

כיבוד זקן הרב שרגא נויברגר

In this week's *parsha*, the Torah tells us that before Yaakov traveled down to Mitzrayim—ויזבח זבחים (בראשית מא, א) Rashi brings the Midrash which explains that we see from this *posuk* that a person has a bigger *chiyuv* to honor his father than his grandfather. At the end of יורה דעה סימן ר"מ there are two *dei'os* whether there is an actual *chiyuv* to be *mechabed* one's grandfather. The Maharik holds there is no special *din* for grandparents but Rema himself holds that there is indeed a *chiyuv*. In the parentheses, they cite this Midrash as the source. The Gaon sides with Maharik and even if there is such a *chiyuv* then it would come from בני בנים "בני בנים" which would then exclude בני בנות from the *chiyuv*.

The Gemara כתובות דף קג. tells us that when Rabbeinu Hakadosh was niftar, he left a directive in his *tzavo'o* to his children that they should be careful about "כבוד אמכם". The Gemara asks why he needed to write that if *kibbud eim* is *de'oraisa*? The Gemara answers that it not their biological mother, rather it was a second wife of his and therefore they were not *chayiv m'de'oraisa* to be *mechabed* her.

Parenthetically, sometimes people ask what children should call a stepmother when a father remarries. If the case is a divorce, it could happen that the biological mother would take offense if her children call the stepmother, "Imma". I don't think anyone knows how old Rabbeinu Hakadosh's first wife was when she was *niftares*, but if she died young and this second wife raised the children then this Gemara is certainly a good *rayuh* that a stepmother can be called, "Imma". Yet, even if she did not raise them, this Gemara could still be a *shtikel smach* for a stepmother to be called some variant of "Mother", different than that which they call their biological mother.

The Gemara continues by asking that even if she wasn't their mother, אשת אב is still *de'oraisa* so why does Rabbeinu Hakadosh need to direct them to carry out this *chiyuv*? In the *posuk*, "כבוד את אביך ואת אמך", the word "את" is *darshened* to include parent's non-biological spouse, and the "י" prefix includes older brother. The Gemara's answer is that *chiyuv* only applies while the parent is still alive, but after Rabbeinu Hakadosh was *niftar*, there was no longer a *chiyuv* for his children to be *mechabed* her and this is why he directed them to continue to be careful in her *kavod*.

I have a *ha'ara* which I have not yet seen brought up by anyone else about this. There is a *machlokes* in the Shulchan Aruch whether there is a *chiyuv kibbud zaken* or not. If there is, then it is a best either an *asmachta* or a *derabbonon*. There is no *posuk* or *derasha* for it and therefore it cannot be a *chiyuv m'de'oraisa*. How did Chazal know to *darshen* the "ואת" as pertaining to parent's spouse and older brother, why not include grandparents? After all, without the grandparents a person would not be. A parent's spouse is not a blood relative nor responsible for a child's being. I think the answer is simply the following. Of course, a person has to have a large measure of *hakoras hatov* to his grandparents for helping his existence, nevertheless grandparents are not the closest relative to one's parent. That is what the word "ואת" is coming to include. A parent's spouse is the closest relative to his parent, followed by one's elder brother.

The Gemara in Sanhedrin says, "אין אשה מיתה אלא לבעלה ואין בעל מיתה אלא לאשתו"—a husband and a wife die only for their spouse. At first glance this seems a bit callous, does a child not feel sadness from losing a parent? Of course, they do! Rather, this statement is saying that the bottom line is there is no closer relationship than marriage. Because the "את" is an inclusion of the *taful* to the parent, it comes to include parent's spouse, and the "י" is the next-closest one which is older child. This is why the *derashos* are for parent's spouse and elder brother. The *kovei'a* is closest relations to parents and therefore grandparents are not learned out.

Another point I want to touch on is the following scenario: If a person is with both his father and his *zayde*, and both ask for a glass of water, he must serve his father first. In truth, the appropriate reaction in such a case is

for the father to direct his son to serve the *zayde* first, but if he did not know that the *zayde* also asked then the *halacha* is clearly that the father is served first. This is because there is *posuk* for *kibbud av* but not for *kibbud zaken*.

