

However, a similar Gemara in Bava Metzia offers a different interpretation. The reason why KAVE might be able to override a Lo Taaseh with an Aseh is because KAVE is analogized to Kibbud Hashem. (The Yerushalmi has a version in which KAVE is shown to take precedence over Kibbud Hashem in some ways.)

So we see two different views of KAVE - one in which it has less power than other mitzvot, and one in which it has more power.

YU Rosh Yeshiva Rabbi Michael Rosensweig formulates this dichotomy by stating "Kibbud av va-eim, then, is governed by a fundamental tension. On the one hand... it is manifestly subordinate to other mitzvot because it cannot compete against kavod Shamayim — kulkhem chayavim bikhvodi. But, on the other hand... kibbud av va-eim is superior to other mitzvot because it is analogous to kavod Hamakom — hukash kevodam le-kavod ha-makom."

There are two ways to resolve this apparent conflict. The first is by R. Rosensweig, who cites the opinion of the Baalei HaTosafot on Yevamot 6a. The Tosafot write that KAVE is a fundamentally extreme mitzvah which can never be equal to others (though it can in theory **either** supersede or be subordinate to them). Once the Talmud concludes that KAVE cannot displace a lo taaseh ve-taaseh it must be the case that it cannot displace even an ordinary lav.

But how can this be the case given the unique interplay between KAVE and the honor of Heaven that we learn from the various pesukim which give it authority?

R. Rosensweig answers this question by stating that “A child’s first interaction with the Ribono Shel Olam is through his parents, through the values and beliefs and through the traditions they bequeath to him... it is in the furthering of kavod Shamayim that the authority of a parent — and thereby the imperative of kibbud — is firmly rooted.”

If this is the case, it makes sense why KAVE can not trump kavod Shamayim. If parents are teaching their child to live a life of Jewish values, the honor that they are due is due to them channeling the honor of Heaven. However, according to R. Rosensweig, “if a parent competes against kavod Shamayim, when he tests his authority against His Authority, he severs his own authority from its life source and is left pathetically paralyzed and pitifully feeble.” Any demand of a parent to violate any command of the Torah would then be meaningless as they are no longer inspiring kavod Shamayim and no longer have any authority to rely on in order to grant them honor.

In R. Rosensweig’s view KAVE serves the exclusive purpose of being an instrument to teach kavod Shamayim. If it is accomplishing this goal, it is all-powerful. If it is not accomplishing this goal, it is utterly powerless.

A second approach was offered by R. Klapper in Shiur this week. First, we must understand the connection between KAVE and Kibbud Hashem as a metaphor. Then we need to interrogate the metaphor: do we take it seriously as a Halakhic concept, or do we treat it as merely a literary comparison which is not intended as an overall equation?

To answer this question, we must use the same Tosafot on Yevamot 6A, DH Nigmar MeHacha DeLo Dachi, cited by Rav Rosensweig:

כיון דגלי לן קרא דלא אלימא לן טעמא דהוקש כבודם לכבודה
מקום דלידחי, א"כ אפילו לאו גרידא לא דחי, דמכלאים לא מצי
גמיר משום דכיבוד הוי הכשר מצוה:

*Once the Torah has revealed to us that the rationale that KAVE is analogized to Kevod HaMakom cannot push aside a prohibition involving karet, we realize that it cannot push aside even an ordinary prohibition. (This is so even though other Asehs **can** push aside such prohibitions, which is derived from the rule that the mitzvah of tzitzit overrides the prohibition against wearing shaatnez,) because KAVE is weaker than tzitzit because it is only a Heikhsber Mitzvah.*

The way we understood this line is that since the Gemara in Bava Metzia does not see the connection of KAVE to Kibbud Hashem as having sufficient legal meaning to override a prohibition involving karet, we see that it has no legal significance at all, at least in terms of determining a hierarchy of mitzvot.

In addition to this conceptual debate, we learned the quintessential sugya in the Gemara regarding KAVE, on Kiddushin 29A-32A. Among the topics we covered was a discussion of which parent one is required to prioritize Kibbud for. The Gemara in 31A states that one is Chayav to honor his father before his mother, since his mother is also Chayav to honor her husband. In addition, we see a Halachah that a woman is only Chayav to honor her parents when she is not married, but that her obligation of KAVE is in some way bounded and limited by an obligation to honor her husband.

On this topic, we read an article by YU Rosh Yeshiva Rabbi Mordechai Willig in Beit Yitzchak. There, he methodically showed that all the manifestations of a wife’s chiyuv to honor her husband are sociologically determined, not eternal. Nowadays, they do not apply, and a husband who insists on them is violating communal and relational norms rather than enacting them. We noted that the gemara does not provide any legal basis for such an obligation. Following this argument, a married woman nowadays is fully Chayav in Kibbud Av Ve’Em, and a child would not automatically honor the father first. This argument will be important for our coming discussion of KAVE in cases of parental conflict.

In the coming weeks, SBM 18 will continue to dive into the various mekorot regarding Kibbud Av Ve’Em, and how various halachot are applied to real-life situations.