

HALOCHOSCOPE

This week's question:

Someone is asked by a parent or teacher to buy something forbidden or dangerous, such as cigarettes. Should he comply with the request, as a fulfillment of the *mitzvos* to honor and listen to the parent or teacher? Or is it forbidden to do this, both because of helping the parent or teacher sin and to protect their health? Is following the instructions actually the opposite of honoring them, because it will cause them harm, indirectly?

The issues:

A) *Kibud Av Va'eim; Morah; Kevod and Morah Harav; Honoring parents and teachers*

B) *Protecting the health of others and oneself*

C) *Lifnei Ivair, misleading others to sin; Tochacha, admonishing sinners*

A) *Kibud, Morah, Av Va'eim and Rav*

Honoring parents involves two Scriptural *mitzvos*, *kibud* and *morah*. *Morah* means fear, but can also mean awe or reverence. The Torah makes a point of equating mother and father, despite the natural fear for a father more than a mother. Similarly, mother and father are equated for *kibud*, though one might honor his mother more. [In a conflict, if parents are married, father takes precedence. Both son and mother are obliged to honor the father.] Some distinguish between the term 'fear from', implying being afraid of consequence or of a watchful eye, and 'fear' without the 'from', but with an indirect object in the Hebrew word '*es*', implying awe of greatness. Awe or fear of greatness of a human detracts from the awe one should have for Hashem. However, Hashem 'shares' some of His awe with parents and with Torah scholars, commanding us to fear them as well. Thus, *morah av va'aim* is on a par with *Morah Shamayim*.

Kibud includes feeding and clothing the parent, and attending to his personal needs. The Talmud debates the funding for the food and clothing. We follow the conclusion that the child does not need to provide the funds, but must be involved in the act. If the parent has no funds, the son could use *tzedaka* money. Generally, family members should come first when distributing *tzedaka*. However, the Talmud condemns one who uses *tzedaka* for *kibud av* when he could use personal funds for it.

Morah includes not standing in the parent's place, not sitting in his place, not contradicting his words, nor even voicing approval of his words. He may not imply that his father needs his approval or consent. Disobeying an order is a violation of *morah*.

How do we categorize the difference between *kibud* and *morah*? In one view, *kibud* involves active deeds, while *morah* involves passively refraining from slighting parents' honor. In another view, *kibud* involves benefiting the parent directly and personally. *Morah* involves a private obligation on the son to ingrain within himself, and conduct himself with, a sense of fear and reverence. [Rising when a parent approaches is considered *kibud*. The parent seems to gain no material benefit, but pleasure is also benefit.

gues about the violation? With regard to a *rav*, one is permitted to persist in debating him. One may show proofs and sources for his own position. Ultimately, one side or the other will concede, or at least, they will both agree to each others' right to disagree. With a parent, especially an ignorant or sinful parent, this might be more difficult. Persisting will only make the parent an intentional sinner. In such circumstances, the son should avoid the presence of the parent, to avoid dealing with these issues.

Two rulings pertain to our case. In one, a parent has been instructed by his doctor not to drink water. The parent then asks the child to bring him a drink. In this case, since the doctor left specific instructions against it, the son may not fulfill the request. The term used in this ruling is that the doctor considers it a danger. Therefore, the poskim debate a second case, in which there is no actual danger. A parent asks a child to give him a drink of something that will harm or hurt the parent. It is unclear whether this means an uncomfortable side-effect or a health issue. Since it does not pose danger, some say that the child should fulfill his parent's request. Others maintain that in this case, too, one should not fulfill his parent's request. [See Eruvin 67b Moed Katan 16b-17a Kidushin 32a-b Bava Metzia 31a-b Sanhedrin 92a, Poskim. Sefer Chasidim 234, commentaries. Tur Sh Ar YD 240:11-13 15 16 Ar Hash :12 33-34, 242:11 22, commentaries.]

In conclusion, if the requested item is forbidden, there is no question of fulfilling the request. In fact, one should respectfully point out the prohibition involved. If the item is dangerous, one may also not fulfill the request. If it is an item that some people do not consider dangerous, due to no imminent and present danger, one would need to speculate what a doctor would call it. [Smoking, for example, is dangerous!] If it is merely harmful, one would have to decide which view to follow. Since both views are viable, the usual policy is '*shev v'al taase adif*' – it is better to do nothing.