In a parallel scenario of both a mother and father asking for a glass of water, even though there is a *de'oraisa chiyuv* on a child to serve each of them, because the mother also has a *chiyuv* to be *mechabed* her husband, the *din* is that the child serves his father before his mother. The question is why don't we apply this *sevara* to the case of a father and a *zayde*: If the son's father has his own *chiyuv* to the *zayde*, why don't we say that the child should then serve the *zayde* first just as he serves his father before his mother?

The answer is simple, and R. Yosef Engel says the following *yesod* regarding a similar case of a person who is with both his *rebbe muvhak* (whom he is *chayiv* to be *mechabed*) as well as that *rebbe's* own *rebbe*, whom the person never learned by. So, he is *chayiv* to be *mechabed* his own *rebbe muvhak* and his *rebbe muvhak* is *chayiv* to be *mechabed* his own *rebbe*. The *halacha* is that the *rebbe muvhak* takes precedence. We do not say that the *rebbe muvhak's* *chiyuv* to his own *rebbe* passes on down to the person as well.

The *yesod* is only when the person has an equal *chiyuv* to both of the people present do we extend their *chiyuv* to the other down to the person. Since a child has an equal *chiyuv* to be *mechabed* each parent we then extend the mother's *chiyuv* to her husband onto the child to direct him to serve the father first. In the case of serving his father and *zayde*, the person has only a *chiyuv de'oraisa* to his father, not his *zayde*. In the case of serving his *rebbe muvhak* and his *rebbe's* *rebbe*, even though he has a *chiyuv de'oraisa* to both *alts mechabed talmid chochom*, his *chiyuv* to the *rebbe muvhak* is greater because of the added element of being his *rebbe muvhak*. Therefore, in those latter cases the *din* is not for the person to project the *chiyuv* of one to the other unto himself.

The Gaon brings two *kashyas* which I would like to touch upon to try to answer for. The Gemara tells a story in *מס' סוטה דף מט*. That R. Acha bar Yaakov had a grandson Yaakov (from his daughter), and he requested of him to serve him water. R. Yaakov said back, "לאו בריך אנא" – even though you raised me, I am still merely your daughter's son and do not have be *mechabed* you like a son. The Gaon asks that if there was also a *din* of *kibbud zekano*, then it shouldn't matter that R. Yaakov isn't his son, he still has a *chiyuv* to be *mechabed* his *zayde*? From this Gemara that Gaon brings a *rayuh* that there is no *chiyuv* of *kibbud zekano*.

To answer for those who do hold that there exists a *chiyuv kibbud zekano* I would like to suggest the following: If we look in Rashi, he says that R. Acha bar Yaakov had raised R. Yaakov in his own house, and R. Yaakov replied that he is still not an actual son. R. Acha bar Yaakov was a *talmid chochom gemura* and R. Yaakov was therefore *chayiv* to be *mechabed* him even without being an *einikel*. Yet, it could be that R. Acha bar Yaakov was requesting him to bring him water *alts kibbud av*. This is why R. Yaakov said specifically that he was not *chayiv* to be *mechabed* him *b'toras kibbud av* since he wasn't an actual son.

The other *kashya* of the Gaon is about a son becoming a *go'el hadam* for his father. The Gemara, in *מס' בכורות דף יב*, says that in one case a son can be *go'el hadam* against his father but in a different case he cannot. When he is the brother of the *niftar* and his father had killed his brother by accident, then he should not become the *go'el hadam* to avenge his brother's death. However, he may be the *go'el hadam* when it was his father who was killed *b'shoge*g by his *zayde* and he wishes to avenge the death by killing his *zayde*. Rashi says that he can do so because, "אינו מוזהר בכבודו". The Gaon adduces from this that there is no *chiyuv kevod zekano*.

Maybe we can say that there is indeed a *chiyuv kevodo* and maybe Rashi is giving a reason why in the case of being *go'el hadam* against his *zayde* he can do so. That *chiyvu kevod zekano* is not *muzhar* to the point where he cannot act as a *go'el hadam* against his *zayde*. His *kibbud av* overrides the *chiyuv kibbud zekano* in such a case. With this we can still hold that there is a *chiyuv kevod zekano* and the Rema can say that this Gemara is not a *rayuh* against it.