On the Parsha ... Said Rabi Yitzchok ... [Rashi 1:1] The Midrash cited by Rashi does not place the name of Rabi Yitzchok at this juncture. Some say Rashi wanted to honor his father, who was not a scholar. He asked him for a question and added his name in. This is untrue, for Rashi cites his father's opinion and explanation elsewhere in his commentary. [Sifsei Chachamim]. Perhaps Rashi honored his father, a true scholar, by calling him Rabi, my teacher. Perhaps this passage was taught to Rashi by his father as a child. By citing it here, with his father's name, he begins his great commentary by honoring a parent and a teacher, the foundation of all learning.

The tree of knowledge ... The commentaries debate whether this was a specific species of tree, or an ordinary tree with extraordinary powers. The Midrash cites four opinions: it was a grape vine, a fig tree, an *esrog* tree or it was wheat. Wine is good in small measure. Figs are a sweetener added to other foods. Too much pure sweetener is unhealthy. *Esrog* is acidic, and should not be consumed alone. Wheat is good when used as a staple, but too much, such as at a party, especially a forbidden party, is not good. In small amounts, these items can bring people together. Tobacco was originally meant to be used this way. It relaxes the mind and was used to make peace. Too much causes harm. Perhaps Hashem made the *aitz hada'as* extra powerful, so that a small amount could also be too much. Hashem was also warning Adam against becoming addicted to too much of something that had a good purpose in small amounts.

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However, some consider it to be *morah*, showing reverence. Accordingly, it would apply even if the parent is not aware of it.] Both views can be reconciled. They might both highlight different aspects of the distinctions between them.

Honoring a *rav* or teacher is derived from honoring Hashem, from the *mitzvah* to cleave to scholars, and from the *mitzvos* to honor parents. Most of the aspects of the *mitzvos* regarding parents apply more so with regard to a teacher. Many apply to any Torah scholar as well. However, one's teacher must be honored especially carefully.

If a parent or *rav* instructs one to violate any *mitzvah*, Scriptural or Rabbinical, one may not listen. Since all are obligated to listen to Hashem, the honor of the senior does not override the *mitzvah* to follow the Torah. This is, in fact, juxtaposed by the Torah, to teach this very lesson. Some poskim debate a father's instruction to violate a *minhag*, custom, that does not touch on a Scriptural or Rabbinical *mitzvah*. [See Yisro 20:12 Kedoshim 19:3 Eikev 6:13. Yevamos 5b-6a Kidushin 30b-33b Bava Kama 41b Bava Metzia Shavuos 30b, Poskim. Toras Kohanim, Kedoshim, commentaries. Tur Sh. Ar. YD 240:1-5 7 19 25 242:1 15-35 243-244, commentaries.]

B) Protecting health; Pikuach nefesh as opposed to other mitzvos

The Torah says that we shall live by the *mitzvos*. This is interpreted by the Talmud to mean that we are not required to give up our lives to avoid violating a *mitzvah*. Three *mitzvos* must be followed even when life is in danger: not to worship idols, not to engage in illicit relationships and not to murder. For all other *mitzvos* it is in fact forbidden to sacrifice one's life, except in specific circumstances of desecration of Hashem's Name. Therefore, one may not risk his own life for *kibud av va'eim* or for any of the above *mitzvos*. One may certainly not put another person in danger to fulfill his own *mitzvah*. One may even violate a *mitzvah*, such as *chilul Shabbos*, to save a life. The term *pikuach nefesh* comes from the use of the word for checking through. If a pile of rubble falls on a victim on *Shabbos*, one is *mefakaiach hagol*, checks through the heap. Perhaps the person is still alive. Thus, for a possible life-saving situation, one is *mechalel Shabbos*.

In addition to this principle, there are specific *mitzvos* to watch one's health and safety. One must erect a fence around a flat roof. One may not allow blood to be shed in his house, but must remove all hazards. This forbids keeping dangerous pets, requires fixing shaky steps and covering holes and pits. Obviously, nowadays this includes keeping dangerous household items in a safe place. There is a positive *mitzvah* to watch one's health. One may, with the authority of Bais Din, sometimes intervene to force the removal of a hazard, especially if it poses danger to others. There is also a positive *mitzvah* to heal others, based on a reading of the terminology of the *mitzvah* to return lost items. You shall return him to himself, meaning return his life or health to himself. In addition, there is a negative *mitzvah*, not to stand by while another's blood is shed. These *mitzvos* make one liable for another person's well-being, and certainly forbid involvement in the other's dangerous or unhealthy behavior and activity.

Some suggest that an addiction, once it has set in, is considered *anuss*, beyond one's control. In cases of *oness*, one is not held liable. Accordingly, the 'victim' need not exert effort to fulfill these *mitzvos*. However, it is well-known that the initial habit is not forced on the 'patient', but is begun voluntarily. *Techilaso bipeshia*, it begins with negligence, and might not qualify as *oness*. In addition, if the addiction is seen as a sickness, it must

be cured, rather than satisfied. [See Acharei Mos 18:5 Kedoshim 19:16 Va'eschanan 4:9 Ki Saitzai 22:8. Brochos 33b Yuma 85b Kesubos 41b Bava Kama 15b Bava Metzia 117b Sanhedrin 73a 74a, Poskim. Tur Sh Ar OC 329 YD 116 CM 409:3 426 427, commentaries. Zechor Lemiriam (Chofetz Chaim) 23.]

C) Lifnei Ivair

This matter has been dealt with in recent issues. To briefly recap, there are mainly two *mitzvos* with regard to involvement in another's sinning. *Lifnei ivair* forbids being a facilitator, and *hochaiach tochiach* requires intervention to save one from sinning. If the person could have sinned without the help of this facilitator, but this person helped him along, there is no Scriptural *lifnei ivair*, but a Rabbinical version, *mesayaia*. Needless to say, one has also missed the opportunity of rebuking. If the rebuke will not help, one is still required to do so. The exception to this is when the sin is explicitly stated in the Torah, and the violator is presently doing it *bashogeg*, unwittingly, and after the rebuke he will continue to do it knowingly. If the rebuke will be counterproductive, one may not do it. It must be done in a way that will not embarrass the violator, unless privately rebuking has been ineffective and public rebuke will work. A third issue arises, especially in this case. One may not condone a sin, or flatter the sinner. One may not give the impression that he agrees with the violator. This is known as *chanufah*. According to some poskim this is a Scriptural violation, based on a passage discussing illegal leniency for a murderer. The talmud describes situations where the impression could be made that one who clearly sinned is being given preferential treatment, as a violation of this *mitzvah*. One such case specifically applies to special treatment of a king, a *Rav* or a teacher. [See Masei 35:33, Sifri. Moed katan 16b-17b Sotah 41b-42a Kidushin 70b Yereim Mitzvah 55. Shaarei Teshuva 187 192 195. For Lifnei Ivair, Halochoscope XIII:1.]

A special set of circumstances presents itself when one witnesses a parent or teacher in violation. On the one hand, one may not make exceptions for anyone when the honor of Hashem Himself is at stake. If one violates publicly, there is usually a desecration of Hashem's Name. Immediate action is needed, regardless of the identity of the violator. On the other hand, respect for a scholar or parent requires extra care in correcting the violation, even if it was done in private.

Accordingly, one may not say to a *rav* or a parent "What you are doing is wrong!" The prescribed method of dealing with a transgression of a teacher or parent is as follows. One could say to a parent "The Torah/Talmud/Shulchan Aruch says ...", hinting to the transgression. Better still, one should make it sound like he is asking: "Does not the Torah say ...?" To a *rav* one would say "Our teacher taught us ..." or "Didn't our teacher teach us ...?" Thus, the teacher is being honored at the very same time that he is being rebuked. In fact, some say that one should not word his rebuke in the style of admonishment at all, but in the style of a question. The poskim debate whether one should intervene when his *rav* is seen doing something that he thinks might be wrong, but is unsure of it. If it is a possible Scriptural violation, he should intervene right away, respectfully. If it is Rabbinical, some say that he should not intervene until afterwards, since it might not be wrong. His teacher might explain to him why it is permissible. Others maintain that one should intervene anyhow.

What if, after respectfully rebuking the parent, the parent continues to violate, or ar-